

Memorandum



Date: October 6, 2022

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

From: Daniella Levine Cava
Mayor 

Agenda Item No. 8(F)(3)

Subject: Resolution Approving a Designated Purchase under Contract No. RFP-01552, Title
Company Services
Resolution No. R-918-22

Summary

This item seeks approval of a designated purchase, to the Internal Services Department and Department of Transportation and Public Works to *Contract No. RFP-01552, Title Company Services*. Cumulatively, the departments are requesting \$550,000 to acquire services including: title insurance commitments and policies; title insurance endorsements; closings; title search reports and certificates of title; recertification; title examination; opinions of title; title plant services; and technical/expert assistance. Contracting these services protects the County in all internal and external real estate transactions by disclosing any liens, encumbrances or any other restrictions on properties prior to development or acquisition.

Recommendation

It is recommended that the Board of County Commissioners (Board) approve this request for a designated purchase under *Contract No. RFP-01552, Title Company Services* for the Internal Services (ISD) and the Department of Transportation and Public Works (DTPW). Approval of a designated purchase is being requested pursuant to Section 2-8.1(b)(3) of the Miami-Dade County Code, by a two-thirds vote of the Board members present, to authorize additional expenditure authority in the amount of \$550,000 in connection with the extension of this contract for title services to ISD and DTPW.

On November 2, 2021, the Board awarded this contract for a five-year term with an allocation of \$1,500,000 through Resolution No. R-1030-21. The contract was subsequently modified under delegated authority in the amount of \$240,000. The Small Business Enterprise selection factor and local preference were applied in accordance with the ordinances.

Background

County departments use this contract to provide certified ownership and encumbrance reports (O&E) for tax deed applications and County-owned surplus properties. Contract services include but are not limited to: search of probate records, if applicable; determination on the validity of deeds; thorough search of lunacy and foreclosure proceedings; and the offer for purchase of a title insurance policy to successful bidders at the tax deed sale. The Tax Collector is required to provide O&E reports by State Law. Contracting for these services is more cost effective than having the tax collector's personnel research and compile the required reports internally.

ISD is requesting \$250,000, and DTPW is requesting \$300,000 in additional expenditure authority for the following services, which will be added to the contract: title insurance commitments and policies; title insurance endorsements; closings; title search reports and certificates of title; recertification; title examination; opinions of title; title plant services; and technical/expert assistance. These services are being added in accordance with the terms of the contract, which allow for additional related services, if needed. The departments will use these services prior to closing on the acquisition of real property to verify that the property has a clean title, in accordance with Administrative Order No. 8-1. Title services are also used when the County develops, improves and sell County-owned properties to ascertain if properties have restrictions, liens, encroachments, etc. As mentioned above, contracting these services protects the County in all internal and external real estate transactions.

ISD and DTPW are accessing this contract for the additional related services as allowed by the contract. This item is being requested as a designated purchase because the services being added were not evaluated in the original solicitation. Competition for these services is not practicable at this time as this competitively solicited contract is the most expeditious way to meet the needs for these two departments. Accordingly, it is in the County's best interest to authorize additional expenditure authority pursuant to Section 2-8.1(b)(3) of the County Code to incorporate the needs of ISD and DTPW for title company 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 term expires on November 30, 2026. The contract has a current cumulative allocation of \$1,740,000. If this request is approved, the contract will have a modified cumulative allocation of \$2,290,000. The requested increase in expenditure authority is based on the addition of departments and their needs. 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
Finance	\$1,500,000	\$0	\$1,500,000	Proprietary Funds	Gerardo Gomez
Internal Services	\$0.00	\$250,000	\$250,000	Internal Service Funds	Gregory Gunter
Transportation and Public Works	\$0.00	\$300,000	\$300,000	DTPW Operating-	Luis Lacau
Regulatory and Economic Resources	\$240,000	\$0	\$240,000	Proprietary Funds	Joel Arango
Total:	\$1,740,000	\$550,000	\$2,290,000		

Track Record/Monitor

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

Awarded Vendor

Vendor	Principal Address	Local Address	Principal
JGS Properties, Inc. d/b/a National Title and Abstract Company	711 NW 23 Avenue Suite 101 Miami, FL	Same	John G. Sanchez

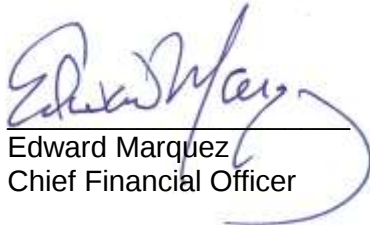
Due Diligence

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.

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and Members, Board of County Commissioners
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Applicable Ordinances and Contract Measures

- The two percent User Access Program provision applies where permitted by the funding source.
- Local Preference were applied in accordance to the ordinances. A No Measure was applicable to this solicitation.
- The Living Wage does not apply as the services are not covered by the Ordinance.



Edward Marquez
Chief Financial Officer



MEMORANDUM

(Revised)

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

DATE: October 6, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(F)(3)

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)(3)
10-6-22

RESOLUTION NO. _____ R-918-22

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 AN AMOUNT UP TO \$550,000.00 FOR A MODIFIED CONTRACT AMOUNT OF \$2,290,000.00 FOR CONTRACT NO. RFP-01552 FOR THE PURCHASE OF TITLE COMPANY SERVICES FOR VARIOUS COUNTY DEPARTMENTS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY RENEWALS, EXTENSIONS 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:

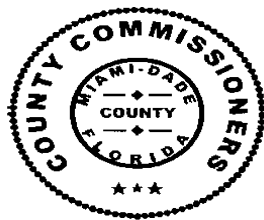
Section 1. This Board finds it is in the best interest of Miami-Dade County to approve, as a designated purchase by a two-thirds vote of the Board members present, additional expenditure authority in an amount up to \$550,000.00 for a modified contract amount of \$2,290,000.00 for Contract No. RFP-01552 to purchase title company services for various County departments.

Section 2. This Board authorizes the County Mayor or County Mayor's designee to exercise all provisions of the contract, including any renewals, extensions 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 **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **Keon Hardemon** 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	aye
Sally A. Heyman	aye	Danielle Cohen Higgins	aye
Eileen Higgins	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 6th day of October, 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.

Eduardo W. Gonzalez