

Date: December 12, 2023

Agenda Item No. 8(P)(18)

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

From: Daniella Levine Cava
Mayor



Resolution No. R-1137-23

Subject: Recommendation to Waive Competitive Bidding Procedures and Authorize a Non-competitive Purchase to Exercise the Four Renewal Terms and for Additional Expenditure Authority for Code Compliance Body Worn Cameras

Summary

This item is seeking approval to exercise the four available one-year option to renew terms and additional expenditure authority under this bid waiver contract to allow the Department of Regulatory and Economic Resources (RER) to continue purchasing software licenses, maintenance, support services for the usage of body worn cameras. Body worn cameras are necessary for use by RER's field staff for their protection and to assist with case documentation. It has been observed that the migration of cameras has played a pivotal role not only in the direct resolution of customer disputes, but also in the broader spectrum of enhancing customer service. RER's Code Compliance Division has noticed a drop in customer service complaints and requests for meetings with supervisors since the inception of the program.

Recommendation

It is recommended that the Board of County Commissioners (Board) waive competitive bidding procedures by a two-thirds vote of the Board members present pursuant to Section 2-8.1(b) of the Code of Miami-Dade County, Florida (County Code) and Section 5.03(D) of the Home Rule Charter to exercise the four, one-year option to renew terms and authorize \$466,560 in additional expenditure authority under *Contract No. BW-10272, Code Compliance Body Worn Cameras*, for RER. By doing so, RER will be able to continue purchasing software licenses, maintenance, and support services for the body worn cameras during these terms. This non-competitive bid waiver contract was approved under delegated authority on December 30, 2022, and awarded to Axon Enterprise, Inc. (Axon) for a one-year term with an allocation of \$250,000. The contract has not been modified since its inception. Board approval is required as the four, one-year option to new terms exceed the County Mayor's delegated authority.

Background

RER primarily utilizes this contract to improve case management documentation and promote safe encounters between the Code Compliance Division's field officers and the public as it relates to code enforcement matters, either because of a complaint or reinspection of a location that was found in violation, among many other reasons. Code enforcement field work requires staff to be very precise with case documentation and often times requires staff to diffuse difficult situations. In summary, body worn cameras act as a deterrent for further escalation, as interactions are recorded as well as provide the most accurate form of case management documentation since field officers can narrate and record relevant information pertaining to the case.

For the aforementioned reasons, RER decided to explore the use of body worn cameras. Axon was brought to the attention of RER by other code enforcement agencies, such as the City of Doral, City of Miami Beach, Miami-Dade Police Department and Miami-Dade Corrections and Rehabilitation Department, which use this vendor exclusively. Prior to entering into this agreement, RER engaged in a no-cost pilot agreement, *Contract No. PP-10272*, with Axon to test the products and services offered. Upon conclusion of the pilot agreement, RER desired to engage in this bid waiver agreement to continue receiving services.

Over the past year, RER's Code Compliance Division staff have worked and communicated with the vendor for on-going support, and the company has shown itself to be uniquely qualified to provide this product as they specialize in this type of equipment and service. Axon possesses a wealth of knowledge and expertise about the use of body worn cameras for law enforcement and code enforcement purposes, which is an asset as the Code Compliance Division. RER desires to continue receiving services from Axon to protect its compliance officers during the course of their work. Due to the success thus far with the use of body worn cameras, RER is looking to expand their use to other field operations.

As such, it is in the County's best interest to waive competitive bidding requirements pursuant to Section 2-8.1(b) of the County Code and Section 5.03(D) of the Home Rule Charter to ensure continuity of services and to maintain product standardization within the County.

Scope

The scope of this item is countywide in nature.

Fiscal Impact/Funding Source

The contract term expires on December 31, 2023 and has a current cumulative allocation of \$250,000. If this request is approved, the contract will have a modified cumulative allocation of \$716,560 and will expire on December 31, 2027.

Department	Current Cumulative Allocation	Allocation Requested for the Available OTRs	Modified Cumulative Allocation	Funding Source	Contract Manager
RER	\$250,000	\$466,560	\$716,560	General Fund	Maynel De La Cruz
Total	\$250,000	\$466,560	\$716,560		

Track Record/Monitor

Angela Mathews-Tranum 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 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.

Awarded Vendor

Vendor	Principal Address	Local Address	Principal
Axon Enterprise, Inc.	17800 N 85 Street Scottsdale, AZ	4707 NW 72 Avenue Miami, FL	Robert E. Driscoll, Jr.

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 that there are no performance or 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 contractor responsibility.

Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners
Page 3

Pursuant to Resolution No. R-98-12, staff contacted the vendor to negotiate a reduction in pricing for the option to renew terms; however, the awarded vendor responded that it is unable to reduce the contract pricing for the renewal terms at this time.

Applicability of Ordinances and Contract Measures

- The two percent User Access Program applies.
- The Small Business Enterprise measures and Local Preference do not apply.
- 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: December 12, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(P)(18)

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)(18)
12-12-23

RESOLUTION NO. _____ R-1137-23

RESOLUTION AUTHORIZING WAIVER OF COMPETITIVE BIDDING PROCEDURES OF SECTION 5.03(D) OF THE HOME RULE CHARTER AND SECTION 2-8.1(B) OF THE COUNTY CODE BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT; AUTHORIZING A NON-COMPETITIVE PURCHASE FOR EXERCISE OF FOUR, ONE-YEAR OPTION TO RENEW TERMS WITH ADDITIONAL EXPENDITURE AUTHORITY OF \$466,560.00 FOR A TOTAL MODIFIED CUMULATIVE ALLOCATION OF \$716,560.00 FOR CONTRACT NO. BW-10272 WITH AXON ENTERPRISE, INC. FOR PURCHASE OF CODE COMPLIANCE BODY WORN CAMERAS FOR THE REGULATORY AND ECONOMIC RESOURCES DEPARTMENT; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION, RENEWALS, OR EXTENSIONS, PURSUANT TO SECTION 2-8.1(B) 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:

Section 1. This Board finds that it is in the best interest of Miami-Dade County to waive the competitive bidding procedures of section 5.03(D) of the Home Rule Charter and section 2-8.1(b) of the County Code by a two-thirds vote of the Board members present and authorize a non-competitive purchase for the exercise of four, one-year option to renew terms with additional expenditure authority of \$466,560.00 for a total modified cumulative allocation of \$716,560.00 for Contract No. BW-10272 with Axon Enterprise, Inc. for purchase of code compliance body worn cameras for the Regulatory and Economic Resources Department.

Section 2. The Board authorizes the County Mayor or County Mayor's designee to exercise all provisions of the contract, including any cancellation, renewals or extensions, pursuant to section 2-8.1(b) of the Code of Miami-Dade County, Florida and Implementing Order 3-38. A copy of the original contract is 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

Basia Pruna

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

MRP

Monica Rizo Perez