


Date: December 12, 2023

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

From: Daniella Levine Cava
Mayor 

Subject: Request for a Non-Competitive Designated Purchase for Additional Expenditure Authority Under Multiple Contracts for Conveyance Equipment

Agenda Item No. 8(P)(16)

Resolution No. R-1135-23

Summary

This item is requesting additional expenditure authority for Miami-Dade Aviation Department (MDAD) under multiple contracts for conveyance equipment located across Miami International Airport (MIA) for planned modernizations and additional on-site personnel to provide daily maintenance, as well as to ensure faster response times and timely repairs of units that become inoperable. Modernization services are critically important to ensure conveyance equipment is operating in a safe manner in compliance with the requirements of the Florida Elevator Safety Code and the Americans with Disabilities Act (ADA) and remain in good operational condition for daily usage by residents, employees, and visitors.

Through this item, MDAD will be able to modernize 64 of the aging units that are in dire need of modernization. The operation of conveyance units at MIA is critical to the movement of passengers throughout its facilities and for the subsequent flight operations of MDAD's partners. Through the Modernization in Action (M.I.A.) Plan, passenger loading bridges, public bathrooms, and conveyance units are being renovated in phases over the next five to seven years, as outlined in MDAD's "Pardon our Progress" website at https://www.miami-airport.com/MIA_Modernization_In_Action.asp.

Recommendation

It is recommended that the Board of County Commissioners (Board) approve this request for a designated purchase under *Contract No. SS4416-15/25, Elevator Maintenance Services, Contract No. SS1245-3/27, Elevator and Escalator Maintenance and Repair Services, and Contract No. RFP-01615, Maintenance and Repair Services for Conveyance Equipment*, for MDAD. Approval of a designated purchase, by a two-thirds vote of the Board members present, is being requested pursuant to Section 2-8.1(b)(3) of the Miami-Dade County Code to authorize additional expenditure authority, as itemized below, to allow MDAD to purchase critical conveyance equipment modernization services and additional on-site personnel. The additional expenditure authority requested will be utilized as follows:

- For modernization of eight units in a hanger, parking garage, administrative building, and maintenance facility and the addition of on-site personnel, MDAD is requesting \$6,764,596 under Contract No. SS4416-15/25.
- For modernization of 40 units across different terminals and Skywalk and the addition of on-site personnel, MDAD is requesting \$52,360,448 under Contract No. SS1245-3/27.
- For modernization of 16 units across the terminals and connectors leading to public parking and rental car facilities and the addition of on-site personnel, MDAD is requesting \$40,125,739 under Contract No. RFP-01615.

Background

Contract No. SS4416-15/25

The Board awarded this sole source contract through Resolution No. R-864-05 on July 7, 2005, for a five-year term, with three five-year option to renew terms. The contract is currently in the third and final term.

Contract No. SS1245-3/27

The Board awarded this sole source contract through Resolution No. R-1028-07 on September 18, 2007, for a five-year term, with three five-year option to renew terms. The contract is currently in the third and final term.

Contract No. RFP-01615

The Board awarded this competitive Request for Proposals (RFP) contract through Resolution No. R-77-23 on February 7, 2023 for a five-year term, with one five-year option to renew term. The contract is currently in the initial term.

Competition is not practical since the conveyance equipment planned for modernizations is covered under the aforementioned contracts, which include provisions for maintenance, repair, and modernization services under a term agreement. Accordingly, it is in the County's best interest to approve this designated purchase pursuant to Section 2-8.1(b)(3) of the Miami-Dade County to continue providing conveyance equipment maintenance, repair, and modernization services.

Scope

MIA is located within District 6, which is represented by Commissioner Kevin Marino Cabrera; however, the impact of this item is countywide in nature.

Delegated Authority

The County Mayor or the County Mayor's designee will have the authority to exercise all provisions of the contract, including any cancellation, renewals, or extensions, pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38.

Fiscal Impact/Funding Source

The fiscal impact for this item is \$99,250,783, allocated to each contract as shown in the table below. The requested increase in expenditure authority is based on planned modernization projects and additional on-site personnel. The additional expenditure for this year was approved by the Board as part of the fiscal year 2023-24 County budget.

Details for the contracts are as follows:

- Contract No. *SS4416-15/25* currently expires on September 30, 2025, and has a current cumulative allocation of \$42,563,756. If this request is approved, the contract will have a modified cumulative allocation of \$49,328,352.
- Contract No. *S1245-3/27* currently expires on September 30, 2027, and has a current cumulative allocation of \$160,858,454. If this request is approved, the contract will have a modified cumulative allocation of \$213,218,902.
- Contract No. *RFP-01615* currently expires on February 29, 2028, and has a current cumulative allocation of \$22,095,737. If this request is approved, the contract will have a modified cumulative allocation of \$62,221,476.

