

Date: October 6, 2020

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

From: Carlos A. Gimenez
Mayor

Agenda Item No. 8(F)(14)

Resolution No. R-958-20

Subject: Recommendation for Retroactive Approval of a Designated Purchase under Contract No. RFP- MDAD-02-06, Operation of Public Parking Facilities - Miami International Airport

Recommendation

It is recommended that the Board of County Commissioners (Board) authorize this request for a designated purchase under Contract No. MDAD-02-06, *Operation of Public Parking Facilities – Miami International Airport*. Retroactive approval of a designated purchase is being requested by the Miami-Dade Aviation Department (MDAD), 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 extend the term of the non-exclusive management agreement (Agreement) awarded to Airport Parking Associates (APA) under RFP No. MDAD 02-06 for a total of seven months, to October 31, 2020, with additional expenditure authority in the amount of \$87,500 (\$12,500 per month) under the same terms and conditions. While six months was initially required to allow completion of the protest procedures and award of the replacement contract, an additional month is requested for the transition of operations to the awarded vendor under the replacement contract. The services MDAD obtains through this Agreement are critical to Miami International Airport's (MIA) operations as APA provides management and operation services for the public parking facilities at the Terminal Building area of MIA.

The Board awarded this competitively-established Agreement to APA in September 2008 through Resolution No. R-898-08 with a five-year term and five one-year renewal options including a fee model that incorporated a monthly management fee of \$8,250 (\$99,000 per year), and full reimbursement of operational costs incurred. Subsequently, through Resolution No. 818-18, the Board directed MDAD to negotiate a one-year extension of the Agreement and a management fee with APA. As such, on October 8, 2018, the Board approved a one-year contract extension through Resolution No. R-979-18, which increased the monthly management fee to \$12,500 and granted a one-time payment of \$49,699 for five years of historical Consumer Price Index (CPI) adjustments, totaling \$199,699. Thereafter, a six-month contract extension and additional expenditure authority of \$75,000 (\$12,500 per month for six months) was approved under delegated authority, which changed the Agreement's expiration date to March 31, 2020.

A competitive Request for Proposal (RFP) was issued on October 23, 2018 to replace RFP No. MDAD 02-06 through the collection of proposals from qualified and experienced firms to manage the operations of all public parking facilities at MIA. On December 14, 2018, two proposals were received and evaluated, one from APA, and one from LAZ Florida Parking, LLC (LAZ). The Competitive Selection Committee recommended that the County enter into negotiations with both proposers to achieve the lowest possible cost while obtaining the most favorable contractual terms. On May 16, 2019, after negotiations concluded, the Mayor recommended award to LAZ.

On January 15, 2020, the Tourism and the Ports Committee directed staff to conduct a Best and Final Offer (BAFO) solicitation with the two proposers that responded to the RFP. On February 5, 2020, the Mayor recommended award to LAZ, the lowest priced proposer. On February 10, 2020, the award recommendation was protested pursuant to Sections 2-8.3 and 2-8.4 of the Miami-Dade County Code, consequently, a protest hearing was scheduled for March 19, 2020. However, because of the ongoing "Coronavirus Disease 2019" (COVID-19) State of Emergency, the hearing examiner requested a continuance of the scheduled date to no time certain. The County Attorney's Office, the Clerk of the Board, and the Internal Services Department worked cooperatively with the Information Technology Department to formulate a process to conduct the protest hearing via a remote technology to ensure

compliance with local and state issued executive orders and recommended social distancing practices. The protest hearing took place on June 30, 2020. The hearing examiner upheld the Mayor's recommendation.

This item is being presented as a designated purchase because competition is not feasible at this time. The terms and pricing for the requested extension is based on the terms and pricing of the Agreement as approved by the Board in 2018. Accordingly, it is in the County's best interest to approve this extension to ensure the uninterrupted operation of parking services at Miami International Airport until such time as the competitive replacement contract is in place.

Scope

Miami International Airport is located within District 6, which is represented by Commissioner Rebeca Sosa. However, the impact of this item is countywide, as Miami International Airport is a regional asset.

Fiscal Impact/Funding Source

The fiscal impact of the seven-month term is \$87,500, consisting of the management fee.

Department	Allocation	Funding Source	Contract Manager
Aviation	\$87,500	Proprietary Funds	Sylvia Novela
Total:	\$87,500		

Track Record/Monitor

Basia Pruna of the Internal Services Department is the Strategic Procurement Division Assistant Director.

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 extension provisions, pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38.

Awarded Vendor

Vendor	Principal Address	Local Address	Principals
Airport Parking Associates Joint Venture (SP Plus Corporation and WRP and Associates, Inc.)	200 E Randolph Street Suite 7700 Chicago, IL	340 NE 94 Street Miami, FL	Jack Ricchiuto and William Perry

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 review of performance and compliance issues. The lists referenced include convicted vendors, debarred vendors, delinquent contractors, suspended vendors, and federal excluded parties. There were no adverse findings relating to contractor responsibility.

Applicable Ordinances and Contract Measures

- The two percent User Access Program provision does not apply.
- The Small Business Enterprise Selection Factor and Local Preference were applied.
- The Living Wage applies.

