

Memorandum



Date: April 5, 2022

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

Agenda Item No. 8(F)(10)

From: Danielle Levine Cava
Mayor

A handwritten signature in blue ink that reads "Danielle Levine Cava".

Resolution No. R-314-22

Subject: Recommendation to Ratify Various Emergency Purchases Associated with the Surfside Building Collapse

Background

On June 24, 2021, at approximately 1:25 a.m. EDT, Champlain Towers South, a 12-story beachfront condominium in Surfside, Florida, partially collapsed. In response, on June 24, 2021, Miami-Dade County Mayor Daniella Levine Cava declared a Local State of Emergency to enable active management of incident search and rescue operations.. On the same date, Governor Ron DeSantis also issued Executive Order 21-148 declaring an emergency in Miami-Dade County and assigning the Director of the Florida Division of Emergency Management as the State's Coordinating Officer for response, recovery and mitigation activities related to the tragedy. The Department of Homeland Security, Federal Emergency Management Agency (FEMA), authorized assistance for required emergency measures under Title V of the Stafford Act to save lives and to protect property and public health and safety, or to lessen or avert the threat of a catastrophe in Surfside and surrounding areas on June 25, 2021. FEMA authorized support through the Individuals and Households Program under Section 408 of the Stafford Act and assistance for debris removal and emergency protective measures (Categories A and B), including direct federal assistance, under the Public Assistance program.

The emergency declaration brought forth access to and collaboration with a cadre of national experts from the Army Corps of Engineers and the National Institute of Standards and Technology (NIST) that continue to provide invaluable expertise in managing the structural integrity of the collapse site. FEMA, through its local, regional, and national offices, and the Florida Division of Emergency Management (FDEM) maintain active involvement in all aspects of the emergency's operations and continue to provide technical assistance and guidance as needed by the County. The outpouring of support from this incredible team of professionals has been invaluable and deeply appreciated.

We were also deeply moved by President Joe Biden's involvement and attentiveness in providing support and necessary resources to assist with all phases of this tragedy. On July 1, 2021, President Biden visited the incident site to personally pay his respects and sympathies to grieving families and survivors and to encourage the extraordinary efforts of our first responders who worked tirelessly round the clock until every victim was identified. To provide the County the maximum financial support possible to save lives and recover loved ones, on July 2, 2021 President Joseph R. Biden, Jr. made additional federal emergency aid available for the State of Florida to assist with ongoing response and recovery efforts. The President authorized an increase in the level of federal funding for debris removal and emergency protective actions, including direct federal assistance, undertaken as result of the Surfside Building Collapse beginning June 24 and continuing. Federal resources and funding were originally available at a 75 percent federal cost share. Under the President's order, the federal share for debris removal and emergency protective measures, including direct federal assistance was increased to 100 percent of the total eligible costs for a continuous period of 30 days beginning June 24, 2021 and ending on July 23, 2021.

It should be noted that \$7,962,894.91 has been submitted for FEMA's consideration to be reimbursed; the County expects it will be covered at 100 percent and additional invoices will be submitted as filed by vendors for which the County can expect reimbursement of 87.5 percent of the expense.

Recommendation

It is recommended that the Board of County Commissioners (Board) approve this request for ratification of the below emergency purchases, as well as necessary contract modifications to established County contracts, which were made to expeditiously provide life safety and recovery efforts related to the Surfside Building Collapse by multiple County departments. Purchases of these goods and services by various County departments were necessary to provide critical rescue and recovery operations, as well as to ensure the health and safety of the public.

Miami-Dade County mobilized numerous staff and resources from multiple departments to respond to the Surfside Building Collapse. Multiple County departments have purchased a myriad of emergency response products and services related to the Surfside Building Collapse, including but not limited to:

- Rental of portable showers and restrooms for emergency first responder use;
- Raincoats to protect Police personnel from weather;
- Heavy equipment rental with operators during search and rescue as well as recovery operations to move debris;
- Hauling of the debris from the Surfside location to staging and disposal locations;
- Tent rental for temporary office space as well as installation and removal of lime rock foundation;
- Various barricades and fencing to secure the location;
- Forensic engineering services;
- Lab equipment for processing of evidence;
- Decontamination of personal property;
- Cellular onsite services;
- Debris monitoring and cost recovery services; and
- Various vehicles to move supplies around the location.

