

MEMORANDUM

Agenda Item No. 8(G)(1)

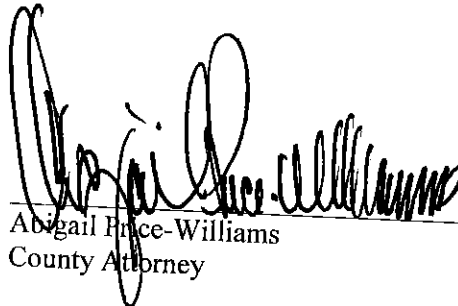
TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: June 4, 2019

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution rescinding Administrative Order No. 3-15 relating to the uniform minimum standards for countywide application, assessment, monitoring and management evaluation and performance review of Community-Based Organizations, all other non-profits, and other organizations providing community services; approving Implementing Order No. 3-15 relating to the uniform minimum standards for application, contracting, assessment, monitoring, organizational review, and performance review of Community-Based Organizations monitored by Miami-Dade County through the Office of Management and Budget or its successor department, and providing exceptions to its applicability; delegating authority to the County Mayor to administer the Community-Based Organization program in accordance with Implementing Order No. 3-15; superseding resolutions, or portions of resolutions, that set forth standards relating to Community-Based Organizations monitored by the Office of Management and Budget that are contrary to or inconsistent with Implementing Order No. 3-15; and requiring reports

The accompanying resolution was prepared by the Office of Management and Budget and placed on the agenda at the request of Prime Sponsor Chairwoman Audrey M. Edmonson.



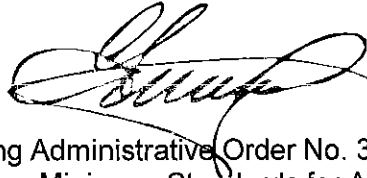
Abigail Price-Williams
County Attorney

APW/uw

Date: June 4, 2019

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

From: Carlos A. Gimenez
Mayor



Subject: Resolution Rescinding Administrative Order No. 3-15 and Approving Implementing Order No. 3-15 Relating to the Uniform Minimum Standards for Application, Contracting, Assessment, Monitoring, Organizational Review, and Performance Review of Community-Based Organizations Monitored by the Office of Management and Budget or its Successor Department

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the attached resolution rescinding Administrative Order No. 3-15 and establishing Implementing Order No. 3-15 (included as Attachment A to the resolution) to set standards for contracting with, evaluating, and monitoring community-based organizations (CBOs) monitored by the Office of Management and Budget (OMB) or its successor department. This action would clarify and consolidate legislation that has been adopted by the Board over the years relating to CBOs, taking into account improvements and efficiencies to the CBO process that have been identified by OMB. It is further recommended that the Board delegate to the County Mayor or the County Mayor's designee the authority to exercise any and all rights conferred in Implementing Order No. 3-15 and to take all necessary actions to effectuate the purposes and goals contained therein. Finally, it is recommended that the Board direct the County Mayor or the County Mayor's designee to report back to this Board as set forth in Implementing Order No. 3-15.

Scope

The impact of these proposed changes is countywide.

Fiscal Impact

There is no fiscal impact as a result of adopting the attached resolution and Implementing Order No. 3-15. Implementing Order No. 3-15 is intended to streamline the contracting process, evaluation, and monitoring of CBOs, which will lead to administrative efficiencies and the maximization of County funds provided to CBOs.

Monitoring

OMB will be responsible for implementing the policies outlined in Implementing Order No. 3-15 and for establishing any related forms, procedures, manuals and guidelines. Jennifer Moon, OMB Director, and her designee will be responsible for reviewing, contracting, and monitoring all CBO funding governed by this Implementing Order. The Director and the Director's designee will also have the authority to exercise the rights contained in the respective CBO contracts, including, but not limited to, termination, modification, amendment, and suspension of payment, as a result of instances of non-compliance. These guidelines and procedures do not apply to other County departments, agencies, trusts, or County Commission district offices contracting with non-profits or organizations providing community services on behalf of the County or using County funds, but may be utilized, in whole or in part, by such departments or district offices, at their discretion.

