



CONTRACT No. FB-00451

TITLE: CANNED/BOTTLED BEVERAGES & BOXED SYRUP WITH VENDING MACHINES

I. Purchasing Instructions:

This contract was established for the purchase of canned soft drinks and boxed syrup products for beverage systems for various Miami-Dade County Departments in conjunction with the County's needs on an as needed basis. The contract has three (3) groups: Group A (General Funding), Group B (Federal Funding), and Group C (Pre-Qualification for spot market quotes).

II. Award Description:

The contract was awarded to the responsive, responsible vendor who submitted an offer on all items listed in Group A and B of the solicitation and whose offer represented the lowest price when all items were added in the aggregate. Group C was awarded to all responsive, responsible vendors meeting the pre-qualification requirements as specified in the solicitation for participation in future spot market competition, for products not included in Groups A and B. All vendors awarded under Group A and B shall be deemed pre-qualified under Group C. The contract shall remain in effect for five (5) years starting on April 1, 2017.

III. Awarded Vendors:

Vendor FEIN	Vendor Name	Address	Contact	Groups
472685591-01	COCA-COLA BEVERAGES FLORIDA LLC	10117 Princess Palm Ave Ste 400 Tampa, FL	Viviana Mirabal Account Representative Toll.: 888-204-2653 (ordering) Cel.: 305-282-6913 VMirabal@cocacolaflorida.com	A, B & C
472928677-01	RIGHT CHOICE VENDING/COFFEE LLC	1440 SW 31st Ave Pompano Beach, FL	Nicole Hurley Account Representative Ph.: 954-789-8416 nicole@rightchoicevending-usa.com	C

IV. Special Notes/Instructions:

This document is intended only as a brief overview of information and general guidance on how the contract should be utilized. Please refer to the solicitation documents and/or event log for other specific information and details.

V. Scope of Services:

The purpose of this solicitation is to establish a contract for the purchase of canned and bottled beverages and boxed syrup products for beverage systems for various Miami-Dade County Departments in conjunction with the County's needs on an as needed when needed basis. The successful bidder must agree to furnish, install and service canned/bottled beverage vending machines/coolers/fountain equipment used to dispense the purchased products at no charge to the County during the contract period.

REQUIREMENTS

The vendor shall:

- a. Assign an account representative to support the product, equipment, order, delivery, and maintenance requirements of the contract. Bidder shall provide contact information (direct telephone and e-mail) of the County's account representative.
- b. Have the ability to compile reports to be provided at the request of the County, including monthly sales (per department and Countywide), list equipment installed, etc. These reports may be transmitted electronically via e-mail.

PRODUCTS

Unless otherwise noted, products to be provided shall be of nationally recognized and accepted brands including, but not limited to: Coca-Cola, Pepsi, Sprite, Seven Up, Diet Pepsi, Diet Coke, Diet Seven Up, Diet Sprite, Cherry Coke, Fanta, Fresca, Surge, Bargs Root Bear & Cream Soda, Minute Maid, Nestea, Seagrams Ginger Ale, Wild Cherry, Mountain Dew, Sunkist, Mug Root Beer, Dr. Pepper, Lipton Tea, Powerade, Gatorade, Dasani, Aquafina, Evian, among others.

ITEMS TO BE PURCHASED

GROUP A (General Funding)

1. CANNED ASSORTED BEVERAGES (packed 24/12 oz. cans per case):

Assorted carbonated and non-carbonated flavored drinks: Cola, diet cola, lemon/lime and/or citrus, fruit punch, lemonade, ginger ale, root beer, iced tea etc.

2. BOTTLED ASSORTED BEVERAGES (packed 24/20 oz. bottles per case)

- a. Assorted carbonated and non-carbonated flavored drinks: Cola, diet cola, lemon/lime and/or citrus, fruit punch, lemonade, ginger ale, root beer, iced tea etc.
- b. Sports Drinks
- c. Bottled Water

3. BOXED SYRUP ASSORTED FLAVORS (5 Gallon)

Cola, diet cola, lemon/lime and/or citrus, fruit punch, lemonade, ginger ale, root beer, iced tea etc.

Related: Pre-mix Syrups, Gas Cylinder

GROUP B (Federal Funding)

1. CANNED ASSORTED BEVERAGES (packed 24/12 oz. cans per case):

Assorted carbonated and non-carbonated flavored drinks: Cola, diet cola, lemon/lime and/or citrus, fruit punch, lemonade, ginger ale, root beer, iced tea etc.

GROUP C – Spot Market

The requirement to be a nationally recognized and accepted brand does not apply to this group. Pre-qualified vendors will be invited to participate in future spot market competitions. The pool shall remain open for the term of the contract enabling vendors to qualify at any time after the initial bid opening date.



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VI. Group A and B Pricing:

Prices shall be fixed with adjustments allowed in accordance to section 2.4 of the solicitation. Any discrepancies in pricing at time of ordering shall be brought to the attention of the Coca-Cola Account Representative at the contact number/email provided above (see paragraph III).

