



Miami-Dade Board of County Commissioners  
Office of the Commission Auditor

**Health Care and County Operations**  
**Committee (HCCO) Meeting**

July 17, 2019  
9:30 A.M.  
Commission Chambers

Yinka Majekodunmi, CPA  
Commission Auditor  
Office of the Commission Auditor (OCA)  
111 N.W. First Street, Suite 1030  
Miami, FL 33128  
(305) 375-2524

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**HCCO Meeting: July 17, 2019  
Research Notes**

**Item No. 1G3**

**File No. 191806 Substitute**

**Researcher: LE    Reviewer: TD**

ORDINANCE RELATING TO MUNICIPAL WHISTLEBLOWERS; AMENDING ARTICLE LXXI OF CHAPTER 2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REQUIRING MUNICIPALITIES TO ADOPT ORDINANCES BY A CERTAIN DATE TO PROTECT MUNICIPAL EMPLOYEES WHO DISCLOSE SPECIFIED INFORMATION; SETTING MINIMUM STANDARDS FOR MUNICIPALITIES TO ENACT SUCH ORDINANCES; REQUIRING MUNICIPALITIES TO SUBMIT ANNUAL REPORTS; PROVIDING FOR INSPECTOR GENERAL OVERSIGHT; PROVIDING THAT BOARD MAY TAKE CERTAIN ACTIONS IN THE EVENT MUNICIPALITIES ARE NOT IN COMPLIANCE WITH MINIMUM STANDARDS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER NO. 191140]

**ISSUE/REQUESTED ACTION**

Whether the Board amend Article LXXI of Chapter 2 of the County Code to require municipalities adopt ordinances by a certain date to protect municipal employees who disclose specified information (whistleblowers).

**PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Sally A. Heyman, District 4**

**Department/Requester: None**

This item does not have a legislative history.

**ANALYSIS**

The purpose of this item is to amend Article LXXI of Chapter 2 of the County Code to require municipalities to adopt ordinances to protect municipal employees who may be considered whistleblowers; set minimum standards for municipalities to enact such ordinances; require municipalities to submit annual reports; and provide for Inspector General oversight.

The ordinance's requirement for technical assistance, compliance, and investigation's fiscal impact is difficult to assess because of the uncertainty of demand. The Commission on Ethics will be able to provide assistance if the demand is minimal. The Office of Inspector General (OIG) anticipates that once the municipalities adopt the confirming ordinances, an additional position will be required to perform the program verification function. The estimated fiscal impact in the first year would be \$86,183 for the staffing position. If multiple municipalities experience a lack of compliance, reprioritization of work assignments or additional resources by the OIG may result in a negative impact.

The substitute differs from the original item in that it replaces the mandatory language with language that allows municipalities the option whether to adopt Whistleblower Ordinances in compliance with the minimum standards of the ordinance, requires the municipalities that have opted in to the minimum standards to submit annual reports, modifies the scope of the Inspector General Oversight, and removes the penalty provision for municipalities who are not in compliance with the minimum standards.

Some municipalities may not have adequate employee protection ordinances. The proposed item could have a positive impact to municipality employees who may be deemed as whistleblowers, providing confidentiality and employee protection from retaliation by a municipality or independent contractor if they filed a complaint and a uniform standard.

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The proposed ordinance is set to perform the following:

- Set minimum standards for municipalities to enact employee protection ordinances.
- Municipalities must adopt Employee Protection Ordinances by October 1, 2020.
- Ensure that municipal employees who disclose violations of law or wrongdoing by a municipality or independent contractors have effective protections such as confidentiality and protection from retaliation.
- Recognize the State's Whistleblower Act and interpret the ordinance consistently with the state act.
- The Inspector General may provide technical support for municipalities that are in the process of developing processes and procedures for receiving, documenting, and investigating disclosures of violations, complaints, and retaliations.
- Municipalities must file an annual report detailing the number of Employee Protection Ordinance complaints received and the dispositions of such complaints with the Inspector General.

**APPLICABLE LEGISLATION/POLICY**

**Article LXXI of Chapter 2 of the Miami-Dade County Code** relates to the protection of persons disclosing specified information.

[https://library.municode.com/fl/miami-dade-county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTLXXIPRPEDISPIN](https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTLXXIPRPEDISPIN)

**Florida Statutes Section 112.3187 is the Whistleblower's Act** and serves to prevent agencies or independent contractors from taking retaliatory action against an employee who reports the agency's violations of law.

[http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App\\_mode=Display\\_Statute&Search\\_String=section+112.3187&URL=0100-0199/0112/Sections/0112.3187.html](http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=section+112.3187&URL=0100-0199/0112/Sections/0112.3187.html)

**Ordinance No. 96-41**, adopted on March 5, 1996, creates Chapter 2, Article LXXI of the County Code that relates to protection of persons disclosing specified information.

<http://intra/gia/matter.asp?matter=960216&file=false&yearFolder=Y1996>

**Ordinance No. 15-120**, adopted on October 20, 2015, expands the means for employees to provide protected disclosures and to empower employees to safely and securely disclose specified information to authorized local officials.

<http://intra/gia/matter.asp?matter=151529&file=true&yearFolder=Y2015>

**Ordinance No. 17-74**, adopted on October 3, 2017, prohibits any employer with 10 or more employees that enters into a contract with the County, from retaliating against any employee or other person for disclosing specified information.

<http://intra/gia/matter.asp?matter=171387&file=true&yearFolder=Y2017>

**Section 3.08 of the Broward County Code** establishes protections for all their County employees and appointees who may be deemed as whistleblowers. Additionally, the County prohibits any retaliatory conduct against anyone who is a whistleblower and reports a violation. The County Commission shall designate a person to receive and evaluate the alleged violations.

[https://library.municode.com/fl/broward-county/codes/code\\_of\\_ordinances?nodeId=PTICH\\_ARTIIIADBRCOADAD\\_S3.08PRWH](https://library.municode.com/fl/broward-county/codes/code_of_ordinances?nodeId=PTICH_ARTIIIADBRCOADAD_S3.08PRWH)

**HCCO Meeting: July 17, 2019  
Research Notes**

**Item No. 3A  
File No. 191725**

**Researcher: LE    Reviewer: TD**

RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES ON BEHALF OF ITS CHAPMAN GRADUATE SCHOOL OF BUSINESS FOR THE PURCHASE OF AN EXECUTIVE AND MID-MANAGEMENT DEVELOPMENT PROGRAM FOR A ONE-YEAR TERM WITH A ONE-YEAR OPTION-TO-RENEW IN A TOTAL AMOUNT NOT TO EXCEED \$650,000; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT AND EXERCISE ANY AND ALL PROVISIONS THEREOF, INCLUDING THE EXERCISE THE RENEWAL AND TERMINATION PROVISIONS CONTAINED THEREIN

**ISSUE/REQUESTED ACTION**

Whether the Board should approve an intergovernmental agreement with Florida International University (FIU) Board of Trustees to purchase an Executive and Mid-Management Development Program, the Comprehensive Leadership Development Program (CLDP), for a one-year term and one one-year option to renew.

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Department/Requester: Human Resources**

This item does not have a legislative history.

**ANALYSIS**

The purpose of this item is to approve an intergovernmental agreement between the County and the FIU Board of Trustees on behalf of the Chapman Graduate School of Business to purchase and provide a CLDP for a one-year term and one-year option to renew.

The contract will have a \$350,000 allocation for a one-year term and an additional \$300,000 for a one-year option to renew, with the cumulative value not to exceed \$650,000. The funding source will be the General Fund. The \$350,000 will cover the costs for final report of program outcomes, work order issued, identifying County participants, consulting with top leadership institutions and hiring faculty, finalizing program curriculum, food and drink logistics, delivering the program to the select County employees and delivering a follow-up session.

Pursuant to Resolution No. R-69-07, the Administration must explore contracting opportunities with local universities. On June 2007, Contract RFI25 was established to provide the County procurement for training services and develop executives and mid-managers for a ten-year period. The bid waiver gave awards to the University of Miami, Florida International University, Miami-Dade College and Barry University.

The County has had a partnership with FIU since 2017 providing County executives and mid-managers comprehensive and customized training programs to enhance their leadership, innovation, creativity, strategic vision, customer service, management skills, and employee development. Trainings were recently conducted in March 2017, April 2018, and April 2019.

The program has the following objectives:

- Instill a culture of risk-taking, collaboration, and innovation.
- Provide practical tools for self-management, teamwork, and communication.

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- Enhance dynamics among departments, commissioners, and constituents.
- Promote physically and mentally beneficial habits to encourage sustained effectiveness and maximize performance.
- Strengthen an organizational vision.
- Identify improvements to the County's Leadership Program.

**DEPARTMENTAL INPUT**

On July 16, 2019, OCA asked the following questions to the Human Resources Department. Due to time constraints, the answers will be incorporated for the BCC meeting:

- How many people have been trained and from which departments?
- Are there other municipalities that have a similar interlocal agreement with local universities?

**APPLICABLE LEGISLATION/POLICY**

**Section 2-9 of the County Code** relates to contracts with municipalities or governmental units for services.

[https://library.municode.com/fl/miami -  
dade county/codes/code\\_of\\_ordinances?nodeId=PTIIICOR\\_CH2AD\\_ARTIINGE\\_S2-9COMUGOUNSEUTMA](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-9COMUGOUNSEUTMA)

**Section 2-10 of the County Code** states that contracts authorized under Section 2-9 of the Code shall be entered into subject to ratification by the County Commission and such contract cannot be extended for a period longer than one year without authorization.

[https://library.municode.com/fl/miami -  
dade county/codes/code\\_of\\_ordinances?nodeId=PTIIICOR\\_CH2AD\\_ARTIINGE\\_S2-10SAATBODUFI](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-10SAATBODUFI)

**Resolution No. R-69-07**, adopted January 25, 2007, directs the County explore opportunities to enter into interlocal agreements with local universities for the provision of services required by the County.

<http://intra/gia/matter.asp?matter=062949&file=true&yearFolder=Y2006>

**HCCO Meeting: July 17, 2019  
Research Notes**

**Item No. 3B  
File No. 191713**

**Researcher: LE    Reviewer: TD**

RESOLUTION APPROVING THE TERMS OF AND AUTHORIZING EXECUTION BY THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE OF A RETROACTIVE LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA, FOR THE PREMISES LOCATED AT 1350 NW 12 AVENUE, MIAMI, FLORIDA, TO BE UTILIZED BY THE STATE ATTORNEY'S OFFICE, WITH AN ANNUAL OPERATING COST OF APPROXIMATELY \$712,773.00 PER YEAR AND A FISCAL IMPACT OF \$35,638,700.00 OVER THE 50-YEAR TERM; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN

**ISSUE/REQUESTED ACTION**

Whether the Board should approve a retroactive lease agreement between the County and the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida for the premises to be used by the State Attorney's Office for a 50-year term.

**PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Audrey M. Edmonson, District 3  
Department/Requester: Internal Services**

This item does not have a legislative history.

**ANALYSIS**

The purpose of this item is to approve a retroactive lease agreement between the County and the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida for the premises located at 1350 NW 12<sup>th</sup> Avenue, to be used by the State Attorney's Office for a 50-year term.

The expected fiscal impact for the initial year of the lease term is approximately \$712,774.00 with the base rent at \$1.00 annually. The County will be responsible for all operating expenses which are estimated at \$712,773.00 annually. The total fiscal impact over a 50-year period is estimated to be \$35,638,700.00 and will be supported by the General Fund.

In 1962, the County deeded the land to the State of Florida for \$1.00 and the State built the E.R. Graham Building. Pursuant to Resolution No. R-1340-88, the building was declared surplus and leased to the County for a term of 30 years for \$1.00. Since then, the building has been used for business and operations for the State Attorney's Office. Internal Services has contacted the landlord of the property pertaining to the purchasing of the property to improve the services and operations of the County's criminal justice system through the Criminal Courts and Corrections Facilities Master Plan, which encompasses remedying aging infrastructure.

If the resolution is approved, the lease will be retroactive to September 2, 2018. Both parties have the right to cancel the lease at any time given they provide the other party at least 6 months written notice.



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**Research Notes**

**Item No. 3B**  
**File No. 191713**

**Researcher: LE    Reviewer: TD**

The photo below describes the property located at 1350 NW 12<sup>th</sup> Avenue.