Contract	Department	Existing Cumulative Allocation	Additional Allocation Requested	Modified Cumulative Allocation	Funding Source	Contract Manager
SS4416-15/25	MDAD	\$18,288,101	\$6,764,596	\$25,052,697	Proprietary Funds	Sylvia Novela
	Multiple	\$24,275,655	\$0	\$24,275,655	Each department has a unique funding source	Each department has an assigned contract manager
S1245-3/27	MDAD	\$49,250,257	\$52,360,448	\$101,610,705	Proprietary Funds	Sylvia Novela
	Multiple	\$111,608,197	\$0	\$111,608,197	Each department has a unique funding source	Each department has an assigned contract manager
RFP-01615	MDAD	\$6,076,483	\$40,125,739	\$46,202,222	Proprietary Funds	Sylvia Novela
	Multiple	\$16,019,254	\$0	\$16,019,254	Each department has a unique funding source	Each department has an assigned contract manager
Total		\$225,517,947	\$99,250,783	\$324,768,730		

Awarded Vendors

Contract	Vendor	Principal Address	Local Address	Principal
SS4416-15/25	OTIS Elevator Company	One Carrier Place Farmington, CT	16200 NW 59 Ave Miami Lakes, FL	Judith Marks
S1245-3/27	Schindler Elevator Corporation	20 Whippany Road Morristown, NJ	None	Ray Bisson
RFP-01615	TK Elevator Corporation	11605 Haynes Bridge Road Alpharetta, GA	7481 NW 66 Street Miami, FL	Jeremy Rainwater

Track Record/Monitor

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

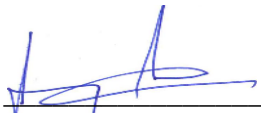
Due Diligence

Pursuant to Resolution No. R-187-12, due diligence was conducted in accordance with SPD's Procurement Guidelines to determine contractor responsibility, including verifying corporate status and

review of performance and compliance issues through various vendor responsibility lists and a keyword internet search. The lists referenced include convicted vendors, debarred vendors, delinquent contractors, suspended vendors, and federal excluded parties. There were no adverse findings relating to contractor responsibility. Performance issues with TK Elevator Corporation, as well as Occupational Safety and Health Administration (OSHA) violations for all three vendors, and Small Business Development wage violations for TK Elevator Corporation and Schindler Elevator Corporation were identified; however, these issues and violations have been addressed and resolved by the vendors. It should be noted that the OSHA violations occurred out of state and as such did not affect the vendors' performance on County contracts.

Applicability of Ordinances and Contract Measures

- The two percent User Access Program applies where permitted by funding source.
- The Small Business Enterprise measures do not apply.
- Local Preference applied to RFP-01615.
- The Living Wage Ordinance does not apply.
- The Responsible Wages and Benefits Ordinance applies.



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)(16)

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)(16)
12-12-23

RESOLUTION NO. _____ R-1135-23

RESOLUTION AUTHORIZING A NON-COMPETITIVE DESIGNATED PURCHASE PURSUANT TO SECTION 2-8.1(B)(3) OF THE COUNTY CODE BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT; AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN A TOTAL AMOUNT NOT TO EXCEED \$99,250,783.00 FOR THREE CONTRACTS FOR CONVEYANCE EQUIPMENT - CONTRACT NO. SS4416-15/25, CONTRACT NO. SS1245-3/27 AND CONTRACT NO. RFP-01615 - IN AMOUNTS UP TO \$6,764,596.00, \$52,360,448.00, AND \$40,125,739.00, RESPECTIVELY, FOR TOTAL MODIFIED CONTRACT AMOUNTS OF \$49,328,352.00, \$213,218,902.00 AND \$62,221,476.00, RESPECTIVELY, FOR THE MIAMI-DADE AVIATION DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACTS, INCLUDING ANY CANCELLATION OR EXTENSION PROVISIONS, PURSUANT TO COUNTY CODE SECTION 2-8.1 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:

Section 1. This Board finds that it is in the best interest of Miami-Dade County to approve additional expenditure authority for Contract No. SS4416-15/25, Contract No. SS1245-3/27, and Contract No. RFP-01615 in amounts up to \$6,764,596.00, \$52,360,448.00, and \$40,125,739.00, respectively, for cumulative modified contract amounts of \$49,328,352.00, \$213,218,902.00 and \$62,221,476.00, respectively, for a total modified contract amount not to exceed \$99,250,783.00 for all three contracts, pursuant to section 2-8.1(b)(3) of the Code of Miami-Dade County, by a two-thirds vote of the Board members present.

Section 2. The Board authorizes the County Mayor or County Mayor’s designee to exercise all provisions of the contracts, including any cancellation or extension provisions, pursuant to section 2-8.1 of the County Code and Implementing Order 3-38. Copies of the original contracts are available upon request from the Strategic Procurement Department.

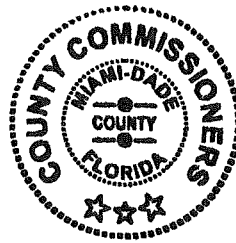
The foregoing resolution was offered by Commissioner **Kevin Marino Cabrera** who moved its adoption. The motion was seconded by Commissioner **Eileen Higgins** and upon being put to a vote, the vote was as follows:

	Oliver G. Gilbert, III, Chairman	aye	
	Anthony Rodríguez, Vice Chairman	aye	
Marleine Bastien	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 the 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
AND COMPTROLLER



By: Basia Pruna
Deputy Clerk

Approved by County Attorney as to form and legal sufficiency.

David M. Murray

MDC007