

Memorandum



Date: October 6, 2020

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

Agenda Item No. 8(O)(5)

From: Carlos A. Gimenez
Mayor

A handwritten signature in blue ink, appearing to read "Carlos A. Gimenez".

Resolution No. R-1012-20

Subject: Recommendation for Approval of a Designated Purchase of the Electrical Power Systems Program

The County Mayor's Memorandum for this item was amended at the September 9, 2020 Miami-Dade Infrastructure and Capital Improvements Committee to include language that clarified that the 6 million allocation being approved by the item was the fiscal impact for the first year of a 5 year contract term. Further, a scrivener's error was corrected to reflect that the biannual ratification report shows contracting activities during the previous 6 months. The amendment provided that a modification will be presented to the Board at a later date when additional allocation is identified and needed for future years of the pool.

Recommendation

It is recommended that the Board of County Commissioners (Board) authorize the designated purchase of Electrical Power Systems, as more particularly described below, pursuant to Section 2-8.1(b)(3) of the County Code by a two-thirds vote of the Board members present and approve the establishment of the Water and Sewer Department's ("WASD") Electrical Power Systems (EPS) Program subject to the terms and conditions of the proposed resolution including the initial overall expenditure limit of the program not exceeding \$6 million for the first year.

Scope

The scope of this item is countywide in nature.

Fiscal Impact/Funding Source

The Program has a five-year term. The fiscal impact for the first year is 6 million. A modification will be presented to the Board at a later date when additional allocation is identified and needed for future years of the pool. The funding source for these services is Proprietary Funds.

Delegation Authority

If this item is approved, the County Mayor or the County Mayor's designee will have the authority to exercise all provisions of the Electrical Power Systems Program as provided in the resolution. The County Mayor or the County Mayor's designee shall submit to the Board, on a biannual basis, reports on the contracting activities during the previous 6 months for ratification.

Track Record/Monitor

Water and Sewer Department's Chief of Procurement, Susan Pascul, will oversee the implementation of Electrical Power Systems Program.

Background

The Board approved an Electrical Power Systems Prequalification Pool, Bid No. 6443-011, by its adoption of Resolution No. R-179-07 during its February 20, 2007 meeting. WASD is tasked with properly operating and maintaining the County's water and wastewater treatment systems. Electrical power systems are a network of systems deployed throughout our water and wastewater facilities to supply, transfer, and use electricity in the event of a power outage. These electrical power grid systems and infrastructure components aid in avoiding wastewater backups, overflows, and boil water advisories. For this purpose, WASD is implementing the Electrical Power Systems Program. Under the EPS program, the County Mayor or County Mayor's designee is authorized to contract for goods and services for the County's electrical distribution system providing power to WASD plants, pumping stations, and other facilities. The following are some of the covered purchases authorized under the program: the installation, service, engineering, upgrading or replacement of power distribution equipment used in the water and wastewater treatment, power transfer control systems, 480 volt motor control centers, 480 volt through 13,200 volt switchgear and transformers, and power systems distribution equipment.

WASD has been using this prequalification pool to meet its Electrical Power System needs including a) power systems analysis studies, b) electrical distribution, c) control systems design and control integration, d) electrical testing to ensure the safety of our system, e) preventative and predictive maintenance, equipment upgrades and life extension, f) procurement of necessary components, parts, and supplies, g) service for central systems and power transfer systems, and h) repairs to electrical equipment, power grids, and infrastructure components that are critical to departmental core missions. WASD depends on this Pool to replace, repair, maintain, update, and upgrade aging equipment throughout all its facilities. These requirements include infrastructure deficiencies as well as upgrades to large kilowatt switchgear systems in both wastewater treatment plants and sewer pumping systems.

Much of the existing infrastructure that is already in place is provided by Eaton Corporation, Schneider Electric Inc., Siemens Industry Inc., and TAW Miami Service Center. These vendors are the specialized Original Equipment Manufacturers (OEM) of our electrical power systems engineering and power distribution. Maintenance and service of existing electrical power systems and components must be provided by the OEM to ensure the systems are maintained and working in accordance with manufacturer's specifications and as originally designed in order to ensure safety and preserve design efficiencies and peak performance.

The 6443-011 prequalification pool had a provision that provided the ability for Departments to directly obtain OEM services. Thus, some of the purchases under the pool were not competitive but were direct purchases from the OEM. Prequalification Pool, RTQ-00893, Industrial Electrical Services was established by the Board for a five-year term on October 3, 2019 through Resolution No. R-1032-19 to replace the 6443-011 prequalification pool. RTQ-00893 does not have the provision to directly purchase OEM services.

