

MEMORANDUM

Agenda Item No. 14(A)(4)

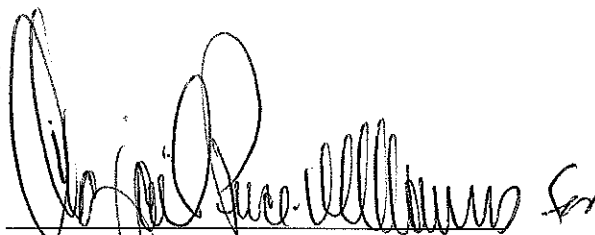
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: February 21, 2012

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

SUBJECT: Resolution directing the
County Mayor to include due
diligence information in
memoranda recommending
certain contract awards

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



R. A. Cuevas, Jr.
County Attorney

RAC/jls

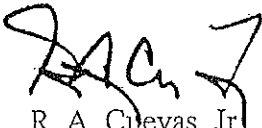


MEMORANDUM

(Revised)

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

DATE: February 21, 2012

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

SUBJECT: Agenda Item No. 14(A)(4)

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

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Approved _____ Mayor

Agenda Item No. 14(A)(4)

Veto _____

2-21-12

Override _____

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR TO
INCLUDE DUE DILIGENCE INFORMATION IN
MEMORANDA RECOMMENDING CERTAIN CONTRACT
AWARDS

WHEREAS in the exercise of its functions, Miami-Dade County awards a large number of contracts including the purchase of goods and services, professional services, construction and grants; and

WHEREAS it is the policy of Miami-Dade County to safeguard the public's trust by entering into those contracts only with vendors, grantees and other contractors ("Contractors") who have the capability and integrity to comply with the terms and conditions of the contract and are otherwise responsible; and

WHEREAS it is important that there be a standard for the level of due diligence performed by the County's staff in connection with contract awards which should include various factors such as type and size of the award, nature of the contract, nature of the contracting party and its ownership, the nature of the goods and services provided, the length of time that the contractor has provided these goods and services and other factors that could be important in making the decision to award a contract; and

WHEREAS in this Board's decisions to award contracts, the ultimate decision with respect to the responsibility of Contractors rests with this Board; and

WHEREAS in the interest of protecting the County and the integrity of the process, and to safeguard the public trust, the Board should be apprised of the level of due diligence performed by the Mayor's staff in connection with award recommendations,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the Mayor is hereby directed to include together with any recommendation for the award of any contract that exceeds one million dollars (\$1,000,000) a description of the due diligence investigation performed to determine the Contractor's responsibility, and to report to this Board in connection with those contracts any instance where such research revealed information which may adversely affect a finding of Contractor responsibility.

The Prime Sponsor of the foregoing resolution is Commissioner Jean Monestime and the Co-Sponsor is Vice Chairwoman Audrey M. Edmonson. It 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	

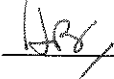
The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of February, 2012. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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