

Date: July 6, 2023

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

From: Daniella Levine Cava
Mayor



Agenda Item No. 8(P)(15)

Subject: Recommendation for Approval of a Designated Purchase for Additional Expenditure
Authority for Bakery Products

Resolution No. R-631-23

Summary

This item is requesting additional expenditure authority for the Miami-Dade Corrections and Rehabilitation Department (MDCR) for the purchase of bakery products, including loaves of bread, buns, rolls, French bread, and hoagies on an as needed basis for the preparation of inmate meals. These products are used to serve approximately 4,400 inmates three times per day at three correctional facilities. Additionally, the Community Action and Human Services Department (CAHSD) provides a variety of bakery products to participants in its programs in order to comply with federal mandates. Due to unanticipated fluctuations in MDCR's inmate population, additional allocation is needed to continue providing these bakery products. Approval of a designated purchase for additional expenditure authority in lieu of a new competitive process is recommended as the County is in the process of outsourcing inmate meal operations with an anticipated award date of end of 2023, at which point MDCR will no longer utilize its allocation under this contract.

Recommendation

It is recommended that the Board of County Commissioners (Board) approve a designated purchase, by two-thirds vote of the Board members present, pursuant to Section 2-8.1(b)(3) of the Code of Miami-Dade County under *Contract No. FB-01363, Bakery Products* for MDCR. Approval of a designated purchase is needed to authorize additional expenditure authority in the amount of \$1,600,000 to continue providing bakery products to inmates.

Background

This contract was established by the Board through Resolution No. R-98-20, for a five-year term, with a cumulative allocation of \$1,853,966 for MDCR and CAHSD. The contract was subsequently modified under delegated authority in the amount of \$370,793 for a cumulative amount of \$2,224,759.

MDCR utilizes this contract to purchase and provide bakery products twice a day to their inmate population. The provision of bread and related products is necessary to meet the daily dietary allowance required for a healthy diet. Additional expenditure authority is needed to continue to provide products to inmates to meet their nutritional requirements. The estimated quantities and allocation for the purchase of bakery products were underestimated by the department at the time of bidding. Additionally, the allocation has been heavily used due to the fluctuating inmate population and times when bakery products were used to replace other meal products that were unavailable. As a result, additional funds are necessary to ensure the provision of bread products throughout the contract's duration.

Approval of a designated purchase in lieu of a new competitive process is requested because these services will no longer be required once MDCR outsources its meal operations. A new solicitation may not result in better prices for the County as the current prices reflect pre-pandemic market rates. Additionally, the current supplier is a local vendor. Accordingly, it is in the County's best interest to approve this designated purchase pursuant to Section 2-8.1(b)(3) of the Code to allow for the continued supply of bakery products, as needed, for the remainder of the contract term.

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 extension or cancellation provisions, pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38.

Fiscal Impact/Funding Source

The contract term expires on February 28, 2025. The contract has a current cumulative allocation of \$2,224,759. If this request is approved, the contract will have a modified cumulative allocation of \$3,824,759. The requested increase in expenditure authority is based on the usage and consumption of bakery products throughout the first three years of the contract. The additional expenditure for this year was approved as part of the fiscal year 2022-2023 County budget.

Department	Existing Cumulative Allocation	Additional Allocation Requested	Modified Cumulative Allocation	Funding Source	Contract Manager
CAHSD	\$20,963	\$0	\$20,963	General Fund	Brad Skinner
MDCR*	\$2,203,796	\$1,600,000	\$3,803,796	General Fund	Alessandra Linares
Total:	\$2,224,759	\$1,600,000	\$3,824,759		

* MDCR will not use this contract after the contract for outsourcing of inmate meal operations is awarded.

Track Record/Monitor

Lydia Osborne of the Strategic Procurement Department (SPD) is the Assistant Director.

Awarded Vendor

Vendor	Principal Address	Local Address	Principal
Flowers Baking Co of Miami LLC	1919 Flowers Circle Thomasville, GA	17800 NW Miami Court Miami, FL	Stephanie Tillman

Due Diligence

Pursuant to Resolution No. R-187-12, due diligence was conducted in accordance with SPD'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.
- The Small Business Enterprise Bid Preference and Local Preference applied.
- The Living Wage Ordinance does not apply as this is for the purchase of goods.



JD Patterson
Chief of Corrections and Forensics

MDC002



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)(15)

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)(15)
7-6-23

RESOLUTION NO. R-631-23

RESOLUTION APPROVING DESIGNATED PURCHASE, PURSUANT TO SECTION 2-8.1(B)(3) OF THE MIAMI-DADE COUNTY CODE, BY A TWO-THIRDS VOTE OF BOARD MEMBERS PRESENT; AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN AN AMOUNT UP TO \$1,600,000.00 FOR A MODIFIED CONTRACT AMOUNT OF \$3,824,759.00 FOR CONTRACT NO. FB-01363 FOR THE PURCHASE OF BAKERY PRODUCTS FOR THE CORRECTIONS AND REHABILITATION DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY EXTENSION 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 a designated purchase, pursuant to section 2-8.1 (b)(3) of the County Code, by a two-thirds vote of the Board members present.

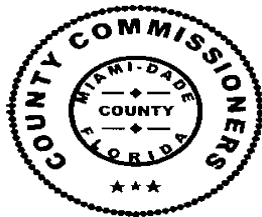
Section 2. This Board authorizes additional expenditure authority in an amount up to \$1,600,000.00 for a modified contract amount of \$3,824,759.00 for Contract No. FB- 01363 for the purchase of bakery products for the Corrections and Rehabilitation Department.

Section 3. This Board authorizes the County Mayor or County Mayor's designee to exercise all provisions of the contract, including any extension or cancellation provisions, pursuant to section 2-8.1 of the County Code and Implementing Order 3-38. A copy of the contract document is on file with and available upon request from the Strategic Procurement Department.

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.

MBV

Michael B. Valdes