

MEMORANDUM

Agenda Item No. 14(A)(18)

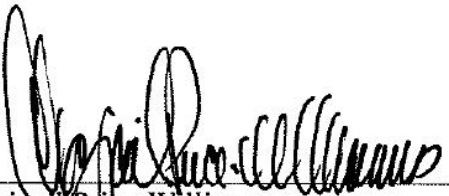
TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: October 20, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution accepting the report
of the Goods and Services Task
Force

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan.



Abigail Price-Williams
County Attorney

APW/uw



MEMORANDUM
(Revised)

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

DATE: October 20, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 14(A)(18)

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. 14(A)(18)
10-20-20

RESOLUTION NO. _____

RESOLUTION ACCEPTING THE REPORT OF THE GOODS
AND SERVICES TASK FORCE

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, on May 5, 2020, this Board adopted Resolution No. R-429-20 creating the Goods and Services Task Force (“GSTF” or “Task Force”), to make recommendations for improvements to applicable legislation and administrative processes and procedures; and

WHEREAS, pursuant to Resolution No. R-429-20, the GSTF shall provide a final report to the Board within 150 days following its initial meeting; and

WHEREAS, the GSTF drafted its report for consideration by this Board, and the report is attached to this resolution as Exhibit A; and

WHEREAS, this Board would like to accept the report of the Task Force,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board accepts the report of the Goods and Services Task Force.

The Prime Sponsor of the foregoing resolution is Commissioner Barbara J. Jordan. 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 20th day of October, 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.

dsh

David Stephen Hope

Memorandum



Date: October 15, 2020

To: Honorable Chairwoman Audrey M. Edmonson
And Members, Board of County Commission

From: Darryl Holsendolph *DH*
Chairman, Goods and Services Taskforce

Subject: Goods and Services Taskforce Report

Pursuant to Resolution No. R-429-20, sponsored by Commissioner Barbara J. Jordan and adopted by the Board of County Commissioners (the "Board") on May 5, 2020, the Goods and Services Taskforce ("GSTF") was established to offer recommendations to improve the County's process of awarding goods and services contracts, while achieving an equitable dispersal of County contracts. This is the first report to the Board on our progress and recommendations.

The first meeting of the GSTF was held on August 6, 2020. It was primarily an organizational meeting wherein the taskforce members introduced themselves and familiarized themselves with County board meeting procedures. A Chairperson and Vice Chairperson were elected (Darryl Holsendolph and Jill Klaskin Press, respectively), a work plan approach was discussed, and the next five (5) general meetings were scheduled (August 06, September 30th, October 28th, November 25th, and December 30th). At the second GSTF meeting, there was a discussion of each members top ten (10) topics they would like to address which lead to the creation of Working Groups. The intent of the working groups are to allow for a specialized and focused analysis and discussion to occur within smaller committees, and ensure the business of the GSTF can be conducted more expeditiously in a shorter timeframe. As a result, two (2) Working Groups were established as follows; (**Attachment 1**):

I. Industry/Contracts Working Group

The Industry/Contracts working group focuses on reviewing all existing contracts to find methods to improve the utilization of small businesses in Miami Dade County. Procurement, SBD and Jackson Health System (JHS) provide reports so that the working group can review and concentrate on contracts that have, but not limited to: (a) no Small Business Enterprise ("SBE") inclusion, (b) contain preference measures, selection factors, or bid waivers; or (c) the contracts are piggyback or legacy contracts. The group also focuses on seeking areas of opportunity where local SBE firms can enter or be exposed to new industries that they have been excluded from or where Miami Dade County can build local capacity.

II. New Policy Working Group

The Policy working group focuses on reviewing current policies to incorporate new procedures and amend what will improve the utilization of small businesses in Miami Dade County. The working group reviews existing SBE, Procurement and JHS policies, and provide recommendations which establish new and amend existing policies, ordinances, and programs to facilitate participation of small businesses.

It should be noted that these descriptions include potential focus areas and other topics that may not all be addressed. The GSTF Working Groups began convening the week of September 14th. The meetings were advertised and open to the public. The working groups meet once a week via Zoom over the past month with most meetings going beyond the scheduled hour. There were at least seven (7) members assigned to each working group, but all GSTF members were encouraged to participate and have done so. Among those County entities that participated in the meetings were ISD Procurement Management, Small Business Development (“SBD”) and Jackson Health System.

The *Industry/Contract Working Group*, under Chairwoman Makeba Gassant and Vice-Chairwoman Ana Maria Tris, focused on non-competitive procurement contracts such as legacy, sole source, and bid waivers. The group has been discussing the need for joint-venture mentor/protégé partnering and creating methods to provide proposers with incentive points to initiate utilization of local/SBE businesses. The group proposes to increase the SBE threshold and decrease the SBE set-aside requirements. The *Policy Working Group*, under Chairman Luis Fernandez and Vice-Chairman Irvine Headley, has been discussing ways to increase business opportunities for existing vendors, while working towards altering policies to create opportunities for local small business. That group has also reviewed the existing policies to recommend new legislation, such as creation of a Local First/Dade First Ordinance.

