

Memorandum



Date: August 31, 2020

To: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

Agenda Item No. 8(F)(7)

From: Carlos A. Gimenez
Mayor

Resolution No. R-852-20

Subject: Recommendation for Approval of a Designated Purchase under Contract No. L7204-1/25, E-Net Software Maintenance Support Services

Recommendation

It is recommended that the Board of County Commissioners (Board) authorize this request for a designated purchase under *Contract No. L7204-1/25, E-Net Software Maintenance Support Services (Software)*. Approval of a designated purchase is being requested by the Information Technology Department (ITD), pursuant to Section 2-8.1(b)(3) of the Miami-Dade County Code, by a two-thirds vote of the Board members present, to modify the term of the contract from an initial term of five years with one-five year option to renew to an initial term of nine years with one-one year option to renew. The total cumulative contract term, inclusive of the option to renew term, will be 10 years. Additionally, this designated purchase will authorize additional expenditure authority in the amount of \$319,912. The County established this Contract under delegated authority in October 2015.

The software provides a reliable method of duplication for the Criminal Justice Information System (CJIS) database, by maintaining a duplicate copy of the database used for disaster processing and Ad-Hoc reporting. The software is proprietary and owned by E-Net Corporation. The services related to the software, including upgrades, maintenance and support, are performed solely by E-Net Corporation.

ITD is currently in the process of competitively procuring a court case management software for the modernization of the Criminal Justice Information System. The implementation of the new software is anticipated to take more than a year. Once the modernization of this critical system is completed, the County will no longer be reliant on the E-net software. Through negotiations with E-net, the County was able to negotiate savings and extend the current contract term, until the new CJIS is awarded and implemented. Competition is not practicable as the County has significantly invested in the implementation and maintenance of the system, which is maintained solely by E-Net. Accordingly, it is in the County's best interest to award this designated purchase pursuant to Section 2-8.1(b)(3) of the County Code to ensure continuity of services.

Scope

The scope of this item is countywide in nature.

Fiscal Impact/Funding Source

The contract term expires on November 30, 2020 and has a current cumulative allocation of \$245,563. If this request is approved, the contract will have a modified cumulative allocation of \$479,819 for the initial term and an expiration date of November 30, 2024. The requested increase in expenditure authority is based on a negotiated reduction of the annual maintenance and support services fees due to the extended initial contract term.

Should the County choose to exercise the one-year option to renew term, the additional expenditure authority of \$85,656 will be added to the contract, for a modified cumulative allocation of \$565,475.

Department	Existing Cumulative Allocation	Additional Allocation Requested for the Initial and OTR Terms	Modified Cumulative Allocation	Funding Source	Contract Manager
Information Technology	\$245,563	\$319,912	\$565,475	Internal Service Funds	Mirta Lopez-Cardoso
Total:	\$245,563	\$319,912	\$565,475		

Track Record/Monitor

Sade Chaney of the Internal Services Department is the Procurement Contracting Manager.

Delegated Authority

The County Mayor or County Mayor's designee will have the authority to exercise all provisions of the contract, including any renewals, extensions or cancellation, pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38.

Awarded Vendor

Vendor	Principal Address	Local Address	Principal
E-Net Corporation	300 Valley Street Sausalito, CA	None	Armelta Briggs

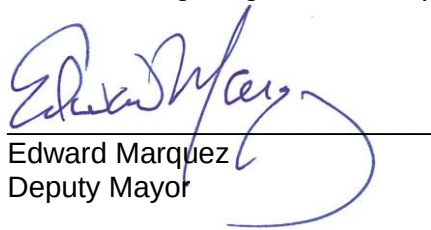
Due Diligence

Pursuant to Resolution No. R-187-12, due diligence was conducted in accordance with the Internal Services Department's Procurement Guidelines to determine contractor responsibility, including verifying corporate status and that there are no performance or compliance. The lists 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 next term of the contract. Negotiations resulted in a reduction of \$37,261 from the pricing established at the contract's inception for maintenance and support.

Applicable Ordinances and Contract Measures

- The User Access Program provision applies.
- The Small Business Enterprise measures and Local Preference do not apply.
- The Living Wage does not apply.



Edward Marquez
Deputy Mayor



MEMORANDUM (Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: August 31, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 8(F)(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(F)(7)
8-31-20

RESOLUTION NO. R-852-20

RESOLUTION AUTHORIZING DESIGNATED PURCHASE PURSUANT TO SECTION 2-8.1(B)(3) OF THE COUNTY CODE BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT; AUTHORIZING FOUR YEAR EXTENSION OF INITIAL TERM OF CONTRACT, EXERCISE OF A ONE YEAR OPTION TO RENEW TERM, AND ADDITIONAL EXPENDITURE AUTHORITY IN AN AMOUNT UP TO \$319,912.00, CONSISTING OF \$234,256.00 FOR THE EXTENDED TERM AND \$85,656.00 FOR THE OPTION TO RENEW TERM FOR A MODIFIED TOTAL CONTRACT AWARD OF \$565,475.00 FOR CONTRACT NO. L7204-1/25 FOR THE PURCHASE OF E-NET SOFTWARE MAINTENANCE SUPPORT SERVICES FOR THE INFORMATION TECHNOLOGY DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY RENEWALS, EXTENSIONS OR CANCELLATIONS, 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 finds it is in the best interest of Miami-Dade County to authorize a four-year extension of the initial term of the contract, the exercise of a one-year option to renew term, and additional expenditure authority in an amount up to \$319,912.00, consisting of \$234,256.00 for the extended term and \$85,656.00 for the option to renew term for a modified total contract award of \$565,475.00 for Contract No. L7204-1/25 for the purchase of e-net software

maintenance support services for the Information Technology Department, pursuant to Section 2-8.1(b)(3) of the County Code, by a two-thirds vote of the Board Members present.

