



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

Health Care and County Operations (HCCO)
Committee Meeting

March 12, 2020
9:30 A.M.
Commission Chambers

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**HCCO Committee Meeting:
March 12, 2020
Research Notes**

Item No. 3C
File No. 200365

Researcher: MF Reviewer: PGE

RESOLUTION APPROVING ADDITIONAL EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP TO \$600,000 FOR PREQUALIFICATION POOL NO. RTQ-00837 PURCHASE, MAINTENANCE, AND REPAIR OF PHYSICAL FITNESS EQUIPMENT FOR MULTIPLE DEPARTMENTS

ISSUE/REQUESTED ACTION

Whether the Board should authorize the approval of additional expenditure of up to \$600,000 for *Prequalification Pool No. RTQ-00837* for the purchase, maintenance, and repair of physical fitness equipment for the Fire Rescue and Parks, Recreation and Open Spaces departments.

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department (ISD)

There is no procedural history for this item currently.

ANALYSIS

The purpose of this item is to approve increased spending of \$600,000 under *Prequalification Pool No. RTQ-00837* to enable the Fire Rescue Department (MDFR) and the Parks, Recreation and Open Spaces Department (PROS) to continue to purchase, repair and maintain physical fitness equipment. This pool was established under the County Mayor's delegated authority for \$870,000 for a four-year term for use by multiple County departments. There are two groups under the pool: Group 1 is for purchase of equipment and Group 2 is for repair and maintenance services.

The gym equipment covered under the pool's scope of work includes, but is not limited to, ellipticals, treadmills, weight training, bicycles, ab reformers, benches, bars and handles, rowers and climbers. The pool has an effective date of September 1, 2018 and expires on August 31, 2022. There is an SBE set-aside that applies to this pool, authorizing spot market competitions up to \$100,000 where there are three or more SBE-certified firms available. However, the pool's four prequalified vendors are not certified SBEs. None of the prequalified vendors have a local principal address.

MDFR is requesting increased spending of \$300,000 through the remainder of the pool term to purchase equipment for new fire stations as well as to replace equipment that is beyond economic repair. PROS' justification for its requested increase of \$300,000 is to cover the cost of its preventative maintenance plan, purchase equipment for new community centers and repay the Corrections and Rehabilitation Department for a \$100,000 loan.

The current pool has a cumulative value of \$870,000. With the approval of this request, the modified cumulative value will increase by \$600,000 to \$1,470,000. OCA performed a review of the Bid Tracking System (BTS) on March 11, 2020. According to the information found on BTS, of the \$870,000 allocated to this pool, a total of \$349,615.09 has been released, leaving a balance of \$520,384.91.

Table 1 below shows the expenditure designations and associated commission districts for this modification request.

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Table 1

| Department | Primary Use Designation | Commission District |
|--|--|----------------------------|
| Miami-Dade Fire Rescue (MDFR) | New Fire Station Nos. 18, 29 & 68 (and Countywide fire stations) | All |
| Parks, Recreation and Open Spaces (PROS) | Fitness Center at North Pointe Community Center (7351 NW 186 St., Hialeah) | District 1 |
| | Father Gerard Jean-Juste Community Center at Oak Grove Park (690 NE 159 St.) | District 2 |
| | Arcola Lakes Senior Center (8401 NW 14 Ave.) | District 2 |
| | Goulds Park (11350 SW 216 St.) | District 9 |
| | Gwen Cherry Park (7090 NW 22 Ave.) | District 2 |

OCA performed a search for commodity code 93111 (Athletic and Sporting Goods Equipment and Access), 90917 (Athletic Facility Maintenance and Repair), and 96701 (Athletic, Sporting, Recreational, Fishing, Hunting, and Camping Equipment Manufacturing Services) on the Business Management Workforce System's Certified Vendor Directory on March 6 and 11, 2020. Listed below are the local SBEs identified:

- The Player's Connection of Florida, LLC Hialeah, FL SBE-G&S
- Ballpark Maintenance, Inc. Miami, FL SBE-G&S
- Blue Home Builders Corp., dba BH Builders Medley, FL SBE-G&S
- Howard Seal Coating & Land Clearing, Inc. Miami, FL SBE-G&S
- McCourt Construction Inc. Miami, FL SBE-G&S

Whether these SBEs have the capacity to participate in the pool is beyond the scope of this research note.

