

**BCC Meeting: June 4, 2019
Research Notes**

**Item No. 8G1
File No. 191146**

Researcher: JFP Reviewer: TD

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

ISSUE/REQUESTED ACTION

Whether the Board should rescind Administrative Order No. 3-15 and approve 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 (CBOs).

PROCEDURAL HISTORY

**Prime Sponsor: Chairwoman Audrey M. Edmonson, District 3
Department/Requester: Office of Management and Budget (OMB)**

This item was forwarded to the BCC with a favorable recommendation by the Housing, Social Services & Economic Development Committee at its May 13, 2019 meeting. Prior to passage, the following discussion transpired.

- Jennifer Moon, Director of Office of Management and Budget, explained that the resolution is a comprehensive item to help Community-Based Organizations come into compliance in order to provide their services. OMB takes on the responsibility of helping CBOs stay in compliance with their contracts. The proposed resolution will help ensure that CBOs have enough funding to properly execute management and administration of their organizations. It specifically outlines due diligence reviews. OMB will work with CBOs and provide report cards so that the CBOs, as well as the Board, know how the CBOs are doing as far as compliance is concerned.
- Commissioner Moss asked how this item differs from what has been done or has been proposed in the past, to which Director Moon replied that, formerly, rules would limit the amount of County funding that could be used for administration and overhead. This item allows the solicitations to be handled on a case-by-case basis rather than implementing an across the board cap on the amount that CBOs can use on administration and overhead.
- Commissioner Martinez mentioned the history of legislation related to administrative caps and asked for clarification on whether OMB will be handling administrative costs on a case-by-case basis. Director Moon responded that the administrative costs will be a part of the competitive solicitations brought forth for the CBOs

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and handled individually, giving OMB the ability to flexible in the event that a CBO is not able to work within that limitation. The past resolution that passed and was later rescinded said that only 25 percent of the County funding could be used for administration. This was problematic because other sources of funding were proscribed from being used on administrative costs, leaving a nominal amount of County funds being the sole source for administrative costs.

- Commissioner Martinez followed up by asking how administrative costs are defined. Director Moon stated that administrative expense includes supervisor expense, office rent, and salaries for supervisors who are not involved in providing services.
- Commissioner Monestime relayed his concern that the process may be too burdensome and detract CBOs from submitting solicitations. Commissioner Moss echoed these concerns and stated that there has been a punitive tone as it relates to CBOs over the years.
- Commissioner Higgins asked if there is a plan to communicate this new process to the CBOs. Director Moon stated that OMB communicates with the CBOs constantly. If passed, this ordinance’s changes would be incorporated into the upcoming CBO solicitation.

ANALYSIS

The purpose of this item is to establish uniform standards for contracting with, evaluating, and monitoring community-based organizations (CBOs) now monitored by the Office of Management and Budget (OMB), in effect clarifying and consolidating legislation relating to CBOs previously adopted by the Board. The proposed resolution creates Implementing Order No. 3-15, rescinding Administrative Order No. 3-15, which was last updated in 2006, and superseding all resolutions that set forth standards relating to CBOs monitored by OMB, including Resolution Nos. R-630-13, R-700-13, and R-142-15.

Among the improvements included in Implementing Order No. 3-15 are clarification of the preferred and minimum financial documents required by a CBO to submit to the County prior to it being considered for funding, as well as the implementation of a reasonable and necessary administrative expense cap determined by OMB and approved as part of the CBO’s budget by OMB. Additionally a provision for the use of a standard CBO contract shell subject to annual approval for form and legal sufficiency by the County Attorney’s Office.

Changes to Administrative Order No. 3-15 integrated in Implementing Order No. 3-15 are outlined below, with deletions stricken through and additions underlined.

Administrative Order No. 3-15	Implementing Order No. 3-15
<p>Administrative Order</p> <p>Administrative Order No. 3-15 Title: Uniform Minimum Standards for Countywide Application, Assessment, Monitoring and Management Evaluation and Performance Review of Community Based Organizations (CBOs), All</p>	<p><u>Administrative Implementing Order</u></p> <p><u>Administrative Implementing Order No. 3-15</u> Title: Uniform Minimum Standards for <u>Countywide Application, Contracting, Assessment, Monitoring, and Management Evaluation Organizational Review,</u> and Performance Review of <u>Community Based Community-Based Organizations (CBOs),</u></p>

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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.

SUPERSEDES:

This Administrative Order supersedes previous Administrative Order 3-15 ordered and effective May 7, 1996.

POLICY:

This Administrative order provides for the establishment of uniform minimum standards to be applied County-wide and describes the procedural elements required for application, contracting, monitoring, and management evaluation and performance review of CBOs, all other nonprofits, and other organizations providing community services, hereinafter referred to as organizations, pursuant to an award by the Board of County Commissioners.