During the term of the existing 6443-011 pool contract, the Audit and Management Services Department conducted an audit of WASD's use of the contract. In consultation with ISD Strategic Procurement, one of AMS' findings was that individual contracts should be established for these OEM

Service Providers. WASD agreed with these findings and the purpose of this item is to create an Electrical Power Systems Program to meet the framework of the AMS Audit Report while still meeting the Electrical Power Systems service maintenance and repair needs. Proactive steps have been taken to manage the services to meet the audit report, to ensure this does not occur again.

The proposed resolution creates the Electrical Power Systems program. Under the program:

1. The County Mayor, or the County Mayor's designee, is directed to purchase electrical power systems pursuant to competitive bidding whenever practicable, including the use of existing county contracts and pools.
2. The County Mayor, or the County Mayor's designee, is authorized to purchase electrical power systems whenever competitive bidding is not practicable, as for example the need to purchase same from OEM.
3. Purchases pursuant to this resolution shall not exceed \$6 million for the first year. The purchasing limits and funding requested for this Electrical Power Systems Program is based on the yearly usage of the existing pool. Typically, the purchases under the existing prequalification range from less than \$1,000 for a parts purchase to \$5,859,575 for completed projects. The majority of purchases do not exceed \$100,000.
4. The County Mayor, or the County Mayor's designee, shall report all purchases under the program to the Board on a biannual basis.
5. OEM Vendors can be added to this Electrical Power Systems Program as needed.



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(O)(5)

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(O)(5)
10-6-20

RESOLUTION NO. R-1012-20

RESOLUTION AUTHORIZING THE ELECTRICAL POWER SYSTEMS (“EPS”) PROGRAM FOR THE WATER AND SEWER DEPARTMENT OF MIAMI-DADE COUNTY FOR A TOTAL AMOUNT NOT TO EXCEED \$6,000,000.00; AUTHORIZING DESIGNATED PURCHASES OF CERTAIN GOODS AND SERVICES COVERED UNDER THE EPS PROGRAM PURSUANT TO SECTION 2-8.1(B)(3) OF THE COUNTY CODE BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT; PROVIDING IMPLEMENTATION AUTHORITY; ESTABLISHING LIMITATIONS AND BIENNIAL RATIFICATION OF PURCHASES BY THIS BOARD

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 hereby authorizes the Electrical Power Systems (“EPS”) Program for the Water and Sewer Department (“WASD”) of Miami-Dade County. Under the EPS program, the County Mayor or County Mayor’s designee shall be authorized to contract for goods and services for the County’s electrical distribution system providing power to WASD plants, pumping stations, and other facilities (“Covered Purchases”). Covered Purchases include, but are not limited to the installation, service, engineering, upgrading or replacement of power distribution equipment used in the water and wastewater treatment, power transfer control systems, 480 volt motor control centers, 480 volt through 13,200 volt switchgear and transformers, and power systems distribution equipment.

Section 2. Whenever practicable, Covered Purchases shall be done on a competitive basis, including the use of Prequalification Pool RTQ-00893, Industrial Electrical Services, authorized by this Board on October 3, 2019 by Resolution No. R-1032-19, or successor purchasing program.

Section 3. By a two-thirds vote of the members present, this Board authorizes designated purchases, pursuant to Section 2-8.1(B)(3) of the County Code, for Covered Purchases where the County Mayor or County Mayor's designee determines competitive bidding is not practicable, including but not limited to purchases from the Original Equipment Manufacturer ("OEM") and emergency purchases to preserve the safety and welfare of County residents and employees.

Section 4. Subject to the total expenditure limit set forth in Section 5 of this Resolution, the County Mayor is hereby authorized to develop standards and program documents; issue, receive, and evaluate solicitation quotes and proposal, including addenda thereto; accept, negotiate, or reject quotes and proposals; issue notices to proceed; negotiate and settle contractual disputes; issue change orders for additional work; terminate contracts in accordance with their terms; and take any other action necessary or appropriate to give effect to the intent of this Resolution.

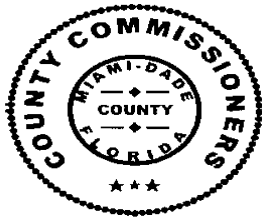
Section 5. The total amount of all purchases and other acts authorized under this Resolution, exclusive of amounts previously authorized under Resolution No. R-1032-19, shall not exceed \$6 million.

Section 6. Actions taken by the County Mayor or County Mayor's designee authorized under this Resolution shall require no further approval by the Board of County Commissioners, except that all purchases shall be subject to ratification by the Board every 6 months following the effective date of this Resolution.

The foregoing resolution was offered by Commissioner **Barbara J. Jordan**, who moved its adoption. The motion was seconded by Commissioner **Sally A. Heyman** 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	absent	Sally A. Heyman	aye
Eileen Higgins	aye	Barbara J. Jordan	aye
Joe A. Martinez	aye	Jean Monestime	aye
Dennis C. Moss	aye	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.

A handwritten signature in dark ink, appearing to read "HBO" followed by a diagonal slash.

Hugo Benitez