**SEARCH:** 1350 nw 12 avenue  Suite

**PROPERTY INFORMATION**

Folio: 01-3135-000-0150

Sub-Division:

Property Address  
1350 NW 12 AVE

Owner  
TITF/ DGS  
GRAHAM BLDG

Mailing Address  
3900 COMMONWEALTH BLVD  
TALLAHASSEE, FL 32399

PA Primary Zone  
9600 HOSPITALS

Primary Land Use  
8788 STATE : TRUSTEE II FUND

Beds / Baths / Half      0 / 0 / 0

Floors                        5

Living Units                0

Actual Area

Living Area

Adjusted Area            155,504 Sq. Ft

Lot Size                    198,198 Sq. Ft

Year Built                  1959

Map View Layers

2018 Aerial Photography 200ft

**APPLICABLE LEGISLATION/POLICY**

**Resolution No. R-1340-88** declared the building located at 1350 NW 12<sup>th</sup> Avenue surplus and was leased to the County for a term of 30 years for \$1.00. (The resolution is unavailable on Legistar.)

**Section 253.0341 of the Florida Statutes** explains that if the State of Florida agrees to sell the property, state agencies, state universities, and Florida College System institutions will have the first option to purchase the property. If there is no expressed interest, the property will be available for purchase to the public through an open competitive bid process.

[http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&Appmode=Display\\_Statute&Search\\_String=section+253.0341&URL=0200-0299/0253/Sections/0253.0341.html](http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&Appmode=Display_Statute&Search_String=section+253.0341&URL=0200-0299/0253/Sections/0253.0341.html)



**HCCO Meeting: July 17, 2019**  
**Research Notes**

**Item No. 3C**  
**File No. 191072**

**Researcher: MF Reviewer: TD**

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL RTQ-01107 IN A TOTAL AMOUNT UP TO \$7,662,000 FOR THE PURCHASE OF CANOPY AND AWNING PURCHASE, REPAIR AND MATERIALS FOR MULTIPLE DEPARTMENTS FOR A FIVE-YEAR TERM; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SOLICIT PRICING, AWARD CONTRACTS, EXERCISE ALL PROVISIONS OF THE SOLICITATION DOCUMENTS AND ANY RESULTING CONTRACTS PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38, AND ADD VENDORS TO THE POOL AT ANY TIME, SUBJECT TO RATIFICATION BY THE BOARD ON A BI-ANNUAL BASIS; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS ON ELIGIBLE PURCHASES FOR SUCH PURPOSES

**ISSUE/REQUESTED ACTION**

Whether the Board should authorize the establishment of Prequalification Pool No. RTQ-01107 in an amount of \$7,662,000 for the purchase of canopy and awning materials and repair services, for a term of five years, for various County departments.

**PROCEDURAL HISTORY**

**Prime Sponsor:** None

**Department/Requester:** Internal Services Department (ISD)

There is no procedural history for this item.

**ANALYSIS**

The proposed resolution requests Board approval to establish a prequalification pool in the amount of \$7,662,000 for a five-year term, for the purchase of canopy and awning shade cloth materials and repair services for County departments. This pool provides for the purchase of awnings and canopies to be installed countywide at locations such as walkways, parking lots, building entrances, aircraft operating areas, cruise ship terminals and bus shelters along the South Dade Transitway.

Pursuant to Code Section 29-124(f), the Board may only consider this item of the Citizens' Independent Transportation Trust (CITT) has forwarded a recommendation to the Board prior to the date scheduled for Board consideration or 45 days have elapsed since the recommendation was issued.

The fiscal impact is \$7,662,000 for a five-year term. The current pool, 6939-0/15, has a value of \$8,076,000 for a ten-year and two-month term, expiring on February 28, 2021. The allocation under this replacement is higher than the current pool on an annual basis due to the estimated usage during the designated pool term, and allows the County to purchase raw materials in preparation for emergencies. Some of the canopy and awning materials will be purchased via Charter County Transportation Surtax funds. OCA conducted a review of the Bid Tracking System (BTS), which showed a blank purchase order (BPO) of \$4,200,674.18 (as of July 16, 2019) for the current pool (639-0/15). The requestor department did not provide information on how the aforementioned BPO remaining balance will be allocated.

Below is an itemization of each departmental allocation for the proposed prequalification pool:

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**File No. 191072**

**Researcher: MF Reviewer: TD**

<b>Department</b>	<b>Allocation</b>
Community Action and Human Services	\$150,000
Fire Rescue	\$88,000
Internal Services	\$202,000
Parks, Recreation and Open Spaces	\$347,000
Police	\$88,000
PortMiami	\$5,000,000
Public Housing and Community Development	\$68,000
Solid Waste Management	\$31,000
Transportation and Public Works	\$1,570,000
Water and Sewer	\$118,000
<b>TOTAL</b>	<b>\$7,662,000</b>

Pursuant to Resolution No. R-1032-18, the Strategic Procurement Division will conduct a procurement to establish a pool of qualified vendors to repair and replace awnings and canopies along the South-Dade Transitway. If the proposed pool is established, the current pool will be terminated after a transition period. The reasons why a replacement pool is needed is because the current pool has geographic restrictions on their Local Business Tax Receipt, thus the County would be ineligible to receive Federal Emergency Management Agency (FEMA) funding in the event of a natural disaster. Also pursuant to Resolution No. 1032-18, the prequalification pool would be available on a push-button basis to repair or replace awnings and canopies along the South-Dade Transitway.

A Request for Qualifications was issued under full and open competition. Five vendors responded to the solicitation, of which one was a "No Bid." Currently, three vendors are being recommended for inclusion in the pool. Two of the three vendors have local business addresses, and one is an SBE. According to the mayor's memo, fewer than 75% of the vendors recommended for inclusion in the pool are local due to a small number of vendor submittals. The pool identified below has three groups: Group A – Purchase of Canopy or Awning Materials; Group B – Furnish, Repair, Replace and Install Canopies; Group C – Furnish, Repair, Replace and Install Awnings.

<b>Vendor</b>	<b>Address</b>	<b>Groups Prequalified</b>
Industrial Shadeports, Inc.	1975 NW 18 St, Pompano Beach, FL	A, B
No Equal Design Company	6995 NW 46 Street, Suite A, Miami, FL	A, B, C
Paradise Awnings Corporation (SBE)	4310 NW 36 Avenue, Miami, FL	A, C

OCA performed due diligence on the vendors being recommended for inclusion on July 16, 2019; below are the findings:

<b>Vendor</b>	<b>Sunbiz</b>	<b>Tax Collector</b>	<b>Westlaw</b>
Industrial Shadeports, Inc.	Active; Established 2016	Not found	No open cases
No Equal Design Company	Active; Established 2006	\$75 due <a href="https://miamidade.county-taxes.com/public/business_tax/accounts/5932570">https://miamidade.county-taxes.com/public/business_tax/accounts/5932570</a>	No open cases
Paradise Awnings Corporation (SBE)	Active; Established 1998	\$150 due <a href="https://miamidade.county-taxes.com/public/business_tax/accounts/5686838">https://miamidade.county-taxes.com/public/business_tax/accounts/5686838</a>	No open cases

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**File No. 191072**

**Researcher: MF Reviewer: TD**

OCA performed a search for commodity codes 87010 (Awnings, Cloth) and 87022 (Awnings, Vinyl) on the Business Management Workforce System's Certified Vendor Directory on July 16, 2019. Listed below are the local SBEs identified:

- Awnings by Design, Corp. SBE-G&S
- Flex Florida Corp. dba West Awnings SBE-G&S
- Miami Beach Awning Co. dba Miami Awnings Co. SBE-G&S

**APPLICABLE LEGISLATION/POLICY**

**Section 2-8.1 of the Code of Miami-Dade County** (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000.00; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by Implementing Order (I.O.) and approved by the Board.

[https://library.municode.com/fl/miami-dade-county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-8.1COPUGE](https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

**Section 29-124(f) of the Miami-Dade County Code** (Special fund created; uses of surtax proceeds and role of CITT) states that no surtax proceeds may be used to pay the costs of a contract unless the Trust has submitted a recommendation to the County Commission regarding said contract award. The County Commission, if in agreement with the Trust's recommendation, may award a contract by majority vote. The County Commission may modify or reject the recommendation of the Trust by a two-thirds (2/3) vote of the Commission's membership. If the Trust has failed to forward a recommendation to the County Commission within 45 days of the County Mayor or County Mayor's designee filing an award recommendation with the Clerk of the Board, the County Commission may take action on the contract award recommendation without any Trust recommendation. Notwithstanding any other provision to the contrary, a committee of the Commission may consider a contract award recommendation prior to receipt of a recommendation of the Trust.

[https://library.municode.com/fl/miami-dade-county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH29TA\\_ARTXVIONHAONPECHCOTRSYSASUAUSE212.0551FLST2001\\_S29-124SPFUCRUSSUPPROCIINTR](https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIICOOR_CH29TA_ARTXVIONHAONPECHCOTRSYSASUAUSE212.0551FLST2001_S29-124SPFUCRUSSUPPROCIINTR)

**Resolution No. R-716-12**, adopted on September 4, 2012, requires identification of a firm's Small Business Enterprise (SBE) program certification in any procurement item submitted for Board approval.

<http://intra/gia/matter.asp?matter=121265&file=true&yearFolder=Y2012>

**Resolution No. R-187-12**, adopted on February 21, 2012, directs the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://intra/gia/legistarfiles/MinMatters/Y2012/120287min.pdf>

**Resolution No. R-140-15**, adopted on February 3, 2015, directs the Mayor to conduct a full review of the scope, prior to the re-procurement of replacement contracts for goods or services to ensure such contracts reflect the current needs of the County, to include information in recommendations to the Board, and to consult with the Small Business Development Division regarding solicitation contract language.

<http://www.miamidade.gov/govaction/legistarfiles/MinMatters/Y2015/150090min.pdf>

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**Item No. 3C**

**File No. 191072**

**Researcher: MF Reviewer: TD**

**Resolution No. R-1032-18**, adopted on October 2, 2018, directs the Mayor to conduct a procurement to establish a pool of qualified vendors available on a push-button basis for the repair or replacement of awnings and canopies along the South-Dade Transitway.

<http://www.miamidade.gov/govaction/legistarfiles/MinMatters/Y2018/182125min.pdf>

**Resolution No. R-477-18**, adopted on May 1, 2018, directs the County Mayor to disclose to the Board the reasons why goods and services are not being procured through local businesses when the recommendation is to award a contract to a non-local vendor or to establish a prequalification pool where less than 75 percent of the pool members are local businesses.

<http://intra/gia/matter.asp?matter=180822&file=true&yearFolder=Y2018>

**Implementing Order No. 3-38** sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines: the roles and responsibilities of the Internal Services Department (ISD); the methods of purchasing goods and services; the authority to award and modify contracts; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

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**Research Notes**

**Item No. 3D**  
**File No. 191105**

**Researcher: MF Reviewer: TD**

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL RTQ-01136 IN A TOTAL AMOUNT UP TO \$6,848,568 FOR THE PURCHASE OF OVERHEAD DOORS, SECURITY GATES, AND AUTOMATIC DOORS FOR MULTIPLE DEPARTMENTS FOR A FIVE-YEAR TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SOLICIT PRICING, AWARD CONTRACTS, EXERCISE ALL PROVISIONS OF THE SOLICITATION DOCUMENTS AND ANY RESULTING CONTRACTS PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38, AND ADD VENDORS TO THE POOL AT ANY TIME, SUBJECT TO RATIFICATION BY THE BOARD ON A BI-ANNUAL BASIS; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS ON ELIGIBLE PURCHASES FOR SUCH PURPOSES

**ISSUE/REQUESTED ACTION**

Whether the Board should authorize the establishment of Prequalification Pool No. RTQ-01336, in an amount up to \$6,848,568 to obtain services for overhead doors, security gates, and automatic doors for multiple departments for a five-year term.

**PROCEDURAL HISTORY**

**Prime Sponsor:** None

**Department/Requester:** Internal Services Department (ISD)

There is no procedural history for this item.

**ANALYSIS**

The proposed resolution requests Board approval to establish a prequalification pool in the amount of \$6,848,568 for a five-year term for the purchase of services for overhead doors, security gates and automatic doors. Currently, the County uses one pool and two contracts for said goods and services.

