



MEMORANDUM

Agenda Item No. 11(A)(1)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** May 15, 2012

**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Resolution creating Construction  
Bonding Task Force; setting forth  
powers and responsibilities; and  
providing for a sunset  
Resolution No. R-437-12

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

A handwritten signature in black ink, appearing to read "RAC", is written over a horizontal line.

R. A. Cuevas, Jr.  
County Attorney

RAC/cp



# MEMORANDUM

(Revised)

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and Members, Board of County Commissioners

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**Please note any items checked.**

- "3-Day Rule" for committees applicable if raised**
- 6 weeks required between first reading and public hearing**
- 4 weeks notification to municipal officials required prior to public hearing**
- Decreases revenues or increases expenditures without balancing budget**
- Budget required**
- Statement of fiscal impact required**
- Ordinance creating a new board requires detailed County Manager's report for public hearing**
- No committee review**
- Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_) 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)(1)  
5-15-12

RESOLUTION NO. R-437-12

RESOLUTION CREATING CONSTRUCTION BONDING  
TASK FORCE; SETTING FORTH POWERS AND  
RESPONSIBILITIES; AND PROVIDING FOR A SUNSET

**WHEREAS**, Miami-Dade County (the "County") has a Community Small Business Enterprise ("CSBE") program for construction related enterprises, including design-build firms, and firms providing trades and/or services for the completion of construction projects, as defined in Chapter 10 of the Code of Miami-Dade County; and

**WHEREAS**, the ability of community small businesses to perform work on County projects is dependent on the ability of those small businesses to provide construction related bonds; and

**WHEREAS**, it is difficult for community small businesses to obtain the necessary construction bonds; and

**WHEREAS**, the CSBE Advisory Board was established by Section 10-33.02 of the Code of Miami-Dade County to provide general program oversight and assistance to the Small Business Development program by tracking and monitoring the results and effectiveness of the CSBE Program; and

**WHEREAS**, the Board wants to strengthen its CSBE program by creating a task force consisting of the members of the CSBE Advisory Board to study the ability of community small businesses to obtain construction related bonds and propose legislation for consideration by the Board to address any difficulties that these businesses encounter in obtaining construction related bonding and thereby increase these businesses participation in County construction projects; and

**WHEREAS**, the Board desires that this task force study the best practices of other jurisdictions around the Country to identify effective and proven policies to assist community small businesses in obtaining construction bonding,

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

Section 1. There is hereby created a Small Business Construction Bonding Task Force (“Bonding Task Force”) which shall consist of the members of the CSBE Advisory Board. The Bonding Task Force shall invite representatives of the bonding community, disbursement agent industry, banking or finance industry and Miami-Dade County Finance Department to provide guidance and assistance to the Bonding Task Force. The Chairperson of the CSBE Advisory Board shall be the Chairperson of the Bonding Task Force.

Section 2. The Bonding Task Force shall be staffed by the County Mayor or the County Mayor’s Designee, County Attorney, and County Clerk.

Section 3. The Bonding Task Force shall review the processes by which community small businesses obtain construction bonding, identify any actual or potential obstacles in obtaining such bonding, study the best practices of other jurisdictions around the Country in addressing these issues, and prepare and submit to this Board written recommendations setting forth any proposed legislation that will enable community small businesses to obtain adequate construction bonding or otherwise perform County construction projects. The Bonding Task Force shall solicit and study proposals from groups affected by bonding opportunities in the County and bring such proposals before the Board for consideration and approval.

Section 4. All proceedings of the Bonding Task Force shall be conducted in accordance with the Government in the Sunshine Law (Sec. 286.011 Fla. Stats.) and the Citizens' Bill of Rights of the Miami-Dade County Home Rule Charter. The Bonding Task Force shall be deemed an "agency" for the purposes of the Public Records Law (Sec. 119 Fla. Stats.).

Section 5. The Bonding Task Force shall submit its written recommendations to this Board within 90 days of the effective date of this resolution.

Section 6. The Bonding Task Force created pursuant to the resolution shall sunset and stand dissolved on the 180<sup>th</sup> day from the effective date of this resolution.

The Prime Sponsor of the foregoing resolution is Commissioner Barbara J. Jordan and the Co-Sponsors are Vice Chairwoman Audrey M. Edmonson and Commissioner Jean Monestime. It was offered by Commissioner **Barbara J. Jordan**, who moved its adoption. The motion was seconded by Commissioner **Dennis C. Moss** and upon being put to a vote, the vote was as follows:

	Joe A. Martinez, Chairman	<b>aye</b>	
	Audrey M. Edmonson, Vice Chairwoman	<b>aye</b>	
Bruno A. Barreiro	<b>aye</b>	Lynda Bell	<b>aye</b>
Esteban L. Bovo, Jr.	<b>aye</b>	Jose "Pepe" Diaz	<b>aye</b>
Sally A. Heyman	<b>aye</b>	Barbara J. Jordan	<b>aye</b>
Jean Monestime	<b>aye</b>	Dennis C. Moss	<b>aye</b>
Rebeca Sosa	<b>aye</b>	Sen. Javier D. Souto	<b>aye</b>
Xavier L. Suarez	<b>aye</b>		

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The Chairperson thereupon declared the resolution duly passed and adopted this 15<sup>th</sup> day of May, 2012. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

HARVEY RUVIN, CLERK



By: **Christopher Agrippa**  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

A handwritten signature in black ink, appearing to be "OR" with a flourish extending to the right.

Oren Rosenthal