OCA performed due diligence on the prequalified vendors on March 9 and 10, 2020; the results are shown below.

| Awarded Firm(s) | Corporate Registration | Tax Collectors Office | Florida DBPR | Westlaw |
|--|--|------------------------------|---------------------|-------------------|
| Coastal Fitness Discount Cardio and Training, Inc. | Florida Profit Corporation Active Principal Address: 1900 Okeechobee Blvd. #A-10 West Palm Beach, FL Filed: June 8, 1999 | No account on file | No account on file | No relevant cases |

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|------------------------------|--|--|--------------------|--|--|
| Gym Source USA, LLC | <p>Foreign Limited Liability Company</p> <p>Active in New Jersey via the NJ Division of Revenue and Enterprise Services</p> <p>Inactive in Miami-Dade County (Revoked Sept. 27, 2019 for annual report)</p> <p>Principal Address: 100 Central Ave. Teterboro, NJ</p> <p>Filed in Miami-Dade: December 3, 2013</p> <p>Filed in NJ: December 4, 2013</p> | <p>Business Address: 9410 S. Dixie Highway Miami, FL</p> <p>Status: Paid and Current</p> | No account on file | No relevant cases | |
| ProMAXima Manufacturing, LLC | No account on file | No account on file | No account on file | <p><i>Anderson et al v. ProMAXima Manufacutring, Ltd.</i> Case No. 8:19-CV-00066 filed in U.S. District Court, District of Nebraska on February 11, 2019. Allegation: Plaintiff's daughter sustained severe injuries when the leg press plates of the defendant's defectively manufactured hip sled gave way and collapsed upon her as she was sitting down on the machine in the inverted leg press position. Case status: A pretrial conference will be held with the magistrate judge on April 3, 2020.</p> | |

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|--|--|--------------------|--------------------|----------------|
| Wellway Exercise Sales & Service Corporation | Florida Profit Corporation Active Principal Address: 7540 W. McNab Rd #E-5 N. Lauderdale, FL Filed: April 24, 1995 | No account on file | No account on file | No cases found |
|--|--|--------------------|--------------------|----------------|

ADDITIONAL INFORMATION

Based on information found on the vendors' websites (excepting one vendor) on March 10, 2020, below is a synopsis of each.

- ❖ Coastal Fitness Discount Cardio and Training, Inc. – The company was established approximately 20 years ago and provides residential and commercial fitness equipment.
<http://www.coastalfitness.com/>
- ❖ Gym Source USA, LLC – The company provides retail sales of fitness equipment and products for both residential and commercial. <https://www.gymsource.com/>
- ❖ ProMAXima Manufacturing, LLC – The company offers a variety of fitness equipment, serving high schools, colleges and universities, gyms, apartments, hotels and the public sector. <https://www.promaxima.com/>
- ❖ Wellway Exercise Sales & Service Corporation – No company website was found after conducting online searches on six separate search engines – Google, Yahoo, Bing, Lycos, Dogpile and DuckDuckGo. According to YellowPages.com, the company has been in operation for 23 years.
<https://www.yellowpages.com/north-lauderdale-fl/mip/wellway-exercise-7887884>

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

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.miamidadade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

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Resolution No. R-828-19, adopted July 23, 2019, established a County policy for disclosure of past and present discrimination lawsuits in solicitation submissions; requiring the following: 1) implementing a policy of disclosure of discrimination lawsuits; 2) requiring in competitive and non-competitive solicitation documents the disclosure of lawsuits that include allegations of discrimination and dispositions of such lawsuits for a 10-year period through the date of the solicitation or non-competitive award recommendation; and 3) provide a report to the Board.

<http://www.miamidade.gov/govaction/matter.asp?matter=190936&file=true&fileAnalysis=false&yearFolder=Y2019>

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

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

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

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