Background

Over the past several years, there have been many discussions regarding the contracting and monitoring process for CBOs. The Board has been supportive of the administration's efforts to ensure a fair, competitive solicitation process and reviews based on an organization's performance. As a first step in preparing for the next competitive solicitation, alternative grant award process or continuation funding, as determined by the

Board, and as part of my administration's continuing focus on creating a more efficient government, staff identified changes to Administrative Order No. 3-15 that would streamline the process by which OMB and other County departments evaluate proposals and applications for CBO funding, contract with CBOs, and review organizational performance as governed by their respective contracts. These changes are reflected in Implementing Order No. 3-15 and clarify and consolidate legislative directives from the Board that have been adopted since Administrative Order No. 3-15 was last updated in 2006. The changes outlined in Implementing Order No. 3-15 would be immediately applicable and will be the basis for any future solicitations or grant award process, if the Board desires to direct such action, or continuation funding. It is important to note that Implementing Order No. 3-15 will supersede all previous legislation, or portions thereof, relating to CBOs monitored by OMB, including, but not limited to, the pieces of legislation mentioned below.

Due Diligence:

On July 16, 2013, the Board adopted Resolution No. R-630-13, which requires due diligence reviews to be conducted by OMB on CBOs. Such review requires agencies to submit detailed project budgets and affidavits attesting to certain statements. Additionally, the resolution requires the County Mayor or the County Mayor's designee to check all the sources listed on Exhibit 1 of the resolution. However, the County Mayor or the County Mayor's designee is not required to recommend against funding or contracting with any agency based on the matters disclosed under Resolution No. R-630-13. Implementing Order No. 3-15 would supersede the requirements specifically applicable to CBOs and their funding as outlined in Resolution No. R-630-13. The proposed due diligence review (referred to in the Implementing Order as an organizational review) identifies an updated list of online resources and databases specific to CBOs, gives OMB the authority to check additional sources, and clarifies that the review should be conducted at the time a CBO is first being considered for funding and on currently funded CBOs as needed. Implementing Order No. 3-15 will still require a detailed project budget and, in addition, authorizes the OMB Director to either withhold payment or elect not to fund an organization based on certain findings listed in the "*Organizational Reviews*" section of the Implementing Order. The findings of the due diligence review will be reported to the Board as appropriate or at least annually.

Report Card:

On February 3, 2015, the Board adopted Resolution No. R-142-15, which directed the County Mayor or the County Mayor's designee to create a Report Card for all CBOs as a mechanism to report the Board on the progress, success, and status of a funded CBO. Report Cards are required to be transmitted to the Board every six months and to be included as attachments as part of any legislative item that will consider taking action related to a particular CBO.

Due to the administrative burden associated with monitoring over 130 funded CBOs with more than 200 distinct programs, OMB staff has been unable to comply with the six-month reporting requirements of Resolution No. R-142-15. Therefore, it is recommended that the reporting requirement period be amended from every six months to annually. Implementing Order No. 3-15 would supersede the requirements listed in Resolution No. R-142-15, but the implementing order includes a very similar process that would still monitor the successes of our funded CBOs. OMB will conduct a "Performance Review" for CBOs, as outlined in Implementing Order No. 3-15, at least annually during the period in which the CBO is under contract with the County. OMB will then create a Report Card based on the findings of the Performance Review. Implementing Order No. 3-15 further provides that, in accordance with Ordinance No. 14-65, OMB will transmit a Report Card to the Board at least annually with a green, yellow, or red rating for each organization. The Report Card will include information based on program deliverables and achievements and contract compliance.

Administrative Expenses:

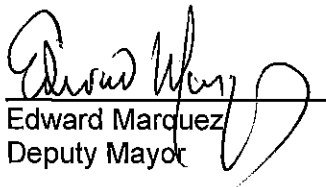
On September 4, 2013, the Board adopted Resolution No. R-700-13, which established that "no more than 25% of a Community Based Organization's administrative budget ... may be paid from Miami-Dade County General Funds unless this requirement is waived by a majority vote of the Board of County Commissioners." During the December 18, 2014, meeting of the Board, a motion was made to delay enforcement and implementation of the 25% cap on the amount a CBO may receive from County funds for its administrative budget until after the completion of a new competitive process for award of CBO grants.

Implementing Order No. 3-15 would supersede this Board policy and establish that caps on administrative expenses be set administratively by OMB in the contracts that are executed with each CBO. Administrative costs would be set to not exceed a certain percent of each program allocation. Currently, contracts for FY 2018-19 funding have the cap set at 15%. This would be different than the policy outlined in Resolution No. R-700-13 because the caps would be program specific and not based on the CBOs overall administrative budget.

