

MEMORANDUM

Agenda Item No. 8(F)(17)

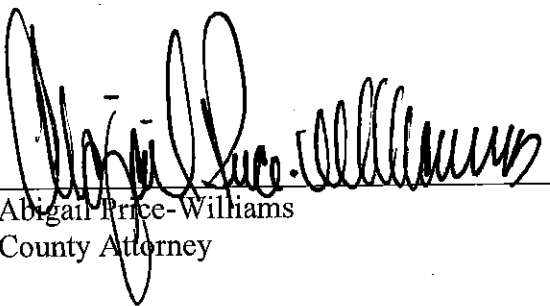
TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: July 6, 2017

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution approving by a two-thirds vote of the members present, an exception to the policies on salaries of retired County employees that are rehired, as set forth in Implementing Order No. 7-44, in connection with the hiring of Mr. Fred Simmons, Jr. as a substitute Chief Negotiator at a salary above the entry level for the Internal Services Department to complete highly technical projects

The accompanying resolution was prepared by the Internal Services Department and placed on the agenda at the request of Prime Sponsor Commissioner Daniella Levine Cava and Co-Sponsor Commissioner Barbara J. Jordan.



Abigail Price-Williams
County Attorney

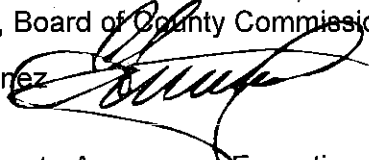
APW/lmp

Memorandum



Date: July 6, 2017

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

From: Carlos A. Gimenez 
Mayor

Subject: Recommendation to Approve an Exception Pursuant to Implementing Order No. 7-44
by a Two-Thirds Vote of the Members Present and Authorize the Hiring of a Substitute
Chief Negotiator at a Salary Above the Entry Level in the Internal Services Department

Recommendation

It is recommended that the Board of County Commissioners (Board) approve an exception pursuant to Implementing Order 7-44, by a two-thirds vote of the members present, to authorize the hiring of Fred Simmons, Jr. at a salary above the entry level for the position of Substitute Chief Negotiator in the Miami-Dade County Internal Services Department.

In November 2014, Mr. Simmons retired as the Sr. Contracting Officer within the Internal Services Department, Procurement Management Services Division. He served in successively responsible procurement and managerial roles within that division for 15 years and was responsible for successfully completing the procurement process for many large, complex contracts. His contracts included *Metrorail Heavy Vehicles* valued over \$300 million, *Metromover Vehicles* valued at \$34 million, and *Joint Development at Douglas Road Metrorail Station* estimated to generate \$464 million in revenue over the lease term. He has experience in successfully completing information technology contracts to include *Transit Operating System*, *Electronic Signage Information System at Rail Stations*, *Computer Aided Dispatch/Automated Vehicle Locator System*, and *Automated Fare Collection*.

Implementing Order No. 7-44 states that it is County policy that retirees of the County who seek re-employment with the County shall be subject to the County's regular hiring process and start at the applicable entry-level salary. When necessary to attract and hire qualified applicants for a particular County classification, such as the need to fill highly technical positions, the Mayor may seek Board approval to grant exceptions to this policy. It is therefore recommended that the Board waive the restrictions imposed by Implementing Order No. 7-44, as further explained in the background section below.

Scope

The position would be responsible for activities that are countywide in nature.

Fiscal Impact/Funding Source

This position is funded from Internal Service Funds.

Track Record/Monitor

Approval of this item does not require monitoring.

