

# Memorandum



**Date:** December 1, 2021

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

**From:** Daniella Levine Cava  
Mayor *Daniella Levine Cava*

**Subject:** Recommendation for Approval of a Designated Purchase under Contract No. RFP-01385, Seaweed Removal and Mechanical Beach Cleaning

Agenda Item No. 8(F)(2)

## Recommendation

It is recommended that the Board of County Commissioners authorize this request for a designated purchase under *Contract No. RFP-01385, Seaweed Removal and Mechanical Beach Cleaning*, for the Parks, Recreation and Open Spaces Department. The additional expenditure authority is needed to expand services in Miami Beach from 26 Street south to 22 Street on a more frequent basis. Tides, current, and locations where seaweed is deposited are challenging to predict. The Department did not anticipate that the Beach Renourishment Project would contribute to this being a continual hot spot when requesting the award or previous modification under delegated authority.

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 total amount of \$4,295,000, consisting of \$665,000 for the first option to renew term, \$1,186,080 for the second option to renew term, \$1,209,780 for the third option to renew term, and \$1,233,960 for the fourth option to renew term to expand seaweed removal and beach cleaning services on Miami Beach.

The Board awarded this competitively established contract on April 7, 2020, through Resolution No. R-301-20 for a one-year term with four, one-year options to renew. The contract was subsequently modified under delegated authority.

The County currently provides mechanical beach cleaning, seaweed collection, removal, and disposal services at the following beaches: Government Cut Jetty North; Miami Beach break waters from approximately 26 Street to 32 Street; and Bal Harbour at Haulover Cut Jetty North (Haulover Park) and Haulover Cut Jetty South. The U.S. Army Corp of Engineers completed a Beach Renourishment Project that included areas in Miami Beach between 24 Street and 26 Street which unexpectedly shifted seaweed accumulation to this area. This additional seaweed accumulation resulted in several public inquiries as to why the other portions of the beach were being mitigated with more frequency. The portion of the beach that is regularly affected was not included in the original solicitation since it was only being affected on a seasonal basis.

Competition is not practicable at this time as the timely removal of seaweed is paramount and having potentially multiple vendors provide services on the same strip of land could lead to inconsistencies in the process of seaweed removal and beach cleaning services resulting in varied appearance for beachgoers. Accordingly, it is in the County's best interest to approve this designated purchase pursuant to Section 2-8.1(b)(3) of the County Code to continue to purchase seaweed removal and beach cleaning services. Pursuant to Resolution No. R-391-17, while competition is not feasible, the contract contains all current Board mandated terms.

**Scope**

Bal Harbour, Haulover Park and Miami Beach are located in Commission Districts 4 and 5, which are represented by Commissioner Sally A. Heyman and Commissioner Eileen Higgins.

**Delegated Authority**

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

**Fiscal Impact/Funding Source**

The current option to renew term expires on April 30, 2022. The contract has a current cumulative allocation of \$5,840,000. The three one-year options to renew remaining were approved by the Board for \$8,692,380 through Resolution No. R-301-20; therefore, the existing cumulative value of the contract is \$14,532,380. If this request is approved, the contract will have a modified cumulative allocation of \$18,827,380. The requested increase in expenditure authority is based on anticipated usage throughout the remainder of contract.

Department	Existing Cumulative Allocation	Additional Allocation Requested for First OTR and Future OTR Terms	Modified Cumulative Allocation	Funding Source	Contract Manager
Parks, Recreation and Open Spaces	\$14,532,380	\$4,295,000*	\$18,827,380	General Fund/Tourist Taxes	Fernando Robreno
<b>Total:</b>	<b>\$14,532,380</b>	<b>\$4,295,000</b>	<b>\$18,827,380</b>		

\*Note: this amount includes allocation for the current OTR term, as well as all future OTRs.

**Track Record/Monitor**

Jessica Tyrrell of the Internal Services Department is the Procurement Contracting Manager.

**Awarded Vendor**

Vendor	Principal Address	Local Address	Principal
Beach Raker, LLC	220 NE 13 Street Pompano Beach, FL	None	Steven M. Sterneck

**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 funding source.
- The Small Business Enterprise Selection Factor and Local Preference were applied at contract award but did not affect the outcome.

- The Living Wage does not apply, as this is not a covered service under the Living Wage Ordinance.



Jimmy Morales  
Chief Operations Officer



**MEMORANDUM**  
(Revised)

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

**DATE:** December 1, 2021

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

**SUBJECT:** Agenda Item No. 8(F)(2)

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)(2)  
12-1-21

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 AN AMOUNT UP TO \$4,295,000.00, CONSISTING OF \$665,000.00 FOR THE FIRST OPTION TO RENEW TERM AND \$3,630,000.00 FOR THE REMAINING OPTIONS TO RENEW FOR A MODIFIED CONTRACT AMOUNT OF \$18,827,380.00 FOR CONTRACT NO. RFP-01385 FOR THE PURCHASE OF SEAWEED REMOVAL AND MECHANICAL BEACH CLEANING FOR THE PARKS, RECREATION AND OPEN SPACES DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY RENEWALS, EXTENSIONS OR CANCELLATION, PURSUANT TO COUNTY CODE SECTION 2-8

**WHEREAS**, this Board desires to accomplish the purposes 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 finds it is in the best interest of Miami-Dade County to authorize additional expenditure authority in an amount up to \$4,295,000.00, consisting of \$665,000.00 for the first option to renew term and \$3,630,000.00 for the remaining options to renew for a modified contract amount of \$18,827,380.00 for Contract No. RFP-01385 for the purchase of seaweed removal and mechanical beach cleaning for the Parks, Recreation and Open Spaces 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.

**Section 2.** This Board authorizes the County Mayor or County Mayor’s designee to exercise all provisions of the contract, including any renewals, cancellation or extension provisions, pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38.

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 1<sup>st</sup> day of December, 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