

# Memorandum



**Date:** November 7, 2023

Agenda Item No. 8(P)(5)

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

**From:** Daniella Levine Cava  
Mayor

A handwritten signature in blue ink that reads "Daniella Levine Cava".

**Subject:** Request for Approval to Change and Exercise the Option to Renew Term and Authorize a Non-Competitive Designated Purchase for ChildPlus Software

## Summary

This item is for the approval of Supplemental Agreement No. 1, to change the option to renew (OTR) term from a one-year term to a three-year term and exercise the three-year OTR term, as well as authorize a non-competitive purchase for additional expenditure authority of \$504,000 to allow the Community Action and Human Services Department (CAHSD) to continue using the software hosting, maintenance, support services and training available with the ChildPlus Software application (ChildPlus).

This software serves as the department's Head Start Program case management system and is critical to CAHSD's Head Start Program management for Head Start/Early Head Start Program agencies throughout the County. ChildPlus allows CAHSD to maintain the current demands of the Federal Head Start Program while providing for reporting needs in accordance with the Head Start Act and Performance Standards. CAHSD must also ensure that all Head Start delegate agencies and Early Head Start programs within Miami-Dade County are in compliance with these requirements. Use of this automated record-keeping and report generating solution software allows CAHSD to seamlessly monitor the Head Start/Early Head Start agencies that may require initial or additional training for staff development, as well as to evaluate real-time reporting on progress and promote accountability.

Management Information Technology USA, Inc., is the proprietary owner of this software and the sole authorized provider of the requested services and training for this application. The software is used to export data from ChildPlus and imports it into Galileo, Brooks-ASQ, and the Electronic Devereaux Early Childhood Assessment, which are early childhood assessment programs that can identify areas of strengths and weaknesses during early childhood development and pinpoint delays or advance learning through observation of daily activities rather than performance on tests.

## Recommendation

It is recommended that the Board of County Commissioners (Board) authorize changing the one-year OTR term to a three-year OTR term and exercise the same under legacy *Contract No. L9114-0/23, ChildPlus Software* with Management Information Technology USA, Inc., for CAHSD. The initial award of this contract was approved under delegated authority for a two-year term with an allocation of \$231,588. CAHSD is requesting approval to change the one-year OTR to a three-year OTR term to maintain continuity of services through November 30, 2026. Board approval is required as the three-year OTR term exceeds the County Mayor's delegated authority. Additionally, it is recommended that the Board approve this request for a non-competitive 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 for \$504,000 in additional expenditure authority for CAHSD to cover services during the OTR term.

## Background

Since July 2009, CAHSD has been utilizing ChildPlus Software, which was purchased via full and open competition pursuant to *Bid No. 9114-2/14* and awarded to Management Information Technology USA, Inc., the incumbent vendor. The customized software solution allows CAHSD to be responsive to programmatic changes and maintain federal compliance.

Competition is not practicable at this time, as Management Information Technology USA, Inc., is the sole proprietary developer and distributor of the licenses, services, and support for the ChildPlus

Software. A replacement contract with potentially a new vendor for this customized software solution would be impractical and entail greater costs for the County considering implementation, downtime for installation, staff re-training and potential loss of data through migrating to a new system. The cost associated with a transition is estimated to be over \$2,000,000 (\$735,588 for license fees, \$1,000,000 for testing, configuration, and training, and \$500,000 for development of a tablet application). Continuing use of the existing software is the most practical and cost-effective recommendation.

Accordingly, it is in the County's best interest to approve the option to renew term of this legacy contract and authorize a designated pursuant to Section 2-8.1(b)(3) of the County Code to continue receiving the software hosting, maintenance and support services and training receiving services for the ChildPlus Software.

**Scope**

The impact of this item is countywide in nature.

**Fiscal Impact/Funding Source**

The fiscal impact for the one, three-year option to renew term is \$504,000. The current term expires on November 30, 2023, and has a current cumulative allocation of \$231,588 for the initial two-year term. If this request is approved, the contract will have a modified cumulative allocation of \$735,588 and will expire on November 30, 2026. Although the allocation for the OTR term is higher than the current term on an annualized basis due to higher pricing, staff was successful in reducing the annual licensing subscription from \$191,200 per year to an average of \$152,960 per year.

