



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

Parks, Recreation and Cultural Affairs (PRCA)
Committee Meeting

October 18, 2019
2:00 P.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

PRCA Committee Meeting: October 18, 2019
Research Notes

Item No. 3C
File No. 192234

Researcher: IL Reviewer: PGE

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; RATIFYING AN EMERGENCY PURCHASE FOR THE ANIMAL SERVICES DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$676,746.00 FOR THE ORAL VACCINE DISTRIBUTION PROGRAM, EMERGENCY CONTRACT NO. E-10013; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION, RENEWAL AND EXTENSION PROVISIONS, PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38

ISSUE/REQUESTED ACTION

Whether the Board should (1) ratify an emergency purchase in an amount not to exceed \$676,746 for the Oral Vaccine Distribution Program under *Contract No. E-10013*; and (2) award a designated purchase by a two-thirds vote in the amount of \$676,746 under *Contract No. E-10013* for the Animal Services Department (ASD).

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 made by ASD in the amount of \$676,746 for an oral vaccine distribution program to combat rabies. The item also awards a designated purchase for the same services. The awarded vendor is Boehringer Ingelheim Animal Health USA, Inc., the sole manufacturer and distributor of the purchased vaccine (Raboral V-RG). This is a one-time purchase for a three-year term commencing in the summer of 2019, for oral rabies vaccine baiting program approved by the State Rabies Advisory Committee. Subsequent purchase are anticipated through the three year term. The vaccine is the only licensed oral rabies vaccine for raccoons and coyotes approved by the United States Department of Agriculture.

As mentioned in the mayoral memo, during the 2018 calendar year, the County encountered 11 rabies cases – eight raccoons, two cats and one otter. To address the issue, on April 26, 2019, the ASD Director signed a Declaration of Emergency Purchase Form. The Director described needing an emergency purchase of \$350,000 to obtain oral rabies vaccine baits required for countywide bait distribution commencing summer 2019. The justification provided for the emergency purchase further explained that the three-year oral rabies vaccine baiting initiative was unanimously recommended for implementation by the Florida Rabies Advisory Committee in response to the 11 confirmed cases. The recommended oral rabies vaccine for wildlife is exclusive to Boehringer. The emergency purchase ensured that the made-to-order baits were produced for distribution during summer 2019.

The County is seeking partnership opportunities with sister agencies for assistance with bait distribution to minimize expenses related to actual distribution. The emergency purchase enabled ASD to start the negotiations process with Boehringer to guarantee that a contract is in place for subsequent purchases during the three-year term of the program. The mayoral memorandum states that the County intends to establish a long-term agreement with Boehringer to purchase the needed vaccine for the remainder of the three-year program. OCA will inquire into the status of that long-term contract.

PRCA Committee Meeting: October 18, 2019
Research Notes

Item No. 3C

File No. 192234

Researcher: IL Reviewer: PGE

On health and safety grounds, the Administration endorses this procurement via emergency procedures set forth in the County's Procurement Guidelines as well as controlling policies and procedures. 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 May 1, 2019. This item is scheduled to be presented to the Board for approval on November 19, 2019, which is 1567 days after the emergency was declared.

As of October 10, 2019, the Blanket Purchase Order (BPO) in BTS for this contract shows an allocated amount of \$338,373. Of the allocated amount, a total of \$338,373 has been released, leaving a balance of \$0.00.

The table below summarizes OCA's due diligence review of the awarded vendor under the emergency purchase as of October 10, 2019.

Awarded Firms	Corporate Registration	Tax Collector	Florida DBPR	Westlaw
Boehringer Ingelheim Animal Health USA, Inc.	Foreign Profit Corporation Principal Address: 3239 Satellite Boulevard, Duluth, GA. Date Filed: April 4, 2019	Nothing found	License (Non- resident Prescription Drug Manufacturer) Location Address: 5701 Providence Hill Drive, Saint Joseph, MO Status: Current/Active	No relevant cases found

An October 10, 2019 search on the Business Management Workforce System for the contract's Commodity Codes – 875 (Veterinary Equipment and Supplies) and 961 (Miscellaneous Professional Services) – yielded 123 local small business enterprise firms.

ADDITIONAL INFORMATION

The Animal Services Department invests time and money in an effort to combat the rabies outbreak. Infectious diseases like Zika and rabies can pose risks to public health and harm the economy in treatment costs and lost tourism. Rabies vaccination efforts have proven to be fruitful in other jurisdictions like New York state (NY). In NY, the state saved nearly \$27 million by helping Long Islanders avoid expensive rabies treatment and animal testing costs through its vaccination effort.

