

**OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA**

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".

Subject: Recommendation for Approval to Award a Contract and Establish a Pool for Engraved Badges & Insignias

Agenda Item No. 8(P)(22)

Resolution No. R-638-23

Summary

This item is for the purchase of engraved badges and insignias for multiple County departments. The contract and pool will provide for engraved badges, insignias, engraved award and service pins, ID name plates, and related items. Approval of this item will allow County departments to purchase these items for County employees and staff, such as Parks, Recreation and Open Spaces Department's (PROS') park ranger unit, Miami-Dade Police Department's (MDPD's) sworn personnel, Miami-Dade Aviation Department's (MDAD's) security and landside operations personnel at Miami International Airport as part of the uniform standards by MDAD's management, and for Human Resources Department's (HR's) employee recognition programs.

Recommendation

It is recommended that the Board of County Commissioners (Board) approve a competitive contract award, *Contract No. EVN0000140, Engraved Badges & Insignias*, for multiple County departments to Miami Partners, LLC in the amount of \$2,469,888 and to Global Trading, Inc. in the amount of \$1,809,513 for a five-year term. It is further recommended the Board approves the establishment a prequalification pool in the amount of \$500,000 for a five-year term. The cumulative amount for the contract and the pool is \$4,779,401. The Small Business Enterprise (SBE) bid preference and local preference were applied to the contract and will be applied at time of spot market competition for purchases under the pool.

To track pool expenditures by vendor, effective June 1, 2023, bidding under this and other prequalification pools will be conducted and monitored in a single platform, INFORMS, which will allow staff to provide data reports to the Board, as requested.

This contract and pool will replace current *Contract No. FB-01564*, which was awarded under delegated authority on November 16, 2020, for the amount of \$759,158, for a two-year term. A subsequent contract modification, increasing the cumulative value to \$1,000,000 was approved under delegated authority on July 20, 2021.

Departments will use the contract to purchase items under the following groups: Group 1, Badges and Insignias; Group 2, Hat and Cap Badges; Group 3, Name Plates; Group 4, Uniform and Award Pins; and Group 5, Other Related Items. No award will be made under Group 5, Other Related Items, as vendors either provided no bid or were deemed non-responsive by the County Attorney's Office (CAO). The solicitation also included Group 6 for the establishment of a prequalification pool. County departments may choose to solicit the required items in Group 5 using the prequalification pool.

Background

An Invitation to Bid was issued on January 4, 2023, under full and open competition to purchase engraved badges and insignias. A total of 135 vendors were notified upon advertisement of the solicitation, including the incumbents under *FB-01564*, in addition to the vendors identified via market research. Five bids were received in response to the solicitation on February 1, 2023. Outreach efforts included, as part of market research, the posting of a draft solicitation for industry comment.

Scope

The scope of this item is countywide in nature.

Fiscal Impact/Funding Source

The fiscal impact for the five-year term is \$4,279,401 for the contract and \$500,000 for the pool for a combined cumulative allocation of \$4,779,401. The current contract, *FB-01564*, is valued at \$1,000,000 for a two-year and six-month term and expires on August 31, 2023. The allocation under the replacement contract is higher than the current contract due to additional line items included in the replacement contract, as well as significant rate increases. A price analysis between prior existing line items to the newly solicited items highlighted an average rate increase of 26 percent.

Department	Allocation	Funding Source	Contract Manager
MDAD	\$49,850	Proprietary Funds	Sylvia Novela
Corrections and Rehabilitation	\$392,180	General Fund	Alessandra Linares
Fire Rescue	\$594,954	Fire District Funds	Marianela Betancourt
HR	\$2,023,424	General Fund	Ricardo Bran
MDPD*	\$1,189,908	General Fund	Nicholas Santos
PROS	\$11,928	General Fund	Fernando L. Robreño
Seaport	\$10,000	Proprietary Funds	Frank Ramirez
Solid Waste Management	\$7,157	Proprietary Funds	Karina Careaga
Pool (Allocation to be distributed to departments as needed)	\$500,000	Multiple	Multiple
Total:	\$4,779,401		

*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 (SPD) is the Procurement Contracting Manager.

Delegated Authority

If this item is approved, the County Mayor or County Mayor's designee will have the authority to give notice of this award to the recommended vendors, issue the appropriate orders to give effect to same, and exercise all provisions of the contract, including any cancellation or extension provisions, pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38.

Additionally, 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 Recommended for Award

Award of Groups 1 through 4 is being recommended on a group-by-group basis to the lowest responsive, responsible bidders, who offered the lowest price in the aggregate. Departments may solicit pricing for items under Group 5 through the prequalification pool.