As a result of the working group discussions and analysis, there are eleven (11) recommendations being transmitted for the Board’s consideration (***Attachments 2, and 3***). The GSTF consists of fifteen (15) appointments, with four (4) vacancies remaining (***Attachment 4***).

In closing, the GSTF requests the Board to consider extending the Goods & Services Task Force past the sunset deadline to include 150 additional days, due to the volume of work. The extension will allow the GSTF to address an abundance of issues and make informed recommendations on select procedures and existing policies. In turn, this will enhance the economic opportunity for small businesses within Miami Dade County.

The GSTF members are available to expound on their recommendations in order to facilitate any directives or legislation that may be required to proceed. Gary T. Hartfield, SBD Director, and/or his staff attended every working group meeting and can provide further detail on the recommendations, upon request. On behalf of the GSTF, I greatly appreciate the support and feedback afforded to our mission and look forward to continued collaboration.

Pursuant to Ordinance No. 14-65, it is respectfully requested that this report be placed on the next available Board meeting agenda.

c: Goods and Services Taskforce Members
Gary T. Hartfield, SBD Director

**Goods & Services Task Force (GSTF)
Working Groups**

Attachment 1

SCHEDULE

Industry/Contracts Working Group Meeting (Mondays, 2:30pm - 4:30pm)

Zoom Conference #: 877 853 5247 (Toll Free) or 888 788 0099 (Toll Free)

Webinar ID: 935 1913 0377

Password: 803941

Registration link: <https://miamidade.live/GSTF-IndustryContracts>

Members Name:

Ana Maria Tris

Kathy Emery

Makeba Gasant

Leighton Brown

Darryl Holsendolph

Luis Fernandez

Paola Pierre

Policy Working Group Meeting (Thursdays, 1:00pm - 2:00pm)

Zoom Conference #: 877 853 5247 (Toll Free) or 888 788 0099 (Toll Free)

Webinar ID: 918 6600 5197

Password: 673526

Registration link: <https://miamidade.live/GSTF-Policy>

Members Name:

Jill Press

Kathy Emery

Makeba Gasant

Darry Holsendolph

Jeannifer Bonnet

Leighton Brown

Luis Fernandez

Paola Pierre

Irvine Headley

Goods & Services Task Force (GSTF) Working Groups

Descriptions

Contracts/Industry Working Group (Mondays, 2:30pm - 4:00pm)

- Review all existing and expiring contracts whereas there are No Small Business Enterprise (SBE) inclusion, Preference Measures, Piggyback Contracts, Selection Factor Process, Legacy Contracts, and Bid Waivers.
Review Department feedback on local restrictions for competitions and provide recommendations for removing barriers limiting inclusion across all contracts.
- Conduct clear communication with procurement and local businesses for engagement of process, procedures, preferences for increased utilization opportunities proactively.
- Review current, and expiring industry specific user department Contracts by department whereas there is no measure.
- Review proposed projects where there is no local SBE Goods & Services providers available to be contracted or included in large contracts, Legacy, P3, Capital Projects and Selection Factor projects.
- Review the various Industry Sectors with large contracts.
- Provide small business access to information prior to bidding process.
- Recommend industry solutions for challenges faced by local small businesses in complying with policy barriers.
- Review procuring projects that small businesses are not aware and propose solution for equity inclusion.
- Review industries within the county that are procuring products that local small businesses are not aware of.

New Policy Working Group (Thursdays, 1:00pm - 2:00pm)

- Review existing policies, establish new and modify old policies, ordinances, procurement, and programs.
- Recommend changes, add local measures across all processes of award, research new compliance requirement, and add accountability for outcome desired.
- Creation of new policies that deals with accountability, compliance, and authority.
- Provide recommendations for accountability of departments and user's department for SBE Equity and inclusion.
- Assess and provide specific policy recommendations for renewals and extensions to county contracts.

Goods and Services Taskforce “GSTF” Recommendations

Recommendation #1: Increase the current threshold for purchases less than \$100k purchases for SBE firms to less than \$200k for All Dade County departments and JMH. Give preference to Micro 1 and Micro 2 vendors for any purchases under \$200K and to have a bid preference of 18%. Including, 9% for Micro 3 firms and giving a preference/sheltered market for Micro 1 firms for purchases less than \$20k.

Recommendation #2: Shelter an item for SBE currently requires 3 (three) vendors. SBE sheltered market to require only 2 SBE firms for it to be an SBE sheltered purchase not 3.

Recommendation #3: Remove the requirement barrier that requires SBE firms to submit 3 (three) commodity references for selling Goods/Products. The purchase of Goods should no longer require references for a transaction.

Recommendation #4: Establish a Dade County First ordinance. This is an inclusion ordinance that is designed to require all user departments including JMH to use local and underutilized SBE certified firms in their solicitations for goods & services contracts. The ordinance will require proposers who bid to submit their utilization commitment to local SBE firms on the project for related and non-related services. This can include use in their supply chain, normal business services and operations. Dade first respondents should include the value of the Dade First SBE participant and significant scoring advantage in the selection process for service.

