Memorandum

MIAMI-DADE COUNTY

Date:	December 1, 2009
To:	Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners
From:	George M. Burgess County Manager
Subject:	Resolution Amending Implementing Order 3-21: Bid Protest Procedures

Agenda Item No. 8(O)(1)(A)

Recommendation
It is recommended that the Board of County Commissioners approve the attached resolution amending Implementing Order 3-21: Bid Protest Procedures.

Scope
The impact of the attached resolution is countywide in nature.

Fiscal Impact/Funding Source
There is no fiscal impact of the proposed agenda item.

Track Record/Monitor
Not applicable.

Background
Section 2-8.4 of the Code governs protests made by participants in competitive processes for the selection of vendors to construct public improvements, to provide supplies, materials or services, or to lease County property. In accordance with the Code, the proposed Implementing Order amendment revises current procedures to discontinue posting informal award recommendations in the Stephen P. Clark Center lobby. "Informal" contracts involve the expenditure of over $25,000 up to $250,000. Sealed bids are not required for these purchases.

Posting award recommendations for these purchases in the Stephen P. Clark Center lobby is no longer an effective way of communicating with vendors. All contracts awarded by the Department of Procurement Management are posted on-line.

This procedure allows for expedited contract awards and provides vendors easy access to contract awards without the need to come downtown.

Assistant County Manager

cmo00110

MEMORANDUM
(Revised)

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

DATE: December 1, 2009

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

SUBJECT: Agenda Item No. 8(O)(1)(A)

Please note any items checked.

_____ **"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**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 8(O)(1)(A)
12-1-09

RESOLUTION NO. _____

RESOLUTION AMENDING IMPLEMENTING ORDER 3-21: BID PROTEST PROCEDURES TO AMEND THE PROCESS OF POSTING RECOMMENDATIONS TO AWARD CONTRACTS INVOLVING THE EXPENDITURES OF BETWEEN $25,000 TO $250,000

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves amendments to Implementing Order 3-21, Bid Protest Procedures, to amend the process of posting recommendations to award contracts involving expenditures of between $25,000 to $250,000, as attached hereto; and authorizes the County Mayor or his designee to exercise any and all rights contained therein.

The foregoing resolution was 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:

Dennis C. Moss, Chairman
Jose "Pepe" Diaz, Vice-Chairman

Bruno A. Barreiro	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of December, 2009. 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.

Oren Rosenthal

I.O. No.: 3-21
Ordered: ~~05/06/2008~~
Effective: ~~05/16/2008~~

MIAMI-DADE COUNTY
IMPLEMENTING ORDER

BID PROTEST PROCEDURES

AUTHORITY:
Section 4.02 of the Miami-Dade County Home Rule Amendment and Charter and Section 2-8.4 of the Code of Miami-Dade County.

SUPERSEDES:
This Implementing Order supersedes previous Administrative Order No. 3-21, ordered ~~January 20, 2005~~May 6, 2008 and effective ~~January 30, 2005~~May 16, 2008.

Section III of Implementing Order 3021, Bid Protest Procedures, is hereby amended as follows:

SECTION III

"INFORMAL" BID PROTESTS: CONTRACTS AND PURCHASES INVOLVING THE EXPENDITURE OF OVER $25,000 UP TO $250,000

POSTING AWARD RECOMMENDATIONS

Award recommendations for contracts and purchases involving the expenditure of over $25,000 up to ~~and including~~ $250,000 shall be posted ~~in the lobby of the Stephen P. Clark Center, 111 NW 1st Street, Miami, FL 33128~~on the Department of Procurement Management website. ~~Such recommendation shall be in writing and shall identify the bidder or proposer to whom the award is being recommended and the basis therefore.~~

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

County Manager

Approved by the County Attorney as
to form and legal sufficiency ____

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