

Memorandum



Date: July 8, 2021

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

Agenda Item No. 8(F)(4)

From: Daniella Levine Cava
Mayor 

Resolution No. R-637-21

Subject: Recommendation for Approval to Establish a Prequalification Pool for Fresh Produce

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the establishment of a prequalification pool, *RTQ-01722, Fresh Produce*, for multiple County departments. This pool will replace prequalification Pool No. 6296-0/16, which was established by the Board on December 17, 2010 through Resolution No. R-1180-10 for five years, and was subsequently extended through Resolution No. R-35-16 for five additional years. The pool provides for the provision of fresh fruits and vegetables, including apples, grapes, oranges, pears, beets, celery, kale and romaine lettuce on an as needed basis, for multiple County departments.

The Miami-Dade Corrections and Rehabilitation and Parks, Recreation and Open Spaces departments are the two largest users of this pool and purchase produce for preparation of meals for the County's inmate population, County operated restaurants, and animals at Zoo Miami. Community Action and Human Services, and Public Housing and Community Development departments also utilize the pool to purchase produce to supplement meals at County shelters and the Helen Sawyer Assisted Living Facility respectively.

Two vendors are being recommended for inclusion in the pool. Both vendors have local addresses and one is a certified Small Business Enterprise (SBE) firm. At the time of advertisement, 1181 vendors were notified and four responded. During the submittals review, it was noted that several vendors could not comply with one of the requested licenses. Due to the pandemic, the State of Florida temporarily discontinued issuing licenses. Staff with the Internal Services Department, Strategic Procurement Division contacted the State of Florida to request if the licenses can be issued to the firms who submitted proposals to the County. The State agreed to an expedited licensing process for the vendors included in the pool. Two additional local vendors are in the process of completing their submittal and will be added to the pool once they fully meet the prequalification requirements.

Establishment of a pool will allow the County to continue to add vendors and establish contracts based on seasonal availability of the produce, and taking into account any pricing fluctuations. The pool will remain open to allow additional vendors that meet the prequalification criteria to be added throughout the pool's term. Before a solicitation is issued under this pool, staff will work collaboratively with the Agricultural Manager and Small Business Division to identify opportunities for inclusion of appropriate set-aside or preference provisions to purchase local produce pursuant to Resolution R-422-15.

Scope

The scope of this item is countywide in nature.

Fiscal Impact/Funding Source

The fiscal impact for the five-year term is \$4,905,000. The current pool, 6296-0/16, is valued at \$9,493,000 for a ten-year and eight-month term and expires on August 31, 2021. The allocation under the replacement pool is higher than the current due to anticipated increase in future expenditures for the Corrections and Rehabilitation Department as a result of their fluctuating inmate population.

Department	Allocation	Funding Source	Contract Manager
Community Action and Human Services	\$6,000	General Fund/Federal Funds	Brad Skinner
Corrections and Rehabilitation	\$3,795,000	General Fund	Andrew Bryant Jr
Parks, Recreation and Open Spaces	\$754,000	General Fund	Bernie Rodriguez
Public Housing and Community Development	\$350,000	Federal Funds	Indira Rajkumar-Futch
Total:	\$4,905,000		

Track Record/Monitor

Sophia Cunningham of the Internal Services Department is the Procurement Contracting Manager.

Delegated Authority

Upon approval of this item, a pool of prequalified vendors will be established to participate in spot market competitions. The County Mayor or the County Mayor’s designee will have the authority to solicit pricing and award contracts up to an aggregate amount of the allocation authorized by the Board. The County Mayor or the County Mayor’s designee will also have the authority to (a) exercise all provisions of the solicitation documents and any resulting contracts pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38 and (b) add vendors to the pool at any time, subject to ratification by the Board on a bi-annual basis.

Vendors Prequalified for Pool

A Request to Qualify was issued under full and open competition. Four vendors responded to the solicitation, of which two are being recommended for inclusion in the pool as set forth in the table below.

Vendor	Principal Address	Local Address*	Number of Employee Residents	Principal
			1) Miami-Dade 2) Percentage*	
Excellent Fruit & Produce, Inc. (SBE)	3600 NW 41 Street Miami, FL	Same	14	Enrique Torres
			93%	
Freedom Fresh, LLC	11001 NW 124 Street Miami, FL	Same	81	Walter R. Vazquez
			88%	

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

Vendors Not Prequalified for Pool

Vendor	Local Address	Reason for Not Recommending
MAC Edwards Produce Company, Inc.	Yes	Vendor did not submit the required documents to satisfy the prequalification criteria. Upon submission of the required documents, the vendor may be added to the pool.
Florida Veg Investments, LLC.	Yes	

Due Diligence

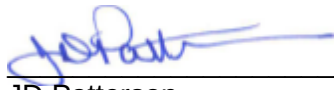
Pursuant to Resolution No. R-187-12, due diligence was conducted in accordance with the Internal Services Department’s Procurement Guidelines to determine vendor responsibility, including verifying corporate status and that there are no performance and compliance. The lists that were referenced included convicted vendors, debarred vendors, delinquent contractors, suspended vendors, and federal excluded parties. There were no adverse findings relating to vendor responsibility.

Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners
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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 pool reflects the County's current needs. The review included conducting market research, posting a draft solicitation for industry comments, and holding meetings and drafting sessions with the user departments.

Applicable Ordinances and Contract Measures

- The two percent User Access Program provision applies where permitted by the funding source.
- The Small Business Enterprise (SBE) Bid Preference and the Local Preference will be applied at the time of spot market competition where permitted by the funding source. An SBE set-aside applies for spot market competition up to \$100,000 when there are three or more SBE-certified firms available.
- 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: July 8, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(F)(4)

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)(4)
7-8-21

RESOLUTION NO. R-637-21

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL RTQ-01722 IN A TOTAL AMOUNT UP TO \$4,905,000.00 FOR THE PURCHASE OF FRESH PRODUCE FOR MULTIPLE DEPARTMENTS FOR A FIVE-YEAR TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SOLICIT PRICING, AWARD CONTRACTS, EXERCISE ALL PROVISIONS OF THE SOLICITATION DOCUMENTS AND ANY RESULTING CONTRACTS PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38, AND ADD VENDORS TO THE POOL AT ANY TIME, SUBJECT TO RATIFICATION BY THE BOARD ON A BI-ANNUAL BASIS

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 authorizes the establishment of Prequalification Pool RTQ-01722 for the purchase of fresh produce for multiple departments in a total amount up to \$4,905,000.00 for a five-year term; and authorizes the County Mayor or County Mayor's designee to (a) solicit pricing and award contracts up to an aggregate amount of the allocation authorized by the Board, (b) exercise all provisions of the solicitation documents and any resulting contracts pursuant to section 2-8.1 of the Code of Miami-Dade County, Florida and Implementing Order 3-38, and (c) add vendors to the pool at any time, subject to ratification by the Board on a bi-annual basis. A copy of the solicitation document is on file and available upon request from the Internal Services Department, Strategic Procurement Division.

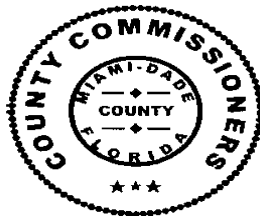
The foregoing resolution was offered by Commissioner **Joe A. Martinez** who moved its adoption. The motion was seconded by Commissioner **Oliver G. Gilbert, III** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 8th day of July, 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