



MEMORANDUM

Agenda Item No. 6(K)

TO: Honorable Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

(Second Reading 3-16-04)
DATE: February 3, 2004

FROM: George M. Burgess
County Manager

SUBJECT: Ordinance Amending
Section 2-8.1 of the
Code; Clarifying the
Manager's Delegated
Authority for the
Purchasing of Certain
Professional Services

RECOMMENDATION

It is recommended that the Board approve this ordinance amending Section 2-8.1 of the Miami-Dade County Code to clearly include professional services other than professional architectural, engineering and other services subject to Section 2-10.4 of the Miami-Dade County Code and Section 287.055 of the Florida Statutes.

BACKGROUND

On April 8, 2003, the Board approved Ordinance No. 03-67 amending Section 2-8.1 of the Miami-Dade County Code to increase the County Manager's delegated authority to advertise, award and reject bids up to \$1 million. This amendment clarifies the Manager's delegated procurement authority to clearly include professional services other than professional architectural, engineering and other services subject to Section 2-10.4 of the Miami-Dade County Code and Section 287.055 of the Florida Statutes.

A companion amendment to the Master Procurement Administrative Order (A.O. 3-38) is also on today's agenda.

Attachment

Alex Muñoz
Assistant County Manager



MEMORANDUM

TO: Honorable Chairperson Barbara Carey-Shuler, Ed.D. and Members, Board of County Commissioners **DATE:** March 16, 2004

FROM: George M. Burgess, County Manager  **SUBJECT:** Ordinance amending Section 2-8-1 of the Code; Clarifying the Manager's Authority for the Purchasing of Certain Professional Services

This ordinance amending Section 2-8.1 of the Miami-Dade County Code clarifying the Manager's authority for the purchasing of certain professional services will have no fiscal impact on Miami-Dade County.

Fiscal/00704



MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: March 16, 2004

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 6(K)

Please note any items checked.

- "4-Day Rule" ("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**
- Bid waiver requiring County Manager's written recommendation**
- Ordinance creating a new board requires detailed County Manager's report for public hearing**
- Housekeeping item (no policy decision required)**
- No committee review**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 6(K)
3-16-04

ORDINANCE NO. _____

ORDINANCE AMENDING SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO PROVIDE COUNTY MANAGER SHALL HAVE DELEGATED AUTHORITY TO ADVERTISE, AWARD AND REJECT BIDS OR PROPOSALS FOR PURCHASE OF CERTAIN PROFESSIONAL SERVICES COSTING ONE MILLION DOLLARS OR LESS; PROVIDING SEVERABILITY, INCLUSION IN CODE AND EFFECTIVE DATE

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

Section 1. Section 2-8.1 of the Code of Miami-Dade County, Florida, is amended as follows:

Sec. 2-8.1. Contracts and purchases generally.

- (a) *Scope.* Except as provided in subsections >>(b),<<(f) and (h), this section shall apply to all contracts for public improvements and purchases of all supplies, materials and services other than professional services.
- (b) *Bid requirement for certain purchases; delegation of authority to advertise, award and reject bids >>or proposals<< for certain purchases.* Formal sealed bids shall be secured for all contracts and purchases within the scope of this section when the transaction involves the expenditure of one hundred thousand dollars (\$100,000.00) or more, except that the Board of County Commissioners, upon written recommendation of the County Manager, may, by resolution adopted by two-thirds (2/3) vote of the members present, waive competitive bidding when it finds this is to be in the

best interest of the County. The County Manager is hereby delegated the authority to advertise for bid, award, and reject bids or proposals for contracts for public improvements (construction) costing five hundred thousand dollars (\$500,000) or less and purchases of supplies, materials and services >>(including professional services <<other than professional >>architectural, engineering and other<<services >>subject to Sec. 2-10.4 and Sec. 287.055 Fla Stats.) << costing one million dollars (\$1,000,000) or less without the need for action by the County Commission. The Inspector General shall be invited to participate as appropriate in the processes by which the authority delegated hereby is exercised. The County Manager is delegated the authority to utilize any of the following processes for selection of a contractor to perform contracts for public improvements involving the expenditure of five hundred thousand dollars (\$500,000.00) or less: competitive price bidding, request for proposals, or request for qualifications without the need for prior approval of the County Commission. The County Manager shall review all construction projects to determine whether the break-up of the project into smaller contracts will increase the opportunity for CSBEs to participate therein. For those contracts where the County manager requests authority from the County Commission to advertise, the request for such authority shall advise the steps taken to accomplish the foregoing sentence. The County Manager may designate appropriate County staff to exercise the authority delegated hereunder by administrative order, approved by the Board of County Commissioners.

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Section 2. 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 3 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 a 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.

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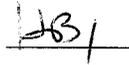
Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

A handwritten signature in black ink, appearing to be 'RAE', written over a horizontal line.

Prepared by:

A handwritten signature in black ink, appearing to be 'HB1', written over a horizontal line.

Hugo Benitez