

Memorandum



Date: October 18, 2022

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

Agenda Item No. 8(F)(10)

From: Daniella Levine Cava
Mayor

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

Subject: Request for Expenditure Authority to Contract No. ITB-20-020-HR, Milk and Dairy Products

Resolution No. R-992-22

Summary

This item is requesting additional expenditure authority for the purchase of milk and dairy products for the Community Action and Human Services (CAHSD) and Miami-Dade Corrections and Rehabilitation departments (MDCR). MDCR department provides milk products to the inmate population to meet the daily nutritional and caloric requirements under State law. CAHSD is required to provide access to a variety of dairy products to its domestic violence survivors and participants. *Contract ITB-20-020-HR* was identified as a suitable replacement as the contract included reasonable fixed prices for the products required by the County. The County accessed *Contract ITB-20-020-HR* under delegated authority on July 1, 2022, in the amount of \$500,000 as the vendor in the prior contract ceased its operations in South Florida and to cover the immediate needs of the departments. Approval of this request is necessary to support the operational needs for the remaining term of the contract and available options to renew.

Recommendation

It is recommended that the Board of County Commissioners authorize additional expenditure to *Contract No. ITB-20-020-HR, Milk and Dairy Products*. CAHSD and MDCR departments are requesting \$3,028,000 in additional expenditure authority in order to continue purchasing milk and dairy products for inmates and residents at domestic violence shelters.

The County accessed this competitively solicited Miami-Dade School Board contract on July 1, 2022, for \$500,000 under delegated authority. The initial term of the School's Board contract is three years and an estimated value of \$22,500,000 and expires on June 30, 2024, with two additional one-year options to renew. The Small Business Enterprise (SBE) no measure was assigned by the Small Business Development Division (SBD) as this is an access contract. There was one certified SBE at the time SBD reviewed this access contract.

Background

Prior to accessing the School Board's current contract, departments purchased milk and dairy products through *Contract ITB-18-048-HR* awarded to Borden Dairy of Florida (Borden). This contract was terminated as Borden advised on April 11, 2022 that they would be closing the South Florida plant and no longer be able to service the current contract, effective May 31, 2022. On May 27, 2022, MDCR declared an emergency, in the amount of \$168,000, for the purchase of milk products from McArthur Dairy to address immediate needs and provide time to establish a new contract.

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 initial contract term expires on June 30, 2024. The contract has a current cumulative allocation of \$500,000 and was established under delegated authority to cover the immediate needs of the departments. If this request is approved, the contract will have a modified cumulative allocation of \$3,528,000. The requested increase in expenditure authority is based on the department needs for the remaining initial term and subsequent two, one-year renewals.

Department	Existing Cumulative Allocation	Additional Allocation Requested for Initial Term and OTR	Modified Cumulative Allocation	Funding Source	Contract Manager
Community Action and Human Services	\$14,000	\$14,000	\$28,000	General Funds	Brad Skinner
Corrections and Rehabilitation*	\$486,000	\$3,014,000	\$3,500,000	General Funds	Max Praschnik
Total:	\$500,000	\$3,028,000	\$3,528,000		

* 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

Shari Francis of the Internal Services Department is the Procurement Contracting Manager.

Awarded Vendor

Vendor	Principal Address	Local Address	Principal
Food Fantasies, Inc.	12707 NW 42 Avenue Opa Locka, FL	Same	James P. Craven

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 through various vendor responsibility lists and a keyword internet search. 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 SBE contract measures and Local Preference do not apply, as this is an access of another entity's contract.
- The Living Wage does not apply as the services to be procured are not covered under the Ordinance.



J.D. Patterson
Chief of Corrections and Forensics



MEMORANDUM

(Revised)

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

DATE: October 18, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(F)(10)

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)(10)
10-18-22

RESOLUTION NO. R-992-22

RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN AN AMOUNT UP TO \$3,028,000.00 FOR A MODIFIED CONTRACT AMOUNT OF \$3,528,000.00 FOR CONTRACT NO. ITB-20-020-HR FOR THE PURCHASE OF MILK AND DAIRY PRODUCTS FOR THE REMAINING INITIAL TERM AND OPTIONS TO RENEW FOR VARIOUS COUNTY DEPARTMENTS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY RENEWAL, EXTENSION OR CANCELLATION PROVISIONS, PURSUANT TO COUNTY CODE SECTION 2-8.1 AND IMPLEMENTING ORDER 3-38

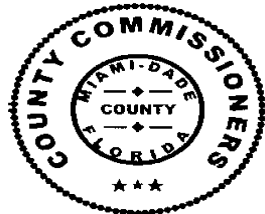
WHEREAS, this Board desires to accomplish the purpose outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board authorizes additional expenditure authority in an amount up to \$3,028,000.00 for a modified contract amount of \$3,528,000.00 for Contract No. ITB-20-020-HR for the purchase of milk and dairy products for the remaining initial term and options to renew for various County departments; and authorizes the County Mayor or County Mayor's designee to exercise all provisions of the contract, including any renewal, 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 **Oliver G. Gilbert, III** 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	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 18th 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