

# Memorandum



**Date:** January 22, 2020

**To:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez".

Amended  
Agenda Item No. 8(F)(4)

Resolution No. R-36-20

**Subject:** Request for Approval of a Designated Purchase under Contract No. BW9403-3/19-3, Local Telecom Services

R- ...

## Recommendation

It is recommended that the Board of County Commissioners (Board) approve this request for a designated purchase under *Contract No. BW9403-3/19-3, Local Telecom Services*, for the Information Technology Department on behalf of all County departments. Approval of a designated purchase is requested, pursuant to Section 2-8.1(b)(3) of the Miami-Dade County Code, to extend the current contract for an additional three (3) years, with two, one-year option to renew terms under the same terms and conditions. This contract provides the County with local telecommunication services including but are not limited to the supply of the main telephone lines at all County facilities, ethernet data lines, Voice over Internet Protocol (VoIP), public safety E-911 circuits, 311 services, and other telephonic and data services. Prior to the expiration of the additional three year term, this contract will be returned to the Board for approval of the two, one-year option to renew terms.

The County awarded Contract No. BW9403-3/19 on November 15, 2011 under Resolution No. R-968-11 for a term of five years, with three, one-year option to renew terms. Additionally, the contract provides non-recurring services such as start-up infrastructure for new construction in areas where current infrastructure and network connectivity is not available. The contract is currently in its final option to renew term, and will expire on February 15, 2020. The products and services obtained under this contract are critical to operations and are necessary to ensure uninterrupted internal County communications as well as external communications with constituents.

Prior to requesting approval of this designated purchase, extensive market research was conducted to determine if competition was available in the market. A Request for Information was issued to gather industry feedback which revealed that no single provider other than the current vendor, AT&T Corp., was capable of providing all of the required services. In particular, it was determined that other vendors were unable to support the County's existing telecommunication infrastructure, and dividing the services amongst multiple vendors could create potential inconsistencies in infrastructure, and result in operational disruptions. Accordingly, competition for these services is impracticable at this time.

Information Technology anticipates modernizing the existing infrastructure as part of the network recapitalization plan, allowing for migration away from reliance on AT&T Corp.'s legacy services, and potential future competition. It is anticipated that modernization of the existing infrastructure will be completed, making it possible to use the option to renew term as a transition period to a new, competitively established provider.

In order to ensure the best value to the County, staff engaged in extensive negotiations with AT&T Corp. By extending the current agreement, as opposed to entering into a new agreement, AT&T Corp agreed to maintain existing discount structures that are no longer available to its customers, and to incorporate additional optional services offerings not previously included in the contract, such as enhanced ethernet and dedicated E-911 solutions. Staff will continue to evaluate the market to determine if viable competition becomes available prior to requesting approval of the

option to renew term. This designated purchase is in the best interest of the County to ensure the uninterrupted operation of the County's telecommunication infrastructure and emergency response operations.

**Scope**

The scope of this item is countywide in nature.

**Fiscal Impact/Funding Source**

The contract currently expires on February 15, 2020 and has a cumulative allocation of \$109,800,000 for a term of four years and three months. If this request for \$28,200,000 is approved, the contract will have a modified cumulative allocation of \$138,000,000 and will expire on February 15, 2023. Additional allocation for the two, one-year option to renew terms will be requested with the Board's approval of such option. The requested allocation is based on anticipated needs during the initial three-year contract extension term.

| Department             | Existing Cumulative Allocation | Additional Allocation Requested | Modified Cumulative Allocation | Funding Source         | Contract Manager |
|------------------------|--------------------------------|---------------------------------|--------------------------------|------------------------|------------------|
| Information Technology | \$109,800,000                  | \$28,200,000                    | \$138,000,000                  | Internal Service Funds | Julian Manduley  |
| Total:                 | \$109,800,000                  | \$28,200,000                    | \$138,000,000                  |                        |                  |

**Track Record/Monitor**

Beth Goldsmith, Chief Negotiator, of the Internal Services Department is the acting 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 extension provisions, pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38, with the exception of the two, one-year option to renew terms which shall only be exercised upon subsequent approval by the Board.

