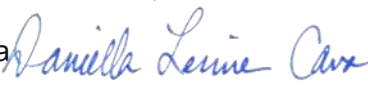


Date: July 1, 2022

To: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

From: Daniella Levine Cava 
Mayor

Subject: Update for Technology Acquisition for the New Civil and Probate Courthouse

Summary

This memorandum serves as an update regarding the information technology systems acquisition for the new Civil and Probate Courthouse (Courthouse Project), and the steps being taken to avoid delays and keep the project on schedule.

Report

On December 19, 2019, this Board approved Resolution No. R-1343-19 awarding a public private partnership contract to Plenary Justice Miami, LLC (Plenary). The contract provides for the design, build, finance, operation, and maintenance of a new 25 stories high, 640,000 square foot civil and probate courthouse. In accordance with Resolution No. R-799-18, the Courthouse Project is being constructed between West Flagler Street and NW 1st Street. The Courthouse Project was estimated to have a total fiscal impact of up to \$852,249,000 over the 34-year and two-month term. However, the technology needs for the Courthouse Project were not included as part of the developer's scope of work when this project was awarded in 2019. The approved allocation for all the information technology systems needed for the Courthouse Project is \$28,695,463.

The Internal Services Department (ISD), Administrative Office of the Courts (AOC), Clerk of the Courts (COC), and Information Technology Department (ITD), determined it was in the best interest of the project and the County to subcontract a portion of the ITD work under a single vendor. However, after extended negotiations, in February 2022, Plenary advised the County that they could not pursue the ITD work because it would adversely affect their risk allocation and Project schedule.

To maintain pace with the Project schedule and avoid further delays, and to ensure the highest quality and functionality, the County along with the stakeholders (AOC, COC, ITD) agreed that a bid waiver approach to contract with Johnson Controls Inc. (JCI) directly (Plenary's O&M partner), was the most advantageous option to provide the needed portion of the technology work for the Courthouse Project. After a period of negotiations JCI and ISD agreed on a contract amount of \$18,587,981 for the technology work required. It should be noted that, on March 29, 2022, Plenary again expressed interest in pursuing the ITD work and submitted a proposal to the County on April 29, 2022, for \$19,496,810. The offer from Plenary for the ITD work is \$908,829 more than contracting directly with JCI and is contingent on settling claims for delays for other unrelated events.

A bid waiver with JCI would allow the County to achieve the following:

- Hold one single vendor accountable for the integration of the technology work with other systems already being provided by the same vendor for the Courthouse Project;
- Take advantage of the previous efforts undertaken during the prior months for dividing the technical responsibilities between ITD and Plenary while also realizing savings;
- Shorten the acquisition time for the referenced Technology Work; and
- Minimize the impact of continuous escalation costs due to worldwide supply chain issues.

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and Members Board of County Commissioners
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Due to time constraints, the significant costs associated with Plenary's offer, and the importance of this project to the community, the County is finalizing a Board item to contract directly with JCI.

Should you have any questions or concerns, please feel free to contact Alex Muñoz, Internal Services Department Director at 305-375-5893.

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