

Memorandum



Date: July 6, 2023

To: Honorable Chairman Oliver G. Gilbert, III
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(P)(8)

Resolution No. R-624-23

Subject: Recommendation to Waive Competitive Bidding Procedures and Request for Additional Expenditure Authority for Jail Management System (JMS) Consultant Services

Summary

This item is seeking additional expenditure under this bid waiver contract to allow the Miami-Dade Corrections and Rehabilitation Department (MDCR) to continue receiving jail management system (JMS) consulting services. These services are needed to guide MDCR on the successful procurement and implementation of a JMS in order to maintain compliance with the settlement and consent agreements entered into by Miami-Dade County and the Department of Justice as a result of a Civil Rights for Institutional Persons Act (CRIPA) investigations.

The department will use this contract for consulting services for the procurement and implementation of a new JMS. Services include project management, business process reviews, technical needs assessments, security assessments, risk assessments, procurement assistance for all phases of the acquisition of MDCR's JMS, integration of current and futures technology solutions, current and future supplier vetting, data conversion, system implementations, evaluation of policies, procedures and accreditation, technical security reviews and recommendations, system decommissioning, and custom development services to ensure a well-integrated platform of technology for MDCR.

Recommendation

It is recommended that the Board of County Commissioners (Board) waive competitive bidding procedures by a two-thirds vote of the Board members present pursuant to Section 2-8.1 of the Code of Miami-Dade County and Section 5.03(d) of the Home Rule Charter and authorize additional expenditure authority under *Contract No. BW-10291, JMS Consultant Services*, for MDCR. The County awarded this bid waiver contract on February 6, 2023 for \$250,000 and a one-year term with four, one-year options to renew. MDCR is requesting \$250,000 in additional expenditure authority for the initial term and \$500,000 for each option to renew term to continue purchasing JMS consulting services.

Additional expenditure authority is needed to ensure continuity of services during the entire JMS implementation process. Consistent project direction and management is crucial to the successful implementation of a long-term implementation project such as a JMS. MDCR currently utilizes a legacy software system which is supplemented by multiple disparate systems to perform its jail management functions. These systems are beyond their useful life and scheduled to be sunset. Therefore, MDCR requires the procurement and implementation of a modernized and integrated JMS in order to gain efficiencies in operations, compliance, data analysis and resource management.

A bid wavier contract was established due to the urgent need to initiate services and to comply with the settlement and consent agreements entered into by Miami-Dade County and the Department of Justice as a result of CRIPA investigations. The contracted vendor, GTEL Advisors, LLC, was selected because of their expertise with various jail management systems. There have been two attempts by the County to implement a JMS and recently the County entered into a settlement agreement with the prior vendor due to failure to implement a JMS. Accordingly, it is in the County's best interest to waive competitive bidding requirements pursuant to Section 2-8.1 of the Miami-Dade County Code and Section 5.03(d) of the Home Rule Charter to ensure continuity of services during the entire JMS procurement and implementation process.

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 execute Supplemental Agreement No. 1 and 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 January 31, 2024 and has a current allocation of \$250,000. If this request is approved, the contract will have a modified cumulative allocation of \$500,000 for the initial term. Should the County choose to exercise, at its sole discretion, the four, one-year options to renew, the estimated cumulative value will be \$2,500,000. The requested increase in expenditure authority is based on anticipated needs during the term of the contract. The additional expenditure for this year was approved by the Board as part of the Fiscal Year 2022-2023 County budget.

Department	Existing Cumulative Allocation	Additional Allocation Requested	Modified Cumulative Allocation	Funding Source	Contract Manager
MDCR	\$250,000	\$2,250,000	\$2,500,000	General Fund	Christopher Moreno
Total:	\$250,000	\$2,250,000	\$2,500,000		

Track Record/Monitor

Jessica Tyrrell of the Strategic Procurement Department (SPD) is the Division Director. MDCR Chief Christopher Moreno is the Project Manager.

Awarded Vendor

Vendor	Principal Address	Local Address	Principal
GTEL Advisors, LLC	6120 Berkshire Lane North Plymouth, MN	None	Lisa K. Gottstein

Due Diligence

Pursuant to Resolution No. R-187-12, due diligence was conducted in accordance with SPD'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. There were no adverse findings relating to vendor responsibility.

Applicable Ordinances and Contract Measures

- The two percent User Access Program provision applies.
- The Small Business Enterprise measures and Local Preference do not apply.
- The Living Wage does not apply as the services are not covered under the Ordinance.
- Responsible Wages and Benefits do not apply as the services are not covered under the Ordinance.



JD Patterson
Chief of Corrections and Forensics



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(P)(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(P)(8)
7-6-23

RESOLUTION NO. _____ R-624-23

RESOLUTION WAIVING COMPETITIVE BIDDING REQUIREMENTS OF SECTION 5.03(D) OF THE HOME RULE CHARTER AND SECTION 2-8.1 OF THE COUNTY CODE BY A TWO-THIRDS OF THE BOARD MEMBERS PRESENT; AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN AN AMOUNT NOT TO EXCEED \$2,250,000.00 FOR A TOTAL MODIFIED CONTRACT AWARD AMOUNT OF \$2,500,000.00 FOR CONTRACT NO. BW-10291 FOR JAIL MANAGEMENT SYSTEM (JMS) CONSULTANT SERVICES FOR THE MIAMI-DADE CORRECTIONS AND REHABILITATION DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT AND EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY RENEWAL, CANCELLATION OR EXTENSION PROVISIONS, PURSUANT TO COUNTY CODE SECTION 2-8.1 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:

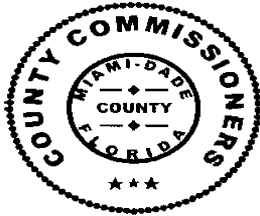
Section 1. This Board finds that it is in the best interest of Miami-Dade County to waive the competitive bidding requirements of section 5.03(D) of the Home Rule Charter and section 2-8.1 of the County Code, by a two-thirds vote of the Board members present and authorize additional expenditure authority in an amount not to exceed \$2,250,000.00 for a total modified contract award amount of \$2,500,000.00 for Contract No. BW-10291 for Jail Management System (JMS) consultant services for the Miami-Dade Corrections and Rehabilitation Department.

