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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Date: February 2, 2016

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

Agenda Item No. 8(H)(1)

From: Carlos A. Gimenez
Mayor

Subject: Authorization of Designated Purchase for Playground and Park Equipment

Resolution No. R-113-16

Recommendation

It is recommended that the Board of County Commissioners (Board) adopt the attached resolution authorizing the Designated Purchases of playground and park equipment from a to-be-established open pool of pre-qualified vendors, and, in certain limited instances, the installation thereof, pursuant to Section 2-8.1(B)(3) of the County Code. This resolution allows the Miami-Dade County Parks, Recreation and Open Spaces Department (PROS) to procure playground and park equipment from pre-qualified and specialty vendors based upon unique project criteria. PROS will select vendors not exclusively on the basis of price but also based on which design and system is appropriate for the community, project, and department, within the constraints of the project budget. The unique project criteria may include community input, special needs, maintenance of consistency within parks or facilities, durability, maintainability, availability, and product catalog-based price as discounted by vendors. It is not practicable to purchase playgrounds and park equipment based solely on inflexible price-exclusive selection, as each one of these manufactured products is unique in design and appearance and needs to conform to and address local community needs and park aesthetics. It is in the best interest of the County to select such equipment in consideration of these criteria, along with price. The authority provided by this resolution will be in place for three (3) years, and will permit the purchase of playground and park equipment, as well as the procurement of installation services at a total value not-to-exceed $350,000 per project and $4,000,000 in aggregate, with no minimum guarantee.

Scope

The scope is countywide as this resolution/authorization is for multiple park and County properties in all Commission Districts.

Fiscal Impact/Funding Source

The resolution authorizes Designated Purchase of playground and park equipment, and the installation thereof, at a value not-to-exceed $350,000 per project and $4,000,000 in aggregate over a period of three (3) years. The funding source for procurement will be capital funding sources budgeted on an annual basis by the Board, including but not limited to Building Better Communities General Obligation Bond Program, Park Impact Fees, and grants. Additionally, replacement parts may be procured from general fund proceeds, based on an annual appropriation by the Board.

Track Record/Monitor

The agency responsible for implementing the project is PROS and the project manager is Jorge L. Mora, Chief of Design, Construction and Maintenance for the department.

Background

Playground and park equipment procurement was previously provided under County contract 4907-3/13, *Playground and Park Equipment, Furnish, Deliver and/or Install.* That contract provided for "the purchase, delivery, installation and/or repair of playground and park equipment, including but not limited to shelters, site furniture, play equipment and water play equipment, in conjunction with Miami-

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Dade County Departments' needs on an as-needed, when needed basis." The contract commenced on February 1, 2008 and expired on January 31, 2015.

The *Playground and Park Equipment, Furnish, Deliver and/or Install* contract was structured with the following product groups: Group A – Purchase of Playground Equipment and Playground Equipment Parts; Group B – Miscellaneous Park Equipment; and Group C – Installation and Infrastructure Services. Thirty (30) vendors, representing over 100 manufacturers, were pre-qualified to provide materials and services under that contract. That contract had almost 700 purchase orders issued against it, and averaged over 120 purchase orders per year issued over the last three (3) years, with a value of over $15.6 million (an average of $2.7 million per year). It also made possible the construction of approximately 54 playgrounds and/or shade structures.

In place of the prior contract, PROS proposes two (2) contracting vehicles: under this resolution authorization for Designated Purchases of playground and park equipment; and a separate procurement contract for installation and infrastructure services (*Playground: Installation and Infrastructure*, to be presented to the Board in a separate item). Installation services will be competitively solicited.