In addition to the matters outlines above, the following proposed improvements are included in Implementing Order No. 3-15:

- Clarifies the preferred and minimum financial documents required for a CBO to submit to the County prior to them being considered for funding;
- Delegates to the Director of OMB or the Director's designee the authority to exercise the rights contained in the CBO contract, including the authority to terminate, modify, amend or elect not to renew a CBO contract, or to suspend payment, based on the Organizational Review, the Performance Review, or other relevant information;
- Clarifies that Implementing Order No. 3-15 applies to CBOs that are monitored by OMB but allows other County departments or County Commission district offices, in their discretion, to also utilize the requirements in whole or in part;
- Provides for use of a standard CBO contract shell, consistent with that previously approved by the Board in Resolution No. R-59-16, as may be amended by the Director of OMB or the Director's designee to reflect new County policies or needs, subject to annual approval for form and legal sufficiency by the County Attorney's Office; and
- Updates department names and titles.

The proposed Implementing Order No. 3-15 is included as Attachment A to the resolution. Going forward, OMB will continue to provide outreach and technical support to CBOs throughout the application and monitoring process and will ensure that all requirements, both new and existing, are clearly communicated to CBOs.


Edward Marquez
Deputy Mayor

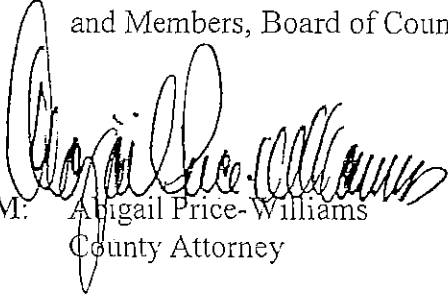
Mayor01519



MEMORANDUM
(Revised)

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

DATE: June 4, 2019

FROM: 
Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 8(G)(1)

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. 8(G)(1)
6-4-19

RESOLUTION NO. _____

RESOLUTION RESCINDING ADMINISTRATIVE ORDER NO. 3-15 RELATING TO THE UNIFORM MINIMUM STANDARDS FOR COUNTYWIDE APPLICATION, ASSESSMENT, MONITORING AND MANAGEMENT EVALUATION AND PERFORMANCE REVIEW OF COMMUNITY-BASED ORGANIZATIONS, ALL OTHER NON-PROFITS, AND OTHER ORGANIZATIONS PROVIDING COMMUNITY SERVICES; APPROVING IMPLEMENTING ORDER NO. 3-15 RELATING TO THE UNIFORM MINIMUM STANDARDS FOR APPLICATION, CONTRACTING, ASSESSMENT, MONITORING, ORGANIZATIONAL REVIEW, AND PERFORMANCE REVIEW OF COMMUNITY-BASED ORGANIZATIONS MONITORED BY MIAMI-DADE COUNTY THROUGH THE OFFICE OF MANAGEMENT AND BUDGET OR ITS SUCCESSOR DEPARTMENT, AND PROVIDING EXCEPTIONS TO ITS APPLICABILITY; DELEGATING AUTHORITY TO THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO ADMINISTER THE COMMUNITY-BASED ORGANIZATION PROGRAM IN ACCORDANCE WITH IMPLEMENTING ORDER NO. 3-15; SUPERSEDING RESOLUTIONS, OR PORTIONS OF RESOLUTIONS, THAT SET FORTH STANDARDS RELATING TO COMMUNITY-BASED ORGANIZATIONS MONITORED BY THE OFFICE OF MANAGEMENT AND BUDGET THAT ARE CONTRARY TO OR INCONSISTENT WITH IMPLEMENTING ORDER NO. 3-15; AND REQUIRING REPORTS

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, which is incorporated herein by reference,

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

Section 1. The matters contained in the foregoing recital and the accompanying County Mayor's memorandum are incorporated in this resolution by reference.

Section 2. This Board rescinds Administrative Order No. 3-15 and approves Implementing Order No. 3-15, in substantially the form attached hereto as Attachment A and incorporated herein by reference, setting forth uniform minimum standards for application, contracting, assessment, monitoring, organizational review, and performance review of Community-Based Organizations (CBOs) monitored by the Office of Management and Budget (OMB), or its successor department. Implementing Order No. 3-15 shall supersede all resolutions, or any portion thereof, that sets forth standards relating to CBOs monitored by OMB, including but not limited to Resolution Nos. R-630-13, R-700-13, and R-142-15. Where there is a conflict between Implementing Order No. 3-15 and any prior resolutions, or any portion thereof, adopted by this Board, Implementing Order No. 3-15 shall prevail.