GROUP A: GENERAL FUNDING - Products to be provided shall be of nationally recognized and accepted brands

Table with 4 columns: Item No., Description, Unit of Measure (UOM), and Unit Price per UOM. It lists 12 items including various soft drinks, syrups, and a gas cylinder.

GROUP B: FEDERAL FUNDING - Products to be provided shall be of nationally recognized and accepted brands

Table with 4 columns: Item No., Description, Unit of Measure (UOM), and Unit Price per UOM. It lists 1 item: Assorted Soft Drinks, 24/12 Oz. cans per case.

VII. Spot Market Quotes

GROUP C: PRE-QUALIFICATION POOL

- 1. Products not included in Group A and B will be obtained via spot market quotes. The requirement to be a nationally recognized and accepted brand does not apply to this group.
2. Quote Procedures:

The County will solicit spot market quotation from qualified bidders on an as-needed basis.

All pre-qualified bidders will be solicited for price and availability of projects as needed. All individual Request for Quotes should be reviewed for applicable measures prior to advertising. All quotations issued must be registered with SBD at the following link: https://intra3.miamidade.gov/ISD/SBD/Login.aspx This link officially places your project on the Cone of Silence Report. Additionally the Office of the Commission Auditor (OCA) shall be copied at oca@miamidade.gov when quote is issued.

3. Award Procedures:

All bidder(s) shall be notified of the award. The award date must be recorded so the cone of silence can officially be lifted. This step is accomplished by utilizing the same link used to originally post the quotations. The three (3) day protest period is applicable to all quotations.

4. Insurance Requirements: See section VIII below.

5. Applicable Ordinances for Quotations:

a) **Local Certified Service – Disabled Veteran.** Not applicable to Federal Funding Quotations.

When evaluation Quotations, a preference for Miami-Dade County Local Certified Veteran Business Enterprises (VBE) in accordance with Section 2-8.5.1 of the Code of Miami-Dade County shall be considered. "Local Certified Veteran Business Enterprise" is a firm that is (a) a local business pursuant to Section 2-8.5 of the Code of Miami-Dade County and (b) prior to proposal or bid submittal is certified by the State of Florida Department of Management Services as a veteran business enterprise pursuant to Section 295.187 of the Florida Statutes.

A Local Certified Veteran Business Enterprise that submits a price resulting for a request for quotes shall receive a bid preference of five percent of the bid price. These preferences will only be used for evaluating and awarding the quotes and shall not affect the contract price. However, if a Local Certified Veteran Business Enterprise is the lowest bidder as a result of a Best and Final Bid (also known as a BAFO), then the price submitted as part of the Best and Final Bid shall be the contract price.

At the time of Quote submission, the firm must affirm in writing its compliance with the certification requirements of Section 295.187 of the Florida Statutes and submit this affirmation and a copy of the actual certification along with the solicitation submittal form.

b) **Local Preference.** Not applicable to Federal Funding Quotations.

The evaluation of Quotations is subject to Section 2-8.5 of the Code of Miami-Dade County, which, except where contrary to federal and state law, or any other funding source requirements, provides that preference be given to local businesses. Vendors shall affirm in writing their compliance with the requirements of Section 2-8.5 at the time of submitting their Quote to be eligible for consideration as a "local business" under this section.

Additionally, a Locally-Headquartered Business shall mean a Local Business as defined in Section 2-8.5 which has a "principal place of business" in Miami-Dade County. "Principal place of business" means the *nerve center or the center of overall direction, control, and coordination of activities of the bidder*. If the bidder has only one business location, such business location shall be its principal place of business.

c) **Cone of Silence.** Pursuant to Section 2-11.1(t) of the Code of Miami-Dade County, all Bid Solicitations, once advertised and until an award recommendation has been forwarded to the appropriate authority are under the "Cone of Silence". Any communication or inquiries, except for clarification of process or procedure already contained in the solicitation, are to be made in writing

to the attention of the Procurement Officer identified on the front page of the solicitation via the BidSync System with a copy sent to the Clerk of the Board, clerkbcc@miamidade.gov.

d) User Access Program (UAP). Not applicable to Federal Funding Quotations.

Pursuant to Section 2-8.10 of the Code of Miami-Dade County, this Contract is subject to a user access fee under the County User Access Program (UAP) in the amount of two percent (2%). All sales resulting from this Contract, or any contract resulting from the solicitation referenced on the first page of this Contract, and the utilization of the County Contract price and the terms and conditions identified herein, are subject to the two percent (2%) UAP. This fee applies to all Contract usage whether by County Departments or by any other governmental, quasi-governmental or not-for-profit entity.

The Bidder providing goods or services under this Contract shall invoice the Contract price and shall accept as payment thereof the Contract price less the 2% UAP as full and complete payment for the goods and/or services specified on the invoice. The County shall retain the 2% UAP for use by the County to help defray the cost of the procurement program. Bidder participation in this invoice reduction portion of the UAP is mandatory.

e) Inspector General Fees. Not applicable to Federal Funding Quotations.

