

Memorandum



Date: July 19, 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)(1)

Subject: Request for Approval of a designated purchase under Contract No. SS1245-3/27-2 ,
Elevator and Escalator Maintenance and Repair Services Resolution No. R-683-22

Recommendation

It is recommended that the Board of County Commissioners (Board) approve this request for a designated purchase under *Contract No. SS1245-3/27-2, Elevator and Escalator Maintenance and Repair Services*, for multiple County departments. Approval of a designated purchase, by a two-thirds vote of the Board members present, is being requested pursuant to Section 2-8.1(b)(3) of the Miami-Dade County Code to authorize additional expenditure authority in the amount of \$3,528,700 to allow County Departments to continue purchasing critical elevator and escalator maintenance and repair services.

The County awarded this sole source contract on September 18, 2007 for a five-year term, with three five-year options to renew. The contract is currently in the second option to renew term. County departments use this contract to purchase elevator and escalator maintenance, repair, and modernization services.

This item is placed for Board review pursuant to Miami-Dade County Code Section 29-124(f)(ii). Since this is a transit-related procurement, with a value of more than \$1 million, even though no Charter County Transportation Surtax Funds will be used to pay the costs, the Board may only consider this item if the Citizens' Independent Transportation Trust (CITT) has forwarded a recommendation to the Board. If CITT has not forwarded a recommendation and 45 days have not elapsed since the issuance of this recommendation, a withdrawal of this item will be requested. Further, it should be noted that of the \$3,528,700 being requested, \$3,050,000 is for the Department of Transportation and Public Works.

Background

Since inception, there has been a general increase in the cost of labor and materials for elevator services. The Department of Transportation and Public Works is requesting \$3,050,000 of additional expenditure for upgrades, maintenance, and repair services for multiple units mainly located at outdoor facilities that are exposed to the elements, extreme temperatures, wind-blown rain and flooding, and as a result said equipment has higher frequencies of repair. Water penetration into the elevator system creates oxidation and deterioration of components and wiring, which increases equipment malfunctions. Damage from vandalism such as graffiti, jamming of control buttons, and equipment used for other than its intended design function, increase repair frequencies. Moreover, the additional funds will also be used to facilitate compliance with the new ASME Elevator Safety Code which requires implementation of a system to monitor and prevent automatic operation of the elevator with faulty door contact circuits by December 31, 2023.

The Internal Services Department is requesting \$478,700 of additional expenditure authority for monthly maintenance and repair services at multiple County buildings, and for planned and ongoing modernization at the Stephen P. Clark Government Center and the Public Defender buildings.

Competition is not practicable since the contract was awarded to the original equipment manufacturer, who is currently responsible for all maintenance and repair work. Accordingly, it is in the County's best interest to approve this designated purchase pursuant to Section 2-8.1(b)(3) of the Miami-Dade County to continue providing critical elevator and escalator maintenance and repair 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 renewals, cancellation, or extensions, pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38.

Fiscal Impact/Funding Source

The contract has a current cumulative allocation of \$122,907,254, covering from October 1, 2007, the commencement of the initial term, through September 30, 2022, the expiration date for the current option term. If this request is approved, the contract will have a modified cumulative allocation of \$126,435,954. The additional expenditure authority for this year was approved by the Board as part of the Fiscal Year 2021-2022 County budget.

Department	Existing Cumulative Allocation	Additional Allocation Requested	Modified Cumulative Allocation	Funding Source	Contract Manager
Aviation	\$38,889,850	\$0	\$38,889,850	Proprietary Funds	Sylvia Novela
Corrections and Rehabilitation	\$6,110,633	\$0	\$6,110,633	General Fund	Zuleika Davidson
Cultural Affairs	\$36,093	\$0	\$36,093	Proprietary Funds	Regla Lee
Internal Services	\$17,926,282	\$478,700	\$18,404,982	Internal Service Funds / General Fund	Jennyfer Calderon
Parks, Recreation, and Open Spaces	\$304,970	\$0	\$304,970	General Fund	Fernando Robreno
PortMiami	\$7,161,408	\$0	\$7,161,408	Proprietary Funds	Gyselle Pino
Public Housing and Community Development	\$45,000	\$0	\$45,000	Federal Funds	Indira Rajkumar-Futch
Transportation and Public Works	\$45,105,000	\$3,050,000	\$48,155,000	DTPW Operating	Angela Mathews-Tranumn
Unallocated*	\$7,328,018	\$0	\$7,328,018		
Total:	\$122,907,254	\$3,528,700	\$126,435,954		

*Amount pertains to allocation for prior terms and is not available for use during the current term.

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

Vanessa Stroman of the Internal Services Department is the Procurement Contracting Manager.