Section 3. This Board delegates to the County Mayor or the County Mayor's designee the authority to exercise any and all rights conferred in Implementing Order No. 3-15 and to take all necessary actions to effectuate the purposes and goals contained therein.

Section 4. This Board directs the County Mayor or the County Mayor's designee to report back to this Board in accordance with Implementing Order No. 3-15. The County Mayor or County Mayor's designee shall place the completed report on an agenda of this Board pursuant to Ordinance No. 14-65.

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:

Audrey M. Edmonson, Chairwoman
Rebeca Sosa, Vice Chairwoman

Esteban L. Bovo, Jr.
Jose "Pepe" Diaz
Eileen Higgins
Joe A. Martinez
Dennis C. Moss
Xavier L. Suarez

Daniella Levine Cava
Sally A. Heyman
Barbara J. Jordan
Jean Monestime
Sen. Javier D. Souto

The Chairperson thereupon declared the 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.



Terrence A. Smith

Administrative Implementing Order

Administrative Implementing Order No.: 3-15

Title: Uniform Minimum Standards for Countywide Application, Contracting, Assessment, Monitoring, and Management Evaluation Organizational Review, and Performance Review of Community-Based Community-Based Organizations (CBOs) Monitored by the Office of Management and Budget or its Successor Department, All Other Non-Profits and Other Organizations Providing Community Services

Ordered: 3/7/2006

Effective: 3/17/2006

AUTHORITY:

~~Section 4.02 of the Miami-Dade County Home Rule Amendment and Charter, Resolution No. R-1403-93 adopted by the Board of County Commissioners on November 3, 1993; Resolution No. R-1597-94 adopted by the Board of County Commissioners on October 13, 1994; Resolution R-508-96 adopted by the Board of County Commissioners on May 17, 1996, and Resolution R-1052-05 adopted by the Board of County Commissioners on September 8, 2005.~~

Sections 1.01 and 2.02A of the Miami-Dade County Home Rule Amendment and Charter, and Resolution No. R-xxxx adopted by the Board of County Commissioners on [date].

SUPERSEDES:

This Administrative Implementing Order supersedes previous Administrative Order 3-15, ordered March 7, 2006 and effective ~~May 7, 1996~~ March 17, 2006.

POLICY:

~~It is the policy of Miami-Dade County This Administrative Order provides for the establishment of to apply uniform minimum standards to be applied County-wide and describes the procedural elements required for the application, contracting, assessment, monitoring, and management evaluation organizational review, and performance review of Community-Based Organizations (CBOs) (also referred to herein as "organization(s)") managed by the Office of Management and Budget (OMB) or its successor department, all other non-profits, and other organizations providing community services, hereinafter referred to as organizations, pursuant to an award by the Board of County Commissioners.~~

SCOPE:

This Implementing Order applies to CBOs that are managed and contracted by OMB or its successor department, pursuant to an award by the Board of County Commissioners. It does not apply to other non-profits and other organizations providing community services on behalf of the County or using County funds, including, but not limited to, Mom and Pop grants, Environmental Education CBO Funding, Law Enforcement Trust Fund funded awards, and County Commission district office awards. This Implementing Order may be utilized, in whole or in part, by other County departments or County Commission district offices, in their discretion, when contracting with such non-profits and organizations providing community services on behalf of the County or using County funds.

ROLES AND RESPONSIBILITIES:

Director, Office of Strategic Business Management (OSBM): ~~The Director of OSBM is charged with the overall responsibility of coordination and assignment of organization requests for funding to the appropriate County department.~~

Director of OMB or the Director's Designee:

OMB is responsible for implementing this Implementing Order and establishing any related forms, procedures, manuals and guidelines. The Director of OMB, or the Director's designee, is responsible for the contracting, assessment, monitoring, and review of CBOs as described herein. These responsibilities include: reviewing application(s) and providing technical assistance to CBOs in the application process, except as otherwise prohibited or limited; working with the appropriate advisory board, council, trust, or selection committee, when applicable, prior to evaluating and screening the application(s) to determine the organization's capability of properly receiving and expending funds, as well as their ability to do the work; developing a shell contract, including program goals and objectives and the scope of services to be rendered based on the contract award, which shall be approved for form and legal sufficiency by the County Attorney's Office; establishing an administrative cost cap for each CBO as part of the organization's budget; determining the method of payment and ensuring payment in accordance with contractual terms; reviewing and assessing contract compliance, both fiscal and programmatic; preparing Organizational Reviews and Performance Reviews; and exercising the rights contained in the CBO contract, including, but not limited to, termination, modification, amendment, and suspending payment.

