

ISSUING DEPARTMENT INPUT DOCUMENT

CONTRACT/PROJECT MEASURE ANALYSIS AND RECOMMENDATION

New
 OTR
 Sole Source
 Bid Waiver
 Emergency
 Previous Contract/Project No. FB-00622

Contract
 Re-Bid
 Other – Access of Other Entity Contract
 LIVING WAGE APPLIES: YES NO

Requisition No./Project No.: FB-02315
 TERM OF CONTRACT 5 YEAR(S) WITH 0 YEAR(S) OTR

Requisition /Project Title: Laboratory Testing and Sampling Services

Description: Please see attached.

Issuing Department: WASD
 Contact Person: Bonnie Wilson
 Phone: 786-552-8375

Estimate Cost: \$3,622,736.00
 Funding Source: GENERAL
FEDERAL
OTHER Proprietary

ANALYSIS

Commodity Codes: 96169
 Contract/Project History of previous purchases three (3) years
 Check here if this is a new contract/purchase with no previous history.

	<u>EXISTING</u>	<u>2ND YEAR</u>	<u>3RD YEAR</u>
Contractor:	<u></u>	<u></u>	<u></u>
Small Business Enterprise:	<u></u>	<u></u>	<u></u>
Contract Value:	<u></u>	<u></u>	<u></u>
Comments: <u></u>			
Continued on another page (s): <input type="checkbox"/> YES <input type="checkbox"/> NO			

RECOMMENDATIONS

	Set-Aside	Subcontractor Goal	Bid Preference	Selection Factor
SBE	<u></u>	<u></u>	<u></u>	<u></u>
Basis of Recommendation: <u></u>				
Signed: <u></u>		Date sent to SBD: <u></u>		
		Date returned to SPD: <u></u>		

SECTION 2

ADDITIONAL/SPECIAL TERMS AND CONDITIONS

2.1 PURPOSE

Miami Dade County is seeking the service of experienced State of Florida Department of Health certified bidders to provide laboratory testing and sampling services to assist the County in meeting and maintaining compliance with Federal, State and Local regulations.

2.2 TERM OF CONTRACT

This Contract shall commence on the first calendar day of the month succeeding approval of the Contract by the Board of County Commissioners, or designee, unless otherwise stipulated in the Purchase Order issued by the Internal Services Department, Strategic Procurement Division. The Contract shall expire on the last day of the 60th month.

2.3 METHOD OF AWARD

Award of this contract will be made to the lowest priced responsive, responsible bidder on a group-by-group basis and whose offer represents the lowest price when all items within the group are added in the aggregate. Bidders may bid on any or all groups. If the awarded bidder fails to perform in accordance with the terms and conditions of the contract, the bidder may be deemed in default of the contract. The County may terminate the contract for default and charge the bidder re-procurement costs, if applicable. If the awarded bidder defaults, the County shall have the right to negotiate with the next responsive, responsible bidder.

2.4 QUALIFICATION CRITERIA

Bidders must meet the following requirements to be considered for award for ALL groups:

2.4.1 The bidder shall provide evidence that the bidder is a legally registered entity authorized to engage in the business of laboratory testing and sampling services. Such documentation may be in the form of copies of occupational licenses, local business tax receipts, incorporation documents, business registration as a corporation.

2.4.2 Bidder or Bidder's Subcontractor shall be regularly engaged in the business of providing laboratory testing and sampling services to be considered for award. Bidder or Bidder's Subcontractor shall provide three (3) different references from customers to whom the Bidder or Bidder's Subcontractor has provided or is currently providing laboratory testing and sampling services as described throughout this Solicitation. In lieu of the references from the Bidder or Bidder's Subcontractor, the County will consider the references from Bidder's key personnel in accordance with Resolution No. 1122-21.

The references should include the customer's company name, and the contact's name, title, address, telephone number, and e-mail address of the contact person who can verify that the Bidder/key personnel/Subcontractor has successfully provided the services (Section 4: Bid Submittal – Required Criteria). These references shall ascertain to the County's satisfaction that the Bidder/key personnel/Subcontractor has sufficient expertise in the industry and its firm is properly equipped to perform the required services.

2.4.3 The bidder shall provide an online website which provides access to the Florida Department of Health (FDOH) approved National Environmental Laboratory Accreditation Conference (NELAC) Quality Manual. If the bidder does not have the ability to provide an online website, the bidder must supply a hardcopy of the aforementioned manual.

- 2.4.4 The bidder shall provide a Florida Department of Health, Bureau of laboratories certification program certificate which indicates compliance with Florida Administrative Code 64E1.
- 2.4.5 The bidder shall provide a Florida Department of Health, Laboratory's Scope of Accreditation list.
- 2.4.6 The bidder shall provide at least two (2) recent sets of proficiency test (performance evaluation) sample results for Florida Department of Health laboratory certification/National Environmental Laboratory Accreditation Conference (NELAC) accreditation in accordance with the 2003 NELAC Standards Section 2.0.