Awarded Vendor

Vendor	Principal Address	Local Address	Principal
Schindler Elevator Corporation	20 Whippany Road Morristown, NJ	None	Greg Ergenbright

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. The awarded vendor is actively working with the Small Business Development Division to resolve an incident of underpayment of wages to an employee. There were no other 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.
- Responsible Wages applies as the services to be procured are covered under said Ordinance.



Jimmy Morales
Chief Operations Officer



MEMORANDUM

(Revised)

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

DATE: July 19, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(F)(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 *Danielle Laine Carr* Mayor
Veto _____
Override _____

Agenda Item No. 8(F)(1)
7-19-22

RESOLUTION NO. R-683-22

RESOLUTION APPROVING DESIGNATED PURCHASE PURSUANT TO SECTION 2-8.1(B)(3) OF THE COUNTY CODE BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT; AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP TO \$3,528,700.00 FOR A TOTAL MODIFIED CONTRACT AWARD OF \$126,435,954.00 FOR CONTRACT NO. SS1245-3/27-2 TO SCHINDLER ELEVATOR CORPORATION FOR THE PURCHASE OF ELEVATOR AND ESCALATOR MAINTENANCE AND REPAIR SERVICES FOR MULTIPLE COUNTY DEPARTMENTS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION, RENEWALS OR EXTENSIONS, PURSUANT TO COUNTY CODE SECTION 2-8.1 AND IMPLEMENTING ORDER 3-38

WHEREAS, this Board desires to accomplish the purpose 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:

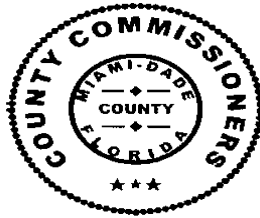
Section 1. This Board finds it is in the best interest of Miami-Dade County to approve a designated purchase, pursuant to section 2-8.1 (b)(3) of the Code of Miami-Dade County, by a two-thirds vote of the Board members present and authorizes additional expenditure authority in a total amount up to \$3,528,700.00 for a total modified contract award of \$126,435,954.00 for Contract No. SS1245-3/27-2 to Schindler Elevator Corporation for the purchase of elevator and escalator maintenance and repair services for multiple County departments.

Section 2. This Board authorizes the County Mayor or County Mayor’s designee to exercise all provisions of such contract, including any cancellation, renewals and extensions, 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 **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
Sally A. Heyman	aye
Eileen Higgins	aye
Kionne L. McGhee	aye
Raquel A. Regalado	aye
Sen. Javier D. Souto	aye
Keon Hardemon	aye
Danielle Cohen Higgins	aye
Joe A. Martinez	nay
Jean Monestime	aye
Rebeca Sosa	aye

The Chairperson thereupon declared this resolution duly passed and adopted this 19th day of July, 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.

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

Bruce Libhaber



Memorandum



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

From: Javier A. Betancourt, Executive Director 

Date: May 27, 2022

Re: **CITT AGENDA ITEM 7B:**
RESOLUTION BY THE CITIZENS’ INDEPENDENT TRANSPORTATION TRUST (CITT)
RECOMMENDING THE BOARD OF COUNTY COMMISSIONERS AUTHORIZE
DESIGNATED PURCHASE PURSUANT TO SECTION 2-8.1(B)(3) OF THE COUNTY
CODE BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT;
AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP
TO **\$3,050,000.00** FOR A TOTAL MODIFIED ALLOCATION AMOUNT OF
\$48,155,000.00 FOR CONTRACT NO. SS1245-3/27-2 TO SCHINDLER ELEVATOR
CORPORATION FOR THE PURCHASE OF ELEVATOR AND ESCALATOR
MAINTENANCE AND REPAIR SERVICES FOR THE DEPARTMENT OF
TRANSPORTATION AND PUBLIC WORKS; AND AUTHORIZE THE COUNTY MAYOR
OR COUNTY MAYOR’S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE
CONTRACT, INCLUDING ANY CANCELLATION, RENEWALS OR EXTENSIONS,
PURSUANT TO COUNTY CODE SECTION 2-8.1 AND IMPLEMENTING ORDER 3-38
(DTPW/ISD – BCC LEGISLATIVE FILE NO. 220932) **NO SURTAX FUNDS
REQUESTED**

On May 26, 2022, the CITT voted (8-0) to forward a favorable recommendation to the Board of County Commissioners (BCC) for the approval of the above referenced item, CITT Resolution No. 22-009. The vote was as follows:

Oscar J. Braynon, Chairperson – Aye
Alfred J. Holzman, 1st Vice-Chairperson – Aye
Robert Wolfarth, 2nd Vice-Chairperson – Absent

Hon. Peggy Bell – Aye
Meg Daly – Absent
Paul J. Schwiep, Esq. – Aye
Mary Street, Esq. – Aye

Joseph Curbelo – Absent
Qjuezari Harvey – Aye
L. Elijah Stiers, Esq. – Aye
Ernest Thomas – Aye

c: Jimmy Morales, Chief Operations Officer
Bruce Libhaber, Assistant County Attorney