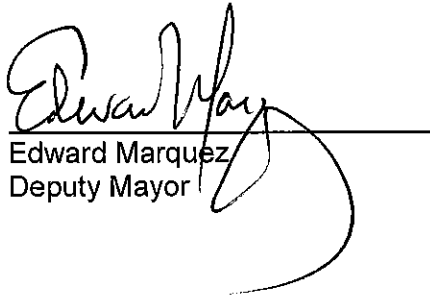
Background

The hiring of this position is critical due to the impending departure for parental leave of the County's sole Chief Negotiator. The Chief Negotiator works independently, reports directly to the Chief Procurement Officer and is assigned the most difficult procurement actions and negotiated contracts, among other leadership and training responsibilities. The Chief Negotiator is responsible for over 25 contracts in various stages valued in an aggregate amount over \$100 million dollars. The current workload includes completing negotiations for two (2) multifaceted technology projects: 1) *PeopleSoft Enterprise Resource Planning and Related Services*, and 2) *Enterprise Permitting, Licensing, Inspections, Code Enforcement and Land Management Solution*. Additionally, the Chief Negotiator is

currently responsible for some active projects that are critical to public safety departments. These include the sale of existing, and lease of new, helicopters for the Fire Rescue Department and the Computer Aided Dispatch system for the Police Department. The incumbent in this position is anticipated to begin parental leave on June 2, 2017 for an approximately eight-month period, then will be returning in a part-time capacity for a few months, thereafter. It is imperative that this position be filled with a competent individual to complete the complex procurement actions for critical County projects that are in various stages.

Mr. Simmons surpasses the requirements to successfully perform the job duties as the Substitute Chief Negotiator. Mr. Simmons was offered, and has accepted, the position, however the job offer is contingent on the Board's approval of this item. The pay range for the position is \$97,391 to \$154,174. Based on his qualifications, he was offered the position at the annual rate of \$132,500.

His extensive experience in the County procurement process and leadership abilities warrant the request for an exception to the policy of Implementing Order No. 7-44, waiving the entry-level salary requirements, to fill an urgent need for this highly technical position. Mr. Simmons has a proven track record of successfully completing complex procurement processes and will be a valuable asset to the County during this time of need to fill an important role.



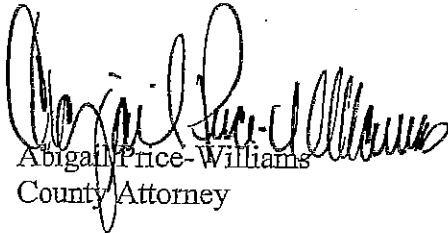
Edward Marquez
Deputy Mayor



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. 8(F)(17)

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
Veto _____
Override _____

Agenda Item No. 8(F)(17)
7-6-17

RESOLUTION NO. _____

RESOLUTION APPROVING BY A TWO-THIRDS VOTE OF THE MEMBERS PRESENT, AN EXCEPTION TO THE POLICIES ON SALARIES OF RETIRED COUNTY EMPLOYEES THAT ARE REHIRED, AS SET FORTH IN IMPLEMENTING ORDER NO. 7-44, IN CONNECTION WITH THE HIRING OF MR. FRED SIMMONS, JR. AS A SUBSTITUTE CHIEF NEGOTIATOR AT A SALARY ABOVE THE ENTRY LEVEL FOR THE INTERNAL SERVICES DEPARTMENT TO COMPLETE HIGHLY TECHNICAL PROJECTS

WHEREAS, this Board desires to accomplish the purpose outlined in the accompanying memorandum, a copy of which is incorporated herein by reference; and

WHEREAS, Implementing Order No. 7-44 states that retirees of Miami-Dade County who seek re-employment with the County shall be subject to the County's regular hiring process and if hired shall start at the applicable entry-level salary; and

WHEREAS, when necessary to attract and hire qualified applicants for a particular County classification, such as the need to fill highly technical positions, the Mayor may seek Board approval to grant exceptions to this policy in advance of hiring for the particular classification; and

WHEREAS, pursuant to Implementing Order 7-44, such exceptions require approval by a two-thirds vote of the Board members present; and

WHEREAS, Mr. Simmons surpasses the requirements to successfully perform the job duties; and

WHEREAS, the County's sole Chief Negotiator will be on extended parental leave and a replacement for this role must be secured to complete highly complex, technical contracts; and