Vendor	Principal Address	Local Address	Number of Employee Residents	Principal	Groups Awarded
			1) Miami-Dade 2) Percentage*		
Global Trading, Inc. (SBE)	7500 NW 25 Street Unit 12 Miami, FL	Same	10	Viraj S. Wikramanayake	3 and 4
			100%		
Miami Partners, LLC (SBE)	321 NE 93 Street Miami Shores, FL	Same	1 100%	Elizabeth Cowen	1 and 2

Vendors Not Recommended for Award

Vendor	Local Address	Reason for Not Recommending
Dana Safety Supply, Inc.	Yes	Higher than lowest bidder for Group 1, Group 2, and Group 3. Deemed non-responsive by the CAO for Group 4 and Group 5 (see attached).
INV Tech Services, LLC	No	Higher than lowest bidder for Groups 1, 2, and 3. Deemed non-responsive by the CAO for Groups 4 and 5 (see attached).
J. Brandt Recognition, Ltd.	No	No Bid for Groups 1, 2, 3, and 5. Deemed non-responsive by the CAO for Group 4 (see attached).

*A "No Bid" means the vendor responded indicating that it will not be providing an offer.

Vendors Recommended for Prequalification Pool

All five vendors that responded to the solicitation satisfied the requirements of Group 6 and are being recommended for inclusion in the pool, of which three have local addresses, including two certified SBEs.

Pursuant to Resolution No. R-477-18, fewer than 75 percent of vendors recommended are local due to the limited number of local vendors responding to the solicitation. Staff will continue outreach efforts to increase local vendor participation. The pool will remain open to allow additional vendors that meet the prequalification criteria to be added throughout the term of the pool.

Vendor	Principal Address	Local Address	Principal
Dana Safety Supply, Inc. c/o David Russo	561 Stevens Street Jacksonville, FL	7001 NW 36 Avenue Miami, FL	Joanne A. Ackman
Global Trading, Inc. (SBE)	7500 NW 25 Street Unit 12 Miami, FL	Same	Viraj S. Wikramanayake
INV Tech Services, LLC	700 Old Roswell Lakes Suite 240 Roswell, GA	None	Christy L. Hoynowski
J. Brandt Recognition Ltd.	2816 W Lancaster Ave Fort Worth, TX	None	Jerry W. Brandt
Miami Partners, LLC (SBE)	321 NE 93 Street Miami Shores, FL	Same	Elizabeth Cowen

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

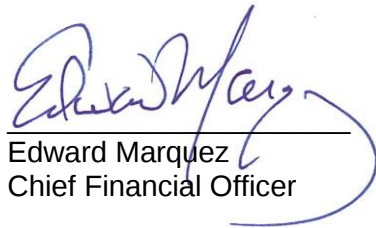
there are no performance and compliance issues through various vendor responsibility lists and a keyword internet search. The lists that were referenced included convicted vendors, debarred vendors, delinquent contractors, suspended vendors, and federal excluded parties. There were no adverse findings relating to vendor responsibility.

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 contract and pool) reflect the County's current needs. The review included conducting market research, posting a draft solicitation for industry comments, and holding meetings and drafting sessions with the user departments. The scope of services was updated to include updated quantities and newly added line items.

Applicable Ordinances and Contract Measures

- The two percent User Access Program provision applies where permitted by the funding source.
- The SBE Bid Preference and Local Preference were applied where permitted by the funding source for the contract award. For the prequalification pool, SBE measures will be determined prior to advertising each spot market competition. Local Preference will be applied at the time of spot market competition. All spot market competitions shall be submitted to the Small Business Development Division for review.
- The Living Wage does not apply as the services are not covered under the Ordinance.
- The Responsible Wages and Benefits do not apply as the services are not covered under the Ordinance.

Attachment



Edward Marquez
Chief Financial Officer

Memorandum



Date: February 14, 2023

To: Prisca Tomasi
Procurement Contracting Officer III
Strategic Procurement Department

From: Melanie Spencer
Assistant County Attorney

Subject: Request for Responsiveness Determination on ENV0000140-Engraved Badges & Insignias

You have asked this office if the bids submitted by Dana Safety Supply, Inc., INV Tech Services, LLC, J. Brandt Recognition, Ltd., and Miami Partners, LLC (the “bidders”) are responsive. We rely on the information provided to this office in your February 13, 2023 memorandum and attached materials as related to the bids.

On January 4, 2023, the County solicited bids under solicitation No. EVN0000140, (the “Solicitation”) on behalf of various County departments to purchase engraved badges and insignias on an as needed basis.

