

Date: October 3, 2023

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

From: Daniella Levine Cava
Mayor

Daniella Levine Cava

Agenda Item No. 8(P)(9)

Resolution No. R-879-23

Subject: Recommendation for Approval to Award Liquid Ferric Sulfate and Storage Equipment

Summary

This item is for the award of a contract for the purchase of liquid ferric sulfate and storage equipment for the Water and Sewer Department (WASD). The contract will provide for the purchase and delivery of liquid ferric sulfate which is used in the wastewater treatment process and provides for the rental of storage equipment. Liquid ferric sulfate is a chemical which is added at several points in the wastewater treatment process to prevent formation of struvite in the system, controlling excessive struvite build-up and hydrogen sulfide odor, and improving settling and dewatering of sludges. Struvite is a mineral commonly found in sewage and wastewater, and its formation and build-up clogs valves, pipes, pumps, and centrifuges creating severe operational issues that may cause operating permit violations. Maintaining a well-functioning sewer system contributes to overall public health and enhances the quality of life for residents by preventing the occurrence of unsanitary conditions and associated health hazards. Approval of this contract will allow WASD to continue the treatment of wastewater to maintain the integrity of the County's wastewater system infrastructure and protect the health of the County's residents. The department is actively exploring alternative approaches that might yield future savings. It should also be noted that price increases in chemicals are one of the factors driving the proposed increase in the water rates in the upcoming budget.

Recommendation

It is recommended that the Board of County Commissioners (Board) approve a competitive contract award, *Contract No. EVN0000186, Liquid Ferric Sulfate and Storage Equipment*, to Kemira Water Solutions Inc. (Kemira) for WASD in the amount of \$45,983,050 for a five-year term. The current contract FB-00716, Liquid Ferric Sulfate and Storage Equipment, was awarded on July 10, 2018 for a five-year term via Resolution No. R-698-18.

Background

This contract will provide for the purchase and delivery of liquid ferric sulfate and for the rental of storage equipment for storage, containment, injection quill, all pumps, gauges, valves, piping, and all other incidentals necessary to inject the chemical into the piping system. Maintenance and repair of the chemical feed pumps and the storage tanks will be the responsibility of Kemira.

Upon advertisement of the solicitation on January 27, 2023, 126 vendors were notified, of which six viewed the solicitation and four downloaded it. Vendors who were notified included those identified during the market research, that are doing business, or participated in recent solicitations issued by other municipalities in Florida. On March 14, 2023, after extending the bid due date for two weeks, only one bidder responded to the solicitation. A survey was conducted, and four vendors responded with various reasons for not bidding. Based on the responses, no artificial barriers to competition were identified.

Prior to advertising, market research was also conducted to identify local and certified Small Business Enterprise (SBE) firms capable of providing the liquid ferric sulfate required by WASD, and none were able to provide the chemical. The manufacturing of this chemical is very complex and must conform with the requirements of the American Water Works Association B406-20 standard, or latest revision approved by the American National Standards Institute (ANSI/AWWA B406-20) and must be certified by the American National Standards Institute/NSF Standard 60 (NSF/ANSI 60) for Drinking Water

Treatment Chemicals. Due to the specialized nature of the chemical being purchased, there are no local of SBE vendors capable of producing it.

Scope

The scope of this item is countywide in nature.

Fiscal Impact/Funding Source

The fiscal impact for the five-year term is \$45,983,050. The current contract is valued at \$22,818,000 for a five-year and six-month term and expires on January 31, 2024. The allocation under the replacement contract is higher than the current contract on an annualized basis due to an increase in the unit price for the chemical. The current price is \$0.892 per pound, and the price in the proposed contract will be \$1.372 per pound. Through negotiations, Kemira provided a temporary voluntary discount on the chemical for six months, resulting in an initial cost savings of \$178,750 during the first six months of the contract. This discount will be reviewed thereafter for changes or removal based on market conditions.

Department	Allocation	Funding Source	Contract Manager
WASD	\$45,983,050	Proprietary Funds	Susan Pascul
Total:	\$45,983,050		

Track Record/Monitor

Manuel Jimenez 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 vendor, issue the appropriate purchase orders to give effect to same and exercise all provisions of the contract, including any cancellation or extensions, pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38.

Vendor Recommended for Award

Pursuant to Resolution No. R-477-18, the lowest bidder is recommended in accordance with the method of award per the solicitation and is non-local. Due to the specialized nature of the chemical being purchased, there are a limited number of vendors capable of producing it, none of which are local.

At the time of the advertisement, there were no certified Small Business Enterprise (SBE) firms under the commodity codes for this solicitation, nor were any potential SBE bidders identified in the market research.

Vendor	Principal Address	Local Address	Number of Employee Residents	Principal
			1) Miami-Dade 2) Percentage*	
Kemira Water Solutions, Inc.	1000 Parkwood Circle Suite 500 Atlanta, GA	None	0	Michael Cavallero
			0%	

*Provided pursuant to Resolution No. R-1011-15. Percentage of employee residents is the percentage of vendor's employees who reside in Miami-Dade County as compared to the vendor's total workforce.

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 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 department. The scope of services was updated to add one item to the storage equipment list.

Applicability of Ordinances and Contract Measures

- The two percent User Access Program applies.
- The Small Business Enterprise Preference and Local Preference applied.
- The Living Wage Ordinance does not apply.



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)(9)

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)(9)
10-3-23

RESOLUTION NO. R-879-23

RESOLUTION APPROVING AWARD OF CONTRACT NO. EVN0000186 TO KEMIRA WATER SOLUTIONS, INC. FOR THE PURCHASE OF LIQUID FERRIC SULFATE AND STORAGE EQUIPMENT FOR THE WATER AND SEWER DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$45,983,050.00 FOR A FIVE-YEAR TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF THIS AWARD TO THE RECOMMENDED VENDOR, ISSUE THE APPROPRIATE PURCHASE ORDERS TO GIVE EFFECT TO SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION OR EXTENSIONS, PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38

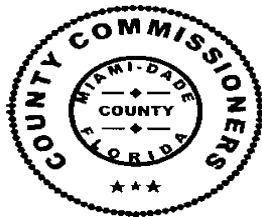
WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves award of Contract No. EVN0000186 to Kemira Water Solutions, Inc. for the purchase of liquid ferric sulfate and storage equipment for the Water and Sewer Department in an amount not to exceed \$45,983,050.00 for a five-year term; and authorizes the County Mayor or County Mayor's designee to give notice of this award to the recommended vendor, issue the appropriate purchase orders to give effect to same and exercise all provisions of the contract, including any cancellation or extensions, 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.

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.

Angela F. Benjamin
Rochelle A. Hall