

RESOLUTION No. 2008-240-928

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO WAIVE COMPETITIVE BIDDING REQUIREMENTS AND EXECUTE A CONTRACT WITH METRO DADE K9 SERVICES IN THE AMOUNT OF SEVENTEEN THOUSAND EIGHT HUNDRED DOLLARS (\$17,800.00) FOR THE PURCHASE OF TWO (2) POLICE DOGS; PROVIDING FOR A NUNC PRO TUNC EFFECT; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Police Department is in the process of implementing a Police Canine Unit, and

WHEREAS, the City is required to purchase canines in order to man the Police Canine Unit, and

WHEREAS, City staff reviewed contracts from various municipalities in an effort to piggyback on an existing contract; however, none was available, and

WHEREAS, City staff undertook an effort to contact vendors to determine whether or not they had canines in their existing inventories that would serve the City's needs, and

WHEREAS, Metro Dade K9 Services has dogs available that would meet the specific work requirements of this City's Police Department, and has agreed to provide two (2) police dogs for this purpose in the amount of Seventeen Thousand Eight Hundred Dollars (\$17,800.00),

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. AUTHORIZATION: The City Council of the City of Miami Gardens hereby authorizes the City Manager to purchase two (2) police dogs from Metro Dade K9 Services in the amount of Seventeen Thousand Eight Hundred Dollars (\$17,800.00)

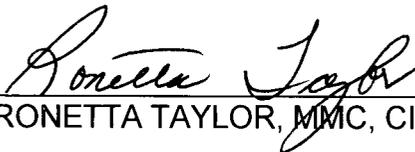
Section 3. NUNC PRO TUNC EFFECT: This Resolution shall relate back to November 15, 2008.

Section 4. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON DECEMBER 10, 2008.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, MMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: DANNY CREW, CITY MANAGER

MOVED BY: Councilman Gilbert
SECONDED BY: Vice Mayor Watson

VOTE: 7-0

Mayor Shirley Gibson	<u> x </u> (Yes)	<u> </u> (No)
Vice Mayor Barbara Watson	<u> x </u> (Yes)	<u> </u> (No)
Councilman Melvin L. Bratton	<u> x </u> (Yes)	<u> </u> (No)
Councilman Aaron Campbell	<u> x </u> (Yes)	<u> </u> (No)
Councilman Oliver Gilbert, III	<u> x </u> (Yes)	<u> </u> (No)
Councilwoman Sharon Pritchett	<u> x </u> (Yes)	<u> </u> (No)
Councilman André Williams	<u> x </u> (Yes)	<u> </u> (No)

City of Miami Gardens

1515-200 NW 167th Street
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilwoman Sharon Pritchett
Councilman Oliver Gilbert III
Councilman André Williams

Agenda Cover Page

Date: December 10, 2008

Fiscal Impact: No Yes

(If yes, explain in Staff Summary)

Funding Source: Police Impact Fees

Contract/P.O. Requirement: Yes No

Sponsor Name/Department: D. Crew

Public hearing

Ordinance

1st Reading

Advertising requirement:

RFP/RFQ/Bid # _____

Quasi-Judicial

Resolution

2nd Reading

Yes No

Title

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY MANAGER TO WAIVE COMPETITIVE BIDDING REQUIREMENTS AND EXECUTE A CONTRACT WITH METRO DADE K9 SERVICES IN THE AMOUNT OF SEVENTEEN THOUSAND EIGHT HUNDRED DOLLARS (\$17,800.00) FOR THE PURCHASE OF TWO (2) POLICE DOGS; PROVIDING FOR A NUNC PRO TUNC EFFECT; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE

Staff Summary

The Miami Gardens Police Department is in the process of implementing a Police Canine Unit. This Unit will be responsible for the detection and apprehension of fleeing felons in the City of Miami Gardens. In addition, these officers will supplement the Uniform Patrol Division by responding to calls for service and providing backup to officers responding to calls. Part of the creation of this particular unit entails the purchase of the canines. The Department has hired one handler who possessed an already certified animal. This cost benefit has assisted the Department financially; however the need to purchase three additional canines still exists. Funding for the purchase of canines will come from police impact fees. During the implementation of this Unit, several attempts to identify procurement sources from other government agencies were made. On each occasion the concerned governmental agency did not have the appropriate documentation that would allow for "piggy-backing" off of their contract. In many cases the agency was only purchasing one dog therefore eliminating the need for a bid based on the amount of the purchase (under \$10,000). In other circumstances the entity waived competitive bidding and simply chose a vendor from which to make the purchase. The entities contacted during this process were Miami Shores, Sunrise, North Miami Beach, Miami-Dade and Hialeah.

In a continued effort to procure these specialized animals, staff members contacted various vendors to evaluate their inventory of canines and determine if there were suitable vendors available for a bid to be developed. During this search several vendors advised that no animals would be available for several months and further advised they would have to recontact the Police Department when an inventory existed.

Police Canine Services, a vendor currently under contract with the City of Miami (and available for "piggybacking") was contacted and asked to provide three animals for evaluation. The vendor traveled to South Florida on November 14, 2008, and held an evaluation session with these canines. During the demonstration it was determined that only one of the canines was adequately suited for the Department and was judged as being of average quality.

On November 20, 2008, another demonstration/ evaluation period was scheduled with Metro-Dade K9 Services of Miami. This vendor provided the evaluators with three dogs two of which which were in good health after veterinary screening. The total purchase price for those canines was \$17,800 and included performance and health guarantees that include exchange of the animal for non-performance or health issues undetected in the physical exam.