<https://www8.miamidade.gov/global/animals/rabies.page>

PRCA Committee Meeting: October 18, 2019
Research Notes

Item No. 3C
File No. 192234

Researcher: IL Reviewer: PGE

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

Section 2-8.1 of the County Code (Procedures for purchases when competitive procedures are not practicable) 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.

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. 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>

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>

**PRCA Committee Meeting:
October 18, 2019
Research Notes**

**Item No. 3D
File No. 192369**

Researcher: JFP Reviewer: IL

RESOLUTION APPROVING ADDITIONAL EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP TO \$1,572,000.00 FOR PREQUALIFICATION POOL NO. 9797-1/24-1 FOR PURCHASE OF PET SUPPLIES FOR MULTIPLE COUNTY DEPARTMENTS

ISSUE/REQUESTED ACTION

Whether the Board should approve an additional expenditure authority of up to \$1,572,000 for *Prequalification Pool No. 9797-1/24-1, Pet Supplies*, for multiple County departments.

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

This item has no procedural history.

ANALYSIS

The purpose of this item is to obtain Board approval to increase spending authority in an amount of \$1,572,000 under Prequalification Pool No. 9797-1/24-1, *for the purchase of pet supplies* for varying purposes, including serving additional police canines, accommodating Animal Services' increased scope of services as well as its expansion of pet retention and lifesaving programs, and providing for Zoo Miami's augmented animal collection and programs.

This prequalification pool (Prequalification Pool No. 9797-1/24) was established pursuant to Resolution No. R-511-14, adopted June 3, 2014. The estimated award value was \$970,000 for an initial term of five-years, and \$970,000 for the five-year option to renew term, for a cumulative allocation of \$1,940,000.

Several modifications were made during the initial contract term. The contract's historical modifications are detailed below.

	Approval Date	Approval Authority	Amount
Original Contract + OTR	June 3, 2014	BCC (R-511-14)	\$1,940,000
First Modification	September 27, 2014	Delegated Authority	\$15,000
Second Modification	November 1, 2016	BCC (R-970-16)	\$310,000
Third Modification	April 5, 2017	Delegated Authority	\$200,000
Fourth Modification	February 15, 2018	Delegated Authority	\$59,000
Fifth Modification	October 12, 2018	BCC (R-137-19)	\$425,000
Requested Modification	Pending	BCC	\$1,572,000
TOTAL MODIFIED CONTRACT AMOUNT:			\$4,521,000

Currently, the contract has a total cumulative allocation of \$2,949,000 and is currently on its first year of the five year option-to-renew.

The contract's Blanket Purchase Order (BPO) shows that \$290,085.40 of the option to renew term's current cumulative allocation of \$970,000 has been released (as of October 17, 2019), leaving a balance of \$679,914.60 in the fourth month of the five-year option term. The users of the pool include Animal Services, Aviation, Corrections and Rehabilitation, Fire, Parks, Recreation, and Open Spaces (PROS) and Miami-Dade Police Department (MDPD). The departments

**PRCA Committee Meeting:
October 18, 2019
Research Notes**

Item No. 3D

File No. 192369

Researcher: JFP Reviewer: IL

requesting additional expenditure authority for the current option to renew term are Animal Services (\$1,279,000), PROS (\$165,000), and MDPD (\$128,000). Detailed below are the remaining balances of the departments requesting additional expenditure authority.

Department	Allocation Amount	Released Amount	Balance
Animal Services	\$875,000	\$225,292.39	\$649,707.61
Police	\$10,000	\$9,870	\$130
PROS	\$75,000	\$54,923	\$20,076

The pool expires on June 12, 2024 after the final option to renew is exercised. The requested additional expenditure authority will allow for the purchase of metal and plastic animal carriers, humane animal capture equipment, and nylon rope dog leashes, among other supplies, through the end of the option term.

There are seven prequalified vendors under this pool, of which three (43%) maintain a local address, which is below the 75% local vendor threshold prescribed by Resolution No. R-477-18. The table below summarizes OCA's due diligence review of the prequalified vendors. These vendors provide spot market quotes for the purchase of various types of pet supplies.

