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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Date: January 24, 2012

Amended
Agenda Item No. 8(F)(2)

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Resolution No. R-91-12

Subject: Resolution Requesting Authority to Exercise Option-to-Renew Periods Under Existing Non-Competitive Contracts

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Recommendation
It is recommended that the Board of County Commissioners (Board) delegate to the County Mayor or County Mayor's designee the authority to exercise, in his discretion, the Options-to-Renew (OTRs) set forth in this item. Ordinance #07-139 provides for committee review exemption.

Scope
The impact of the items in the accompanying OTR package is countywide in nature.

Fiscal Impact/Funding Source
The allocation and funding source by department/agency is listed in the attached OTR package.

Contract amounts and department allocations represent the maximum spending authority based on estimated past usage. This action does not guarantee that the total contract amount/value will be expended by County departments/agencies. Funding will be expended only if departmental budgets can support the expenditures as approved in their annual budget adopted by the Board.

Track Record/Monitor
There are no known performance issues with the vendors recommended for award. The departments' contract manager is reflected in the attached OTR package.

Delegated Authority
If this item is approved, the County Mayor or County Mayor's designee will have the authority to exercise OTRs in accordance with the terms and conditions of the contracts listed in the accompanying package.

Background
The non-competitive contracts listed in this item require approval to exercise OTRs contained in each contract. Each of the contracts were awarded under the delegated authority granted to the County Mayor or the County Mayor's designee ($100,000 for non-competitive procurements) pursuant to Section 2-8.1(b) of the County Code and the Master Procurement Administrative Order, A.O. 3-38.

Prior to exercising any OTR periods, market research is conducted to ensure continuing to purchase from the awarded vendors is in the best interest of the County. For example, if the Board authorizes multiple OTRs under one resolution, market research is conducted prior to each OTR to determine whether to continue exercising the option term or issue a new competitive solicitation. Market research includes competitive factors such as pricing, quality, product features, technology, and lead time. It may also include commercial factors such as environmental issues, other governmental entity practices, industry trends, support and capabilities. The OTRs for each contract in this package will be executed if determined to be in the best interest of the County.

Item No. 1: Food Service Software (FSD) License Maintenance & Support Services seeks authority to exercise the remaining OTR term for software maintenance and support services for the Food Service Software used by the Miami-Dade Corrections and Rehabilitation Department. The amount being requested for the remaining option term is **$25,000.**

Item No. 2: INFOR Global Software Maintenance and Support Services seeks authority to exercise the remaining OTR term for software maintenance and support services for the Millennium Software used by the Miami-Dade Aviation Department. The amount being requested for the remaining option term is **$50,000.**

Item No. 3: SERENA Software Maintenance and Support Services seeks authority to exercise two OTR terms for software maintenance and support services for the Startool File and Data Management Software used by the Information Technology Department. The amount being requested for the second and third OTR terms is **$132,000.**

Item No. 4: Pitney Bowes Group 1 Software Maintenance & Support Services seeks authority to exercise two OTR terms for software maintenance and support services for the Pitney Bowes Software used by the Water and Sewer Department. The amount being requested for the first and second option terms is **$159,000.**

Item No. 5: Heat Pump Rental Services seeks authority to exercise two OTR terms for diesel heat pump rental services for the Miami-Dade Aviation Department. The amount being requested for the first and second OTR terms is **$144,000.**

Item No. 6: Coldfire Cryogenic Thermal Cycling seeks authority to exercise a third OTR term for cryogenic molecular enhancement (CryoME) treatments for fire truck brake rotors and brake drums for the Miami-Dade Fire and Rescue Department. The amount being requested for the third option term is **$20,000.**

Deputy Mayor

MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez and Members, Board of County Commissioners

DATE: January 24, 2012

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Amended Agenda Item No. 8(F)(2)

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**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

√ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous_____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Amended

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 8(F)(2)
1-24-12

RESOLUTION NO. R-91-12

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE OPTION-TO-RENEW PERIODS FOR CERTAIN NON-COMPETITIVE CONTRACTS DESCRIBED IN THE ITEM, SUBJECT TO THE MONETARY LIMITATIONS SET FORTH THEREIN, AWARDED UNDER THE COUNTY MAYOR OR THE COUNTY MAYOR DESIGNEE'S DELEGATED AUTHORITY FOR THE PURCHASE OF GOODS AND SERVICES

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 delegates to the County Mayor or County Mayor's designee the authority to exercise, in his discretion, the options-to-renew set forth in this item when in the best interest of Miami-Dade County; and the Board further authorizes the County Mayor or the County Mayor's designee to execute any and all documents necessary to give effect to those renewals.

