

Date: July 6, 2023

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

Agenda Item No. 8(H)(1)

From: Daniella Levine Cava
Mayor

Daniella Levine Cava

Resolution No. R-600-23

Subject: Authorization of Designated Purchase for Playground and Park Equipment

Executive Summary

This item approves the Designated Purchases of playground and park equipment from an established open pool of pre-qualified vendors, and, in certain limited instances, the installation thereof, pursuant to Section 2-8.1(b)(3) of the County Code. This resolution allows the Miami-Dade County Parks, Recreation and Open Spaces Department (PROS) to procure playground and park equipment from pre-qualified and specialty vendors based upon unique project criteria. It is not practicable to purchase playgrounds and park equipment based solely on inflexible price-exclusive selection, as each one of these manufactured products is unique in design and appearance and needs to conform to and address local community needs and park aesthetics. It is in the best interest of the County to select such equipment in consideration of these criteria, along with price. The authority provided by this resolution will be in place for four years and will allow the purchase of playground and park equipment, as well as the procurement of installation services at a total value not-to-exceed \$300,000 per project and \$4,000,000 in aggregate, with no minimum guarantee.

Recommendation

It is recommended that the Board of County Commissioners (Board) adopt the attached resolution authorizing the Designated Purchases of playground and park equipment from an established open pool of pre-qualified vendors, and, in certain limited instances, the installation thereof, pursuant to Section 2-8.1(b)(3) of the County Code. This resolution allows the Miami-Dade County Parks, Recreation and Open Spaces Department (PROS) to procure playground and park equipment from pre-qualified and specialty vendors based upon unique project criteria. PROS will select vendors not exclusively on the basis of price but also based on which design and system is appropriate for the community, project, and department, within the constraints of the project budget. The unique project criteria may include community input, special needs, maintenance of consistency within parks or facilities, durability, maintainability, availability, and product catalog-based price, as discounted by vendors.

Scope

The scope is countywide as this resolution/authorization is for multiple park and County properties in all County Commission Districts.

Delegated Authority

If this item is approved, the County Mayor or County Mayor's designee will have the authority to exercise all provisions of the contract, pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38.

Fiscal Impact/Funding Source

The resolution authorizes Designated Purchase of playground and park equipment, and the installation thereof, at a value not-to-exceed \$300,000 per project and \$4,000,000 in aggregate over

a period of four years. The funding source for procurement will be capital funding sources budgeted on an annual basis by the Board, including but not limited to Building Better Communities General Obligation Bond Program, Park Impact Fees, and grants. Additionally, replacement parts may be procured from general fund proceeds, based on an annual appropriation by the Board.

Track Record/Monitor

The agency responsible for implementing the project is PROS and the project manager is Michael Joe Cornely, Assistant Director, Planning, Design and Construction for the department.

Background

Playground and park equipment procurement is currently provided under County Resolution No. R-255-19 Purchase of Playground and Park Equipment. This contract provides for “the purchase, delivery, installation and/or repair of playground and park equipment, including but not limited to shelters, site furniture, play equipment and water play equipment, in conjunction with Miami-Dade County Departments’ needs on an as-needed, when needed basis.” The contract commenced on March 21, 2019 and expired on March 20, 2023.

The current Playground and Park Equipment resolution has allowed PROS to issue 191 purchase orders in almost three years for playground replacement parts, new playground equipment, new fitness equipment, new furniture and fixtures, and new shade canopies and structures. The resolution averages around 63 purchase orders a year, expending over \$2.5 million since its commencement in 2019.

The recommended resolution allows PROS to establish an open pool of pre-qualified vendors providing playground and park equipment, furniture & fixtures, fitness equipment, and shade canopies. Under this authority, when it is not practicable to solicit formal sealed bids, PROS will select vendors not exclusively on the basis of price but also based on which design and system is appropriate for the community, project, and department, within the constraints of the project budget. For each new equipment purchase, PROS will select up to three vendors with appropriate product lines for consideration and will obtain price quotes and product details to conduct an informal comparison among those vendors. The vendor that presents the product with the lowest price that best addresses the local community needs and park aesthetics will be selected. Pricing will be based on a vendor discount on the stated manufacturer’s suggested retail price.