**Awarded Vendor**

| Vendor    | Principal Address              | Local Address                  | Principal          |
|-----------|--------------------------------|--------------------------------|--------------------|
| AT&T Corp | One AT&T Way<br>Bedminster, NJ | 460 NE 215 Street<br>Miami, FL | F. Thaddeus Arroyo |

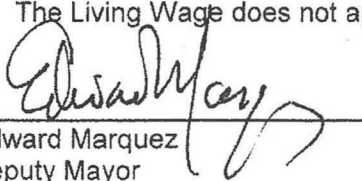
**Due Diligence**

Pursuant to Resolution No. R-187-12, due diligence was conducted in accordance with the Internal Services Department's Procurement Guidelines to determine vendor 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. In the current contract term, an invoice dispute occurred regarding billing amounts. The dispute has been resolved, resulting in a credit being issued to the County, and the billing error has been corrected.

Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners  
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**Applicable Ordinances and Contract Measures**

- The two percent User Access Program provision applies where permitted by the funding source.
- The Small Business Enterprise Measures and Local Preference do not apply.
- The Living Wage does not apply.

  
\_\_\_\_\_  
Edward Marquez  
Deputy Mayor

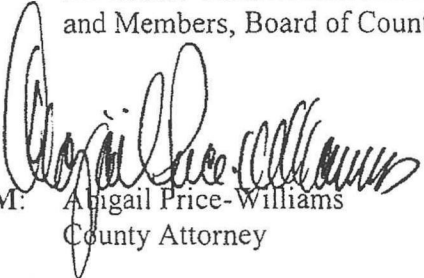


## MEMORANDUM

(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

DATE: January 22, 2020

FROM:   
Abigail Price-Williams  
County Attorney

SUBJECT: Amended  
Agenda Item No. 8(F)(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 [Signature] Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Amended  
Agenda Item No. 8(F)(4)  
1-22-20

RESOLUTION NO. R-36-20

RESOLUTION AUTHORIZING A 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 AN ADDITIONAL THREE-YEAR TERM BY THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE OF CONTRACT NO. BW9403-3/19-3 IN AN AMOUNT NOT TO EXCEED \$28,200,000.00, FOR THE INFORMATION TECHNOLOGY DEPARTMENT FOR PURCHASE OF LOCAL TELECOM SERVICES; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT 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 authorize a designated purchase pursuant to Section 2-8.1(b)(3) of the Miami-Dade County Code by a two-thirds (2/3) vote of the Board members present and authorize the County Mayor or County Mayor's designee to extend the contract by an additional three-year term under Contract No. BW9403-3/19-3 in an amount up to \$28,200,000.00 for the Information Technology Department to purchase local telecom services.

**Section 2.** This Board authorizes the County Mayor or County Mayor's designee to exercise all provisions of the contract pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38 except that the exercise of the last two one-year options to renew shall require the prior approval of this Board. Copies of the contract document are on file with and available upon request from the Internal Services Department, Strategic Procurement Division.

The foregoing resolution was offered by Commissioner **Dennis C. Moss** ,  
who moved its adoption. The motion was seconded by Commissioner **Barbara J. Jordan**  
and upon being put to a vote, the vote was as follows:

|                                |        |
|--------------------------------|--------|
| Audrey M. Edmonson, Chairwoman | aye    |
| Rebeca Sosa, Vice Chairwoman   | aye    |
| Esteban L. Bovo, Jr.           | aye    |
| Jose "Pepe" Diaz               | absent |
| Eileen Higgins                 | aye    |
| Joe A. Martinez                | aye    |
| Dennis C. Moss                 | aye    |
| Xavier L. Suarez               | nay    |
| Daniella Levine Cava           | aye    |
| Sally A. Heyman                | absent |
| Barbara J. Jordan              | aye    |
| Jean Monestime                 | aye    |
| Sen. Javier D. Souto           | aye    |

The Chairperson thereupon declared this resolution duly passed and adopted this 22<sup>nd</sup> day of January, 2020. 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

HARVEY RUVIN, CLERK

**Linda L. Cave**

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

A handwritten signature in black ink, appearing to read "OR", is written over a horizontal line.

Oren Rosenthal