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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 7(B)

(Second Reading 12-1-15)

TO: Honorable Chairman Jean Monestime and Members, Board of County Commissioners

DATE: October 6, 2015

FROM: Abigail Price-Williams County Attorney

SUBJECT: Ordinance pertaining to Small Business Enterprise Programs; amending sections 2-8.1.1.1.1, and 2-10.4.01 of the Code to allow participants in the Small Business Enterprise Goods and Services Program and Small Business Enterprise Architecture and Engineering Program to use the Existing Bonding and Financial Assistance Program available to Small Business Enterprises for Construction Services

Ordinance No. 15-141

The accompanying ordinance was prepared and placed on the agenda at the request of Co-Prime Sponsors Commissioner Audrey M. Edmonson and Commissioner Barbara J. Jordan, and Co-Sponsors Commissioner Daniella Levine Cava, Chairman Jean Monestime, Commissioner Dennis C. Moss and Commissioner Rebeca Sosa.

Abigail Price-Williams
County Attorney

APW/smm

Memorandum

MIAMI-DADE COUNTY

Date: December 1, 2015

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Ordinance Pertaining To Small Business Enterprise Programs

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The proposed Ordinance pertaining to the Small Business Enterprise Programs amends sections 2-8.1.1.1.1 and 2-10.4.01 of the Code of Miami-Dade County to allow participants in the Small Business Enterprise Goods and Services Program and Small Business Enterprise Architecture and Engineering Program to use the existing Bonding and Financial Assistance Program currently available to Small Business Enterprises for Construction Services.

The current funding for the program will be shared across the three (3) small business programs. One (1) position will be needed in the Small Business Development Division of the Internal Services Department to assist in the administration of the program at an annualized, recurring cost of $72,000.

Edward Marquez
Deputy Mayor

Attachment

Fis09615

Memorandum

MIAMI-DADE COUNTY

Date: December 1, 2015

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Social Equity Statement for Ordinance extending to all firms certified under Small Business Enterprise Programs the use of the existing Bonding and Financial Assistance Program only available to Small Business Enterprises for Construction Services firms

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The proposed Ordinance pertaining to Small Business Enterprise ("SBE") Programs amends Section 2-8.1.1.1.1 and 2-10.4.01 of the Code of Miami-Dade County to allow participants in the SBE Program for Goods and Services, and participants in the SBE Program for Architecture and Engineering to utilize the existing Bonding and Financial Assistance Program that is currently available to SBE for Construction Services firms.

Allowing all certified firms, not only those certified for construction services, to utilize the existing bonding and financial assistance program may benefit them by providing the financial assistance that can bolster their efforts to access County contracts. This may allow certified firms to have an opportunity to contribute to the County's economic tax base by virtue of being financially stable companies in our community and creating jobs.

Edward Marquez
Deputy Mayor

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: December 1, 2015

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 7(B)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Statement of social equity required**

_____ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 7(B)
12-01-15

ORDINANCE NO. 15-141

ORDINANCE PERTAINING TO SMALL BUSINESS ENTERPRISE PROGRAMS; AMENDING SECTIONS 2-8.1.1.1.1, AND 2-10.4.01 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO ALLOW PARTICIPANTS IN THE SMALL BUSINESS ENTERPRISE GOODS AND SERVICES PROGRAM AND SMALL BUSINESS ENTERPRISE ARCHITECTURE AND ENGINEERING PROGRAM TO USE THE EXISTING BONDING AND FINANCIAL ASSISTANCE PROGRAM AVAILABLE TO SMALL BUSINESS ENTERPRISES FOR CONSTRUCTION SERVICES; AND PROVIDING SEVERABILITY, INCLUSION IN CODE AND EFFECTIVE DATE

WHEREAS, Miami-Dade County (the "County") is a multi-ethnic community; and

WHEREAS, the County is committed to ensuring that all members of the community have an equal opportunity in being awarded County contracts; and

WHEREAS, the Board previously passed and adopted Ordinance No. 97-52, codified at Section 10-33.02 of the Code of Miami-Dade County, Florida, creating a Small Business Enterprise Construction Services Program ("CSBE"), which included a Bonding and Financial Assistance Program; and

WHEREAS, the existing Bonding and Financial Assistance Program was established to provide assistance to CSBEs in (i) preparing and completing bond packages, (ii) providing funding to be used for bonding purposes, and (iii) providing financial assistance such as mobilization capital, line of credit and/or working capital loans through partnering relationships with financial institutions; and

WHEREAS, such bonding and financial assistance would also benefit small businesses and minority or women business enterprises, including Micro Enterprises, participating in the County's Small Business Enterprise Goods and Services Program ("SBE") and Small Business Enterprise Architecture and Engineering Program ("CBE"); and

WHEREAS, the Bonding and Financial Assistance Program is not being fully administered,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Section 2-8.1.1.1.1 of the Code of Miami-Dade County, is hereby amended as follows:[1]

Sec. 2-8.1.1.1.1. Small Business Enterprise Goods & Services Program.

* * *

(3) *Program.*

* * *

(f) SBE >>Bonding and<< Financial Assistance. [[~~SBD will develop a program to identify methods of financial assistance to SBE/Micro Enterprise vendors on Miami-Dade County contracts~~]]>>This program will provide SBEs/Micro Enterprises with assistance in obtaining bonding and/or financial assistance for goods and services contracts. Bonding assistance will include providing assistance in preparing and completing bond packages as well as providing funding to be used for bonding purposes. Financial assistance will include providing financial assistance such as mobilization capital, line of credit and/or working capital loans through partnering relationships with financial institutions<<.

* * *

Section 2. Section 2-10.4.01 of the Code of Miami-Dade County, is hereby amended as follows:

Sec. 2-10.4.01. Small Business Enterprise Architecture & Engineering Program.

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[1] Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

* * *

(3) *Program Components.*

* * *

B. Miami-Dade County Small Business Enterprise Architecture & Engineering Program:

* * *

3. *Graduation:* Upon review, any CBE-A/E that exceeds the personal net worth or Tier 2 CBE-A/E size limits established by this section shall be graduated from the CBE-A/E program upon notification by SBD. These firms shall be allowed to complete any currently awarded agreements and remain eligible to be awarded agreements as primes or subconsultants for proposal(s) submitted prior to notice of graduation. However, the graduated firm will not be eligible to receive any new agreements under the CBE-A/E program.

>>4. *Bonding and Financial Assistance Program:* This program will provide CBEs with assistance in obtaining bonding and/or financial assistance for architectural, landscape architecture, engineering, and surveying and mapping professional services, and design-build contracts. Bonding assistance will include providing assistance in preparing and completing bond packages as well as providing funding to be used for bonding purposes. Financial assistance will include providing financial assistance such as mobilization capital, line of credit and/or working capital loans through partnering relationships with financial institutions.<<

* * *

Section 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 4. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 5. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED: December 1, 2015

Approved by County Attorney as to form and legal sufficiency: APW

Prepared by: dsh

David Stephen Hope

Co-Prime Sponsors: Commissioner Audrey M. Edmonson
Commissioner Barbara J. Jordan

Co-Sponsors: Commissioner Daniella Levine Cava
Chairman Jean Monestime
Commissioner Dennis C. Moss
Commissioner Rebeca Sosa