MEMORANDUM

Agenda Item No. 7(C)

(Second Reading 6-3-08)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: April 22, 2008

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Ordinance amending Ordinance No. 07-76 pertaining to County Manager's authority to advertise contracts for construction without prior commission approval

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

R. A. Cuevas, Jr.
County Attorney

RAC/bw

Memorandum

MIAMI-DADE COUNTY

Date: June 3, 2008

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Ordinance delegating to the County Manager the authority to advertise contracts for construction and purchase of supplies, materials and services without prior commission approval

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The fiscal impact of the ordinance delegating to the County Manager the authority to advertise contracts without prior commission approval cannot be easily quantified. While this delegation does not allow for a reduction in resources devoted to the procurement process, it does allow existing resources to be more efficient by reducing procurement cycle times approximately 68 -120 days.

Susanne M. Torriente
Assistant County Manager

Fis03608

MEMORANDUM
(Revised)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: June 3, 2008

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Agenda Item No. 7(C)

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(C)
6-3-08

ORDINANCE NO. _____

ORDINANCE AMENDING ORDINANCE NO. 07-76 PERTAINING TO THE COUNTY MANAGER'S AUTHORITY TO ADVERTISE CONTRACTS FOR CONSTRUCTION AND PURCHASES OF SUPPLIES, MATERIALS AND SERVICES INCLUDING PROFESSIONAL SERVICES WITHOUT PRIOR COMMISSION APPROVAL; DELETING SUNSET PROVISION; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE

WHEREAS, Ordinance 07-76 authorizes the County Manager to advertise contracts for construction and purchases of supplies, materials and services including professional services without prior Commission approval; and

WHEREAS, the County Manager is required to include in all advertisements the measures approved by the Review Committee relating to the County's small and community business programs; and

WHEREAS, the Commission Auditor shall periodically review and evaluate the Manager's exercise of authority and report the results of his or her review to this Board; and

WHEREAS, Ordinance 07-76 by its terms sunsets on June 14, 2008 unless renewed annually by the Board; and

WHEREAS, it is the intent of this Board to renew Ordinance 07-76 for one additional year,

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

Section 1. Section 5 of Ordinance 07-76 is hereby amended as follows:[1]

[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.

Section 5. [[~~This Ordinance shall sunset one year after its effective date. The County Manager shall prepare an annual report for consideration by the Board prior to renewal~~]] >>This Ordinance shall sunset on June 14, 2009. Thereafter, this Ordinance may be renewed for additional one year periods by resolution. The County Manager shall prepare an annual report for consideration by the Board prior to renewal.<<

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. This ordinance shall become effective within 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:

Prepared by:

Hugo Benitez

Sponsored by Commissioner Rebeca Sosa