

Prkic, Christina (COE)

INV 05-54

Modified:

Fri 4/8/05 6:28 PM

I advised Melissa that persons who seek to influence staff concerning pending or future contracts are considered lobbying, as defined in 2-11.1 (s). Since Matt's employment with the company entails meeting with and influencing County staff regarding his company's contracts, he needs to register as a lobbyist.

**Prkic, Christina (COE)**

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**From:** Adames, Melissa (DPM)  
**Sent:** Monday, March 28, 2005 4:12  
**To:** Prkic, Christina (COE)  
**Subject:** Lobbyist Information

Hello Christina,

I wanted to write you regarding a vendor that I have been contacted by that I have referred to your department for clarification on the new lobbyist ordinance that is in place. His name is Matt Swando, from BI Technologies. I am currently working on a project for the Department of Corrections and BI Technologies is their current vendor. Upon contract expiration we are moving towards another contract that is being accessed through another Governmental agency. Mr. Swando has contacted me several times and since the meeting last week I have informed him that he must be a registered lobbyist with the County to further discuss this project or any future contracts with DPM.

This is a delicate situation since BI is trying to do whatever it takes to keep Miami Dade County as a customer but unfortunately they are no longer capable of providing the County with the required equipment or services needed for this new contract. Attached I have provided you with the brief overview that I provided to the County Manager's office regarding BI. I was instructed by the CMO office to contact the vendor and inform him of our intent which I did earlier this afternoon when he called. I have also included the original message from the CMO office for your review. Please let me know if there is any additional documentation that you need. Thank you for your time and attention to this matter. I welcome any comments or suggestions that you may be able to offer for future situations such as this.

Sincerely,  
**Melissa Adames, IT Contracts & Procurement Specialist**  
**Miami-Dade County Department of Procurement Management**  
P: 305-375-4029  
F: 305-375-5688  
[www.miamidade.gov](http://www.miamidade.gov)

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4/8/05

**From:** Adames, Melissa (DPM)  
**Sent:** Monday, March 28, 2005 11:40 AM  
**To:** Fernandez, Margarita (CMO); McRay, Charles (Director, MDCR) (786) 263-6019; Singer, Miriam (DPM); Torriente, Susanne M. (CMO)  
**Cc:** Blaine, Thomas (DPM); Anasagasti, Rogelio Jr. (DPM); Kremer, Andrew (DPM)  
**Subject:** Electronic Monitoring Contract  
 Good Morning,

In response to the letter submitted by Matt Swando from BI Technologies, I would like to brief you on the contract status for the Department of Corrections' need to fulfill their electronic monitoring needs. BI Technologies has been providing the Department of Corrections with their current electronic monitoring equipment support and services for the past five years. Although BI has had a good working relationship with the County, the Department of Corrections does not wish to continue doing business with BI Technologies after the contract expiration of May 24, 2005.

BI Technologies is lagging behind the industry leaders in their GPS tracking equipment and they are not capable of providing an active tracking system at this time. In fact, when the original contract was implemented back in 2000, BI was to meet the technical requirements of MDCR regarding their need to use GPS systems on their participants. MDCR was the first client BI Technologies ever used the GPS technology with and they have been dealing with dated equipment and a new system with many bugs. According to my user department the GPS portion of this contract was not fulfilled until the middle of 2004. BI Technologies is not capable of meeting the requirements of MDCR as set forth in their scope of services and is not an awarded vendor under the WSCA contract. BI Technologies equipment for both the electronic monitoring and GPS tracking is dated in comparison to the awarded vendors under the WSCA contract.

I have been in contact with Matt from BI several times since taking on this project in November and he has provided me with the Federal GSA contract and the State contract that was mentioned in his letter. I just received the State contract on Tuesday the 22<sup>nd</sup> for review. Upon examination of these documents I found that the Federal GSA contract was not competitively bid. The fees on the GSA schedule are also higher than that of the WSCA contract. The State contract does offer competitive pricing, however it is limited in the respect that it only provides one aspect of the equipment needs of MDCR. The WSCA contract is an all inclusive solution that will allow the County to continue to save money while not compromising on quality.

