

Memorandum



Date: January 22, 2025

To: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

Agenda Item No. 3(B)(3)

From: Daniella Levine Cava *Daniella Levine Cava*
Mayor

Resolution No. R-1237-25

Subject: Recommendation for Ratification of an Emergency Access Contract for Hurricane and Flood Emergency Sandbags

Summary

This item is to ratify an emergency contract award, accessed through another entity's contract, for the purchase of 72,194 sandbags that were distributed to residents at nine designated park locations across Miami-Dade County (County) in preparation for Hurricane Milton. With widespread flood watches in effect, the sandbags served as critical defenses against potential flooding of homes and businesses. The rapid distribution was essential to maximize residents' preparation time for the anticipated rain, storm surge, and flooding risks posed by Hurricane Milton.

The County is seeking reimbursement of these costs from the Federal Emergency Management Agency (FEMA) under the presidential major disaster declaration for the State of Florida (FEMA-4834-DR) dated October 11, 2024. The County has been designated under Public Assistance Category B, and all areas within the State of Florida are eligible for assistance through the Hazard Mitigation Grant Program.

Recommendation

It is recommended that the Board of County Commissioners (Board) ratify an emergency access contract award, *Contract No. 2023-03282023, Hurricane and Flood Emergency Sandbags*, with ESR, LLC in the amount of \$1,082,910 as a one-time purchase for the Parks, Recreation and Open Spaces Department (PROS).

Background

On October 5, 2024, Governor Ron DeSantis issued Executive Order 24-214, declaring a State of Emergency for multiple Florida counties, including Miami-Dade, due to the imminent threats posed by the tropical storm that rapidly intensified into Hurricane Milton. On October 6, 2024, the County Mayor declared a State of Local Emergency to protect the health, safety, and welfare of the community in preparation for the storm which was projected to cross over Florida as a Category 3 hurricane. Given this risk, the need to procure sandbags for County residents was identified as an immediate priority to safeguard health, property, and public safety. Hurricane Milton ultimately made landfall south of Tampa Bay, Florida, as a Category 3 hurricane on October 9, 2024.

To expedite procurement, PROS accessed a competitively established contract for emergency hurricane and flood sandbags, initially awarded by the City of West Miami through a competitive process. The County further negotiated the awarded rates from \$18.30 per bag to \$15.00 per bag. Sandbags were delivered to nine County locations and were distributed to residents from October 7 through October 9, 2024. ESR, LLC provided the sandbags along with all necessary labor, materials, transportation, and equipment, ensuring safe and timely delivery.

Due to the emergency circumstances, the County contacted all prequalified vendors within the *Building Material and Related Items (Pool No. RTQ-01583)* and *Coarse Aggregate & Related Items (Pool No. RTQ-01839)* pools. None of the vendors responded in time; some replied the following day but could

only offer bulk sand, not filled sandbags. ESR, LLC was the only vendor capable of meeting the critical requirement for same or next-day delivery. Ratifying this emergency access contract is in the County's best interest as it ensured the timely provision of hurricane and flood emergency sandbags for PROS.

Scope

The scope of this item is countywide in nature.

Fiscal Impact/Funding Source

The fiscal impact for the emergency access contract is \$1,082,910 for the one-time purchase. The County is pursuing reimbursement for this purchase under FEMA.

Department	Ratification Amount	Funding Source	Contract Manager
PROS	\$1,082,910	Federal Funds	Bernie Rodriguez
Total	\$1,082,910		

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 exercise all provisions of the contract, including any cancellation or extensions, pursuant to Section 2-8.1 of the Miami-Dade County Code and Implementing Order 3-38.

Awarded Vendor for Ratification

Vendor	Principal Address	Local Address	Number of Employee Residents	Principal
			1) Miami-Dade 2) Percentage*	
ESR, LLC	14150 SW 129 Street Miami, FL	Same	9	Albert Sotero
			100%	

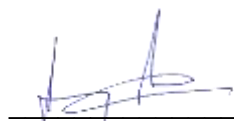
*Provided pursuant to Resolution No. R-1011-15. Percentage of employee residents is the percentage of vendor's employees who reside in Miami-Dade County as compared to the vendor's total workforce.

Due Diligence

Pursuant to Resolution No. R-187-12, due diligence was conducted in accordance with the SPD's Procurement Guidelines to determine contractor responsibility, including verifying corporate status and that there are no performance and compliance issues. 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.

Applicable Ordinances and Contract Measures

- The two percent User Access Program provision does not apply.
- The Small Business Enterprise measures and Local Preference do not apply.
- The Living Wage Ordinance does not apply.


Jimmy Morales
Chief Operating Officer



MEMORANDUM

(Revised)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: January 22, 2025

FROM: 
Glen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 3(B)(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 ____, 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. 3(B)(3)
1-22-25

RESOLUTION NO. R-1237-25

RESOLUTION RATIFYING THE EMERGENCY ACCESS OF CONTRACT NO. 2023-03282023 FOR HURRICANE AND FLOOD EMERGENCY SANDBAGS IN THE AMOUNT OF \$1,082,910.00 AS A ONE-TIME PURCHASE WITH ESR, LLC FOR THE PARKS, RECREATION AND OPEN SPACES 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. This Board finds it is in the best interest of Miami-Dade County to ratify the emergency access of Contract No. 2023-03282023 for Hurricane and Flood Emergency Sandbags in the amount of \$1,082,910.00 as a one-time purchase with ESR, LLC for the Parks, Recreation and Open Spaces Department

Section 2. This 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 **Eileen Higgins**, who moved its adoption. The motion was seconded by Commissioner **Juan Carlos Bermudez** and upon being put to a vote, the vote was as follows:

Anthony Rodriguez, Chairman		aye	
Kionne L. McGhee, Vice Chairman		aye	
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	aye	Sen. René García	aye
Oliver G. Gilbert, III	absent	Roberto J. Gonzalez	aye
Keon Hardemon	aye	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 22nd day of January, 2025. 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.

DMM

David M. Murray