



**SECTION 2  
SPECIAL CONDITIONS**

**PURPOSE: ESTABLISH A BID WAIVER CONTRACT FOR COUNTY DEPARTMENTS**

The purpose of this Legacy contract is to establish an agreement to acquire NAP Internet Access, Managed Router and Collocation Services in conjunction with the needs of Miami-Dade County's Information Technology Department (ITD) on an as needed when needed basis.

**TERM OF CONTRACT: TWENTY-FOUR (24) MONTHS**

This contract shall commence on the first calendar day of the month succeeding approval of the contract by the Board of County Commissioners, or designee, unless otherwise stipulated in the Notice of Award Letter which is distributed by the County's Internal Services Department's Procurement Management Division; and contingent upon the completion and submittal of all required bid documents. The contract shall remain in effect for twenty-four (24) months and upon completion of the expressed and/or implied warranty period.

**OPTION TO RENEW – (2) TWO (24) TWENTY-FOUR MONTH OTRS):**

The initial contract prices shall remain firm for a twenty-four month period from this contract's initial effective date. Prior to, or upon completion, of the initial term, the County shall have the option to renew this contract for an additional two (2) 24 months period on a bi-annual basis. The vendor shall maintain, for the entirety of the stated additional period (s), the same prices or lower, and the terms, and conditions included within the original term of the contract shall remain the same. Continuation of the contract beyond the initial period, and any option subsequently exercised, is a County prerogative, and not a right of the vendor. This prerogative may be exercised only when such continuation is clearly in the best interest of the County

Should the vendor decline the County's right to exercise the option period, the County will consider the vendor in default which decision shall affect that vendor's eligibility for future contracts.

**METHOD OF PAYMENT: MONTHLY INVOICES**

The vendor(s) shall submit monthly invoices by the tenth (10th) calendar day of each month. These invoices shall be submitted to the County user department(s) that requested the service through a purchase order. The invoices shall reflect the type of service provided to the County in the prior month.

All invoices shall contain the following basic information:

I. Vendor Information:

- The name of the business organization as specified on the contract between Miami-Dade County and vendor
- Date of invoice
- Invoice number

- Vendor's Federal Identification Number on file with Miami-Dade County

II. County Information:

- Miami-Dade County Release Purchase Order or Small Purchase Order Number

III. Pricing Information:

- Unit price of the goods, services or property provided
- Extended total price of the goods, services or property
- Applicable discounts

IV. Goods or Services Provided per Contract:

- Description
- Quantity

**ACCESS TO NAP OF THE AMERICAS WILL BE A CONDITION OF AWARD**

Vendor shall have access and control of a collocation area at the NAP of the Americas to be qualified for this contract award. This shall be staffed by competent company representatives 7 X 24 X 365 who can be contacted and are authorized to discuss matters and resolved issue pertaining to contracted services.

**LOCATION AND DESCRIPTION**

The property subject to this solicitation is located at the NAP of the Americas, 50 NE 9th Street Miami, FL 33132 and consists of multi vendor.

## **SECTION 3 TECHNICAL SPECIFICATIONS**

### **NAP INTERNET ACCESS CO LOCATION AND MANAGED ROUTER SERVICES**

#### **3.1 CONTRACT SCOPE**

Miami Dade County (the County) is seeking to establish a Bid Waiver contract for Internet Connectivity, Managed Router and Collocation Services at the Network Access Point (NAP) of the Americas. This section sets forth the technical requirements established by the County.

The County continues to experience growth in the use of Internet resources, much of it resulting from its own increased provision of e-services for citizens and industry. It has become mission critical to have sufficient capacity and the most reliable Internet access services available. During the past five (5) years Miami-Dade County has been acquiring these services through the NAP of the Americas, in Miami Florida. This has allowed the County to gain access to the Internet backbone by contracting with service providers that have a presence in the NAP of the Americas. By collocating its equipment at the NAP of the Americas, the County has realized the benefit of multiple and diverse paths to the Internet. During the previous contract period, the County connected its main fiber backbone to the NAP of the Americas and subsequently to its current collocation area. Due to these investments, the County cannot move from the NAP of the Americas.

#### **3.2 SERVICE PROVIDER**

The Internet Service Provider (ISP) must be authorized to operate and provide the requested services, including collocation space, from the NAP of the Americas facility. Proof of this authorization shall be provided to the County as a condition for this contract award,

In order to meet the County's needs, the ISP shall be a minimum four (4) Tier-1 provider with the present ability to offer BGP protocol services through a managed service.