The foregoing resolution was offered by Commissioner **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **Jean Monestime** and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman			**aye**
Audrey M. Edmonson, Vice Chairwoman			**absent**
Bruno A. Barreiro	**aye**	Lynda Bell	**absent**
Esteban L. Bovo, Jr.	**aye**	Jose "Pepe" Diaz	**absent**
Sally A. Heyman	**aye**	Barbara J. Jordan	**aye**
Jean Monestime	**aye**	Dennis C. Moss	**aye**
Rebeca Sosa	**aye**	Sen. Javier D. Souto	**aye**
Xavier L. Suarez	**absent**		

The Chairperson thereupon declared the resolution duly passed and adopted this 26th day of January, 2012. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: ***Christopher Agrippa***
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Hugo Benitez

Item 1

Contract No.: SS8265-3/12-2

Contract Title: **Food Service Software (FSD) License Maintenance & Support Services**

Description: It is recommended that the Board authorize the County Mayor or the County Mayor's designee to exercise the remaining Option-to-Renew term for software maintenance and support services for Food Service Software used by Miami-Dade Corrections and Rehabilitation (MDCR).

Initial Contract Term and Usage:	October 1, 2007 to September 30, 2009	$ 50,000
First OTR and Usage:	October 1, 2009 to September 30, 2010	$ 25,000
Second OTR and Usage:	October 1, 2010 to March 31, 2012	$ 37,000

OTR Requested for Approval Under This Item:

Third OTR and Usage:	April 1, 2012 through March 31, 2013	$ 25,000
Cumulative Value:		**$137,000**

JUSTIFICATION

This contract is used by the Miami-Dade Corrections and Rehabilitation Department (MDCR) for maintenance and support services for Food Service Software provided by Food Service Software Dynamics, Inc. This software is used in the preparation of food production, food inventory control, and purchase of food and supplies for six county correctional facilities. The tool provides food production instructions, inventory pull lists, and an accounting and inventory control database that is customized to meet MDCR's operational needs.

Food Service Software Dynamics is the sole proprietor of the software, and only provider of software maintenance and support services. Market research indicates there are no other companies available to provide the required software maintenance and technical support services. Pricing has remained fixed during the past five years. It is in the best interest of the County to exercise the remaining option to renew term for continuity of services.

Using/Managing Department and Funding Source:

Department	**Total Allocation Requested for Remaining OTR**	**Funding Source**	**Contract Manager**
Corrections and Rehabilitation	$25,000	General Fund	Debra Graham
Total:	**$25,000**		

Vendor:	Address	Principal
Food Service Software Dynamics, Inc. (Local Vendor)	12856 SW 67 Terrace Miami, FL 33183	Louise McGowan

Performance Data:	There are no performance issues with the awarded firm.
Compliance Data:	There are no compliance issues with the awarded firm.
Contract Measure:	No Measure - Sole Source
Local Preference:	Not Applicable
Living Wage:	The services being provided are not covered under the Living Wage Ordinance.
User Access Program:	The User Access Program provision applies. The 2% program discount is being collected on all purchases.
Procurement Contracting Officer:	Margaret Brown

Item 2

Contract No.: SS6976-4/13-3

Contract Title: **INFOR Global Software Maintenance and Support Services**

Description: It is recommended that the Board authorize the County Mayor or the County Mayor's designee to exercise the remaining Option-to-Renew term for software maintenance and support services for Millennium Software used by Miami-Dade Aviation Department (MDAD).

