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

Memorandum

MIAMI-DADE COUNTY

Date: July 19, 2016

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

From: Carlos A. Gimenez
Mayor

Agenda Item No. 8(F)(1)

Resolution No. R-705-16

Subject: Recommendation for Approval to Award a Legacy Contract: IBM Hardware, Software, Maintenance, Support, Professional Services and Cloud Solutions

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Recommendation

It is recommended that the Board of County Commissioners (Board) approve this request for award of *Legacy Contract No. L9130-5/21, IBM Hardware, Software, Maintenance, Support, Professional Services and Cloud Solutions*, to International Business Machines Corporation (IBM) for the Information Technology Department (ITD). For over 36 years, the County has used IBM software licenses and computer hardware infrastructure to support critical enterprise-wide departmental functions. During this time, software applications were developed based on IBM technology. These applications include, but are not limited to, the Criminal Justice Information System, Financial Accounting Management Information System, Advanced Purchasing and Inventory Control System, PeopleSoft, and the miamdade.gov platform. All of these systems were installed, implemented, and are maintained in the IBM technology environment.

The various departmental software applications and systems supported by IBM are essential to the management of internal operational processes that ensure the delivery of services to the public. Replacing the IBM software and infrastructure is cost-prohibitive and would result in significant operational disruption to the delivery of County services. IBM is the sole proprietor and developer of the software licenses and hardware required by the County to support mission critical applications and systems and, as such, is the only vendor capable of furnishing the needed software and hardware upgrades, maintenance, and professional services. Accordingly, it is in the County's best interest to award this legacy contract to IBM, pursuant to Section 2-8.1(b)(2) of the County Code, for continuity of services as competition is not practicable.

Scope

The scope of this item is countywide in nature.

Fiscal Impact/Funding Source

The fiscal impact for the one-year term is $8,222,000. The five (5), one-year options to renew will be presented to the Board once the Information Technology Department finalizes negotiations with IBM for projects during the renewal periods. The estimated cumulative value of the contract will be $49,332,000. The current contract, *BW9130-5/19*, is valued at $57,845,900 for six (6) years and six (6) months. The allocation under the replacement contract has been reduced based on lower recurring maintenance and support fees.

Department	Allocation	Funding Source	Contract Manager
Information Technology	$8,222,000	Internal Service Funds	Julian Manduley
Total	**$8,222,000**		

Track Record/Monitor

Santiago A. Pastoriza of the Internal Services Department is the Procurement Contracting Officer.

Delegated Authority

If this item is approved, the County Mayor or County Mayor's designee will have the authority to exercise all provisions of the contract pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38, including any cancellation and extension provisions. Such authority excludes exercising option to renew periods as the option periods will be subject to Board approval.

Vendor Recommended for Award

Awardee	Principal Address	Address of Branch Offices or Headquarters in Miami-Dade or Broward*	Employee Residents 1)Miami-Dade 2)Broward 3)Percentage*	Principal
International Business Machines Corporation	New Orchard Road Armonk, NY	1 Alhambra Plaza Suite 1415 Miami, FL	198 255 0.12%	Virginia M. Rometty

*Provided pursuant to Resolution No. R-1011-15. Percentage of employee residents is the percentage of the vendor's employees who reside in Miami-Dade or Broward counties as compared to the vendor's total workforce.

Due Diligence

Pursuant to Resolution No. R-187-12, due diligence was conducted in accordance with the Internal Services Department's Procurement Guidelines to determine contractor responsibility, including verifying corporate status and that there are no performance or compliance issues. The lists that were referenced include convicted bidders, debarred bidders, delinquent contractors, suspended bidders, and federal excluded parties. There are no adverse findings relating to contractor responsibility.

Applicable Ordinances and Contract Measures

- The two (2) percent User Access Program provision applies and will be collected on all purchases.
- The Small Business Enterprise Selection Factor and Local Preference do not apply.
- The Living Wage Ordinance does not apply.

Edward Marquez
Deputy Mayor

MEMORANDUM

(Revised)

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

DATE: July 19, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 8(F)(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(F)(1)
7-19-16

RESOLUTION NO. R-705-16

RESOLUTION AUTHORIZING APPROVAL OF A LEGACY CONTRACT FOR IBM HARDWARE, SOFTWARE, MAINTENANCE, SUPPORT, PROFESSIONAL SERVICES AND CLOUD SOLUTIONS TO INTERNATIONAL BUSINESS MACHINES CORPORATION, CONTRACT NO. L9130-5/21, FOR THE INFORMATION TECHNOLOGY DEPARTMENT FOR AN INITIAL ONE-YEAR TERM PLUS FIVE, ONE-YEAR OPTIONS TO RENEW IN A TOTAL AMOUNT NOT TO EXCEED $49,332,000.00 AND APPROVING TERMS OF AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE CONTRACT AND TO EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38

WHEREAS, this Board desires to accomplish the purposes 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 this Board approves award of Contract No. L9130-5/21 to International Business Machines Corporation for the delivery of IBM hardware, software, maintenance, support, professional services and cloud solutions pursuant to Section 2-8.1(b)(2) of the County Code by a majority vote of the members present in a total amount not to exceed $49,332,000.00 over the initial one-year term and five, one-year options to renew; and authorizes the County Mayor or County Mayor's designee to execute the contract and to exercise all provisions of the contract pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38. A copy of the contract document is on file with and available upon request from the Internal Services Department, Procurement Management Services Division.

The foregoing resolution was offered by Commissioner **Esteban L. Bovo, Jr.** , who moved its adoption. The motion was seconded by Commissioner **Audrey M. Edmonson** 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	**absent**
Dennis C. Moss	**aye**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**aye**	Xavier L. Suarez	**aye**
Juan C. Zapata	**nay**		

The Chairperson thereupon declared the resolution duly passed and adopted this 19th day of July, 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.

Oren Rosenthal