

# Memorandum



**Date:** July 8, 2021

**To:** Honorable Chairman Jose "Pepe" Diaz  
and Members, Board of County Commissioners

Agenda Item No. 8(F)(7)

**From:** Daniella Levine Cava  
Mayor

A handwritten signature in blue ink that reads "Daniella Levine Cava". The signature is written in a cursive, flowing style.

**Subject:** Recommendation for Approval of a Designated Purchase under Contract No. EPP-RFP613 -6(6), Ballot Order Tracking System

## Recommendation

It is recommended that the Board of County Commissioners authorize this request for a designated purchase under *Contract No. EPP-RFP613-6(6), Ballot Order Tracking System* for the Elections Department (Elections). Approval of the designated purchase is being requested, pursuant to Section 2-8.1(b)(3) of the Miami-Dade County Code, by a two-thirds vote of the Board members present, to authorize additional expenditure authority in the amount of \$456,000 to continue purchasing maintenance and support services, and supplies for the Ballot Order Tracking System.

The County awarded this competitively established contract on May 16, 2008 under delegated authority for a three-year term with six, two-year option to renew terms to Wireless Data Systems, Inc. for their TopShelf-WMS and TopMobile applications. The Board subsequently approved additional expenditure authority in the amount of \$315,872 through Resolution No. R-568-16. Additional expenditure authority of \$351,018 was also approved under delegated authority. The contract is currently in the final option to renew term. Elections uses this contract to purchase ballot order tracking software, maintenance and support services, and associated supplies.

To comply with Florida Statutes, it was necessary for Elections to invest in a system that would give them the ability to track the deployment of equipment and supplies. In order to conduct a successful election, there are many background processes that need to be implemented. Currently, there are over 875 precincts with over 1.6 million registered voters in Miami-Dade County. Elections has the responsibility of coordinating the distribution of all equipment and supplies to each precinct throughout the County, which includes, but is not limited to: DS200 (used to scan ballots), EVID Stations (used to check in voters), Express Vote machines (used for individuals with disabilities), USB flash drives, scanners, MiFi (used for wireless connection of EVID stations), signature pads, and ballots.

The TopShelf WMS and TopMobile applications ensure the probability of a successful election through inventory management, organizing field operations and equipment pickup, and secure media returns. It safeguards the physical security and accuracy of the process through technology, which guides the users through a series of checks and balances to ensure steps and assets are not overlooked. It gives Elections the ability to know where their assets and ballots are at all times.

Additional expenditure authority is requested to fund the current, final option to renew period, inclusive of maintenance and support services, and associated supplies. Throughout the term of the contract, Elections has purchased additional professional services, modules, and supplies in an effort to meet demand and assure compliance with all applicable laws. It is in the County's best interest to approve this request to ensure Elections has sufficient expenditure authority to continue purchasing maintenance and support services which will ensure compliance with State requirements for an efficient and fair elections process.

Competition is not practicable at this time because the additional allocation requested will be utilized to obtain services already being provided by Wireless Data Systems, Inc. Additionally, the system is a proprietary application, developed and customized by Wireless Data Systems, Inc. to meet the specific operational requirements of Elections. Accordingly, it is in the County’s best interest to award this designated purchase pursuant to Section 2-8.1(b)(3) of the County Code to ensure continuity of services.

**Scope**

The impact of this item is countywide in nature.

**Delegated Authority**

The County Mayor or the County Mayor’s designee will have the authority to exercise all provisions of the contract, including any cancellation or extensions, pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38.

**Fiscal Impact/Funding Source**

The contract term expires on May 13, 2022. The contract has a current cumulative allocation of \$1,640,740. If this request for \$456,000 is approved, the contract will have a modified cumulative allocation of \$2,096,740. The requested increase in expenditure authority is based on the negotiated fees for maintenance and support services for the final option to renew period.

Department	Existing Cumulative Allocation	Additional Allocation Requested	Modified Cumulative Allocation	Funding Source	Contract Manager
Elections	\$1,640,740	\$456,000	\$2,096,740	General Fund	Jose Ponce
<b>Total:</b>	<b>\$1,640,740</b>	<b>\$456,000</b>	<b>\$2,096,740</b>		

**Track Record/Monitor**

Sade Chaney of the Internal Services Department is the Procurement Contracting Manager.

**Awarded Vendor**


Vendor	Principal Address	Local Address	Principal
Wireless Data Systems, Inc.	20423 State Road 7 F6-6182 Boca Raton, FL	None	P. D. Whitt

**Due Diligence**

Pursuant to Resolution No. R-187-12, due diligence was conducted in accordance with the Internal Services Department’s Procurement Guidelines to determine contractor responsibility, including verifying corporate status and review of performance and compliance issues through various vendor responsibility lists and a keyword internet search. The lists referenced include convicted vendors, debarred vendors, delinquent contractors, suspended vendors, and federal excluded parties. There were no adverse findings relating to contractor responsibility.

**Applicable Ordinances and Contract Measures**

- The two percent User Access Program provision applies where permitted by the funding source.
- The Small Business Enterprise Selection Factor and Local Preference do not apply.
- The Living Wage does not apply.


  
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 Jimmy Morales  
 Chief Operations Officer



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairman Jose "Pepe" Diaz  
and Members, Board of County Commissioners

**DATE:** July 8, 2021

**FROM:**   
Gen Bonzon-Keenan  
County Attorney

**SUBJECT:** Agenda Item No. 8(F)(7)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's present , 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 8(F)(7)  
7-8-21

RESOLUTION NO. \_\_\_\_\_

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 ADDITIONAL EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP TO \$456,000.00 FOR THE FINAL OPTION TO RENEW TERM FOR A TOTAL MODIFIED CONTRACT AWARD OF \$2,096,740.00 FOR CONTRACT NO. EPP-RFP-613-6(6) FOR THE PURCHASE OF BALLOT ORDER TRACKING SYSTEM FOR THE ELECTIONS DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION OR EXTENSIONS, PURSUANT TO COUNTY CODE SECTION 2-8.1 AND IMPLEMENTING ORDER 3-38

**WHEREAS**, this Board desires to accomplish the purpose outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that:

**Section 1.** This Board authorizes additional expenditure authority in a total amount up to \$456,000.00 for the final option to renew term for a total modified contract award of \$2,096,740.00 for Contract No. EPP-RFP-613-6(6) for the purchase of ballot order tracking system for the Elections Department, pursuant to Section 2-8.1(b)(3) of the Code of Miami-Dade County, by a two-thirds vote of the Board members present. Copies of the contract documents are on file with and available upon request from the Internal Services Department, Strategic Procurement Division.

**Section 2.** This Board authorizes the County Mayor or County Mayor’s designee to exercise all provisions of such contract, including any cancellation and extensions, pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38. A copy of the contract is on file with and available upon request from the Internal Services Department, Strategic Procurement Division.

The foregoing resolution was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Jose “Pepe” Diaz, Chairman	
Oliver G. Gilbert, III, Vice-Chairman	
Sen. René García	Keon Hardemon
Sally A. Heyman	Danielle Cohen Higgins
Eileen Higgins	Joe A. Martinez
Kionne L. McGhee	Jean Monestime
Raquel A. Regalado	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared this resolution duly passed and adopted this 8<sup>th</sup> day of July, 2021. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.



Oren Rosenthal