

Date: September 1, 2022

Agenda Item No. 8(F)(16)

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

From: Daniella Levine Cava
Mayor 

Subject: Recommendation for Approval to Establish a Prequalification Pool for Petroleum Products

Summary

This item establishes a prequalification pool for the purchase of various types of petroleum products to be used by multiple County departments for their daily operational needs. There are over 260 types of these petroleum products including but not limited to motor oils, coolants, automotive and industrial fluids, greases, diesel exhaust fluids and lubricants, which are purchased for the various types of automobiles, transit buses, trucks, heavy equipment, industrial equipment, and police and fire rescue helicopters. As the new vehicles are included in the County fleet, additional petroleum products are continuously added in order to meet new emissions and other regulatory requirements, to maintain warranties, to ensure life expectancy of the vehicles and equipment, and to ensure they are operated and maintained safely and in accordance with manufacturer's specifications.

It's important to note, to achieve economies of scale savings, petroleum products purchased in bulk or in large quantities used by multiple departments will be solicited on a yearly basis, and smaller quantities or specialized petroleum products subject to price volatility will be solicited on an as needed basis by departments, reducing inventory costs and achieving competitive pricing.

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the establishment of a prequalification pool, *RTQ-02111, Petroleum Products* for multiple County departments in the total amount of \$10,926,000 for a five-year term. The Small Business Enterprise (SBE) measures will be determined prior to the advertisement of each spot market competition, pursuant to the Small Business Development Division Review, and will be applied where permitted by the funding source. To track pool expenditures by vendor, bidding under this and other prequalification pools will gradually be conducted and monitored in a single platform, *INFORMS*, which will allow staff to provide data reports to the Board, as requested.

The pool will remain open to allow additional vendors to participate for future competitive bidding on the various types of aforementioned petroleum products in various container sizes and multiple weights. Six vendors are being recommended for inclusion in the pool, of which three are local and none SBE firms.

The current pool, 8318-5/17-5, Various Petroleum Products was established by the Board on November 6, 2007, through Resolution No. R-1227-07 for an initial term of five years, with five, one-year option to renew terms. The pool was subsequently extended by the Board, on April 4, 2017, for five additional years through Resolution No. R-363-17. The pool has 33 prequalified vendors, of which 19 are local and none are SBE firms.

This item is placed for Board review pursuant to Miami-Dade County Code Section 29-124(f)(ii). Since this is a transit-related procurement, with a value of more than \$1 million, even though no Charter County Transportation Surtax Funds will be used to pay the costs, the Board may only consider this item if the Citizens' Independent Transportation Trust (CITT) has forwarded a recommendation to the Board. If CITT has not forwarded a recommendation and 45 days have not elapsed since the issuance of this recommendation, a withdrawal of this item will be requested. Further, it should be noted that of the \$10,926,000 being requested, \$2,000,000 is for the Department of Transportation and Public Works.

Scope

The scope of this item is countywide in nature.

Fiscal Impact/Funding Source

The fiscal impact for the five-year term is \$10,926,000. The current pool, 8318-5/17-5, is valued at \$58,306,000 for a cumulative term of 15 years and two months, which expires on February 28, 2023. The allocation under the replacement pool is lower than the current pool as it is based on current annualized usage. It should be noted the ever-increasing price of crude oil, from which most of these petroleum products are derived, will impact subsequent purchases, and may lead to higher pricing.

Department	Allocation	Funding Source	Contract Manager
Aviation	\$125,000	Proprietary Revenue	Sylvia Novela
Fire Rescue	\$795,000	Fire District Funds / General Fund	Marianela Betancourt
Internal Services	\$2,932,000	Internal Services Fund	Rey Llerena/Pete Moolah
Parks, Recreation and Open Spaces	\$150,000	General Fund	Fernando L. Robreño
Police	\$42,000	General Fund	Laura Romano
PortMiami	\$36,000	Proprietary Funds	Gyselle Pino
Solid Waste Management	\$87,000	Proprietary Funds/ General Fund	Karina Careaga
Transportation and Public Works	\$2,000,000	DTPW Operating	Ana Rioseco
Water and Sewer	\$4,759,000	Proprietary Revenue	Fred Taylor
Total:	\$10,926,000		

It should be noted that contracts contain termination for convenience provisions, which can be exercised if the commodities and services in this item are affected by the establishment of the constitutional offices.

Track Record/Monitor

Vanessa Stroman of the Internal Services Department is the Procurement Contracting Manager.

Delegated Authority

Upon approval of this item, a pool of prequalified vendors will be established to participate in spot market competitions. The County Mayor or the County Mayor’s designee will have the authority to solicit pricing and award contracts up to an aggregate amount of the allocation authorized by the Board. The County Mayor or the County Mayor’s designee will also have the authority to (a) exercise all provisions of the solicitation documents and any resulting contracts pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38 and (b) add vendors to the pool at any time, subject to ratification by the Board on a bi-annual basis.

Vendors Prequalified for Pool

Seven vendors responded to the solicitation, of which one withdrew the submittal, and six are being recommended for inclusion in the pool as set forth in the table below. Upon advertisement of the Request to Qualify, 1,951 suppliers were successfully invited to participate. From this, 20 vendors viewed the solicitation, and seven vendors responded of which four had local addresses. Of the seven, one vendor withdrew the submittal and six are being recommended for inclusion in the pool. Of the six recommended, three are local and none are SBE firms. Staff will continue its outreach efforts to add small and local vendors to the open pool.

Pursuant to Resolution No. R-477-18, fewer than 75 percent of vendors recommended are local. This is attributable to rapidly increasing petroleum prices diminishing participation in spot market competitions.

