

Memorandum



Date: December 12, 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 to Award a Contract for County Facilities Recycling Program

Summary

This item is for the purchase of recycling services for multiple County departments. Departments will use this contract for the collection, processing, and proper disposal of single-stream and commingled recyclable materials such as glass, metal, plastic, containers, office paper, newspaper, and other paper-based products and corrugated cardboard materials from over 469 County facilities. The recommended vendor will provide various size containers, and services will include curbside pick-up for easy access locations and point of service pick-up, which requires the vendor to drive into specific locations depending on site conditions. Miami-Dade Aviation Department (MDAD) requires this contract to maintain its International Standardization of Organizations (ISO) 14001 certification. The Parks, Recreation and Open Spaces Department (PROS) has over 70 locations consisting of containers of varying sizes throughout the parks system and anticipates expanding the program to more locations. The Seaport Department has approximately 34 containers throughout PortMiami and anticipates expanding program efforts. Approval of this contract will ensure County departments continue to comply with Miami-Dade County Ordinance No. 91-123 and County Code Section 15-2.3, which require certain establishments to provide a recycling program.

Recommendation

It is recommended that the Board of County Commissioners (Board) approve a competitive contract award, *Contract No. EVN0000418, County Facilities Recycling Program*, to Waste Management, Inc. of Florida, for Zones A, B, and C, in the amount of \$10,183,812 for a five-year term for multiple County departments. No bids were received for Zone D for federally funded locations which is expected to be resolicited at a later date. This contract will replace *Contract No. FB-00293* approved by the Board on July 6, 2016, via Resolution No. R-617-16 for a three-year term, with two, two-year options to renew.

Background

An Invitation to Bid (ITB) was issued under full and open competition on September 5, 2023. On the closing date of October 10, 2023, the County received two bids. Upon advertisement, 98 vendors were notified, of which four viewed the solicitation and 12 downloaded it. Vendors who were notified included those identified during market research, including incumbents and the two Small Business Enterprise (SBE) firms certified in the associated commodity code.

The solicitation included four zones, based primarily on geographical grouping of locations or funding source. Based upon the County Commission District map, the boundaries established were 8th Street, Tamiami Trail, and US 41. Tamiami Trail runs clearly west to east through the County and divides the County into North and South Zones. Zone A includes all Airport locations. Zone B consists of all County facilities north of 8th Street to include intracoastal waterways. Zone C consists of all County facilities South of 8th Street to include locations along Biscayne Bay. Zone D consisted of federally funded locations to service the Public Housing and Community Development and Community Action and Human Services Departments on an as-needed basis, and any additional departments that may acquire federal funds for such services during the contract term. Zone D did not receive any bids; therefore, a new solicitation is anticipated for those locations in the future.

Scope

The scope of this item is countywide in nature.

Fiscal Impact/Funding Source

The fiscal impact for the five-year term is \$10,183,812. The current contract is valued at \$4,574,987 for a seven-year and six-month term and expires on January 31, 2024. The annualized allocation under the replacement contract is higher than the current contract due to changes in market conditions. Staff attempted to negotiate the prices for this contract; however, the vendor was unable to lower the costs as labor, fuel, equipment, and processing costs of recyclables continue to increase. The pricing from the second bidder on the two zones that they bid on is approximately thirty-six percent higher than the recommended vendor.

Department	Allocation	Funding Source	Contract Manager
Animal Services	\$303,764	General Fund	Lia Rodriguez
MDAD	\$3,662,209	Proprietary Revenue	Sylvia Novela
Clerk of Courts	\$21,406	Clerk Revenue	Phillip Rincon
Corrections & Rehabilitation	\$176,594	General Fund	Alessandra Linares
Cultural Affairs	\$106,182	Proprietary Funds	Olga Gonzalez
Fire Rescue	\$725,104	Fire District	Marianela Betancourt
Internal Services	\$2,599,506	General Fund	Lashone Williams-Canty
Library System	\$420,079	Library District	Kimberly Craig
Police*	\$412,052	General Fund	Isaura Berrios
PROS	\$793,988	General Fund	Fernando Robreno
PortMiami	\$155,189	Proprietary Funds	Frank Ramirez
Solid Waste Management	\$354,157	Proprietary Funds/General Funds	Karina Careaga
Transportation and Public Works	\$270,385	DTPW Operating	Melvin Cartagena
Water and Sewer	\$183,197	Proprietary Revenue	Fredrick Taylor
Total	\$10,183,812		

Note: This contract contains termination for convenience provisions, which can be exercised if the commodities and/or services in this item are affected by the establishment of the constitutional offices.