The fiscal impact is \$6,848,568 for a five-year term. The allocation under this replacement pool is higher than the previous pool and contracts due to additional services being added, including maintenance and service needs to automatic doors. A portion of surtax funding will be used for this prequalification pool and contracts. OCA conducted a review of the Bid Tracking System (BTS), which shows blank purchase orders (BPO) as of July 16, 2019, for the existing pool and contracts.

Below is a summary of each BPO remaining balance:

- Prequalification Pool 6050-1/24 – BPO \$575,309.41
- Contract 9793-0/19 – BPO \$63,033.33
- Contract 00088 – BPO \$419,100.96

The requestor department did not provide information on how the aforementioned remaining balances – totaling \$1,057,443.70 – will be allocated prior to the expiration dates of July 31, 2019 and October 31, 2019 dates, respectively.

Below is a summary of the current prequalification pool and contracts, the service, value, and expiration dates.

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**File No. 191105**

**Researcher: MF Reviewer: TD**

<b>Pool / Contract No.</b>	<b>Service</b>	<b>Value</b>	<b>Term</b>	<b>Expiration</b>
Prequalification Pool 6050-1/24	Roll up doors, inspection, repair, furnish and installation services	\$3,443,401	5 years & 5 months	July 31, 2019
Contract 9793-0/19	Security gate services	\$755,083	5 years & 5 months	July 31, 2019
Contract FB-00088	Security gate services	\$1,277,000	5 years	October 31, 2019

The mayor's memo did not indicate why this item did not travel to the Board prior to the imminent expiration date of July 31, 2019 for both the prequalification pool and Contract No. 9793-0/19 (as shown above).

Pursuant to Code Section 29-124(f), the Board may only consider this item of the Citizens' Independent Transportation Trust (CITT) has forwarded a recommendation to the Board prior to the date scheduled for Board consideration or 45 days have elapsed since the recommendation was issued.

Below is an itemization of each departmental allocation for the proposed prequalification pool and contracts:

<b>Department</b>	<b>Allocation</b>
Aviation	\$300,000
Community Action and Human Services	\$150,000
Corrections and Rehabilitation	\$500,00
Fire Rescue	\$750,000
Internal Services	\$785,000
Library System	\$100,000
Parks, Recreation, and Open Spaces	\$400,000
Police	\$575,000
PortMiami	\$109,000
Public Housing and Community Development	\$1,225,000
Transportation and Public Works	\$1,230,000
Water and Sewer	\$724,568
<b>TOTAL</b>	<b>\$6,848,568</b>

A Request for Qualifications was issued under full and open competition. Fifty vendors received notification of the solicitation, of which 12 responded, including three "No Bids." Nine vendors are being recommended for inclusion in the pool, of which seven are local and two are SBE. Additionally, during the market research for this prequalification pool, potential vendors were notified via an email blast to 50 vendors. The requestor department indicates that through advertisement of the prequalification pool, 5,996 vendors were notified.

The pool identified below has four groups: Group 1 – Repair, replace, supply and install overhead doors; Group 2 – Repair, replace, supply and install security gates and communication systems; Group 3 – Repair, replace, supply, and install automatic doors; and Group 4 – Purchase of overhead doors, security gates and communication systems and automatic doors.

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<b>Vendor</b>	<b>Address</b>	<b>Groups Prequalified</b>
Above All Garage Door of South Florida, Inc.	3590 NW 34 St., Miami, FL	1 & 4
Another Garage Gate, Inc.	3771 NW 51 St., Unit A, Miami, FL	1, 2 & 3
Atlas Door & Gate, Inc. (SBE)	276 W 24 St., Hialeah, FL	1-4
Coast to Coast Garage Door, LLC	10501 NW 50 St., Ste. 106, Sunrise, FL	1
Dash-Door & Closer Service, Inc.	8800 NW 23 St. Miami, FL	3
Door Systems of South Florida, Inc.	1300 NW 15 Ave., Pompano Beach, FL	1
Rollingdoors.com Service, LLC	7214 NW 78 Terr., Medley, FL	1
SGA Management, Inc.	1709 NW 79 Ave., Doral, FL	1, 2 & 4
Smart House Solutions, Inc. (SBE)	5401 SW 99 Ct., Miami, FL	1-4

OCA performed due diligence on the vendors being recommended for inclusion on July 16, 2019; below are the findings:

<b>Vendor</b>	<b>Sunbiz</b>	<b>Tax Collector</b>	<b>Westlaw</b>
Above All Garage Door of South Florida, Inc.	Active; Established 2001	\$125 due <a href="https://miamidade.county-taxes.com/public/business_tax/accounts/4937182">https://miamidade.county-taxes.com/public/business_tax/accounts/4937182</a>	No open cases; 2014 case: 1:14-cv-22087-UU - (settled) employee age discrimination case
Another Garage Gate, Inc.	Active; Established 2008	\$45 due <a href="https://miamidade.county-taxes.com/public/business_tax/accounts/6677018">https://miamidade.county-taxes.com/public/business_tax/accounts/6677018</a>	No open cases
Atlas Door & Gate, Inc.	Active; Established 2008	\$60 due <a href="https://miamidade.county-taxes.com/public/business_tax/accounts/6672571">https://miamidade.county-taxes.com/public/business_tax/accounts/6672571</a>	No open cases
Coast to Coast Garage Door, LLC	Active; Established 2013	\$75 due <a href="https://miamidade.county-taxes.com/public/business_tax/accounts/7240606">https://miamidade.county-taxes.com/public/business_tax/accounts/7240606</a>	No open cases
Dash-Door & Closer Service, Inc.	Active; Established 1955	\$45 due <a href="https://miamidade.county-taxes.com/public/business_tax/accounts/4993664">https://miamidade.county-taxes.com/public/business_tax/accounts/4993664</a>	No open cases
Door Systems of South Florida, Inc.	Active; Established 1994	\$75 due <a href="https://miamidade.county-taxes.com/public/business_tax/accounts/6241376">https://miamidade.county-taxes.com/public/business_tax/accounts/6241376</a>	No open cases
Rollingdoors.com Service, LLC	Active; Established 2015	Not found	No open cases
SGA Management, Inc.	Active; Established 2010	\$51 due <a href="https://miamidade.county-taxes.com/public/business_tax/accounts/5886073">https://miamidade.county-taxes.com/public/business_tax/accounts/5886073</a>	No open cases
Smart House Solutions, Inc.	Active; Established 2004	\$150 due <a href="https://miamidade.county-taxes.com/public/business_tax/accounts/6626254">https://miamidade.county-taxes.com/public/business_tax/accounts/6626254</a>	No open cases



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OCA performed a search for commodity codes 15055 (Overhead Doors-Garage, Etc.) and 68002 (Access Control Systems and Security Systems) on the Business Management Workforce System's Certified Vendor Directory on July 16, 2019. Listed below are the six local SBEs that identified with at least one of the commodity code certifications:

- Best Garage Doors, Inc., Hialeah Gardens, FL SBE-G&S
- Conwell & Associates Consulting Company, Miami, FL SBE-G&S
- Coral Way Locksmith, Corporation, Miami, FL SBE-G&S
- Galactic Technology Group, LLC, Miami, FL SBE-G&S
- L.G. Florida General Contractors, Inc., Miami, FL SBE-G&S
- Smart House Solutions, Inc., Miami, FL SBE-G&S (Included in prequalification pool)

**ADDITIONAL INFORMATION**

As noted in OCA's table of due diligence, one of the companies listed in the prequalification pool, Above All Garage Door of South Florida, Inc., was found in Westlaw as having settled an age discrimination suit in 2014 with a former employee. According to the lawsuit, the plaintiff filed the complaint in August 2012 for damages in excess of \$15,000, pursuant to the Age Discrimination in Employment Act, and the Florida Civil Rights Act of 1992 (FRCA), Florida Statutes Section 760. Per the complaint, the plaintiff (aged 64 at the time of hire) worked as a rolling door technician for the company from August 2011 through May 9, 2012, during which time he claimed harassment from the defendant. The plaintiff alleged the defendant created a hostile work environment, as the plaintiff would make unwanted remarks and ridicule the plaintiff in front of coworkers about his age. According to the suit, the defendant would regularly refer to the plaintiff as "old man," "elderly mechanic" and used other derogatory names. The suit states that in May 2012, the plaintiff was fired by the defendant, who stated the plaintiff was "too old" to perform the job. According to court records, both parties reached a settlement in October 2014 through mediation.

**DEPARTMENTAL INPUT**

- Provide information on how the remaining balances in the blanket purchase order for the existing pool contracts, totaling \$1,057,443.70, will be allocated prior to the expiration dates of July 31, 2019 and October 31, 2019 dates, respectively.

**APPLICABLE LEGISLATION/POLICY**

**Section 2-8.1 of the Code of Miami-Dade County** (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000.00; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by Implementing Order (I.O.) and approved by the Board.

<https://library.municode.com/fl/miami> -

[dade county/codes/code of ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-8.1COPUGE](https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

**Section 29-124(f) of the Miami-Dade County Code** (Special fund created; uses of surtax proceeds and role of CITT) states that no surtax proceeds may be used to pay the costs of a contract unless the Trust has submitted a recommendation to the County Commission regarding said contract award. The County Commission, if in agreement with the Trust's recommendation, may award a contract by majority vote. The County Commission may modify or reject the recommendation of the Trust by a two-thirds (2/3) vote of the Commission's membership. If the Trust has failed to forward a recommendation to the County Commission within 45 days of the County Mayor or County Mayor's designee filing an award recommendation with the Clerk of the Board, the County Commission may take action on the contract award

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recommendation without any Trust recommendation. Notwithstanding any other provision to the contrary, a committee of the Commission may consider a contract award recommendation prior to receipt of a recommendation of the Trust.

[https://library.municode.com/fl/miami-dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH29TA\\_ARTXVIONHAONPECHCOTRSYSASUAUSE212.0551FLST2001\\_S29-124SPFUCRUSSUPPROCIINTRTR](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH29TA_ARTXVIONHAONPECHCOTRSYSASUAUSE212.0551FLST2001_S29-124SPFUCRUSSUPPROCIINTRTR)

**Resolution No. R-716-12**, adopted September 4, 2012, requires identification of a firm's Small Business Enterprise (SBE) program certification in any procurement item submitted for Board approval.

<http://intra/gia/matter.asp?matter=121265&file=true&yearFolder=Y2012>

**Resolution No. R-187-12**, adopted February 21, 2012, directs the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://intra/gia/legistarfiles/MinMatters/Y2012/120287min.pdf>

**Resolution No. R-943-13**, adopted November 19, 2013, establishes a pre-qualification pool for future spot market competitions for goods and services.

<http://www.miamidade.gov/govaction/legistarfiles/MinMatters/Y2013/131859min.pdf>

**Resolution No. R-140-15**, adopted February 3, 2015, directs the Mayor to conduct a full review of the scope, prior to the re-procurement of replacement contracts for goods or services to ensure such contracts reflect the current needs of the County, to include information in recommendations to the Board, and to consult with the Small Business Development Division regarding solicitation contract language.

<http://www.miamidade.gov/govaction/legistarfiles/MinMatters/Y2015/150090min.pdf>

**Resolution No. R-1032-18**, adopted October 2, 2018, directs the Mayor to conduct a procurement to establish a pool of qualified vendors available on a push-button basis for the repair or replacement of awnings and canopies along the South-Dade Transitway.

<http://www.miamidade.gov/govaction/legistarfiles/MinMatters/Y2018/182125min.pdf>

**Resolution No. R-477-18**, adopted May 1, 2018, directs the County Mayor to disclose to the Board the reasons why goods and services are not being procured through local businesses when the recommendation is to award a contract to a non-local vendor or to establish a prequalification pool where less than 75 percent of the pool members are local businesses.

<http://intra/gia/matter.asp?matter=180822&file=true&yearFolder=Y2018>

**Implementing Order No. 3-38** sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines: the roles and responsibilities of the Internal Services Department (ISD); the methods of purchasing goods and services; the authority to award and modify contracts; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

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**Research Notes**

**Item No. 3E**  
**File No. 191628**

**Researcher: MF Reviewer: TD**

RESOLUTION APPROVING AWARD OF CONTRACT NO. FB-01123 FOR FLIGHT INSTRUMENTS AND AVIONIC SYSTEMS FOR MULTIPLE DEPARTMENTS FOR A FIVE-YEAR TERM IN AN AMOUNT NOT TO EXCEED \$1,075,000, AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF THIS AWARD, ISSUE THE APPROPRIATE PURCHASE ORDER TO GIVE EFFECT TO SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38

**ISSUE/REQUESTED ACTION**

Whether the Board should authorize approval of Contract No. FB-01123 in the amount of \$1,075,000 for the purchase of avionics systems for the Fire Rescue and Police departments for a term of five years.

