

Memorandum



Date: September 4, 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)(4)

Resolution No. R-762-24

Subject: Request for Additional Expenditure Authority to Contract for LCP Tracker for SBD

Summary

This item is requesting additional expenditure authority to continue the purchase of Labor Compliance and Certified Payroll tracker (LCPTracker) software licenses, maintenance, and support for the Water and Sewer Department (WASD) and for the Information Technology Department (ITD) on behalf of the Office of Small Business Development (SBD). The additional funding will ensure compliance with certified payroll, and workforce reporting. SBD utilizes this contract to monitor construction projects, service contracts, and airport concession agreements issued by all departments and the Public Health Trust for compliance with the requirements of the Responsible Wages and Benefits, Living Wage, Davis-Bacon and related Acts and various workforce program requirements. WASD utilizes this contract to monitor their contracts with Davis-Bacon and Related Acts wage requirements when utilizing federal funding. The software provides these departments with the capability for submission, review, approval, data collection, and reporting requirements related to the aforementioned wage programs and requirements.

Recommendation

It is recommended that the Board of County Commissioners (Board) authorize additional expenditure authority to *Contract No. GS-35F-364BA, LCP Tracker for SBD*, for WASD and ITD on behalf of SBD. The departments are requesting \$873,389 in additional expenditure authority to continue to receive software licenses, maintenance, and support for the remainder of the contract term.

Background

The County accessed this competitively established contract through U.S. General Services Administration (GSA) under delegated authority on January 1, 2019, for the remaining four-months of the initial term. The contract was subsequently modified under delegated authority to extend the contract for an additional five years to mirror the GSA's term extension and to allow SBD to manage Miami-Dade Aviation Department's (MDAD) Capital Improvement Program (CIP) projects and WASD to access the contract to utilize the software to manage their contracts with Davis-Bacon and Related Acts wage requirements. The costs associated with the LCPTracker are based on the total dollar value of contracts monitored by the system.

SBD and MDAD entered into a memorandum of understanding (MOU) to transfer MDAD's Capital Improvement Program (CIP) project compliance responsibilities under SBD's purview, which accounts for one-third of the total volume of contracts monitored by SBD and are valued at \$5,000,000,000. WASD is a participant in the Water Infrastructure Finance and Innovation Act of 2014 (WIFIA) Program. The WIFIA Program accelerates investment in our nation's water infrastructure by providing long-term, low-cost supplemental loans for eligible water and wastewater infrastructure projects. It is a federal credit program administered by the Environmental Protection Agency (EPA). The WIFIA Program requires participants to adhere to the Davis-Bacon and Related Acts wage rate requirements on federally funded or assisted contracts of more than \$2,000. WASD utilizes the software to adhere to the program's requirements and better monitor approximately \$1,500,000,000 in construction projects.

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 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 has a current cumulative allocation of \$713,161 and expires on May 7, 2029. If this request is approved, the contract will have a modified cumulative allocation of \$1,586,550. The requested increase in expenditure authority is based on the departments' current and anticipated utilization of the software used to manage construction projects, service contracts, and concession agreements subject to wage and workforce requirements, and ensures the County meets compliance requirements.

Department	Existing Cumulative Allocation	Additional Allocation Requested	Modified Cumulative Allocation	Funding Source	Contract Manager
ITD	\$630,529	\$800,000	\$1,430,529	Internal Service Funds	Lourdes Betancourt
WASD	\$82,632	\$73,389	\$156,021	Proprietary Revenue	Susan Pascul
Total	\$713,161	\$873,389	\$1,586,550		

Track Record/Monitor

Angela Mathews-Tranum of the Strategic Procurement Department (SPD) is the Procurement Contracting Manager.

Awarded Vendor

Vendor	Principal Address	Local Address	Principal
LCPtracker, Inc.	117 East Chapman Avenue Orange, CA	None	Jackson Yang

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.

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.



Carladenise Edwards
Chief Administrative Officer



MEMORANDUM

(Revised)

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

DATE: September 4, 2024

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(P)(4)

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)(4)
9-4-24

RESOLUTION NO. R-762-24

RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN AN AMOUNT UP TO \$873,389.00 FOR A TOTAL MODIFIED CONTRACT AMOUNT OF \$1,586,550.00 FOR CONTRACT NO. GS-35F-364BA FOR LCP TRACKER FOR SBD FOR THE WATER AND SEWER DEPARTMENT AND THE INFORMATION TECHNOLOGY DEPARTMENT ON BEHALF OF THE OFFICE OF SMALL BUSINESS DEVELOPMENT; 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. GS-35F-364BA for LCP Tracker for SBD for Water and Sewer Department and the Information Technology Department on behalf of the Office of Small Business Development in an amount up to \$873,389.00 for a total modified contract amount of \$1,586,550.00.

Section 2. The 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 is on file with and available upon request from the Strategic Procurement Department.

The foregoing resolution was offered by Commissioner **Marleine Bastien**,
 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	aye	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	aye	Sen. René García	aye
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 4th day of September, 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