

Date: December 12, 2023

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

From: Daniella Levine Cava
Mayor



Agenda Item No. 8(P)(10)

Resolution No. R-1129-23

Subject: Recommendation for Approval to Reject Bid for Engine Oil, Lubricant Fluids, and Diesel Analysis Services

Summary

This item is for the rejection of the sole bid received for the purchase of engine oil, lubricant fluids, and diesel analysis services for the Department of Transportation and Public Works (DTPW) and the Internal Services Department (ISD). The incumbent vendor, Eurofins Testoil, Inc. (Eurofins), was the sole bidder who responded to the solicitation; however, based on the prices offered, the contract value would have been in excess of \$10 million for the five-year term which is significantly higher than the value of the current contract.

Attempts to negotiate lower pricing with Eurofins were unsuccessful, and the departments were unable to absorb pricing which is more than 50% higher per line item as compared to current contract pricing. However, staff was able to secure a concession from Eurofins to honor the current contract pricing through a short-term bridge agreement which will ensure continuity of these critical services while options for a long-term contract are explored. Before resoliciting, ISD and DTPW will review the scope of services to ensure that only essential tests or those non-inclusive of what is covered under the manufacturer's warranty are conducted as needed to ensure optimal performance. Secondly, the method of award will be revised to an award by line item and not in the aggregate, thus increasing the possibility of enhanced competition.

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the rejection of the sole bid received under *Solicitation No. EVN0001276, Engine Oil, Lubricant Fluids, and Diesel Analysis Services*, for DTPW and ISD. The solicitation was intended to replace *Contract No. FB-00631*, which was awarded under delegated authority on July 1, 2018 with an allocation of \$792,723 for a five-year term.

Background

An Invitation to Bid (ITB) under solicitation number EVN0000949 was issued under full and open competition on June 6, 2023. The solicitation was sent to 130 bidders in INFORMS. The solicitation closed on June 26, 2023, and the review showed that no responses were received. As a result, a survey was sent to determine reasons for non-participation. Only one vendor responded stating that the scope of services was outside of their capabilities. The incumbent vendor, Eurofins, was contacted separately via email to determine the reason for non-participation; they explained they did not receive the invitation, which may have been caused due to the change of company's name from Eurofins Ana Laboratories to Eurofins Testoil. They further expressed interest in participating in the re-solicitation.

A re-solicitation under EVN0001276 was advertised on July 25, 2023, and of the 130 bidders invited only four accepted the invitation. On the closing date of August 28, 2023, only one bid was received from Eurofins. During the evaluation of the bid, it was noted that the proposed cost of the tests requested by DTPW and ISD were significantly higher than the anticipated allocations. A negotiation meeting was held with Eurofins; however, the vendor did not reduce the prices offered. Eurofins explained that due to changes in the company, i.e., the purchase of Eurofins by another company, there are now higher certification standards, and not all tests can be conducted in-house. Further, staff was informed that outsourced tests are only sent to specialty labs, resulting in higher costs.

To ensure continuity of services in the interim, the County will enter into a short-term bridge agreement with Eurofins paying the current contract prices for one year, which will allow the County adequate time to update and revise the scope of services, re-advertise, and award a new contract.

Scope

The scope of this item is countywide in nature.

Delegated Authority

There is no delegated authority required or requested for this rejection.

Fiscal Impact/Funding Source

There is no fiscal impact to the County with the rejection of bids.

Track Record/Monitor

Vanessa Stroman of the Strategic Procurement Department (SPD) is the Procurement Contracting Manager.

Vendor Not Recommended for Award

Vendor	Reason for Not Recommending
Eurofins Testoil, Inc.	Rejection of bid, pricing offered deemed too high

Applicability of Ordinances and Contract Measures

- The two percent User Access Program would have applied.
- The Small Business Enterprise Bid Preference and Local Preference would have applied.
- The Living Wage Ordinance would not have applied.


Jimmy Morales
Chief Operations Officer



MEMORANDUM

(Revised)

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

DATE: December 12, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(P)(10)

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)(10)
12-12-23

RESOLUTION NO. R-1129-23

RESOLUTION REJECTING THE BID RECEIVED IN
RESPONSE TO SOLICITATION NO. EVN0001276 FOR
ENGINE OIL, LUBRICANT FLUIDS, AND DIESEL ANALYSIS
SERVICES

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 rejects the bid received in response to Solicitation No. EVN0001276 for Engine Oil, Lubricant Fluids, and Diesel Analysis Services. A copy of the solicitation document and the bid received in response are 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 **Raquel A. Regalado** 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	absent	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	aye	Sen. René García	aye
Roberto J. Gonzalez	aye	Keon Hardemon	absent
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 12th day of December, 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 black ink, appearing to read "E. W. Gonzalez", is written over a horizontal line.

Eduardo W. Gonzalez