



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

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

September 12, 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

THIS PAGE INTENTIONALLY LEFT BLANK

**HCCO Committee Meeting:  
September 12, 2019  
Research Notes**

**Item No. 3B  
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 HCCO Committee on July 17, 2019. It was deferred to the September HCCO committee. Prior to the deferment the following exchange took place:

- Mr. Brian May, Bell Helicopters representative advocated that the proposal should be rejected or postponed pending the Ethics Commission's investigation due to several procurement violations. The County Attorney's office disbanded the original competitive selection committee (CSC) and impaneled a new CSC made up of national members which unanimously recommended Bell Helicopters.
- Commissioner Suarez and Diaz manifested their concerns with the procurement process and acknowledged the difficulty balancing the procurement challenges with the need to replace aged equipment as a matter of safety and requested that the administration advise as to the current status of the procurement.
- Commission on Ethics (COE) Martha Perez stated that the COE received a complaint from a Bell Helicopters representative against Agusta. The investigation revealed that the manifested conduct rose to an egregious level and should be referred to the State Attorney's office. The scope of the investigation has shifted to the second phase of the procurement process and did not yield any cone of silence concerns. The issue that remained from the first procurement process concerned an Agusta lobbyist registration or the lack thereof. The final report will bring closure to that issue.

**ANALYSIS**

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

**HCCO Committee Meeting:  
September 12, 2019  
Research Notes**

**Item No. 3B  
File No. 191764**

**Researcher: IL Reviewer: TD**

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.

MDFR's Air Rescue Plan was established on October 1, 1985 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 MDFR'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 answered 983 service call in calendar year 2018. The program is comprised of four Bell 412EP helicopters that have reached the end of 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 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. This procurement was complicated by Bell Helicopter's complaint against Agusta through the COE. OCA researched a Miami-Herald article dated March 13, 2017 stating that a suit had been filed against the County with a cause of action being clandestine discussions. WestLaw was unable to verify the suit.

The first competitive selection committee (CSC) was comprised of chief negotiator Andrew Zawoyski, rescue-squad captain Antonio Hernandez and County pilot Rick Guthery. The CSC initially reviewed Bell Helicopter Textron, Inc., AgustaWestland Philadelphia Corporation (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 subjects 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.

As part of the transaction, Agusta will purchase the existing of fleet helicopters and lease the 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

**HCCO Committee Meeting:  
September 12, 2019  
Research Notes**

**Item No. 3B  
File No. 191764**

**Researcher: IL Reviewer: TD**

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 those codes.

OCA reviewed the Bid Tracking System (BTS) on September 10, 2019, but limited information was available. OCA was not able to review and verify the market study nor was OCA able to very compliance review memo or SBD project worksheets.

**ADDITIONAL INFORMATION:**

AgustaWestland was recently contracted to manufacture a new batch of MH-139 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/>

The Miami-Herald printed a story on this matter in 2016, stating Bell Helicopter had filed suit against the County. OCA was not able to verify said suit in the clerk of courts or Westlaw.

<https://www.miamiherald.com/news/local/community/miami-dade/article138053133.html>

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



**HCCO Committee Meeting:  
September 12, 2019  
Research Notes**

**Item No. 3B**

**File No. 191764**

**Researcher: IL Reviewer: TD**

**DEPARTMENTAL INPUT**

The following questions were asked to ISD on July 18, 2019 and the responses were received on August 16, 2019. The responses are in bold below.

The Agusta helicopter met the County's operational needs, however the peer review panel identified several operational and staff pre-requisites that would be required to transition to the Agusta helicopter, what were the operational and staff pre-requisites identified by the review panel? **The Peer Review Panel indicated that pilots and maintenance staff would need to be trained and pilots will need to be certified for the new aircraft. A Transition Plan (Appendix A: Enclosure 5 of the Contract) was negotiated to address these concerns. Additionally, a Training Plan, specific to pilots was developed and included in the Contract (Appendix A: Enclosure 6). Specific equipment, tools, etc. were included as part of the contract under Spare Parts.**

- What were the options or aircraft capabilities on the Agusta helicopter that made them better suited for MDRF as oppose to the Bell helicopter? **A number of specific aircraft capabilities and options are identified in the table below.**

Description	AgustaWestland AW139	Bell Helicopter 412EPI
<b>Certified to Most Recent Federal Standard and Federal Acquisition Regulation (FAR) CFR 29.952 Crash Resistant Fuel System</b> <i>(related to safety, survivability, crashworthiness, and take-off and landing operations in hot environments)</i>	<b>Yes</b>	<b>No</b>
<b>FAA Crashworthiness for Fuel Systems *</b>	<b>Yes</b>	<b>No</b>
<b>Cruising Speed</b> <i>(improves response time and operational efficiency)</i>	<b>165 Knots</b>	<b>122 Knots</b>
<b>Maximum Gross Weight Flight Capability</b> <i>(allows more mission critical equipment and supplies to be available for rescue on board)</i>	<b>15,430</b>	<b>12,200</b>
<b>Time Interval Before Overhaul</b> <i>(reduces maintenance cost and affords increased aircraft availability)</i>	<b>5,000 flight hours</b>	<b>4,000 flight hours</b>
<b>Standard Fuel Capacity</b> <i>(extends aircraft flight time and mission capabilities)</i>	<b>2,765 lbs</b>	<b>2,207 lbs</b>
<b>Cabin and Baggage Volumes</b> <i>(allows more space for flight crew, and more usable space for cargo and critical equipment for mission deployment. AW139 has 29% more cabin volume, and 330% more baggage-storage volume)</i>	<b>Cabin: 283 ft<sup>3</sup> Baggage: 120 ft<sup>3</sup></b>	<b>Cabin: 220 ft<sup>3</sup> Baggage: 28 ft<sup>3</sup></b>
<b>Standard Seat Capacity (number of seats)</b> <i>(allows versatility in configuring mission requirements and seating. Because the AW139 has more space, the crew has</i>	<b>2 + 15</b>	<b>2 + 13</b>

**HCCO Committee Meeting:  
September 12, 2019  
Research Notes**

**Item No. 3B  
File No. 191764**

**Researcher: IL Reviewer: TD**

*more configuration options based on mission requirements.)*

\* In November 1994, FAR 14 CFR 29.952 established new fuel safety requirements for Crash Resistant Fuel Systems. The Bell EP helicopter met the fuel safety standards that were in place prior to November 1994, but does not meet the current FAR 14 CFR 29.952.

