

## MEMORANDUM

Agenda Item No. 11(A)(1)

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**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

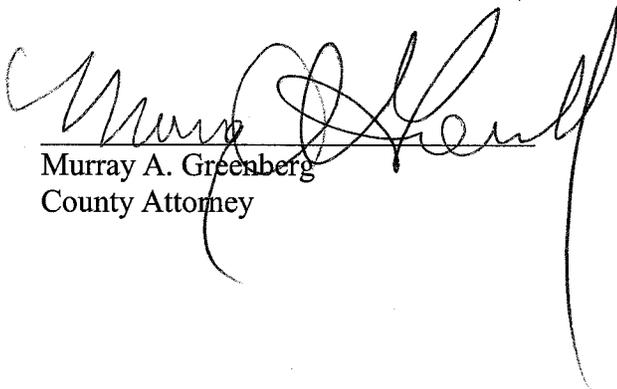
**DATE:** December 19, 2006

**FROM:** Murray A. Greenberg  
County Attorney

**SUBJECT:** Resolution relating to  
opportunities for SBE  
participation prior to  
exercising the options-to-  
renew

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The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Dorrin D. Rolle and Commissioner Barbara J. Jordan.



Murray A. Greenberg  
County Attorney

MAG/jls



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** December 19, 2006

**FROM:** Murray A. Greenberg  
County Attorney

**SUBJECT:** Agenda Item No. 11(A)(1)

**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

Agenda Item No. 11(A)(1)

Veto \_\_\_\_\_

12-19-06

Override \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

RESOLUTION DIRECTING THE COUNTY MANAGER TO DEVELOP AN ADMINISTRATIVE PROCESS FOR REVIEW OF ALL CONTRACTS FOR PROCUREMENT OF GOODS AND SERVICES FOR OPPORTUNITIES FOR SMALL BUSINESS ENTERPRISE PARTICIPATION PRIOR TO EXERCISING THE OPTIONS-TO-RENEW

**WHEREAS**, this Board has adopted Ordinance No. 05-29 establishing a Small Business Enterprise (SBE) program to increase the opportunities for small businesses to participate in contracts for the procurement of goods and services; and

**WHEREAS**, many contracts for the procurement of goods and services include one or more Options-To-Renew (OTRs) under existing contract terms; and

**WHEREAS**, procurement contracts that pre-date the SBE ordinance include no SBE measures; and

**WHEREAS**, to foster opportunities for SBE participation in contracts for the procurement of goods and services, it is appropriate to review all contracts prior to exercising the OTRs to determine whether it is in the best interests of Miami-Dade County to exercise the OTRs or issue a new solicitation,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that the County Manager is hereby directed to establish a process for review of all procurement contracts containing OTRs prior to contract expiration for opportunities for SBE participation. The purpose of such review shall be to determine whether it is in the best interests of Miami-Dade County to exercise the options-to-renew in an existing contract under its current terms or to recommend issuing a new

solicitation if opportunities for SBE participation are found. The administrative process shall include, without limitation, the following: (a) For contracts with no SBE measures or contracts to which only an SBE bid preference or selection factor is applied, a review to determine whether there are qualified SBEs available to provide the required goods or services; (b) For contracts that include SBE subcontractor goals or set-asides, the Department of Procurement Management may exercise the OTR if determined to be in the best interest of Miami-Dade County. Within 90 days from the date of adoption of this resolution, the County Manager shall submit to this Board an administrative order establishing the parameters for review of all procurement contracts containing OTRs prior to contract expiration for opportunities for SBE participation. The guidelines for review of procurement contracts shall be detailed in an administrative policy to be approved by the County Manager.

The foregoing resolution was sponsored by Commissioner Dorrin D. Rolle and Commissioner Barbara J. Jordan 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:

Joe A. Martinez, Chairman	
Dennis C. Moss, Vice-Chairman	
Bruno A. Barreiro	Jose "Pepe" Diaz
Audrey M. Edmonson	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 19<sup>th</sup> day of December, 2006. 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.

JM

John McInnis