

# Memorandum



**Date:** March 7, 2023

Agenda Item No. 8(P)(3)

**To:** Honorable Chairman Oliver G. Gilbert, III  
and Members, Board of County Commissioners

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

**Subject:** Recommendation to Retroactively Ratify Emergency Purchase Conveyance Equipment Maintenance and Repair Services

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## **Summary**

This item is requesting approval to retroactively ratify an emergency award for the purchase of maintenance and repair services for conveyance equipment located in various buildings managed by the Internal Services Department (ISD). Following termination of the previous contract for default, this emergency purchase was needed to guarantee that the conveyance equipment received necessary maintenance and repair services to ensure safe operations of the equipment for daily use by residents and visitors.

## **Recommendation**

It is recommended that the Board of County Commissioners (Board) approve this request for a designated purchase pursuant to Section 2-8.1(b)(3) of the Miami-Dade County Code, by a two-thirds vote of the Board members present, and to ratify an emergency award, *Contract No. E-10101, Conveyance Equipment Maintenance and Repair Services*, for the purchase of equipment maintenance and repair services in the amount of \$1,960,300 for ISD.

## **Background**

An emergency contract was declared by the department in the amount of \$250,000, following termination for default of Contract No. ITQ687-1, Installation, Maintenance, and Modernization of Elevators, awarded to Eastern Elevator Service, Inc. under our current pre-qualification pool for installation, maintenance, and modernization services. This emergency contract became effective on September 1, 2020 and was subsequently modified in the amount of \$982,000 in April 2021. In May of 2021, an agenda item was prepared for ratification by the Board, however it was placed on hold in June 2021 due to an inquiry from the Office of Inspector General (OIG). In February 2022 and September 2022, the emergency contract was modified in the amounts of \$497,300 and \$231,000, respectively. Because this investigation currently remains ongoing, the administration seeks the Board's retroactive ratification for this emergency purchase and addition of funds, to continue providing necessary services to conveyance equipment located across various buildings, as mentioned below, until the replacement contract is awarded.

Competition for these services was not practicable due to the urgent and immediate need to bring the elevators into compliance with code and ensure the well-being and safety of all patrons using them. As such, ISD declared an emergency and immediately secured the services of two qualified firms to complete the upgrades and required maintenance on a time and materials basis. The firms were contacted and quotes for the services were requested. Upon review and brief negotiations, ISD deemed the quotes were fair and reasonable, and proceeded with the work. It should be noted that from September 2020 to present the performance for the recommended vendors (Delaware Elevator of Florida, Inc. and SW Elevators, LLC) has been satisfactory. SW Elevators, LLC currently maintains 33 units at the Children's Courthouse, Joseph Caleb Center, North Dade Justice Center and Overtown North; while Delaware Elevator of Florida, Inc. currently maintains three units at the Donald Hickman Building. Additionally, SW Elevators, LLC was awarded a contract on March 14, 2022 through the Miscellaneous Construction Contracts Program Pool to perform repairs at Seaport Parking Garage C to bring four elevators back into service that were previously placed out of service due to water damage. Three out of the four elevators have been repaired and are currently back in service; the last elevator is expected to be back in service in February of this year. It is in the County's best interest to approve

MDC001

ratification of this emergency award due to the necessity of this equipment for the residents and visitors who access our facilities daily.

A replacement contract under *RFP-01615, Maintenance and Repair Services for Conveyance Equipment*, was passed by the County Infrastructure, Operations and Innovations Committee at its January 12, 2023 meeting, with a favorable recommendation to the Board. The award item is currently scheduled for consideration on the February 7, 2023 Board agenda.

**Scope**

The scope of this item is countywide in nature.

**Delegated Authority**

There is no delegation of authority sought because this item is a ratification of a completed emergency purchase.

**Fiscal Impact/Funding Source**

The fiscal impact for this emergency purchase is \$1,960,300 for a term of two years and six months.