**Additionally, the AW139 aircraft includes the following enhancements:**

- Honeywell's state-of-the-art avionics package enabling better visualization of flight and navigation data.
  - 4 Axis Digital Automatic Flight Control System with enhanced Search and Rescue Modes capability lowering the pilot workload and significantly improving search capability.
  - Health & Usage Monitoring System reducing maintenance requirements and improving maintainability through system monitoring.
  - Modular airframe reducing component replacement.
  - Enhanced performance and safety specifications for crashworthy crew and passenger seats, airframe, and fuel systems, high safety standards with "fail-safe" design and system redundancy, damage tolerance, and engine turbine burst containment systems.
  - Auto Hover Mode with single engine capability.
- On what date did ISD become aware that there was an ethical breach concerning this procurement? **Unknown**
  - What criteria factors did the 4 selection committees use to determine Bell as the favorable firm to award the contract? **There is no record of four selection committees. There were two selection committees. The selection committees are tasked with evaluation and making a recommendation to negotiate, not award.**

**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.

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.

**HCCO Committee Meeting:  
September 12, 2019  
Research Notes**

**Item No. 3B  
File No. 191764**

**Researcher: IL Reviewer: TD**

[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>



**HCCO Meeting: September 12, 2019**  
**Research Notes**

**Item No. 3D**  
**File No. 191982**

**Researcher: PGE Reviewer: TD**

RESOLUTION APPROVING ADDITIONAL EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP TO \$1,376,000.00 FOR PREQUALIFICATION POOL NO. 5038-1/23-1 FOR PURCHASE OF PUBLIC SAFETY VEHICLE ACCESSORIES FOR THE MIAMI-DADE FIRE RESCUE DEPARTMENT

**ISSUE/REQUESTED ACTION**

Whether the Board should approve additional expenditure authority of \$1,376,000 for *Prequalification Pool No. 5038-1/23-1, Public Safety Vehicle Accessories*, to support the operations of the Fire Rescue Department.

**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 for the Fire Rescue Department to receive increased spending authority of \$1,376,000 to enable it to purchase various accessories for newly acquired vehicles. The pool was established pursuant to Resolution No. R-349-13, adopted May 7, 2013, in the amount of \$6,592,000 for the initial five-year term (from May 17, 2013 to May 31, 2018) plus the five-year option term (June 1, 2018 to May 31, 2023) to support the fleet needs of multiple County departments. The Police, Fire Rescue and Water and Sewer Departments are the biggest users of this pool. The user departments purchase a variety of public safety vehicle accessories under this pool, including, but not limited to, emergency audible, visual electronic, ancillary police and fire equipment, warning lights, prisoner cages and partitions. The pool also covers associated installation and repair services as needed.

The value of the initial term was \$11,289,000, which reflects the award value of \$3,296,000 plus modifications totaling \$7,993,000. The value of the current option term is \$5,836,200, which reflects the original value of \$5,336,200 plus \$500,000 in modifications. Per information found in the Bid Tracking System (BTS) on September 11, 2019, the option term's Blanket Purchase Order (BPO) shows an allocation of \$5,836,200, of which \$3,134,216 has been released, leaving a balance of \$2,701,984. The BPO for the Fire Rescue Department shows an allocation of \$475,000, of which \$446,139 has been released, leaving a balance of \$28,861. The Fire Rescue Department has nearly depleted its allocation, yet the pool is only in its 15th month of the 60-month option term.

The Fire Rescue Department explains that it uses this pool to purchase vehicle accessories such as light bars, sirens, warning lights, and various emergency equipment to support its fleet operations. Due to the department's new vehicle purchases over the last two years as well as anticipated purchases during the remainder of the option term, the requested \$1,376,000 in additional funds is needed to equip all new vehicles with required public safety equipment and accessories. The mayoral memorandum suggests that the requested increased spending will cover Fire Rescue's operational requirements under this pool through the remainder of the option term.

There are 15 prequalified vendors under this pool, of which five maintain a local address. OCA was unable to find two of the vendors (PF Distribution Center Inc. and Truckvault Inc.) in Sunbiz.org, the office State of Florida Division of Corporations website, during a search on September 11, 2019.

**HCCO Meeting: September 12, 2019**  
**Research Notes**

**Item No. 3D**  
**File No. 191982**

**Researcher: PGE Reviewer: TD**

A September 11, 2019 search on the Business Management Workforce System for the pool's Commodity Codes – 05557 (Lights and Accessories: Flashing, Light Bars, Revolving and Warning, Including Strobe/Warning Lights, Automotive) and 55096 (Warning Lights, Flashers and Flashing Arrow Boards) – yielded the following four local small business enterprise firms:

- Mastercraft Tools Florida Inc.;
- Paramount Electric and Lighting Inc.;
- PER CAR Inc.; and
- Trinity Electric Sales & Service Inc.

**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-349-13**, adopted May 7, 2013, established *Prequalification Pool No. 5038-1/23, Public Safety Vehicle Accessories*, for use by multiple County departments to support their fleet needs in the amount of \$6,592,000 for the initial five-year term plus the five-year option term.

<http://intra/gia/matter.asp?matter=130552&file=true&yearFolder=Y2013>

**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 Committee Meeting: September 12, 2019**  
**Research Notes**

**Item No. 3E**  
**File No. 192004**

**Researcher: MF Reviewer: TD**

RESOLUTION APPROVING ADDITIONAL EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP TO \$1,720,000 FOR PREQUALIFICATION POOL NO. 7963-1/22-1 FOR PURCHASE OF BUILDING MATERIALS FOR MULTIPLE COUNTY DEPARTMENTS

**ISSUE/REQUESTED ACTION**

Whether the Board should authorize an additional expenditure of a maximum of \$1,720,000 to purchase building materials for several County departments.