The Western States Contracting Alliance (WSCA) has a competitively bid contract that provides electronic monitoring support and services that we wish to access and implement for the North Dade Detention Center. The WSCA contract was competitively bid as a RFP and awarded to two capable vendors providing electronic monitoring and GPS tracking systems. Securicor EMS handles categories I and II of the contract for electronic monitoring and support services. While ProTech Monitoring Inc. handles category III for the GPS tracking systems. By adopting the WSCA contract we are eligible for future discounts to the already competitive pricing as more agencies utilize the contract on a quarterly basis thus continuing to save the County money. The contract provisions also provide the County with a fifteen percent spare equipment supply on site at no additional charge to MDCR.

In the attached cost comparison sheet you will see the different price options illustrated. The usage of all current WSCA contracting agencies combined with Miami-Dade County would equal the buying power of over 1800 units, as such resulting in a much better price for Miami-Dade County's contract. Moreover, several additional agencies are pending adoption of the WSCA contract and as volumes continue to increase, participating WSCA agencies prices continue to reduce throughout the contract term. Currently Miami Dade County is paying \$3.90 per unit with BI, by accessing the WSCA contract the charges are reduced to \$2.36 per unit. Implementation of the WSCA contract will allow the County to gain an estimated savings of \$92,472.75 per year. In addition to the cost savings we will be entitled to automatic technology updates. The WSCA contract includes upgrades to the newest model technology under contract for the term of the agreement, thus ensuring that Miami-Dade County is using the latest and most secure technology available.

In conclusion, the implementation of this contract will not only satisfy the requirements set forth in the Department of Corrections scope of services but exceed them. The all inclusive packages offered by both vendors allow for a more productive, more successful electronic monitoring program. If you have any additional questions or concerns please feel free to contact me at your convenience.

**From:** Adames, Melissa (DPM)  
**Sent:** Monday, March 28, 2005 3:51 PM  
**To:** Matt Swando (matt.swando@bi.com)  
**Subject:** Lobbyist Registration Information  
Matt,

As per our previous conversation earlier this afternoon here is the information regarding the Ethics Commission on the Lobbyist ordinance. As I mentioned you must be a registered lobbyist to inquire about specific projects or contracts that are being worked on by DPM for the various user department throughout the County. If you have any questions please contact Christina at the Ethics Commission with the contact number listed below. Thank you for your attention to this matter.

I offer you the following links regarding the County ordinance and form that may be downloaded:

<http://miamidade.gov/ethics/ordinance.asp>  
[http://www.miamidade.gov/ethics/Conflict\\_of\\_Interest\\_s.asp](http://www.miamidade.gov/ethics/Conflict_of_Interest_s.asp)  
<http://www.miamidade.gov/govaction/lbviewmain.asp>

Contact Information for Ethics Commission: Ms. Christina Prkic, Staff Attorney - (305) 350-0615

**Melissa Adames, IT Contracts & Procurement Specialist**  
**Miami-Dade County Department of Procurement Management**  
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F: 305-375-5688  
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From: Singer, Miriam (DPM)  
Sent: Tuesday, March 22, 2005 12:31 PM  
To: Torriente, Susanne M. (CMO); Adames, Melissa (DPM)  
Cc: McRay, Charles (Director, MDCR) (786) 263-6019; Blaine, Thomas (DPM); Fernandez, Margarita (CMO)  
Subject: RE: Electronic Monitoring Contract with the Corrections Dept.

Susy: Will do. The vendor has been in contact with the agent often. We believe we can purchase at almost half the price of other existing contracts by accessing WESCA's (Western States Contract Alliance) competed contract.

Melissa: Please see the message from Mr. Swando and give him a call as requested. Please keep me in the loop on this one. Thanks,  
M.

-----Original Message-----

From: Torriente, Susanne M. (CMO)  
Sent: Tuesday, March 22, 2005 12:19 PM  
To: Singer, Miriam (DPM); Fernandez, Margarita (CMO)  
Cc: McRay, Charles (Director, MDCR) (786) 263-6019; Blaine, Thomas (DPM); Adames, Melissa (DPM)  
Subject: RE: Electronic Monitoring Contract with the Corrections Dept.

