

Memorandum



Date: May 3, 2022

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 to Authorize Exercising Four Renewal Terms and Additional Expenditure Authority to Contract No. EPP-RFP701B-2(6), WASD Hydraulic Water & Wastewater Modeling Software

Agenda Item No. 8(F)(8)

Recommendation

It is recommended that the Board of County Commissioners (Board) approve this request for a designated purchase under *Contract No. EPP-RFP701B-2(6), WASD Hydraulic Water & Wastewater Modeling Software*, for the Miami-Dade Water and Sewer Department. Approval of a designated purchase is being requested, by a two-thirds vote of the Board members present, pursuant to Section 2-8.1(b)(3) of the Miami-Dade County Code to authorize additional expenditure authority to Innovyze, Inc. (Innovyze) in the total amount of \$539,148 to exercise the remaining four, one-year option to renew terms. The Small Business Enterprise (SBE) Selection Factor and Local Preference do not apply. There were seven SBE certified firms in this commodity code; however, none responded as able to meet the project requirements.

Board approval is required because the value of the option to renew terms exceeds delegated authority and the prior Board item, authorized the first two option to renew terms through Resolution No. R-475-20. This contract was awarded under delegated authority to purchase computer-modeling software licenses and upgrades to the County’s existing software from Innovyze. The contract was established with an allocation of \$249,000 for the initial one-year term, with six, one-year option to renew terms.

Background

This modeling software is used to conduct hydrologic and hydraulic analyses of the County’s water and wastewater collection and transmission system as required by County ordinance, Water and Sewer standards and a Consent Decree with the Environmental Protection Agency. These models are utilized on a daily basis for the evaluation of water and wastewater capacities of the distribution, transmission, and collection systems, new developer connections, system improvements and master planning alternative analyses to meet projected growth in the County.

Competition is not practicable at this time because it would require the replacement of the existing system and may cause an interruption in the calibration that is being used to meet the Consent Decree requirements. The software is proprietary, and only Innovyze can perform the necessary software maintenance and support services. 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 exercise the remaining four, one-year option to renew terms, as it will provide Water and Sewer with ongoing maintenance and technical support services for the software to ensure there is no lapse in service delivery.

Scope

The impact of this item is countywide in nature.

Delegated Authority

If this item is approved, the County Mayor or the County Mayor’s designee will have the authority to exercise all provisions of the contract, including any cancellation, renewal or extension provisions, pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38.

Fiscal Impact/Funding Source

The contract term expires on June 30, 2022 and has a current cumulative allocation of \$1,033,976. If this request is approved, the contract will have a modified cumulative allocation of \$1,573,124 and will expire on June 30, 2026. The additional expenditure for this year was approved by the Board as part of the fiscal year 2021-22 County budget.

Department	Existing Cumulative Allocation	Additional Allocation Requested for the Remaining Options to Renew	Modified Cumulative Allocation	Funding Source	Contract Manager
Water and Sewer	\$1,033,976	\$539,148	\$1,573,124	Proprietary Funds	Fred Taylor
Total:	\$1,033,976	\$539,148	\$1,573,124		

Track Record/Monitor

Lydia Osborne of the Internal Services Department is the Strategic Procurement Division Director.

Awarded Vendor

Vendor	Principal Address	Local Address	Principal
Innovyze, LLC	111 McInnis Parkway San Rafael, CA	None	Mike Pak

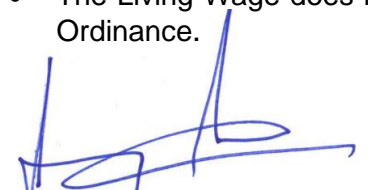
Due Diligence

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. 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.

Pursuant to Resolution No. R-98-12, staff contacted the vendor to negotiate a reduction in pricing for the remaining option to renew terms. The vendor indicated there are no additional discounts available to the County at this time.

Applicable Ordinances and Contract Measures

- The two percent User Access Program provision applies.
- The Small Business Enterprise Selection Factor and Local Preference do not apply.
- The Living Wage does not apply as the services to be procured are not covered services under the Ordinance.



Jimmy Morales
 Chief Operations Officer



MEMORANDUM
(Revised)

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

DATE: May 3, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

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

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)(8)
5-3-22

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 TO INNOVYZE, INC. IN AN AMOUNT UP TO \$539,148.00 FOR THE REMAINING FOUR, ONE-YEAR OPTION TO RENEW TERMS FOR A MODIFIED CONTRACT AMOUNT OF \$1,573,124.00 FOR CONTRACT NO. EPP-RFP701B-2(6) FOR THE PURCHASE OF WASD HYDRAULIC WATER AND WASTEWATER MODELING SOFTWARE FOR THE MIAMI-DADE WATER AND SEWER DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY RENEWAL, EXTENSION OR CANCELLATION PROVISIONS, PURSUANT TO COUNTY CODE SECTION 2-8.1 AND IMPLEMENTING ORDER 3-38

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 approve a designated purchase in an amount not to exceed \$539,148.00 for a total contract amount of \$1,573,124.00 for the Miami-Dade Water and Sewer 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 to Innovyze, Inc. under Contract No. EPP-RFP701B-2(6).

Section 2. This Board authorizes additional expenditure authority under the Contract for the purchase WASD Hydraulic Water and Wastewater Modeling Software in an amount not to exceed \$539,148.00 for the Miami-Dade Water and Sewer Department, as set forth in the incorporated memorandum.

Section 3. This Board authorizes the County Mayor or County Mayor’s designee to exercise all provisions of the contract, including any renewal, cancellation or extension provisions, pursuant to section 2-8.1 of the County Code and Implementing Order 3-38. Copies of the contract documents are 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 3rd day of May, 2022. 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.

OR

Oren Rosenthal