

# MEMORANDUM

Agenda Item No. 11(A)(6)

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

**DATE:** July 7, 2022

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

**SUBJECT:** Resolution directing the  
County Mayor to negotiate  
and execute an agreement  
with Rustech International  
for a pilot project or product  
demonstration relating to the  
application of Rustech's  
technology within the County  
asset pool in accordance with  
Implementing Order 3-38 and  
to provide a report

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Joe A. Martinez.

  
Geri Bonzon-Keenan  
County Attorney

GBK/ks




# MEMORANDUM

(Revised)

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

**DATE:** July 7, 2022

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

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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. 11(A)(6)  
7-7-22

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

RESOLUTION DIRECTING THE COUNTY MAYOR TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH RUSTECH INTERNATIONAL FOR A PILOT PROJECT OR PRODUCT DEMONSTRATION RELATING TO THE APPLICATION OF RUSTECH'S TECHNOLOGY WITHIN THE COUNTY ASSET POOL IN ACCORDANCE WITH IMPLEMENTING ORDER 3-38 AND TO PROVIDE A REPORT

**WHEREAS**, Implementing Order 3-38 authorizes the County Mayor to enter into pilot projects and product demonstration agreements with prospective County vendors for the purpose of testing and evaluating technology, products, and services; and

**WHEREAS**, such agreements must: (1) be for a period not to exceed 12 months from the initiation of the pilot project or demonstration; (2) be provided at no cost to the County with the exception of any ordinary cost for County employees or consultants to review such technology, products, or services; (3) not contain any exclusive dealing, in-kind or advertising commitments by the County; (4) provide for indemnification of the County; (5) provide for County ownership of any data generated during the testing and observation period; and (6) be terminable at will by the County; and

**WHEREAS**, Miami-Dade County is committed to understanding, evaluating, and implementing innovative technologies, emerging products, and efficient services to modernize the County's various systems and services to the public; and

**WHEREAS**, vendors frequently offer their innovative processes, products, and services at no charge to the County on a trial basis; and

**WHEREAS**, Rustech International (“Rustech”) is a U.S.-based company that has developed a smart anticorrosive technology that, when applied to any kind of metallic surface, treats and halts the corrosion process; and

**WHEREAS**, Rustech’s device, which works under water and in the most extreme weather conditions, saturates the surface of any metal alloy with electron fields that inhibit the electrochemical reaction that results in rust, protecting both the surface and interior of the alloy it is protecting; and

**WHEREAS**, Rustech’s device could have broad application within the County’s asset pool, including offering protection to police and emergency vehicles, public transportation vehicles (including rail cars), solid waste vehicles, Seaport infrastructure (e.g., bulkheads and mooring bollards), and many other applications; and

**WHEREAS**, this Board desires for the County administration to test and observe the products and services offered by Rustech on a short-term basis in accordance with Implementing Order 3-38 to determine whether its products and services would be beneficial to the County,

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

**Section 1.** Adopts as true and correct and incorporates herein the foregoing recitals.

**Section 2.** Directs the County Mayor to negotiate and, if successful, execute an agreement with Rustech for a pilot project or product demonstration relating to the application of Rustech’s technology within the County’s asset pool. The terms of the agreement shall be in accordance with the requirements for pilot projects and product demonstration agreements provided in Implementing Order 3-38 and, accordingly, such agreement may not serve as a basis for any non-competitive purchase other than a bid waiver or sole source purchase and may not serve as the sole basis of the public interest justification of any bid waiver.

**Section 3.** Directs the County Mayor to provide a report to the Board within 60 days after the term of any pilot project or product demonstration agreement has concluded describing the results of the pilot project or product demonstration and any relevant recommendations. However, if no agreement can be negotiated under terms agreeable to the County, then the County Mayor shall provide a report to the Board within 30 days after the conclusion of negotiations describing why an agreement could not be reached. Any report prepared under this section shall be placed on an agenda of the full Board without committee review pursuant to Ordinance No. 14-65.

The Prime Sponsor of the foregoing resolution is Commissioner Joe A. Martinez. It 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 7<sup>th</sup> day of July, 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.

MAG

Miguel A. Gonzalez