

MEMORANDUM

Agenda Item No. 8(E)(1)

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

DATE: June 2, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: 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; delegating contracting authority to the County Mayor to negotiate and execute a contract with Rosenbauer America, LLC for the purchase of an electric fire truck in an amount not to exceed \$1,300,000.00 for Fiscal Year 2022-23; and authorizing the County Mayor to give notice of any award, issue the appropriate purchase order to give effect to same and exercise all provisions of any contracts entered into pursuant to this delegation, including any cancellation, renewal and extension provisions, pursuant to section 2-8.1 of the County Code and Implementing Order 3-38

Resolution No. R-539-21

The accompanying resolution was prepared by the Fire Rescue Department and placed on the agenda at the request of Prime Sponsor Chairman Jose "Pepe" Diaz.



Geri Bonzon-Keenan
County Attorney

GBK/uw

Date: June 2, 2021

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

From: Daniella Levine Cava
Mayor *Daniella Levine Cava*

Subject: Purchase of Electric Fire Truck for Miami-Dade Fire Rescue Department

Recommendation

It is recommended that the Board of County Commissioners (Board) delegate contracting authority to the County Mayor or County Mayor's designee to make a designated purchase of an electric fire truck from Rosenbauer America, LLC (Rosenbauer) for the Miami-Dade Fire Rescue Department (MDFR) in an amount not to exceed \$1.3 million for Fiscal Year 2022-23. Approval of a designated purchase is being requested pursuant to Section 2-8.1(b)(3), by a two-thirds vote of the Board members present, to authorize the purchase of an electric fire truck because Rosenbauer is the sole manufacturer of electric fire vehicles at this time.

Competition for the purchase of an electric fire truck is not practicable at this time because there is no company other than Rosenbauer that currently manufactures an electric fire truck. Accordingly, it is in the County's best interest to delegate contracting authority to the County Mayor or County Mayor's designee to make a designated purchase of an electric fire truck from Rosenbauer pursuant to Section 2-8.1(b)(3) of the County Code.

Scope

This item impacts the Fire Rescue District, and the vehicle will initially be deployed at the MDFR Training Center in District 12, which is represented by Chairman Jose "Pepe" Diaz. During the deployment at the MDFR Training Facility the department will train personnel on the driving and operations of the vehicle and evaluate the effectiveness and feasibility of an electric fire truck as a front-line unit in operations.

Delegation of Authority

Upon approval of this item, the County Mayor or the County Mayor's designee will have the authority to negotiate, award, and execute contracts with Rosenbauer for the purchase of an electric fire truck up to the aggregate amount of the allocation authorized by the Board. The County Mayor or County Mayor's designee will have the authority to make all required deposits to secure a build slot prior to execution of a final contract and also to exercise all the provisions of any contracts awarded pursuant to such designation, including any cancellation, renewal and extension provisions, pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38.

Fiscal Impact/Funding Source

The funding source for this purchase will be the FY 2022-23 Fire District Operating Budget. MDFR will make a \$50,000 refundable deposit after Board approval, while finalizing the specifications for a 2022 build slot, and then execute a purchase order sometime thereafter. The vehicles will be delivered after October 2022, when MDFR will pay the balance due. Other than the initial refundable deposit, there will be no additional fiscal impact in FY 2021-22.

Track Record/Monitor

MDFR Fleet purchases are managed by Jason Fernandez, MDFR Logistics Division Chief.

Background

It is recommended that the Board approve the attached resolution authorizing the County Mayor or County Mayor’s designee to make a designated purchase in an amount not to exceed \$1.3 million to purchase an electric fire truck for MDFR. This would be the first electric fire truck in the State of Florida and will provide a platform and training opportunity for the eventual transition to an electric fleet of fire apparatus.

The transportation industry is gradually evolving into electric vehicles, with additional manufacturers such as General Motors announcing they will no longer produce internal combustion engines within the next 15 years. The manufacturers of fire trucks will also begin to transition, and one electric fire truck is now being built by Rosenbauer. MDFR has purchased more than 30 pumpers and numerous airport suppression apparatus from this company, the largest fire truck manufacturer in the world. All of the fire apparatus previously purchased from Rosenbauer were manufactured in Minnesota.