**PROCEDURAL HISTORY**

**Prime Sponsor:** None

**Department/Requester:** Internal Services Department (ISD)

There is no procedural history on this item at this time.

**ANALYSIS**

The proposed resolution requests Board approval to award a contract in the amount of \$1,075,000 for a five-year term for the purchase of parts and services for flight instruments and avionics systems in County aircraft for Fire Rescue and Police departments.

The Fiscal Impact to the county is \$1,075,000 for a five-year term. In total the County has 10 aircraft, consisting of eight helicopters and two airplanes owned and operated by the Fire Rescue and the Police departments. According to the mayor's memo, the previous contract, No. 2960-0/18 was awarded for a five-year term with an allocation of \$1,240,000 and expired March 31, 2019. A replacement solicitation was advertised in June 2018 under solicitation No. FB-00834, but no bids were received. The replacement solicitation is lower than the previous contract due to a cost forecast of the expected needs based on past expenditures. Per the mayor's memo, the scope of the proposed contract was revised to increase the emergency service response time. The proposed contract amount of \$1,075,000 will be paid through allocations from the Fire Rescue (\$395,750) and Police (\$677,250) departments, respectively.

Per the mayor's memo, the FAA regulates the aviation repair industry, thus these services are required approval by the FAA and have at least one FAA-certified Airframe and Powerplant mechanic. The new solicitation was issued December 2018 and two bids were received, including one "No Bid." As such, the award is being recommended to the only responsible bidder, Peninsula Avionics, Inc. (the incumbent vendor) located at 14229 SW 127 Street, (Tamiami Airport) Miami, FL.

OCA performed a review of previous Contract No. 2960-0/18 on July 16, 2019 on the Bid Tracking System (BTS), which shows the aforementioned contract was awarded in 2013 to Peninsula Avionics, Inc. with a value of \$1,240,000. BTS records show the last purchase order under the aforementioned contract was March 29, 2019 for \$172,499.52 through Fire Rescue. According to the mayor's memo, a bridge contract was established for continuity of services, with an allocation of \$100,000, which expires September 30, 2019, to allow time for a replacement solicitation to undergo the evaluation and award process.

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**Item No. 3E**

**File No. 191628**

**Researcher: MF Reviewer: TD**

OCA performed due diligence regarding Peninsula Avionics, Inc., the incumbent vendor being recommended for award, and below are the findings:

<b>Sunbiz</b>	<b>Tax Collector</b>	<b>Westlaw</b>
Active; Established 1985	\$157.50 due <a href="https://miamidade.county-taxes.com/public/business_tax/accounts/1502245">https://miamidade.county-taxes.com/public/business_tax/accounts/1502245</a>	No open cases

OCA performed a search for commodity codes 035 (Aircraft and Airport, Equipment, Parts and Supplies) and 92908 (Airplanes, Helicopters and Accessories Maintenance) on the Business Management Workforce System's Certified Vendor Directory on July 16, 2019. Listed below are the 6 local SBEs identified:

- Generating Systems, Inc., Miami, FL SBE-G&S
- Paramount Electric and Lighting, Inc., Miami, FL SBE-G&S
- The Tool Place Corp., Miami, FL SBE-G&S
- The Tools Man, Inc., dba The Tools Man Industry Supply SBE-G&S
- Totalpack, Inc., Miami, FL SBE-G&S
- Trinity Electric Sales & Services Inc., dba Trinity Lighting Etc., Aventura, FL SBE-G&S

**ADDITIONAL INFORMATION**

OCA conducted a search of Peninsula Avionics Inc's website, which states the company is FAA-certified, and serves customers in Florida, the Caribbean, Central America, South America and Europe.

<http://www.peninsulaavionics.com/index.htm>

**APPLICABLE LEGISLATION/POLICY**

**Section 2-8.1 of the Code of Miami-Dade County** (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000.00; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by Implementing Order (I.O.) and approved by the Board.

[https://library.municode.com/fl/miami-dade-county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-8.1COPUGE](https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

**Resolution No. R-716-12**, adopted September 4, 2012, requires identification of a firm's Small Business Enterprise (SBE) program certification in any procurement item submitted for Board approval.

<http://intra/gia/matter.asp?matter=121265&file=true&yearFolder=Y2012>

**Resolution No. R-395-12**, adopted May 1, 2012, Requires vendors added to open pool contracts to be subject to bi-annual ratification by the Board of County Commissioners.

<http://www.miamidade.gov/govaction/matter.asp?matter=120561&file=true&yearFolder=Y2012>

**Resolution No. R-187-12**, adopted February 21, 2012, directs the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://intra/gia/legistarfiles/MinMatters/Y2012/120287min.pdf>

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**Item No. 3E**

**File No. 191628**

**Researcher: MF Reviewer: TD**

**Resolution No. R-682-13**, adopted September 4, 2013, authorizing award of competitive contracts in a total amount up to \$7,225,000, authorizing modification of competitive contracts for purchase of goods and services in a total amount up to \$221,000 in additional spending authority, authorizing rejection of bids received, and authorizing the use of Charter County Transportation Surtax for such contract.

<http://www.miamidade.gov/govaction/legistarfiles/MinMatters/Y2013/131342min.pdf>

**Resolution No. R-140-15**, adopted February 3, 2015, authorizes replacement contracts for goods or services of the scopes of services or goods requested to ensure such contracts reflect the current needs of the county.

<http://intra/gia/matter.asp?matter=150090&file=true&yearFolder=Y2015>

**Resolution No. R-718-17**, adopted July 6, 2017, directs the Mayor to commence planning for re-procurement no later than 18 months PRIOR to the expiration of contracts and Lists of Prequalified Vendors for the purchase of goods and/or services; and directs the Mayor or their designee, on a quarterly basis to identify in writing to the Office of Commission Auditor those contracts and prequalified vendor lists that are set to expire no later than 18 months prior to expiration.

<http://www.miamidade.gov/govaction/matter.asp?matter=171632&file=true&fileAnalysis=false&yearFolder=Y2017>

**Implementing Order No. 3-38** sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines: the roles and responsibilities of the Internal Services Department (ISD); the methods of purchasing goods and services; the authority to award and modify contracts; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

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Research Notes**

**Item No. 3F  
File No. 191643**

**Researcher: JFP Reviewer: TD**

RESOLUTION APPROVING ADDITIONAL EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP TO \$170,200.00 FOR PREQUALIFICATION POOL NO. RTQ-00593 FOR PURCHASE OF STORAGE CONTAINERS FOR THE DEPARTMENT OF SOLID WASTE

**ISSUE/REQUESTED ACTION**

Whether the Board should authorize additional expenditure authority in the amount of up to \$170,200 for *Prequaliication Pool No. RTQ-00593, Storage Containers* for the Department of Solid Waste.

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Department/Requester: Internal Services Department**

This item has no procedural history.

**ANALYSIS**

The purpose of this item is to authorize additional expenditure authority for the Department of Solid Waste (DSWM)'s purchase of storage containers through an existing prequalification pool. The \$170,200 in additional expenditure authority will be used to purchase 64 storage containers, which are utilized to store DSWM's waste and recycling carts, at an estimated price of \$3,500 each. The new storage containers would replace those which have reached the end of their useful life, as they were purchased almost 15 years ago. Use beyond their useful life has resulted in leakage in some of these storage containers.

The Board approved establishment of the pool in a total amount up to \$1,260,000 for a term of five years with one, five-year option to renew term on March 6, 2018. The initial five-year term was valued at \$630,000 upon establishment. The pool was slated to be utilized by various county departments, of which DSWM was not originally included. The contract was subsequently modified on December 5, 2018 in the amount of \$72,200 to accommodate the addition of the Internal Services Department, and then on April 29, 2019 in the amount of \$53,800 to accommodate the addition of DSWM. Therefore, the current value of the initial five-year term is now \$756,000, which would increase to \$926,200 upon approval of this item. The modified cumulative allocation, which includes the allocation for the five-year option to renew term, would be \$1,556,200.

Given that DSWM was added among the users of the pool in April 2019 with an allocation of \$53,800, it is unclear why this additional need was not forecasted at that time. According to the contract's Blanket Purchase Order, of the current term's allocation amount of \$756,000, \$210,479.72 has been released as of July 16, 2018, leaving a balance of \$545,520.28. DSWM has exhausted its allocation. The current pool term expires on June 30, 2023.

There are three prequalified vendors in the pool, of which two have local addresses.

<b>Vendor</b>	<b>Principal Address</b>	<b>Local Address</b>	<b>Sunbiz Status</b>
Blue Line Equipment Sales, Corp.	4950 NW 72 Avenue, Miami, FL	Same	Active
Mobile Mini, Inc.	4646 East Van Buren Street, Suite 400, Phoenix, AZ	None	Active



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**File No. 191643**

**Researcher: JFP Reviewer: TD**

Tropical Trailer Leasing, LLC	9475 NW 89 Avenue, Miami, FL	Same	Active
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**APPLICABLE LEGISLATION/POLICY**

**Section 2-8.1 of the Code of Miami-Dade County** (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000.00; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by Implementing Order (I.O.) and approved by the Board.

[https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIIICOR\\_CH2AD\\_ARTIINGE\\_S2-8.1COPUGE](https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

**Resolution No. R-208-18**, adopted March 6, 2018, authorized establishment of prequalification pool RTQ-00593 in a total amount up to \$1,260,000.00 for the purchase of storage containers for various county departments for an initial term of five years and one, five-year option to renew term.

<http://intra/gia/matter.asp?matter=180189&file=true&yearFolder=Y2018>

**Resolution No. R-187-12**, adopted February 21, 2012, directs the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://intra/gia/legistarfiles/MinMatters/Y2012/120287min.pdf>

**Resolution No. R-391-17**, adopted April 4, 2017, directs the Mayor to conduct competitive selections whenever feasible instead of expanding the term or services under existing contracts, to include in any recommendation to the Board for the expansion of term or services under existing contracts a written justification of why a competitive process is not feasible, to include to the maximum extent possible in any proposed expansion of term or services any requirements of Ordinance or Resolutions adopted by the Board subsequent to the initial contract and to report to the Board in the recommendation which requirements were adopted and rejected.

<http://intra/gia/matter.asp?matter=170534&file=true&yearFolder=Y2017>

**Implementing Order No. 3-38** sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines: the roles and responsibilities of the Internal Services Department (ISD); the methods of purchasing goods and services; the authority to award and modify contracts; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>



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Research Notes**

**Item No. 3G  
File No. 191645**

**Researcher: JFP Reviewer: TD**

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL RTQ-00935 IN A TOTAL AMOUNT UP TO \$9,762,252.00 FOR THE PURCHASE OF WELDING REPAIRS AND RELATED SERVICES FOR MULTIPLE DEPARTMENTS FOR A FIVE-YEAR TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SOLICIT PRICING, AWARD CONTRACTS, EXERCISE ALL PROVISIONS OF THE SOLICITATION DOCUMENTS AND ANY RESULTING CONTRACTS PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38, AND ADD VENDORS TO THE POOL AT ANY TIME, SUBJECT TO RATIFICATION BY THE BOARD ON A BI-ANNUAL BASIS

**ISSUE/REQUESTED ACTION**

Whether the Board should authorize the establishment of *Prequalification Pool RTQ-00935, Welding Repairs and Related Services* for multiple County departments in an amount not to exceed \$9,762,252 for a term of five years.

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Department/Requester: Internal Services Department**

The item has no procedural history.

**ANALYSIS**

The purpose of this item is to establish *Prequalification Pool RTQ-00935* to provide welding repairs for buses, trucks, trailers, and other vehicles, as well as machine shop and metal fabrication services for County-owned facility enclosures, equipment, and gates. The total allocation for the five-year period is \$9,762,252. The largest users of the pool will be the Water and Sewer Department with an allocation of \$5,212,252, and the Internal Services Department with an allocation of \$2,650,000.

