

Date: December 12, 2023

Agenda Item No. 8(P)(12)

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

From: Daniella Levine Cava
Mayor



Resolution No. R-1131-23

Subject: Recommendation to Award a Contract for Lifeguard Towers for Crandon Park Beach

Summary

This item is for the purchase of lifeguard towers for Crandon Park Beach for the Miami-Dade Fire Rescue Department (MDFR). The contract will provide for the assembly and delivery of lifeguard towers for Crandon Park Beach. Approval of this item will allow MDFR to purchase aluminum lifeguard towers to replace the 13 deteriorating wood constructed towers. The lifeguard towers are an essential tool for lifeguard personnel to be able to accomplish their mission of safeguarding individuals that visit Crandon Park Beach in Miami-Dade County.

Recommendation

It is recommended that the Board of County Commissioners (Board) approve a competitive contract award, *Contract No. EVN0000579, Lifeguard Towers for Crandon Park Beach*, to Bausch Enterprises, Inc. for MDFR in the amount of \$1,065,350 for a three-year term. This contract supplements *Contract No. FB-01719* which was awarded under delegated authority in 2021 for 17 lifeguard towers at Haulover Beach. Under the previous solicitation *FB-01719*, the County advertised for the 17 lifeguard towers with the option to add 13 towers prior to the 17th tower being delivered to MDFR. However, when the vendor was contacted to exercise the option, the vendor advised that they were unable to hold the price due to changing market conditions as a result of the pandemic.

Background

On June 20, 2023, an Invitation to Bid (ITB) was issued under full and open competition for the purchase of 13 lifeguard towers. Upon advertisement of the solicitation in INFORMS, 11 vendors were notified, of which one viewed and downloaded the solicitation. Vendors notified included those identified during the market research, that are doing business under the related category codes, or participated in recent solicitations issued by other municipalities in Florida. On July 12, 2023, one bid from a non-local firm was received in response to the solicitation.

A survey was conducted, due to the limited participation, to inquire whether barriers existed in the decision not to compete/submit a bid for the requested goods. Ten vendors were contacted for feedback as they were identified as having been invited to the solicitation in INFORMS. Three vendors responded with feedback to the survey, indicating their company does not offer the goods or services requested.

Scope

Crandon Park Beach is located within District 7, which is represented by Commissioner Raquel Regalado; however, the impact of this item is countywide.

Fiscal Impact/Funding Source

The fiscal impact for the three-year term is \$1,065,350. The current contract is valued at \$977,500 for a three-year term and expires on January 24, 2024. The allocation under the replacement contract is higher than the current contract due to the higher pricing resulting from the current market conditions. The difference in unit price between the current and the new contract is \$24,450. Staff attempted to negotiate pricing with the recommended vendor but were unsuccessful.

Department	Allocation	Funding Source	Contract Manager
MDFR	\$1,065,350	Fire District Funds	Marianela Betancourt
Total	\$1,065,350		

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. Outreach was conducted to identify local vendors who could participate in this solicitation; however, due to MDFR's standardization requirements to have all towers of the same material, no local vendors were identified which could meet the requirements.

Vendor	Principal Address	Local Address	Number of Employee Residents	Principal
			1) Miami-Dade 2) Percentage*	
Bausch Enterprises, Inc.	3171 SE Waaler St Stuart, FL	None	0	Dana Bausch
			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, a full review of the scope of services was conducted to ensure the solicitation reflects 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 department. The scope of services was modified to remove the vendor's responsibility for the relocation and installation of the towers on the beach.

Applicability of Ordinances and Contract Measures

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



JD Patterson
Interim Chief of Public Safety



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)(12)

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)(12)
12-12-23

RESOLUTION NO. R-1131-23

RESOLUTION APPROVING AWARD OF CONTRACT NO. EVN0000579 TO BAUSCH ENTERPRISES, INC. FOR THE PURCHASE OF LIFEGUARD TOWERS FOR CRANDON PARK BEACH FOR THE MIAMI-DADE FIRE RESCUE DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$1,065,350.00 FOR A THREE-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. EVN0000579 to Bausch Enterprises, Inc. for the purchase of lifeguard towers for Crandon Park Beach for the Miami-Dade Fire Rescue Department in an amount not to exceed \$1,065,350.00 for a three-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 **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.

Melanie J. Spencer

mjs