ROLES AND RESPONSIBILITIES:

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

ADVISORY BOARDS, COUNCILS, TRUSTS, AND SELECTION COMMITTEES:

Advisory boards, councils, trusts, and/or established selection committees are responsible for making recommendations to the Board of County Commissioners, and any subcommittees thereof, for

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 nonprofits, and other organizations providing community services, hereinafter referred to as organizations, pursuant to an award by the Board of County Commissioners.~~

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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 State and Federal rules, regulations, and guidelines, as follows:

1. Application Elements

The application process 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 will provide technical assistance to applicants upon request.

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 (OSMB):** 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

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

Organization Information:

- Name
- Address
- Telephone number
- Proposed contract period
- Proposed contract amount
- Contact person
- Corporate 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.
- Organization mission, goals and history
- Disclosure of any pending legal liabilities and judgments.
- 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).
- Description of programs and services provided by the organization.

Project Information:

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

accordance with contractual terms; reviewing and assessing contract compliance, both fiscal and programmatic; preparing Organization Review 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, Aadvisory 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~~

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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 review of the organization's past performance 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 the appropriate advisory board, council, trust, or Commission Committee, and to the Board of County Commissioners, for funding consideration.

Contract Elements

Development of the contract document, including the terms and conditions required, along with the provisions of the scope of services, shall be determined by the department in conjunction with 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
- 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 funds.

~~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 State and Federal rules, regulations, and guidelines, as follows:

1. Application Elements

The 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:

Organization Information:

- Name
- Address
- Telephone number
- Proposed contract period
- Proposed contract amount
- Contact person
- Corporate 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.
- Organization mission, goals and history

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- Provisions regarding management evaluation and performance reviews, as applicable, to be conducted by the department.
- Fund disbursements procedures based on County approved rules and procedures.

If contract terms and conditions cannot be agreed to between the department and the organization the monitoring department shall make recommendation to the Board of County Commissioners as to the disposition of the funds.

4. Contract Monitoring Elements

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, etc.
- Measurement and reporting mechanisms to insure contract compliance.
- Periodic site visits, client assessment surveys, etc. If deficiencies or evidence of non-compliance are detected during the routine course of monitoring, the department is responsible for providing written notification to the organization advising of the steps necessary to correct the situation.

5. Management Evaluation 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 observation, client assessments, and quantitative scoring, and all elements described in the Contract Monitoring Elements section stated above, etc.

- 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.~~

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

George M. Burgess
County Manager

- A review of the funding request as it relates to the goals and objectives identified for the specific programs.
- 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.

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

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signature of two persons within the organization on all checks disbursing ~~organizational~~ County funds:-

- Provisions regarding ~~management evaluation and p~~Performance #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 recommendation 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

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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 observation, 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.

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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

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- 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' 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

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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 noncompliance 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 repayment plan
- Lapse in the required insurance(s)

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- 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.

The 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.

APPLICABLE LEGISLATION/POLICY

Administrative Order No. 3-15, adopted May 7, 1996, provides for the establishment of uniform minimum standards to be applied County-wide and describes the procedural elements required for application, contracting, monitoring, and management evaluation and performance review of CBOs, all other nonprofits, and other organizations providing community services, hereinafter referred to as organizations, pursuant to an award by the Board of County Commissioners.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdf/files/AO3-15.pdf>

Ordinance No. 14-65, adopted July 1, 2014, requires that reports prepared at the request of the Board of County Commissioners be presented to the Board and reports prepared at the request of a committee of the Board be provided to such committee.

<http://intra/gia/matter.asp?matter=141471&file=true&yearFolder=Y2014>

Resolution No. R-630-13, adopted July 26, 2013, requires due diligence review to be conducted by OMB on CBOs. Such review requires agencies to submit detailed project budgets and affidavits attesting to certain statements.

<http://intra/gia/matter.asp?matter=131512&file=false&yearFolder=Y2013>

Resolution No. R-700-13, adopted September 4, 2013, 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.

<http://intra/gia/matter.asp?matter=131790&file=false&yearFolder=Y2013>

BCC Meeting: June 4, 2019
Research Notes

Item No. 8G1

File No. 191146

Researcher: JFP Reviewer: TD

Resolution No. R-142-15, adopted February 3, 2015, directed the County Mayor 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.

<http://intra/gia/matter.asp?matter=150577&file=false&yearFolder=Y2015>

Resolution No. R-59-16, adopted January 20, 2016, directs the County Mayor to advertise Request for Proposals for the award of \$14,018,000.00 in social service grants to Community-Based Organizations (CBOs) and provides for use of a standard CBO contract shell.

<http://intra/gia/matter.asp?matter=160900&file=false&yearFolder=Y2016>