

Memorandum



Date: June 14, 2022

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

From: Daniella Levine Cava
Mayor 

Agenda Item No. 8(F)(1)

Subject: Request for Additional Expenditure Authority to Contract No. BW-10125, Emergency Response Equipment Management

Resolution No. R-560-22

Recommendation

It is recommended that the Board of County Commissioners (Board) approve this request for a designated purchase under *Contract No. BW-10125, Emergency Response Equipment Management* 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 \$10,502,800 additional expenditure authority to purchase emergency response equipment and maintenance services. The Small Business Enterprise (SBE) measures and Local Preference do not apply; there are two SBE firms within this commodity code.

The Board approved *Contract No. BW-10125* on March 16, 2021, for a five-year term via Resolution No. R-195-21 for Fire Rescue. The contract was subsequently modified under delegated authority to add Corrections and Rehabilitation. This request will allow additional departments to access the contract.

Competition for the purchase, maintenance and repairs of Stryker brand defibrillators and stretchers, maintenance and components is not practicable as Stryker is the sole manufacturer and has exclusive rights to certain proprietary tools (software) for diagnostics and repairs which ensures the highest level of product performance to the departments. To maintain the original equipment manufacturer's warranty, Stryker must perform inspections and certify the equipment. Accordingly, it is in the County's best interest to approve this designated purchase pursuant to Section 2-8.1(b)(3) of the County Code to ensure a good working condition of this critical, life safety equipment.

Background

Contract No. BW-10125 provides for the purchase of emergency response equipment manufactured by Stryker Sales Corporation (Stryker) including defibrillators, stretchers, and other related equipment, accessories, consumables, parts, and disposables, as well as annual preventive maintenance, inspections, and repair services. This equipment is vital to patient care during the provision of emergency services and rescue operations.

Additional expenditure authority is requested to transition departments that are currently on *Contract No. OK-SW-300(s)* to *Contract No. BW-10125*, which was accessed through the National Association of State Procurement Officers Cooperative and expires on October 4, 2022. The most effective way to meet the departments' needs, avoid service interruptions, and maintain efficiency was to add them to *Contract No. BW-10125*.

In addition, Fire Rescue requires additional expenditure for the replacement of almost its entire fleet of stretchers which are at end of life, to include a service agreement, and to purchase additional automated external defibrillators, maintenance, and related equipment. The additional allocation requested by Fire Rescue includes the projected needs of the department for all Stryker products and

services for the remaining term of the contract, as some products were not identified for replacement at time of contract inception. Fire Rescue estimates \$2.6 million per year for the contract's five-year term. The plan for the remaining four years of the contract term is to carry out the transportation and treatment replacement plan. The breakdown for each is as follows: Transportation of Power-Pro, Power Loader, and Stair Chair including service is \$3,713,776, and Treatment of Lucas, LP15, and accessories & disposables, including service is \$5,886,224.

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, cancellations, 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, 2026. The contract has a current cumulative allocation of \$3,908,000. If this request is approved, the contract will have a modified cumulative allocation of \$14,410,800. The requested increase in expenditure authority is based on anticipated operational needs of the departments for the remainder of the contract term. The additional expenditure 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
Animal Services	\$0	\$23,000	\$23,000	General Fund	Alexis Castro
Aviation	\$0	\$150,000	\$150,000	Proprietary Revenue	Neivy Garcia
Cultural Affairs	\$0	\$30,000	\$30,000	Proprietary Funds	Olga Gonzalez
Fire Rescue	\$3,753,000	\$9,600,000	\$13,353,000	Fire District	Marianela Betancourt
Internal Services	\$0	\$475,800	\$475,800	Internal Service Funds	Leyanis Ferreira
Corrections & Rehabilitation	\$155,000	\$0	\$155,000	General Fund	Zulieka Davidson
Parks, Recreation, Recreation & Open Spaces	\$0	\$224,000	\$224,000	General Fund	Fernando Robreno
Total:	\$3, 908,000	\$10,502,800	\$14,410,800		

Track Record/Monitor

Pearl Bethel of the Internal Services Department is the Procurement Contracting Manager.

Awarded Vendor

Vendor	Principal Address	Local Address	Principal
Stryker Sales LLC	2825 Airview Boulevard Kalamazoo, MI	None	Andrew J. Pierce

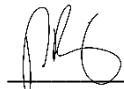
Due Diligence

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. Staff identified two discrimination lawsuits and several product liability lawsuits for various medical devices. There were no adverse findings impacting contractor responsibility under this contract.

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.
- 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: June 14, 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 Leme Carr* Mayor
Veto _____
Override _____

Agenda Item No. 8(F)(1)
6-14-22

RESOLUTION NO. R-560-22

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; AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP TO \$10,502,800.00 TO STRYKER SALES LLC FOR A TOTAL MODIFIED CONTRACT AWARD OF \$14,410,800.00 FOR CONTRACT NO. BW-10125 FOR THE PURCHASE OF EMERGENCY RESPONSE EQUIPMENT MANAGEMENT FOR MULTIPLE COUNTY DEPARTMENTS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY RENEWALS, CANCELLATION OR EXTENSION PROVISIONS, 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 in a total amount up to \$10,502,800.00 for a total contract amount of \$14,410,800.00 for multiple County departments, 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 to Stryker Sales LLC under Contract No. BW-10125.

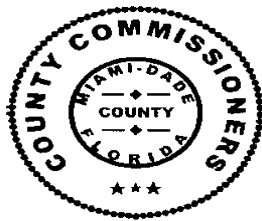
Section 2. This Board authorizes additional expenditure authority under the Contract for the purchase of emergency response equipment management in an amount not to exceed \$10,502,800.00 for multiple County departments, as set forth in the incorporated memorandum.

Section 3. This Board authorizes the County Mayor or County Mayor’s designee to exercise all provisions of the contract, including any renewals, cancellation or extension provisions, pursuant to section 2-8.1 of the County Code and Implementing Order 3-38. Copies of the contract documents are 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 **Eileen Higgins** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared this resolution duly passed and adopted this 14th day of June, 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 cursive script, appearing to read "E. W. Gonzalez", is written over a horizontal line.

Eduardo W. Gonzalez