Awarded Firms	Corporate Registration	Tax Collector's Office	Florida DBPR	Westlaw
Animal Care Equipment & Services, LLC	Foreign Limited Liability Company Not found in Sunbiz (Florida's Division of Corporations website); Active and in Good Standing in Maryland Principal Address: 555 Alter St, Unit 19A, Broomfield, CO 80020 Filed: November 25, 2009	No account on file	No account on file	No relevant cases
Lavcor, LLC (SBE)	Foreign Limited Liability Company Active Principal Address: 936 NW 104th Avenue, Miami, FL 33172	Business Address: 936 NW 104th Avenue, Miami, FL 33172 Status: Paid and Current	No account on file	No relevant cases

**PRCA Committee Meeting:
October 18, 2019
Research Notes**

**Item No. 3D
File No. 192369**

Researcher: JFP Reviewer: IL

	Filed: May 23, 2011			
Patterson Veterinary Supply, Inc.	<p>Foreign Profit Corporation</p> <p>Active</p> <p>Principal Address: 1031 Mendota Heights Road St Paul, MN 55120</p> <p>Filed: January 3, 2013</p>	No account on file	<p>License Type: Out-of-State Prescription Drug Wholesale Distributor</p> <p>Expires: August 31, 2021</p>	<i>Meredith v. Patterson Companies, Inc. et al.</i> (Case No. 3:16-CV-00242); Filed on January 14, 2016 in U.S. District Court, Northern District of California; Allegations: Defendant discriminated against plaintiff on the basis of age and terminated her employment in violation of labor code; and Case Status: Closed
Robbie's Feed & Supply, Inc.	<p>Florida Profit Corporation</p> <p>Active</p> <p>Principal Address: 22390 SW 177 Avenue Miami, FL 33170</p> <p>Filed: April 1, 1977</p>	Local vendor with no account on file	No account on file.	No relevant cases
ShowEase, Inc.	<p>Foreign Profit Corporation</p> <p>Not found in Sunbiz; Active in Maryland</p> <p>Principal Address: 592 W Trout Run Road Ephrata, PA 17522</p> <p>Filed: August 3, 1983</p>	No account on file	No account on file	No relevant cases
Sunset Country and Western Store, Inc.	<p>Florida Profit Corporation</p> <p>Active</p> <p>Principal Address:</p>	<p>Business address: 16300 SW 296th Street Homestead, FL 33033</p>	No account on file	No relevant cases

**PRCA Committee Meeting:
October 18, 2019
Research Notes**

Item No. 3D

File No. 192369

Researcher: JFP Reviewer: IL

	16300 SW 296 th Street Homestead, FL 33033 Filed: May 16, 2001	Status: Paid and Current		
Tomahawk Live Trap, LLC	Foreign Limited Liability Company Not found in Sunbiz; Active in Wisconsin Principal Address: 6151 US Highway 51 PO Box 155 Hazelhurst , WI 54531 Filed: February 15, 2006	No account on file	No account on file	No relevant cases

An October 17, 2019 search on the Business Management Workforce System for the pool's Commodity Codes, 87508 - Animal Control Equipment: Catching Poles, Muzzles, Restrainers, Shockers, etc.; 49510 - Animal Cages and Supplies, Including Litter, Laboratory; and 32508 - Bedding, All Types, yielded the following certified local small business enterprise firm:

- Pin Pan Pun, Inc.

This SBE is not qualified under this pool. It is unknown whether this vendor is able to provide the goods this pool requires.

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=PTIIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

Resolution No. 511-14, adopted June 3, 2014, established prequalification pool *Contract 9797-1/24, animal care services*, in a total amount up to \$1,940,000 for purchase of goods and services.

<http://intra/gia/matter.asp?matter=140767&file=true&yearFolder=Y2014>

Resolution No. R-970-16, adopted November 1, 2016, authorized additional expenditure authority in a total amount up to \$310,000 for *Prequalification Pool No. 9797-1/24* for purchase of pet supplies for various county departments.

<http://intra/gia/matter.asp?matter=162019&file=true&yearFolder=Y2016>

**PRCA Committee Meeting:
October 18, 2019
Research Notes**

Item No. 3D
File No. 192369

Researcher: JFP Reviewer: IL

Resolution R-137-19, adopted February 5, 2019, authorized ratification of an emergency purchase of pet supplies for the Animal Services Department in a total amount of \$425,000.

<http://intra/gia/matter.asp?matter=182740&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-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 nonlocal 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 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>