



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

Supplemental Legislative Analysis

Budget, Planning & Sustainability
Committee

March 9, 2010
2:00 P.M.
Commission Chamber

Charles Anderson, CPA
Commission Auditor
111 NW First Street, Suite 1030
Miami, Florida 33128
305-375-4354

**Miami-Dade County Board of County Commissioners
Office of the Commission Auditor**

**Supplemental Legislative Notes
Budget, Planning & Sustainability Committee
Meeting Agenda**

March 9, 2010

Written analyses and notes for the below listed items are attached for your consideration:

Item Number(s)

1(G)1
1(G)1 Substitute
2(D)

If you require further analysis of these or any other agenda items, please contact Guillermo Cuadra, Chief Legislative Analyst, at (305) 375-5469.

Acknowledgements--Analyses prepared by:
Elizabeth N. Owens, Legislative Analyst

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**



Legislative Notes

Agenda Item: 1(G)1, 1(G)1 Substitute, and 2(D)

File Number: 100117, 100372, and 100143

Committee(s) of Reference: Budget, Planning and Sustainability

Date of Analysis: March 8, 2009

Type of Item: Selection Committee Process

Prime Sponsors: Commissioner Rebeca Sosa - Item No. 1(G)1 & Substitute
Commissioner Joe A. Martinez – Item No. 2(D)

Co-Sponsor: Commissioner Sally A. Heyman – Item No. 2(D)

Summary

The following items pertain to the County's competitive selection committee process. All three ordinances attempt to improve the County's purchasing process by eliminating or reducing the subjective factors in the current processes.

Item No. 1(G)1

This ordinance amends the County's process for the purchase of professional architectural, engineering, landscape architectural, and land surveying and mapping (A&E) services by doing the following:

- Establish procedures for administering the selection process;
- Conform provisions to reflect charter amendments; and
- Amends §2-10.4 of the Code of Miami-Dade County (Code).

Item No. 1(G)1 Substitute differs from the original item in that it changes the fiscal impact statement to reflect that the \$25,000 programming fee will be applicable in fiscal year 2010-11.

Item No. 2(D)

This ordinance rescinds Administrative Order (AO) 3-34, Formation and Performance of Selection Committees, and approves a new implementing order to provide direction to the County Mayor or his designee regarding the formation and performance of selection committees.

Area of Policy Change and Implication	Proposed Ordinance Item No. 1(G)1	Proposed Ordinance Item No. 2(D)
Code	Amends §2-10.4 of the Code.	Amends §2-10.4 of the Code.
Procurement Process Applied To	Exclusively to the A&E process.	The competitive procurement process including the A&E purchasing process.
Selection Committee	Adds the following language, “the competitive selection committee shall rank the firms in the order of their competence and qualification”, thereby letting the reader know the role and responsibility of the selection committee.	All selection committees will be composed of 5 voting members. Adds the following, “The County Manager shall determine the amount of voting members in each selection committee by adding two to the number of votes required each acquisition.
Ranking Process	Modified in order to mitigate the influence of any one individual selection committee member. The final recommended firm is determined by: 1 st – The selection committee evaluates the firms qualitatively; 2 nd - Convert the total qualitative points for each selection committee member into ordinal points; and 3 rd – Rank the firms in order of lowest total ordinal score. 4 th – At least 3 firms must be determined to be the most highly qualified. The firm with the lowest ordinal score and consideration of the local preference (see below) is ranked as the most qualified. This process applies the criteria of qualitative scores, ordinal scores and local preference. <u>Current Process</u> The points and therefore the ranking are assigned based on the individual evaluator’s assessment regarding qualitative factors ¹ .	For solicitations where numerical points are assigned by the selection committee members, the highest and lowest scores of those five selection committee members will be excluded from the final tabulation for each proposer. <u>Current Process</u> Tabulates all the scores of the selection committee members.
Local Preference	If two firms – one local and one non-local, are within 5% of each other’s	N/A

¹ Qualitative factors include but are not limited to performance in meeting time schedules, cooperation with others, past record and experience, and ability of professional personnel.

	<p>Qualitative Scores or Adjusted Low Bid for design-build solicitations, the local firm is ranked higher in the final ranking.</p> <p><u>Current Process</u> If two firms - one local and one non-local, are within 5% of each other the local firm is ranked higher in the final rank. The ranking takes only into consideration the Qualitative Scores.</p>	
Negotiation Committee	The negotiation committee that the Mayor or Mayor's designee appoints replaces the County Manager in negotiating the professional service contract.	N/A
Replaces County Manager with the County Mayor or County Mayor's designee	Applied throughout §2-10.4 of the Code.	The new IO applies throughout.
Administrative Rule/ Order	<p>Replaces administrative rule/ order with Implementing Order (IO) throughout §2-10.4 of the Code.</p> <p>The new IO will come before the Board of County Commissioners at a later date.</p>	Rescinds AO 3-34 and enacts an IO that re-establishes the provisions of AO 3-34 and adds the additional requirements.
Budgetary Impacts	\$25,000 to modify the existing A&E database.	N/A
Equitable Distribution Program (EDP)	EDP can be utilized by County departments for accessing professional continuous services.	N/A

Prepared by: Elizabeth N. Owens