

**MEMORANDUM**

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

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

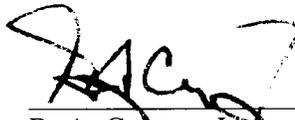
**DATE:** July 7, 2011

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

**SUBJECT:** Resolution authorizing a two  
year extension Interlocal Agreement  
with Broward County for reciprocity  
in the extension of local preference to  
County vendors

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The accompanying resolution was prepared by the Department of Procurement Management and placed on the agenda at the request of Prime Sponsor Commissioner Lynda Bell.

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

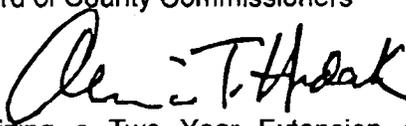
RAC/cp

# Memorandum



**Date:** July 7, 2011

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

**From:** Alina T. Hudak  
County Manager 

**Subject:** Resolution Authorizing a Two Year Extension of the Interlocal Agreement  
Between Miami-Dade County and Broward County for Reciprocity of Local  
Preference

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**Recommendation**

It is recommended that the Board of County Commissioners (Board) adopt the attached resolution authorizing a two year extension of the Interlocal Agreement between Miami-Dade County and Broward County for reciprocity of Local Preference.

**Scope**

The impact of the accompanying resolution is countywide in nature.

**Fiscal Impact/Funding Source**

The accompanying resolution will have no fiscal impact on Miami-Dade County.

**Track Record/Monitor**

The Department of Procurement Management is responsible for the administration of the Local Preference Ordinance and the implementation of the agreement with Broward County.

**Background**

The original Interlocal Agreement (Agreement) between Miami-Dade and Broward Counties became effective in 2002 and established reciprocity of local preference upon the execution of a statement by both counties affirming that each county had adopted a substantially similar Local Preference Ordinance. The terms of the Agreement require each county to extend and apply its Local Preference Ordinance to the local vendors of both counties.

The original Agreement was effective from 2002 through 2005. Since 2005, the Board has extended this Agreement through September 30, 2011. Approval of this amendment will extend the term of the Agreement for two years, through September 30, 2013.

The local preference policies of each county are to apply equally to the vendors of each county. Since the implementation of the reciprocity program, five contracts were awarded by Broward to Miami-Dade vendors and 10 contracts were awarded by Miami-Dade to Broward vendors due to reciprocity. Since this is an agreement between two governmental entities, the requirements of Resolution 130-06, which requires an executed contract prior to Board consideration, are not applicable.

  
Assistant County Manager



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez      **DATE:** July 7, 2011  
and Members, Board of County Commissioners

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

**SUBJECT:** Agenda Item No. 8(O)(1)(G)

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)(G)  
7-7-11

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

RESOLUTION AUTHORIZING A TWO YEAR EXTENSION  
OF INTERLOCAL AGREEMENT WITH BROWARD COUNTY  
FOR RECIPROCITY IN THE EXTENSION OF LOCAL  
PREFERENCE TO COUNTY VENDORS

**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 a two year extension of the Interlocal Agreement with Broward County for reciprocity in the extension of local preference to County vendors, in substantially the form attached hereto and made a part hereof; and authorizes the County Mayor or designee to exercise same for and on behalf of Miami-Dade County and to exercise the cancellation and renewal provisions 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:

|                                     |                      |
|-------------------------------------|----------------------|
| Joe A. Martinez, Chairman           |                      |
| Audrey M. Edmonson, Vice Chairwoman |                      |
| Bruno A. Barreiro                   | Lynda Bell           |
| Esteban L. Bovo, Jr.                | Jose "Pepe" Diaz     |
| Sally A. Heyman                     | Barbara J. Jordan    |
| Jean Monestime                      | Dennis C. Moss       |
| Rebeca Sosa                         | Sen. Javier D. Souto |
| Xavier L. Suarez                    |                      |

The Chairperson thereupon declared the resolution duly passed and adopted this 7<sup>th</sup> day of July, 2011. 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.



Hugo Benitez



FIFTH AMENDMENT TO RENEW THE

INTERLOCAL AGREEMENT

Between

BROWARD COUNTY

and

MIAMI-DADE COUNTY

for

RECIPROCITY OF LOCAL PREFERENCE  
ORDINANCES AND PROGRAMS

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FIFTH AMENDMENT TO RENEW THE  
INTERLOCAL AGREEMENT

Between

BROWARD COUNTY

and

MIAMI-DADE COUNTY

for

RECIPROCITY OF LOCAL PREFERENCE  
ORDINANCES AND PROGRAMS

This is the Fourth Amendment to the Interlocal Agreement, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2011, by and between: BROWARD COUNTY, a political subdivision of the State of Florida, hereinafter referred to as "BROWARD COUNTY," or "BROWARD,"

AND

MIAMI-DADE COUNTY, a political subdivision of the state of Florida, hereinafter referred to as "MIAMI-DADE COUNTY" or "MIAMI-DADE."