The electric fire truck was developed during a five-year testing and design period that began with creation of a new chassis and development of the new vehicle from the ground up. This resulted in the production of a concept vehicle that was brought to various fire departments for testing and feedback. The concept vehicle was displayed at the MDFR training site earlier this year and surrounding fire departments were invited to view the truck. In addition to having almost zero emissions, eliminating carcinogens and being close to silent, which significantly reduces noise related stress at incidents, the vehicle has all wheel steering for extra maneuverability and a turning radius less than half that of traditional pumpers. The vehicle can travel through water up to 36 inches deep, functioning as a rescue vehicle during flood conditions. It meets all National Fire Protection Association requirements for fire suppression apparatus, including the four-hour pump time, by using a range extending generator. The unit is currently manufactured in Austria, but the company anticipates opening an assembly line in the United State if the strong demand from the North American market continues.

MDFR needs additional allocation for the procurement of this truck this year due to the extensive time for production and the limited number of build slots available as production ramps up. There are only 15 build slots available in 2021 and those are all filled by cities such as Berlin, Amsterdam, Dubai, Portland, Vancouver and Los Angeles, that will receive

their first electric fire truck in December. Upon approval of this item MDFR will work with Rosenbauer to finalize design of the truck for MDFR. Upon completion of design and agreement on price, MDFR will issue a purchase order to reserve a 2022 build slot with delivery expected in fiscal year 2023.

Although the Rosenbauer electric fire truck is listed in a competitively bid cooperative contract from Sourcewell that the County has purchased from before, the Sourcewell contract expires on April 16, 2022 and, therefore, would not be in effect for the complete duration of the County's contract with Rosenbauer. Accordingly, MDFR is requesting authority to make a designated purchase pursuant to Section 2-8.1(b)(3) of the County Code rather than requesting a delegation of authority to award, access, and modify a competitively solicited contract.

Due Diligence

Pursuant to Resolution No. R-187-12, due diligence will be conducted in accordance with the Internal Service Department's Procurement Guidelines to determine vendor responsibility, including verifying corporate status and that there are no performance and compliance issues through various vendor responsibility lists.

Applicable Ordinances and Contract Measures

- The two-percent User Access Program provision will be applied for each specific purchase where permitted by the funding source and the contract solicitation
- The Small Business Enterprise contract measures and Local Preference will be applied for each specific purchase where permitted by the funding source
- The Living Wage does not apply.



JD Patterson
Chief Public Safety Officer



MEMORANDUM (Revised)

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

DATE: June 2, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(E)(1)

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(E)(1)
6-2-21

RESOLUTION NO. R-539-21

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; DELEGATING CONTRACTING AUTHORITY TO THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO NEGOTIATE AND EXECUTE A CONTRACT WITH ROSENBAUER AMERICA, LLC FOR THE PURCHASE OF AN ELECTRIC FIRE TRUCK IN AN AMOUNT NOT TO EXCEED \$1,300,000.00 FOR FISCAL YEAR 2022-23; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF ANY AWARD, ISSUE THE APPROPRIATE PURCHASE ORDER TO GIVE EFFECT TO SAME AND EXERCISE ALL PROVISIONS OF ANY CONTRACTS ENTERED INTO PURSUANT TO THIS DELEGATION, INCLUDING ANY CANCELLATION, RENEWAL AND 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 purchase an electric fire truck from Rosenbauer America, LLC in an amount not to exceed \$1,300,000.00, 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, for the reasons stated in the accompanying memorandum.

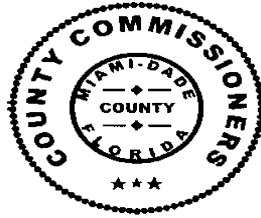
Section 2. This Board approves the delegation of contracting authority to the County Mayor or County Mayor's designee to enter into a contract with Rosenbauer America, LLC for the purchase an electric fire truck in an amount not to exceed \$1,300,000.00 for Fiscal Year 2022-23. This Board also authorizes the County Mayor or County Mayor's designee to give notice of

any award, issue the appropriate purchase order to give effect to same, and exercise all the provisions of any contracts entered into pursuant to this delegation, including any cancellation, renewal and extension provisions pursuant to section 2-8.1 of the County Code and Implementing Order 3-38. A copy of any contracts entered into will be available upon request from the Internal Services Department, Strategic Procurement Division.

The foregoing resolution was offered by Commissioner **Rebeca Sosa** , 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:

Jose “Pepe” Diaz, Chairman	aye		
Oliver G. Gilbert, III, Vice-Chairman	aye		
Sen. René García	aye	Keon Hardemon	aye
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 2nd day of June, 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.

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

Michael B. Valdes