

Memorandum



Date: May 4, 2021

Agenda Item No. 8(F)(5)

To: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor

Subject: Recommendation for Approval to Award Odor Control Chemicals and Atomizing
Systems, Installation, Parts and Service

Resolution No. R-415-21

Recommendation

It is recommended that the Board of County Commissioners (Board) approve award of *Contract No. FB-01676, Odor Control Chemicals and Atomizing Systems, Installation, Parts and Services*, for the Solid Waste Management and the Water and Sewer departments. This contract will replace Contract No. FB-00006, Odor Control Chemicals, which was approved by the Board for a six-year term on October 7, 2014 through Resolution No. R-876-14 for use by Solid Waste Management and Water and Sewer departments.

The contract will provide odor control chemicals intended to neutralize odors caused by organic sewage and processed wet and dry sludge at the Wastewater Treatment Plants, and the odor caused by Transfer Stations, Landfills and Garbage Operations.

An Invitation to Bid was issued under full and open competition, and eight responses were received, of which two were "No Bids." Of the six bids, three were from bidders with local addresses, including two certified Small Business Enterprise firms. Award is recommended to the lowest responsive, responsible bidders, both of which have local addresses and are certified Small Business Enterprise firms.

Scope

The scope of this item is countywide in nature.

Fiscal Impact/Funding Source

The fiscal impact for the three-year term is \$1,184,993. The current contract, FB-00006, is valued at \$1,441,917 for a six-year and six-month term and expires on May 31, 2021. The allocation under the replacement contract is higher on an annualized basis than the current contract for two reasons: 1) an 8.6% increase (from \$10.25 to \$11.13 per gallon) in the unit price for an existing chemical resulting in higher annual amount of \$19,038 based on estimated quantities, and 2) the addition of a new chemical, not currently being purchased, to combat excessive odors, adding \$462,600 for the term.

Department	Allocation	Funding Source	Contract Manager
Solid Waste Management	\$738,068	Proprietary Funds	Karina Careaga
Water and Sewer	\$446,925	Proprietary Funds	Susan Pascul
Total:	\$1,184,993		

Track Record/Monitor

Jessica Tyrrell of the Internal Services Department is the Procurement Contracting Manager.

Delegated Authority

If this item is approved, the County Mayor or 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.

Vendors Recommended for Award

An Invitation to Bid was issued under full and open competition on July 28, 2020. Eight responses were received, including six bids and two "No Bids." Subsequently, two bids were deemed non-responsive after review by the County Attorney's Office. The two recommended vendors are the lowest responsive and responsible bidders for their respective awarded item and are being recommended for award in accordance with the method of award per the solicitation. Group 1 included two items: Item No. 1 is for Big D Sewer-D chemical and Item No. 2 is for Pyranha-Odaway Odor Control Concentrate chemical.

The solicitation included Group 2 for the purchase of atomizing systems, installation, parts and services, on an as needed basis, which was established under the Mayor's delegated authority, as the value of the pool is less than \$500,000. The pool includes two local prequalified vendors.

Vendor	Principal Address	Local Address*	Number of Employee Residents	Principal	Items Awarded Under Group 1
			1) Miami-Dade 2) Percentage*		
Pancar Industrial Supply Corp. (SBE)	6916 NW 46 Street Miami, FL	Same	3	Francisco Fletes	Item 2
			100%		
Total Connection, Inc. (SBE)	20451 NW 2 Avenue Number 120 Miami, FL	Same	7 72%	Joseph Orukotan	Item 1

*Provided pursuant to Resolution No. R-1011-15. Percentage of employee residents is the percentage of vendor's employees who reside in Miami-Dade County as compared to the vendor's total workforce.

Vendors Not Recommended for Award

Vendor	Local Address	Reason for Not Recommending
Himm Solutions	No	Deemed non-responsive by the County Attorney's Office for not providing an offer as specified in the solicitation. (opinions attached)
Momar, Inc.	No	
Hydraulic Sales and Service, Inc.	Yes	No Bid*
State Industrial Products Corp.	No	
All Ready Chute Holdings	No	Higher than lowest bidder
Maintenance Services 360 LLC	Yes	

*A "No Bid" means the bidder responded indicating they did wish to make an offer.

