

Date: March 7, 2023

To: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

From: Daniella Levine Cava *Daniella Levine Cava*
Mayor

Agenda Item No. 8(P)(6)

Resolution No. R-189-23

Subject: Recommendation for Approval to Establish a Prequalification Pool for Various
Laboratory Instruments & Equipment

Summary

This item is for the establishment of a prequalification pool for the purchase of various laboratory instruments and equipment for multiple County departments. The pool provides for the purchase of various instruments used in forensic toxicology laboratories along with associated parts and accessories, installation, and maintenance services. This pool will ensure the availability of instruments, supplies, and services for the detection, identification, and measurement of drugs, toxins, and other poisons by the Medical Examiner and provide for laboratory testing conducted by the Miami-Dade Police Department to gather evidence and solve crimes. Additionally, the pool will also be used for maintenance of laboratory equipment and the purchase of air quality monitoring equipment for the Department of Regulatory and Economic Resources, to maintain compliance with various regulatory agencies by the Water and Sewer Department, and to support veterinary operations at Zoo Miami.

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the establishment of a prequalification pool, *EVN0000146, Various Laboratory Instruments & Equipment*, for multiple County departments in the amount of \$6,835,600 for a five-year period. Small Business Enterprise (SBE) measures will be determined prior to advertising each spot market competition. To track pool expenditures by vendor, bidding under this and other prequalification pools will gradually be conducted and monitored in a single platform, INFORMS, which will allow staff to provide data reports to the Board, as requested. Four vendors are being recommended for inclusion in the pool, of which one is a certified SBE. The pool will remain open to allow additional vendors that meet the prequalification criteria to be added throughout the pool's duration.

This pool will replace prequalification pool *RTQ-00578*, which was awarded by the Board through Resolution No. R-34-18 for a five-year term. The pool was subsequently modified via Resolution No. R-385-20. The current pool has 27 vendors that are non-local. Pools expire at the end of the term unless extended by the Board prior to expiration.

Background

The pool includes two groups, Group 1 will be used for the purchase of laboratory equipment, and Group 2 will be used for the installation and service of equipment. The equipment to be purchased and maintained under this pool includes but is not limited to immunoassay analyzers, spectroscopy, chromatography, spectrophotometry, gravimetric analyses, volumetric analyses, automated extraction, laboratory ovens, centrifuges, balances, and other related instrumentation.

Scope

The scope of this item is countywide in nature.

Fiscal Impact/Funding Source

The fiscal impact for the five-year term is \$6,835,600. The current pool, *RTQ-00578*, is valued at \$5,487,000 for a five-year and four-month term and expires on June 30, 2023. The allocation under the replacement pool is higher than the current pool on an annualized basis due to an increase departments' operational needs and changing market conditions.

Department	Allocation	Funding Source	Contract Manager
Medical Examiner	\$2,355,000	General Fund	Aylin Concepcion
Police*	\$3,006,100	General Fund	Laura Romano
Park, Recreation and Open Spaces	\$35,000	General Fund	Fernando L. Robreno
Regulatory and Economic Resources	\$408,000	Proprietary Funds	John Lariosa
Water and Sewer	\$1,031,500	Proprietary Funds	Fred Taylor
Total:	\$6,835,600		

*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

Pearl Bethel of the Strategic Procurement 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

A solicitation was issued under full and open competition. Five vendors responded to the solicitation, and four, including one certified SBE firm, 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 due to the specialized nature of the equipment and these services. It should be noted that none of the vendors in the current pool is local. Staff will continue to reach out for the availability of local vendors during the term of the pool.