#### **3.3 SUPPORT**

ISP must operate a 24X7X365 Network Operations Center (NOC) with calls being answered by certified network engineers, certified in platform on which services are being provided. .

#### **3.4 REQUIRED BANDWIDTH**

To meet its current and anticipated needs, the County requires a minimum of 750 Mbps of Internet access capacities and shall have the option of increasing this capacity to a maximum of 10Gbps at the same rate, or lower, during the term of the contract.

#### **3.5 NAP FACILITY REQUIREMENTS**

At a minimum, the NAP facility must meet the requirements specified below. If at any time the facility loses compliance with these requirements, the County, at its option, may seek to obtain the services specified here from alternative sources, and this contract may be subject to termination.

- Locally accessible from the County's fiber infrastructure

- Must have connectivity to a minimum (4) four Tier-1 Internet providers
- Designed to withstand up to Category 5 hurricanes
- Located above flood plain and evacuation zone
- Must have multiple power redundancies and ability to provide auxiliary power for extended periods
- Access to commercial power from two different main FPL sub-stations
- Twenty-four (24) hour video/monitored surveillance
- Must be manned and operational 24X7X365
- Possess state-of-the-art fire detection and suppression systems
- Must have the ability to interconnect to various points of presence
- A Collocation area of 600 square feet of secured contiguous space. If Collocation area is moved from existing location, it will be at the expense of the successful bidder who shall also be responsible for assuring that there are no disruptions to County internet services during the relocation.
- Contain loading docks for equipment delivery.
  - Ambient temperature 75 degree maximum with a relative humidity of 45/55%.
  - Maximum due point 15 degree C

### 3.6 INTERNET CONNECTIVITY

Minimum requirements for connectivity include:

- Redundant fiber connectivity to NAP facility
  - Two (2) SR 10 Gigabit Ethernet connections with 750Mb CIR to 4 or more Tier-1 ISP providers with a combined Service Level Agreement (SLA) of 99.999%
- Managed BGP Services with redundant/meshed connections to all ISP providers and the routing of all MDC IP Addresses.
- Three (3) Cross Connect POTS
- Registration and hosting of the County's Autonomous System Number used to identify their IP address Blocks

### 3.7 OUTAGES & MAINTENANCE

An Outage is defined as a disruption in services from the customer equipment located at the NAP to the managed router infrastructure of the hosting provider, in excess of 5 minutes.

In the event of an outage exceeding one-hour in any calendar day, where it can be reasonably determined that the facilities, equipment or personnel of the successful bidder were at fault, the County will be credited for that entire day of service equivalent to 1/30<sup>th</sup> of the monthly charge for such service. County will notify vendor in writing upon failure to access their services and/or equipment.

#### PLANNED OUTAGES

The County understands that the vendor may need to perform planned necessary network maintenance or upgrades from time to time. In the event that the vendor plans to conduct such maintenance or upgrade services, and the Internet access services will be down or substantially affected as a result, then the vendor will provide at least a 48-hour written notice to the County contact person.

#### UNPLANNED OUTAGES

For unplanned or emergency outages, the vendor will notify the County immediately but no later than two hours after start of outage on its best estimate for restoration of services.

### 3.8 POWER REQUIREMENTS FOR COUNTY EQUIPMENT

The County will own and operate the routing and other network equipment that will be collocated at the NAP facility. The ISP will provide notice and information to the County as to any equipment upgrades, changes in configuration, or any other matter relating to the collocated equipment that needs to be addressed by the County in order to maintain the Internet connectivity at the NAP. At a minimum the anticipated power requirement that must be provide for County equipment shall include:

Power Requirement Description	Quantity
Power- 48vDC, 80amp (A&B)	1
Power- 120vAC, SP, 10amp, CPS (A)	2
Power- 120vAC, SP, 20amp, CPS (A)	2
Power- 120vAC, SP, 30amp, CPS (A)	6
Power- 208vAC, 3P, 30amp, CPS (A)	4
Power- 208vAC, 3P, 30amp, CPS (A & B)	1
Power- 208vAC, 3P, 50amp, CPS (A & B)	1
Power- 208vAC, SP, 30amp, CPS (A & B)	1
Power- 208vAC, 3P, 60amp, CPS (A & B)	1
Power- 120vAC, SP, 30amp, CPS (A)	1
Power- 208vAC, SP, 3060amp, CPS (A & B)	1
Power- 208vAC, 3P, 3060amp, CPS (A & B)	1

**The quantity and type of equipment to be collocated is subject to change. Consequently, Power requirements are subject to change.**

**Power rate shall not change during the initial one year term. Power rates can be modified during the OTR only by providing documentation of FPL power increases. (CPI Table)**

**The County shall have the option to distribute the power for its equipment within its collocation space. This option shall be exercised for the purpose of lower power usage and expenses when it is in the best interest of the County**

### 3.9 COLLOCATION SPACE REQUIREMENTS

Current County collocation space requirements are 600 square feet of secured contiguous space. The County does not expect to require additional space during the foreseeable future.

