MEMORANDUM

Agenda Item No. 7(O)(2)(A)

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

DATE: February 3, 2004

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Resolution amending A.O. 3-34 governing formation and performance of selection committees

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The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Rebeca Sosa.

Robert A. Ginsburg
County Attorney

RAG/bw

MEMORANDUM
(Revised)

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

DATE: February 3, 2004

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 7(O)(2)(A)

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. 7(O)(2)(A)
2-3-04

RESOLUTION NO. _____

RESOLUTION AMENDING ADMINISTRATIVE ORDER 3-34 GOVERNING THE FORMATION AND PERFORMANCE OF SELECTION COMMITTEES TO AUTHORIZE USE OF THREE MEMBER SELECTION COMMITTEES FOR SMALLER RFPs AND RFQs, AND TO AUTHORIZE THE ADDITION OF NONVOTING TECHNICAL ADVISORS

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves the amendment of Administrative Order 3-34, governing the formation and performance of selection committees in the form attached hereto and made a part hereof.

The foregoing resolution was sponsored by Commissioner Rebeca Sosa and offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Dr. Barbara Carey-Shuler, Chairperson
Katy Sorenson, Vice-Chairperson

Bruno A. Barreiro	Jose "Pepe" Diaz
Betty T. Ferguson	Sally A. Heyman
Joe A. Martinez	Jimmy L. Morales
Dennis C. Moss	Dorrin D. Rolle
Natacha Seijas	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of February, 2004. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. RAC

R.A. Cuevas, Jr.

Administrative Order

MIAMI-DADE

Administrative Order No.: 3-34

Title: Formation and Performance of Selection Committees

Ordered: [[~~6/19/2001~~]] **Effective:** [[~~6/29/2001~~]]

AUTHORITY:

Section 4.2 of the Miami-Dade County Home Rule Amendment and Charter; and Section 2-10.4 of the Code of Miami-Dade County.

SCOPE:

This Administrative Order (AO) establishes uniform procedures for the formation and performance of selection committees in the [[~~formal~~]], competitive procurement processes of Miami-Dade County, including competitive selection committees utilized in the acquisition of architectural and engineering (A&E) professional services under Section 287.055 of the Florida Statutes.

POLICY:

Selection committees that are fair, impartial and objective shall be utilized in the competitive procurement processes of Miami-Dade County for the evaluation of offers, proposals or quotes submitted by individuals and firms seeking contract award. The provisions of this Administrative Order address the County's internal administrative processes and are not intended to serve as a basis to challenge the ultimate selection or contract award recommendation in any particular procurement action.

FORMATION OF SELECTION COMMITTEES:

The pool of potential selection committee members shall be established by the Department of Business Development (DBD). DBD shall forward the names of the recommended selection committee members to the County Manager for approval. The composition of selection committees shall be as follows:

A. Selection committees shall consist of 5 voting members, excluding the committee chairperson. The committee may consist of 7 voting members if determined to be necessary by the County Manager or his or her designee.

   i) A selection committee of three (3) voting members may be used only >>for RFP/RFQs that are under the dollar threshold for formal sealed bids and<<in the evaluation of proposals for a specific project from an established pool of vendors already qualified under an RFP or RFQ process.

B. The chairperson of the selection committee shall be a non-voting member from the professional procurement staff of the Department of Procurement Management (DPM), and if DPM is not the issuing department, then the

chairperson shall be a non-voting member from the professional procurement staff of the issuing department.

C. Selection committees shall include one voting member from the user department for committees consisting of 3 voting members, and two voting members from the user department for committees consisting of 5 or 7 voting members. One voting member shall be from the Department of Business Development (DBD), and shall be assigned on a rotational basis.

D. The majority of the selection committee members shall have the technical background necessary for understanding the scope and requirements of the particular procurement. >>The Director of the user department, and the Directors of the Departments of Business Development and Procurement Management, may request the addition of non-voting technical advisors to supplement the technical expertise of selection committees. <<

E. The selection committee members shall be recommended on a rotational basis from the selection committee pool, based on parameters established for the specific project.

F. An alternate voting member shall be included at the time the selection committee is appointed, and will become a voting member in the event that a member substitution is required.

In all cases of selection committee formation, the County Manager shall appoint committees that are balanced in their representation of the Miami-Dade County community with regard to ethnicity and gender.

When a selection committee is utilized in the evaluation of proposals for a contract estimated to exceed five million dollars ($5,000,000) for the base period, such committee shall consist exclusively of Division Directors, their equivalent or higher ranking County staff.

Participants in the selection committee pool shall be required to attend a workshop facilitated by DPM, which describes the role and responsibilities of a selection committee member, and reviews pertinent legislation affecting the selection process.

PERFORMANCE OF SELECTION COMMITTEES:

Each individual appointed to a selection committee shall sign an affidavit attesting to his/her neutrality and assuring that his/her service on such committee shall be in compliance with the Conflict of Interest and Code of Ethics Ordinance (Sec. 2-11.1). Individuals appointed to serve as selection committee members must attend all meetings and be prepared to take action. Any request by County staff, including Department Directors, to be excused from selection committee service must be in writing, delineating serious and legitimate reasons, and must be signed by the Department Director and sent to the County Manager through the Director of the Department of Business Development.

All proceedings of selection committees shall be audiotaped in accordance with Administrative Order No. 3-31.

The performance of selection committees is subject to the requirements and prohibitions of the County's Cone of Silence Ordinance and the State of Florida's Government in the

Sunshine Law. Those provisions must be studied and strictly adhered to by committee members.

EXCEPTIONS:

All of the foregoing procedures apply uniformly with the following exception for the A&E process:

For Project Specific Agreements where the projected budget for A&E fees is in excess of $2 million, the selection committee shall consist of County members at the Division Director level or above, or their equivalent, exclusively.

EFFECTIVE DATE:

This Administrative Order shall become effective [[~~sixty days~~]] after approval by the Board of County Commissioners, and shall apply prospectively to selection committees appointed after the effective date.

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

[[~~Steve Shiver~~]]>> George M. Burgess <<
County Manager