Additionally, this resolution will allow sole source purchasing, when warranted, including for procurement of replacement parts from the original equipment manufacturer, procurement of materials to match existing park elements and equipment for which only one product has a Notice of Acceptance from the State of Florida/Miami-Dade County. PROS has researched other public playground contracts in the State of Florida, and the manner of pricing as an agreed discount against the manufacturer’s suggested retail price is the common form of contract.

The following are examples of what PROS seeks to procure: playground equipment, safety surfacing and playground equipment parts; and miscellaneous park equipment and park equipment parts (e.g., shelters, shade structures, water play equipment, skate park elements, prefabricated structures, benches, chickee huts, barbeques, etc.).

Installation is procured competitively under a separate contract based on price. In almost all instances, PROS will competitively procure installation and infrastructure services under the procurement contract for playground installation and infrastructure. In limited circumstances, PROS may procure the installation of playground and park equipment directly through equipment vendors via the pre-qualified playground and park equipment pool, as required, under the authority of this resolution. PROS will only procure installation and infrastructure under this resolution in the event that it is critical to the completion of the project, supports completion of the project within a deadline (such as a completion deadline required by a grant agreement), or due to the non-availability of qualified installers under the playground installation and infrastructure contract.

The authority to procure goods and services under this resolution will be managed by PROS and PROS will evaluate vendor performance under the Vendor Agreement. Vendors' continued participation in the pool is contingent on satisfactory performance.



Jimmy Morales
Chief Operations Officer



MEMORANDUM

(Revised)

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

DATE: July 6, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(H)(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 _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(H)(1)
7-6-23

RESOLUTION NO. R-600-23

RESOLUTION AUTHORIZING, IN ACCORDANCE WITH SECTION 2-8.1(b)(3) OF THE CODE OF MIAMI-DADE COUNTY BY A TWO-THIRDS VOTE OF THE BOARD THE DESIGNATED PURCHASES OF EQUIPMENT AND SERVICES FOR THE FURNISHING, DELIVERY, AND/OR INSTALLATION OF PLAYGROUND AND PARK EQUIPMENT, WITH A TOTAL CONTRACTUAL AUTHORITY OF \$4,000,000.00 IN THE AGGREGATE AND \$300,000.00 PER PROJECT, TO BE FUNDED IN PART WITH BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM FUNDS, FOR A PERIOD OF FOUR YEARS

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

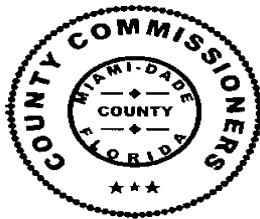
Section 2. This Board authorizes, in accordance with section 2-8.1(b)(3) of the Code of Miami-Dade County, and by a two-thirds vote of the Board members present, designated purchases of equipment and services for the furnishing, delivery and/or installation of playground and park equipment, with a total contractual authority of \$4,000,000.00 in the aggregate and \$300,000.00 per project, inclusive of contingency and allowances, to be funded in part from Building Better Communities General Obligation Bond Program funds, for a period of four years, with vendors selected from an open pool of pre-qualified vendors. The County Mayor or County Mayor's designee is authorized to procure playground and park equipment from pre-qualified and

specialty vendors based not exclusively on the basis of price but also on which design and system is appropriate within the constraints of project budgets. The County Mayor or County Mayor's designee is also authorized to exercise all provisions of any resultant contracts, pursuant to section 2-8.1 of the County Code and Implementing Order 3-38.

The foregoing resolution was offered by Commissioner **Danielle Cohen Higgins** , who moved its adoption. The motion was seconded by Commissioner **Juan Carlos Bermudez** 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	absent
Danielle Cohen Higgins	aye	Eileen Higgins	aye
Kionne L. McGhee	aye	Raquel A. Regalado	absent
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 6th day of July, 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

JUAN FERNANDEZ-BARQUIN, CLERK

By: **Basia Pruna**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

MRP

Monica Rizo Perez