

Date: February 6, 2024

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

From: Daniella Levine Cava 
Mayor

Agenda Item No. 8(P)(9)

Resolution No. R-115-24

Subject: Recommendation for Approval to Award Liquid Carbon Dioxide and Storage Tanks

Summary

This item is for the purchase of liquid carbon dioxide (Liquid CO₂) and the rental of storage tanks, on an as-needed basis under two groups: Group A: Liquid CO₂ for Water and Sewer Department (WASD) and Group B: Liquid CO₂ for Parks, Recreation and Open Spaces Department (PROS). The Liquid CO₂ will be delivered in tanker trucks and will be used in water treatment processes for various Miami-Dade County facilities. WASD will use the Liquid CO₂ for recarbonation, to adjust potential hydrogen (pH) after lime softening, as part of the potable water treatment process at the three main water treatment plants it manages, which is needed to meet regulatory requirements. For PROS, the Liquid CO₂ will be fed into the public swimming pools managed by PROS for pH control. PROS will also use the storage tanks to store Liquid CO₂ at the various swimming pool locations. Approval of these contracts will allow the departments to meet their operational needs by continuing their water treatment processes at the various County locations for the benefit of County residents.

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the competitive contract award, *Contract No. EVN0001449, Liquid Carbon Dioxide and Storage Tanks*, to Airgas, Inc. dba Airgas USA, LLC (Airgas) for WASD under Group A in the amount up to \$30,906,000, and to Carlon, Inc. dba Broward Nelson Fountain Service (Broward Nelson) for PROS under Group B in the amount of \$774,480, for a total amount up to \$31,680,480 for a five-year term.

These contracts will consolidate and replace two existing contracts:

- i) *FB-00865, Liquid Carbon Dioxide*, which was approved by the Board on April 9, 2019, for a five-year term via Resolution No. R-358-19 and awarded to Airgas; and
- ii) *FB-00739, Liquid Carbon Dioxide and Storage Tanks*, which was established under the Mayor's delegated authority on January 1, 2019 for a five-year term and awarded to Broward Nelson.

Background

The manufacturing process for Liquid CO₂ is very complex and must conform with the requirements of the American Water Works Association B510-18 standard, or latest revision approved by the American National Standards Institute (ANSI/AWWA B510-18) for Carbon Dioxide, the ANSI/NSF Standard 60 Certification for Drinking Water Treatment Chemicals, and the standards referenced in paragraph 62-555.320(3)(a), of the Florida Administrative Code (F.A.C.).

These contracts will provide for the purchase and delivery of Liquid CO₂ and monthly rental of storage tanks for various Miami-Dade County facilities on an as-needed basis. For Group B, the tanks are used for storage of Liquid CO₂, and the maintenance and repair of the tanks will be the responsibility of the awarded bidder for Group B, Broward Nelson.

Upon advertisement of the solicitation on July 11, 2023, 118 vendors were notified, of which five viewed the solicitation and three downloaded it. Vendors who were notified included those identified during the market research, that are doing business in this industry, or participated in recent solicitations issued by

other municipalities in Florida. On the closing date of August 1, 2023, three vendors responded to the solicitation, including one “No Bid.”

Prior to advertising the solicitation, market research was conducted to identify if there were any local and certified Small Business Enterprise (SBE) firms capable of providing the Liquid CO₂ and the storage tanks. Due to the specialized nature of the Liquid CO₂, there are no SBE vendors capable of producing it. Only one vendor was identified with a local address, Airgas. Other non-local vendors were also identified as potential bidders; however, the majority of these vendors indicated they have insufficient capacity to meet the County’s demands. Additionally, based on market research, only two vendors are providing wholesale Liquid CO₂ in South Florida: Airgas and Matheson Tri-Gas; however, the latter indicated they were not bidding for our solicitation because they do not have enough capacity to satisfy WASD’s required quantity, which is over 4,000 tons per year. Only Airgas submitted a bid for WASD (Group A) and based on research, they are the only vendor in South Florida able to meet WASD’s requirements.

Scope

The scope of this item is countywide in nature.

Fiscal Impact/Funding Source

The fiscal impact for both contracts for the five-year term is up to \$31,680,480, collectively. Contract FB-00865 is valued at \$7,454,000 for a five-year term and expires on June 30, 2024. Contract FB-00739 is valued at \$297,255 for a five-year and three-month term and expires on March 31, 2024. The allocations under these replacement contracts are higher than the current contracts due to increases in unit pricing for Liquid CO₂. The current price under Group A is \$249 per ton, and the price in the proposed contract will be \$680 per ton (all inclusive, no additional fees). Airgas is willing to lower its Proposed Price to \$640 per ton if this contract is awarded and effective on or before February 20, 2024, which would bring the allocation for the Group A contract down to \$29,088,000. While the current price for Group B is \$0.2756 per pound, the price in the proposed contract will be \$0.69 per pound. Current market prices from other municipalities in Florida range from \$550 per ton to \$1,200 per ton; however, these lower prices do not include additional fees, such as fees for 24/7 access, delivery, telemetry monitoring fees, call-in fees, Hazmat fees, etc.

