

Memorandum



Date: November 7, 2023

Agenda Item No. 8(P)(8)

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

From: Daniella Levine Cava
Mayor 

Subject: Recommendation for Approval to Award Sodium Polyphosphate

Summary

This item is for the award of a contract for the purchase of Sodium Polyphosphate for the Water and Sewer Department (WASD) on an as needed basis. The contract will provide for purchasing and delivery of liquid and granular (fine) Sodium Polyphosphate. Sodium Polyphosphate is a chemical used for treatment of the water supply to control corrosion and prevent scale buildup in the County's water systems. The use of this chemical allows WASD to improve the quality, efficiency, and lifespan of water distribution systems. This chemical must be suitable in all respects for drinking water treatment to comply with State of Florida requirements and is required to maintain the current reduced levels of lead and copper in accordance with the criteria established for the Lead and Copper Rules as promulgated by the U.S. Environmental Protection Agency (EPA).

Recommendation

It is recommended that the Board of County Commissioners (Board) approve a competitive contract award, *Contract No. EVN0000277, Sodium Polyphosphate*, to Shannon Chemical Corporation, for WASD in the amount of \$7,557,534 for a five-year contract term. This contract is replacing prequalification *Pool No. RTQ-00159*, which was approved by the Board on June 30, 2015, via Resolution No. R-566-15 for an eight-year term.

Background

Upon advertisement of the solicitation in INFORMS on March 22, 2023, 81 vendors were notified, of which six viewed the solicitation and four downloaded it. Vendors who were notified included those identified during the market research that are doing business with other municipalities or participated in recent solicitations issued by other municipalities in Florida. On April 21, 2023, three bidders responded to the solicitation.

Scope

The scope of this item is countywide in nature.

Fiscal Impact/Funding Source

The fiscal impact for the five-year term is \$7,557,534. The current pool is valued at \$7,975,000 for an eight-year and six-month term and expires on January 31, 2024. The per ton price under the pool increased from \$730 in 2018 to \$2,557 currently. The proposed per ton price under the contract is \$1,865. Although it is a decrease from the current price, the allocation of the contract is higher than the current pool due to a significantly lower price in the pool in the initial years. Additionally, the annual usage is projected to increase from 720 tons in the pool to 775 tons in the contract.

Department	Allocation	Funding Source	Contract Manager
WASD	\$7,557,534	Proprietary Funds	Susan Pascual
Total	\$7,557,534		

Track Record/Monitor

Manuel Jimenez of the Strategic Procurement Department (SPD) is the Procurement Contracting Manager.

MDC001

Delegated Authority

If this item is approved, the County Mayor or County Mayor’s designee will have the authority to give notice of this award to the recommended vendor, issue the appropriate purchase orders to give effect to same and exercise all provisions of the contract, including any cancellation or extension provisions, pursuant to Section 2-8.1 of the County Code 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. Pursuant to Resolution No. R-477-18, the lowest bidder is recommended in accordance with the method of award per the solicitation and is non-local. Due to the specialized nature of the chemical being purchased, there are a limited number of vendors capable of producing it, none of which are local. At the time of the advertisement, there were no certified Small Business Enterprise (SBE) firms under the commodity code used for this solicitation. There were also no potential SBE bidders identified in the market research.

Vendor	Principal Address	Local Address	Number of Employee Residents	Principal
			1) Miami-Dade 2) Percentage*	
Shannon Chemical Corporation	602 Jeffers Circle Exton, PA	None	0	Daniel C. Flynn
			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.

Vendors Not Recommended for Award

Vendor	Local Address	Reason for Not Recommending
Chemrite, Inc.	No	Higher than lowest bidder
Carus, LLC	No	

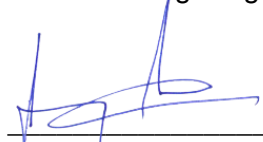
Due Diligence

Pursuant to Resolution No. R-187-12, due diligence was conducted in accordance with SPD’s Procurement Guidelines to determine vendor responsibility, including verifying corporate status and that there are no performance and 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 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 remains unchanged.

Applicability of Ordinances and Contract Measures

- The two percent User Access Program applies.
- The Small Business Enterprise Bid Preference and Local Preference were applicable.
- The Living Wage Ordinance does not apply.



 Jimmy Morales
 Chief Operations 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)(8)

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)(8)
11-7-23

RESOLUTION NO. _____

RESOLUTION APPROVING AWARD OF CONTRACT NO. EVN0000277 TO SHANNON CHEMICAL CORPORATION FOR THE PURCHASE OF SODIUM POLYPHOSPHATE FOR THE WATER AND SEWER DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$7,557,534.00 FOR A FIVE-YEAR TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF THIS AWARD TO THE RECOMMENDED VENDOR, ISSUE THE APPROPRIATE ORDERS TO GIVE EFFECT TO SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION OR EXTENSIONS, 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. EVN0000277 to Shannon Chemical Corporation for the purchase of sodium polyphosphate for the Water and Sewer Department in an amount not to exceed \$7,557,534.00 for a five-year term; and authorizes the County Mayor or County Mayor's designee to give notice of this award to the recommended vendor, issue the appropriate orders to give effect to same and exercise all provisions of the contract, including cancellation or extensions, 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 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.



Eduardo W. Gonzalez