Initial Contract Term and Usage:	February 1, 2008 to January 31, 2009	$ 39,000
First OTR and Usage:	February 1. 2009 to January 31, 2010	$ 43,000
Second OTR and Usage:	February 1, 2010 to February 28, 2011	$ 46,000
Third OTR and Usage:	March 1, 2011 to February 29, 2012	$ 49,000

OTR Requested for Approval Under This Item:

Fourth OTR and Usage:	March 1, 2012 to February 28, 2013	$ 50,000
Cumulative Value:		**$227,000**

JUSTIFICATION

This contract is used by the Miami-Dade Aviation Department (MDAD) for maintenance and support services for Infor Millennium Software (software) provided by Infor Global Solution, Inc. The software is used to run various proprietary operating systems used on the IBM mainframe. The operating systems include security, controlled access, airside training, work orders, and budget. These systems support daily operations at Miami International Airport.

Infor Global Solutions is the developer and sole proprietor of the software, and only provider of software maintenance and support services. Market research has confirmed that there is no other source of supply to provide the required software maintenance and technical support services. MDAD is gradually moving away from this software as applications migrate to the Enterprise Resource Planning System and Websphere technical environments. Continued software maintenance and support services are required until the migration is completed in one year. It is therefore in the best interest of the County to exercise the remaining option to renew term for continuity of services.

Using/Managing Department and Funding Source:

Department	**Total Allocation Requested for Remaining OTR**	**Funding Source**	**Contract Manager**
Aviation	$50,000	Proprietary Funds	Neivy Garcia
Total:	**$50,000**		

Vendor:	Address	Principal
INFOR-Global Solutions, Inc. (Non-local Vendor)	66 Perimeter Center East Atlanta, GA 30346	Terri Lenahan

Performance Data:	There are no performance issues with the awarded firm.
Compliance Data:	There are no compliance issues with the awarded firm.
Contract Measure:	No Measure - Sole Source
Local Preference:	Not Applicable
Living Wage:	The services being provided are not covered under the Living Wage Ordinance.
User Access Program:	The User Access Program provision applies. The 2% program discount is being collected on all purchases.
Procurement Contracting Officer:	Dakota Thompson

Item 3

Contract No.: SS6723-5/15-1

Contract Title: **SERENA Software Maintenance and Support Services**

Description: It is recommended that the Board authorize the County Mayor or the County Mayor's designee to exercise two Option-to-Renew terms for software maintenance and support services for the existing Startool File and Data Management Software used by Information Technology Department (ITD).

Initial Contract Term and Usage:	August 1, 2009 to July 31, 2010	$ 74,000
First OTR and Usage:	August 1, 2010 to January 31, 2012	$ 92,000

OTRs Requested for Approval Under This Item:

Second OTR and Usage:	February 1, 2012 to January 31, 2013	$ 64,000
Third OTR and Usage:	February 1, 2013 to January 31, 2014	$ 68,000
Cumulative Value:		**$298,000**

JUSTIFICATION

This contract is used by the Information Technology Department (ITD) for maintenance and support services for the existing Startool File and Data Management (FDM) software provided by Serena Software, Inc. The software simplifies management of complex data file tasks. ITD programmers use this tool to manage Multiple Virtual Storage (MVS) files. The software is used for file allocations, Virtual Storage Access Method file management, database file management, and file recovery. The software is used to manage virtual storage file allocations, virtual access storage access, and database and file recovery management for various systems.

Serena Software, Inc. is the developer and sole proprietor of the software, and the only provider of software maintenance and support services. Market research shows there are other software providers for similar file and data management software, but none can provide maintenance and support services for the existing system. Startool FDM is customized to work with the County's mainframe and IBM operating system. There are no other companies available to provide the required software maintenance and technical support services. It is therefore in the best interest of the County to exercise the second and third option to renew terms for continuity of services.

Using/Managing Department and Funding Source:

Department	Total Allocation Requested for Second and Third OTRs	Funding Source	Contract Manager
Information Technology Department	132,000	Internal Service Funds	Mirta Cardoso-Lopez
Total:	**$132,000**		

Vendor:	Address	Principal
Serena Software, Inc. (Non-local Vendor)	1900 Seaport Boulevard Second Floor Redwood City, CA 94063	Cindy Dawson

Performance Data: There are no performance issues with the awarded firm.

Compliance Data: There are no compliance issues with the awarded firm.

Contract Measure: No Measure - Sole Source

Local Preference: Not Applicable

Living Wage: The services being provided are not covered under the Living Wage Ordinance.

User Access Program: The User Access Program provision applies. The 2% program discount is being collected on all purchases.