**PROCEDURAL HISTORY**

**Prime Sponsor:** None

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

**ANALYSIS**

The proposed resolution requests Board approval to establish Prequalification Pool No. 7963-1/22-1 in the amount of \$1,720,000 to purchase building materials for several County departments and ensure there is sufficient funding through the expiration of the pool on August 31, 2022.

The fiscal impact is \$1,720,000. The requestor department states the pool has an existing allocation of \$39,814,000. With this request of an additional \$1,720,000, the pool's allocation will increase to \$41,534,000, and is based on the anticipated demand for building materials through the end of the term. The existing pool was established April 3, 2012 for a five-year term, with one, five-year option to renew, pursuant to Resolution No. R-280-12.

OCA conducted a review of the Bid Tracking System (BTS) on September 10, 2019, which shows a blank purchase order with a remaining balance of \$7,452,565.31. The mayor's does not indicate if this remaining balance will be added to the existing allocation or if it was already deducted from said allocation.

The following depicts the requestor department, allocation amount, and the building materials projected for purchase under this prequalification pool.

Department	Requested Allocation	Building/Materials Needed
Parks, Recreation & Open Spaces	\$1,210,000	Routine repairs for 270 parks
PortMiami	\$470,000	Capital expansion during next 5 years
Regulatory and Economic Resources	\$40,000	Sampling activities for environmental testing

There are 38 vendors in the pool, of which 27 have local addresses and nine (9) are certified Small Business Enterprise (SBE). OCA performed due diligence on the prequalification pool of the 38 vendors on September 10, 2019 and the results are shown below.

Vendor	Address	Sunbiz	Tax Collector
A&B Hardware Inc., dba A&B Hardware Lumber, Inc. (SBE)	2652 NW 26 St., Miami, FL	Active; Established 1967	Paid
ADA Solutions, Inc.	323 Andover St., Wilmington, MA	N/A	N/A

**HCCO Committee Meeting: September 12, 2019**  
**Research Notes**

**Item No. 3E**

**File No. 192004**

**Researcher: MF Reviewer: TD**

A Thru Z Consulting & Distributing, Inc.	8620 E. Old Vail Rd., Tucson, AZ	Active; Established 2003	Paid
Amazulu, Inc.	1239 Commons Ct., Clermont, FL	Active; Established 2002	N/A
American Fasteners Corp.	7323 NW 66 St., Miami, FL	Active; Established 1981	Paid
American Plumbing Supply Co. Inc., dba American Plumbing & Electrical Supply	1735 Alton Rd., Miami Beach, FL	Active; Established 1968	\$162 due
Amion Enterprises International dba Amion Enterprises Intern <b>(SBE)</b>	13651 SW 143 Ct., Miami, FL	Active; Established 1982	Paid
Automated Door & Glass Systems, Inc.	12131 SW 131 Ave., Miami, FL	Active; Established 2006	Paid
Baro Hardware, Inc.	7230 NW 72 Ave., Miami, FL	Active; Established 1978	Paid
Bearing Distributors, Inc.	2121 NW 65 Ave., Miami, FL	Active; Established 2011	\$75 due
Belzona Florida, LLC	14300 NW 60 Ave., Miami Lakes, FL	Active; Established 2015	Paid
Brunswick Enterprises, Inc. dba Brunswick Door Co.	1939 Thatch Palm Drive, Boca Raton, FL	Active; Established 1994	N/A
C&R Metals, Inc.	2991 NW N. River Dr., Miami, FL	Active; Established 1985	Paid
Cany, LLC dba Miami Dade Windows and Doors	19505 SW 134 Ave., Miami, FL	Active; Established 2005	Paid
Caribbean Paint Co., Inc.	5295 NW 79 Ave., Miami, FL	Active; Established 1988	Paid
Carnegie Fabrics, LLC	110 N. Centre Ave., Rockville Centre, NY	N/A	N/A
Colony Hardware Corp. dba National Tool Supply	269 S. Lambert Rd., Orange, CT	Active; Established 2017	N/A
Condo Electric Industrial Supply, Inc. <b>(SBE)</b>	3746 E. 10 Ct., Hialeah, FL	Active; Established 1984	Paid
Construction Materials, Inc.	15800 NW 13 Ave., Miami Gardens, FL <b>(Local Address)</b>	N/A	Paid
Conwell & Associates Consulting Company <b>(SBE)</b>	11771 SW 137 Pl., Miami, FL	Active; Established 2007	\$450 due
Corcel Corp. <b>(SBE)</b>	2461 NW 23 St., Miami, FL	Active; Established 1990	Paid

**HCCO Committee Meeting: September 12, 2019**  
**Research Notes**

**Item No. 3E**

**File No. 192004**

**Researcher: MF Reviewer: TD**

E&T Plastics of FL Inc.	2830 NW 55 Ct., Ft. Lauderdale, FL	Active; Established 1989	N/A
Enecon Corp.	6 Platinum Ct., Medford, NY	Active; Established 2015	N/A
Everglades Steel Corp.	5901 NW 74 Ave., Miami, FL	Active; Established 1974	Paid
Ferguson Enterprises, Inc.	7480 NW 48 St., Miami, FL (Local address)	N/A	\$75 due
Independent Hardware, Inc.	14 S. Front St., Philadelphia, PA	Active; Established 2012	N/A
Javan Lumber, Inc. (SBE)	12721 NW 7 Ave., Miami, FL	Active; Established 1990	Paid
John Abell Corp.	10500 SW 186 St., Miami, FL	Active; Established 1975	Paid
Lavcor, LLC (SBE)	936 NW 104 Ave., Miami, FL	Active; Established 2011	\$75 due
Lockey Distributors, Inc.	7288 NW 25 St., Miami, FL	Active;; Established 1990	\$75 due
McKinsey Steel & Supply of Florida, Inc.	817 NW 5 Ave., Ft. Lauderdale, FL	Active; Established 1983	N/A
Nets Unlimited, Inc.	2610 E. Mohawk Ln., Phoenix, AZ	Active; Established 2019	N/A
Ronnie's Hardware, Inc.	12700 SW 122 Ave., Miami, FL	Active; Established 1995	Paid
Shell Lumber and Hardware Company	2733 SW 27 Ave., Miami, FL	Active; Established 1980	Paid
The Tool Place Corp. (SBE)	9383 NW 13 St., Miami, FL	Active; Established 1991	Paid
Traeger Bros. & Associates, Inc.	12405 SW 130 St., Miami, FL	Active; Established 1950	Paid
World of Frameless Glass, Inc. (SBE)	20341 NE 30 Ave., Aventura, FL	Active; Established 2003	Paid
WW Grainger, Inc., dba Grainger	2255 NW 89 PL, Doral, FL (Local Address)	Active; Established 1942	Paid