Advisory Boards, Councils, Trusts, and Selection Committees:

Social service grant award funding, including CBOs awarded funding, do not have to be selected pursuant to a competitive process, including, but not limited to the process set forth in the Master Procurement Implementing Order 3-38. However, subject to future direction from the Board of County Commissioners, periodic competitive processes, solicitations, or alternative grant award processes may be used. When applicable, advisory boards, councils, trusts, and/or established selection committees are will be responsible for making recommendations to the County Mayor and/or the Board of County Commissioners, and any subcommittees thereof, for their consideration and action in accordance with pre-established funding categories and/or program parameters.

County Departments:

~~A. County Departments shall be responsible for reviewing application(s) and providing technical assistance in the application process; for working with the appropriate advisory board, council, trust, or selection committee when applicable, prior to evaluating and screening the application(s) to determine the organization's capability of properly receiving and expending funds as well as their ability to do the work.~~

~~B. County Departments are also responsible for developing contract provisions including program goals and objectives and the scope of services to be rendered based on the contract award; for reviewing and assessing contract compliance, both fiscal and programmatic; for determining the method of payment and ensuring payment in accordance with contractual terms; and for conducting a management evaluation and performance review, to include specific, measurable objectives of funded organizations whose funding allocation(s) is \$10,000 or more or whose funding allocation becomes \$10,000 or more over the contract period. At the recommendation of the monitoring department, a random audit may be conducted on contract awards under \$10,000.~~

PROCEDURES:

The procedural elements shall include, but not be limited to, the information contained herein, and shall not be in conflict with mandated Sstate and Ffederal rules, regulations, and guidelines, as follows:

1. Application Elements

Any application process, initiated upon direction of the Board of County Commissioners, shall present a profile of the missions and goals of the organization requesting funding. Depending upon the level of funding, or the event, project, or program proposed, information reporting requirements may be adjusted accordingly. County departments OMB will provide technical assistance to applicants upon request, except as otherwise prohibited or limited.

Specific application requirements shall be determined in advance by the ~~respective department OMB, or, when applicable, the~~ advisory board, council, trust, or selection committee, and shall include, at a minimum:

Organizational Information:

- Name
- Address
- Telephone number
- Proposed contract period
- Proposed contract amount
- Contact person
- Corporate information (staffing requirements, 501(c) (3) or other tax-exempt certification, Federal identification number, ~~policies and procedures manual, bylaws, articles of incorporation, board of directors, and organization's fiscal year, etc.-~~)
- Organizational mission, goals, and history
- Disclosure of any pending legal liabilities and judgments, or applications for bankruptcy-
- ~~Financial statements and funding sources (identify Federal, State, County, or other sources of recent funding; list funding commitments received, applied for, planned to apply for; or, in the alternative, describe where funding has been refused, reduced, or only partial funding received)-~~
- Most current certified audit, including related management letters (verifying that the organization is on sound financial footing and able to implement a funded service on a reimbursement basis). If a certified audit is not available, financial statements and an annual agency-wide operating budget should be submitted. At a minimum, the organization's IRS Form 990 must be submitted
- Description of programs and services provided by the organization-

Project Information:

- Community need or expected community benefit; project goals and objectives-
- Description of the specific services to be provided, ~~to include including~~ unit quantities and costs where applicable, and a project budget, ~~to include unit costs where applicable~~
- Licensure and other requirements (occupational and professional licenses and required certifications)-
- Any required County affidavits-

2. Assessment Elements

Applications shall be evaluated, screened, and objectively analyzed to determine the organization's capability and capacity of properly receiving and expending funds as well as their ability to do the work. This analysis will include:

- A review of the organizational structure and general administrative capabilities-
- ~~A cost per unit measured against local, state, or national rates and standards, if possible.~~
- A review of the funding request as it relates to the goals and objectives identified for the specific programs-
- A due diligence review of the organization (i.e. Organizational Review)
- Where available, a ~~A~~ review of the organization's past County report cards, performance reviews and, any applicable performance record(s) in accomplishing their program goals and objectives-
- An evaluation of the application based on pre-established scoring criteria-

The application, assessment, and recommendation will be submitted to by OMB, or, when applicable, the appropriate advisory board, council, trust, or selection committee ~~Commission Committee,~~ and to the County Mayor and/or the Board of County Commissioners, for funding consideration in accordance with the respective approval requirements.

