

Memorandum



Date: October 1, 2024

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

From: Daniella Levine Cava
Mayor *Daniella Levine Cava*

Agenda Item No. 8(P)(6)

Resolution No. R-871-24

Subject: Request for Additional Expenditure Authority to Contract for Aqueous Ammonia

Summary

This item is for the purchase and delivery of aqueous ammonia (NH₃) in tanker trucks for the Water and Sewer Department (WASD) to be used at the water treatment plants for the disinfection process. This request for additional expenditure authority will allow WASD to continue with the water treatment operations for the remainder of the contract term. It is important to note, the aqueous ammonia supplied under this contract is dissolved in water and contains between 18 and 20 percent NH₃. Aqueous ammonia is a critical chemical used in the water treatment process to maintain water quality throughout the Miami-Dade County (County)'s water distribution system, ensuring safe, clean, and palatable drinking water for the County residents.

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). In June 2022, Contract Modification No. 1 was entered into through which the unit price was increased from \$0.1242 per pound to \$0.2198 per pound based on PPI price adjustments as allowed in the contract. This adjustment represented a 77 percent increase based on market conditions. Without the increase in allocation to the contract, WASD will be unable to continue purchasing the required NH₃ to meet their operational needs and help ensure safe and clean water throughout the County's water supply.

Recommendation

It is recommended that the Board of County Commissioners (Board) authorize additional expenditure authority to *Contract No. FB-01462, Aqueous Ammonia*, in the amount of \$887,464 for WASD.

Background

This competitively established contract was approved by the Board via Resolution No. R-473-20 in the amount of \$2,670,300 for a five-year term. The contract was subsequently modified for additional expenditure authority of \$250,000 under the Mayor's delegated authority, which brought the cumulative allocation up to \$2,920,300. The contract is currently in the final year of the five-year term. WASD uses this contract to purchase ammonia diluted in water, used for water disinfection. Significant price increases since the inception of the contract in 2020 have depleted the department's allocation for the purchase of the scheduled quantity of the chemical at the three water treatment plants. Additional allocation is being requested by WASD to purchase the scheduled quantity of aqueous ammonia needed for water treatment operations for the remainder of the contract term. The price adjustments have been made based on the annual changes in PPI, as allowed by the contract's terms and conditions.

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 or extensions, pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38.

Fiscal Impact/Funding Source

The contract expires on June 30, 2025 and has an existing cumulative allocation of \$2,920,300. If this request is approved, the contract will have a modified cumulative allocation of \$3,807,764. The requested increase in expenditure authority is based on the current unit price per pound of aqueous ammonia and contingency.

Department	Existing Cumulative Allocation	Additional Allocation Requested	Modified Cumulative Allocation	Funding Source	Contract Manager
WASD	\$ 2,920,300	\$887,464	\$3,807,764	Proprietary Funds	Susan Pascul
Total	\$ 2,920,300	\$887,464	\$3,807,764		

Track Record/Monitor

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

Awarded Vendor

Vendor	Principal Address	Local Address	Principal
Airgas Specialty Products, Inc.	2530 Sever Road Suite 300 Lawrenceville, GA	None	Jill Morton

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 Bid Preference and Local Preference applied.
- The Living Wage Ordinance does not apply.



Jimmy Morales
Chief Operating Officer



MEMORANDUM

(Revised)

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

DATE: October 1, 2024

FROM: 
Glen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(P)(6)

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 ____, majority plus one ____, 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) ____, 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)(6)
10-1-24

RESOLUTION NO. R-871-24

RESOLUTION APPROVING ADDITIONAL EXPENDITURE AUTHORITY UP TO \$887,464.00 FOR A TOTAL MODIFIED AMOUNT OF \$3,807,764.00 FOR CONTRACT NO. FB-01462 FOR THE PURCHASE OF AQUEOUS AMMONIA 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 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:

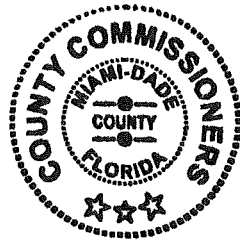
Section 1. The Board authorizes additional expenditure authority under Contract No. FB-01462 for the purchase of Aqueous Ammonia in an amount up to \$887,464.00 for a total modified contract amount of \$3,807,764.00 for the Water and Sewer Department.

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 document is on file with and available upon request from the Strategic Procurement Department.

The foregoing resolution was offered by Commissioner **Anthony Rodriguez**, who moved its adoption. The motion was seconded by Commissioner **Danielle Cohen Higgins** 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	absent	Keon Hardemon	aye
Danielle Cohen Higgins	aye	Eileen Higgins	absent
Kionne L. McGhee	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 1st day of October, 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