Procurement Contracting Officer: Margaret Brown

Item 4

Contract No.: BW9439-4/15

Contract Title: **Pitney Bowes Group 1 Software Maintenance & Support Services**

Description: It is recommended that the Board authorize the County Mayor or the County Mayor's designee to exercise two Option-to-Renew terms for software maintenance and support services for the existing Pitney Bowes Software used by the Water and Sewer Department (WASD).

Initial Contract Term and Usage:	January 26, 2011 through January 31, 2012	$ 75,000

OTRs Requested for Approval Under This Item:

First OTR and Usage:	February 1, 2012 to January 31, 2013	$ 78,000
Second OTR and Usage:	February 1, 2013 to January 31, 2014	$ 81,000
Cumulative Value:		**$234,000**

JUSTIFICATION

This contract is used by the Water and Sewer Department (WASD) for maintenance and support services for various mailing software applications provided by Pitney Bowes. WASD uses Pitney Bowes software applications that interface with the PeopleSoft Customer Information System (CIS) to produce mailing information for WASD customer bills. Maintenance and support services for the existing Pitney Bowes DOC1 Production Engine for UNIX, DOC1 Application Development Facility (ADF) for Windows NT, CODE-1 Plus for UNIX, and Mailstream for UNIX software applications is necessary for WASD's daily operations.

Pitney Bowes, Inc. is the developer and sole proprietor of the software, and only provider of software maintenance and support services. Market research shows there are other software providers for similar mailing software, but none can provide maintenance and support services for the existing system. The Pitney Bowes applications are customized to work with PeopleSoft CIS and Pitney Bowes equipment. There are no other companies available to provide the required software maintenance and technical support services. It is therefore in the best interest of the County to exercise the first and second option to renew terms for continuity of services.

Using/Managing Department and Funding Source:

Department	Total Allocation Requested for First and Second OTRs	Funding Source	Contract Manager
WASD	$159,000	Proprietary Funds	George Par
Total:	**$159,000**		

Vendor:	Address	Principal
Pitney Bowes Software, Inc. (Non-local Vendor)	One Global View Troy, NY 12180	Nancy Kurkjians

Performance Data:	There are no performance issues with the awarded firm.
Compliance Data:	There are no compliance issues with the awarded firm.
Contract Measure:	No Measure - Bid Waiver
Local Preference:	Not Applicable
Living Wage:	The services being provided are not covered under the Living Wage Ordinance.
User Access Program:	The User Access Program provision applies. The 2% program discount is being collected on all purchases.
Procurement Contracting Officer:	Margaret Brown

Item 5

Contract No.: SS7784-3/14

Contract Title: **Heat Pump Rental Services**

Description: It is recommended that the Board authorize the County Mayor or the County Mayor's designee to exercise two Option-to-Renew terms for diesel heat pump rental services for the Miami-Dade Aviation Department. This contract has three OTRs periods remaining. Exercising the first and second periods will bring the cumulative value of the contract to $216,000.

Initial Contract Term and Usage:	February 7, 2011 through January 31, 2012	$ 72,000

OTRs Requested for Approval Under This Item:

First OTR and Usage:	February 1, 2012 to January 31, 2013	$ 72,000
Second OTR and Usage:	February 1, 2013 to January 31, 2014	$ 72,000
Cumulative Value:		**$216,000**

JUSTIFICATION

This contract is used by the Miami-Dade Aviation Department (MDAD) for rental of diesel heat pumps. MDAD has diesel-powered emergency electrical generators that provide backup power to run emergency circuits in the event of a power failure. To minimize disruption during a power outage, diesel emergency generators must be kept warm to ensure a quick start-up.

Diesel-powered emergency electrical generators are equipped with heaters which are not energy efficient. Geo-Thermal Systems, Inc. has patented diesel heat pumps specifically designed to operate with diesel engines. The heat pumps are energy efficient and keep the generators warm and ready to run the emergency circuit in case of a power failure.

Geo-Thermal Systems, Inc. is the sole source provider and owner of the patented heat pump system specifically designed to operate with diesel engines. Under this contract, Geo-Thermal Systems provides the units to the County with no capital investment, and relieves the County of any maintenance responsibilities. The company installs, maintains, and replaces units at no additional cost.