3. Contract Elements

~~Development of the~~ A contract document, including the terms and conditions required, along with the provisions of the scope of services, shall be ~~determined~~ developed by the ~~department~~ OMB in conjunction with the County Attorney's Office. Such contract document shall be consistent with the shell contract previously approved by the Board of County Commissioners in Resolution No. R-59-16 on January 20, 2016 and may be amended by the Director of OMB or the Director's designee to reflect this Implementing Order and new County policies or needs, subject to annual approval for form and legal sufficiency by the County Attorney's Office. At a minimum, the contractual agreement shall include:

- Specific program goals and objectives for the use of County funds (specific performance deliverables, proposed unit costs, and measurement techniques)-
- Insurance requirements, as determined by the Risk Management Division, General Services Administration Internal Services Department, or successor departments or agencies
- All required County affidavits
- Assurances that the organization abides by generally accepted financial management principles, including the requirement of the signature of two persons within the organization on all checks disbursing ~~organizational~~ County funds-
- Provisions regarding ~~management evaluation and p~~ Performance r Reviews and Report Cards, as applicable, to be conducted by ~~the department.~~ OMB
- Fund disbursements procedures based on County approved rules and procedures-

- A reasonable and necessary administrative expense cap determined by OMB and approved as part of the CBO's budget by OMB
- Provisions permitting the County Mayor or the County Mayor's designee to make unannounced, on-site visits during normal working hours to the organization's headquarters and/or any location or site where the services contracted for are performed

If contract terms and conditions cannot be agreed to between the ~~department OMB~~ and the organization approved for funding by the Board of County Commissioners, the ~~monitoring department OMB~~ shall make recommendations to the County Mayor and/or Board of County Commissioners as to the disposition of the unallocated funds. in accordance with the respective approval requirements as part of the subsequent fiscal year's budget.

4. Contract Monitoring Elements and Payment for Services

To determine payment for services, the organization's performance will be assessed against the contract scope and services for compliance, based upon:

- Performance deliverables (number of units and quantity delivered against contracted amount and/or achievement of specific outcomes, etc.);
- Measurement and reporting mechanisms to ~~insure~~ ensure contract compliance.
- Periodic site visits, client assessment surveys, etc. and a review of other pertinent documents. If deficiencies or evidence of non-compliance are detected during the routine course of monitoring, ~~the department OMB~~ is responsible for taking steps in accordance with contract provisions to enable the CBO to, where applicable, remedy the deficiency or non-compliance, including, as applicable, providing written notification to the organization advising of the steps necessary to correct the situation, and/or suspending payment in whole or in part.

5. Management Evaluation Organizational Review and Performance Review Elements

~~The management evaluation and performance review will be conducted and documented at the time of project/program completion. In addition, management evaluations and performance reviews will be prepared on an interim basis whenever a request for additional funding or renewal of funding is made. The management evaluation and performance review should reflect the quality of service provided and the value received using contract monitoring data such as progress reports, field observations, client assessments, and quantitative scoring, and all elements described in the Contract Monitoring Elements section stated above, etc.~~

Organizational Reviews and Performance Reviews, as defined and outlined below, will be conducted, documented, and transmitted by the County Mayor to the Board of County Commissioners as appropriate or at least annually and will be placed on the Board's agenda in accordance with Ordinance No. 14-65. Organizational Reviews will be conducted on all new organizations seeking funding from the Board of County

Commissioners, and on currently funded organizations as needed. Performance Reviews are to be conducted for organizations currently funded and under contract with the County and will be performed at least annually. Organizational Reviews and Performance Reviews will be conducted on organizations whose funding allocation(s) is \$10,000 or more, or whose funding allocation becomes \$10,000 or more over the contract period. At OMB's sole discretion, a review may be conducted on contract awards under \$10,000. Monitoring site visits are to be conducted at least annually for 12-month contracts and may be conducted on an as-needed basis for contracts with a term less than 12 months.