Section 2. The Board authorizes the County Mayor or County Mayor’s designee to execute Supplemental Agreement No. 1, in substantially the form attached and made a part hereof, and exercise all provisions of the contracts, including any renewal, cancellation or extension provisions, pursuant to section 2-8.1 of the County Code and Implementing Order 3-38. A copy of the original contract is available upon request from the Strategic Procurement Department.

The foregoing resolution was offered by Commissioner **Eileen Higgins** , 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:

	Oliver G. Gilbert, III, Chairman	aye
	Anthony Rodríguez, Vice Chairman	absent
Marleine Bastien	aye	Juan Carlos Bermudez absent
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 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.

A handwritten signature in dark ink, appearing to read "MBV", written over a horizontal line.

Michael B. Valdes

SUPPLEMENTAL AGREEMENT NO. 1

Contract Number: **BW-10291**

Contract Title: **JMS Consultant Services**

Contractor: **GTEL Advisors, LLC.**

In accordance with the above referenced Contract, this supplement when properly executed amends the Contract BW-10291, Article eight (8) to remove the stricken words:

ARTICLE 8. PRICING

Prices listed below are inclusive of all services required for, or incidental to, completing the Services required under this Contract, and there shall be no payment of per diem, out of pocket expenses, travel costs, mark-up or administrative or service or processing fee of any kind by the County to the Contractor.

Prices shall remain fixed and firm for a term no less than one year from the contract's initial effective date. The County may consider an upward or downward adjustment after the first year period, to be effective thereafter until termination date of the contract. The pricing adjustment shall not be in excess of the increase reflected on the latest Consumer Price Index (CPI-U) for All Urban Consumers, All Items, South Area, with the Base Period equal to 1982-84=100.

It is the Contractor's responsibility to request any price adjustment under this provision. For any adjustment to be effective, it must be submitted ninety (90) days prior to the expiration of the then current anniversary date/year. Any adjustment received after ninety (90) days from the expiration of the then current contract year may not be considered. The County reserves the right to reject any price adjustments submitted by the Contractor. If no adjustment request is received, the County will assume that the Contractor has agreed that the next year term will be without any price adjustment.

County shall pay Contractor not-to-exceed hourly rates below for various staff levels to complete the required tasks and deliverables as stated above:

Position Number	Staff Position	Maximum Hourly Rate - Remote	Maximum Hourly Rate – Loaded (On Site)
1	Senior Consultant	\$300.00	\$370.00
2	Security Consultant – CISSP	\$300.00	\$370.00
3	Data Conversion Developer	\$250.00	\$320.00
4	Process Consultant	\$225.00	\$295.00
5	Policy / Accreditation Expert	\$225.00	\$295.00
6	Technical Architect	\$200.00	\$270.00
7	Senior Developer	\$175.00	\$245.00
8	Developer	\$165.00	\$235.00
9	Project Manager	\$165.00	\$235.00
10	Analyst	\$165.00	\$235.00
11	Financial Analyst	\$165.00	\$165.00

MDC007



1. Notwithstanding the rates above, compensation to the Contractor shall be based on the work assigned. The Contractor shall not exceed the maximum hourly rates when calculating the not-to-exceed cost statement required for each assignment.
2. The positions identified in the table above, shall be the same as the key positions identified to the County. The County expects that the key personnel, in those positions, will be performing the services, as needed.
3. ~~The total amount to be paid by the County, unless otherwise approved by the Board of County Commissioners shall not exceed \$250,000. It is acknowledged and agreed to by the Contractor that the dollar limitation set forth in this section is a limitation upon and describes the maximum extent of County's obligation to pay the Contractor but does not include a limitation upon the Contractor's duty to perform all services set forth in Article 7 for the total compensation in the amount stated above.~~

IN WITNESS WHEREOF, County and Contractor have caused this Supplemental Agreement No. 01 to County Contract No. BW-10291 for JMS Consultant Services to be executed by their respective parties and duly authorized officers.

Contractor
By: 
Name: Jeffrey Gottstein
Title: President

Date: 6/7/2023
Attest: Corporate Secretary/Notary

Corporate Seal/Notary



Miami-Dade County
By: _____
Name: Daniella Levine Cava
Title: Mayor

Date: _____
Attest: _____
Clerk of the Board

Approved as to form
and legal sufficiency: _____

Document Notarized using a Live Audio-Video Connection

MDC008



JURAT ATTACHMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF Virginia }

COUNTY OF Alexandria }

The foregoing instrument was subscribed and sworn before me this date of
06/07/2023 by Jeff Gottstein

This notarial act was an online notarization.

Document Notarized using a Live Audio-Video Connection



(Notary Seal)

Notary's Signature *Ameenha Guillory*

Registration No.: 7889093

Commission Expiration Date: June 30, 2024

MDC009