The current pool, 8915-5/19-5 has a cumulative allocation of \$24,749,800 for a five-year term with five one-year options to renew, and expires on September 30, 2019 (based on the Bid Tracking System—note that the Mayoral Memorandum states an expiration date of November 30, 2019). The lesser allocation for the replacement pool is based on a lower estimated usage by the departments. As of July 16, 2019, the current term's Blanket Purchase Order reports a released amount of \$1,686,763.82 of the OTR's \$2,275,700 allocation amount, leaving a balance of \$588,936.18.

A full review of the scope of services was conducted pursuant to Resolution No. R-140-15, resulting in a revised scope of services to include redefined groups to better suit the County's requirements. The replacement pool includes three groups:

Group 1: Vehicle and Vehicle Component Fabrication

Group 2: Expedited Repair Services

Group 3: Machine Shop and Metal Fabrication

A Request to Qualify was issued and advertised, with notification to 39 vendors (including the incumbent vendors), and four vendors responding. Of the four respondents, three are being recommended for inclusion in the pool (noted below), all of which are local and incumbent vendors. One is a certified Small Business Enterprise firm.

**HCCO Meeting: July 17, 2019**  
**Research Notes**

**Item No. 3G**  
**File No. 191645**

**Researcher: JFP Reviewer: TD**

Vendor	Group(s)	Local Address	Sunbiz Status
ALM Machine, Inc. (SBE)	1, 2, and 3	4585 NW 37 Avenue, Miami, FL	Active
Condo Electric Motor Repair Corp.	1, 2, and 3	3615 East 10 Court, Hialeah, FL	Active
General Welding Service Enterprise, Inc.	1, 2, and 3	8115 NW 56 Street, Miami, FL	Active

The fourth respondent, R. Fernandez Solutions Corp., would be a new, local vendor, but was not recommended for inclusion in the pool because it did not provide documentation to satisfy the prequalification criteria. The vendor may be added to the pool upon submission and verification of the required documentation. The pool will remain open and outreach will continue as vendors may be added at any time.

A July 16, 2019 Business Management Workforce System search for the solicitation's commodity code, 92948 - Machine Shop And Fabricating Services, Industrial, yielded ALM Machine, Inc. as the only local Small Business Enterprise firm.

**APPLICABLE LEGISLATION/POLICY**

**Section 2-8.1 of the County Code** (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by I.O. and approved by the Board.

[https://library.municode.com/fl/miami-dade-county/codes/code\\_of\\_ordinances?nodeId=PTIIICOR\\_CH2AD\\_ARTIINGE\\_S2-8.1COPUGE](https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

**Resolution No. R-636-09**, adopted June 2, 2009, established the current pool 8915-5/19, for a five-year term with five one-year option to renew terms with a cumulative value of \$21,118,000.

<http://intra/gia/matter.asp?matter=091793&file=false&yearFolder=Y2009>

**Resolution No. R-477-18**, adopted May 1, 2018, directed the County Mayor to disclose to the Board the reasons goods and services are not being procured through local businesses when the recommendation is to award a contract to a non-local vendor or to establish a prequalification pool where less than 75 percent of the pool members are local businesses.

<http://intra/gia/matter.asp?matter=180822&file=true&yearFolder=Y2018>

**Resolution No. R-187-12**, adopted February 21 2012, directed the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://www.miamidade.gov/govaction/matter.asp?matter=120287&file=true&fileAnalysis=false&yearFolder=Y2012>

**Resolution No. R-716-12**, adopted September 4, 2012, requires identification of small business enterprise firms in any procurement item submitted for Board approval.

<http://intra/gia/matter.asp?matter=121265&file=true&yearFolder=Y2012>

**HCCO Meeting: July 17, 2019**  
**Research Notes**

**Item No. 3G**

**File No. 191645**

**Researcher: JFP Reviewer: TD**

**Resolution No. R-140-15**, adopted February 3, 2015, directs the County Mayor to conduct a full review prior to the re-procurement of replacement contracts for goods and services of the scope of services or goods requested to ensure such contracts reflect the current needs of the County and include such information in recommendations to the Board.

<http://intra/gia/matter.asp?matter=150090&file=true&yearFolder=Y2015>

**Resolution No. R-718-17**, adopted July 6, 2017, directs the Administration to commence planning for re-procurement no later than 18 months prior to the expiration of contracts and prequalification pools for purchases of goods and services.

<http://intra/gia/matter.asp?matter=171632&file=true&yearFolder=Y2017>

**Implementing Order 3-38** sets forth the County's policy and procedures for the procurement of goods and services. The I.O. references the obligations and responsibilities of the Internal Services Department; the authority to award; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

**HCCO Meeting: July 17, 2019  
Research Notes**

**Item No. 3H  
File No. 191646**

**Researcher: JFP Reviewer: TD**

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL RTQ-01039 IN A TOTAL AMOUNT UP TO \$34,717,000.00 FOR THE PURCHASE OF FERTILIZERS, PESTICIDES, WEED KILLERS, AND LANDSCAPING/GARDENING MATERIALS FOR MULTIPLE DEPARTMENTS FOR A FIVE-YEAR TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SOLICIT PRICING, AWARD CONTRACTS, EXERCISE ALL PROVISIONS OF THE SOLICITATION DOCUMENTS AND ANY RESULTING CONTRACTS PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38, AND ADD VENDORS TO THE POOL AT ANY TIME, SUBJECT TO RATIFICATION BY THE BOARD ON A BI-ANNUAL BASIS

**ISSUE/REQUESTED ACTION**

Whether the Board should authorize the establishment of *Prequalification Pool RTQ-01039, Fertilizers, Pesticides, Weed Killers, and Landscaping/Gardening Materials* for multiple County departments in an amount not to exceed \$34,717,000 for a term of five years.

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Department/Requester: Internal Services Department**

The item has no procedural history.

**ANALYSIS**

The purpose of this item is to consolidate three current pools and establish *Prequalification Pool RTQ-01039* for the purchase of fertilizers, pesticides and weed killers, and landscaping/gardening materials. The total allocation for the five-year term is \$34,717,000. While multiple County departments will utilize the pool, Solid Waste Management will be the largest user with an allocation of \$20,213,000, as the department plans to purchase chemicals to combat and control the spread of mosquito borne diseases throughout the County.

Two of the current pools—*9020-1/19-1* (five-year term, with one, five-year option to renew) and *9408-1/14* (two-year term with one, two-year option to renew and one Board approved five-year extension)—expire on December 31, 2019, with the third pool—*9303-1/20-1* (five-year term with one five-year option to renew)—expiring on September 30, 2020. The cumulative values of the three pools total \$45,627,000. The newly established pool has a greater annual allocation based on estimated departmental usage throughout the term of the pool.

A full review of the scope of services was conducted pursuant to Resolution No. R-140-15, resulting in the consolidation of three similar pools for administrative efficiencies. The new pool includes three groups:

Group 1: Fertilizers

Group 2: Pesticides and Weed Killers

Group 3: Landscaping/gardening materials

A Request to Qualify was issued and advertised with notification to 8,717 vendors, including the incumbent vendors. Six vendors responded. All six respondents, all of which are local and incumbent vendors, are being recommended for inclusion in the pool.

**HCCO Meeting: July 17, 2019**  
**Research Notes**

**Item No. 3H**  
**File No. 191646**

**Researcher: JFP Reviewer: TD**

Vendor	Group(s)	Local Address	Sunbiz Status
Foliage Xpress, Inc. (SBE)	2, 3	16351 SW 216 Street, Miami, FL	Active
FWR, LLC	3	9651 NW 89 Avenue, Medley, FL	Active
Harrell's LLC	1, 2, 3	1120 NW 7 Street, Homestead, FL	Active
Helena Agri-Enterprises, LLC, dba Helena Chemical Company	1, 2	450 NW 3 Avenue, Florida City, FL	Active
Pro-Grounds Product, Inc. (SBE)	3	8834 SW 131 Street, Miami, FL	Active
SiteOne Landscape Supply, LLC	2, 3	11980 SW 128 Street, Miami, FL	Active

Three additional vendors are under consideration and have not yet been recommended for inclusion in the pool as receipt of documents and licenses is currently pending. Two vendors were not recommended for award. One was a no bid, and the second is an SBE, but was not recommended for inclusion in the pool because it did not provide the required documents to satisfy the prequalification criteria. This vendor, Crodon, Inc., may be added to the pool upon submission and verification of the required documents. The pool will remain open and outreach will continue as vendors may be added at any time.

A July 16, 2019 Business Management Workforce System search for the solicitation's commodity codes, along with that of the commodity codes for the current pools (33530 – Blended or Dry Mix, Commercial, Fertilizer; 595 – Nursery Stock, Equipment, and Supplies; and 67585 – Weed Killers (Herbicides), Dry) yielded the following local Small Business Enterprise firms (those being recommended for inclusion in the pool are denoted with an asterisk):

- A & B Hardware, Inc., dba A & B Hardware - Lumber, Inc.
- Argus Lighting, Inc.
- Crodon, Inc.
- Florida Garden Center Corp
- Foliage Xpress, Inc.\*
- Jador International Corporation
- Pro-Grounds Products, Inc.
- Southern Blossoms Inc.
- Sunset Sod, Inc.
- Total Connection Inc.
- Veber's Jungle Garden, Inc.

This item requires a favorable recommendation by the Citizens' Independent Transportation Trust.

**HCCO Meeting: July 17, 2019**  
**Research Notes**

**Item No. 3H**  
**File No. 191646**

**Researcher: JFP Reviewer: TD**

**APPLICABLE LEGISLATION/POLICY**

**Section 2-8.1 of the County Code** (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by I.O. and approved by the Board.

[https://library.municode.com/fl/miami-dade-county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-8.1COPUGE](https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

**Resolution No. R-1061-09**, adopted July 23, 2009, establishes a contract to purchase several types of custom fertilizers for various County departments for a five-year term with one, five year option to renew, with a cumulative value of \$8,032,000.

<http://intra/gia/matter.asp?matter=092166&file=true&yearFolder=Y2009>

**Resolution No. R-1046-14**, adopted December 2, 2014, approved a five-year extension for a prequalification pool to purchase landscaping and gardening materials in the amount of \$1,829,000.

<http://intra/gia/matter.asp?matter=142206&file=true&yearFolder=Y2014>

**Resolution No. R-824-10**, adopted July 20, 2010, established a prequalification pool to purchase pesticides and weed killers, with a total cumulative value of \$29,632,000.

<http://intra/gia/matter.asp?matter=101697&file=true&yearFolder=Y2010>

**Resolution No. R-477-18**, adopted May 1, 2018, directed the County Mayor to disclose to the Board the reasons goods and services are not being procured through local businesses when the recommendation is to award a contract to a non-local vendor or to establish a prequalification pool where less than 75 percent of the pool members are local businesses.

<http://intra/gia/matter.asp?matter=180822&file=true&yearFolder=Y2018>

**Resolution No. R-187-12**, adopted February 21 2012, directed the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://www.miamidade.gov/govaction/matter.asp?matter=120287&file=true&fileAnalysis=false&yearFolder=Y2012>

**Resolution No. R-716-12**, adopted September 4, 2012, requires identification of small business enterprise firms in any procurement item submitted for Board approval.

<http://intra/gia/matter.asp?matter=121265&file=true&yearFolder=Y2012>

**Resolution No. R-140-15**, adopted February 3, 2015, directs the County Mayor to conduct a full review prior to the re-procurement of replacement contracts for goods and services of the scope of services or goods requested to ensure such contracts reflect the current needs of the County and include such information in recommendations to the Board.

<http://intra/gia/matter.asp?matter=150090&file=true&yearFolder=Y2015>

**Resolution No. R-718-17**, adopted July 6, 2017, directs the Administration to commence planning for re-procurement no later than 18 months prior to the expiration of contracts and prequalification pools for purchases of goods and services.

