

MEMORANDUM

Agenda Item No. 7(B)

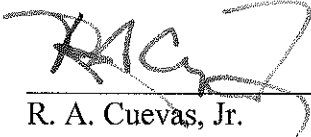
TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: (Second Reading 2-3-15)
November 5, 2014

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

SUBJECT: Ordinance relating to Workers' Compensation Insurance; amending section 2-8.1 of the Code requiring proof and maintenance of workers' compensation insurance in certain County contracts; providing that failure to maintain such workers' compensation insurance shall be a cause for debarment under section 10-38 of the Code

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



R. A. Cuevas, Jr.
County Attorney

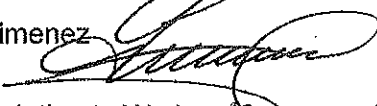
RAC/cp

Memorandum



Date: February 3, 2015

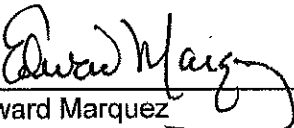
To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor 

Subject: Ordinance relating to Workers' Compensation Insurance

The proposed ordinance amends Section 2-8.1 of the code relating to workers' compensation insurance, requiring proof and maintenance of workers' compensation insurance in certain County contracts and providing that failure to maintain such workers' compensation insurance shall be a cause for debarment under section 10-38 of the Code.

Implementation of this ordinance will not have a fiscal impact to the County.



Edward Marquez
Deputy Mayor

Fis01215



MEMORANDUM
(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: February 3, 2015

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

SUBJECT: Agenda Item No. 7(B)

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

Agenda Item No. 7(B)

Veto _____

2-3-15

Override _____

ORDINANCE NO. _____

ORDINANCE RELATING TO WORKERS' COMPENSATION INSURANCE; AMENDING SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REQUIRING PROOF AND MAINTENANCE OF WORKERS' COMPENSATION INSURANCE IN CERTAIN COUNTY CONTRACTS; PROVIDING THAT FAILURE TO MAINTAIN SUCH WORKERS' COMPENSATION INSURANCE SHALL BE A CAUSE FOR DEBARMENT UNDER SECTION 10-38 OF THE CODE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

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

Section 1. Section 2-8.1 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

Sec. 2-8.1. Contracts and purchases generally.

(a) *Scope.* Except as provided in subsections (b), (f), (h) >>₂<< ~~[[and]]~~ (l), >>and (m),<< this section shall apply to all contracts for public improvements and purchase of all supplies, materials and services other than professional services.

* * *

>> (m) Workers' Compensation Insurance. All County contracts for public improvements and services for which state law requires workers' compensation insurance shall contain an express requirement for the proof and maintenance of such insurance throughout the term of the contract. Failure to maintain such insurance throughout the term of the contract shall be a cause for debarment under section 10-38 of the Code, without prejudice to other rights and remedies available to the County by law or contract. <<

¹ 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.

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 a 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:



Prepared by:



Monica Maldonado

Prime Sponsor: Commissioner Barbara J. Jordan
Co-Sponsor: Commissioner Audrey M. Edmonson