It is in the County’s best interest to approve the ratification of these purchases, as they were vital to the County’s response efforts aimed at life safety and recovery efforts for the Surfside Building Collapse. Should any other associated emergency purchases arise at a later date, a separate ratification item will be presented to the Board.

Scope

The Champlain Towers South building was located in Commission District 4, which is represented by Commissioner Sally A. Heyman.

Fiscal Impact/Funding Source

The fiscal impact for all emergency purchases is \$33,918,902.30. A detailed breakdown for all purchases, vendors, and departments is included as Attachment No. 1. The contract values listed are award amounts and do not necessarily represent that the entire amounts have been expended. The County intends to pursue reimbursement for these emergency purchases through FEMA and any other applicable avenues, where feasible and permissible.

Track Record/Monitor

Jessica Tyrrell of the Internal Services Department is the Procurement Contracting Manager. The contract documents are on file with and available upon request from the Professional Procurement Staff in the various County Departments.

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 contracts, including any cancellation or extension provisions, pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38.

Awarded Vendors

See Attachment No. 1 for the list of awarded vendors. Since the County will be actively pursuing reimbursement of all such expenses through FEMA and any other applicable avenues; to be eligible for reimbursement, the procurements must comply with Uniform Administrative Requirements as set forth in 2 CFR 200.326 which, among several requirements, prohibits the use of local geographical preferences, except as expressly allowed by Federal statutes. Hence, to maximize the County's reimbursement from available Federal Sources, the selection of vendors for these procurements cannot take into account local and small business factors. Additionally, Section 2-8.1.1.1.1 (3)(a) of the Code of Miami-Dade County limits application of preferences on Federal procurements. As such, staff is not tracking these emergency procurements by vendor status (local/small business).

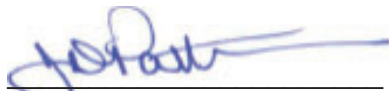
Due Diligence

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 issues through various vendor responsibility lists and a keyword internet search. 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.

Applicable Ordinances and Contract Measures

- The two percent User Access Program provision does not apply.
- The Small Business Enterprise measures and Local Preference do not apply.
- The Living Wage may apply on specific purchases.

Attachment

A handwritten signature in blue ink, appearing to read "JD Patterson", is written over a horizontal line.

JD Patterson
Chief Public Safety Officer

Attachment 1

Recommendation to Ratify Various Emergency Purchases Associated with the Surfside Building Collapse

