

Memorandum



Date: July 7, 2022

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

From: Daniella Levine Cava
Mayor

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

Agenda Item No. 8(F)(8)

Resolution No. R-619-22

Subject: Recommendation for Approval to Establish a Prequalification Pool for Refrigerant Gas Services

Summary

This item is for the establishment of a prequalification pool for the purchase of various types of refrigerant gases to be used by multiple County departments for their daily operational needs. The refrigerant gases are used in the cooling process for refrigerators, walk-in coolers, freezers, ice machines, air conditioners, central air conditioning systems, dehumidifiers, and automotive air, and will be acquired by the various departments via spot market competition. Additionally, the spot market competition will also include Small Business Enterprise measures where applicable. With the launch of the Countywide online bidding platform in INFORMS in June 2022, bidding under this and other prequalification pools will gradually be conducted and monitored in a single platform, which will allow staff to provide data reports.

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the establishment of a prequalification pool, *RTQ-02022, Refrigerant Gas Services* for various County Departments, with an allocation of \$3,479,000 for a five-year term. The current pool, 1046-1/21-1, Refrigerant Gases, was established for a five-year base term with a five-year option to renew term and became effective on June 1, 2012. The five-year option to renew term was exercised and became effective on June 1, 2017.

Upon establishment, Pool No. 1046-1/21 had eight vendors, of which two were local and none were certified Small Business Enterprise (SBE) firms. This pool currently has six vendors of which one, is local and none are certified SBEs. There are currently 13 types of refrigerant gases being utilized by the various County departments under this pool. It should be noted, on February 10, 2022, outreach was conducted utilizing the Miami Dade County Tax Collector's database, but no locally present vendors were identified. The incumbent vendors under the existing pool, as well as other identified firms, were notified about the solicitation and only one additional vendor responded. Due to the COVID-19 pandemic, the price of cylinders (both refillable and non-refillable) has gone up considerably. Due to increased costs associated with the cylinders, some vendors opted not to respond to the solicitation. Additional vendors may opt to participate at a later date, once the market begins to normalize.

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. It should be noted that of the \$3,479,000 being requested, \$2,400,000 is for the Department of Transportation and Public Works.

Background

This replacement solicitation establishes an open pool of prequalified vendors for future spot market price competition for purchase and delivery services of various refrigerant gases, such as fluids used in the cooling process for refrigerators, walk-in coolers, freezers, ice machines, air conditioners, central air conditioning systems, dehumidifiers, and automotive air conditioners.

Three vendors are being recommended for inclusion in the pool, of which one is local. There were no adverse findings relating to vendor responsibility. There were 31 vendors notified upon advertisement, of which eight downloaded the solicitation and two responded. Prior to advertisement, a search of the County’s Integrated Financial Resources Management System (INFORMS) yielded 30 Miami-Dade County registered vendors under the commodity codes for industrial gases. Subsequently, additional efforts were made to solicit more vendors to be included in the Pool.

Scope

The scope of this item is countywide in nature.

Fiscal Impact/Funding Source

The fiscal impact for the five-year term is \$3,479,000. The current pool, 1046-1/21-1, is valued at \$7,247,000 for a ten-year and three-month term and expires on August 31, 2022. The allocation under this replacement pool is slightly lower than the annualized allocation under the current pool due to the departments’ forecasted usage based on historical spend.

Department	Allocation	Funding Source	Contract Manager
Aviation	\$ 68,000	Proprietary Funds	Sylvia Novela
Corrections and Rehabilitation	\$ 40,000	General Fund	Emilio Palma
Fire Rescue	\$ 150,000	Fire District Funds	Marianela Betancourt
Internal Services	\$ 110,000	Proprietary Funds	Jennyfer Calderon
Library System	\$ 161,000	Library District Funds	Kimberly Craig
Parks, Recreation and Open Spaces	\$ 35,000	General Fund	Fernando L. Robreño
Police	\$ 25,000	General Fund	Laura Romano
PortMiami	\$ 100,000	Proprietary Funds	Gyselle Pino
Public Housing and Community Development	\$ 100,000	Federal Funds	Indira Rajkumar-Futch
Transportation and Public Works	\$ 2,400,000	DTPW Operating	Angela Mathews-Tranumn
Water and Sewer	\$ 290,000	Proprietary Funds	JC Nevot
Total:	\$ 3,479,000		

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.