Department	Allocation Pre-2/20/24	Allocation Post-2/20/24	Funding Source	Contract Manager
WASD	\$29,088,000	\$30,906,000	Proprietary Fund	Susan Pascul
PROS	\$774,480	\$774,480	General Fund	Fernando Robreño
Total	\$29,862,480	\$31,680,480		

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 vendors, issue the appropriate purchase orders to give effect to same and exercise all provisions of the contracts, including any cancellation or extensions, pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38.

Vendors Recommended for Award

Pursuant to Resolution No. R-477-18, the lowest bidder for Group B is recommended in accordance with the method of award per the solicitation and is non-local. No local firms submitted a bid for Group B, and market research could not identify any local firms that supply the Liquid CO₂ and storage tanks.

Vendor	Principal Address	Local Address	Number of Employee Residents	Principal	Group(s)
			1) Miami-Dade 2) Percentage*		
Airgas, Inc. dba Airgas USA, LLC	259 N Radnor-Chester Road Suite 100 Radnor, PA	7280 NW 58 Street Miami, FL	48	Marcelo Fioranelli	A
			0.025%		
Carlton, Inc. dba Broward Nelson Fountain Service	241 SW 21 Terrace Fort Lauderdale, FL	None	11	Lee B. Spencer	B
			31.4%		

*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.

Vendor Not Recommended for Award

Vendor	Local Address	Reason for Not Recommending
Linde, Inc.	No	No Bid*

*A "No Bid" means the vendor responded indicating that it will not be providing an offer.

Due Diligence

Pursuant to Resolution No. R-187-12, due diligence was conducted in accordance with SPD's Procurement Guidelines to determine vendors 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, prior to re-procurement, a full review of the scope of services was conducted to ensure the replacement contracts reflect 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 departments. The scope of services was updated to create two groups and to increase the annual estimated quantities of Liquid CO₂ for PROS.

Applicability of Ordinances and Contract Measures

- The two percent User Access Program applies.
- The SBE measures and Local Preference applied.
- 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: Febraury 6, 2024

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(P)(9)

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)(9)
2-6-24

RESOLUTION NO. R-115-24

RESOLUTION APPROVING AWARD OF CONTRACT NO. EVN0001449 GROUP A (LIQUID CO₂ FOR THE WATER AND SEWER DEPARTMENT) TO AIRGAS, INC. DBA AIRGAS USA, LLC IN AN AMOUNT NOT TO EXCEED \$30,906,000.00 AND GROUP B (LIQUID CO₂ FOR PARKS, RECREATION AND OPEN SPACES DEPARTMENT) IN AN AMOUNT NOT TO EXCEED \$774,480.00 TO CARLON, INC. DBA BROWARD NELSON FOUNTAIN SERVICE FOR THE PURCHASE OF LIQUID CARBON DIOXIDE AND STORAGE TANKS, IN A TOTAL AMOUNT NOT TO EXCEED \$31,680,480.00 FOR A FIVE-YEAR TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF THIS AWARD, ISSUE THE APPROPRIATE PURCHASE ORDERS TO GIVE EFFECT TO SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACTS, 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. EVN0001449 Group A (Liquid CO₂ for the Water and Sewer Department) to Airgas, Inc. dba Airgas USA, LLC in an amount not to exceed \$30,906,000.00 and Group B (Liquid CO₂ for Parks, Recreation and Open Spaces Department) to Carlon, Inc. dba Broward Nelson Fountain Service in an amount not to exceed \$774,480.00, in a total amount not to exceed \$31,680,480.00 for a five-year term; and authorizes the County Mayor or County Mayor's designee to give notice of this award to the recommended vendors above, issue the appropriate purchase orders to give effect to same and exercise all provisions of the contracts, including any

cancellation or extensions, pursuant to section 2-8.1 of the Code of Miami-Dade County, Florida and Implementing Order 3-38. Copies of the contract documents are on file with and available upon request from the Strategic Procurement Department.

The foregoing resolution was offered by Commissioner **Eileen Higgins**, who moved its adoption. The motion was seconded by Commissioner **Anthony Rodriguez** 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	aye	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	aye	Sen. René García	absent
Roberto J. Gonzalez	aye	Keon Hardemon	aye
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 6th day of February, 2024. 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.

SED

Sarah E. Davis