The vendor agreed to hold the animals for a period of ten days in order for the City to finalize the procurement process. The vendor would not extend the "hold" period as he explained that as he continues to board the animals the risk of injury to the animal increases therefore diminishing the value of the canine.

As the scope of purchase is very specific (police work dogs), the City Manager, in accordance with the Purchasing Ordinance, authorized the purchase of the selected canines from Metro-Dade K9 Services due to the specificity of the purchased commodity, the impracticality of creating a bid document for said purchase and the uncertainty regarding availability of animals from other vendors. The animals have been through a full health screen and are to begin training within the next two weeks. Full implementation of the unit will occur upon their graduation in 10 weeks. The decision to use one vendor for the entire purchase was suggested in order to have familiarity with the process and ensure continuity for any future dealings and/or unexpected problems with these animals.

Recommendation:

That the City Council ratify the attached resolution approving the City Manager waiving competitive bidding, negotiating and executing a contract after the fact with Metro-Dade K9 Services for the amount of \$17,800 for the purchase of two police dogs.

METRO DADE K9 SERVICES

17940 S.W. 168 Street
Miami, Florida 33187
(305) 378-9035 / (800) 965-0059 Fax
www.metrodadek9.com / k9services@bellsouth.net

Health and Trainability guarantee:

The canine(s) are guaranteed to pass a complete physical examination conducted by the contracted City of Miami Gardens Veterinarian within 2 business days. Seller agrees to replace the dog if any genetic defects are diagnosed at the time of examination and up to one year for congenital diseases from today's date at no additional cost to the department.

The seller will replace the canine in a timely manner if any problems arise regarding above paragraph within 30 days of receiving original canine back at Metro Dade K9 Training Facility. All dogs are guaranteed to have good hips, free of heartworm, & internal parasites at the time of purchase. The teeth are in good condition. If the department does not take the dog to a licensed veterinarian for a complete physical during above specified time; Metro Dade K9 Services and/or Tony Guzman are released from any and all warranties and liabilities regarding health. Metro-Dade K9 Services must receive a letter from the veterinarian stating the dog has passed its complete physical. Canines are guaranteed to pass K9 certification after completion of State Certified Academy. Canines are guaranteed to pass a state certified narcotics detector school. Training must commence within 120 days upon acceptance of canine and veterinarian approval. Canine(s) are guaranteed for work performance for one year from date of purchase, provided all training records are surrendered to Metro Dade K9 Training Facility showing that the canine team had proper maintenance training.

Replacement Guarantee:

If the canine(s) should fail to pass any of the above, they will be replaced with a canine of equal value, providing canine is returned to Metro-Dade K9 Services in the same state of health and trainability as he was surrendered (physical and mental). All training and/or veterinarian records must be released to seller upon return to facility. Replacement canines will be available immediately if available, or at the most 30 days from the date he was returned to kennel facility. There are no refunds. The purchaser advises that these animals may bite, or cause damage to persons or property while in their care, and that Tony Guzman, and or Metro Dade K9 Services and/or their staff are not to be held responsible or liable for this animal or any damage it may cause while owned by them.

Purchaser waives and releases Metro Dade K9 Services, its employees, officers, members, and agents, from any and all liability of any nature, for injury or damage sustained to purchaser while on grounds of training facility, or thereafter.

Read and accepted by: Dr. Danny O. Crew, City Manager

Signatures: _____

METRO DADE K9 SERVICES

**17940 S.W. 168 Street
Miami, Florida 33187
(305) 378-9035 / (800) 965-0059 Fax
www.metrodadek9.com / k9services@bellsouth.net**

Sales Agreement

Date – November 28th, 2008

Purchaser:

**City of Miami Gardens Police Department
C/O Sgt. John Mulcahy
1020 N.W. 163rd Drive
Miami Gardens, Florida 33189**

-
- **2 Police Service Dog (s) – European Imported to be selected**
 - **Prices as follows:**
 - **Dog's Name: "E1" Male GSD - GSD Male - Dob 04/04/07 - Price \$8900.00**
 - **Dog's Name: "Champ" GSD Male - Dob 09/07/07 - Price \$8900.00**
 - **Above prices do not include any equipment**
 - **Sociable temperament**
 - **At the time of sale, the canine(s) are mentally sound, in good physical health and have good temperament**
 - **They have all been Gunfire Tested.**
 - **Good on slippery floors and all types of terrain.**
 - **Excellent drives for detector training.**
 - **They demonstrate balanced prey, defense drives, and ability to track.**
 - **Health Guarantee / Performance Guarantee / Replacement Guarantee: Please see below**
 - **Dogs(s) have been completely demonstrated to and selected by purchaser and/or purchaser representatives on today's date. Once dog's have completed veterinarian physical and have been approved; purchaser has requested they stay at Metro Dade K9 Training Facility until handler's can receive their dogs per the request of K9. Sgt. It is understood these dogs are the property of Miami Gardens Police Department and a boarding contract must be signed at no extra charge to the purchaser.**

Metro Dade K9 Guard Dog Services

17940 S.W. 168 Street
 Miami, Florida 33187
 (305) 378-9035

Invoice

Date	Invoice #
11/28/2008	3984

Bill To
City of Miami Gardens C/O Sgt. Mulcahy 305-474-1506 Fax 1020 N.W. 163rd Drive Miami Gardens, Florida 33169

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
2	Police Service Canines per sales agreement	8,900.00	17,800.00
	Sales Tax	0.00%	0.00
Thank you for your business.		Total	\$17,800.00