2.4.7 Additional Criteria for Group A

For Group A (Generic Drinking Water) only, bidder shall submit an actual sample of a complete set produced this calendar year of the FDEP Drinking Water Report forms (FAC, Chapter 62- 550.730) with all fields filled in (excluding client name to protect confidentiality).

2.4.8 Additional Criteria for Group C

For Group C (Microbiology Specialized) only, bidder shall submit a valid copy of their Certification under the National Environmental Laboratory Accreditation Program (NELAP) for analysis of cryptosporidium, giardia and microscopic particulate analysis.

2.4.9 Additional Criteria for Group G

For Group G (Specialized Tests) only, bidder shall provide an Environmental Protection Agency approval letter for certification as an approved Unregulated Contaminants Monitoring Rule 5 Laboratory.

For Group G (Specialized Tests) bidders shall provide an actual sample of a complete report showing the results for all the analysis in sub-item 5 of Group G, Section 4 (excluding client name to protect confidentiality). This report must include the reporting limits.

The following are official websites for further information pertaining to required certifications:

<http://www.nelac-institute.org/>

http://www.nelac-institute.org/standards.php?pab=1_1#pab1_1

<http://www.dep.state.fl.us/labs/dohforms.htm>

<http://www.dep.state.fl.us/water/drinkingwater/forms.htm>

If an awarded bidder subcontracts or uses a corporate laboratory to perform the work, such subcontractor or laboratory must also meet the certification requirements listed below for the awarded bidder (as applicable to the awarded group). Also, the awarded bidder must submit the required documentation to the Internal Services Department (ISD) to verify compliance of the subcontractor or corporate laboratory as applicable. The submission of documents must be performed, and approval from the County must be obtained, prior to any services rendered by the subcontractor or corporate laboratory.

The County may, at its sole discretion and in its best interest, allow the bidder(s) to complete, supplement, or supply the required documents during the bid evaluation period. Failure to provide all of the above contract requirements shall render the bidder proposal non-responsive.

2.5 PRICES

The initial contract prices resultant from this solicitation shall prevail for a one (1) year period from the contract's initial effective date. Prior to, or upon completion, of that initial term, the County may consider an adjustment to price based on changes in the following pricing index: Consumer Price Index, Wage Earners and Clerical Workers in the South, for All Items on a year-by-year basis. It is the bidder's responsibility to request any pricing adjustment under this provision. The bidder's request for adjustment should be submitted 90 days prior to expiration of the then current contract term.

The bidder adjustment request cannot be in excess of the relevant pricing index change. If no adjustment request is received from the bidder, the County will assume that the bidder has agreed that the subsequent contract term may be implemented without pricing adjustment. Any adjustment request received after the commencement of a new contract term may not be considered. The County reserves the right to reject any price adjustments submitted by the bidder and/or to not exercise any otherwise available contract terms based on such price adjustments. Continuation of the contract beyond the initial period is a County prerogative, and not a right of the bidder. This prerogative will be exercised only when such continuation is clearly in the best interest of the County.

SECTION 3

SCOPE OF WORK/TECHNICAL SPECIFICATIONS

3.1 SCOPE OF WORK

Miami-Dade County is seeking the service of experienced State of Florida Department of Health (FDOH) certified bidders to provide testing and sampling services to assist the Departments in meeting and maintaining compliance with Federal, State and Local regulations and operating permits.

The services to be provided in the following groups are as follows:

3.1.1 GROUP (A) GENERIC DRINKING WATER

Analysis for Inorganic and metal compounds which can adversely affect human health and well-being. Analytes are spelled out in the Drinking Water Standards Chapter 62-550 and Code of Federal Regulations.

3.1.2 GROUP (B) DISINFECTION BY PRODUCTS

Analysis for Trihalomethanes and Haloacetic Acids which are byproducts of chlorine disinfection.

3.1.3 GROUP (C) MICROBIOLOGY SPECIALIZED

Specialized analysis for viruses and bacteria which have been found to be detrimental to human health.

3.1.4 GROUP (D) RADIOLOGICAL

Radiological components that are natural occurring but can cause negative health affects in high quantities.

3.1.5 GROUP (E) GENERIC WASTEWATER

Metals, inorganics, bacteriological, etc. Which are permit requirements and are regulated by the FDEP.

3.1.6 GROUP (F) WHOLE EFFLUENT TOXICITY TESTING

Analysis involving sea life which are indicators of the toxicity for ocean outfall effluent produced by wastewater plants.

3.1.7 GROUP (G) SPECIALIZED TEST

Analysis for unregulated contaminants which are being studied by the EPA for future regulation considerations.