Organizational Reviews:

At the time that an organization submits its first application, proposal, or response as part of a competitive process, or is considered for County funding for the first time, the OMB Director or the Director's designee is charged with conducting a due diligence review on the organization. The County reserves the right to conduct a partial or complete Organizational Review at any time and for any organization, as needed. At a minimum, the Organizational Review shall include a review of the following online resources and databases:

- Miami-Dade County Office of the Inspector General
- Federal tax returns, audited financial statements, other relevant financial documents
- Vendor registration documents, affidavits, and applicable licenses through the Florida Department of Professional Regulation
- Proof of required insurance coverage
- Florida Convicted Vendor List and the Florida Suspended Vendor List through the Florida Department of Management Services
- Contractor Debarment Report, Delinquent Contractors, and the Federal Excluded Parties List through the System for Award Management (SAM)
- State of Florida corporation status through the Florida Division of Corporations (SunBiz)
- Reference checks with other county departments, if applicable
- Local public records search through the Miami-Dade Clerk of Courts

At a minimum, findings from within the past five (5) years should be considered throughout the Organizational Review. As a result of the Organizational Review, the OMB Director or the Director's designee, at their sole discretion, can recommend not funding an organization, or, if the review is conducted while the organization is under contract, have payments withheld if:

- The organization is on an active federal, state, or local debarment list
- Taxes, fees, or licenses are owed or outstanding
- Based on the findings of the Organizational Review, it is determined that proceeding is not in the best interest of the County

The organization will be notified in writing of the results of the Organizational Review and will have no more than ten (10) days from the date of the notice to submit a response to OMB that will be attached to the final Organizational Review. The results of the Organizational Review will be reported to the Board of County Commissioners at the time

a recommendation for funding is provided by the Mayor, or as part of the annual Report Card for organizations under contract.

Performance Reviews:

Performance Reviews are to be conducted at least annually for organizations that are under contract with the County and during the period in which an organization is under contract with the County. The specific method of review to track the organization's status and progress will be determined administratively by the OMB Director or the Director's designee and may include both announced and unannounced site visits. The OMB Director or the Director's designee will provide a Report Card based on the findings of the Performance Review. The Report Card will be transmitted by the County Mayor and placed on the Board of County Commissioners's agenda in accordance with Ordinance No. 14-65 at least annually and shall include a review of, at a minimum, the following categories:

- Deliverables and Program Achievement: This category is based on the monthly progress reports, a sample review of the organization's records, the performance deliverables, and/or achievement of specific outcomes, as identified and described in the Scope of Work included in the executed contract
- Administration and Contract Compliance: This category is based on the annual written monitoring site visit report, if applicable, issued by OMB and the corrective action plan submitted by the organization and approved by the County

The Report Card will rate organizations using a green, yellow and red stoplight scale as follows:

- Green - Five (5) or fewer instances of non-compliance
- Yellow - More than five (5) instances of non-compliance
- Red - Any number of instances of non-compliance that merit contract or payment suspension

The organization will be notified in writing of the proposed rating and will have no more than ten (10) days from the date of the notice to submit a response to OMB that will be attached to the final Report Card. Additionally, at OMB's sole discretion, an organization may be asked to submit a corrective action plan to address the instances of non-compliance identified in the Report Card. Once a corrective action plan is submitted by the organization, approved by OMB, and the actions outlined in the corrective action plan are completed by the agency, a rating of yellow may be changed to green and a rating of red may be changed to yellow, at the OMB's sole discretion. A rating of red will not be changed directly to green at any time during the contract period.

As a result of the Performance Review or any information that may come to the attention of the County, the OMB Director or the Director's designee may, at their sole discretion, terminate or elect not to renew the contract, or suspend payment at any time due any number of finding(s) or issue(s) including, but not limited to:

- Lack of fiscal documentation
- Lack of client records or program documentation

- Health or safety concerns
- Required criminal background checks or licenses not completed or current
- Monies owed to the IRS or another government entity without an approved re-payment plan
- Lapse in the required insurance(s)
- Repeat finding(s) from a prior year
- Being on an active federal, state, or local debarment list

The seriousness and significance of instances of non-compliance shall be determined at OMB's sole discretion. All Report Cards conducted during the contract year will be transmitted by the County Mayor to the Board of County Commissioners regardless of whether or not the organization has been terminated or is being recommended for renewed funding.

This Administrative Implementing Order is hereby submitted to the Board of County Commissioners of Miami-Dade County, Florida.

George M. Burgess
County Manager Mayor

Approved by County Attorney
as to form and legal sufficiency. _____