<http://intra/gia/matter.asp?matter=171632&file=true&yearFolder=Y2017>

**HCCO Meeting: July 17, 2019**  
**Research Notes**

**Item No. 3H**

**File No. 191646**

**Researcher: JFP Reviewer: TD**

**Implementing Order 3-38** sets forth the County's policy and procedures for the procurement of goods and services. The I.O. references the obligations and responsibilities of the Internal Services Department; the authority to award; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.  
<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>



**HCCO Meeting: July 17, 2019**  
**Research Notes**

**Item No. 3I**  
**File No. 191693**

**Researcher: PGE   Reviewer: TD**

RESOLUTION AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE THE FIFTH AND FINAL OPTION TO RENEW PERIOD FOR CONTRACT NO. 1233-5/19-4, ELEVATOR MAINTENANCE SERVICES AND MODERNIZATION OF ELEVATOR EQUIPMENT, IN AN AMOUNT NOT TO EXCEED \$2,137,973.00 FOR MULTIPLE DEPARTMENTS; 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

**ISSUE/REQUESTED ACTION**

Whether the Board should authorize the County Mayor to exercise the final one-year option to renew period for *Contract No. 1233-5/19-4, Elevator Maintenance Services and Modernization of Elevator Equipment*, with Thyssenkrupp Elevator Corp. in an amount of up to \$2,137,973 for multiple County departments.

**PROCEDURAL HISTORY**

**Prime Sponsor: N/A**

**Department/Requester: Internal Services**

There is no procedural history for this item.

**ANALYSIS**

The purpose of this item is for the Administration to obtain Board approval to exercise the final one-year option to renew term under *Contract No. 1233-5/19-4, Elevator Maintenance Services and Modernization of Elevator Equipment*, with Thyssenkrupp Elevator Corp. This contract serves multiple County departments. The value of the option term is \$2,137,973, with the largest allocations slated for the Aviation Department (\$639,601) and the Department of Transportation and Public Works (\$1,046,385).

This contract was established pursuant to Resolution No. R-498-10 on May 4, 2010 for a term of five years plus five, one-year options to renew for a value of \$6,376,000. The scope of work includes modernization, maintenance, and emergency services for passenger elevators, moving walks, dumbwaiters and wheelchair lifts. The scope also includes the purchase of elevator components such as infrared door detectors and features required for compliance with the Americans with Disabilities Act.

The contract, which is currently in its fourth one-year option term, has been in effect for nine years and six months, is valued, cumulatively, at \$15,187,940, and expires on November 30, 2019. Per information found in the Bid Tracking System on July 16, 2019, a total of \$3,672,207 was allocated to the current option term's Blanket Purchase Order, of which \$2,249,473 has been released, leaving a balance of \$1,422,734. The current option term had an original expiration date of May 31, 2019; the term's November 30, 2019 expiration date reflects a six-month administrative extension.

The cumulative departmental allocations for the requested option term is \$2,137,973 and reflect historical usage and anticipated expenditures. If this request is approved, the total modified cumulative allocation would be \$17,325,913 (existing cumulative allocation of \$15,187,940 plus requested additional allocation of \$2,137,973), and the contract would be effective through November 30, 2020.

**HCCO Meeting: July 17, 2019**  
**Research Notes**

**Item No. 3I**  
**File No. 191693**

**Researcher: PGE   Reviewer: TD**

Much of the equipment being serviced have exceeded their life expectancy and continuously fail. Approving this option term ensures service continuity as Thyssenkrupp is the OEM, equipped with the engineering knowledge and trained technicians to correct equipment failures. The Administration is in the process of reviewing countywide elevator needs in order to establish a long-term replacement contract for elevator modernization and maintenance services.

It is important to mention that, on November 1, 2016, Thyssenkrupp was terminated as the awardee under *Contract No. 9103-5/19, Elevator Modernization and Maintenance Services for Miami-Dade Public Housing Agency*, for failure to timely repair equipment, causing safety concerns across relevant public housing facilities.

**APPLICABLE LEGISLATION/POLICY**

**Section 2-8.1 of the County Code** (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by I.O. and approved by the Board.

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dade county/codes/code of ordinances?nodeId=PTIICOOR CH2AD ARTIINGE S2-8.1COPUGE](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

**Section 29-124 of the County Code** provides that where no surtax proceeds are used to fund a contract, no County funds may be used to pay the costs of a contract where the portion procured by or on behalf of Miami-Dade Transit or for transit-related procurements is valued at over one million dollars unless the Trust has submitted a recommendation to the County Commission regarding said contract award. The County Commission, if in agreement with the Trust's recommendation, may award a contract by majority vote. The County Commission may modify or reject the recommendation of the Trust by a majority vote. If the Trust has failed to forward a recommendation to the County Commission within 45 days of the County Mayor or County Mayor's designee filing an award recommendation with the Clerk of the Board, the County Commission may take action on the contract award recommendation without any Trust recommendation. Notwithstanding any other provision to the contrary, a committee of the Commission may consider a contract award recommendation prior to receipt of a recommendation of the Trust.

[https://library.municode.com/fl/miami -  
dade county/codes/code of ordinances?nodeId=PTIICOOR CH29TA ARTXVIONHAONPECHCOTRSYSAS  
UAUSE212.0551FLST2001 S29-124SPFUCRUSSUPPROCIINTRTR](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH29TA_ARTXVIONHAONPECHCOTRSYSAS_UAUSE212.0551FLST2001_S29-124SPFUCRUSSUPPROCIINTRTR)

**Resolution No. R-498-10**, adopted May 4, 2010, approved award of *Contract No. 1233-5/19* to ThyssenKrupp Elevator Corp. for five years plus five, one-year options to renew for elevator maintenance services to various departments for \$6,376,000.

<http://intra/gia/matter.asp?matter=100774&file=true&yearFolder=Y2010>

**Resolution No. R-716-12**, adopted September 4, 2012, requires identification of a firm's small business enterprise program certification in any procurement item submitted for Board approval.

<http://intra/gia/matter.asp?matter=121265&file=true&yearFolder=Y2012>

**Resolution No. R-187-12**, adopted February 21, 2012, directs the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://intra/gia/legistarfiles/MinMatters/Y2012/120287min.pdf>

**HCCO Meeting: July 17, 2019**  
**Research Notes**

**Item No. 3I**  
**File No. 191693**

**Researcher: PGE   Reviewer: TD**

**Resolution No. R-98-12**, adopted on January 24, 2012, directed the County Mayor to negotiate better prices on all awarded contracts for the purchase of goods and services and prior to the exercise of any options to renew.

<http://intra/gia/matter.asp?matter=112444&file=true&yearFolder=Y2011>

**Resolution No. R-1433-06**, adopted December 19, 2006, directed the County Mayor to develop an administrative process for review of all contracts for procurement of goods and services for opportunities for small business enterprise participation prior to exercising the options to renew.

<http://intra/gia/matter.asp?matter=112444&file=true&yearFolder=Y2011>

**Implementing Order No. 3-38** sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines: the roles and responsibilities of the Internal Services Department; the methods of purchasing goods and services; the authority to award and modify contracts; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

**HCCO Meeting: July 17, 2019**  
**Research Notes**

**Item No. 3J**  
**File No. 191699**

**Researcher: PGE   Reviewer: TD**

RESOLUTION APPROVING AWARD OF CONTRACT NO. FB-01256 GROUPS 1 AND 2 FOR THE PURCHASE OF FIRE ALARM SERVICES AND FIRE DETECTION PRODUCTS, AND ESTABLISHING AN OPEN PREQUALIFICATION POOL FOR GROUP NO. 4 OF CONTRACT NO. FB-01256 FOR THE PURCHASE OF FIRE DETECTION PRODUCTS AND RELATED SERVICES FOR MULTIPLE DEPARTMENTS FOR A FIVE-YEAR TERM IN AN AMOUNT NOT TO EXCEED \$3,649,346.00; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF AWARD FOR GROUPS 1 AND 2, ISSUE THE APPROPRIATE PURCHASE ORDERS TO GIVE EFFECT TO SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SOLICIT PRICING FOR GROUP NO. 4, AWARD CONTRACTS, EXERCISE ALL PROVISIONS OF THE SOLICITATION DOCUMENTS AND ANY RESULTING CONTRACTS PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38, AND ADD VENDORS TO THE POOL AT ANY TIME, SUBJECT TO RATIFICATION BY THE BOARD ON A BI-ANNUAL BASIS

**ISSUE/REQUESTED ACTION**

Whether the Board should approve a contract award for delivery of fire alarm services and fire detection products for various County departments in an amount of up to \$3,649,346 for a term of five years.

**PROCEDURAL HISTORY**

**Prime Sponsor: N/A**

**Department/Requester: Internal Services**

There is no procedural history for this item.

**ANALYSIS**

The purpose of this item is to establish a single long-term comprehensive replacement contract for fire alarm services and fire detection products for multiple County departments. Fire alarm systems are used by the County for the protection of life and property. The awarded vendors shall provide inspection, testing, monitoring, repair and maintenance services to County fire alarm systems across numerous sites. Monitoring services are priced per location for a monthly charge while certifying, testing and tagging services have a fixed price per occurrence for each site. The fire detection products under the scope of work include, but are not limited to, smoke, heat and carbon monoxide alarms/sensors, wall, low current and flush sounders, relays and various types of bases.

The five year replacement term is valued at \$3,649,346. This award consolidates two existing contracts covering a similar scope: (1) *Contract No. 6694-0/18, Services to Fire Alarm Systems*, valued at \$4,718,468 for a term of five years and six months, expiring on September 30, 2019; and (2) *Contract No. FB-00929, Hearing Impaired Smoke Alarms*, valued at \$81,450 for a term of one year and four months, expiring on October 31, 2019.

The solicitation for this contract includes four groups: (1) Fire Alarm System Services; (2) Fire Alarm System Services – Federally Funded; (3) Fike Fire Alarm System Services; and (4) Prequalification Pool for Fire Detection Products and Related Items. Groups 1 and 2 were awarded based on the lowest-priced responsive, responsible bidder by subgroup in the aggregate. Group 3 was awarded to the lowest-priced responsive, responsible bidder in the aggregate. For Groups 1, 2 and 3, the bidder is required to be certified by the State of Florida as an Alarm Systems Contractor or

**HCCO Meeting: July 17, 2019**  
**Research Notes**

**Item No. 3J**

**File No. 191699**

**Researcher: PGE Reviewer: TD**

be a Registered Alarm Systems Contractor with Miami-Dade County. Alternatively, the bidder shall be certified by the State of Florida as an Electrical Contractor or be a Registered Electrical Contractor with Miami-Dade County. For Groups 1, 2 and 3, the bidder's employees shall hold a Fire Alarm System Agent Certification. In addition to the above requirements, Group 3 bidders shall be listed as an authorized Fike Fire Protection distributor on the manufacturer's website. Note that this award excludes Group 3 services as no bids were received for the group. As such, Group 3 will be re-solicited.

The solicitation was advertised on May 3, 2019. Six vendors responded, of which one was a "No Bid." Note that the bids submitted by AIG Fire and Security Solutions, LLC and Silmar Electronics, Inc. for Groups 1, 2 and 3 were deemed nonresponsive by the County Attorney's Office for failure to proffer a price on all items as required by the solicitation. Accordingly, there are four vendors being recommended for award, all of which are local businesses. Two of the recommended awardees – Florida Fire Alarm, Inc. and Metro Dade Security System, Inc. – are incumbents under *Contract No. 6694-0/18, Services to Fire Alarm Systems*.

The Commodity Codes found on the Small Business Development Project Worksheet for this solicitation are 34015 (Fire and Medical Alert Systems), 34020 (Fire Detecting Equipment), and 99042 (Fire Alarm and Safety Services, Including Equipment Installation). A search for these codes on the Business Management Workforce System on July 16, 2019 found 20 certified local firms.

**APPLICABLE LEGISLATION/POLICY**

**Florida Statutes Chapter 489** governs electrical and alarm system contracting.

[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&URL=0400-0499/0489/0489PartIIContentsIndex.html&StatuteYear=2018&Title=%2D%3E2018%2D%3EChapter%20489%2D%3EPart%20II](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0400-0499/0489/0489PartIIContentsIndex.html&StatuteYear=2018&Title=%2D%3E2018%2D%3EChapter%20489%2D%3EPart%20II)

**Section 2-8.1 of the County Code** (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by I.O. and approved by the Board.

[https://library.municode.com/fl/miami-dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-8.1COPUGE](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

**Resolution No. R-716-12**, adopted September 4, 2012, requires identification of a firm's small business enterprise program certification in any procurement item submitted for Board approval.

<http://intra/gia/matter.asp?matter=121265&file=true&yearFolder=Y2012>

**Resolution No. R-187-12**, adopted February 21, 2012, directs the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://intra/gia/legistarfiles/MinMatters/Y2012/120287min.pdf>

**Resolution No. R-140-15**, adopted on February 3, 2015, directs the County Mayor to conduct a full review prior to re-procurement of replacement contracts for goods or services of the scope of services or goods requested to ensure such contracts reflect the current needs of the County and include such information in recommendations to the Board.