Department	Current Cumulative Allocation	Designated Purchase for the Option to Renew Term	Modified Cumulative Allocation	Funding Source	Contract Manager
CAHSD	\$231,588	\$504,000	\$735,588	Grant Funds	Brad Skinner
<b>Total</b>	<b>\$231,588</b>	<b>\$504,000</b>	<b>\$735,588</b>		

**Track Record/Monitor**

Angela Mathews-Tranumn of the Strategic Procurement Department (SPD) is the Procurement Contracting Manager.

**Delegated Authority**

The County Mayor or the County Mayor's designee will have the authority to execute Supplemental Agreement No. 1 and exercise all provisions of the contract, including any cancellation, renewal, or extensions, pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38.

**Vendor Recommended for Award**

Pursuant to Resolution No. R-477-18, the recommended vendor for this non-competitive acquisition does not have a local address.

Vendor	Principal Address	Local Address	Number of Employee Residents	Principal
			1) Miami-Dade 2) Percentage*	
Management Information Technology USA, Inc.	303 Perimeter Center North Suite 400 Atlanta, GA	None	0	Alan Hettinger
			0%	

\*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.

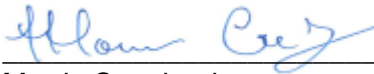
**Due Diligence**

Pursuant to Resolution No. R-187-12, due diligence was conducted in accordance with SPD's Procurement Guidelines to determine contractor responsibility, including verifying corporate status and that there are no performance or compliance issues through various vendor responsibility lists and a keyword internet search. 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.

Pursuant to Resolution No. R-98-12, staff contacted the vendor to negotiate a reduction in pricing for the option to renew term(s) which resulted in overall cost savings for the one, three-year OTR.

**Applicability of Ordinances and Contract Measures**

- The two percent User Access Program does not apply.
- The Small Business Enterprise measures and Local Preference do not apply.
- The Living Wage Ordinance does not apply.



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Morris Copeland  
Chief Community Services Officer



**MEMORANDUM**  
(Revised)

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

**DATE:** November 7, 2023

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

**SUBJECT:** Agenda Item No. 8(P)(5)

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)(5)  
11-7-23

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

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO CHANGE THE CURRENT ONE-YEAR OPTION TO RENEW TERM TO A THREE-YEAR OPTION TO RENEW TERM AND EXERCISE THE THREE-YEAR OPTION TO RENEW TERM FOR CONTRACT NO. L9114-0/23 FOR THE PURCHASE OF CHILDPLUS SOFTWARE FOR THE COMMUNITY ACTION AND HUMAN SERVICES DEPARTMENT; 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 FOR ADDITIONAL EXPENDITURE AUTHORITY FOR THE THREE-YEAR OPTION TO RENEW TERM IN THE AMOUNT OF \$504,000.00, FOR A TOTAL MODIFIED CONTRACT AMOUNT OF \$735,588.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 1 AND EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION, RENEWAL OR EXTENSIONS, 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 authorizes the County Mayor or County Mayor's designee to change the current one-year option to renew term to a three-year option to renew term and exercise the three-year option to renew term for Contract No. L9114-0/23 for the purchase of ChildPlus Software for the Community Action and Human Services Department.

**Section 2.** This Board finds it is in the best interest of Miami-Dade County to authorize a designated purchase for the three-year option to renew term in an amount not to exceed \$504,000.00 for a total modified contract amount of \$735,588.00, 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 3.** This Board authorizes the County Mayor or County Mayor's designee to execute Supplemental Agreement No. 1, in substantially the form attached, and exercise all provisions of the contract, including any cancellation, renewal, or extensions, pursuant to section 2-8.1 of the County Code. 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 7<sup>th</sup> day of November, 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

JUAN FERNANDEZ-BARQUIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.



Michael B. Valdes



# SUPPLEMENTAL AGREEMENT NO. 1

Contract Number: L9114-0/23  
 Contract Title: ChildPlus Software  
 Contractor: ChildPlus Software  
 Dept. CH 18130  
 Palatine IL 60055-8130

In accordance with the above referenced Contract, this Supplemental Agreement, when properly executed, shall become part of the Contract, and shall:

1. Replace Article 6 – Contract Term in its entirety with the following:

The Contract shall become effective on the date of the Parties' execution, whichever is later, and shall continue through the last day of the twenty-fourth (24th) month, thereafter. The County, at its sole discretion, may renew this Contract for a one (1), three-year option to renew term. The County may extend this Contract for up to an additional one hundred-eighty (180) calendar days beyond the current Contract period and will notify the Contractor in writing of the extension. This Contract may be extended beyond the initial one hundred eighty (180) calendar day extension period by mutual agreement between the County and the Licensor, upon approval by the Board of County Commissioners (the "Board").