Department	Allocation	Funding Source	Contract Manager
ISD	\$1,960,300	General Fund/ General Obligation Bonds/ Internal Service Funds	Jennyfer Calderon
<b>Total:</b>	<b>\$1,960,300</b>		

**Track Record/Monitor**

Vanessa Stroman of Strategic Procurement Department is the Procurement Contracting Manager. The contract documents are on file and available upon request from the Professional Procurement Staff in the Internal Services Department, Facilities Infrastructure and Maintenance Division.

**Awarded Vendors**

Vendor	Principal Address	Local Address*	Number of Employee Residents	Principal
			1) Miami-Dade 2) Percentage*	
Delaware Elevator of Florida, Inc.	1 NW 28 Street Boca Raton, FL	None	9	Charles E. Meeks, Jr.
			9%	
SW Elevators, LLC	301 Commerce Street Suite 2360 Fort Worth, TX	None	3	Thomas Cavinder
			5%	

\*Provided pursuant to Resolution No. R-1011-15. Percentage of employee residents is the percentage of vendor's employees who reside in Miami-Dade County as compared to the vendor's total workforce.

**Due Diligence**

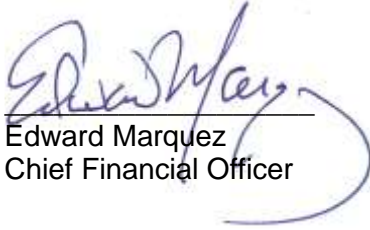
Pursuant to Resolution No. R-187-12, due diligence was conducted in accordance with the Internal Services Department's Procurement Guidelines to determine contractor responsibility, including verifying corporate status and that there are no performance or compliance issues. The lists that were referenced included convicted vendors, debarred vendors, delinquent contractors, suspended vendors, and federal excluded parties. There were no adverse findings relating to contractor responsibility.

**Applicable Ordinances and Contract Measures**

- The two percent User Access Program provision applies where permitted by the funding source.

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and Members, Board of County Commissioners  
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- The Small Business Enterprise measures and Local Preference do not apply.
- The Living Wage applies.



Edward Marquez  
Chief Financial Officer



**MEMORANDUM**  
(Revised)

**TO:** Honorable Interim Chairman Oliver G. Gilbert, III  
and Members, Board of County Commissioners

**DATE:** March 7, 2023

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

**SUBJECT:** Agenda Item No. 8(P)(3)

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 \_\_\_\_\_

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3-7-23

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

RESOLUTION AUTHORIZING A DESIGNATED PURCHASE PURSUANT TO SECTION 2-8.1(B)(3) OF THE COUNTY CODE BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT; RATIFYING AN EMERGENCY PURCHASE FOR THE STRATEGIC PROCUREMENT DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$1,960,300.00 FOR CONVEYANCE EQUIPMENT MAINTENANCE AND REPAIR SERVICES, CONTRACT NO. E-10101; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT, PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE 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 award Contract No. E-10101, for conveyance equipment maintenance and repair services, as a designated purchase in an amount not to exceed \$1,960,300.00 for the Strategic Procurement Department, pursuant to section 2-8.1(b)(3) of the Code of Miami-Dade County, by a two-thirds (2/3) vote of the Board members present.

**Section 2.** This Board ratifies an emergency purchase authority in an amount not to exceed \$1,960,300.00 for the Strategic Procurement Department for conveyance equipment maintenance and repair services, Contract No. E-10101 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, pursuant to section 2-8.1 of the Code of Miami-Dade County, Florida and Implementing Order 3-38. Copies of the contract document are on file with and available upon request from the Strategic Procurement Department.

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:

Oliver G. Gilbert, III, Chairman	
Anthony Rodríguez, Vice Chairman	
Marleine Bastien	Juan Carlos Bermudez
Kevin Marino Cabrera	Sen. René García
Roberto J. Gonzalez	Keon Hardemon
Danielle Cohen Higgins	Eileen Higgins
Kionne L. McGhee	Raquel A. Regalado
Micky Steinberg	

The Chairperson thereupon declared the resolution duly passed and adopted this 7<sup>th</sup> day of March, 2023. 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