

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)(5)

Resolution No. R-763-24

Subject: Recommendation for Approval of a Non-Competitive Designated Purchase to Authorize Additional Expenditure Authority and to Exercise the Two, Two-Year Option to Renew Terms for Emphasys Sympro Investment Management Software

Summary

This item is seeking approval to exercise the two, two-year option to renew (OTR) terms with additional expenditure authority under this bid waiver contract to allow the Miami-Dade County (County) Finance Department (Finance) to continue utilizing the Emphasys Sympro Investment Management Software and purchase related services. The software enables the department to track investments, calculate interest earned and accrued, track which securities are maturing each day, track which securities are being called, and various other functions.

Emphasys Computer Solutions, Inc. (Emphasys) is the proprietary owner of this software and the sole authorized provider of the requested software, maintenance, technical support, and training. This software provides Finance's Cash Management Division with the capability to generate reports and to reconcile to custodian institutions, the bank, and the County's General Ledger. Reports are also used to monitor compliance with the investment policies as well as to prepare and present annual reports to the Board of County Commissioners (Board), including the Comprehensive Annual Financial Report, and others.

Recommendation

It is recommended that the Board approve this request for a non-competitive designated purchase pursuant to Section 2-8.1(b)(3) of the Miami-Dade County Code, by a two-thirds vote of the Board members present, to exercise the two, two-year OTRs, and authorize \$258,549 in additional expenditure authority under *Contract No. BW411-A, Emphasys Sympro Investment Management Software*, for Finance. This contract was established under delegated authority with an allocation of \$227,500. Board approval is required as the additional expenditure authority exceeds the County Mayor's delegated authority. Continuance of access to the software and related services to maintain such software is crucial to Finance's operations, as it enables the department to monitor and manage the County's investment portfolio.

Background

The County initially acquired the software through a competitively solicited Request for Proposals (RFP) and awarded it under *Contract No. RFP411-A* to FIS Data Systems, Inc. (formerly SunGard AvantGard LLC) on July 1, 2007, for a 10-year term. The contract was then replaced in July 2017 by Legacy *Contract No. L411-A* to maintain continuity of services with the same vendor. In January 2020, FIS Data Systems, Inc. notified the County they were decommissioning the software being used. In February 2021, the legacy contract was replaced with *Contract No. BW411-A* and awarded to Emphasys under delegated authority. A competitive solicitation, *RFP No. EPPRFP-01522*, was advertised but not awarded as two of the three proposals far exceeded the budget, and the third proposal, from Emphasys, was within budget but included several deviations from the functionality requirements of the solicitation. An extensive review was carried out by Finance and the Strategic Procurement Department (SPD) through conference calls and demonstrations with five different vendors. Through these conference calls

and demonstrations, the County uncovered there were multiple municipalities with higher investment portfolios than the County that were transitioning to Emphasys, including City of Los Angeles (\$12.4 billion portfolio), San Diego County, CA (\$10.1 billion portfolio), Alameda County, CA (\$7.2 billion portfolio), and State of Missouri (\$6.9 billion portfolio). In an effort to determine if the functionality would meet the needs of Finance, some of the municipalities were contacted to confirm functionality. Emphasys represented the best solution and value to meet the County's functional needs and budget, and further agreed to enter into a partnership agreement with FIS Data Systems, Inc., ensuring a seamless transition to the new software implementation phase.

This contract provides investment tracking software that allows the County to track and generate investment-related reports on a countywide basis, to support the County's approximate \$8 billion investment portfolio. It gives Finance's Cash Management Division the ability to track investments, calculate interest earned and accrued, generate reports from the system to reconcile to custodian institutions, and monitor compliance with investment policies, as well as to prepare annual reports and various other functions.

Competition is not practicable at this time, as Emphasys is the proprietary owner of this software, and no other vendors are authorized to provide the required software, maintenance, technical support, and training. There have been no changes in the industry to warrant not utilizing the available OTR terms. 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 continue providing investment management software and related services.

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 initial three-year and six-month contract term expires on September 30, 2024, and has a current allocation of \$227,500. If this request is approved, and all OTRs are exercised, the contract will have a modified cumulative allocation of \$486,049 and will expire on September 30, 2028. The requested increase in expenditure authority is based on the originally negotiated pricing in the agreement and anticipated needs during the OTR terms.

Department	Existing Cumulative Allocation	Designated Purchase for the Option to Renew Terms	Modified Cumulative Allocation	Funding Source	Contract Manager
Finance	\$227,500	\$258,549	\$486,049	Proprietary Funds	Christopher Hill
Total	\$227,500	\$258,549	\$486,049		

Note: It should be noted that contracts contain termination for convenience provisions which can be exercised if the services in this item are affected by the establishment of the constitutional offices. Staff is working on adding assignment clauses to existing contracts that may be impacted by the establishment of constitutional offices.

Track Record/Monitor

Angela Mathews-Tranumn of SPD is the Procurement Contracting Manager.

Awarded Vendor

Vendor	Principal Address	Local Address	Principal
Emphasys Computer Solutions, Inc.	1200 SW 145 Avenue Suite 310 Pembroke Pines, FL	None	Damian McKay

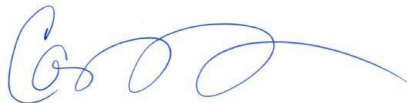
Due Diligence

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.

Pursuant to Resolution No. R-98-12, staff contacted the vendor to negotiate a reduction in pricing for the OTR terms. As of the writing of this memorandum, the vendor has not responded regarding a price reduction.

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)(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)
9-4-24

RESOLUTION NO. R-763-24

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 THE EXERCISE OF TWO, TWO-YEAR OPTION TO RENEW TERMS WITH ADDITIONAL EXPENDITURE AUTHORITY IN AN AMOUNT NOT TO EXCEED \$258,549.00 FOR A TOTAL MODIFIED CONTRACT AMOUNT OF \$486,049.00 FOR CONTRACT NO. BW411-A FOR EMPHASYS SYMPRO INVESTMENT MANAGEMENT SOFTWARE FOR THE FINANCE 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 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:

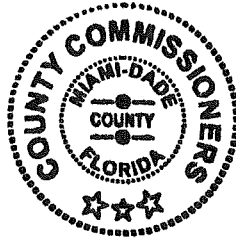
Section 1. This Board finds it is in the best interest of Miami-Dade County to authorize a non-competitive designated purchase pursuant to section 2-8.1(b)(3) of the Code of Miami-Dade County by a two-thirds vote of the Board members present, for the exercise of two, two-year option to renew terms with additional expenditure authority in an amount not to exceed \$258,549.00 for a total modified contract amount of \$486,049.00 for Contract No. BW411-A for Emphasys Sympro Investment Management Software for the Finance Department.

Section 2. This 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 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 **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 the 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.

A handwritten signature in black ink, consisting of the letters "MBV" in a stylized, cursive-like font, is written over a horizontal line.

Michael B. Valdes