WHEREAS, BROWARD COUNTY and MIAMI-DADE COUNTY entered into a Interlocal Agreement in June 2002, for the purpose of providing for reciprocity of local preference ordinances and programs under each county's procurement programs; and

WHEREAS, the Interlocal Agreement expires September 30, 2011; and

WHEREAS, BROWARD COUNTY and MIAMI-DADE COUNTY agree that each county's local preference ordinance is substantially similar to the other's ordinance; and

WHEREAS, the parties wish to extend the Interlocal Agreement for two additional years ending September 30, 2013;

NOW, THEREFORE, IN CONSIDERATION of the mutual terms, conditions, promises, covenants and payments hereinafter set forth, BROWARD and MIAMI-DADE agree as follows:

1. The parties hereby amend Section 3.2, "Term," as follows:



3.2 Term: This Interlocal Agreement shall only be effective upon fulfillment of the following condition subsequent not later than 60 days following the date of execution by both parties. Within that period, the County Administrator of Broward County and the County Manager of Miami-Dade County shall, in turn and using their reasonable discretion, execute a statement that Broward County has duly adopted a local preference ordinance that is substantially similar to the local preference ordinance of Miami-Dade County. In the event that the statement has not been executed within the stated period, this Agreement shall be null and void without further action of either party. In the event that the statement is executed, this Interlocal Agreement shall take effect upon the date of signature by the County Manager of Miami-Dade County, and shall expire at 5 p.m. on September 30, 2014~~3~~, unless earlier canceled as provided herein. This Agreement shall not apply to solicitations advertised prior to the effective date of the Agreement.

2. BROWARD COUNTY AND MIAMI-DADE COUNTY agree that the preparation of this Amendment to the Interlocal Agreement is a joint effort.
3. Except as otherwise specifically amended, the terms and conditions contained in the Interlocal Agreement dated June 3, 2002, shall remain in full force and effect. This Amendment shall be deemed part of the Interlocal Agreement.

**[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK.]**

IN WITNESS WHEREOF, the parties have made and executed this Amendment to the Interlocal Agreement on the respective dates under each signature: BROWARD COUNTY through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Mayor or Vice-Mayor, authorized to execute same by Board action on the \_\_\_\_\_ day of \_\_\_\_\_, 2011, and MIAMI-DADE COUNTY, signing by and through its County Manager, duly authorized to execute same.

BROWARD COUNTY

ATTEST:

BROWARD COUNTY, through its  
BOARD OF COUNTY COMMISSIONERS

\_\_\_\_\_  
County Administrator and  
Ex-Officio Clerk of the Board of  
County Commissioners of Broward  
County, Florida

By \_\_\_\_\_  
Mayor

\_\_\_\_\_ day of \_\_\_\_\_, 2011

Approved as to form by  
Office of County Attorney  
Broward County, Florida  
JEFFREY J. NEWTON, County Attorney  
Governmental Center, Suite 423  
115 South Andrews Avenue  
Fort Lauderdale, Florida 33301  
Telephone: (954) 357-7600  
Telecopier: (954) 357-7641

By \_\_\_\_\_

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INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND MIAMI-DADE COUNTY FOR RECIPROCITY OF LOCAL PREFERENCE ORDINANCES AND PROGRAMS

ATTEST:

MIAMI-DADE COUNTY, through its  
BOARD OF COUNTY COMMISSIONERS

\_\_\_\_\_  
County Administrator and  
Ex-Officio Clerk of the Board of  
County Commissioners of Miami-  
Dade County, Florida

By \_\_\_\_\_  
County Manager  
\_\_\_\_ day of \_\_\_\_\_, 2011

Approved as to form and  
legal sufficiency

By \_\_\_\_\_  
Hugo Benitez  
Assistant County Attorney

RECIPROCITY OF LOCAL PREFERENCE  
ORDINANCES AND PROGRAMS

STATEMENT OF SUBSTANTIAL SIMILARITY

Between

BROWARD COUNTY

and

MIAMI-DADE COUNTY

The undersigned County Administrator of Broward County and County Manager of Miami-Dade County, pursuant to Section 3.2 of the Interlocal Agreement for reciprocity of local preferences dated June 11, 2002 and renewed by amendment on \_\_\_\_\_, 2011, hereby state that Broward County has duly adopted a local preference ordinance that is substantially similar to the local preference ordinance of Miami-Dade County.

The amendment to renew the Interlocal Agreement shall be effective on the date of signature below by the County Manager of Miami-Dade County.

County Administrator  
Broward County

County Manager  
Miami-Dade County

\_\_\_\_\_

\_\_\_\_\_

Dated this \_\_\_ day of \_\_\_\_\_, 2011

Dated this \_\_\_ day of \_\_\_\_\_, 2011