MEMORANDUM

BPS
Agenda Item No. 2(A)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: July 14, 2009

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

SUBJECT: Ordinance establishing procedures for providing Preference to Local Certified Service-Disabled Veteran Businesses in County Contracts

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Vice-Chairman Jose "Pepe" Diaz and Co-Sponsors Commissioner Audrey M. Edmonson, and Commissioner Barbara J. Jordan.

R. A. Cuevas, Jr.
County Attorney

RAC/cp

MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: June 30, 2009

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

SUBJECT: Agenda Item No. 4 (N)

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 Mayor'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. 4(N)

6-30-09

ORDINANCE NO. _____

ORDINANCE ESTABLISHING PROCEDURES FOR PROVIDING PREFERENCE TO LOCAL CERTIFIED SERVICE-DISABLED VETERAN BUSINESSES IN COUNTY CONTRACTS; CREATING SECTION 2-8.5.1 OF THE CODE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

WHEREAS, the Board of County Commissioners of Miami-Dade County would like to provide a preference in County procurement and contracting to service-disabled veterans who are local vendors and who have made extraordinary sacrifices on behalf of the nation,

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

Section 1. The Code of Miami-Dade County is hereby amended by adding the following new section thereto as Section 2-8.5.1[1]

>>Sec. 2-8.5.1 Procedure to Provide Preference to Local Certified Service-Disabled Veteran Business Enterprises in County Contracts

(1) Definitions: *Local Certified Service Disabled Veteran Business Enterprise* is a firm that is (a) a local business pursuant to Section 2.8.5 of the Code of Miami-Dade County and (b) prior to proposal or bid submittal is certified by the State of Florida Department of Management Services as a service-disabled veteran business enterprise pursuant to Section 295.187 of the Florida Statutes.

(2) A Local Certified Service-Disabled Veteran Business Enterprise that submits a bid for a contract shall receive a bid preference of five percent of the price bid. These preferences will only be used for evaluating and awarding the bids and shall not affect the contract price.

(3) A Local Certified Service-Disabled Veteran Business Enterprise that submits a proposal in response to an RFP, RFQ, RFI or a Notice to Professional Consultants that assigns weights to evaluation and selection criteria shall receive five percent of the evaluation points scored on the technical portion of such bidder's proposal.

[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.

(4) At the time of bid or proposal submission, the firm must affirm in writing its compliance with the certification requirements of Section 295.187 of the Florida Statutes and submit this affirmation and a copy of the actual certification along with the bid or proposal submission.

(5) In the event that Broward, Palm Beach or Monroe County extend preferences to Local Certified Service-Disabled Veteran Business Enterprises, Miami-Dade County may enter into an inter-local agreement with such County wherein the preferences of this section may be extended and made available to vendors that are both Certified Service-Disabled Veteran Business Enterprises and considered local vendors in those counties pursuant to Section 2-8.5 of the Code of Miami-Dade County. Nothing in this ordinance is meant to limit any preferences otherwise available to local businesses pursuant to the Code.<<

Section 2. If any section, subsection, sentence, or clause 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 re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

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:

Prepared by

D.F.

Daniel Frastai

Prime Sponsor: Vice-Chairman Jose "Pepe" Diaz

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