

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)(21)

Subject: Request for a Non-Competitive Designated Purchase for Additional Expenditure
Authority for Liquid Waste Removal
Resolution No. R-1140-23

Summary

This item is for approval of a designated purchase for additional expenditure authority to allow Miami-Dade Aviation Department (MDAD) to outsource its immediate liquid waste removal services. MDAD employees and equipment have historically addressed the liquid waste handling services required for more than fifty grease traps at Miami International Airport (MIA); however due to significant labor resource challenges and plumbing staffing shortages at MDAD, additional expenditure authority is required to outsource 100 percent of the liquid waste handling services. The additional expenditure is critical to ensure continuity of liquid waste removal services, including but not limited to grease trap service work at the required locations while a solicitation is advertised and a contract awarded for the additional services.

Recommendation

It is recommended that the Board of County Commissioners (Board) approve this request for a non-competitive designated purchase under *Contract No. EVN0000345, Liquid Waste Removal* with Carlos Rivero Plumbing and Septic Tank Contractor, Inc. for MDAD. This competitively established contract was approved under delegated authority for a five-year term and is valued at \$1,000,000. 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 for \$500,000 in additional expenditure authority to allow for sufficient time to advertise, evaluate, and award a new solicitation tailored to MDAD's specific service demands.

The contract has five groups, of which MDAD will continue to use Group 1 for their needs. Groups 2 through 5 were established for multiple departments as follows: Group 2: Solid Waste Management Department; Group 3: Other County Departments (non-federally funded); Group 4: Public Housing and Community Development (federally funded); and Group 5: Community Action and Human Services (federally funded). Departments use the contract to purchase liquid waste handling services including pump-out services, collection, cleaning, water jetting, disposal, and emergency services on an as needed basis. These services are used countywide to collect and dispose of liquid waste, which could potentially pose a risk of spreading disease and pollutants in humans, animals, and the environment, and provide for the safe and legal collection and disposal of said waste.

The County will need time to advertise a solicitation and award a contract to obtain these services. 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 Code to ensure continuity of services while the procurement process is finalized.

Scope

Miami International Airport is located within District 6, which is represented by Commissioner Kevin Marino Cabrera; however, the impact of this item is countywide.

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 or extensions, pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38.

Fiscal Impact/Funding Source

The contract term expires on May 31, 2028. The contract has a current cumulative allocation of \$1,000,000. If this request is approved, the contract will have a modified cumulative allocation of \$1,500,000. The amount requested is based on anticipated needs for an estimated one-year period until a new contract is established for MDAD.

Department	Existing Cumulative Allocation	Additional Allocation Requested	Modified Cumulative Allocation	Funding Source	Contract Manager
MDAD	\$308,252	\$500,000	\$808,252	Proprietary Funds	Maria Carballeira
Multiple	\$691,748	\$0	\$691,748	Multiple	Multiple
Total	\$1,000,000	\$500,000	\$1,500,000		

Track Record/Monitor

Alonzo Joseph of the Strategic Procurement Department (SPD) is the Procurement Contracting Manager.

Awarded Vendor

Vendor	Principal Address	Local Address	Principal
Carlos Rivero Plumbing and Septic Tank Contractor, Inc.	10360 SW 34 Street Miami, FL	Same	Javier Rivero

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.

Applicability of Ordinances and Contract Measures

- The two percent User Access Program applies where permitted by funding source.
- The Small Business Enterprise (SBE) Bid Preference and Local Preference were applied in accordance with the ordinances for Groups 1, 2, and 3. The SBE Bid Preference and Local Preference did not apply due to funding source for Groups 4 and 5.
- The Living Wage applies to Groups 1, 2, and 3. The Living Wage does not apply to Groups 4 and 5 due to the funding source; however, the contract requires that employees performing work under Groups 4 and 5 be paid a rate equal to or greater than the Living Wage.


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)(21)

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)(21)
12-12-23

RESOLUTION NO. _____ R-1140-23

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 AN AMOUNT UP TO \$500,000.00 FOR A TOTAL MODIFIED CONTRACT AMOUNT OF \$1,500,000.00 FOR CONTRACT NO. EVN0000345 FOR THE PURCHASE OF LIQUID WASTE REMOVAL FOR THE MIAMI-DADE AVIATION DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO 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

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 authorizes additional expenditure authority under Contract No. EVN0000345 for the purchase of liquid waste removal for the Miami-Dade Aviation Department in an amount up to \$500,000.00 for a total modified contract amount of \$1,500,000.00, 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. This Board authorizes the County Mayor or County Mayor's designee to 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. A copy of the contract documents is on file with and available upon request from the Strategic Procurement Department.

The foregoing resolution was offered by Commissioner **Sen. Rene Garcia** , who moved its adoption. The motion was seconded by Commissioner **Oliver G. Gilbert, III** 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	absent
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. **DMM**

David M. Murray