

MEMORANDUM

Agenda Item No. 11(A)(17)

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

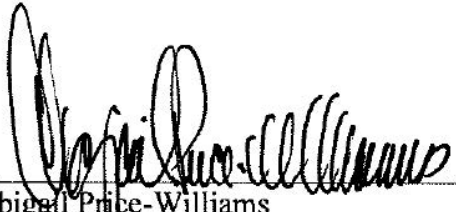
DATE: May 5, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution creating a Goods
and Services Task Force;
providing for membership,
organization and procedures,
and establishing purpose,
function, responsibility and
sunset provision

This item was amended at the 4-20-20 Chairwoman's Policy Council Committee in that the resolution reduces the timeframe for the Task Force to provide a final report to the Board from within 270 days to 150 days following its initial meeting.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan and Co-Sponsor Chairwoman Audrey M. Edmonson.


Abigail Price-Williams
County Attorney

APW/uw



MEMORANDUM
(Revised)

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

DATE: May 5, 2020

FROM: Abigail Rice-Williams
County Attorney

SUBJECT: Agenda Item No. 11(A)(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 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)(17)
5-5-20

RESOLUTION NO. _____

RESOLUTION CREATING A GOODS AND SERVICES TASK FORCE; PROVIDING FOR MEMBERSHIP, ORGANIZATION AND PROCEDURES, AND ESTABLISHING PURPOSE, FUNCTION, RESPONSIBILITY AND SUNSET PROVISION

WHEREAS, the Miami-Dade County (the “County”) Small Business Enterprise (“SBE”) programs provide business opportunities to certified small businesses, to aid in their growth, development, and contribution to the County and South Florida economies; and

WHEREAS, the County is a large purchaser of goods and services through its SBE programs; and

WHEREAS, the County has enacted implementing legislation, including (i) sections 2-8.1.1.1.1 and 2-8.1.1.1.2 of the Code of Miami-Dade County, Fla. (the “Code”) and implementing order (“IO”) No. 3-41, to give effect to the purpose and requirements and establish the parameters and procedures of its SBE goods and services programs, and (ii) IO No 3-38 for the master procurement of goods and services; and

WHEREAS, the County wishes to improve the equitable distribution of its contracts to provide for the well-being of the County and South Florida communities, and enhance the economic opportunities of its SBEs and residents; and

WHEREAS, to accomplish these purposes, this Board wishes to empanel a task force of industry professional and affected individuals to make recommendations for improvements to applicable legislation and administrative processes and procedures, in the manner more specifically delineated below,

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

Section 1. *Creation.* The Goods and Services Task Force (“GSTF” or “Task Force”) is hereby created.

Section 2. *Purpose.* GSTF is established solely for the purpose of reviewing the County’s existing legislation, administrative practices and procedures, and competitive solicitation documents for the purchase of goods and services under section 2-8.1 of the Code and IO No. 3-38, with respect to sections 2-1.1.1.1 (SBE Services Program) and 2-1.1.1.2 (SBE Goods Program), to offer recommendations for improving the County’s process of awarding goods and services contracts and achieving a more equitable distribution of County contracts. In conducting its review, and without limitation to the generality of the foregoing, the Task Force shall also consider and evaluate comparable models and methods for the procurement and contracting of goods and services. Other topics for consideration by the Task Force may include, but are not limited to, the possible application of contracting measures for non-competitive acquisitions, bundling and unbundling of contracts, and the inclusion of mentoring or joint venture opportunities in goods and services contracts.

Section 3. *Membership.* GSTF shall be comprised of 15 members, 13 of which shall be appointed by the Board (1 by each County Commissioner), one by the County Mayor, and one by the Chairperson of the SBE Goods and Services Advisory Board. The Task Force shall include representatives of firms with experience providing goods and services to the County. The Task Force shall be representative of the community at large and should reflect the gender, racial, ethnic and cultural makeup of the community. No more than one quarter (1/4) of the appointed membership to the Task Force may be currently sitting members of the SBE Goods and Services Advisory Board. GSTF members shall be appointed as follows:

- (a) Within 20 days of the effective date of this resolution, each member of the Board, County Mayor, and Chairperson of the SBE Goods and Services Advisory Board may nominate persons to be considered for service on the Task Force. Nominations shall be submitted to the Clerk of the Board (the “Clerk”).
- (b) If within 30 days following the effective date of this resolution, the Clerk has not received a sufficient number of nominations to constitute the Task Force, the Clerk shall immediately provide the Board with written notice, and the deadline for nominations and submissions shall be extended for an additional 15 days following such notice(s).
- (c) Upon receipt of sufficient nominations, the Clerk shall place an item on the agenda of the Board’s next regularly scheduled meeting for the Board’s selection of Task Force members.
- (d) In its selection of Task Force members, the Board may consider, among other factors, the member making the nomination, the availability of nominees, and other criteria set forth in this resolution.
- (e) Any Task Force vacancies shall be filled in the manner provided for in the initial appointment.

Section 4. *Conduct of Meetings.* GSTF shall select one member to serve as Chairperson, and one member to serve as Vice-Chairperson who shall discharge the office of Chairperson in the Chairperson’s absence. In order to transact any business, take any action, or exercise any power vested in the Task Force, a quorum consisting of a majority of those persons duly appointed shall be present. The Task Force shall adopt any rules it deems necessary for the conduct of its meetings, as long as such rules do not contravene Florida Statutes or the Code. Task Force members shall serve without compensation.

All GSTF proceedings shall be conducted in accordance with section 286.011 of the Florida Statutes, and the Citizens’ Bill of Rights of the Miami-Dade County Home Rule Charter. The Task Force shall be deemed an “agency” for all purposes under Chapter 119 of the Florida

Statutes. The Task Force shall be governed by all applicable state and County conflict of interest laws and ordinances, including section 2-11.1 of the Code. The Task Force shall meet within 45 days of the appointment of its members. The Task Force shall meet not less than every other month (bi-monthly) from the date of its initial meeting. Additional GSTF meetings may be held at the discretion of the Task Force.

Section 5. *Limitations on Authority.* GSTF is advisory only and shall not have the power or authority to commit Miami-Dade County or any of its agencies or instrumentalities to any policies, incur any financial obligations, or create any liability, contractual or otherwise, on behalf of the County or any of its agencies or instrumentalities.

Section 6. *Reports.* GSTF shall provide a final report to the Board which contains its findings and recommendations consistent with this resolution, within ~~[[270]]~~>>150<<¹ days following its initial meeting. The report shall be placed on an agenda of the Board pursuant to Ordinance No. 14-65, for consideration of the Board. The Board may request such further work of the Task Force as may be in the public interest.

Section 7. *Staff.* GSTF shall be provided adequate staff and support services by the County Mayor or County Mayor's designee. Such staff shall (i) maintain records of the Task Force, (ii) prepare agendas in coordination with the Chairperson, (iii) provide minutes of Task Force meetings, and (iv) perform such other duties as may be reasonably required to conduct the affairs of the Task Force subject to budgetary limitations. The County Attorney's Office shall provide legal counsel, as needed, to the Task Force.

Section 8. *Sunset.* GSTF shall sunset and stand dismissed 364 days following the effective date of this resolution, unless the Board extends the term of service by majority vote.

¹ Committee amendments are indicated as follows: Words stricken through and/or [[double bracketed]] shall be deleted, words underscored and/or >>double arrowed<< are added.

The Prime Sponsor of the foregoing resolution is Commissioner Barbara J. Jordan, and the Co-Sponsor is Chairwoman Audrey M. Edmonson. 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 5th day of May, 2020. 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 Stephen Hope

