

GOC

Agenda Item No. 1(G)4 Supplement No. 2

May 9, 2017

Memorandum



Date: June 6, 2017

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

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez". The signature is written in a cursive style and is positioned over the printed name of the sender.

Subject: Social Equity Statement for Ordinance Relating to Bids from Related Parties and Bid Collusion, Amending Sections 2-8.1.1 and 10-33.02.1 of the County Code

The County Code prohibits collusive bids or proposals. When related parties submit for the same goods or services contract, the presumption of collusion must be rebutted. Related parties is defined in a strictly business sense, i.e., bidders or proposers or the principals, corporate officers and managers thereof that have a direct or indirect ownership interest. The proposed ordinance expands the definition of related parties to include familial relationships, i.e., spouse, domestic partner, parents, stepparents, siblings, children or stepchildren.

A bidder or proposer recommended for award is required to complete and submit a Collusion Affidavit attesting it does not have the aforementioned business relationships for the relevant competitive solicitation. If the proposed amendment is adopted, that affidavit will be revised to reflect the expanded definition of related parties, requiring vendors recommended for award to provide additional disclosures. Disclosing such familial relationships may deter certain vendors from participating in a competitive procurement for goods or services as the vendor may not want such familial relationships to become a public record. The benefit to the community under the proposed amendment is the additional check on the integrity of the procurement process, requiring an additional layer of disclosure to detect collusive bids and proposals from family members.

A handwritten signature in black ink, appearing to read "Edward Marquez". The signature is written in a cursive style and is positioned above a horizontal line.

Edward Marquez
Deputy Mayor