

Memorandum



Date: May 3, 2022

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

From: Daniella Levine Cava
Mayor *Daniella Levine Cava*

Agenda Item No. 8(F)(5)

Subject: Request for Additional Expenditure Authority to Contract No. SS9737-1/23-1,
Cellebrite Forensic System, Service and Maintenance

Resolution No. R-411-22

Recommendation

It is recommended that the Board of County Commissioners (Board) authorize additional expenditure authority to *Contract No. SS9737-1/23-1, Cellebrite Forensic System, Service and Maintenance*, for the Miami-Dade Police Department. The Department is requesting \$150,000 in additional expenditure authority to pay for Universal Forensics Extraction Device (UFED) Premium Package Unlimited which consists of software licenses and hardware that assist in crime investigations. The Small Business Enterprise measures and Local Preference do not apply as this is a sole source contract.

Background

This sole source contract was awarded under delegated authority to Cellebrite, Inc. (Cellebrite) in March 2013 for an initial five-year term, and the contract included one, five-year option to renew term which was not funded at time of award. The five-year option to renew term was subsequently approved by the Board as a designated purchase through Resolution No. R-211-18, which approved expenditure authority for a three-year period as pricing was only negotiated for three years of support. Subsequently, a modification for additional expenditure authority in the amount of \$283,000 was approved by the Board through Resolution No. R-637-20. This additional allocation was requested to purchase the UFED Premium Package Unlimited using Federal Funds.

Shortly after approval of the modification, Cellebrite delivered the UFED Premium Package unlimited, inclusive of the associated software licenses and hardware to the Department. However, funds approved by the Board were inadvertently used to pay for the renewal of maintenance and support of the System under the General Fund. This unintended error has caused the Department to have inadequate funding to pay Cellebrite for the UFED Premium Package Unlimited which has already been delivered. The Department continues to diligently address staffing deficiencies to prevent such occurrences in the future.

The contract provides maintenance and support services required for the Uniform Forensic Extraction System (System) used by the Police Department. It is a critical system that expands the inventory of the unit through the purchase of devices and software to meet the increased demand and provide optimal services. Cellebrite, Inc. is the proprietary developer of the System and the sole provider of ongoing maintenance and support services. Due to the critical business functions performed by the System, maintenance and support services are required to ensure its uninterrupted operation. Accordingly, it is in the County's best interest to approve this request for additional expenditure authority to continue purchasing the required services.

Scope

The impact of this item is countywide in nature.

Delegated Authority

The County Mayor or the County Mayor’s designee will have the authority to exercise all provisions of the contract, including any cancellation or extensions, pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38.

Fiscal Impact/Funding Source

The contract term expires on April 30, 2023, and has a current cumulative allocation of \$620,073. If this request is approved, the contract will have a modified cumulative allocation of \$770,073. The requested increase in expenditure authority is based on the cost of the UFED Premium Package Unlimited. The additional expenditure for this year was approved by the Board as part of the fiscal year 2021-22 County budget.

Department	Existing Cumulative Allocation	Additional Allocation Requested	Modified Cumulative Allocation	Funding Source	Contract Manager
Police	\$620,073	\$150,000	\$770,073	Federal Funds	Laura Romano
Total:	\$620,073	\$150,000	\$770,073		

It should be noted that contracts contain termination for convenience provisions which can be exercised if the commodities and services in this item are affected by the establishment of the constitutional offices.

Track Record/Monitor

Lydia Osborne of the Internal Services Department is the Strategic Procurement Division Director.

Awarded Vendor

Vendor	Principal Address	Local Address	Principal
Cellebrite, Inc.	7 Campus Drive Suite 210 Parsippany, NJ	None	Yossi Carmil

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 contractor responsibility, including verifying corporate status and review of performance and compliance issues. The lists referenced include convicted vendors, debarred vendors, delinquent contractors, suspended vendors, and federal excluded parties. There were no adverse findings relating to contractor responsibility.

Applicable Ordinances and Contract Measures

- The two percent User Access Program provision applies where permitted by funding source.
- The Small Business Enterprise measures and Local Preference do not apply as this is a sole source contract.
- The Living Wage does not apply as the services to be procured are not covered services under the Ordinance.



Alfredo “Freddy” Ramirez III
Interim Chief Public Safety Officer



MEMORANDUM

(Revised)

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

DATE: May 3, 2022

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)
5-3-22

RESOLUTION NO. _____ R-411-22

RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN AN AMOUNT UP TO \$150,000.00 FOR A MODIFIED CONTRACT AMOUNT OF \$770,073.00 FOR CONTRACT NO. SS9737-1/23-1 FOR THE PURCHASE OF CELLEBRITE FORENSIC SYSTEM, SERVICE AND MAINTENANCE FOR THE MIAMI-DADE POLICE DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY EXTENSION OR CANCELLATION 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:

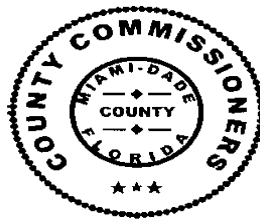
Section 1. This Board authorizes additional expenditure authority in an amount up to \$150,000.00 for a modified contract amount of \$770,073.00 for Contract No. SS9737-1/23-1 Cellebrite Forensic System, Service and Maintenance for the Miami-Dade Police Department.

Section 2. This Board authorizes the County Mayor or County Mayor's designee to exercise all provisions of the contract, including any extension or cancellation provisions, pursuant to section 2-8.1 of the County Code and Implementing Order 3-38. A copy of the contract is on file with and 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 **Raquel A. Regalado**
 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 3rd day of May, 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

By: **Basia Pruna**
 Deputy Clerk

Approved by County Attorney as
 to form and legal sufficiency.

OR

Oren Rosenthal