

# MEMORANDUM

Agenda Item No. 7(E)

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

**DATE:** (Second Reading 3-6-12)  
January 24, 2012

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

**SUBJECT:** Ordinance pertaining to  
Small Business Enterprise  
Program; amending Section 2-  
8.1.1.1.1 of the Code, to create a  
certified small business  
enterprise set-aside for contracts  
up to \$100,000

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The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Jean Monestime and Co-Sponsors Vice Chairwoman Audrey M. Edmonson and Commissioner Barbara J. Jordan.

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


RAC/jls

# Memorandum



**Date:** March 6, 2012

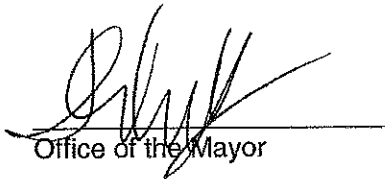
**To:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor 

**Subject:** Ordinance pertaining to Small Business Enterprise Program

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The proposed ordinance amending Section 2-81.1.1.1 of the Code setting aside contracts for goods and/or services up to \$100,000 for certified small businesses will not have a fiscal impact to the County.

  
Office of the Mayor

Fis3212



# MEMORANDUM

(Revised)

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

**DATE:** March 6, 2012

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

**SUBJECT:** Agenda Item No. 7(E)

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. 7 (E)  
3-6-12

ORDINANCE NO. \_\_\_\_\_

ORDINANCE PERTAINING TO SMALL BUSINESS ENTERPRISE PROGRAM; AMENDING SECTION 2-8.1.1.1.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO CREATE A CERTIFIED SMALL BUSINESS ENTERPRISE SET-ASIDE FOR CONTRACTS UP TO \$100,000; AND PROVIDING SEVERABILITY, INCLUSION IN CODE AND EFFECTIVE DATE

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:**

**Section 1.** Section 2-8.1.1.1.1, Code of Miami-Dade County, is hereby amended as follows<sup>1</sup>:

**Sec. 2-8.1.1.1.1. Small Business Enterprise Program.**

\* \* \*

(3) *Program.*

\* \* \*

(b) *Contracts of \$~~[[5]]~~>>10<<0,000 or less.*

1. Within the fiscal year, it is required that County departments expend with ~~[[Micro Enterprise]]~~>>SBE<<s >>one hundred<<[[a minimum of ten]] (10>>0<<) percent of the total value of contracts less than ~~[[fifty]]~~>>one hundred<< thousand dollars (~~[[5]]~~>>10<<0,000.00) for goods and/or services. The departmental requirement shall be >>complied with unless SBD determines that there is either not enough capacity, or the contract(s) can only be handled by a non-SBE firm(s)<<[[used as a guideline and shall not be construed as a ceiling for Micro Enterprise participation. Such efforts shall include: Requiring departments whenever possible to solicit bids or quotes from at least four >>(4) <<bidders: 2 certified Micro Enterprises and 2 non-Micro Enterprises]].

<sup>1</sup> 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.

\* \* \*

(c) *Contracts Greater than \$~~[[5]]~~>>10<<0,000.* The following SBE measures may be applied to contracts greater than ~~[[fifty]]~~>>one hundred<< thousand dollars (~~\$[[5]]~~>>10<<0,000):

\* \* \*

**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.** 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 part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered 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: YAC

Prepared by: dsh

David Stephen Hope

Prime Sponsor: Commissioner Jean Monestime  
Co-Sponsors: Vice Chairwoman Audrey M. Edmonson  
Commissioner Barbara J. Jordan

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