The County shall have access to this space 24X7X365. The secure space assigned to the County will not be moved to a different location in the NAP during the term of the contract without the written consent of County. If the County agrees to a move recommended by the vendor, it shall assume no additional expenses or disruption of services

Collocation area must have the connectivity requirements to handle the installation of the County equipment at no additional cost to the County.

#### ANTICIPATED COLLOCATION SPACE REQUIREMENTS:

- 600 square feet caged secure contiguous collocation space.

- Twelve (12) Gigabit Ethernet connections to peering fabric. Additional connections may be ordered during the term of the contract at the same rate as provided to original Ethernet connections.
- Power Requirements as indicated on Section 3.8.
- Two (2) analog telephone lines providing local access within the caged 600 square feet.

**SECTION 4  
PRICING FORM:**

**NAP INTERNET ACCESS & MANAGED ROUTER SERVICES**

**PRICE SHEET**

Item#	Quantity	Description	Unit Cost	Extended Cost
<b>Network Exchange Pt Service</b>				
1	24 Month	2 ea. Cross Connect: Gigabit Ethernet 1000LX (SM Fiber 1319nm 10km)  Gig-E Interconnect Between Miami-Dade & FPL FIBERNET LLC		
2	24 month	1 ea. IP Addressing Fee (Block of 32)		
3	24 Month	3 ea. Cross Connect-POTS		
	24 Month	2 ea. Cross Connect - GigE		
4	24 Month	Connectivity MRS Committed Core Speed (750 Mbps)		
<b>Co-Location Services</b>				
5	24 month	600 square feet of secured continuous Collocation space. (Contracted Area MRC		
4	24 Month	Recurring Power Requirements: 1 ea. Power- 48vDC, 80amp (A&B) 2 ea. Power- 120vAC, SP, 10amp, CPS (A) 2 ea. Power- 120vAC, SP, 20amp, CPS (A) 6 ea. Power- 120vAC, SP, 30amp, CPS (A) 4 ea. Power- 208vAC, 3P, 30amp, CPS (A) 1 ea. Power- 208vAC, 3P, 30amp, CPS (A & B) 1 ea. Power- 208vAC, 3P, 50amp, CPS (A & B) 1 ea. Power- 208vAC, SP, 30amp, CPS (A & B) 1 ea. Power- 208vAC, 3P, 60amp, CPS (A & B) 1275 SO-1013 1 ea. Power-120vAC, SP, 30amp, CPS (A ) 1275 SO-1019 3 ea. Power-208vAC, SP, 30amp, CPS (A & B) 1275 SO-1021 2 ea. Power-208vAC, 3P, 30amp, CPS (A & B) 1275 SO-1024  <b>Total Power requirement</b>		
5	24 Month	1 lot Collocation Hybrid Deployment Suite ¼ Cabinet		
	24 Month	1 ea. Enterprise Cloud Backup and Restore Services (Data Vault Backup Services		
<b>HOSTING Contract</b>				
	24 Month	1 ea. Computing Resources – Hosting (ECS)		
	24 Month	1 ea. Security (ESC)		
	24 Month	4 ea. Security (ESC) 2 Factor Authentication		
	24 Month	1 ea. Storage Capacity		
	24 Month	1 ea. Enterprise Cloud Storage Resource		
	24 Month	1 ea. Backup (ESC) Enterprise Cloud Virtual DBR Gateway		

	24 Month	1 ea. Hosting – Hybrid Deployment Suite: Ethernet Uplink <b>Network Exchange Pt. Service</b>		
	24 Month	1 ea. Network- Connectivity Committed Bandwidth		
	24 Month	1 ea. Network- Network Resources		
	24 Month	1 ea. Network- Enterprise Cloud LAN, LAN?VPN Startup Bundle (Originally Requested POET110800)		
		<b>Total for One year term (Items 1 thru 5)</b>		<b>\$</b>

No other Miami-Dade County department shall collocation space at the NAP without the expressed written authorization from ITD



INTERNAL SERVICES DEPARTMENT  
PROCUREMENT MANAGEMENT SERVICES

**Justification/Input Document for Non-Competitive Acquisition**

It is the policy of Miami-Dade County to consistently purchase goods and services using full and open competition. The citizens of Miami-Dade County are best served when we make sound business decisions based on competitive bids or proposals. Early acquisition planning that includes consultation with Internal Service Department's procurement staff can help avoid delays and facilitates effective market research. However, there may be instances when other than full and open competition may be justified. When a user department(s) determines that other than full and open competition is necessary or in the best interest of the County, appropriate justification for that course of action must be submitted to ISD for approval and execution in order to waive the competitive bid/proposal process.

