

Date: October 3, 2023

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

From: Daniella Levine Cava
Mayor



Agenda Item No. 8(P)(1)

Resolution No. R-871-23

Subject: Recommendation for Approval to Establish a Prequalification Pool for Dewatering and Tank Cleaning Services

Summary

This item is requesting establishment of a prequalification pool for the purchase of dewatering and tank cleaning services for the Water and Sewer Department (WASD) and Department of Transportation and Public Works (DTPW). Upon establishment of the pool, purchases will be made via spot market competition on an as-needed basis. Dewatering is a mechanical process that removes excess water from accumulated sludge, sand, and other solids allowing for more convenient handling and disposal of wastewater. The pool will be utilized by WASD to purchase dewatering and cleaning services at various water and wastewater plant structures, tanks, clarifiers, containment units, and other water and wastewater processing facilities and structures located throughout the County. This pool will also allow DTPW to maintain an extensive drainage system comprised of miles of varying diameter pipes, which service the public rights-of-way.

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the establishment of a prequalification pool, *EVN0000187, Dewatering and Tank Cleaning Services*, for WASD and DTPW with an allocation of \$4,317,000 for a five-year term. The establishment of a pool is recommended due to the varying facilities, structures and pipe diameters that need to be serviced, which makes it difficult to establish estimated quantities for a fixed-price contract.

The recommended pool will replace an existing prequalification pool, *RTQ-00662*, which was established by the Board on May 15, 2018, through Resolution No. R-506-18. At time of pool establishment, there were five vendors included in the pool, of which one has a local address, and none were certified Small Business Enterprise (SBE) firms. The pool currently has six prequalified vendors, one of which is local, and none are certified SBE firms. To track pool expenditures by vendor, bidding under all prequalification pools is being conducted and monitored in a single platform, INFORMS, which allows staff to provide reports to the Board, as requested.

Background

The principal methods of dewatering are belt filter presses, centrifuges, and chamber filter presses. These techniques are usually sophisticated and generally not cost-efficient for smaller systems to be implemented on a community level. The process does not treat the sludge; it only separates solid from liquid parts. Both solid and liquid parts still contain pathogens and pollutants.

To ensure maximum opportunity for local and small businesses to participate in this solicitation and subsequent spot market competitions thereunder, prior to advertisement, market research was conducted, and the scope of services was posted on the future solicitations website for two weeks. On January 4, 2023, a solicitation was issued under full and open competition. Upon the closing date of February 1, 2023, four submittals were received. Upon advertisement of the solicitation, a total of 211 vendors were notified and invited in INFORMS. Additional outreach efforts included contacting vendors identified through market research, as well as notifying incumbent vendors.

Scope

The scope of this item is countywide in nature.

Fiscal Impact/Funding Source

The fiscal impact for the five-year term is \$4,317,000. The current pool, RTQ-00662, has a cumulative allocation of \$14,800,000 for a five-year and six-month term and expires on November 30, 2023. The allocation under the replacement pool is lower than the previous pool on an annualized basis due to a decrease in the frequency of tank cleaning and dewatering services needed at WASD's facilities.

Department	Allocation	Funding Source	Contract Manager
DTPW	\$300,000	Storm Water Utility	Rodney McMillian
WASD	\$4,017,000	Proprietary Funds	Frederick Taylor
Total:	\$4,317,000		

Track Record/Monitor

Manuel Jimenez of the Strategic Procurement Department (SPD) 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.

Vendor(s) Prequalified for Pool

A total of four vendors, including one local firm, is recommended for inclusion in the pool as set forth below. By the closing date, four vendors responded to the solicitation, of which three are being recommended for the pool. In an effort to include additional qualified local vendors, staff conducted further outreach to vendors, including those identified in the market research, and one additional vendor (an incumbent) submitted its response after the solicitation closed. Following review, this vendor is also being recommended for inclusion in the pool as noted below.

Pursuant to Resolution No. R-477-18, fewer than 75 percent of vendors recommended are local due to the specialized nature of the required services, the large overhead costs associated with obtaining equipment, and the unique expertise required. Three certified SBE firms were also contacted through the Verification of Availability process; however, none were able to provide the requested services. The pool will remain open and outreach will continue to be conducted to encourage additional participation by qualified local vendors.

Vendor	Principal Address	Local Address	Principal
Envirowaste Services Group, Inc.*	18001 Old Cutler Road Palmetto Bay, FL	Same	Russ Wilson
Expert Dewatering, Inc.	3500 NW 10 Avenue Oakland Park, FL	None	Roger Freeman
Merrell Bros., Inc.	8811 West 500 North Kokomo, IN	None	Nieta K. Merrell
US Submergent Technologies, LLC	2201 Cantu Court Sarasota, FL	None	Denver J. Stutler, Jr.

*Submittal received from vendor after the solicitation closed.

Vendor(s) Not Recommended for Prequalification

The vendor in the below table is not being recommended for prequalification for the reason specified. SPD staff is also assisting one incumbent vendor with its submission. Upon submission and verification of the required documents, this vendor may be added to the pool.

Vendor	Local Address	Reason for Not Recommending
Synagro South, LLC	No	A settlement agreement between Synagro South, LLC and the County to resolve Case No. 22-7289-CA-01, <u>Miami-Dade County v. Synagro South, LLC</u> , is pending before the Board and is expected to be heard at the September 6, 2023 Board meeting. Upon the County's approval of the settlement agreement and Synagro South, LLC's compliance with the terms of the settlement agreement, Synagro South, LLC may be added to the pool.

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. With the exception of the litigation that will be resolved through the pending settlement agreement between the County and Synagro South, LLC, 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 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 departments. The specifications were revised to reflect a decrease in the frequency of the tank cleaning and dewatering services at WASD's facilities.

Applicability of Ordinances and Contract Measures

- The two percent User Access Program applies where permitted by funding source.
- Small Business Enterprise measures will be determined by the Small Business Development Division prior to advertising each spot market competition. Local Preference will be applied at the time of spot market competition where permitted by funding source.
- The Living Wage Ordinance applies.


Jimmy Morales
Chief Operations Officer



MEMORANDUM

(Revised)

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

DATE: October 3, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(P)(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(P)(1)
10-3-23

RESOLUTION NO. R-871-23

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL EVN0000187 FOR THE WATER AND SEWER DEPARTMENT AND DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS FOR A FIVE-YEAR TERM IN A TOTAL AMOUNT UP TO \$4,317,000.00 FOR THE PURCHASE OF DEWATERING AND TANK CLEANING SERVICES; 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

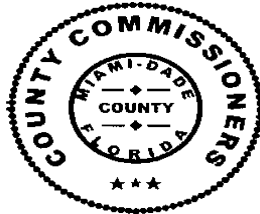
WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

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 EVN0000187 for the Water and Sewer Department and Department of Transportation and Public Works for a five-year term in a total amount up to \$4,317,000.00 for the purchase of dewatering and tank cleaning services; 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 **Danielle Cohen Higgins** 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 3rd day of October, 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 be "EWG", written over a horizontal line.

Eduardo W. Gonzalez