

Memorandum



Date: April 2, 2024

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

From: Daniella Levine Cava
Mayor

A handwritten signature in blue ink that reads "Daniella Levine Cava".

Agenda Item No. 8(P)(3)

Resolution No. R-269-24

Subject: Request for Additional Expenditure Authority to Contract for Sodium Hypochlorite and Storage Equipment

Summary

This item is for additional expenditure authority to allow the Water and Sewer Department (WASD) to continue purchasing 10.5 percent sodium hypochlorite solution (NaClO) in tanker truck loads and the rental of storage tanks and containers in various sizes. NaClO is used for disinfection at water production plants and wastewater treatment plants. Disinfection is required to remove pathogenic microorganisms to make water safe for drinking. It is also used by wastewater treatment plants to disinfect waste, treat return-activated sludge, and for filter maintenance. The water and wastewater disinfecting process is critical to public health and is required to meet the regulatory requirements established by the Clean Water Act, Public Law 92-500, Florida Statute Chapters 120, 253, 258, 373 and 403, implemented for wastewater facilities, along with Florida Administrative Code Chapters 62-4, 62-302 and 62-330, and the Miami-Dade County Code Chapter 24, particularly Section 24-42.

WASD's allocation has been impacted and prematurely depleted by factors such as changing market conditions resulting in higher pricing, including increases in the Producer Price Index (PPI) during the current and previous option to renew terms. Since the inception of the contract, the unit price has increased over 91 percent due to PPI price adjustments as allowed in the contract. Additionally, construction at the three wastewater treatment plants has caused an increase in NaClO usage in each facility, which has also reduced the production of on-site hypochlorite generation. Without the increase in allocation to the contract, WASD will be unable to continue purchasing the required NaClO to meet their operational needs; therefore, public health would be put at risk from untreated effluent being discharged through the ocean outfalls. In addition, lower quality of the effluent would not meet regulatory requirements leading to compliance violations.

Recommendation

It is recommended that the Board of County Commissioners (Board) authorize additional expenditure authority to *Contract No. FB-00640, Sodium Hypochlorite and Storage Equipment*, in the amount of \$9,963,650 for WASD to meet their operational needs. This contract was approved by the Board on October 2, 2018 through Resolution No. R-987-18 for a two-year term and an allocation of \$15,840,000, along with five, one-year option to renew terms (OTR) with cumulative allocation of \$55,440,000, if all the OTRs are exercised. The contract was subsequently modified under delegated authority to provide \$3,500,000 in additional expenditure authority.

Background

WASD uses this contract to purchase NaClO for disinfection of effluent, return activated sludge, plant flushing water and for the tertiary filter maintenance at the three wastewater treatment plants.

Scope

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 contract is in its fourth OTR period which expires on October 31, 2024, and has a cumulative allocation of \$51,020,000. If this request is approved, the contract will have a modified cumulative allocation of \$60,983,650. The requested increase in expenditure authority is based on WASD's assessment of current and anticipated usage during the term of the contract. This request takes into account the reduction of on-site NaClO generation due to construction work and the current unit price of NaClO, which was increased last year from \$0.901 to \$1.01.

Department	Existing Cumulative Allocation	Additional Allocation Requested	Modified Cumulative Allocation	Funding Source	Contract Manager
WASD	\$51,020,000	\$9,963,650	\$60,983,650	Proprietary Funds	Susan Pascul
Total	\$51,020,000	\$9,963,650	\$60,983,650		

Track Record/Monitor

Manuel Jimenez of the Strategic Procurement Department (SPD) is the Procurement Contracting Manager.

Awarded Vendor

Vendor	Principal Address	Local Address	Principal
Allied Universal Corp.	3901 NW 115 Avenue Miami, FL	Same	James Palmer

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.
- The Small Business Enterprise Bid Preference and Local Preference were applicable.
- 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: April 2, 2024

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(P)(3)

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)(3)
4-2-24

RESOLUTION NO. _____ R-269-24

RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN AN AMOUNT UP TO \$9,963,650.00 FOR A TOTAL MODIFIED CONTRACT AMOUNT OF \$60,983,650.00 FOR CONTRACT NO. FB-00640 FOR THE PURCHASE OF SODIUM HYPOCHLORITE AND STORAGE EQUIPMENT FOR THE WATER AND SEWER DEPARTMENT; AND 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 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. FB-00640 for the purchase of Sodium Hypochlorite and Storage Equipment for the Water and Sewer Department in an amount up to \$9,963,650.00 for a total modified contract amount of \$60,983,650.00.

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 of the County Code and Implementing Order 3-38. A copy of the contract is 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 **Kevin Marino Cabrera** 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 the resolution duly passed and adopted this 2nd day of April, 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.

Eduardo W. Gonzalez