<http://intra/gia/matter.asp?matter=150090&file=true&yearFolder=Y2015>

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**Research Notes**

**Item No. 3J**

**File No. 191699**

**Researcher: PGE   Reviewer: TD**

**Resolution No. R-1011-15**, adopted November 3, 2015, directed the County Mayor to require that vendors provide addresses of all local branch offices and headquarters and the number and percentage of local residents such vendors employ in memoranda to the Board pertaining to vendors being recommended for contract award.

<http://intra/gia/matter.asp?matter=152271&file=true&yearFolder=Y2015>

**Implementing Order No. 3-38** sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines: the roles and responsibilities of the Internal Services Department; the methods of purchasing goods and services; the authority to award and modify contracts; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

**Implementing Order No. 2-13** sets forth guidelines and procedures regarding legal opinions with respect to County competitive processes.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO2-13.pdf>

**HCCO Meeting: July 17, 2019  
Research Notes**

**Item No. 3K  
File No. 191714**

**Researcher: PGE Reviewer: TD**

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL RTQ-01264 IN A TOTAL AMOUNT UP TO \$23,300,000.00 FOR THE PURCHASE OF MANUFACTURER'S CERTIFIED DEALER OEM PARTS AND REPAIR SERVICES FOR MULTIPLE DEPARTMENTS FOR A FIVE-YEAR TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SOLICIT PRICING, AWARD CONTRACTS, EXERCISE ALL PROVISIONS OF THE SOLICITATION DOCUMENTS AND ANY RESULTING CONTRACTS PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38, AND ADD VENDORS TO THE POOL AT ANY TIME, SUBJECT TO RATIFICATION BY THE BOARD ON A BI-ANNUAL BASIS

**ISSUE/REQUESTED ACTION**

Whether the Board should approve award of a prequalification pool for the purchase of manufacturer's certified dealer OEM parts and repair services for multiple County departments in an amount of up to \$23,300,000 for a five-year term.

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Department/Requester: Internal Services Department**

There is no procedural history for this item.

**ANALYSIS**

The purpose of this item is to establish a replacement prequalification pool for various County departments to access to purchase manufacturer's certified dealer OEM parts, repair and installation services for passenger cars, station wagons, vans and other vehicles as needed. The replacement pool term is for five years with a value of up to \$23,300,000. The Internal Services Department (ISD) is the single biggest user, requesting \$19,000,000 for the pool term. This is because ISD's Fleet Management Division maintains over 6,000 light vehicles for other County departments.

The pool includes two groups: (1) OEM/OE Parts for County Vehicles; to qualify for Group 1, the vendor shall be an authorized new car or new motorcycle dealer for the manufacturer's brand; and (2) Repair, Installation and/or Maintenance Services for County Vehicles; to qualify for Group 2, the vendor shall be an authorized new car or new motorcycle dealer for the manufacturer's brand and have a service facility in Miami-Dade and/or Broward County. Some of the brands falling under the pool's scope are GMC, Ford, Lexus, Honda, BMW Motorcycles and Nissan. Heavy vehicles are excluded from the pool's scope of services.

The current pool is valued at \$50,749,000 for a term of 11 years and six months, expiring on September 30, 2019. The requested allocation of \$23,300,000 for the replacement five-year pool term is based on previous expenditures and an anticipated inflation rate, which may result in labor rate and parts cost increases. The annual allocation under the replacement pool is higher than the annual allocation under the current pool.

The solicitation was advertised on April 24, 2019. Eight vendors responded, of which two were "No Bids." Three vendors are being recommended for inclusion in the pool – Gus Machado Ford, Inc., Miami Lakes AM, LLC, and Palmetto Ford Truck Sales, Inc. All of the vendors are local. The current pool has over 20 prequalified vendors. The recommended vendors for the replacement pool are incumbent vendors under the current pool. Note that the



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recommended vendors are all active, Florida for-profit corporations per Sunbiz.org, the official State of Florida Division of Corporations website.

The Commodity Code for this solicitation is 060 per the Small Business Development Division Project Worksheet. A search for this code on the Business Management Workforce System on July 16, 2019 yielded 11 local certified small business vendors. It is unclear from the agenda item whether these firms could provide the solicited services.

**APPLICABLE LEGISLATION/POLICY**

**Section 2-8.1 of the County Code** (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by I.O. and approved by the Board.

[https://library.municode.com/fl/miami-dade-county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-8.1COPUGE](https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

**Resolution No. R-187-12**, adopted February 21 2012, directed the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://www.miamidade.gov/govaction/matter.asp?matter=120287&file=true&fileAnalysis=false&yearFolder=Y2012>

**Resolution No. R-716-12**, adopted September 4, 2012, requires identification of small business enterprise firms in any procurement item submitted for Board approval.

<http://intra/gia/matter.asp?matter=121265&file=true&yearFolder=Y2012>

**Resolution No. R-140-15**, adopted February 3, 2015, directs the County Mayor to conduct a full review prior to the re-procurement of replacement contracts for goods and services of the scope of services or goods requested to ensure such contracts reflect the current needs of the County and include such information in recommendations to the Board.

<http://intra/gia/matter.asp?matter=150090&file=true&yearFolder=Y2015>

**Resolution No. R-228-08**, adopted March 4, 2008, approved a prequalification pool for manufacturer's dealer OEM parts and repair services for various County departments for a one-year term plus five, one-year options to renew for \$4,599,500 for the initial term.

<http://intra/gia/matter.asp?matter=080315&file=true&yearFolder=Y2008>

**Implementing Order 3-38** sets forth the County's policies and procedures for the procurement of goods and services. The I.O. references the obligations and responsibilities of the Internal Services Department; the authority to award; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

**HCCO Meeting:  
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Research Notes**

**Item No. 3L  
File No. 191716**

**Researcher: IL Reviewer: TD**

RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN AN AMOUNT UP TO \$6,286,200.00 FOR THE ONE, FIVE-YEAR OPTION TO RENEW TERM OF PREQUALIFICATION POOL NO. RTQ-00004 FOR THE PURCHASE OF UNINTERRUPTIBLE POWER SUPPLY SYSTEMS MAINTENANCE AND REPAIR FOR MULTIPLE DEPARTMENTS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SOLICIT PRICING, AWARD CONTRACTS, EXERCISE ALL PROVISIONS OF THE SOLICITATION DOCUMENTS AND ANY RESULTING CONTRACTS PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38, AND ADD VENDORS TO THE POOL AT ANY TIME, SUBJECT TO RATIFICATION BY THE BOARD ON A BI-ANNUAL BASIS

**ISSUE/REQUESTED ACTION**

Whether the Board should authorize additional expenditure approval in the amount up to \$6,286,200 for Contract No. RTQ-00004 for the purchase of uninterruptible power supply (UPS) systems maintenance and repair for a one five-year option to renew for multiple departments.

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Department/Requester: Internal Services Department(ISD)**

There is no procedural history at this time.

**ANALYSIS**

The purpose of this item to add an additional amount of \$6,286,200 for the purchase of UPS(s) and to continue to provide system maintenance and repair to the existing UPS systems.

The fiscal impact to the county is \$6,286,200. OCA performed a review of existing Contract No. RTQ-00004 on July 11, 2019. The Board approved an allocation of \$2,892,000 for the initial five-year term and approved \$2,892,000 for the one, five-year option to renew term for a cumulative allocation of \$5,784,000. Furthermore, the Board approved a modification through Resolution No. R-384-15 for \$4,553,000 as well as additional modifications that were processed under the delegated authority for an existing allocation of \$8,329,500. Should this additional expenditure be approved the pool will have a modified cumulative allocation of \$17,507,700.

OCA conducted a review of this contract on the Bid Tracking System's (BTS) Blanket Purchase Order tab.

Department	Allocation Amount	Released Amount	Balance	Requested Amount
Aviation	\$ 842,500	\$ 781,064	\$ 61,435	\$ 376,200
Corrections	\$ 15,000	\$ 6,220	\$ 8,779	\$ 15,000
ITD	\$1,300,000	\$ 552,280	\$ 747,719	\$ 800,000
MDFR	\$ 391,000	\$ 297,447	\$ 93,552	\$ 230,000
ISD	\$4,982,000	\$2,740,243	\$2,241,756	\$2,558,000
Library	\$ 40,000	\$ 26,200	\$ 13,800	\$ 40,000
DTPW	\$ 375,000	\$ 12,290	\$ 362,710	\$1,994,000
MDPD	\$ 150,000	\$ 67,050	\$ 82,950	\$ 150,000

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**Researcher: IL Reviewer: TD**

PROS	\$ 6,000	\$ 0	\$ 6,000	\$ 6,000
Seaport	\$ 60,000	\$ 13,600	\$ 46,400	\$ 320,000
WASD	\$ 168,000	\$ 81,640	\$ 86,359	\$ 2,000
Total	\$8,329,500	\$4,578,038	\$3,751,461	\$6,491,200

Currently, there are 18 prequalified vendors of which six (33%) have a local address and four are certified Small Business Enterprise. Pursuant to Resolution No. R-477-18 requires that a reason be provided as to why less than 75% of the vendors in a pool are not a local business, please note that the department has acknowledged that the pool remains open to allow additional vendor participation according to the mayoral memo.

**ADDITIONAL INFORMATION**

Below is an illustration of what UPS is:



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**Researcher: IL Reviewer: TD**

**APPLICABLE LEGISLATION/POLICY**

**Section 2-8.1 of the Code of Miami-Dade County** (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000.00; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by Implementing Order (I.O.) and approved by the Board.

[https://library.municode.com/fl/miami -  
\\_dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-8.1COPUGE](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

**Resolution No. R-716-12**, adopted September 4, 2012, requires identification of a firm's Small Business Enterprise (SBE) program certification in any procurement item submitted for Board approval.

<http://intra/gia/matter.asp?matter=121265&file=true&yearFolder=Y2012>

**Resolution No. R-395-12**, adopted May 1, 2012, Requires vendors added to open pool contracts to be subject to bi-annual ratification by the Board of County Commissioners.

<http://www.miamidade.gov/govaction/matter.asp?matter=120561&file=true&yearFolder=Y2012>

**Resolution No. R-187-12**, adopted February 21, 2012, directs the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://intra/gia/legistarfiles/MinMatters/Y2012/120287min.pdf>

**Resolution No. R-805-14**, adopted August 8, 2014, authorized a pre-qualification pool for uninterruptible power supply systems maintenance and repair in a total amount up to \$31,284,000.

<http://www.miamidade.gov/govaction/matter.asp?matter=141772&file=true&fileAnalysis=false&yearFolder=Y2014>

**Resolution No. R-140-15**, adopted February 3, 2015, authorizes replacement contracts for goods or services of the scopes of services or goods requested to ensure such contracts reflect the current needs of the county.

<http://intra/gia/matter.asp?matter=150090&file=true&yearFolder=Y2015>

**Resolution No. R-477-18**, adopted May 1, 2018, directs the County Mayor to disclose to the Board the reasons why goods and services are not being procured through local businesses when the recommendation is to award a contract to a non-local vendor or to establish a prequalification pool where less than 75 percent of the pool members are local businesses.

<http://intra/gia/matter.asp?matter=180822&file=true&yearFolder=Y2018>

**Implementing Order No. 3-38** sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines: the roles and responsibilities of the Internal Services Department (ISD); the methods of purchasing goods and services; the authority to award and modify contracts; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

**HCCO Committee Meeting:  
July 14, 2019  
Research Notes**

**Item No. 3M  
File No. 191752**

**Researcher: IL Reviewer: TD**

RESOLUTION APPROVING AWARD OF CONTRACT NO. RFP-00891 FOR PURCHASE OF RECREATION MANAGEMENT SOFTWARE SOLUTION FOR THE INFORMATION TECHNOLOGY DEPARTMENT IN A TOTAL AMOUNT NOT TO EXCEED \$2,200,00.00 OVER THE INITIAL FIVE-YEAR TERM AND ONE, FIVE-YEAR OPTIONS TO RENEW TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION, RENEWAL AND EXTENSION PROVISIONS PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38

**ISSUE/REQUESTED ACTION**

Whether the Board should authorize approval of Contract No. RFP-00891 for the purchase of Recreation and Management Software Solution, in the amount not to exceed \$2,200,000 for a term of five years with one, five-year option to renew, for the Information Technology Department.

