

Date: April 2, 2024

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

Agenda Item No. 8(P)(5)

From: Daniella Levine Cava
Mayor



Resolution No. R-271-24

Subject: Recommendation to Award Contract for Rental of Portable Chemical Toilets

Summary

This item is for the rental of portable chemical toilets for multiple County departments. The contract will provide for the delivery, servicing, and pick up of rented portable chemical toilets, sinks, and sanitation trailers. Servicing may include cleaning services and stocking of supplies, as well as pumping out of waste from County-owned storage tanks. Departments will utilize the contract for toilet and sanitation needs for County events and to supplement facilities without nearby restrooms.

Approval of this item will provide PortMiami with additional restrooms to use while cruise terminals are under construction, supplement Parks Recreation and Open Spaces (PROS) facilities without nearby restrooms, provide Water and Sewer Department (WASD) with restrooms at construction sites for construction projects, as well as at pump stations that do not have this accommodation for employees usage, and provide restrooms at the Miami International Airport for airline and airport partner staff in airside areas where permanent restroom facilities are not available or are temporarily disabled. Additionally, approximately 20 percent of the requested allocation will be reserved for use by departments for emergency declarations. The products and services provided under this contract are required for departments to comply with all applicable governmental standards to include, but not limited to, those issued by the Occupational Safety and Health Administration (OSHA), Florida's Department of Health (FDOH), and Miami-Dade County.

Recommendation

It is recommended that the Board of County Commissioners (Board) approve a competitive contract award, *Contract No. EVN0000440, Rental of Portable Chemical Toilets*, to John to Go Florida, LLC for multiple County departments in the amount of \$3,617,492 for a five-year term. This contract will replace *FB-00980*, which was approved by the Board on January 23, 2019, via Resolution No. R-42-19 with an allocation of \$2,670,000. The contract was subsequently modified under delegated authority for \$373,893 in additional expenditure authority.

Background

An Invitation to Bid (ITB) was issued under full and open competition on October 4, 2023. On the closing date of November 2, 2023, the County received six bids, including five from local firms. Upon advertisement of the solicitation, a total of 96 vendors were notified. Outreach efforts included contacting vendors identified through market research, as well as notifying the incumbent vendor. Market research revealed multiple local vendors were able to provide the required services in accordance with the specifications.

The contract provides for the rental of portable chemical toilets utilized for toilet sanitation needs for multiple County departments to ensure the safety and health of workers and the public, in compliance with all applicable governmental standards. The contract contains two groups: Group 1: Non-Federally Funded Departments and Group 2: Federally Funded Departments. The Miami-Dade Aviation Department (MDAD) has the highest allocation and will utilize this contract to provide portable lavatory facilities for tenants and employees working in the airside ramp areas; and for special and training events, such as the annual 5K run, cargo tenant meetings, first

responder training, natural disasters, and/or emergency situations. PortMiami has the second largest allocation and will utilize this contract to provide portable toilets in parking garages and other locations to facilitate debarking cruise passengers and other uses such as construction and renovation job sites.

Scope

The scope of this item is countywide in nature.

Fiscal Impact/Funding Source

The fiscal impact for the five-year term is \$3,617,492. The current contract is valued at \$3,043,893 for a five-year and three-month term and expires on May 31, 2024. The unit pricing for all line items is substantially the same as the current contract; however, the annualized allocation under the replacement contract is higher than the current contract due to an allocation of \$835,000 that is reserved for natural disasters or other emergency declarations throughout the term of the contract.

Department	Allocation	Funding Source	Contract Manager
Animal Services	\$34,000	Proprietary Funds	Lia Rodriguez
MDAD	\$1,000,000	Proprietary Funds	Angel Castro
Corrections and Rehabilitation	\$12,000	General Fund	Emilio Palma
Fire Rescue	\$50,000	Fire District/Federal Funds	Marianela Betancourt
PROS	\$340,000	General Fund	Fernando L. Robreño
Police*	\$500,000	General Fund	Nicholas A. Santos
PortMiami	\$600,000	Proprietary Funds	Frank Ramirez
Regulatory and Economic Resources	\$4,000	Proprietary Funds	Joel Arango, Jr.
Solid Waste Management	\$30,000	General Fund/Proprietary Funds	Michael Murphy
Transportation and Public Works	\$23,000	DTPW Operating	Melvin Cartagena
WASD	\$189,492	Proprietary Funds	Fredrick Taylor
Unallocated	\$835,000	Multiple	Multiple
Total	\$3,617,492		

* This contract contains termination for convenience provisions, which can be exercised if the commodities and/or services in this item are affected by the establishment of the constitutional offices.

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 vendor, issue the appropriate purchase orders to give effect to same and 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.

Vendor Recommended for Award

An ITB was issued under full and open competition, and six bids were received in response to the solicitation. The recommended vendor was the lowest bidder for Groups 1 and 2.

Vendor	Principal Address	Local Address	Number of Employee Residents	Principal
			1) Miami-Dade 2) Percentage*	
John to Go Florida, LLC	29055 SW 107 Avenue Homestead, FL	Same	7	Nelson Matthews
			10%	

*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.

Vendors Not Recommended for Award

Vendor	Local Address	Reason for Not Recommending
A.E.S. Portable Sanitation, Inc.	Yes	Higher than lowest bidder
Doodie Calls, Inc.	No	
Friendly John, Inc.	Yes	
Technology Partners Group, LLC	Yes	
YML Portable Restrooms, LLC	Yes	

Due Diligence

Pursuant to Resolution No. R-187-12, due diligence was conducted in accordance with SPD's Procurement Guidelines to determine vendor 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 contract reflects 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 include additional services.

Applicability of Ordinances and Contract Measures

- The two percent User Access Program applies where permitted by funding source.
- The Small Business Enterprise Bid Preference was applicable to Group 1.
- The Local Preference applied where permitted by funding source.
- 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)(5)

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)(5)
4-2-24

RESOLUTION NO. R-271-24

RESOLUTION APPROVING AWARD OF CONTRACT NO. EVN0000440 GROUP 1 (NON-FEDERALLY FUNDED DEPARTMENTS) AND GROUP 2 (FEDERALLY FUNDED DEPARTMENTS) TO JOHN TO GO FLORIDA, LLC FOR THE RENTAL OF PORTABLE CHEMICAL TOILETS FOR MULTIPLE COUNTY DEPARTMENTS IN A TOTAL AMOUNT NOT TO EXCEED \$3,617,492.00 FOR A FIVE-YEAR TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF THIS AWARD TO THE RECOMMENDED VENDOR, ISSUE THE APPROPRIATE PURCHASE ORDERS TO GIVE EFFECT TO SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT, 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. EVN0000440 Group 1 (Non-Federally Funded Departments) and Group 2 (Federally Funded Departments) to John to Go Florida, LLC for the rental of portable chemical toilets for multiple County departments in a total amount not to exceed \$3,617,492.00 for a five-year term; and authorizes the County Mayor or County Mayor's designee to give notice of this award to the recommended vendor, issue the appropriate purchase orders to give effect to same and exercise all provisions of the contract, including cancellation or extensions, pursuant to section 2-8.1 of the Code of Miami-Dade County, Florida and Implementing Order 3-38. A copy of the contract document 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 this 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.

mjs

Melanie J. Spencer