The energy savings achieved by MDAD using these heat pumps is sufficient to cover the electricity and rental costs of the heat pumps. Therefore, it is in the County's best interest to exercise the first and second options-to-renew for continuity of services.

Using/Managing Department and Funding Source:

Department	Total Allocation Requested for First and Second OTRs	Funding Source	Contract Manager
Aviation	$144,000	Proprietary Funds	Neivy Garcia
Total:	**$144,000**		

Vendor:	Address	Principal
Geo-Thermal Systems, Inc (Non-local Vendor)	1706 W. Jetton Avenue, Suite A Tampa, FL 33606	James M. Whittlesey

Performance Data: There are no performance issues with the awarded firm.

Compliance Data: There are no compliance issues with the awarded firm.

Contract Measure: No Measure - Sole Source

Local Preference: The Local Preference Ordinance does not apply.

Living Wage: The services being provided are not covered under the Living Wage Ordinance.

User Access Program: The User Access Program provision applies. The 2% program discount is being collected on all purchases.

Procurement Contracting Officer: Pablo Martinez

Item 6

Contract No.:	BW7579-3/13-2
Contract Title:	**Coldfire Cryogenic Thermal Cycling**
Description:	It is recommended that the Board authorize the County Mayor or County's Mayor designee to exercise the third Option-to-Renew (OTR) period to continue to purchase cryogenic molecular enhancement (CryoME) treatments for Miami-Dade Fire Rescue Department's (MDFR) fire truck brake rotors and brake drums. The contract is in its final OTR period and will bring the cumulative value of the contract over $100,000.

Initial Contract Term and Usage:	June 1, 2007 to May 31, 2010	$ 60,000
First OTR and Usage:	June 1, 2010 to May 31, 2011	$ 20,000
Second OTR and Usage:	June 1, 2011 to May 31, 2012	$ 20,000
OTR Requested for Approval:		
Third OTR and Usage	June 1, 2012 to May 31, 2013	$ 20,000
Cumulative Value:		$120,000

Using/Managing Department and Funding Source:

Department	Total Allocation Requested for Third OTR	Funding Source	Contract Manager
Fire Rescue	$20,000	Fire District Funds	Marianela Betancourt
Total:	**$20,000**		

Vendors:	Address	Principal
P.S. Systems, Inc. (Local Vendor)	1180 N.W. 163rd Drive Miami, FL 33169 Miami, Florida 33169	Pablo M. Aguilera

Performance Data: There are no performance issues with the awarded firm.

Compliance Data: There are no compliance issues with the awarded firm.

Contract Measure: No measure – Bid Waiver

Review Committee Date: June 6, 2007; Item #2-05

Local Preference:	No Local Preference – Bid Waiver
Living Wage:	The services being provided are not covered under the Living Wage Ordinance.
User Access Program:	The User Access Program provision will apply. The 2% program discount is being collected on all purchases.
Procurement Contracting Officer:	Lourdes Farley

JUSTIFICATION

This contract is used by the Miami-Dade Fire Rescue Department (MDFR) to purchase coldfire cryogenic thermal cycling services for fire rescue vehicles, and fire truck brake rotors and brake drums. This patented process prolongs the life of these components, enhances safety, and increases resistance to heat warpage and cracking, thus reducing the need for future maintenance and parts replacement. The incumbent is a local vendor who provides this service, including pick-up and delivery.

This contract was awarded as a bid waiver because P.S. Systems, Inc. is the only company in South Florida that operates a cryogenic thermal cycling processor providing these services. The vendor also provides services to Broward County, Palm Beach County, and Monroe County. There are other vendors which also provide this service, but these vendors are not based in Florida. Market research identified vendors located in Arizona and Wisconsin. These vendors offered the services at approximately $25 per service below the price paid by the County to P.S. Systems. However, shipping costs for these heavy brake rotors and drums average about $40 - $60, which negates the service cost advantage of contracting with these companies. In addition, P.S. Systems does not charge the County for delivery or pick-up. By using a local vendor, the County saves money and time that would otherwise be needed for shipping these parts back and forth from the cryogenic facility. Exercising the option-to-renew will allow MDFR to continue purchase of this necessary service that helps the department to prolong equipment life and reduce maintenance costs.