Vendor	Principal Address	Local Address	Principal
Burck Oil Company, Inc.	1401 53 Street West Palm Beach, FL	None	Jeffrey L. Burck
Calumet Specialty Products Partners, LP	P.O. Box 68123 Indianapolis, IN	None	Allen Moyes
Genuine Parts Co. dba NAPA Auto Parts	2999 Wildwood Parkway Atlanta, GA	9250 NW 58 Street Doral, FL	Jean-Jacques Lafont
NCH Corporation dba Certified Laboratories	2727 Chemsearch Boulevard Irving, TX	None	John I. Levy
Port Consolidated, Inc.	3141 SE 14 Avenue Fort Lauderdale, FL	11550 NW 36 Avenue Miami, FL	Donald R. Carlton, Jr.
RelaDyne Florida, LLC	8280 Montgomery Road Suite 101 Cincinnati, OH	205 NE 179 Street Miami, FL	Larry Stoddard

Vendor Not Prequalified for Pool

The vendor in the below table is not being recommended for prequalification, as the vendor withdrew the submittal. The Strategic Procurement Division is providing guidance to the vendor so they can provide the required information and documentation. Upon submission of the required documents and/or verification of information, the vendor may be added to this open pool.

Vendor	Local Address	Reason for Not Recommending
Santex Corporation	Yes	Vendor withdrew their submittal. Upon submission of the required documents, the vendor may be added to the pool.

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 vendor responsibility, including verifying corporate status and that there are no performance and compliance issues. The lists that were referenced included convicted vendors, debarred vendors, delinquent contractors, suspended vendors, and federal excluded parties. There were no adverse findings relating to vendor responsibility.

Pursuant to Resolution No. R-140-15, prior to re-procurement, a full review of the scope of services was conducted to ensure the replacement pool reflects the County’s current needs. The review included conducting market research, posting a draft solicitation for industry comment, and holding meetings and drafting sessions with the user department. The scope of services was updated to include allowing user

departments to process spot market quotes for smaller quantities and specialized petroleum products subject to price volatility on an as needed basis.

Applicable Ordinances and Contract Measures

- The two percent User Access Program provision applies where permitted by the funding source.
- Each spot market quote issue under this solicitation shall be sent to the Small Business Development Division for review.
- Local Preference will be applied at the time of spot market competition where permitted by the funding source.
- The Living Wage does not apply as the pool does not include services, which are covered under the Ordinance.




Jimmy Morales
Chief Operations 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)(16)

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)(16)
9-1-22

RESOLUTION NO. _____

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL RTQ-02111 FOR THE PURCHASE OF PETROLEUM PRODUCTS FOR MULTIPLE COUNTY DEPARTMENTS FOR A FIVE-YEAR TERM IN A TOTAL AMOUNT UP TO \$10,926,000.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SOLICIT PRICING, AWARD CONTRACTS, EXERCISE ALL PROVISIONS OF THE SOLICITATION DOCUMENTS AND ANY RESULTING CONTRACTS PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38, AND ADD VENDORS TO THE POOL AT ANY TIME, SUBJECT TO RATIFICATION BY THE BOARD ON A BI-ANNUAL BASIS

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 this Board authorizes the establishment of Prequalification Pool RTQ-02111 for the purchase of petroleum products for multiple County departments for a five-year term in a total amount up to \$10,926,000.00; and authorizes the County Mayor or County Mayor's designee to (a) solicit pricing and award contracts up to an aggregate amount of the allocation authorized by the Board, (b) exercise all provisions of the solicitation documents and any resulting contracts pursuant to section 2-8.1 of the Code of Miami-Dade County, Florida and Implementing Order 3-38, and (c) add vendors to the pool at any time, subject to ratification by the Board on a bi-annual basis. A copy of the solicitation document is on file 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 1st 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.



Bruce Libhaber



Memorandum

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

From: Javier A. Betancourt, Executive Director

Date: July 29, 2022

Re: **CITT AGENDA ITEM 7A:**
RESOLUTION BY THE CITIZENS’ INDEPENDENT TRANSPORTATION TRUST (CITT) RECOMMENDING THE BOARD OF COUNTY COMMISSIONERS AUTHORIZE ESTABLISHMENT OF PREQUALIFICATION POOL RTQ-02111 FOR THE PURCHASE OF PETROLEUM PRODUCTS FOR THE DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS FOR A FIVE-YEAR TERM FOR A TOTAL ALLOCATION AMOUNT UP TO **\$2,000,000.00**; AND AUTHORIZE THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO SOLICIT PRICING, AWARD CONTRACTS, EXERCISE ALL PROVISIONS OF THE SOLICITATION DOCUMENTS AND ANY RESULTING CONTRACTS PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38, AND ADD VENDORS TO THE POOL AT ANY TIME, SUBJECT TO RATIFICATION BY THE BOARD ON A BI-ANNUAL BASIS (**DTPW/ISD – BCC LEGISLATIVE FILE NO. 221380**) **NO SURTAX FUNDS REQUESTED**

On July 28, 2022, the CITT voted (8-0) to forward a favorable recommendation to the Board of County Commissioners (BCC) for the approval of the above referenced item, CITT Resolution No. 22-019. The vote was as follows:

Oscar J. Braynon, Chairperson – Aye
Alfred J. Holzman, 1st Vice-Chairperson – Aye
Robert Wolfarth, 2nd Vice-Chairperson – Aye

Hon. Peggy Bell – Absent
Meg Daly – Aye
Paul J. Schwiep, Esq. – Aye
Mary Street, Esq. – Aye

Joseph Curbelo – Aye
Qjuezari Harvey – Aye
L. Elijah Stiers, Esq. – Absent
Ernest Thomas – Absent

c: Jimmy Morales, Chief Operations Officer
Bruce Libhaber, Assistant County Attorney