

Memorandum



Date: October 3, 2019

To: Honorable Chairwoman Audrey M. Edmonson
 and Members, Board of County Commissioners

From: Carlos A. Gimenez
 Mayor

Subject: Request for Additional Expenditure Authority to Contract No. 8880-1/21-1, Frozen Kasher Meals

Agenda Item No. 8(F)(17)

Resolution No. R-1036-19

Recommendation

It is recommended that the Board of County Commissioners (Board) authorize additional expenditure authority to *Contract No. 8880-1/21-1, Frozen Kasher Meals*, for the Miami Dade Corrections and Rehabilitation Department. Corrections and Rehabilitation is requesting \$583,800 in additional expenditure authority in order to continue purchasing kosher meals throughout the remaining term of the contract. This competitively established contract was awarded under delegated authority on June 1, 2011 for a five-year term. On May 17, 2016, the Board approved the single five-year option to renew term through Resolution No. R-378-16.

Corrections and Rehabilitation uses this contract to purchase a variety of kosher-certified meals for inmates incarcerated at various County jails. The usage of kosher meals fluctuates on a regular basis as a result of the number of inmates consuming such meals.

On September 22, 2000, the United States Congress came together and passed the Religious Land Use and Institutionalized Persons Act (RLUIPA). The law, which passed both houses of Congress unanimously and was supported by a broad coalition of religious and diverse groups, addresses religious discrimination and government infringement of religious liberty in two areas: local land-use laws, such as zoning and landmarking ordinances, and the religious exercise of persons confined to institutions. Specifically, for persons confined to institutions, the federal law provides no government will impose a substantial burden on the religious exercise of an institutionalized person, unless the government demonstrates that imposition of the burden on that person is both furtherance of a compelling governmental interest and the least restrictive means of furthering the compelling governmental interest. Since its enactment, the Department of Justice has intervened to defend the RLUIPA in multiple cases throughout the country to address and rectify restrictions on religious exercise, investigate allegations of individuals being denied a diet that is consistent with his or her religious practices, provide technical assistance, and educate the public and government officials.

Scope

The impact of this item is countywide in nature.

Fiscal Impact/Funding Source

The contract expires on May 31, 2021. The contract has a current cumulative allocation of \$2,347,200. If this request is approved, the contract will have a modified cumulative allocation of \$2,931,000. The requested increase in expenditure authority is based on anticipated usage throughout the remainder of the contract term.

Department	Existing Cumulative Allocation	Additional Allocation Requested	Modified Cumulative Allocation	Funding Source	Contract Manager
Corrections and Rehabilitation	\$2,347,200	\$583,800	\$2,931,000	General Fund	Debra Graham
Total:	\$2,347,200	\$583,800	\$2,931,000		

Track Record/Monitor

Basia M. Pruna of the Internal Services Department is the Assistant Division Director.

Delegated Authority

The County Mayor or the County Mayor's designee will have the authority to exercise all provisions of the contract, including any cancellation or extensions, pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38.

Awarded Vendors

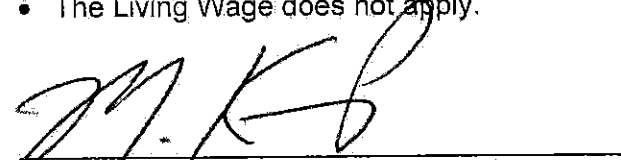
Vendor	Principal Address	Local Address	Principal
JNS Foods	1401 N University Drive Suite 602 Coral Springs, FL	None	Todd E. Kaplan
Prawn Seafoods, Inc. dba Sunset Foods (SBE)	6894 NW 32 Avenue Miami, FL	Same	Jeffrey Wine

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 review of performance and compliance issues. The lists referenced include convicted vendors, debarred vendors, delinquent contractors, suspended vendors, and federal excluded parties. There were no adverse findings in relating to contractor responsibility.

Applicable Ordinances and Contract Measures

- The two percent User Access Program provision applies.
- The Small Business Enterprise Bid Preference and Local Preference were applied.
- The Living Wage does not apply.



Maurice Kemp
Deputy Mayor



MEMORANDUM
(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: October 3, 2019

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 8(F)(17)

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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) 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)(17)
10-3-19

RESOLUTION NO. R-1036-19

RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN AN AMOUNT UP TO \$583,800.00 FOR A MODIFIED TOTAL CONTRACT AWARD OF \$2,931,000.00 OF CONTRACT NO. 8880-1/21-1 FOR PURCHASE OF FROZEN KOSHER MEALS FOR THE MIAMI-DADE CORRECTIONS AND REHABILITATION DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE 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:

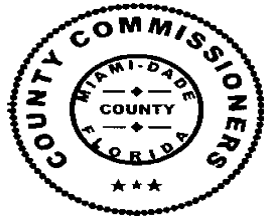
Section 1. This Board authorizes additional expenditure authority in an amount up to \$583,800.00 for a modified contract award of \$2,931,000.00 of Contract No. 8880-1/21-1 for the purchase of frozen kosher meals for the Miami-Dade Corrections and Rehabilitation Department.

Section 2. This Board authorizes the County Mayor or County Mayor's designee to exercise all provisions of Contract No. 8880-1/21-1 pursuant to Section 2-8.1 of the Code of Miami-Dade County, Florida and Implementing Order 3-38. A copy of the contract document is on file with and available upon request from the Internal Services Department, Strategic Procurement Division.

The foregoing resolution was offered by Commissioner **Esteban L. Bovo, Jr.**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

	Audrey M. Edmonson, Chairwoman	aye	
	Rebeca Sosa, Vice Chairwoman	aye	
Esteban L. Bovo, Jr.	aye	Daniella Levine Cava	aye
Jose "Pepe" Diaz	aye	Sally A. Heyman	aye
Eileen Higgins	aye	Barbara J. Jordan	aye
Joe A. Martinez	aye	Jean Monestime	aye
Dennis C. Moss	aye	Sen. Javier D. Souto	aye
Xavier L. Suarez	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of October, 2019. 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

Linda L. Cave

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Oren Rosenthal