

MEMORANDUM

Agenda Item No. 11(A)(19)

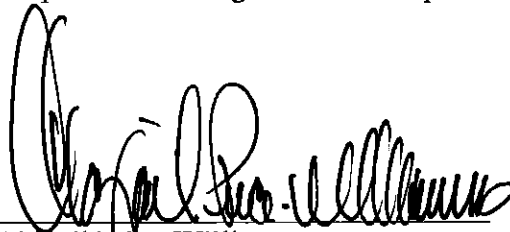
TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: June 4, 2019

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution directing the County Mayor to commence planning for re-procurement of contracts at Miami International Airport no later than 18 months prior to the expiration of contracts and prequalification pools for purchases of concessions, goods or services; directing the County Mayor to complete procurement within 12 months of advertising; directing the County Mayor to notify the Board of procurements at Miami International Airport which take longer than 12 months; and modifying authority to extend contracts or pools at Miami International Airport

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



Abigail Price-Williams
County Attorney

APW/smm



MEMORANDUM
(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

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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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) 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)(19)

6-4-19

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO COMMENCE PLANNING FOR RE-PROCUREMENT OF CONTRACTS AT MIAMI INTERNATIONAL AIRPORT NO LATER THAN 18 MONTHS PRIOR TO THE EXPIRATION OF CONTRACTS AND PREQUALIFICATION POOLS FOR PURCHASES OF CONCESSIONS, GOODS OR SERVICES; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO COMPLETE PROCUREMENT WITHIN 12 MONTHS OF ADVERTISING; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO NOTIFY THE BOARD OF PROCUREMENTS AT MIAMI INTERNATIONAL AIRPORT WHICH TAKE LONGER THAN 12 MONTHS; AND MODIFYING AUTHORITY TO EXTEND CONTRACTS OR POOLS AT MIAMI INTERNATIONAL AIRPORT

WHEREAS, Resolution No. R-718-17 directed the County Mayor to begin the procurement process for replacement contracts no later than 18 months prior to the expiration of an existing contract; and

WHEREAS, that Resolution applied to contracts at Miami International Airport (MIA); and

WHEREAS, the County Mayor transferred various procurement functions from the Miami-Dade County Aviation Department (MDAD) to the Internal Services Department (ISD) in October, 2017; and

WHEREAS, notwithstanding that transfer, procurements for contracts at MIA continue to be delayed; and

WHEREAS, this Board continues to be presented with requests to approve or ratify non-competitive contracts, pool term extensions, and additional contract and pool expenditure authority related to contracts at MIA because there was insufficient time to complete advertisement and award via a normal procurement process; and

WHEREAS, non-competitive contracts, contract extensions, and the granting of additional expenditure authority should be reserved for situations where the best interests of the County can only be served by such actions; and

WHEREAS, neither the public, nor bidders, nor the County is well served by the failure to begin or complete procurements in a timely manner,

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 concessions, goods and services at MIA no later than 18 months before the expiration of such contracts and/or prequalification pools inclusive of option to renew periods.

Section 3. Directs the County Mayor or County Mayor's designee to use all efforts to ensure that procurements for concessions, goods and services at MIA are awarded no more than 12 months after the initial advertisement.

Section 4. Directs the County Mayor or County Mayor's designee to notify the Board, in writing, when any procurement specified in section 3 has been open after advertisement for longer than 12 months, and in such notice, to specify the reasons for such extended procurement and the steps being taken to bring such procurement to an award.

Section 5. Unless this Board has previously delegated authority to the County Mayor or County Mayor's designee by Implementing Order or ordinance, the County Mayor or County Mayor's designee shall not extend a contract or a pool for the purchase of goods and services at MIA where a procurement for a replacement contract or pool exists and where it has been more than 12 months since such replacement contract or pool was advertised. Notwithstanding, nothing herein shall invalidate the extension of or the addition of funds into any contract or pool, which occurred prior to the effective date of this resolution. This Resolution does not apply to the exercise of options to renew in existing contracts.

The Prime Sponsor of the foregoing resolution is Vice Chairwoman 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:

Audrey M. Edmonson, Chairwoman	
Rebeca Sosa, Vice Chairwoman	
Esteban L. Bovo, Jr.	Daniella Levine Cava
Jose "Pepe" Diaz	Sally A. Heyman
Eileen Higgins	Barbara J. Jordan
Joe A. Martinez	Jean Monestime
Dennis C. Moss	Sen. Javier D. Souto
Xavier L. Suarez	

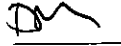
The Chairperson thereupon declared this resolution duly passed and adopted this 4th day of June, 2019. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by 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.



David M. Murray