Section 2.4, Method of Award, Group 1 through 5 states that:

Award of Groups 1 through 5 will be made on a group-by-group basis to the lowest responsive, responsible Bidder. Bidders may submit offers for any or all groups. To be considered for award of a group, **Bidders shall offer prices for all items within the group**, prices shall be offered in dollars and cents (rounded to two (2) decimal places in cents). If a Bidder fails to submit an offer for all items within a group, its offer for the group may be rejected. The County will then select the Bidder for award of each group by totaling the pricing for each item within the group. (emphasis added)

All the bidders listed in your memorandum submitted bids with similar issues. Dana Safety Supply, Inc. and INV Tech Services, LLC failed to provide bids for all items in Groups 4 and 5. J. Brandt Recognition, Ltd. And Miami Partners, LLC failed to provide pricing for all line items within Group 4.

The bidder’s failure to provide bid prices on certain within groups 4 and 5 deprives the County of the assurance that the contract will be performed and guaranteed in accordance with the terms of the Solicitation and thereby renders the bids for those groups non-responsive. The Solicitation makes clear that bidders are required to offer prices for all items within the group and award of the contract will be made by grouping to the lowest bidder in the aggregate. The bidder’s failure to bid for all line items with the groupings makes it impossible for the County to calculate an aggregate bid for the group. Failing to bid a line item would automatically result in as skewed aggregate total and the County would not be able

to compare vendor prices by group as intended or offer assurance that the County would receive all items needed.

This conclusion is wholly consistent with government procurement law. See Matter of: New Shawmut Timber Co., B-286881, 2001 CPD P 42, 2001 WL 185214, *1 (Comp. Gen. Feb. 26, 2001) (“The failure to include a price for a line item evidences a bidder’s intent not to be bound or obligated to perform that element of the requirement, and thus generally renders the bid nonresponsive.”); Matter of: The Jorgensen Forge Corp., B-255426, 94-1 CPD P 157, 1994 WL 64911, *2 (Comp. Gen. Feb. 28, 1994) (“Where, as here, an IFB provides that award will be made to the low aggregate bidder, a bid that fails to include a price for every item required by the IFB generally must be rejected as nonresponsive since the bidder would not be obligated to provide the item for which it has provided no price.”).

Because the bidder’s failed to bid for every line item within in a group, the bids for those groups are non-responsive. The failure of the bidders to propose on all items in the identified groups does not render their bids for the other groups not responsive and the bidders’ bids for those groups can be considered and evaluated in accordance with the Solicitation.



Melanie Spencer



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)(22)

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)(22)
7-6-23

RESOLUTION NO. R-638-23

RESOLUTION APPROVING AWARD OF CONTRACT NO. EVN0000140 TO MIAMI PARTNERS, LLC (GROUPS 1 AND 2) IN AN AMOUNT NOT TO EXCEED \$2,469,888.00, AND GLOBAL TRADING, INC.(GROUPS 3 AND 4) IN AN AMOUNT NOT TO EXCEED \$1,809,513.00, AND ESTABLISHMENT OF A POOL (GROUP 6) IN AN AMOUNT NOT TO EXCEED \$500,000.00, FOR THE PURCHASE OF ENGRAVED BADGES AND INSIGNIAS FOR MULTIPLE COUNTY DEPARTMENTS WITH A CUMULATIVE AMOUNT NOT TO EXCEED \$4,779,401.00 FOR A FIVE-YEAR TERM; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF THE CONTRACT AWARD TO THE RECOMMENDED VENDORS, ISSUE THE APPROPRIATE ORDERS TO GIVE EFFECT TO SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION OR EXTENSION PROVISIONS, PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38; 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:

Section 1. This Board approves award of Contract No. EVN0000140 to Miami Partners LLC, Inc. (Groups 1 and 2) in an amount not to exceed \$2,469,888.00, and Global

Trading, Inc. for (Groups 3 and 4) in an amount not to exceed \$1,809,513.00, and establishment of a pool (Group 6) in an amount not to exceed \$500,000.00 for the purchase of engraved badges and insignias for multiple County departments with a cumulative amount not to exceed \$4,779,401.00 for a five-year term.

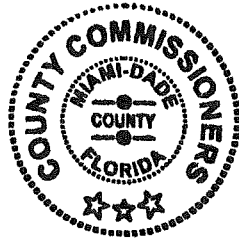
Section 2. This Board authorizes the County Mayor or County Mayor's designee to give notice of the contract award to the recommended vendors, issue the appropriate orders to give effect to same and exercise all provisions of the contract, including cancellation or extension provisions, pursuant to section 2-8.1 of the Code of Miami-Dade County, Florida and Implementing Order 3-38. A copy of the contract document is on file with and available upon request from the Strategic Procurement Department.

Section 3. This Board 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 under the pool, (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 **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.

mjs

Melanie J. Spencer