2. Delete Appendix B – Price Schedule and replace with attached Appendix B – Price Schedule (Revised) to incorporate the negotiated pricing for the ChildPlus Software license and subscription for the three-year option to renew period.

**All other terms, covenants and conditions of the original Contract shall remain in full force and effect.**

IN WITNESS WHEREOF, the parties have executed this Supplemental Agreement No. 1 to County Contract No. L9114-0/23 for ChildPlus Software by their duly authorized officers.

Contractor  
 By: ChildPlus Software  
 Name: Nadia Rivers  
 Title: Renewal Specialist  
 Date: 7/17/2023  
 Attest: *Nadia Rivers*  
 Corporate Secretary/Notary

Miami-Dade County  
 By: \_\_\_\_\_  
 for  
 Name: Daniella Levine Cava  
 Title: Mavor  
 Date: \_\_\_\_\_  
 Attest: \_\_\_\_\_  
 Clerk Ad Interim

Corporate Seal/Notary



Approved as to form and legal sufficiency

\_\_\_\_\_  
Assistant County Attorney



## APPENDIX B – PRICE SCHEDULE (REVISED)

## A. Software License, Hosting, Training, and Maintenance Support Fees

DESCRIPTION	TERM	FEE
Annual License Subscription Number of Enrolled Participants: 7,548	08/01/2021 through 07/31/2022	\$191,200 (\$2,500 base fee+ \$25/enrolled participant) -\$117,559 (Non-federal share discount) <b>\$73,641 (TOTAL)</b>
Annual License Subscription Number of Enrolled Participants: 7,548	08/01/2022 through 07/31/2023	\$191,200 (\$2,500 base fee+ \$25/enrolled participant) -\$ 78,373 (Non-federal share discount) \$112,827 (TOTAL)
<b>TOTAL:</b>		<b>\$186,468</b>
<b>Optional Services:</b>		
Option to Renew (OTR) 3 Annual License Subscription Number of Enrolled Participants: 7,548	08/01/2023 through 07/31/2024	\$191,200.00 (\$2,500 base fee+ \$25/enrolled participant) -\$ 47,800 (Software Discount) <b>\$143,400 (TOTAL)</b>
	08/01/2024 through 07/31/2025	\$191,200.00 (\$2,500 base fee+ \$25/enrolled participant) -\$ 38,240 (Software Discount) <b>\$152,960 (TOTAL)</b>
	08/01/2025 through 07/31/2026	\$191,200.00 (\$2,500 base fee+ \$25/enrolled participant) -\$ 28,680 (Software Discount) <b>\$162,520 (TOTAL)</b>
Standard Training Plan 12-Month Investment-this will include the following: <ul style="list-style-type: none"> <li>Includes Starter Features 9Hours of Virtual Visits PLUS</li> <li>3-day, in-person, agency specific on-site visit, OR 24 Hours of virtual visits</li> <li>Annual ChildPlus Check-up with customized training plan</li> <li>Additional Course Discount</li> <li>Learning Library (standard content) will be available in database at no additional cost beginning on or before 8/1/2021</li> </ul>	8/1/2023-7/31/2024* 8/1/2024-7/31/2025 8/1/2025-7/31/2026	\$15,000.00* \$15,000.00* \$15,000.00*
Additional Archives (20)	8/1/2023-7/31/2024 8/1/2024-7/31/2025 8/1/2025-7/31/2026	\$40.00* \$40.00* \$40.00*
VPN Database Access	8/1/2022-7/31/2024* 8/1/2024-7/31/2025 8/1/2025-7/31/2026	\$0* (35,506 In Kind Donation) \$0* (35,506 In Kind Donation) \$0* (35,506 In Kind Donation)
Incremental Additional Enrolled Participant - annual fee	8/1/2023-7/31/2024 8/1/2024-7/31/2025 8/1/2025-7/31/2026	\$25* per Enrolled Participant
<b>TOTAL CONTRACT VALUE</b>		<b>\$504,000</b>