Administrative Order

MIAMI-DADE

Administrative Order No.: 3-31

Title: Taping Procedures for all Proceedings of Selection and Negotiation Committees

Ordered: 1/25/2001 **Effective:** 2/4/2001

AUTHORITY:

Section 4.02 of the Miami-Dade County Home Rule Amendment and Charter; Section 2-1.1.1 of the Code of Miami-Dade County as amended by Ordinance 00-106; and Section 119, Florida Statutes.

SCOPE:

This Administrative Order (AO) establishes the procedures and requirements for taping all proceedings of Selection and Negotiation Committees.

POLICY:

All proceedings of Selection and Negotiation Committees shall be audiotaped. The Department of Procurement Management (DPM) shall be responsible for audiotaping Selection and Negotiation Committee meetings when DPM is the issuing department for the solicitation. When DPM is not the issuing department, the department issuing the solicitation. When DPM is not the issuing department, the department issuing the solicitation shall be responsible for audiotaping meetings of Selection and Negotiation Committees. This AO covers all County procurement processes involving a Selection or Negotiation Committee including, but not limited to, the process by which Community Development Block Grants are distributed and community based organizations are funded. It also covers procedures for numbering, labeling, filing, duplicating and distributing the audiotapes, and the protocol for audiotaping before, during, and at the conclusion of said meetings.

The County's obligation is to audiotape applicable meetings. The County is not required to videotape meetings. If a member of the public requests that a meeting be videotaped, they shall be advised that they must make their own arrangements and pay for the services. The County's process shall not be interrupted nor delayed to facilitate videotaping by a private entity. Additionally, County solicitation documents shall include language advising the public that they must provide the County fourteen (14) business days advance notice if they wish to videotape the proceedings of a Selection Committee and/or Negotiation Committee meeting. When possible, the County will make reasonable efforts to provide a suitable meeting room to accommodate such requests to videotape a proceeding. If a

member of the public videotapes a meeting, County staff is still required to audiotape the meeting. If the County videotapes a meeting, it is not required to create a separate audiotape.

AUDIOTAPE NUMBERING SYSTEM, REQUESTING COPIES OF AUDIOTAPES AND COST OF COPIES, FILING OF TAPES WITH THE COMMUNICATIONS DEPARTMENT, AND CHAIN OF CUSTODY:

Audiotape Numbering System:

1. Each County department shall use the uniform numbering system herein described. To distinguish each department's audiotapes, all numbering systems must include the department's numeric code, the solicitation number, type of proceeding, the date of the meeting and the ordinal number.

   For example, the label of an audiotape recorded by the Department of Procurement Management on October 24, 2000 shall read as follows: 012-RFP099 Negotiation Committee Mtg.; 10/24/00 Tape 1 of 3.

2. Tapes that are not property numbered and labeled shall be returned to the originating department.

Requesting Copies of Audiotapes and Cost of Copies:

1. Requests for copies of audiotapes shall be made in writing to the Communications Department. When a department receives a telephone request for a copy of an audiotape, the caller shall be instructed to contact the Communications Department.

2. The Communications Department shall charge a fee for each duplicate tape requested by the public. Pursuant to Section 119.07, Florida Statutes, and applicable County policy, all tapes shall be considered public documents and shall be duplicated and distributed in accordance with Florida Statutes regarding public records and County Administrative Order No. AO 4-48, Fees Charged to the Public for Examining and Duplicating Records.

Filing of Tapes with the Communications Department and Chain of Custody:

1. The Communications Department shall:

   a. request and receive audiotape(s) from the originating department whenever a public records request for an audiotape is made;
   b. make a duplicate and return the original tape(s) to the originating department;
   c. duplicate tapes in response to public records requests for copies of specific tapes;

d. charge and collect the appropriate fees for copies of tapes and dispense copies of the audiotapes to the public; and
e. maintain a file of all audiotapes created under this AO for a period of six (6) months after award or rejection of proposals. The original tape(s) shall remain a part of the permanent contract file in the department.

2. Upon request from the Communications Department, the originating department shall label and forward the tape(s) with a transmittal memorandum to the Communications Department. The transmittal memorandum shall include, at a minimum, the name of the department sending the tape(s), the type of meeting taped (Selection or Negotiation Committee), the solicitation identification or project number, and the tape number and label as described above in "Audiotape Numbering System."

PROTOCOL FOR AUDIOTAPING ALL PROCEEDINGS OF SELECTION COMMITTEES AND NEGOTIATION COMMITTEES:

The following protocol shall be followed by departments when audiotaping a Selection and/or Negotiation Committee meeting. This protocol assumes that taping of the proceedings is conducted and managed by the individual serving as chairperson of the Committee. The chairperson may designate another staff person to perform all functions as it pertains to the chairperson's role in audiotaping the applicable meetings.

Protocol:

1. Prior to starting the proceedings of a Selection Committee or Negotiation Committee, the chairperson shall:

   a. call the meeting to order;
   b. state for the record the date, location, and type of proceeding;
   c. identify himself/herself, stating their designation and business address, and the fact that the proceedings are being taped in accordance with County policy;
   d. state the purpose of the proceedings; and
   e. require introduction of all present stating name and business address.

   If at any point someone joins or departs the proceedings, the chairperson shall state for the record, as soon as logistically feasible, the name of the person and their action (i.e., entrance to or departure from the meeting). For individuals joining the proceedings after introductions are completed, their name and business hall be noted for the record.

2. Taping of the proceedings shall continue until such point that the proceedings are required to be stopped. At that point, the chairperson shall:

   a. state for the record the reason for stoppage;

b. advise that no discussion of the issue can take place until taping can resume; and
c. stop taping.

1.1 In the event of equipment and/or tape malfunction, the following shall be executed:

a. If the malfunction is repaired and the proceedings can continue, the chairperson shall resume taping and:

1. note for the record the nature of the malfunction and state that no discussion of the proceedings has taken place during the unrecorded period; and
2. continue discussion.

b. If the malfunction cannot be repaired, the chairperson shall adjourn the proceedings, make a note for the record, attempt to locate another recording device, and continue the proceedings at such time as taping can resume.

2.2 The processes identified in numbers 2 and 2.1a above shall be followed at any point the proceedings are stopped and restarted.

1. Prior to the conclusion of the proceeding, the chairperson shall:

a. advise that the tape of the proceeding, pursuant to Section 119.07, Florida Statutes, is a public document;
b. advise that such document may be duplicated and distributed in accordance with Florida Statutes regarding public records and County Administrative Order No. AO 4-48, Fees Charged to the Public for examining and Duplicating Records; and,
c. advise that copies of the proceeding may be obtained from the Communications Department upon written request.

2. In closing statements prior to concluding the taping, the chairperson shall advise that for the purposes of the instant proceeding, in accordance with County policy, the proceeding for a Selection Committee meeting or Negotiation Committee meeting is concluded and nothing further regarding the proceeding will be discussed.

3. The chairperson directs that taping be concluded.

This Administrative Order is hereby submitted to the Board of County Commissioners of Miami-Dade County, Florida.

M.R. Stierheim
County Manager