**DEPARTMENTAL INPUT**

OCA requested the following information from ISD on September 11, 2019.

- Indicate if the blank purchase order for \$7,452,565.31 shown in BTS will be added to the existing allocation or the proposed allocation. If not, provide details.

**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

**HCCO Committee Meeting: September 12, 2019**  
**Research Notes**

**Item No. 3E**

**File No. 192004**

**Researcher: MF Reviewer: TD**

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-280-12**, adopted April 3, 2012, authorizes award of competitive contracts and contract modifications, and authorizes the county mayor or county mayor's designee to exercise options-to-renew established thereunder for purchase of goods and services, and authorizes the use of charter county transportation surtax funds.

<http://www.miamidade.gov/govaction/legistarfiles/Matters/Y2012/120466.pdf>

**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 Committee Meeting:  
Sept. 12, 2019  
Research Notes**

**Item No. 3F  
File No. 192069**

**Researcher: IL Reviewer: TD**

RESOLUTION APPROVING ADDITIONAL EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP TO \$2,119,000.00 FOR PREQUALIFICATION POOL NO. RTQ-00310 FOR PURCHASE OF CATERING SERVICES FOR THE MIAMI-DADE FIRE RESCUE DEPARTMENT

**ISSUE/REQUESTED ACTION**

Whether the Board should authorize additional expenditure approval in the amount up to \$2,119,000 for Contract No. RTQ-00310 for the purchase of catering services for the Miami-Dade Fire Rescue (MDFR) department.

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

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

There is no procedural history for this item.

**ANALYSIS**

The purpose of this item to add an additional amount of \$2,119,000 for the purchase of catering services.

The fiscal impact to the county is \$2,119,000. OCA performed a review of existing Contract No. RTQ-00310 on September 9, 2019. The cumulative allocation amount was \$3,069,000 for the initial eight-year term. Should this additional expenditure be approved, the pool will have a modified cumulative allocation of \$5,188,000.

OCA conducted a review of this contract on the Bid Tracking System's (BTS) Blanket Purchase Order tab on August 26, 2019.

Department	Allocation Amount	Released Amount	Balance	Requested Amount
Community Action and Human Services	\$ 800,000	\$ 292,323	\$ 507,676	\$ 0.00
MDFR	\$ 450,000	\$ 249,998	\$ 200,001	\$2,119,000
DTPW	\$ 753,000	\$ 124,477	\$ 628,522	\$ 0.00
MDPD	\$ 716,000	\$ 192,119	\$ 523,880	\$ 0.00
Seaport	\$ 50,000	\$ 0	\$ 50,000	\$ 0.00
WASD	\$ 300,000	\$ 8,400	\$ 291,600	\$ 0.00
<b>Total</b>	<b>\$3,069,000</b>	<b>\$ 867,320</b>	<b>\$2,201,679</b>	<b>\$2,119,000</b>

This contract was established on March 01, 2016 and currently, there are 10 requalified vendors of which six (60%) have a local address. The expiration of this agreement is scheduled to be on February 28, 2024.

MDFR is requesting this additional expenditure in order to provide meals for 50 evacuation centers in case of a natural disaster. The evacuation centers are located Countywide and are designed to handle 100,000 evacuees daily. MDFR is forecasting to provide 1.2 million meals at approximately \$1.97 per meal. Please note that the Office of Emergency Management currently has on-hand \$125,000 freeze dried meals and is in the process of ordering an additional 125,000 meals ready to eat (MRE). Miami-Dade County Public Schools is also committing to help feed evacuees at primary and secondary evacuation centers for the first 3 days of shelter occupancy.

**HCCO Committee Meeting:  
Sept. 12, 2019  
Research Notes**

**Item No. 3F  
File No. 192069**

**Researcher: IL Reviewer: TD**

OCA conducted a review of the firms currently in the pool. (See the table below)

<b>Firm Name</b>	<b>Sunbiz</b>	<b>DBPR</b>	<b>BBB</b>	<b>West Law</b>	<b>Tax Collector</b>	<b>Local</b>
MONTOYA HOLDINGS INC	Inactive Principal Address: 2374 SW 125 Avenue, Miramar, FL 33027	No information on file	None on file	Case Number: 2012 WL 2149826 Case involved failure of payment to an employee. Outcome of the case is not determinable. Last recommendation was trial on June 12, 2012.	No information on file	No
RANDAZZO CATERING INC	Active Principal Address: 12229 SW 131 Avenue, Miami, FL 33186	2 Licenses Retail Beverage and Catering Current and Active. One administrative complaint on file April 09, 2015. Issue is satisfied	None on file	Minor cases based on Contractual matter.	Account Number 6139505, Principal Address: 12229 SW 131 Ave, Miami, FL 33186	Yes
OFD FOODS, LLC	Unverifiable	None on file	None on file	No cases	None on file	Un-determined
MRE STAR, LLC	Active Principal Address: 6411 Parkland Drive, Suite 102, Sarasota, FL 34243	No information on file	None on file	No cases	No information on file	No
GREATER MIAMI CATERERS INC 	Active Principal Address: 4001 Northwest 31 Avenue, Miami, FL 33142	2 Catering Licenses on file. 1 Administrative Complaint on April 3, 2019, Issue is satisfied. 3 consumer complaints between 2015-2018. Issues are closed.	None on file	Rodriguez v. Greater Miami Caterers, Inc. et al Case Number: 1:19CV20254 Fair Labor Standards Act regarding lack of payment. Case still pending final resolution. Berta Cantera Chaviano and Toni L Villaverde v. Greater Miami Caterers, Inc. Etc. Case Number 1D19-3009 Workers Compensation Claim Filed on 08/19/2019 in the First District Court of Appeals (ongoing)	6 Accts paid and current. Principal Address: 4001 NW 31 Avenue, Miami, FL 33142	Yes
LUXFER MAGTECH, Inc.	Active Principal Address: 2590 Ridgeway Blvd, Manchester, NJ 08759	No information on file	None on file	No cases	No information on file	No