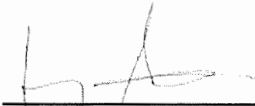
Due Diligence

Pursuant to Resolution No. R-140-15, prior to re-procurement, a full review of the scope of services was conducted to ensure the replacement contract reflects the County's current needs. The review included conducting market research and holding drafting sessions with the user departments. The scope of services was updated to include an additional odor control chemical.

Applicable Ordinances and Contract Measures

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

Attachment



Jimmy Morales
Chief Operations Officer

From: Hope, David (CAO)
To: Tyrrell, Jessica (ISD)
Cc: Suarez, Lourdes C. (CAO); Cam, Marcelo (ISD); Benitez, Hugo (CAO)
Subject: RE: DAVID NEEDS REVIEW BY 9-9-20 RE: Responsiveness Request FB-01676 Odor Control - Assigned to David Hope
Date: Tuesday, September 8, 2020 5:01:46 PM

Jessica:

You have asked whether the two (2) bidders for Solicitation FB-01676, Odor Control Chemicals & Atomizing Systems, Installation, Parts and Service are non-responsive, given their failure to provide specific pricing information. Section 2.4.1 (Method of Award – Group 1: Odor Control Chemicals) of FB-01676 (the “ITB”) states in pertinent part, “**Award of this Group will be made to the lowest priced responsive, responsible Bidder on an item-by-item and who meets the qualifications listed below.**” (emphasis added). In addition, Section 4 (Submittal Form) requires that there can be “NO SUBSTITUTE” for the described items requested to be provided for the Group 1: Odor Control Chemicals. The responsive determination for the two (2) bidders – Momar, Inc. and KittyKlean Inc. dba Himm Solutions – is discussed below.

First, Momar, Inc. provided a unit price for Momar’s Blossom, an exclusive product that is manufactured and sold by Momar, Inc. As Blossom is a substitute product in violation of the no substitute requirement of Section 4 of the ITB, Momar, Inc. is deemed non-responsive for its Group 1 bid submittal. Second, KittyKlean Inc. dba Himm Solutions provided no unit price for any of the items in Group 1. Therefore, KittyKlean Inc. dba Himm Solutions is deemed non-responsive for its Group 1 bid submittal..

ds

Cordially,

David Stephen Hope
Assistant County Attorney
Miami-Dade County Attorney's Office

(t) 305.375.4220

(f) 305.375.5634

"Delivering Excellence Every Day"

Miami-Dade County is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure. All E-mail sent and received is captured by our servers and kept as a public record.

From: Suarez, Lourdes C. (CAO)

Sent: Friday, September 4, 2020 12:09 PM

To: Hope, David (CAO) <David.Hope@miamidade.gov>; Hope, David (Aviation) <DHope@miami-airport.com>

Subject: DAVID NEEDS REVIEW BY 9-9-20 RE: Responsiveness Request FB-01676 Odor Control - Assigned to David Hope

From: Ruiz, Elizabeth (CAO)

Sent: Friday, August 28, 2020 5:19 PM

To: Tyrrell, Jessica (ISD) <Jessica.Tyrrell@miamidade.gov>

Cc: Hope, David (CAO) <David.Hope@miamidade.gov>; Rosenthal, Oren (CAO) <Oren.Rosenthal@miamidade.gov>; Benitez, Hugo (CAO) <Hugo.Benitez@miamidade.gov>; Cam, Marcelo (ISD) <Marcelo.Cam@miamidade.gov>; Suarez, Lourdes C. (CAO) <Lourdes.suarez@miamidade.gov>

Subject: ATTACHED RE: Responsiveness Request FB-01676 Odor Control - Assigned to David Hope

Good evening:

The above-referenced has been assigned to Assistant County Attorney David Hope. He may be reached at (305) 375-4220. His Legal Asst. is Lourdes Suarez and may be reached for status at (305) 375-4291.

Thank you.

Liz

Elizabeth Alfonso Ruiz

Miami-Dade County Attorney's Office

(305) 375-1178

Legal Assistant to:

Assistant County Attorneys

Bruce Libhaber, Marlon D. Moffett

and Hugo E. Benitez

From: Tyrrell, Jessica (ISD)

Sent: Friday, August 28, 2020 5:01 PM

To: Rosenthal, Oren (CAO) <Oren.Rosenthal@miamidade.gov>; Benitez, Hugo (CAO) <Hugo.Benitez@miamidade.gov>; Ruiz, Elizabeth (CAO) <Elizabeth.Ruiz@miamidade.gov>

Cc: Cam, Marcelo (ISD) <Marcelo.Cam@miamidade.gov>

Subject: FW: Responsiveness Request FB-01676 Odor Control

Good evening! Can you please assign the attached solicitation to an attorney for a responsiveness review? The anticipated value is over \$1M.