Recommendation #5: Establish an Office of Equity and Inclusion for procurement of all Miami Dade contracts and contracts less than \$200k for Jackson Health. The office should have the authority to oversee all user departments solicitations, compliance, goal setting, and participate in the selection process for contracts. Office of Equity and Inclusion’s focus would be increasing the use of underutilized local SBE firms in the contracting process.

Recommendation #6: Create an Equitable Distribution program for Goods & Services in pool contracts. This would be one of the Dade County First Ordinance programs. Supply orders and services should be rotated among this pre-qualified pool of SBE commodity vendors. The order of the vendor rotation is periodically adjusted to account for ranking from the lowest to highest dollar amount for purchase orders assigned to each SBE vendor, that is listed on the pre-qualified pool of vendors. Participation of the vendor rotation pool is contingent on the vendor having no history of unsatisfactory performance on prior contracts. This will allow each qualified and responsive local SBE vendor to get a business opportunity during the contract period.

Recommendation #7: Extend the Goods & Services Task Force past the Sunset deadline to include 150 additional days to address an abundance of challenges for the betterment of economic opportunity for small businesses within Miami Dade County.

Recommendation #8: Require Jackson Health to have their GPO’s include SBE preferences, specifically for good & services, and particularly on items that local firms can provide, and direction on how this can be implemented.

Goods and Services Taskforce “GSTF” Recommendations

Recommendation #9: Jackson Health should utilize a Dade County or SBE firm for that good/service, with included language on such contracts on all procurement contracts through piggybacking on state contracts.

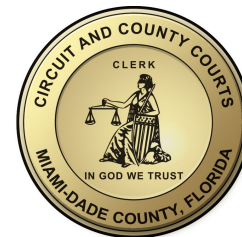
Recommendation #10: Require all proposers on non-competitive procurement contracts and bids (legacy, sole source, bid waivers, etc.) to provide a response on how they can include local businesses, SBEs, joint-venture or mentor/protégé partnering, and provide proposers with incentivized points for best utilization of local/SBE businesses, towards award.

Recommendation #11: Expire contracts after a maximum of 3 years and if the contract is renewed, the firm must include Dade county first SBE's measures. If the firm does not want to accept the project under the new terms, the contract must be posted for rebidding.



Clerk of the Board COUNTY BOARDS AND APPOINTMENTS

Miami-Dade County, Florida



Printed On : 9/29/2020 2:46:09 PM

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GOODS AND SERVICES TASK FORCE

AUTHORITY	R-429-20, COUNTY RESOLUTION
DESCRIPTION	REVIEWING COUNTY EXISTING LEGISLATION, ADMINISTRATIVE PRACTICES, PROCEDURES AND COMPETITIVE SOLICITATION.
COMPOSITION	SHALL BE COMPRISED OF 15 MEMBERS AS FOLLOWS: *ONE BY EACH COMMISSONER *ONE BY COUNTY MAYOR *ONE BY CHAIRPERSON OF SBE GOODS AND SERVICES ADVISORY BOARD
QUALIFICATION	RESIDENTS AND ELECTORS OF MIAMI-DADE COUNTY WHO HAVE OUTSTANDING REPUTATIONS FOR INTEGRITY, RESPONSIBILITY, AND COMMITMENT TO SERVING THE COMMUNITY.
APPOINTMENT PROCESS	NOMINATIONS SHALL BE SUBMITTED TO THE CLERK OF THE BOARD.

MEMBER NAME	TERM	CATEGORY	APPOINTED/NOMINATED BY
JEANNIFER BONNET	8/31/2020 TO 5/8/2021		DANIELLA LEVINE CAVA
LEIGHTON BROWN 555 NW 95TH STREET MIAMI, FL 33150	8/31/2020 TO 5/8/2021		AUDREY M. EDMONSON
KATHY E EMERY	7/8/2020 TO 5/8/2021		ORGANIZATION- CHAIRPERSON-SBE GOODS AND SERVICES ADVISORY BOARD
LUIS FERNANDEZ	7/8/2020 TO 5/8/2021		JOSE "PEPE" DIAZ
MAKEBA GASSANT	7/8/2020 TO 5/8/2021		MAYOR- CARLOS A. GIMENEZ
IRVINE A. HEADLEY	7/8/2020 TO 5/8/2021		DENNIS C. MOSS
DARRYL HOLSENDOLPH 1176 NW 163 DR. MIAMI, FL 33169	7/8/2020 TO 5/8/2021		BARBARA J. JORDAN
PAOLA PIERRE	7/8/2020 TO 5/8/2021		JEAN MONESTIME
JILL KLASKIN PRESS 11111 BSICAYNE BLVD 721 MIAMI, FL 33181	7/8/2020 TO 5/8/2021		SALLY A. HEYMAN
ANA MARIA TRIS	7/8/2020 TO 5/8/2021		XAVIER L. SUAREZ

VACANCY	APPOINTED/NOMINATED BY	CATEGORY	MEMBER STATUS	VACANT SINCE
VACANT	EILEEN HIGGINS			
VACANT	REBECA SOSA			
VACANT	JOE A. MARTINEZ			
VACANT	ESTEBAN BOVO, JR.			
VACANT	SEN. JAVIER D. SOUTO			