WHEREAS, Mr. Simmons retired from the County in 2014 and has extensive procurement experience successfully completing some of the most complex procurements for this County and the Mayor has determined that it is in the best interest of the County to approve an exception to the policy on salaries of retired County employees that are rehired pursuant to Implementing Order No. 7-44, in connection with the hiring of Mr. Simmons at the middle salary range for this important position; and

WHEREAS, consistent with this determination, the Mayor recommends that the Board approve an exception pursuant to Implementing Order No. 7-44 in the connection with the hiring of Mr. Simmons as a Substitute Chief Negotiator for the Internal Services Department,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves, by a two-thirds vote of members present, an exception to the policy on salaries of rehired County employees that are rehired, pursuant to Implementing Order 7-44, in connection with the hiring of Mr. Simmons at a salary above the entry level as a Substitute Chief Negotiator for the Internal Services Department.

The foregoing resolution 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.

 for

Eric A. Rodriguez

Fred Simmons, Jr.

Professional Profile and Qualifications Summary

Current certification Certified Public Procurement Officer (CPPO). Senior level executive experience leading procurement entities within a large, fast pace, high-level, complex centralized procurement environment. Skilled in executive team leadership. Adept in the development of short and long range goals and objectives. Skilled trainer with an ability to convey complex information accurately, and clearly. Experienced administrator in human resources, budget, finance, and information technology. Ability to work cooperatively across the enterprise, leading cross-functional teams to meet procurement mandates, and goals and objectives.

- ◆ Veteran procurement professional with unique specialized experience in managing procurement operations, major contract development, and proven leadership at the executive, senior management and administrative levels.
- ◆ Accomplished in the development and implementation of procurement reform measures; including legislative and administrative revisions, and streamlining procurement processes.
- ◆ Experience in the supervision of procurement entities, and policy and procedure development.
- ◆ Past NIGP Chapter "Pro-D" for the Miami-Dade County Chapter.
- ◆ Extensive experience in organizational analysis and re-engineering; including manpower utilization, workload forecasting, budgeting, and data collection with expertise in instrument and survey development, performing complex analysis, and report development and presentation.
- ◆ Experience in securing and deploying technology to improve services and operations.

Education

University of West Georgia, Carrollton, Georgia

- Masters of Education: Education/Research March 1978
- Bachelor of Science: Sociology/Criminal Justice June 1975

Training

Universal Public Purchasing Certification Council - Certified Public Purchasing Officer
Price Waterhouse, Inc. - Certificate: Industrial Engineering, Productivity Management
Institute for Life Coping Skills, Inc. - Master Instructor Certificate: Life Skills Educator
Georgia Police Academy - Peace Officer Certification

Professional Experience Summary

MIAMI-DADE COUNTY (MIAMI, FL)

Internal Services Department

(formerly Department of Procurement Management)

Purchasing Division

October 1999 – November 2014

Division Director, Level 1

**Manager; RFP Unit, Transit Unit
Lead, Sr. Contracting Officer**

As a Division Director level executive, served at the direction of the Purchasing Division Director and Procurement Department Director, charged with managing some of the administration's most complicated, sensitive, high dollar value, and socially responsible procurements. Assisted in developing



Resume
Fred Simmons, Jr.

policies and procedures, participated on the executive team, whose primary role was to review county, state and federal legislation, including initiatives impacting the role and responsibilities of the procurement function. Assisted in development of the department's short and long range goals and objectives.

As Manager, supervised several procurement units, including those dedicated to the RFP/RFQ/RFI/N processes, Invitation to Bid (ITB), and hybrid processes developed to meet specific and critical enterprise needs. Conducted bi-weekly workload reviews with unit leads, reviewed solicitations prior to advertising, and contracts being submitted for award. Assisted in conducting disciplinary reviews. Conducted staff training for each unit, department personnel, and client departments. Consulted with county department directors and key staff in developing strategic acquisition plans and establishing cross-functional groups to meet operational needs. Responsibilities also included the identification and implementation of approved administrative and legislative measures designed to streamline procurement processes by reducing processing timelines, and improving staff efficiency while adhering to relevant legislative requirements. Regularly consulted with procurement partners like the County Manager's Office, County Attorney's Office, Business Development division, client departments, and the vendor community to effect contract awards. Monitored performance measures to assist in tracking individual and unit performance, quantify work efforts, and justify budgetary requests.