**HCCO Committee Meeting:  
Sept. 12, 2019  
Research Notes**

**Item No. 3F  
File No. 192069**

**Researcher: IL Reviewer: TD**

<b>Firm Name</b>	<b>Sunbiz</b>	<b>DBPR</b>	<b>BBB</b>	<b>West Law</b>	<b>Tax Collector</b>	<b>Local</b>
ISLAND ON THE GRILL LLC	Active Principal Address: 1550 NE 164 <sup>th</sup> Street, North Miami Beach, FL 33162	License Permanent Food Services. One administrative complaint filed on January 18, 2019. Issue is satisfied.	None on file	No Cases	No information on file	Yes (per Sunbiz)
CAFFE CAPPUCCINO INC	Active Principal Address: 6335 NW 99 Avenue, Doral, FL 33178	1 Catering license. No complaints on file	None on file	No relevant case	Acct No. 2649748, current. Principal Address: 6335 NW 99 <sup>th</sup> Avenue, Doral, FL 33178	Yes
SOUTH FLORIDA CATERING N EVENTS INC	Active Principal Address: 5451 NW 72 <sup>nd</sup> Avenue, Miami, FL 33166	No information on file.	None on file	No relevant case	Acct No. 7180266, status is closed. Principal address is 5483 NW 72 <sup>nd</sup> Avenue, Miami, FL 33166	Yes
ILS GROUP LLC	Active Principal Address: 5200 Blue Lagoon Drive, Suite 500, Miami, FL 33126	1 Permanent Food Service License 1 Catering License both active. No complaints on file	None on file	No relevant cases	3 Accts paid and current, Principal Address: 5200 Blue Lagoon Dr. STE 500, Miami, FL 33126	Yes

OCA conducted a review of Commodity Code 96115 on the Business Management Workforce System (BMWS) on September 9, 2019. The results yielded the following firms:

<b>Firm</b>	<b>Location</b>	<b>SBE type</b>
APEX VENDING, INC.	Hialeah, FL	<a href="#">SBE-G&amp;S</a>
CAFFE CAPPUCCINO INC, DBA CATERING THE EVENT	Doral, FL	<a href="#">SBE-G&amp;S</a>
CSS OF SOUTH FLORIDA, INC., DBA CONCESSION SERVICE SYSTEMS	Miami, FL	<a href="#">SBE-G&amp;S</a>
M H MANAGEMENT INC	Miami Gardens, FL	<a href="#">SBE-G&amp;S</a>
MIAMI-KITE BOARDING, INC.	Key Biscayne, FL	<a href="#">SBE-G&amp;S</a>
PASTAL ENTERPRISES, INC., DBA SASHA & LISA'S POPCORN	Coconut Grove, FL	<a href="#">SBE-G&amp;S</a>
RANDAZZO CATERING, INC., DBA CREATIVE TASTES CATERING	Miami, FL	<a href="#">SBE-G&amp;S</a>
VITORI PRODUCTIONS INC, DBA CHEESEBURGER BABY	Miami Beach, FL	<a href="#">SBE-G&amp;S</a>

**HCCO Committee Meeting:  
Sept. 12, 2019  
Research Notes**

**Item No. 3F  
File No. 192069**

**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 Meeting: September 12, 2019**  
**Research Notes**

**Item No. 3G**  
**File No. 192090**

**Researcher: PGE Reviewer: TD**

RESOLUTION RATIFYING AN EMERGENCY PURCHASE AND INCREASE IN EXPENDITURE AUTHORITY IN THE AMOUNT OF \$1,920,000.00 FOR THE PURCHASE OF SECURITY EQUIPMENT, MAINTENANCE, AND REPAIR SERVICES FOR PREQUALIFICATION POOL NO. RTQ 00924 FOR THE INTERNAL SERVICES DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38

**ISSUE/REQUESTED ACTION**

Whether the Board should ratify an emergency purchase in the amount of \$1,920,000 for security equipment, maintenance and repair services under *Prequalification Pool No. 00924* for the Internal Services Department.

**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 ratify an emergency purchase by the Internal Services Department in the amount of \$1,920,000 for security equipment and associated services at the Stephen P. Clark Center (SPCC). The equipment and services were purchased under *Prequalification Pool No. 00924, Purchase of Security Equipment, Maintenance and Repair Services*. Resolution No. R-1148-18, adopted November 8, 2018, established *Prequalification Pool No. 00924* for multiple County departments in the amount of \$1,758,000 for a five-year term (January 8, 2019 to January 31, 2024). The pool has three user departments – Aviation, Corrections and Rehabilitation and Internal Services.

*Prequalification Pool No. 00924* is used to purchase x-ray machines, electronic turnstiles, metal detectors and related security equipment, including installation, maintenance, calibration and/or repair services. Manufacturers covered under the pool include, but are not limited to, Smith Detection, CEIA, Garrett, Rapiscan Systems, Gunnebo, Hayward Turnstiles, Boon Edam and Alvarado. Per data seen in the Bid Tracking System (BTS) on September 11, 2019, there are five companies that are prequalified under this pool – Pemica, Inc., AT Security Inc., MIS Security Inc., Yates Enterprises LLC and Rapiscan Systems Inc. The mayoral memorandum does not include MIS Security LLC as a prequalified vendor.