Track Record/Monitor

Alonzo Joseph of the Strategic Procurement Department (SPD) is the Procurement Contracting Manager.

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 extensions, pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38. This item also authorizes a 30-day transition period at the end of this contract to allow for transition to a new vendor upon expiration.

Vendor Recommended for Award

Pursuant to Resolution No. R-477-18, the lowest bidder is recommended in accordance with the method of award per the solicitation and is local.

Vendor	Principal Address	Local Address	Number of Employee Residents	Principal	Zones Awarded
			1) Miami-Dade 2) Percentage*		
Waste Management Inc. of Florida	800 Capitol Street Suite 3000 Houston, TX	8801 NW 91 Street Medley, FL	267	David M. Myhan	A, B, C
			82%		

*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.

Vendor Not Recommended for Award

Vendor	Local Address	Reason for Not Recommending
Coastal Waste & Recycling of Florida Inc.	No	Higher than lowest bid for Zones A and B. The vendor did not bid on Zones C and D.


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 departments. The scope of services was updated to modify the zone boundaries and the pricing structure was adjusted to allow bidders to forecast their pricing year-to-year to include factors impacting pricing such as Living Wage, overhead costs, and other industry costs for the next five years. A meeting was held with potential bidders to obtain feedback from the industry on improvements in recycling services.

Applicability of Ordinances and Contract Measures

- The two percent User Access Program applies where permitted by funding source.
- The Small Business Enterprise Bid Preference was applied for Zones A, B, and C. No measures applied to Zone D due to funding source.
- The Living Wage Ordinance applies to Zones A, B, and C.




 Jimmy Morales
 Chief Operations Officer



MEMORANDUM
(Revised)

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

DATE: December 12, 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)
12-12-23

RESOLUTION NO. _____

RESOLUTION APPROVING AWARD OF CONTRACT NO. EVN0000418 ZONE A (MIAMI-DADE COUNTY AVIATION DEPARTMENT, NON-FEDERAL FUNDING), ZONE B (MIAMI-DADE COUNTY FACILITIES NORTH OF 8TH STREET TO INCLUDE INTRACOASTAL WATERWAYS NORTH OF 8TH STREET, NON-FEDERAL FUNDING), AND ZONE C (MIAMI-DADE COUNTY FACILITIES SOUTH OF 8TH STREET TO INCLUDE COASTAL BISCAYNE BAY WATERWAYS SOUTH OF 8TH STREET, NON-FEDERAL FUNDING) TO WASTE MANAGEMENT, INC. OF FLORIDA FOR THE PURCHASE OF COUNTY FACILITIES RECYCLING PROGRAM FOR MULTIPLE COUNTY DEPARTMENTS IN A TOTAL AMOUNT NOT TO EXCEED \$10,183,812.00 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 PURCHASE 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

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. EVN0000418 Zone A (Miami-Dade County Aviation Department, Non-Federal Funding), Zone B (Miami-Dade County Facilities North of 8th Street to include Intracoastal waterways North of 8th Street, Non-Federal Funding), and Zone C (Miami-Dade County Facilities South of 8th Street to include coastal Biscayne Bay waterways South of 8th

Street, Non-Federal Funding) to Waste Management, Inc. of Florida for the purchase of County Facilities Recycling Program for multiple County departments in a total amount not to exceed \$10,183,812.00 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 purchase 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	

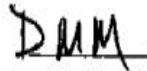
The Chairperson thereupon declared this resolution duly passed and adopted this 12th day of December, 2023. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override 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.



David M. Murray