

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE WRITTEN RECOMMENDATION OF THE CITY MANAGER (AS SET FORTH IN THE CITY COMMISSION MEMORANDUM ACCOMPANYING THIS RESOLUTION) AND WAIVING, BY A 5/7THS VOTE, THE FORMAL COMPETITIVE BIDDING REQUIREMENT, FINDING SUCH WAIVER TO BE IN THE CITY'S BEST INTEREST, AND APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A WORK ORDER WITH SOLARES ELECTRICAL SERVICES, INC., IN THE NOT TO EXCEED AMOUNT OF \$248,000.00, FOR THE PURPOSE OF COMPLETING THE PROPERTY MANAGEMENT EMERGENCY GENERATOR AND TRANSFER SWITCH PROJECT, WHICH INCLUDES NON-PRE-PRICED ITEMS IN THE AMOUNT OF \$138,277.41, PURSUANT TO THE COMPETITIVELY BID SOURCEWELL COOPERATIVE CONTRACT FOR CONSTRUCTION SERVICES (FORMERLY KNOWN AS NATIONAL JOINT POWERS ALLIANCE (NJPA)), WITH PREVIOUSLY APPROPRIATED FUNDING.

WHEREAS, the City needs to install one (1) emergency generator at the Property Management Department (the Project); and

WHEREAS the project consists of one (1) 500KW generator, which are available via the competitively procured National Joint Powers Alliance (NJPA) 120617-KOH award to Solares Electrical Services, Inc., as well as a number of ancillary items (e.g., automatic transfer switch); and

WHEREAS, to expedite the project, which is crucial to keep Property Management operational in the event of a storm or other catastrophe that results in loss of power to the facility, the Administration is requesting to issue a work order to Solares Electrical Services, Inc., pursuant to the competitively bid Sourcewell, formerly known as National Joint Powers Alliance (NJPA), cooperative contract for construction services; and

WHEREAS, Job Order Contracting (JOC) is a contracting methodology that enables facility owners to expedite and accomplish a large number of repairs, maintenance and construction projects with a single, competitively bid contract with pre-established pricing for most construction activities; and

WHEREAS, prior to October 2012, the City acquired construction services for most small or emergency construction projects through a Job Order Contracting process; however, since the Fall of 2012, the City had not utilized the JOC methodology and had no similar system in place for expediting construction and maintenance projects, which significantly impacts the City's ability to complete work in a timely manner; and

WHEREAS, the Finance and Citywide Projects Committee (the Committee), on February 21, 2014, endorsed a recommendation by the Administration, as a pilot to reintroduce this efficient process of project delivery to the City, to begin utilizing the Gordian Group's indefinite quantity contract (IQC), alternatively known as JOC, for construction services to expedite the delivery of construction or maintenance projects under \$250,000, or for emergency projects, as approved by the City Manager; and

WHEREAS, the National Joint Powers Alliance (NJPA), now known as Sourcewell, a national cooperative that bids contracts aggregating the spend volume of agencies across the country, awarded Contract No. 071415-GGI for IQC construction services, and said contract includes an award to Solares Electrical Services, Inc., through the Gordian Group's IQC process, to provide services pursuant to the contract; and

WHEREAS, on January 15, 2014, via Resolution No 2014-28462, the City Commission authorized the Administration to utilize cooperative awards by Sourcewell, pursuant to Section 2-369 of the Miami Beach City Code; and

WHEREAS, on April 23, 2015, the City Commission authorized the Administration, for projects up to \$250,000, or emergency awards exceeding \$250,000, to be acquired through the Gordian Indefinite Quantity Contract (IQC) process as a means of expediting small or emergency projects with the approval of the City Manager; and

WHEREAS, the IQC process, which is used extensively by local, state and federal governmental agencies throughout the United States, expedites the delivery of construction projects and the City, as a governmental agency, is authorized to utilize the IQC process for construction services competitively awarded by the National Joint Powers Alliance (NJPA) to the Gordian Group, the Managers of IQC; and

WHEREAS, the Gordian Group, in the IQC process, established a fixed price Construction Task Catalog (Catalog) for a wide range of construction activities; and

WHEREAS, in the interest of time, the City has chosen to expedite this project and utilize the Indefinite Quantity Contract (IQC) process; and

WHEREAS, through the NJPA process, Solares Electrical Services, Inc., was identified as the contractor that has the qualifications and experience in performing the identified scope; and

WHEREAS, on November 6, 2018, after negotiations, the Contractor submitted a bid proposal in the amount of \$248,000.00, for the Project, including a project contingency; and

WHEREAS, the original scope of work included to provide automatic transfer switch and generator including all conduit and wiring, excavation, surfacing repairs, testing, permits, and concrete slab as depicted in the approved construction documents; and

WHEREAS, the purchase of one (1) 500KW Kohler generator and automatic transfer switch, which are Non-Pre-Priced (NPP) items in the Catalog; and

WHEREAS, through its cooperative contract with Contract No. 071415-GGI for IQC construction services, which contract includes an award to Solares Electrical Services, Inc., through the Gordian Group's IQC process, the City has the ability to contract directly with Solares to provide services to the City pursuant to the contract; and

WHEREAS, Solares Electrical Services, Inc. is a certified contractor for the purchase and installation of 500KW Kohler generators, switchgears and ancillary items; and

WHEREAS, Kohler generators are preferred, as this brand of generator is in service at a majority of the City's facilities; and

WHEREAS, the IQC proposal received is under the \$250,000 threshold limit approved by the City Commission for projects through the NJPA IQC process; however, since the value of the non-pre-priced items exceeds the \$50,000 authority of the City Manager, the approval of the City Commission is required to award the Project through the IQC process; and

WHEREAS, the Administration recommends, as being in the City's best interest, to award the Project to Solares Electrical Services, Inc., through the IQC process, in the not to exceed amount of \$248,000.00, including the Non-Pre-Priced items in the amount of \$138,277.41.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA that the Mayor and City Commission hereby accept the written recommendation of the City Manager and waive, by a 5/7ths vote, the formal competitive bidding requirement, finding such waiver to be in the City's best interest, approve and authorize the City Manager to execute a work order with Solares Electrical Services, Inc., in the not to exceed amount of \$248,000.00 for the purpose of completing the Property Management Department Emergency Generator and transfer switch project, which includes non-pre-priced items in the amount of \$138,277.41, pursuant to the competitively bid Sourcewell cooperative contract for construction services formerly known as National Joint Powers Alliance (NJPA), with previously appropriated funding.

PASSED and ADOPTED this ____ day of _____, 2019.

DAN GELBER, MAYOR

ATTEST:

RAFAEL E. GRANADO, CITY CLERK

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

Rafael E. Granada 1-4-19

City Attorney *RAE* Date