On March 26, 2019, the Director of the Internal Services Department declared an emergency purchase in the amount of \$1,919,875 for the security equipment for the SPCC. The Internal Services Department explained that the emergency purchase is required to mitigate noted security deficiencies at the SPCC. Both the County Mayor and Director of the Police Department endorse this procurement via emergency procedures set forth in the County's Procurement Guidelines as well as controlling policies and procedures. Although this item is styled as a "competitive emergency purchase" in the mayoral memorandum, only one bid was received based on a review of the applicable tally sheet. The awarded vendor is Pemica, Inc.

**HCCO Meeting: September 12, 2019**  
**Research Notes**

**Item No. 3G**  
**File No. 192090**

**Researcher: PGE Reviewer: TD**

Resolution No. 454-13 directs the County Mayor to bring emergency contract ratifications to the Board within 120 days of such emergency. In this case, the emergency was declared on March 26, 2019. This item is scheduled to be presented to the Board for ratification on October 3, 2019, which is 191 days after the emergency was declared.

The Blanket Purchase Order (BPO) for this pool shows an allocated amount of \$3,677,875. That amount reflects the emergency purchase of \$1,919,875. Of the allocated amount, a total of \$1,922,541 has been released, leaving a balance of \$1,755,334. The BPOs under the pool for Aviation and the Corrections and Rehabilitation departments show that no funds have been released. The BPO for the Internal Services Department shows that \$1,922,541 has been released from the \$2,919,875 allocated to the department, leaving a balance of \$997,334.

A September 11, 2019 search on the Business Management Workforce System for the pool's Commodity Codes – 03595 (X-Ray Scanner, Passenger Baggage), 68002 (Access Control Systems and Security Systems), 68044 (Detectors, Gun and Metal) and 93673 (Security and Access Systems Maintenance and Repair) – yielded the following five local small business enterprise firms:

- Coral Way Locksmith Corporation;
- Dade County Electrical Contractors LLC;
- Galactic Technology Group LLC;
- Generating Systems Inc.; and
- MGA Electric Inc.

**ADDITIONAL INFORMATION**

Pursuant to Resolution No. R-885-18, adopted by the Board on September 5, 2018, an emergency purchase was ratified for the Corrections and Rehabilitation Department in the amount of \$424,000 to purchase three body scanners for detention centers. The awarded vendor for the one-time purchase was OD Security North America, LLC.

<http://intra/gia/matter.asp?matter=181541&file=true&yearFolder=Y2018>

**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\\_-](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>

**HCCO Meeting: September 12, 2019**  
**Research Notes**

**Item No. 3G**

**File No. 192090**

**Researcher: PGE Reviewer: TD**

**Resolution No. 454-13**, adopted June 4, 2013, directs the County Mayor to bring emergency contract ratifications to the Board within 120 days of such emergency and bring retroactive contract modifications to the Board within 120 days of modification.

<http://intra/gia/matter.asp?matter=131016&file=true&yearFolder=Y2013>

**Resolution No. R-1148-18**, adopted November 8, 2018, established *Prequalification Pool No. 00924, Security Equipment, Maintenance and Repair Services*, for multiple County departments in the amount of \$1,758,000 for a five-year term.

<http://intra/gia/matter.asp?matter=182798&file=false&yearFolder=Y2018>

**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.

Under I.O. 3-38, an emergency purchase is an unforeseen or unanticipated urgent and immediate need for goods or services where the protection of life, health, safety or welfare of the community or the preservation of public properties would not be possible using any of the other purchasing methods described in the Implementing Order, including a bid waiver. In the event a department director or authorized designee determines that an emergency purchase is necessary, a contract may be awarded without utilizing the competitive bid procedures regardless of the amount of expenditure. Within five working days after the purchase, the County department shall submit the post award requisition to ISD specifying the circumstances which justified the emergency contract award. When the expenditure is in excess of \$250,000, the ISD Director shall forward the documented circumstances to the County Mayor for presentation to the Board of County Commissioners for ratification.

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

**HCCO Committee Meeting: September 12, 2019**  
**Research Notes**

**Item No. 3H**  
**File No. 192091**

**Researcher: MF Reviewer: TD**

RESOLUTION APPROVING ADDITIONAL EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP TO \$8,720,925 FOR PREQUALIFICATION POOL NO. RTQ-00078 FOR PURCHASE OF CISCO EQUIPMENT, SOFTWARE, AND MAINTENANCE SERVICES FOR THE INFORMATION TECHNOLOGY DEPARTMENT

**ISSUE/REQUESTED ACTION**

Whether the Board should authorize an additional expenditure of a maximum of \$8,720,925 to purchase Cisco equipment, software equipment, and maintenance services for the Information Technology (IT) Department.

**PROCEDURAL HISTORY**

**Prime Sponsor:** None

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

**ANALYSIS**

The proposed resolution requests Board approval of an additional \$8,720,925 for Prequalification Pool No. RTQ-00078 to purchase Cisco equipment, software, and maintenance for IT services for several County departments, such as Aviation, Library, Fire Rescue, and other initiatives. The purchase will provide Cisco hardware, software, parts and services to support the County's Cisco network and telephone services.

The fiscal impact is \$8,720,925. The pool term is set to expire November 30, 2022, and according to the mayor's memo, the pool has an allocation amount of \$20,774,400. If this request is approved, the modified allocation would increase to \$29,495,325.

OCA conducted a review of the Bid Tracking System (BTS), which shows a blank purchase order (BPO) as of September 10, 2019, for the existing pool of \$751,758.94. The BPO shows that of the \$20,774,400 allocated, \$20,022,641.06 has been released.

Below is a summary of the contract expenditures and the proposed request.

Effective Date	Existing Allocation	Additional Allocation Requested	BPO Balance	TOTAL:
December 1, 2014	\$20,774,400	\$8,720,925	\$751,758.94	\$29,495,325
				<b>Note: BPO balance integrated in existing allocation</b>

OCA performed due diligence on the prequalified vendors on September 10, 2019 and below are the findings.