Description	Contract/Pool Number	Vendor Name	Vendor Address	Amount	Department
Portable Showers and Restrooms	E-10146	AES Portable Sanitation, Inc.	11050 NW 36 Avenue Miami, FL	\$40,000.00	Fire Rescue
Debris Monitoring	RFP-00172-1(1)	Tetra Tech, Inc.	3475 E Foothill Boulevard Pasadena, CA	\$1,000,000.00	Police/Fire Rescue
Raincoats	E-10147	Global Trading, Inc.	7500 NW 25 Street Unit 12 Miami, FL	\$132,210.00	Police
Heavy Equipment with Operators	FB-01997	Ric-Man Construction Florida, Inc.	3100 SW 15 Street Deerfield Beach, FL	\$18,900,000.00	Police/Fire Rescue
Limerock	GRP0000055	Redland Company, Inc.	48 NE 15 Street Homestead, FL	\$32,000.00	Fire Rescue
Limerock	GRP0000058	Redland Company, Inc.	48 NE 15 Street Homestead, FL	\$55,000.00	Fire Rescue
Heavy Equipment with Operators	E-10148	Camino Real Group, Inc. dba Alpha Wrecking Group	601 NW 12 Avenue Suite A Pompano Beach, FL	\$4,500,000.00	Police/Fire Rescue
Heavy Equipment with Operators	E-10151	Maxim Crane Works, L.P.	1225 Washington Avenue Suite 100 Bridgeville, PA	\$384,002.40	Police/Fire Rescue
Debris Hauling	RTQ-00618	De Moya Group, Inc.	14600 W 136 Street Miami, FL	\$3,836,880.00	Police/Fire Rescue
Lift Truck	E-10149	Kelly Tractor Co.	8255 NW 58 Street Miami, FL	\$85,212.00	Fire Rescue
Cost Recovery	RFP-01488	Hagerly Consulting Services, Inc.	1618 Orrington Avenue Suite 201 Evanston, IL	\$1,367,720.00	Management and Budget
Barricades	E-10156	Safety Systems Barricades Corp	6551 NW 74 Avenue Miami, FL	\$44,346.70	Police
Fencing	E-10155-1	Sunbelt Rentals, Inc.	2341 Deerfield Drive Fort Mill, SC	\$69,325.00	Police
Limerock Removal	E-10157	Redland Company, Inc.	48 NE 15 Street Homestead, FL	\$104,500.00	Fire Rescue
Instrument for Lab	E-10162	Verogen, Inc.	11111 Flintkote Avenue San Diego, CA	\$234,974.75	Police

Attachment 1

Recommendation to Ratify Various Emergency Purchases Associated with the Surfside Building Collapse

Tent Rental	E-10169	ABC Party Rentals, Inc. dba Diamonette Party Rental	11091 NW 27 Street Suite 100 Miami, FL	\$40,301.01	Fire Rescue
Portable Restrooms	E-10175	Garner Environmental Services, Inc.	1717 W 13 Street Deer Park, TX	\$1,000,000.00	Police
Forensic Engineering and Consulting Services	E-10173	LB PIE LLC dba Pie Consulting & Engineering	6275 Joyce Drive #200 Avrada, CO	\$800,000.00	Police
Decontamination Services to Personal Property	E-10183	Bioresponse Corp.	7209 NW 46 Street Miami, FL	\$211,848.10	Police
Motorola Onsite Services	E-10184	Motorola Solutions, Inc.	500 West Monroe Street Chicago, IL	\$104,582.34	Fire Rescue
Mobile Forts	E-10197	Forts Services, LLC	4650 Lyons Technology Parkway Coconut Creek, FL	\$976,000.00	Police



MEMORANDUM

(Revised)

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

DATE: April 5, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(F)(10)

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)(10)
4-5-22

RESOLUTION NO. _____ R-314-22

RESOLUTION RATIFYING EMERGENCY PURCHASES AND CONTRACT MODIFICATIONS BY THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE ASSOCIATED WITH THE SURFSIDE BUILDING COLLAPSE IN AN AMOUNT NOT TO EXCEED \$33,918,902.30; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE IDENTIFIED CONTRACTS, 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:

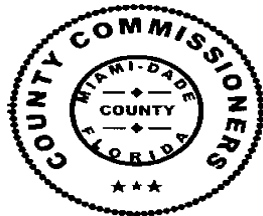
Section 1. This Board finds it is in the best interest of Miami-Dade County to ratify emergency purchases and contract modifications by the County Mayor or County Mayor's Designee associated with the surfside building collapse in an amount not to exceed \$33,918,902.30, as set forth in the accompanying memorandum and Attachment No. 1 to the accompanying memorandum.

Section 2. This Board authorizes the County Mayor or County Mayor's designee to exercise all provisions of the contracts, including any cancellation or extension provisions, pursuant to section 2-8.1 of the County Code and Implementing Order 3-38. Copies of the contracts 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 **José "Pepe" Diaz** 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	absent	Keon Hardemon	absent
Sally A. Heyman	aye	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Joe A. Martinez	absent
Kionne L. McGhee	aye	Jean Monestime	aye
Raquel A. Regalado	aye	Rebeca Sosa	absent
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 5th day of April, 2022. 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

Basia Pruna

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Eduardo W. Gonzalez