This resolution will allow the Administration to establish an open pool of pre-qualified vendors of playground and park equipment. Under this authority, when it is not practicable to solicit formal sealed bids, PROS will select vendors not exclusively on the basis of price but also based on which design and system is appropriate for the community, project, and department, within the constraints of the project budget. For each equipment purchase, PROS will select up to three (3) vendors with appropriate product lines for consideration, and will obtain price quotes and product details to conduct an informal comparison among those vendors. The vendor that presents the product with the lowest price that best addresses the local community needs and park aesthetics will be selected. Pricing will be based on a vendor discount on the stated manufacturer's suggested retail price. Additionally, this resolution will allow sole source purchasing, when warranted, including for procurement of replacement parts from the original equipment manufacturer, procurement of materials to match existing park elements (i.e. park benches) and equipment for which only one (1) product has a Notice of Acceptance from the State of Florida/Miami-Dade County. PROS has researched other public playground contracts in the State of Florida, and the manner of pricing as an agreed discount against MSRP is the common form of contract. Installation will be procured competitively under a separate contract based on price. In limited circumstances, PROS may procure the installation of playground and park equipment directly through equipment vendors via the pre-qualified playground and park equipment pool, as required, under the authority of this resolution.

The following are examples of what PROS seeks to procure: playground equipment, safety surfacing and playground equipment parts; and miscellaneous park equipment and park equipment parts (i.e. shelters, shade structures, water play equipment, skate park elements, prefabricated structures, benches, chickee huts, barbeques, etc.).

The authority to procure goods and services under this resolution will be managed by PROS. PROS will evaluate vendor performance under the Vendor Agreement; vendors' continued participation in the pool is contingent on satisfactory performance.

In almost all instances, PROS will competitively procure installation and infrastructure services under the new Procurement contract for *Playground: Installation and Infrastructure*. PROS will only procure installation and infrastructure under this resolution in the event that it is critical to the completion of the

project (i.e. a specified vendor is a participant in a collaboration, as with the Trust for Public Lands Fitness Zone program), shall support completion of the project within a deadline (such as a completion deadline required by a grant agreement), or due to the non-availability of qualified installers under the *Playground: Installation and Infrastructure* contract.

Michael Spring, Senior Advisor
Office of the Mayor

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: February 2, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 8(H)(1)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Statement of social equity required**

_____ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**

✓ **No committee review**

✓ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

✓ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(H)(1)
2-2-16

RESOLUTION NO. R-113-16

RESOLUTION AUTHORIZING, IN ACCORDANCE WITH SECTION 2-8.1(B)(3) OF THE CODE OF MIAMI-DADE COUNTY BY A TWO-THIRDS (2/3) VOTE OF THE BOARD MEMBERS PRESENT, THE DESIGNATED PURCHASES OF EQUIPMENT AND SERVICES FOR THE FURNISHING, DELIVERY, AND/OR INSTALLATION OF PLAYGROUND AND PARK EQUIPMENT, WITH A TOTAL CONTRACTUAL AUTHORITY OF $4,000,000.00 IN THE AGGREGATE AND $350,000.00 PER PROJECT FUNDED IN PART FROM THE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM, FOR A PERIOD OF THREE (3) YEARS

WHEREAS, this Board desires to accomplish the purpose outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA that:

Section 1. This Board desires to accomplish the purpose outlined in the accompanying memorandum, a copy of which is incorporated herein by reference.

Section 2. This Board authorizes, in accordance with Section 2-8.1(B)(3) of the Code of Miami-Dade County, and by a two-thirds (2/3) vote of the Board members present, designated purchases of equipment and services for the furnishing, delivery and/or installation of playground and park equipment, with a total contractual authority of $4,000,000.00 in the aggregate and $350,000.00 per project, inclusive of contingency and allowances, for a period of three (3) years, with vendors selected from an open pool of pre-qualified vendors.

The foregoing resolution was offered by Commissioner **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **José "Pepe" Diaz** and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman	**aye**		
Esteban L. Bovo, Jr., Vice Chairman	**aye**		
Bruno A. Barreiro	**aye**	Daniella Levine Cava	**aye**
Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**aye**	Barbara J. Jordan	**aye**
Dennis C. Moss	**aye**	Rebeca Sosa	**absent**
Sen. Javier D. Souto	**absent**	Xavier L. Suarez	**aye**
Juan C. Zapata	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 2nd day of February, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: **Christopher Agrippa**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Monica Rizo Perez