Miami-Dade County has established the Office of the Inspector General, which is authorized and empowered to review past, present, and proposed County and Public Health Trust programs, contracts, transactions, accounts, records and programs. The Inspector General (IG) has the power to subpoena witnesses, administer oaths, require the production of records and monitor existing projects and programs. The Inspector General may, on a random basis, perform audits on all County contracts. The cost of random audits shall be incorporated into the contract price of all contracts and shall be one quarter (1/4) of one (1) percent of the contract price, except as otherwise provided in Section 2-1076 of the Code of Miami-Dade County.

6. How to Apply Bid and Local Preference to Quotes, if applicable:

- a) Bid preferences shall be given to bidders that are identified as certified SBE/Micro, **if applicable**. The bid preference shall be calculated and subtracted from the total quote price or item for evaluation purposes only. The bid preference is used only to calculate an amount to be used in evaluating the quote and does not affect the final awarded price.
- b) Whenever a quote contains both, Bid Preference (SBE/Micro) and Local Preference, departments must apply the bid preference first. Follow the Administrative Guidelines stated in the solicitation/contract document with regard to the applicable measure. The preference should be applied as listed in the table below based on the estimated value of the project and whether or not a set-aside or preference measure is applicable:

	SBE-MICRO Tier 1	SBE-MICRO Tier 2	SBE-MICRO Tier 3
Set-Asides Up to \$100K (All SBE Goods and Services firms are eligible for Set-asides)	Bid Preference 10%	Bid Preference 5%	Bid Preference 0%
Set-Asides Over \$100K	\$100K-\$750K	\$750K to \$2 Million	\$2M to \$5 Million
Bid Preference up to \$100K (when not a set-aside)	Bid Preference 10%	Bid Preference 10%	Bid Preference 5%
Bid Preference over \$100K to \$1 Million	All Tiers 10%		
Bid Preference Over \$1 Million	All Tiers 5%		

- c) Whenever a quote contains both Local and Locally Headquartered Firms: If the apparent low bidder is a non-local firm and the locally headquartered firm prices are within 15% of the low bidder, department must proceed to the apply locally headquartered preference and proceed with following the “Best and Final” (BAFO) process. Similarly, if a Local firm is the lowest bidder and a locally headquartered firm is within 5% of the local firm lowest price, department must proceed to apply locally headquartered preference and obtain the BAFO in accordance with Section 2-8.5 of the Miami-Dade County Code.

VIII. Insurance Requirements:

INDEMNIFICATION AND INSURANCE

Contractor shall indemnify and hold harmless the County and its officers, employees, agents and instrumentalities from any and all liability, losses or damages, including attorneys’ fees and costs of defense, which the County or its officers, employees, agents or instrumentalities may incur as a result of claims, demands, suits, causes of actions or proceedings of any kind or nature arising out of, relating to or resulting from the performance of this Agreement by the Contractor or its employees, agents, servants, partners principals or subcontractors. Contractor shall pay all claims and losses in connection therewith and shall investigate and defend all claims, suits or actions of any kind or nature in the name of the County, where applicable, including appellate proceedings, and shall pay all costs, judgments, and attorney’s fees which may issue thereon. Contractor expressly understands and agrees that any insurance protection required by this Agreement or otherwise provided by Contractor shall in no way limit the responsibility to indemnify, keep and save harmless and defend the County or its officers, employees, agents and instrumentalities as herein provided.

The Contractor shall furnish to the Internal Services Department / Procurement Management Services, 111 NW 1st Street, Suite 1300, Miami, Florida 33128-1989, Certificate(s) of Insurance which indicate that insurance coverage has been obtained which meets the requirements as outlined below:



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- A. Worker’s Compensation Insurance for all employees of the Contractor as required by Florida Statute 440.
- B. Commercial General Liability Insurance to include Products Liability insurance on a comprehensive basis in an amount not less than \$500,000 combined single limit per occurrence for bodily injury and property damage. **Miami-Dade County must be shown as an additional insured with respect to this coverage.**
- C. Automobile Liability Insurance covering all owned, non-owned and hired vehicles used in connection with the work, in an amount not less than \$500,000 combined single limit per occurrence for bodily injury and property damage.

All insurance policies required above shall be issued by companies authorized to do business under the laws of the State of Florida, with the following qualifications:

The company must be rated no less than “A-” as to management, and no less than “Class VII” as to financial strength, by Best’s Insurance Guide, published by A.M. Best Company, Oldwick, New Jersey, or its equivalent, subject to the approval of the County Risk Management Division.

or

The company must hold a valid Florida Certificate of Authority as shown in the latest “List of All Insurance Companies Authorized or Approved to Do Business in Florida” issued by the State of Florida Department of Financial Services.

NOTE: CERTIFICATE HOLDER MUST READ: MIAMI-DADE COUNTY

**111 NW 1ST STREET
SUITE 2340
MIAMI, FL 33128**

IX. Event Log:

Event No.	Date	Description	Agent
1	4/1/2017	Contract became effective	M. Fernandez
2	5/18/2017	Amendment No. 1 - Vendor name change	M. Fernandez
3	8/8/18	Roadmap updated and contract reassigned to Sherry Clentsace	M. Fernandez