

# MEMORANDUM

Agenda Item No. 11(A)(2)

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**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**DATE:** May 6, 2014

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

**SUBJECT:** Resolution directing the County  
Mayor to issue a report on the  
need, effectiveness and costs of  
the County's contracting  
requirements and regulations

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice Chair Lynda Bell.



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R. A. Cuevas, Jr.  
County Attorney

RAC/smm



# MEMORANDUM

(Revised)

**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**DATE:** May 6, 2014

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

**SUBJECT:** Agenda Item No. 11(A)(2).

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 Mayor'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. 11(A)(2)

5-6-14

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

RESOLUTION DIRECTING THE COUNTY MAYOR OR  
COUNTY MAYOR'S DESIGNEE TO ISSUE A REPORT ON  
THE NEED, EFFECTIVENESS AND COSTS OF THE  
COUNTY'S CONTRACTING REQUIREMENTS AND  
REGULATIONS

**WHEREAS**, this Board has adopted various requirements and regulations for County contracting; and

**WHEREAS**, as a result of these County contracting requirements and regulations, vendors are required to fill out various forms and submit information and paperwork before contracting with the County; and

**WHEREAS**, County contracting requirements and regulations may add multiple layers of potentially unnecessary prerequisites to our local vendors, without measurable benefits to the environment, our workforce, and residents; and

**WHEREAS**, burdensome regulations inhibit small businesses from participating in our competitive processes by demanding costly provisions before a contract is awarded; and

**WHEREAS**, greater knowledge in the need, effectiveness as well as the costs of these County contracting requirements and regulations will assist the Board in its legislative and budgeting functions; and

**WHEREAS**, it is the our goal to promote fiscal transparency in Miami-Dade County government, reduce waste, and stimulate participation of small and disadvantaged business enterprises,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA,** that the County Mayor or County Mayor's designee is hereby directed to prepare a report to this Board within ninety (90) days of the effective date of this resolution: (1) identifying and outlining the County's contracting requirements and regulations; (2) analyzing the need and effectiveness of the County's contracting requirements and regulations at meeting their intended policy purposes; (3) identifying the costs to the County and taxpayers and the benefits and burdens to the business community generated by each of the County's contracting requirements and regulations; and (4) proposing potential solutions to reduce the identified costs or burdens to the County, taxpayers and the business community arising from the County's contracting requirements and regulations, including but not limited to proposing potential legislation amending or modifying the County's contracting requirements and regulations.

Such report shall include, but shall not be limited to, all administrative costs to the County in implementing its contracting requirements and regulations as well as an analysis of any price increases caused by restricted market procurements as opposed to unrestricted procurements. The report shall also include the methodology utilized to identify these costs and shall list the costs for each identified County contracting requirement and regulation individually.

The Prime Sponsor of the foregoing resolution is Vice Chair Lynda Bell. 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:

Rebeca Sosa, Chairwoman

Lynda Bell, Vice Chair

Bruno A. Barreiro

Jose "Pepe" Diaz

Sally A. Heyman

Jean Monestime

Sen. Javier D. Souto

Juan C. Zapata

Esteban L. Bovo, Jr.

Audrey M. Edmonson

Barbara J. Jordan

Dennis C. Moss

Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 6<sup>th</sup> day of May, 2014. 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.



Eduardo W. Gonzalez