Additional requirements for Group (G) are as follows:

1. Bidders bidding this group must perform all analyses in the entire group in-house. Nosubcontracting is allowed.
2. The awarded bidder must follow all of the requirements of the Unregulated Contaminant Monitoring Regulation 5 (UCMR 5) pertaining to laboratory certification, QA/QC, minimum reporting levels, sample collection, and data reporting. Refer to 40 CFR Part 141, Federal Register/Vol. 76, No. 42/ March 3, 2011.

3. The awarded bidder must be approved to perform the testing for all chemical contaminants on Assessment Monitoring List 1 and List 2 of the UCMR 3; using the 7 EPA approved analytical methods. No subcontracting is allowed.
4. The awarded bidder must be registered as an active user on the USEPA CDX\SDWARS\UCMR 2 internet-based reporting system.
5. It is the responsibility of the awarded bidder performing the analyses to post the data to the Safe Drinking Water Accession and Review System (SDWARS). The awarded bidder must post occurrence data and required QC data electronically via SDWARS within 120 days of the sample collection date.
6. The awarded bidder must adhere to quality assurance/quality control (QA/QC) procedures and criteria outlined in the method(s) and rule language during the course of this contract.
7. The awarded bidder must provide all sampling bottles with appropriate preservatives, labels, sample collection instructions, chain of custody forms and shipping containers (aka sample kits). MDWASDLaboratory personnel will collect the samples.
8. Sample collection kits shall be delivered to the Alexander Orr WTP Plant Storeroom at 6800 SW 87 Avenue, Miami, Florida, 33173.
9. The awarded bidder must analyze all samples within the required holding times specified by the analytical methods.
10. The bidder must meet all of the reporting limits specified for all Group G parameters listed in the table under Group G-Specialized Tests, in Section 4 of this bid document.
11. The bidder must provide an actual sample of a complete report showing the results for all the analyses for tests performed for Group 5, Specialized Tests, Sub-item 5, Pharmaceuticals, Hormones and Personal Care Products as further described in Section 4, Bid Form (excluding client name to protect confidentiality). This report must include the reporting limits.

Section 4, Bid Submittal provides the specific types of tests and methods required for each group.

The County operates three (3) regional water treatment plants and five (5) small satellite water plants with a total production of 330 million gallons daily. In addition, there are three (3) regional wastewater treatment facilities processing 320 million gallons daily.

Environmental regulations and operation permits require testing of water production wells, water treatment plants, monitoring wells and wastewater treatment plants for Biological, Radiological and Chemical Contaminants. Samples are routinely collected and analyzed by County, Water and Sewer Department staff. However, outside laboratories are contracted to perform analyses that are beyond the County's in-house capabilities. Laboratory testing and sampling services available through multiple laboratories will be requested on an as-needed basis, through a purchase order specifying the test, time of completion, and specific compensation for the requirement.

3.2 RESPONSIBILITIES OF THE BIDDER

3.2.1 The awarded bidders shall:

- 3.2.1.1 Analyze samples for various analytes as specified in purchase orders submitted by Miami-Dade County departments.
- 3.2.1.2 Perform the analyses for individual analytes and analyte groups in accordance with approved regulatory methods, Method Detection Limits (MDLs), Minimum Required Limits (MRLs), and Regulatory Detection Limits (RDLs) as specified in Table 1.
- 3.2.1.3 Provide FDOH on-site evaluation reports and current results of Proficiency Test (PT) samples when requested.
- 3.2.1.4 Upon 48 hours' notice by the County, awarded bidder shall allow inspection of its laboratory facility(ies) during normal working hours (8:00am to 5:00pm) by the County representative or designee.
- 3.2.1.5 Maintain FDOH Certification for all analytes monitored for regulatory compliance and adhere to all of the criteria in the laboratory's FDOH approved NELAC Quality Manual throughout the term of the contract.
- 3.2.1.6 Provide all necessary sample collection supplies for awarded group.
- 3.2.1.7 Maintain at all times an adequate staff of qualified personnel assigned to perform and report the laboratory analyses to ensure the timely reporting of the analyses for the duration of the contract.

3.3 SAMPLING AND SAMPLE CONTAINERS

Awarded bidders shall provide all labor, material, supplies, equipment, and facilities necessary for satisfactory performance of laboratory testing and sampling service as requested by the County. Services when requested, shall comply with environmental regulations, safety/security policies and operation permits of County facilities.

Awarded bidders shall provide pre-labeled/cleaned sample containers with pre-measured amounts of the chemical preservation specified in 40 CFR, Part 141, Subpart C, 40 CFR Part 136, Table II, and DEP-SOP- 001/01. The containers are to be constructed of appropriate material as defined in the references cited. The awarded bidder is to ship or deliver sample containers to locations designated by the County at no additional cost to the County.