Vendor	Principal Address	Local Address	Principal	Recommended Group(s)
Agilent Technologies Inc.	5301 Stevens Creek Boulevard Santa Clara, CA	None	Robert W. McMahon	Groups 1 and 2
Agni Enterprises LLC DBA Head to Heels Safety Supplies (SBE and DBE)	7950 NW 155 Street Suite 103 Miami Lakes, FL	Same	Subbarayan R. Pochi	Group 1
Eppendorf North America, Inc.	175 Freshwater Boulevard Enfield, CT	None	Andrew Hauser	Groups 1 and 2
Qiagen North America Holdings Inc.	19300 Germantown Road Germantown, MD	None	Peter M. Schatz	Groups 1 and 2

Vendor Not Prequalified for Pool

The vendor in the below table is not being recommended for prequalification. However, the Strategic Procurement Department is providing guidance to the vendor that did not meet the prequalification requirements so the vendor can provide the required information and documentation. Upon submission of the required documents and/or verification of information, the vendor may be added to the pool.

Vendor	Local Address	Reason for Not Recommending
Perkin Elmer	No	Vendor did not submit the required documents to satisfy the prequalification criteria.

Due Diligence

Pursuant to Resolution No. R-187-12, due diligence was conducted in accordance with the Strategic Procurement Department's Procurement Guidelines to determine vendor responsibility, including verifying corporate status and that there are no performance and compliance issues through various vendor responsibility lists and a keyword internet search. The lists that were referenced included convicted vendors, debarred vendors, delinquent contractors, suspended vendors, and federal excluded parties. Staff found litigation history for Agilent Technologies Inc. and Eppendorf North America, Inc.; however, this litigation history does not impact the vendors responsibility or ability to perform under this pool.

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. The review included conducting market research, posting a draft solicitation for industry comment, and holding meetings and drafting sessions with the user department. The scope of services remained unchanged, as the scope was determined to still meet departmental needs.

Applicable Ordinances and Contract Measures

- The two percent User Access Program provision applies.
- Each spot market competition must be submitted to the Small Business Division (SBD) for review. The SBE contract measures and Local Preference will be applied at the time of spot market competition when permitted by the funding source. An SBE set-aside applies for spot market competitions up to \$250,000 of at least two available SBE certified firms or over \$250,000 of at least three available SBE certified firms. A Bid Preference applies when set-aside is not applicable.
- The Living Wage Ordinance does not apply to Group 1, which is for the purchase of goods, but may apply to Group 2. All spot market quotes for Group 2 shall be reviewed by SBD to determine if the services are covered under the Ordinance.
- The Responsible Wages and Benefits Ordinance does not apply as the services are not covered under the Ordinance.



Alfredo "Freddy" Ramirez III
Chief of Safety and Emergency Response



MEMORANDUM

(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: March 7, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(P)(6)

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(P)(6)
3-7-23

RESOLUTION NO. _____ R-189-23

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL EVN0000146 FOR MULTIPLE COUNTY DEPARTMENTS FOR A FIVE-YEAR TERM IN A TOTAL AMOUNT UP TO \$6,835,600.00 FOR THE PURCHASE OF VARIOUS LABORATORY INSTRUMENTS AND EQUIPMENT; 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

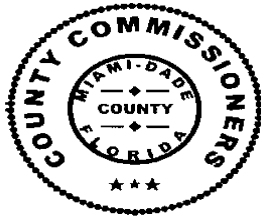
WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

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 EVN0000146 for multiple County departments for a five-year term in a total amount up to \$6,835,600.00 for the purchase of various laboratory instruments and equipment; 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 **Anthony Rodriguez** ,
 who moved its adoption. The motion was seconded by Commissioner **Marleine Bastien**
 and upon being put to a vote, the vote was as follows:

Oliver G. Gilbert, III, Chairman	aye		
Anthony Rodríguez, Vice Chairman	aye		
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	aye	Sen. René García	absent
Roberto J. Gonzalez	aye	Keon Hardemon	aye
Danielle Cohen Higgins	aye	Eileen Higgins	aye
Kionne L. McGhee	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 7th day of March, 2023. 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

LUIS G. MONTALDO, CLERK AD INTERIM

By: **Basia Pruna**
 Deputy Clerk

Approved by County Attorney as
 to form and legal sufficiency.

A handwritten signature in dark ink, appearing to be "E. Gonzalez", written over a horizontal line.

Eduardo W. Gonzalez