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Department/Requester: Internal Services Department (ISD)**

There is no procedural history on this item at this time.

**ANALYSIS**

The proposed resolution is requesting Board approval to award a contract for Recreation Management Software for use at 70 County parks to process transactions for various programs (i.e. summer camp, after-school programs, spring camp, winter camp and one day camps). This contract aims to replace a legacy contract that was previously approved by the Board on January 2018.

The fiscal impact to the county is \$1,235,000 for a five-year term with one-five year option to renew

The current contract (L532) is valued at \$415,000 for a 33 month term and expires September 30, 2020. The proposed contracts annual cost is \$247,000 while the current contracts allocation is approximately \$138,333 a difference of \$108,667. The mayoral memo explains that the increase in value is associated with the purchasing of software licensing, implementation, integration, configuration, data conversion, training, maintenances and support services, whereas the current contract is limited to maintenance and support services.

A Request for Proposal (RFP) was issued on June 27, 2018. Nine proposals were received in response to the solicitation including one "No Bid". CivicPlus, Inc., was the highest ranked bidder and is being recommended for the contract award.

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**Item No. 3M**

**File No. 191752**

**Researcher: IL Reviewer: TD**

OCA conducted a search on the awarded firm on the different sites below on July 11, 2019:

<b>Awarded Firm</b>	<b>Sunbiz</b>	<b>Tax Collectors Office</b>	<b>Florida DBPR</b>	<b>BBB</b>	<b>Westlaw</b>
CivicPlus, Inc.,	FEIN No. 48-1202104 Principal Address 302 S. 4 <sup>th</sup> Street #500 Manhattan, KS 66502. Inactive Status on Sunbiz	None	None	None	No Open cases

OCA performed a search for commodity codes 20556 (Software, Application: Preprogrammed Software); 20558 (Software, Application; Preprogrammed Software); and 92045 (Software Maintenance/Support Services) on the Business Management Workforce System's Certified Vendor Directory on July 11, 2019. Listed below are the eight local SBEs identified:

- A & B Hardware, Inc, dba A & B Hardware-Lumber, Inc., Miami, FL SBE-G&S
- Amiritech Group LLC., Miami, FL SBE-G&S
- Computer Based Associates, Inc., Miami, FL SBE-G&S
- Insinet Group, LLC., Doral, FL SBE-G&S
- Meridian Partners, LLC, Miami Beach, FL SBE-G&S
- Network & Communication Services, Inc., Miami, FL SBE-G&S
- The Ashvins Group, Incorporated, Miami, FL SBE-G&S
- Trust Technology Solutions, Inc. Miami Lakes, FL SBE-G&S
- Visual Data Solutions, Inc, Miami, FL SBE-G&S

**APPLICABLE LEGISLATION/POLICY**

**Section 2-8.1 of the Code of Miami-Dade County** (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000.00; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by Implementing Order (I.O.) and approved by the Board.

[https://library.municode.com/fl/miami-dade-county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-8.1COPUGE](https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

**Resolution No. R-716-12**, adopted September 4, 2012, requires identification of a firm's Small Business Enterprise (SBE) program certification in any procurement item submitted for Board approval.

<http://intra/gia/matter.asp?matter=121265&file=true&yearFolder=Y2012>

**Resolution No. R-187-12**, adopted February 21, 2012, directs the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://intra/gia/legistarfiles/MinMatters/Y2012/120287min.pdf>

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**Item No. 3M**  
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**Researcher: IL Reviewer: TD**

**Resolution No. R-140-15**, adopted February 3, 2015, authorizes replacement contracts for goods or services of the scopes of services or goods requested to ensure such contracts reflect the current needs of the county.

<http://intra/gia/matter.asp?matter=150090&file=true&yearFolder=Y2015>

**Resolution No. R-477-18**, adopted May 1, 2018, directs the County Mayor to disclose to the Board the reasons why goods and services are not being procured through local businesses when the recommendation is to award a contract to a non-local vendor or to establish a prequalification pool where less than 75 percent of the pool members are local businesses.

<http://intra/gia/matter.asp?matter=180822&file=true&yearFolder=Y2018>

**Implementing Order No. 3-38** sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines: the roles and responsibilities of the Internal Services Department (ISD); the methods of purchasing goods and services; the authority to award and modify contracts; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>



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Jul. 17, 2019  
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**Item No. 3N  
File No. 191764**

**Researcher: IL Reviewer: TD**

RESOLUTION AUTHORIZING DESIGNATED PURCHASE PURSUANT TO SECTION 2-8.1(B)(3) OF THE COUNTY CODE BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT; AUTHORIZING AWARD OF CONTRACT NO. CBW9827-3/21 FOR THE PURCHASE OF FOUR NEW MIAMI-DADE FIRE RESCUE AIRCRAFT IN AN AMOUNT NOT TO EXCEED \$69,859,468.00; AUTHORIZING A FULL COMPONENTS PLAN FOR THE SERVICE OF THE AIRCRAFT FOR AN INITIAL TERM OF FIVE YEARS AND TWO RENEWAL TERMS OF FIVE YEARS EACH FOR AN AMOUNT NOT EXCEED \$26,200,284.00; AUTHORIZING A SALE AND LEASEBACK AGREEMENT FOR THE EXISTING HELICOPTERS FOR A NET REVENUE AMOUNT ESTIMATED AT APPROXIMATELY \$12,100,000.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT INCLUDING RENEWAL OPTIONS PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38

**ISSUE/REQUESTED ACTION**

Whether the Board should authorize the purchase of four new Miami-Dade Fire Rescue (MDFR) aircraft in an amount not to exceed \$69,859,468 plus the service plan of the aircraft authorizing the sale/leaseback agreement for the existing helicopters for MDRF.

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Department/Requester: Internal Services Department**

This item was brought before the Parks, Recreation and Cultural Affairs Committee on February 14, 2019. It was forwarded to the BCC with a favorable recommendation.

**ANALYSIS**

The purpose of this resolution is to authorize the purchase of 4 new helicopters with a 15 year maintenance plan and allowing the County to sale or lease its existing MDRF helicopters.

The Fiscal Impact is \$96,059,752 including the two five year options to renew for a total potential term of 15 years per project and \$5,000,000 in aggregate over a period of four (4) years. The sale of the four existing helicopters is estimated to result in new revenue of \$12.1 million.

MDRF's Air Rescue Plan was established in the 1980's providing 24/7 emergency medical service and special operations for search and rescue missions, rescue diver deployment, firefighting, hoist extractions and special response team missions. Additionally, the MDRF's Air Rescue Units provide mutual aid support to neighboring counties including Monroe County, Collier County, Broward County and Lee County. The Air Rescue Program was responsible for answering 983 service call in calendar year 2018. The program is comprised of four Bell412EP helicopters that have reached their useful life. The oldest aircraft in the fleet is 19 years old and the newest aircraft in the fleet is 16 years old.

On December 16, 2014 Invitation letters were sent to various helicopter manufacturers for the sale and replacement of the existing 4 helicopters. Three of the five companies contacted responded. The other two firms advised that they did not have helicopters with the specifications required for the Air Rescue Mission profile. This procurement has taken

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**Researcher: IL Reviewer: TD**

over four years due to the highly complex negotiation of six different contracts as well as thousands of parts and components, multiple aircraft inspections, presentations, and flight demonstrations with MDFR subject matter experts and end users.

The procurement process initially reviewed Bell, AgustaWestland (Agusta) and Airbus helicopters with the selection committee recommending Bell as the best value for the County. The procurement process was placed on hold due to members of the selection committee becoming targets of an ethics investigation by the Commission on Ethics and the State Attorney's office for violation the County's lobbying procedures and Cone of silence ordinance. As a result a peer review panel was empaneled, made up of experts from across the nation and they ultimately recommended that negotiations proceed with Bell. After successful negotiations with Bell, the County allowed a best and final offer (BAFO) from Bell. It was determined that the Bell BAFO was not in the best interest of the County, and negotiations were entered into with Agusta.

Once the purchase of the existing of fleet helicopters is complete, Agusta will lease these helicopters back to the County until the County receives and accepts the new fleet of AW139's. A transition plan for the County was incorporated into the deal at no additional cost according to the mayoral memo including pilot and mechanic training. Agusta staff will provide support and training to the County when the first helicopter is delivered as well as with each additional aircraft delivery.

<b>Firm</b>	<b>Sunbiz</b>	<b>Westlaw</b>
AgustaWestland	Principal Address: 3050 Red Lion Road, Philadelphia, PA 19114 Status: Active	No cases found

OCA performed a search for commodity code 03550: (Helicopters) and 92908 (Airplanes, Helicopters, and Accessories Maintenance) on the Business Management Workforce System's Certified Vendor Directory on July 11, 2019. Zero (0) local SBE-G&S certified firms were found on the Business Management Workforce System under the aforementioned codes.

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**Researcher: IL Reviewer: TD**

**ADDITIONAL INFORMATION:**

AgustaWestland was recently contracted to manufacture a new batch of helicopters to replace the Air Force's UH-1N Huey in 2018.

<https://www.defensenews.com/breaking-news/2018/09/24/the-air-force-picks-a-winner-for-its-huey-replacement-helicopter-contract/>

Below is a picture of an AW139 Helicopter manufactured by Agusta.



**APPLICABLE LEGISLATION/POLICY**

**Section 2-8.1(b)(3) of the Code of Miami-Dade County** (*Procedures for purchases when competitive procedures are not practicable*), Notwithstanding the requirements of section 2-8.1(b)(1), formal sealed bids for purchase of goods or services shall not be required where such formal sealed bids would not be practicable as set forth herein. Designated Purchase shall mean a purchase within the scope of this section when the purchase through the use of formal sealed bids is not practicable, including, but not limited to: (i) sole source purchases, (ii) services where no competition exists such as public utility services, (iii) where purchases or rates are fixed by law or ordinance, (iv) unique professional or artistic services not governed by the Consultants' Competitive Negotiations Act, section 287.055, Florida Statutes, (v) purchases of goods and services necessary to address an emergency, or where additional formal competition would not be practicable, and (vi) solicitations where only a single proposer has responded to a competitive solicitation but such response contains material defects and the County still desires to enter into a contract with such proposer.

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**Researcher: IL Reviewer: TD**

Any recommendation by the Mayor for the award of a Designated Purchase shall at a minimum: (i) provide a written explanation of why the purchase through formal sealed bids would not be practicable under the circumstances and is in the best interest of the County, (ii) provide a written explanation of the process followed resulting in the recommendation for a Designated Purchase, and (iii) provide a written description of any informal competition conducted and any and all efforts to obtain a valuation of the recommended purchase. The Board of County Commissioners shall adopt any resolution authorizing a Designated Purchase by a two-thirds vote of the members present.

[https://library.municode.com/fl/miami\\_dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-8.1COPUGE](https://library.municode.com/fl/miami_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

**Resolution No. R-187-12**, adopted February 21, 2012, directs the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://intra/gia/legistarfiles/MinMatters/Y2012/120287min.pdf>

**Resolution No. R-140-15**, adopted February 3, 2015, directs the County Mayor to conduct a full review, prior to re-procurement of replacement contracts for goods or services of the scopes of services or goods requested to ensure such contracts reflect the current needs of the County, to include information in recommendations to the board, and to consult with the Small Business Development Division regarding solicitation and contract language.

<http://intra/gia/matter.asp?matter=150090&file=true&yearFolder=Y2015>

**Resolution No. R-113-16**, adopted February 2, 2016, authorizing 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.

<http://www.miamidade.gov/govaction/matter.asp?matter=152876&file=true&fileAnalysis=false&yearFolder=Y2015>

**Resolution No. R-477-18**, adopted May 1, 2018, directs the County Mayor to disclose to the Board the reasons goods and services are not being procured through local businesses when the recommendation is to award a contract to a non-local vendor or to establish a prequalification pool where less than 75 percent of the pool members are local businesses.

<http://intra/gia/matter.asp?matter=180822&file=true&yearFolder=Y2018>

**Implementing Order No. 3-38** sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines: the roles and responsibilities of the Internal Services Department; the methods of purchasing goods and services; the authority to award and modify contracts; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>