Section 2. This Board authorizes the County Mayor or County Mayor’s designee to exercise all provisions of the contract, including any renewals, extensions or cancellations, pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38.

The foregoing resolution was offered by Commissioner **Joe A. Martinez** , who moved its adoption. The motion was seconded by Commissioner **Audrey M. Edmonson** and upon being put to a vote, the vote was as follows:

Audrey M. Edmonson, Chairwoman	nay
Rebeca Sosa, Vice Chairwoman	aye
Esteban L. Bovo, Jr.	aye
Jose “Pepe” Diaz	aye
Eileen Higgins	aye
Joe A. Martinez	aye
Dennis C. Moss	aye
Xavier L. Suarez	aye
Daniella Levine Cava	aye
Sally A. Heyman	aye
Barbara J. Jordan	aye
Jean Monestime	nay
Sen. Javier D. Souto	aye

The Chairperson thereupon declared the resolution duly passed and adopted this 31st day of August, 2020. 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

HARVEY RUVIN, CLERK

Melissa Adames

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Eduardo W. Gonzalez

A handwritten signature in black ink, appearing to read "E. Gonzalez", is written over a horizontal line.

SUPPLEMENTAL AGREEMENT NO. 1

Contract Number: **L7204-1/25**

Contract Title: **Maintenance and Support Agreement E-Net Software**

Contractor: **E-Net Corporation
300 Valley Street, Suite 204
Sausalito, CA 94965**

Whereas, the County desires to extend the initial contract term for a period of four additional years;

Whereas, in exchange for such extended term, the Contractor desires to offer the County incentive discounts in accordance with Article 5.3;

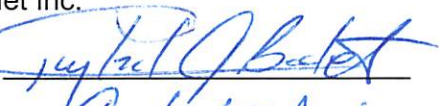
Now therefore, the parties agree as follows:

1. Article 3.1 shall be deleted in its entirety and replaced in its entirety with "The Agreement shall become effective on the date that it is signed by the County or the Licensor, whichever is later and shall continue through the last day of the one hundred eight (108th) month. The County, at its sole discretion, reserves the right to exercise the option to renew this Contract for one (1) additional one (1) year term, for a maximum total of Ten (10) years."
2. Delete Appendix A, Scope of Services in its entirety, and replace with the attached revised Appendix A, Scope of Services.

All terms, covenants and conditions of the original Contract shall remain in full force and effect, except to the extent herein amended.

IN WITNESS WHEREOF, the parties have executed this Supplemental Agreement to County Contract No. L7204-1/25.

E-Net Inc.

By: 

Name: Gaylord J. Balet

Title: President

Date: 5/22/20

Attest: _____
Corporate Secretary/Notary

Miami-Dade County

By: _____

Name: Carlos A. Gimenez

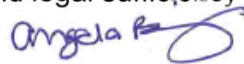
Title: Mayor

Date: _____

Attest: _____
Clerk of the Board

Corporate Seal/Notary

Approved as to form
and legal sufficiency


Assistant County Attorney



MIAMI-DADE COUNTY, FLORIDA

L7204-1/25

Appendix A – Scope of Services

Software Description, Designated Equipment, and Maintenance fees

Software Description:

E-NET2 Local
E-NET2 Local

Designated Equipment:

CPU www-C65F2-2098, Model 2098-P03 (Group G)
E-Net2 Local

CPU www-C65F2-2098, Model 2098-P03 (Group G)
E-Net2 Local

MAINTENANCE AND SUPPORT SERVICES FEES

E-Net Fees

Maintenance Fee: Annual fee for maintenance & support services are due in advance of renewal date

<u>YEAR</u>	<u>CPU C65FW-2098</u>	<u>Upgrade</u>	<u>CPU CE8C2-2098</u>	<u>TOTAL FEE</u>
Initial Ninth Year Contract Term				
2016	\$20,168.50	\$7,200.00	\$20,168.50	\$47,537.00 (PAID)
2017	\$22,972.00		\$22,972.00	\$45,944.00 (PAID)
2018	\$24,121.00		\$24,121.00	\$48,242.00 (PAID)
2019	\$25,237.00		\$25,237.00	\$50,654.00 (PAID)
2020	\$25,237.00		\$25,237.00	\$50,654.00 (PAID)
2021	\$29,282.00		\$29,282.00	\$58,564.00
2022	\$29,282.00		\$29,282.00	\$58,564.00
2023	\$29,282.00		\$29,282.00	\$58,564.00
2024	\$29,282.00		\$29,282.00	\$58,564.00

Option to Renew – Year One

2025	\$42,828.00		\$42,828.00	\$85,656.00
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