Attachments



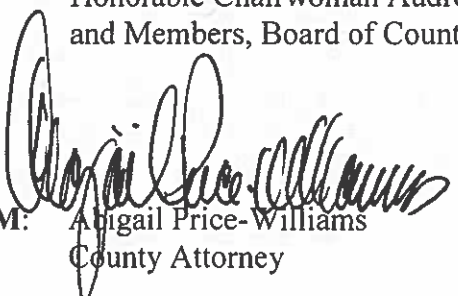
Jack Osterholt
Deputy Mayor



MEMORANDUM (Revised)

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

DATE: October 6, 2020

FROM: 
Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 8(F)(14)

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)(14)
10-6-20

RESOLUTION NO. R-958-20

RESOLUTION RETROACTIVELY AUTHORIZING A 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 AWARD OF ADDITIONAL TIME UP TO SEVEN-MONTHS AND ADDITIONAL EXPENDITURE AUTHORITY FOR CONTRACT NO. MDAD-02-06 IN AN AMOUNT UP TO \$87,500.00 UNDER THE SAME TERMS AND CONDITIONS FOR THE PURCHASE OF OPERATION OF PUBLIC PARKING FACILITIES – MIAMI INTERNATIONAL AIRPORT FOR THE MIAMI-DADE AVIATION DEPARTMENT; 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 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:

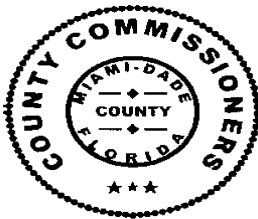
Section 1. This Board finds it is in the best interest of Miami-Dade County to retroactively award additional time for an additional seven-months and additional expenditure authority in an amount up to \$87,500.00 under the same terms and conditions for Contract No. MDAD-02-06 for the purchase of Operation of Public Parking Facilities – Miami International Airport for the Miami-Dade Aviation Department, pursuant to Section 2-8.1(b)(3) of the Code of Miami-Dade County, 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 cancellation or extension provisions, pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38.

The foregoing resolution was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **José "Pepe" Diaz** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared this resolution duly passed and adopted this 6th day of October, 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

By: **Melissa Adames**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

David M. Murray

SUPPLEMENTAL AGREEMENT NO. 2

Contract Number: RFP No. MDAD-02-06

Contract Title: Non-Exclusive Management Agreement for the Operation of the Public Parking Facilities - Miami International Airport

Operator: Airport Parking Associates

In accordance with the above referenced Agreement, this supplement when properly executed becomes a part of the Agreement, effective upon execution.

WHEREAS, the County desires to modify the Agreement through this Supplemental Agreement No. 2, by waiving formal bid procedures to extend the contract for one hundred eighty (180) calendar days,

NOW, THEREFORE, in consideration of the premises contained herein, the parties hereto agree to the following modification to the Agreement:

This Agreement is hereby extended for a period of one hundred eighty (180) calendar days, commencing on April 1, 2020 and expiring September 30, 2020, with the fixed monthly management fee of \$12,500.

All terms, covenants and conditions of the original Agreement, Amendment No. 1, and Supplemental Agreement No. 1, issued thereto shall remain in full force and effect, except to the extent herein amended.

IN WITNESS WHEREOF, the parties have executed this Supplemental Agreement to RFP No. MDAD-02-06.

Airport Parking Associates:

SP Plus Corporation - Partner

By: Jack Ricchiuto

Name: [Signature]

Title: President - Airport Division

Date: 5/1/2020

Attest: [Signature]
Corporate Secretary/Notary

Corporate Seal/Notary



Miami-Dade County

By: [Signature]
Digitally signed by Tara C. Smith
Date: 2020.05.26 16:56:19 -04'00'

Name: Carlos A. Gimenez

Title: Mayor

Date: 5/27/20

Attest: [Signature]
Clerk of the Board



Miami-Dade County

Supplemental Agreement No. 2 to RFP No. MDAD-02-06

WRP and Associates, Inc. - Partner

By: William Perry

Name: [Signature]

Title: PRESIDENT - WRP & ASSOC, INC

Date: 5/4/2020

Attest: [Signature]
Corporate Secretary/Notary

Corporate Seal/Notary

Approved as to form
and legal sufficiency:

[Signature]
Assistant County Attorney
Miami-Dade County

SUPPLEMENTAL AGREEMENT NO. 3

Contract Number: **RFP No. MDAD-02-06**

Contract Title: **Non-Exclusive Management Agreement for the Operation of the Public Parking Facilities - Miami International Airport**

Operator: **Airport Parking Associates**

In accordance with the above referenced Agreement, this supplement when properly executed becomes a part of the Agreement, effective upon execution.

WHEREAS, the County desires to modify the Agreement through this Supplemental Agreement No. 3, by waiving formal bid procedures to extend the contract for thirty (30) calendar days,

NOW, THEREFORE, in consideration of the premises contained herein, the parties hereto agree to the following modification to the Agreement:

This Agreement is hereby extended for a period of thirty (30) calendar days, commencing on October 1, 2020 and expiring October 31, 2020, with the fixed monthly management fee of \$12,500.

All terms, covenants and conditions of the original Agreement, Amendment No. 1, Supplemental Agreement No. 1 and Supplemental Agreement No. 2, issued thereto shall remain in full force and effect, except to the extent herein amended.

IN WITNESS WHEREOF, the parties have executed this Supplemental Agreement to RFP No. MDAD-02-06.

Airport Parking Associates:

SP Plus Corporation - Partner

By: [Signature]
Name: Jack Riccihiro
Title: President - Airport Division
Date: 8-5-2020
Attest: [Signature]
Corporate Secretary/Notary

Corporate Seal/Notary



WRP and Associates, Inc. - Partner

By: [Signature]
Name: William R. Perry
Title: President
Date: 8/6/2020
Attest: [Signature]
Corporate Secretary/Notary

Corporate Seal/Notary



Miami-Dade County

By: _____
Name: Carlos A. Gimenez
Title: Mayor
Date: _____
Attest: _____
Clerk of the Board

Approved as to form
and legal sufficiency:

[Signature]
Assistant County Attorney
Miami-Dade County