

Memorandum



Date: May 7, 2024

Agenda Item No. 8(P)(7)

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: Recommendation for Ratification of an Emergency Contract for the Repair of the Vacuum Pressure Swing Adsorption System at the Central District Wastewater Treatment Plant

Summary

This emergency purchase allows for repairs needed at the Central District Wastewater Treatment Plant, managed by the Water and Sewer Department (WASD), to ensure the reliability of the equipment used for the treatment of wastewater for the protection of life, health, and safety of County residents, visitors, and the ecosystem. The contract provides technical support, material, parts, and equipment to inspect, troubleshoot, and repair various vacuum pressure swing adsorption (VPSA) systems that produce pure oxygen for the treatment of wastewater. Pure oxygen enables the growth of aerobic bacteria in the activated sludge treatment process to treat organic contaminants and reduce biochemical oxygen demand. Harsh conditions and extreme humidity has led to failure of the VPSA system components and equipment (sieves, motors, blowers, and other related equipment), which now must be replaced. This emergency is to replace the equipment and make additional, necessary repairs to associated appurtenances.

The failure of the VPSA system at the Central District Wastewater Treatment Plant would create a shortage of oxygen production for the biological wastewater treatment process. This emergency contract was required to comply with the permit issued by the Florida Department of Environmental Protection (FDEP), which requires WASD to operate, control, and maintain the treatment facility to achieve compliance, including the operation of backup or auxiliary facilities. Not maintaining reliability and redundancy of the oxygen producing systems would be a violation of the FDEP permit. In addition, failure to provide adequate biological treatment will result in releasing partially treated wastewater to our waterways, creating a threat to the health and safety of our residents and ecosystem.

Recommendation

It is recommended that the Board of County Commissioners (Board) ratify an emergency contract award, *Contract No. WASD0000267071, Repair of Vacuum Pressure Swing Adsorption System*, to AirSep Corporation (AirSep) for WASD in the amount of \$4,000,000 for a seven-month term. AirSep is the sole source provider of this oxygen producing equipment.

Background

On January 23, 2024, WASD declared an emergency for the immediate repair of the VPSA oxygen generating system, which is manufactured by AirSep, at the Central District Wastewater Treatment Plant (Virginia Key). The VPSA oxygen generating system uses compressed air, passed through adsorbent materials at different pressures to separate oxygen from other gases, to produce oxygen. The oxygen generator uses in its adsorber vessels an active material called molecular sieves to separate compressed air into oxygen and other gases. There are special characteristics and properties of the molecular sieve that are chosen for each project. The sieve is manufactured for each VPSA plant per their specifications and has a unique part number that can only be supplied from AirSep.

This emergency contract will provide troubleshooting and replacement of molecular sieves, motor(s), pump(s), valves, programmable logic controller and instrumentation with repairs and additional spare motors and pumps to ensure redundancy of the VPSAs.

MDC001

Competition was not practicable due to the proprietary nature of the equipment and the urgent need to acquire these services to ensure the protection of the life, health, and safety of County residents. Accordingly, it is in the County's best interest to ratify this emergency contract award for the provision of technical support, parts, and equipment to inspect and repair waste treatment equipment for WASD.

Scope

The scope of this item is countywide in nature.

Fiscal Impact/Funding Source

The fiscal impact for the emergency contract is \$4,000,000 for the seven-month term, which expires on August 31, 2024.

Department	Ratification Amount	Funding Source	Contract Manager
WASD	\$4,000,000	Proprietary Funds	Fredrick Taylor
Total	\$4,000,000		

Track Record/Monitor

Manuel Jimenez of the Strategic Procurement Department (SPD) is the Procurement Contracting Manager. The contract documents are on file with and available upon request from the professional procurement staff in WASD.

Delegated Authority

The County Mayor or the County Mayor's designee will have the authority to 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.

Vendor Recommended for Ratification

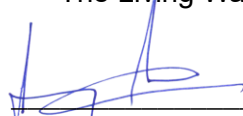
Vendor	Principal Address	Local Address	Number of Employee Residents	Principal
			1) Miami-Dade 2) Percentage*	
AirSep Corporation	260 Creekside Drive Buffalo, NY	None	0	Nicholas Estes
			0%	

Due Diligence

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

Applicable Ordinances and Contract Measures

- The two percent User Access Program applies.
- The Small Business Enterprise measures and Local Preference do not apply as this was an emergency purchase.
- 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: May 7, 2024

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(P)(7)

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)(7)
5-7-24

RESOLUTION NO. _____

RESOLUTION RATIFYING EMERGENCY CONTRACT NO. WASD0000267071 WITH AIRSEP CORPORATION FOR REPAIR OF THE VACUUM PRESSURE SWING ADSORPTION SYSTEM AT THE MIAMI-DADE WATER AND SEWER DEPARTMENT'S CENTRAL DISTRICT WASTEWATER TREATMENT PLANT IN AN AMOUNT NOT TO EXCEED \$4,000,000.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO 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

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying County Mayor's 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 ratify an emergency contract, Contract No. WASD0000267071, with AirSep Corporation, for Repair of Vacuum Pressure Swing Adsorption System at the Miami-Dade Water and Sewer Department's Central District Wastewater Treatment Plant in an amount not to exceed \$4,000,000.00.

Section 2. This Board authorizes the County Mayor or County Mayor's designee to 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. A copy of the Contract is on file with and available upon request from the Water and Sewer 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 May, 2024. 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.

SED

Sarah E. Davis