All required chain of custody forms, sample collection instructions, and labels shall be provided by the awarded bidder in accordance with FDOH/NELAC requirements.

3.3.1 Groups A, B, and E

Sample pick-up service must be provided by the awarded bidder seven (7) days per week from any of the designated County facilities. Such pick-up and transport of samples is to be carried out expeditiously to ensure that the samples are analyzed before the expiration of sample holding times specified in 40 CFR, Part 141, Subpart C, 40 CFR Part 136, Table II, and DEP-SOP-001/01. The County will not be responsible for any retesting costs resulting from holding time exceedances incurred by the awarded bidder and will require compensation by the

awarded bidder. Required compensation will consist of 2 additional analyses at no charge for the parameter or parameter groups for which the holding time was exceeded.

3.3.2 Groups C, D, F, and G

The cost of shipping and handling for collected samples on Groups C, D, F, and G shall be borne by Miami-Dade County.

Samples will be collected by Miami-Dade County personnel in accordance with DEP-SOP-001/01. No compositing of samples will be allowed by the awarded bidder unless authorized by the County. Such laboratories shall provide sample collection services in accordance with DEP-SOP-001/01.

3.4 DATA VALIDATION BY THE COUNTY

In addition to following all data quality and validation requirements in the NELAC standards, the awarded bidder may be subject to the following data quality check by the County.

The County may submit duplicate or blind samples for analysis to validate analytical performance and data quality by the laboratory.

Should values on these samples vary from the known values, the data validation test would be considered a failure.

Upon County notification, the awarded bidder (laboratory) shall re-analyze the samples in question at no cost to the County. Should results differ after re-analysis, the County reserves the right to refuse payment for all samples analyzed for the parameter(s) failing the data validation test.

The County has the option to utilize the secondary or another bidder to analyze samples split with the primary awarded bidder.

3.5 REPORT DELIVERY

Laboratory data shall be reported in the Department specified paper format and/or in an electronic format (which may be amended from time to time) meeting Department requirements for importing into Department databases or for other electronic submission requirements.

3.5.1 Group A – Generic Drinking Water

Final reports shall be submitted to the using Department within seven (7) calendar days after receipt of samples.

3.5.2 Groups B, C, D, E, F and G

Final reports shall be submitted to the using department within fourteen (14) calendar days after receipt of samples. Use of corporate, out of State, or subcontract laboratories does not exempt the awarded bidder of this requirement.

Reports for drinking water analyses used for regulatory submittals must be prepared on the standard Florida Department of Environmental Protection (FDEP) report form in accordance with FDEP Chapter 62-550.730 with data qualifier codes as specified in FAC, Chapter 62-160. All other reports shall conform to reporting requirements in FAC, Chapter 62-160.

The format of reporting or timeframe, if different from the above, shall be specified in the work order based on changes by the applicable regulatory agency.

3.6 ORGANIZATIONAL STRUCTURE

Awarded bidders shall adhere to "Personnel" requirements set forth in Section 5.5.2 of the "National Environmental Laboratory Accreditation Conference (NELAC) Quality Systems Manual" which contains the NELAC standards, organized according to the Environmental Protection Agency's guidance.

Refer to the referenced website for further information:

http://catalystinforesources.com/catalystinforesources.com/Quality_Manual/body_quality_manual.html

3.7 AUDITS/ACCESS TO RECORDS

Upon request by the County, the awarded bidder shall provide, at no additional cost, copies of quality control data, including but not limited to control charts or limits, chromatograms, duplicate/spike/standard analysis, instrument calibrations and quality control charts for accuracy and precision. The awarded bidder shall maintain records during performance of the service under this agreement and for three (3) years following the completion of the service.

The County or any of its authorized representatives shall have access to all records and other evidence for the purpose of inspection, audit and copying during normal business hours without charge. The awarded bidder shall provide facilities for such access and inspection.

3.8 INDEPENDENT LABORATORY

The awarded bidder shall perform all services described herein as an independent contractor and not as an officer, agent, servant, or employee of the County. The laboratory shall have exclusive control of, and the exclusive right to control, the details of the services performed hereunder in accordance with the terms of this contract and all persons performing the same. The laboratory shall be responsible for any omissions of its officers, agent's employee and subcontractors.

Nothing herein shall be construed as creating a partnership or joint venture between the County and laboratory. No person performing any of the work or services described hereunder shall be considered an officer, agent, servant or employee of the County, nor shall any person be entitled to any benefits available or granted to employees of the County.

3.9 SUBCONTRACTOR

Any subcontractor used shall meet all of the requirements of this contract. Analyses performed by these laboratories shall be clearly indicated in the final analytical report to the County. The subcontracted laboratories shall perform not more than 10% of the total analyses submitted by the County. This does not apply to a branch laboratory owned and operated by the awarded bidder.