

MEMORANDUM

Agenda Item No. 8(P)(1)

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

DATE: March 7, 2023

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution approving award of Contract No. EVN0000189 to Nutrispa, Inc. for the purchase of a summer food service program for the Community Action and Human Services Department with a total amount not to exceed \$9,080,825.00 for the initial one-year term and four one-year option to renew terms; and authorizing the County Mayor to give notice of this award to Nutrispa, Inc., issue the appropriate orders to give effect to same and exercise all provisions of the contract, including any cancellation, renewal or extension provisions, pursuant to section 2-8.1 of the Code and Implementing Order 3-38

The accompanying resolution was prepared by the Strategic Procurement Department and placed on the agenda at the request of Prime Sponsor Commissioner Kionne L. McGhee.




Geri Bonzon-Keenan
County Attorney

GBK/gh

MDC001

Date: March 7, 2023

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

From: Daniella Levine Cava 
Mayor

Subject: Recommendation for Approval to Award Contract No. EVN0000189, Summer Food Service Program

Summary

This item is for the purchase and delivery of meals to approximately 200 designated school sites during the summer months for the Community Action and Human Services Department's (CAHSD) Summer Program. The program will serve approximately 77,100 breakfasts, 310,814 lunches, 245,000 snacks and 9,400 suppers to students per year. This program, which is sponsored and funded by the Florida Department of Agriculture and Consumer Services (FDACS), will allow CAHSD to continue to provide free meals to children and teens in low-income areas.

Recommendation

It is recommended that the Board of County Commissioners (Board) approve a competitive contract award, *Contract No. EVN0000189, Summer Food Service Program*, for CAHSD in the amount of \$1,816,165 for the initial one-year term. The contract has four additional one-year renewal terms that can be exercised at the County's sole discretion, subject to the review and approval of the sponsoring agency, FDACS. This contract will replace a competitively solicited contract, *FB-00794*, which was awarded by the Board in the amount of \$4,679,000, via Resolution R-328-18, for a five-year term. Subsequently, the Board approved an additional \$3,000,000 expenditure authority through Resolution No. R-636-21 due to the extension of the program by the FDACS during the COVID-19 pandemic. There were no measures identified for this solicitation due to the federal funding source; however, the recommended vendor is local.

Background

This Program offers free meals to children and teens in low-income areas during the summer, beginning in June, after the school year ends, concluding in August, prior to schools opening. Deliveries for the packages and hot meals will be made daily Monday through Friday.

On July 22, 2022, Solicitation *EVN0000189* was issued under full and open competition for the purchase of meals for the Summer Program. Three bids were received in response to the solicitation, all from local vendors. Upon advertisement of the solicitation, a total of 213 vendors were notified in INFORMS. Additional outreach efforts included contacting vendors identified through market research as well as notifying incumbent vendors.

Scope

The scope of this item is countywide in nature.

Fiscal Impact/Funding Source

The fiscal impact for the one-year term is \$1,816,165. Should the County choose to exercise, at its sole discretion, the four, one-year options to renew, the estimated cumulative value will be \$9,080,825. The current contract, *FB-00794*, is valued at \$7,679,000 for a five-year term and expires on April 30, 2023. The allocation under this contract is higher than the current contract due to increased meal quantities which are necessary for the growing needs of the program and a 30 percent contingency for anticipated participation increases and additional facilities. During the last few years, the program was expanded to allow for increased participation of young children and youth. There is no fiscal impact to the General Fund as this program is sponsored by the FDACS.

Department	Allocation	Funding Source	Contract Manager
CAHSD	\$1,816,165	Federal Funds	Brad Skinner
Total:	\$1,816,165		

Track Record/Monitor

Shari Francis of the Strategic Procurement Department is the Procurement Contracting Manager.

Delegated Authority

If this item is approved, the Mayor or Mayor’s designee will have the authority to give notice of this award to Nutrispa, Inc., issue the appropriate orders to give effect to same and exercise all provisions of the contract, including cancellation or extension provisions, pursuant to Section 2-8.1 of the Code of Miami-Dade County, Florida and Implementing Order 3-38.

Vendor Recommended for Award

An Invitation to Bid was issued under full and open competition. Three bids were received in response to the solicitation.

Vendor	Principal Address	Local Address*	Number of Employee Residents	Principal
			1) Miami-Dade 2) Percentage	
Nutrispa Inc.	5406 NW 72 Avenue Miami, FL	Same	34	Yulenia Perez
			100%	

*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.

Vendors Not Recommended for Award

Vendor	Local Address	Reason for Not Recommending
All Kids Catering, Inc.	Yes	Price is higher than the recommended bidder
Greater Miami Caterers, Inc.	Yes	

Due Diligence

Pursuant to Resolution No. R-187-12, due diligence was conducted in accordance with the Strategic Procurement Department’s Guidelines to determine vendor responsibility, including verifying corporate status and that there are no performance and compliance issues through various vendor responsibility lists. The lists that were referenced included convicted vendors, debarred vendors, delinquent contractors, suspended vendors, and federal excluded parties. There were no adverse findings related 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 contract 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 increased quantities of meals.

Applicable Ordinances and Contract Measures

- The two percent User Access Program provision does not apply.
- The Small Business Enterprise Bid Preference and Local Preference do not apply due to the funding source.
- The Living Wage Ordinance does not apply as the services are not covered under the Ordinance.

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- The Responsible Wages and Benefits Ordinance does not apply as the services are not covered under the Ordinance.

A handwritten signature in blue ink, appearing to read "Morris Copeland".

Morris Copeland
Chief Community Services Officer



MEMORANDUM
(Revised)

TO: Honorable 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)(1)

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(P)(1)
3-7-23

RESOLUTION NO. _____

RESOLUTION APPROVING AWARD OF CONTRACT NO. EVN0000189 TO NUTRISPA, INC. FOR THE PURCHASE OF A SUMMER FOOD SERVICE PROGRAM FOR THE COMMUNITY ACTION AND HUMAN SERVICES DEPARTMENT WITH A TOTAL AMOUNT NOT TO EXCEED \$9,080,825.00 FOR THE INITIAL ONE-YEAR TERM AND FOUR ONE-YEAR OPTION TO RENEW TERMS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF THIS AWARD TO NUTRISPA, INC., ISSUE THE APPROPRIATE ORDERS TO GIVE EFFECT TO SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION, RENEWAL OR EXTENSION PROVISIONS, PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA 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 this Board approves award of Contract No. EVN0000189 to Nutrispa, Inc. for the purchase of a summer food service program for the Community Action and Human Services Department with a total amount not to exceed \$9,080,825.00 for the initial one-year term and four one-year option to renew terms; and authorizes the County Mayor or County Mayor's designee to give notice of this award to Nutrispa, Inc., issue the appropriate orders to give effect to same and exercise all provisions of the contract, including cancellation or extension provisions, pursuant to section 2-8.1 of the Code of Miami-Dade County, Florida and Implementing Order 3-38. A copy of the contract document is 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 this resolution duly passed and adopted this 7th 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

LUIS G. MONTALDO, CLERK AD INTERIM

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Oren Rosenthal