Thank you,

Jessica

Jessica Tyrrell, MBA, CPPB

Procurement Contracting Manager

Miami-Dade County

Internal Services – Strategic Procurement Division

111 NW 1st Street, 13th Floor

Miami, FL 33128

(O) 305-375-4029

(E) tyrrell@miamidade.gov

www.miamidade.gov/internalservices

How can ISD serve you better?

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All Lobbyists must register prior to any meeting with County Personnel. Register at: Clerk of the Board, [111 NW 1st Street, 17th Floor](#). Contact Person: Claude Francis at [305-375-5137](tel:305-375-5137).

From: Cam, Marcelo (ISD)

Sent: Friday, August 28, 2020 4:31 PM

To: Tyrrell, Jessica (ISD) <Jessica.Tyrrell@miamidade.gov>

Subject: Responsiveness Request FB-01676 Odor Control

Hi Jessica,

Please see attached Responsiveness request for Odor Control solicitation. Thank you and have a great weekend!

Marcelo Cam

Procurement Contracting Officer

Miami-Dade County Internal Services Department
Strategic Procurement Division
111 NW 1st Street, Suite 1300, Miami, FL 33128
Ph: 305-375-4258 E-mail: marcelo.cam@miamidade.gov



MEMORANDUM

(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: May 4, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(F)(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(F)(5)
5-4-21

RESOLUTION NO. R-415-21

RESOLUTION APPROVING AWARD OF CONTRACT NO. FB-01676 GROUP 1 TO TOTAL CONNECTION, INC. FOR ITEM 1 AND CONTRACT NO. FB-01676 GROUP 1 TO PANCAR INDUSTRIAL SUPPLY CORP. FOR ITEM 2 FOR THE PURCHASE OF ODOR CONTROL CHEMICALS AND ATOMIZING SYSTEMS, INSTALLATION, PARTS AND SERVICES FOR THE SOLID WASTE MANAGEMENT DEPARTMENT AND THE MIAMI-DADE WATER AND SEWER DEPARTMENT WITH AN AMOUNT NOT TO EXCEED \$1,184,993.00, FOR A THREE-YEAR TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF THIS AWARD FOR GROUP 1 TO TOTAL CONNECTION, INC. FOR ITEM 1 AND PANCAR INDUSTRIAL SUPPLY CORP. FOR ITEM 2, ISSUE THE APPROPRIATE PURCHASE ORDERS TO GIVE EFFECT TO SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA 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,

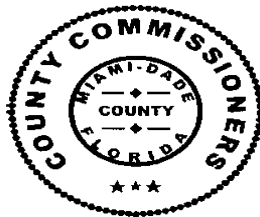
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves award of Contract No. FB-01676 Group 1 to Total Connection, Inc. for Item 1 and Contract No. FB-01676 Group 1 to Pancar Industrial Supply Corp. for Item 2 for the purchase of odor control chemicals and atomizing systems, installation, parts and services for the Solid Waste Management Department and the Miami-Dade Water And Sewer Department with an amount not to exceed \$1,184,993.00, for a three-year term; and authorizes the County Mayor or County Mayor's designee to give notice of this award for Group 1 to Total Connection, Inc. for Item 1 and Pancar Industrial Supply Corp. for Item 2, issue the appropriate purchase orders to give effect to same and

exercise all provisions of the contract pursuant to Section 2-8.1 of the Code of Miami-Dade County, Florida and Implementing Order 3-38. A copy of the contract documents are on file with, and available upon request from, the Internal Services Department, Strategic Procurement Division.

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

Jose "Pepe" Diaz, Chairman	aye		
Oliver G. Gilbert, III, Vice-Chairman	aye		
Sen. René García	aye	Keon Hardemon	absent
Sally A. Heyman	aye	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Joe A. Martinez	aye
Kionne L. McGhee	aye	Jean Monestime	aye
Raquel A. Regalado	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 4th day of May, 2021. 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.
Oren Rosenthal

A handwritten signature in dark ink, appearing to read "OR", is written over a horizontal line.