*Please provide the information requested below to support the need and feasibility for waiving the competitive bid/proposal process:*

Department:	ITD		
Contact Person:	Manny Fernandez	Phone Number:	305-596-8103
Requisition No.:	RQET1600040	Estimated Value:	1,800,000 (2 year term)
Proposed Vendor:	TERREMARK NORTH AMERICA LLC		
Previous Contract Number:	BW7662-2/16	Previous Contract Value:	\$1,575,000

**Purpose of the Purchase**

*Please describe your minimum requirements and the benefits of making the acquisition.*

ITD is requesting the renewal of Contact BW7662-2/16-2 to continue acquiring Internet Connectivity, Managed Router and Collocation Services. ITD recommends an initial 2 year term with two, 2 year options to renew. In 2004, Terremark was competitively awarded these services under contract 7662-4/10. During the past twelve (12) years, Miami-Dade County has been acquiring these services through the Network Access Point (NAP) of the Americas, operated by Terremark North America. The County continues to experience growth in the use of Internet resources, much of it resulting from its own increased provision of e-services for operations and citizens services. It has become mission critical to have sufficient capacity and the most reliable and secured Internet access services available.

Renewing the contract with Terremark will enable the County to continue accessing the Internet backbone by contracting with service providers that have a presence at the NAP of the Americas. By collocating its equipment at the NAP, the County has realized the benefit of multiple and diverse paths to the Internet.

**Best Interest of the County / Uniqueness of Product**

*Please provide a detailed description as to why a waiver of formal bidding is in the County's best interest (e.g., product standardization, compatibility, proprietary access or distributorship, how vendor is uniquely qualified to provide the needed product or service, etc.). Please note that a lack of advance planning is not an acceptable justification for a non-competitive acquisition.*

Since Terremark, through the NAP of the Americas, has to be utilized for Internet access, collocation & Managed Router Services, the County connected its main fiber backbone to the NAP facilities and subsequently to its current collocation area. The cost of connecting the fiber backbone to the NAP was approximately \$500,000 and took approximately two (2) years to complete (Reference PO# APTD0400004). Due to this investment, moving out of the current collocation area in the NAP of the Americas is not in the best interest of the County. Moving

from the facility would be extremely costly, technically complicated and would result in interruption of internet services to the County for an extended period of time. The resulting interruptions of internet services could negatively affect County revenues and services to citizens and to internal operations. Because of these constraints, the incumbent contractor Terremark North America, is in a unique competitive position to provide the best pricing to the County. If these services were to be awarded through a competitive process, it would require all bidders except for Terremark, to pay for moving the County's fiber connections from its current collocation space. This would make it very difficult for any bidder other than Terremark to be the low bidder. Additionally, risk involved and interruption to services caused by trying to move the collocated equipment and fiber backbone would not be in the County's best interest.

**Market Research**

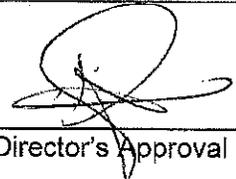
*Please describe your market research and the results thereof. This should include a description of other, similar sources or products available in the market if any and why they are not acceptable.*

Market Research shows that services can be acquired from NAP clients who can provide services by allowing our collocated equipment to be moved into their collocated areas. However, since these potential bidders would have to assume the cost of moving the fiber and equipment, the competition would favor the incumbent, since they would not incur this cost. As mentioned above, the risk involved in moving the fiber connections and corresponding interruptions to internet access would be unacceptable to the County. The County has had a successful twelve year business partnership with Terremark North America. ITD believes it can obtain better terms and services by entering into direct negotiations with Terremark using the bid waiver process.

**Proposed Actions**

*Please describe the actions the department will take to overcome the present barriers to competition prior to any future acquisitions of this product or service.*

Contract 7662-4/10 as originally awarded in a manner that maximized competition by utilizing a reverse auction process. However, after the purchase of the subterranean conduit for connecting the County's backbone to the NAP (APTD0400004), this created a barrier to competition since it made it extremely expensive and risky for the County to move its collocated hardware. ITD's policy is whenever possible to use the competitive process in the acquisition of products and/or services.



Department Director's Approval

8/9/2016

Date Approved