General Services Administration Department
Procurement Management Division

August 1997 to October 1999
Procurement Contracting Officer

Managed the RFP, RFQ, ITB process, and the acquisition cycle for goods and services obtained through the competitive procurement process utilizing various approaches to procurement, focusing on the Request for Proposals method.

Department of Solid Waste Management
Human Resources Division

November 1996 to August 1997
Assistant to Division Chief

Responsibilities included development of the division's operating budget and maintaining divisional expenditure reports. Additional responsibilities included development of the department's multi-year strategic training plan, remedial training programs for line employees and coordinated contractual educational training programs with independent and private vendors. Generated and reviewed employee disciplinary actions and coordinated Division functions with Director's office and other department entities.

ECONOMIC OPPORTUNITY FAMILY HEALTH CENTER (MIAMI, FL)

November 1995 to November 1996
Director: MIS and Procurement

Managed a patient care computer information system; hardware and software, and staff for a diverse Community Health Center with a patient base of over 70,000, and the Center's procurement department. Responsible for all IT requirements; hardware, medical software applications, system backups, training and reporting, including profit statements. Provided bi-weekly updates to the Medical Director and Chief Financial Officer (CFO). Responsibilities also included approving contracts for commodities and materials and managed warehousing activities. Coordinated audits with federal and privately contracted auditors, and supervised a staff of ten medical professionals, and various technical and administrative personnel. To increase efficiency of the Center's fiscal process, worked directly with the CFO and Medical Director to streamline procedures that facilitated the interface between accounting and budget.

MIAMI-DADE COUNTY (MIAMI, FL)

Corrections & Rehabilitation Department

September 1992 to November 1995
Fiscal Management Bureau
Commander

Responsible for management of the department's Fiscal Management Bureau consisting of the Procurement, Inmate Finance and Accounting, and Inmate Commissary sections with an operating budget of eight-million dollar. Bureau staff was a mix of 42 professional, technical and sworn employees. Additional responsibilities were to assist senior management in the development and review of the department's 156 million-dollar budget, manage the Inmate Finance and Accounting section responsible for over 4,000 inmate accounts with a daily average balance of one million dollars. In conjunction with the department's IT Bureau, developed the department's first procurement LAN. Revised all Commissary SOP and implemented initiatives that resulted in a positive cash flow.

October 1988 to September 1992
Management Systems Bureau
Telecommunications Manager

Managed and coordinated data, voice and wireless communications services for the seven corrections facilities and 19 departmental offices. Responsible for data and voice services and lead a hands-on installation process of the department's inmate telephone system that generated over \$100,000 per month. The County was awarded a NACO for its initiative and innovation in implementing the inmate telephone system. Developed the department's five-year strategic plan for telecommunications and participated in the development and evaluation of an RFP for a countywide 800MHz trucked radio system. Managed the Bureau in the absence of the Commander.

County Manager's Office

September 1982 to October 1988
Office of Management and Budget
Senior Management Productivity Analyst
January 1980 to September 1982
Management Productivity Analyst

Miami-Dade County Police Department: Lead a team of analysts that conducted methods and re-engineering studies of several entities within the police department and interfacing agencies; including the Courts, State Attorney's Office and Public Defender. Conducted a "civilianization study" which identified cost savings of over 20 million dollars. Served as a Quality Circles (QC) trainer and facilitator for new analyst and selected County employees.

As a Management Productivity Analyst, major responsibility was to develop and present to Department Directors and the County Manager cost-effective methods improvement recommendations that yield tangible savings and enhanced operational efficiency. I participated as a team member that conducted organizational, workflow and method analysis studies to streamline operations.