

# MEMORANDUM

Agenda Item No. 8(F)(2)

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

**DATE:** September 1, 2022

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

**SUBJECT:** 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 \$1,711,200.00 to Carbyne, Inc. for a total modified contract award of \$1,961,200.00 for contract No. SS-10158 for the purchase of Carbyne C-Live Universe for the Miami-Dade Police Department; and authorizing the County Mayor to exercise all provisions of the contract, including any cancellation, renewals or extension provisions, pursuant to County Code section 2-8.1 and Implementing Order 3-38


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

  
Geri Bonzon-Keenan  
County Attorney

GBK/ks

**Date:** September 1, 2022

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

**From:** Daniella Levine Cava  
Mayor 

**Subject:** Recommendation for Approval of a Designated Purchase under Contract No. SS-10158,  
Carbyne c-Live Universe

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## **Summary**

This item is for the approval of a designated purchase to authorize the Miami-Dade Police Department to exercise the two, one-year option to renew terms available under the contract. This sole source contract is awarded to Carbyne, Inc. for the provision of the Video-to-911 platform, which enables dispatchers and first responders to more timely and accurately respond to emergency calls and has proven to save lives. This contract is necessary to ensure continuity of these critical services while allowing the County sufficient time to do research to determine if products and services can be procured through a competitive solicitation. The Small Business Enterprise measures and local preference are not applicable to this sole source contract.

## **Recommendation**

It is recommended that the Board of County Commissioners (Board) authorize this request for a designated purchase under *Contract No. SS-10158, Carbyne c-Live Universe*, for the Miami-Dade Police Department (MDPD) to continue using the Video-to-911 platform provided by Carbyne, Inc. Approval of a designated purchase, by a two-thirds vote of the Board members present, is being requested pursuant to Section 2-8.1(b)(3) of the Miami-Dade County Code to authorize additional expenditure authority in the amount of \$1,711,200 to exercise the two, one-year option to renew terms.

## **Background**

Through Resolution No. R-614-21, the Board approved a short-term pilot program (Pilot) with Carbyne, Inc. (Carbyne) to evaluate the benefits of Carbyne’s Video-to-911 Platform. The Pilot ran from August 18, 2021 to September 17, 2021, potentially saved at least six lives in calls to 911 due to the additional situational awareness Carbyne’s technology provided. The Pilot involved an estimated 90 hours of County administrative coordination, over 70 hours of Carbyne professional services support, the development of policies and standard operating procedures for deployment, and the training of more than 120 County employees. Subsequently, this contract, Contract No. SS-10158, was awarded under delegated authority, as it provided MDPD with the ability to continue the use of the Video-to-911 Platform, and utilize certain features that were not available during the Pilot.

Carbyne’s proprietary solution promotes life safety of the County’s residents, visitors, first responders, and law enforcement through an efficient platform that bridges the gap between current levels of service and next generation 911. Specifically, the solution enables dispatchers and first responders to have unprecedented, real-time, situational awareness, accurate location data, and multi-modal means of communication with callers thereby empowering the community and expanding the public’s access to a timely and accurate emergency response, whether the call-taker can communicate audibly or not, and regardless of the language they speak. Thus, this solution ensures that the dispatcher deploys the right personnel and ensures first responders will be prepared for what they will face as they arrive to the scene, while giving them the ability to respond quicker to the incident.

A Request for Information (RFI) No. 02270, Video-To-911 was released to determine if there are any additional vendors that provide this type of platform. Based on responses to the RFI, two additional vendors, Intrado Life & Safety Corporation and RapidSOS, provide a similar platform and functionality. Additional research and product demonstrations will be needed to determine if these platforms will be a

viable solution for MDPD. Thus, this designated purchase for MDPD would facilitate the ongoing use of Carbyne’s technology, while allowing sufficient time to determine if the products and services under this agreement can be awarded through a competitive solicitation.

Competition is not practicable at this time because MDPD, in conjunction with the Information Technology Department will need sufficient time to review functionality from the other two vendors, draft, advertise, evaluate and award a competitive solicitation for a long-term contract, if competition exists. Further, the proprietary nature of Carbyne’s solution, as well as the criticality of the continuation of these services, makes competition impracticable

Accordingly, it is in the County’s best interest to approve this designated purchase pursuant to 2-8.1(b)(3) of the County Code to continue purchasing Carbyne’s services until a competitive solicitation can be established.

**Scope**

The scope of this item is countywide in nature.

**Fiscal Impact/Funding Source**

The contract term expires on September 30, 2022 and is currently valued at \$250,000 for a five-month term. If this request is approved, the contract will have a modified cumulative allocation of \$1,961,200 and will expire on September 30, 2024.

Department	Existing Cumulative Allocation	Additional Allocation Requested	Modified Cumulative Allocation	Funding Source	Contract Manager
Police	\$250,000	\$1,711,200	\$1,961,200	911 Funds	Chris Carothers
<b>Total:</b>	<b>\$250,000</b>	<b>\$1,711,200</b>	<b>\$1,961,200</b>		

**Track Record/Monitor**

Dr. Lydia Osborne of the Internal Services Department is the Procurement Contracting Manager.

**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, renewals, or extension provisions, pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38.

**Awarded Vendor**

Vendor	Principal Address	Local Address	Principal
Carbyne, Inc.	276 5 Avenue Suite 402 New York, NY	None	Amir Elichai

**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.

Honorable Chairman Jose "Pepe" Diaz  
and Members, Board of County Commissioners  
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**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 to this sole source contract.
- The Living Wage does not apply as this contract is not for the purchase of services.



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Alfredo "Freddy" Ramirez III  
Interim Chief Public Safety Officer



**MEMORANDUM**  
(Revised)

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

**DATE:** September 1, 2022

**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)  
9-1-22

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 IN A TOTAL AMOUNT UP TO \$1,711,200.00 TO CARBYNE, INC. FOR A TOTAL MODIFIED CONTRACT AWARD OF \$1,961,200.00 FOR CONTRACT NO. SS-10158 FOR THE PURCHASE OF CARBYNE C-LIVE UNIVERSE FOR THE MIAMI-DADE POLICE DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION, RENEWALS OR EXTENSION PROVISIONS, 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 finds it is in the best interest of Miami-Dade County to approve a designated purchase in a total amount up to \$1,711,200.00 for a total modified contract amount of \$1,961,200.00 for the Miami-Dade Police 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 Carbyne, Inc. under Contract No. SS-10158.

**Section 2.** This Board authorizes additional expenditure authority under the Contract for the purchase of Carbyne C-Live Universe in an amount not to exceed \$1,711,200.00 for the Miami-Dade Police 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 cancellation, renewals, 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 1<sup>st</sup> day of September, 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.

MBV

Michael B. Valdes