

MEMORANDUM

GOC
Agenda Item No. 2B

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: June 13, 2017

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution directing the County Mayor to commence planning for re-procurement no later than two years prior to the expiration of contracts and prequalification pools for purchases of goods or services; and directing the County Mayor on a quarterly basis to identify in writing to the Commission Auditor those contracts and prequalification pools that are set to expire no later than two years prior to expiration

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa.



Abigail Price-Williams
County Attorney



APW/smm



MEMORANDUM

(Revised)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: July 6, 2017

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No.

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
- Statement of social equity 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.

Veto _____

7-6-17

Override _____

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO COMMENCE PLANNING FOR RE-PROCUREMENT NO LATER THAN TWO YEARS PRIOR TO THE EXPIRATION OF CONTRACTS AND PREQUALIFICATION POOLS FOR PURCHASES OF GOODS OR SERVICES; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE ON A QUARTERLY BASIS TO IDENTIFY IN WRITING TO THE COMMISSION AUDITOR THOSE CONTRACTS AND PREQUALIFICATION POOLS THAT ARE SET TO EXPIRE NO LATER THAN TWO YEARS PRIOR TO EXPIRATION

WHEREAS, it the policy of this County, as provided for in section 5.03(D) of the Miami-Dade County Home Rule Charter and section 2-8.1 of the Code of Miami-Dade County, Florida, that, whenever practicable, County contracts should be entered into on the basis of a competitive procurement process; and

WHEREAS, establishing County contracts after an open and fair competition helps ensure that the County obtains the best value in its contracts; and

WHEREAS, competition for County contracts also broadens the opportunities for businesses, including local and small businesses, to provide important goods and services to the County; and

WHEREAS, for this reason, the Board encourages that expiring contracts and prequalification pools for the purchase of goods and services be immediately replaced with contracts and prequalification pools that have been established after advertisement and a competitive procurement process; and

WHEREAS, from time to time due to various circumstances and to continue the purchase of vital goods and services, this Board has been left with little choice but to approve or ratify non-competitive contract and pool term extensions and additional contract and pool expenditure authority because there was insufficient time to complete advertisement and award via a normal procurement process; and

WHEREAS, tacking on additional time and monies to contracts without a procurement process frustrates competition, lessens the opportunities for the County to obtain the best value for taxpayer money and decreases the participation of small and local businesses in County contracting; and

WHEREAS, this Board wants to establish policy that requires thoughtful and timely procurement planning which would minimize the instances where the County is forced to seek non-competitive contract and pool extensions,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Incorporates the recitals above in this resolution.

Section 2. Directs the County Mayor or County Mayor's designee to commence the planning for re-procurement and re-advertisement of contracts and prequalification pools for the purchase of goods and services that are subject to Board approval no later than two years before the expiration of such contracts and prequalification pools inclusive of option-to-renew periods.

Section 3. Directs the County Mayor or County Mayor's designee on a quarterly basis to notify and identify to the Commission Auditor in writing the contracts and prequalification pools described in Section 2 above that are set to expire no later than two years prior to their expiration inclusive of option-to-renew periods. Thereafter, every six months, the County Mayor or County Mayor's designee shall report to the Commission Auditor in writing the progress of re-advertising and re-procuring the identified contracts and prequalification pools.

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa. 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:

Esteban L. Bovo, Jr., Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
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 6th day of July, 2017. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

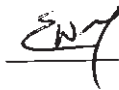
MIAMI-DADE COUNTY, FLORIDA

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