Vendor	Address	Sunbiz	Tax Collector	Westlaw
CDW Government, LLC	200 N. Milwaukee Ave., Vernon Hills, IL	Active; Established 2010	N/A	No relevant cases

**HCCO Committee Meeting: September 12, 2019**  
**Research Notes**

**Item No. 3H**

**File No. 192091**

**Researcher: MF Reviewer: TD**

Dimension Data North America, Inc.	11006 Rushmore Dr., Charlotte, NC	Active; Established 2009	\$75 due	Case No. 18STCV09123 (Civil); The firm has a pending wrongful termination case in Los Angeles County Superior Court (filed in Dec. 2018)
Disys Solutions, Inc.	44670 Cape Ct., Ashburn, VA	Active; Established 2015	N/A	No relevant cases
En Pointe Technologies Sales, LLC	1940 E. Mariposa Ave., El Segundo, CA	Active; Established 2015	N/A	No relevant cases
Insight Public Sector, Inc.	6820 S. Harl Ave., El Segundo, CA	Active; Established 2003	N/A	No relevant cases
Norstan Communications Inc.	1000 Park Dr., Lawrence, PA	Active; Established 1991	Paid	No relevant cases
Presidio Holdings, Inc.	12120 Sunset Hills Rd., Reston, VA	N/A	N/A	No relevant cases
Prosys Information Systems, Inc.	6025 The Corners Parkway, Norcross, GA	Active; Established 1997	Paid	No relevant cases

**ADDITIONAL INFORMATION**

Pursuant to Resolution R-828-19, the County established a policy to require companies to disclose past and present discrimination lawsuits in solicitation submissions. As such, one company listed in OCA's table of due diligence, Dimension Data North America Inc., has a pending wrongful termination lawsuit filed in California in 2018. According to the legal complaint, the plaintiff (Gina Brockamp) worked in the San Diego and Los Angeles Counties offices of Nexus, which was later acquired by Dimension North America Inc. in 2016. According to the suit, Ms. Brockamp alleges that during her time working for Nexus, the company exempted her from overtime pay, meal periods, and rest breaks. After the company acquisition, Ms. Brockamp claims the firm Dimension Data violated California's Labor Code, including its wage and hour laws that protect employees. The complaint was filed on December 20, 2018 in Los Angeles County Superior Court and cites the following damages:

- Defamation;
- FEHA Employment Discrimination;
- FEHA Harassment
- FEHA Failure to Prevent/Remedy Discrimination or Harassment;
- Wrongful discharge in violation of public policy;
- Intentional infliction of emotional distress;
- Failure to pay wages earned including overtime compensation;
- Failure to provide lawful meal periods and/or rest breaks;
- Failure to provide accurate itemized wage statements;
- Waiting time penalties;
- Unfair business practices



**HCCO Committee Meeting: September 12, 2019**  
**Research Notes**

**Item No. 3H**

**File No. 192091**

**Researcher: MF 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-733-16**, adopted July 19, 2016, authorizes additional expenditure in a total amount up to \$7,712,000 for Prequalification Pool No. RTQ-00078 for purchase of Cisco equipment, software and maintenance services for the Information Technology Department.

<http://www.miamidade.gov/govaction/legistarfiles/MinMatters/Y2016/161496min.pdf>

**Resolution No. R-973-14**, adopted November 5, 2014, authorizes award of a competitive contract in a total amount up to \$2,075,000 for liquid sodium silicate, and establishing prequalification pools in a total amount up to \$11,040,000 for Cisco equipment, software and maintenance services and hydraulic parts and repair services for heavy mobile equipment.

<http://www.miamidade.gov/govaction/legistarfiles/Matters/Y2014/142129.pdf>

**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 R-828-19**, adopted in July 23, 2019, establishes a policy of the County for disclosure of past and present discrimination lawsuits in solicitation submissions.

<http://www.miamidade.gov/govaction/legistarfiles/MinMatters/Y2019/190936min.pdf>

**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 Meeting: September 12, 2019**  
**Research Notes**

**Item No. 3I**  
**File No. 192093**

**Researcher: JFP Reviewer: TD**

RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN AN AMOUNT UP TO \$6,636,152.00 FOR A MODIFIED TOTAL CONTRACT AWARD OF \$22,097,152.00 OF CONTRACT NO. SS1243-3/24-3 FOR PURCHASE OF ELEVATOR MAINTENANCE SERVICES 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 additional expenditure authority for *Contract No. SS1243-3/24-3, Elevator Maintenance Services*, with ThyssenKrupp Elevator Corp. as the awarded vendor, in an amount not to exceed \$6,636,152 (for multiple County departments).

**PROCEDURAL HISTORY**

**Prime Sponsor: N/A**

**Department/Requester: Internal Services**

This item has no procedural history.

**ANALYSIS**

The purpose of this item is to seek Board approval of additional expenditure authority for *Contract No. SS1243-3/24-3, Elevator Maintenance Services*, serving multiple County departments, in an amount up to \$6,636,152. The contract was awarded to ThyssenKrupp Elevator Corp. as a sole source procurement in February 2004 for a five-year term with three, five year option to renew terms. Currently in its third option to renew term, the contract has a cumulative value of \$15,461,000. If approved, the additional expenditure authority would increase the cumulative value to \$22,097,152.

The largest allocations of the \$6,636,152 being requested are for the Aviation Department (\$1,389,941) and the Internal Services Department (\$3,151,980). The Board approved \$751,000 in additional expenditure authority for Aviation in October 2018 for the modernization of elevators at the Skyride connector in Concourse F and in Cargo Building 100, which had equipment and service problems that impacted daily operations. The present additional allocation request is for the repair and modernization of 34 units throughout Miami International Airport which have higher than average usage and thus have more frequent necessitated repairs that are outside of standard maintenance schedules.

The current option term began on May 1, 2019 and has a cumulative allocation of \$2,200,000. Of that amount, \$544,994.02 has been released (as of September 10, 2019) leaving a balance of \$1,655,005.98, per the Bid Tracking System. The contract expires on April 30, 2024.