Good - we should do that more often, it is quick and efficient. Please have your procurement officer contact the vendor below and address questions/concerns.

-----Original Message-----

From: Singer, Miriam (DPM)  
Sent: Tuesday, March 22, 2005 12:16 PM  
To: Fernandez, Margarita (CMO)  
Cc: Torriente, Susanne M. (CMO); McRay, Charles (Director, MDCR) (786) 263-6019; Blaine, Thomas (DPM); Adames, Melissa (DPM)  
Subject: RE: Electronic Monitoring Contract with the Corrections Dept.

Maggie: We are planning to access another jurisdiction's competitively established contract for the successor contract. Tom will review and provide us the detail shortly. I have asked whether the inquiring vendor is included in the other jurisdictions award. Thanks,  
M.

-----Original Message-----

From: Fernandez, Margarita (CMO)  
Sent: Tuesday, March 22, 2005 11:46 AM

Sincerely,  
**Melissa Adames, IT Contracts & Procurement Specialist**  
**Miami-Dade County Department of Procurement Management**  
P: 305-375-4029  
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*"Delivering Excellence Every Day"*

To: McRay, Charles (Director, MDCR) (786) 263-6019; Singer, Miriam (DPM)  
Cc: Torriente, Susanne M. (CMO)  
Subject: FW: Electronic Monitoring Contract with the Corrections Dept.

Can we even speak to this vendor? Are we under the cone? Please see below and provide us with any insight.

Maggie Fernandez, Assistant to the County Manager  
Miami-Dade County Office of the County Manager  
305-375-3008  
www.miamidade.gov

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-----Original Message-----

From: Thomas, Christine (CMO)  
Sent: Tuesday, March 22, 2005 11:09 AM  
To: Klopp, Lisa (CMO)  
Subject: FW: Electronic Monitoring Contract with the Corrections Dept.

FYI - Calendar Item for Susy T.

-----Original Message-----

From: Swando, Matt [mailto:Matt.Swando@bi.com]  
Sent: Tuesday, March 22, 2005 10:24 AM  
To: 'manager@miamidade.gov'  
Subject: Electronic Monitoring Contract with the Corrections Dept.

Ms. Torriente,

Good morning, I hope all is well with you. I am writing to inquire about having a discussing/meeting with your office regarding my company's contract with the Corrections Department for the provision of the electronic monitoring (ankle monitors) products and services. As you are probably aware, our contract expires with the Dept. on May 24th of this year. We originally were expecting to have the program go to bid, and for it to be released in the Jan.-Feb. time frame.

We have been working with the Dept. and the procurement office to provide options. We of course, are very interested in having the chance to continue our relationship with the Dept. We have let the procurement office and the Dept, know that we would be very open to extending the current agreement one additional year to enable

the Dept. to properly plan for an RFP process. We feel this would be beneficial to the Dept. and the County given that the program now has a new Capt. in place as of the last month or so, and that we have just recently begun working with the Dept. on a newly formed GPS Tracking program for higher-risk cases. This program is beginning to grow and has demonstrated a lot of success over the past few months. We feel it would be beneficial for all for BI Inc. to continue working with the Dept. on this exciting new program. We, and the Dept have invested a considerable amount of time in training and implementing the GPS program over the last several months. We have also stated that we would be willing to discuss pricing and contract terms with the County if the County was inclined to extend the agreement for an additional year.

Additionally, I have presented the procurement office with information on our GSA contract, and the GSA procurement method. We have also presented the procurement Dept. with a copy of our contract with the State Department of Corrections. Both of these contracts could enable to Dept. to procure the needed products and services within the short time frame we are now working under.

Please let me know if there is any other information I can provide you with at this time. Myself and the CEO of BI Inc. will be in town on April 7th and am wondering if we could get an opportunity to meet with you and your staff to discuss this issue. Thank you for your time and consideration, any light you can shed on this issue at this time would be greatly appreciated.

Regards,

Matthew J. Swando  
Business Development Executive  
BI Inc. [www.bi.com](http://www.bi.com)  
9147 Rockrose Dr.  
Tampa FL 33647  
Office: (813) 973-4142  
Fax: (813) 973-4335  
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