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

Eight vendors downloaded the solicitation, and three vendors responded to the solicitation. All three vendors are being recommended for inclusion in the pool as set forth in the table below.

Pursuant to Resolution No. R-477-18, fewer than 75 percent of vendors recommended are local, which is attributable to fact that a small number of vendors responded to the solicitation due to supply chain issues. Staff will continue outreach to encourage additional qualified local vendors to participate in the pool.

Vendor	Principal Address	Local Address	Principal
Fireside Holdings, Inc. dba American Refrigerants, Inc.	2053 58 Avenue Circle East Bradenton, FL	None	Christopher J. Mussey
The Ware Group, LLC dba Johnstone Supply	11710 Central Parkway Jacksonville, FL	14350 NW 56 Court Miami Lakes, FL	Michael Bell
RTR Suppliers, Inc.	6124 Hanging Moss Road Suite 300 Orlando, FL	None	Richard Kowalski


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. 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.

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. Comprehensive market research was conducted, which included posting the draft solicitation for industry comments, and holding meetings and drafting sessions with the user departments. A search of INFORMS yielded 30 Miami-Dade County registered vendors under the commodity code for industrial gases. Of the 30 vendors, 14 have been awarded County vendors for the past one to five years, and two have a local presence. The incumbent vendors under the existing pool, American Refrigerants and Johnstone Supply, as well as other identified firms, were notified about the new solicitation.

Applicable Ordinances and Contract Measures

- The two percent User Access Program provision applies where permitted by the funding source.
- Set-Aside: when the funding source allows the application of small business measures and the value of the spot market quote is under \$250k and there are two or more SBE firms prequalified under this pool capable of providing the requested good(s) and/or service(s) or when the value of a spot market quote is above \$250k and there are three or more SBE firms prequalified under this pool capable of providing the requested good(s) and/or service(s). Bid Preference: when the funding source allows the application of small business measures a Set-Aside is not applicable. No Measure: when the funding source precludes the application of small business measures.
- Local Preference will be applied at the time of spot market competition where permitted by the funding source.
- The Living Wage does not apply as the services to be procured under this pool are not covered services under the Ordinance.


Jimmy Morales
Chief Operations Officer




MEMORANDUM

(Revised)

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

DATE: July 7, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

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

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)(8)
7-7-22

RESOLUTION NO. _____ R-619-22

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL RTQ-02022 FOR THE PURCHASE OF REFRIGERANT GAS SERVICES FOR MULTIPLE COUNTY DEPARTMENTS FOR A FIVE-YEAR TERM IN A TOTAL AMOUNT UP TO \$3,479,000.00; 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

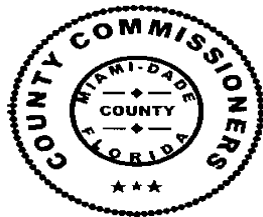
WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

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-02022 for the purchase of refrigerant gas services for multiple County departments for a five-year term in a total amount up to \$3,479,000.00; 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.

The foregoing resolution was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Danielle Cohen Higgins** 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	absent	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 7th 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.


Bruce Libhaber



Memorandum



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

From: Javier A. Betancourt, Executive Director 

Date: June 24, 2022

Re: CITT AGENDA ITEM 7A:
RESOLUTION BY THE CITIZENS’ INDEPENDENT TRANSPORTATION TRUST (CITT)
RECOMMENDING THE BOARD OF COUNTY COMMISSIONERS AUTHORIZE
ESTABLISHMENT OF PREQUALIFICATION POOL RTQ-02022 FOR THE PURCHASE
OF REFRIGERANT GAS SERVICES FOR THE DEPARTMENT OF TRANSPORTATION
AND PUBLIC WORKS FOR A FIVE-YEAR TERM IN A TOTAL AMOUNT UP TO
\$2,400,000.00; AND AUTHORIZE 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 **(DTPW/ISD – BCC LEGISLATIVE FILE NO. 221177) NO SURTAX
FUNDS REQUESTED**

On June 23, 2022, the CITT voted (6-0) to forward a favorable recommendation to the Board of County Commissioners (BCC) for the approval of the above referenced item, CITT Resolution No. 22-012. The vote was as follows:

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

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

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

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