The requested increase in expenditure authority is calculated based on the contractual rates for maintenance and repairs as well as planned modernizations. The modernization of elevators is stated to reduce the time elevators spend out of use, and ensure the safety of those who utilize them.

ThyssenKrupp has had performance issues on several awarded County elevator contracts, including this contract's second option to renew term, *Contract SS1243-3/24-2*. ISD Facilities and Utilities Management Division submitted a Vendor Non-performance for ThyssenKrupp's failure to adhere to the required scheduled maintenance. Meetings were

**HCCO Meeting: September 12, 2019**  
**Research Notes**

**Item No. 3I**

**File No. 192093**

**Researcher: JFP Reviewer: TD**

held with the vendor to discuss their lack of performance and what corrective measures can be implemented to correct the company's performance deficiencies. As a result, the vendor implemented a corrective action plan and the County introduced quarterly performance review meetings attended by representatives from all County departments to which the vendor provides elevator services. While the identified issues have not resulted in a default of this contract, the County did terminate its contract with ThyssenKrupp in November 2016, *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.

[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-992-18**, adopted October 2, 2018, authorized additional expenditure authority in a total amount of up to \$751,000.00 for *Contract No. SC1243-3/24-2* for elevator maintenance services for the Miami-Dade Aviation Department

<http://intra/gia/matter.asp?matter=182004&file=true&yearFolder=Y2018>

**Resolution No. R-240-04**, adopted February 17, 2004, approved award of *Contract No. SS1243-3/24* to ThyssenKrupp Elevator Corp. for five years plus three five-year options to renew to provide maintenance services for the County's existing ThyssenKrupp, Miami Elevator, and Dover elevator and escalator equipment.

<http://intra/gia/matter.asp?matter=040314&file=true&yearFolder=Y2004>

**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>

**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 Committee Meeting: September 12, 2019**  
**Research Notes**

**Item No. 3J**

**File No. 192120**

**Researcher: JFP Reviewer: TD**

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL RTQ-00893 IN A TOTAL AMOUNT UP TO \$16,753,000.00 FOR THE PURCHASE OF INDUSTRIAL ELECTRICAL 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-00893, Industrial Electrical Services*, for multiple departments in an amount not to exceed \$16,753,000 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 establish Prequalification Pool *RTQ-00893* for the provision of industrial electrical services, power systems services, as well as electrical parts, components, and supplies to multiple County departments. The total allocation for the five-year term is \$16,753,000 with the largest allocation being for Water and Sewer (\$9,290,000). Among the services to be provided by vendors in this pool are:

- Repair of five kilovolt or higher systems located at large industrial power plants, pumping stations, and well fields;
- Installation and repair of power systems;
- Power system analysis studies;
- Control systems design and integration;
- Electrical testing;
- Preventative and predictive maintenance; and
- Equipment upgrades.

The pool consolidates two existing pools into one replacement pool with the following three groups:

Group 1: Industrial Electrical Service

Group 2: Power Systems Services

Group 3: Electrical Parts, Supplies, and Components.

The current pools, *2385-0/13* (established in 2009 and valued at \$29,452,000) and *6443-0/11* (established in 2007 and valued at \$94,482,000), expire on November 30, 2019 and December 31, 2019, respectively. The annual allocation under this replacement pool is lower than that of the previous pools combined due to lesser anticipated needs by the departments during the pool's five-year term.

**HCCO Committee Meeting: September 12, 2019**  
**Research Notes**

**Item No. 3J**

**File No. 192120**

**Researcher: JFP Reviewer: TD**

Pursuant to Resolution No. R-718-17, the County is required to commence planning for re-procurement of contracts and prequalified vendor lists that are set to expire no later than 18 months prior to expiration. Given the current pools' expiration dates, the County is required to have commenced planning for re-procurement no later than May 30, 2018.

A Request to Qualify was issued and advertised, with 71 vendors viewing the solicitation and ten vendors responding. Of the ten respondents, the following five are being recommended for inclusion in the pool, all of which are local vendors, four of which are incumbent vendors of the two current pools, and two of which are Certified Small Business Enterprises.

<b>Vendor</b>	<b>Group(s)</b>	<b>Local Address**</b>	<b>Sunbiz Status</b>
All-Tech Electric, Inc. (SBE)*	Group 1	1723 W 37 Street Bay 6, Hialeah, FL	Active
American Electric of Miami, Inc.*	Group 1	11360 SW 208 Drive, Miami, FL	Active
Edd Helms Group, Inc. dba Edd Helms Electric*	Group 1	17850 NE 5 Avenue, Miami, FL	Active
Miami Breaker, Inc. (SBE)*	Groups 1 and 3	7060 NW 52 Street, Miami, FL	Active
Rexel USA, Inc. dba Gexpro	Group 3	6767 NE 4 Avenue, Miami, FL	Active

*\*Incumbent Vendor*

*\*\*Local addresses verified with the Tax Collector's Office*

Given that no vendors were recommended for Group 2 – Power Systems Services, it is being cancelled and qualification criteria will be amended to allow for appropriate competition when resolicited. Two non-local vendors, SELAH Group Florida and TAW Technical Field Services, Inc., are actively working on registering with the County in order to prequalify. Power System Solutions, LLC, an SBE, and Schneider Electric USA, Inc. were not recommended for inclusion in the pool because they did not provide documentation to satisfy the prequalification criteria, but may be added to the pool upon submission of the required documentation.

A September 11, 2019 Business Management Workforce System search for the solicitation's commodity code, 92531: Electrical Engineering, Including Cogeneration Design Services, yielded the following certified local small business enterprises:

- Power System Solutions, LLC
- Pro Electrical Solutions, Inc.

This item requires approval by the Citizens' Independent Transportation Trust (CITT), and is on the September 18, 2019 CITT meeting agenda for consideration.

**HCCO Committee Meeting: September 12, 2019**  
**Research Notes**

**Item No. 3J**  
**File No. 192120**

**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)

**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\\_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-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 Committee Meeting: September 12, 2019**  
**Research Notes**

**Item No. 3J**

**File No. 192120**

**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>