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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 11(A)(5)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: May 5, 2015

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

SUBJECT: Resolution establishing preference for the purchase of goods produced or manufactured in Miami-Dade County; directing the Mayor to identify competitive solicitations and contracts for inclusion of appropriate set-aside or preference for the purchase of local products and to develop language for inclusi in competitive solicitation documents and contracts to giv effect to the preference; providing for advice of the Agricultural Manager, the Miami-Dade County Cooperative Extension Service and the Small Business Development Division of the Internal Services Department; providing for repo to the Board regarding implementation
Resolution No. R-422-15

This item was amended at the 4-16-15 Economic Prosperity Committee to allow the Mayor additional time to implement the policy relating to local products. Identification of competitive solicitations and contracts for inclusion of the appropriate set-aside or preference will occur following the 90 day period for completion of the report provided for under Section 4 of the resolution.

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

R. A. Cuevas, Jr.
County Attorney

RAC/smm

MEMORANDUM
(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: May 5, 2015

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

SUBJECT: Agenda Item No. 11(A)(

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 Mayor'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)(5)
5-5-15

RESOLUTION NO. R-422-15

RESOLUTION ESTABLISHING PREFERENCE FOR THE PURCHASE OF GOODS PRODUCED OR MANUFACTURED IN MIAMI-DADE COUNTY; DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO IDENTIFY COMPETITIVE SOLICITATIONS AND CONTRACTS FOR INCLUSION OF APPROPRIATE SET-ASIDE OR PREFERENCE FOR THE PURCHASE OF LOCAL PRODUCTS AND TO DEVELOP LANGUAGE FOR INCLUSION IN COMPETITIVE SOLICITATION DOCUMENTS AND CONTRACTS TO GIVE EFFECT TO THE PREFERENCE; PROVIDING FOR ADVICE OF THE AGRICULTURAL MANAGER, THE MIAMI-DADE COUNTY COOPERATIVE EXTENSION SERVICE AND THE SMALL BUSINESS DEVELOPMENT DIVISION OF THE INTERNAL SERVICES DEPARTMENT; PROVIDING FOR REPORT TO THE BOARD REGARDING IMPLEMENTATION

WHEREAS, Miami-Dade County, in its proprietary role as a purchaser of goods and services, is an important force in the marketplace; and

WHEREAS, Miami-Dade County's Procurement Management Division manages in excess of 1,300 active contracts valued at approximately $4.9 billion; and

WHEREAS, each year, the Procurement Management Division negotiates and is responsible for recommending the award of contracts exceeding $900 million in value; and

WHEREAS, it is the policy of Miami-Dade County to promote the local economy; and

WHEREAS, Miami-Dade County wishes to promote its opportunities as a home for manufacturing and industry; and

WHEREAS, Miami-Dade County's agricultural industry employs approximately 23,000 people and produces more than $2.7 billion in economic impact to the area each year; and

WHEREAS, promoting the County's purchase of goods produced or manufactured in Miami-Dade County would stimulate Miami-Dade County's economy, provide for fresher and more nutritious agricultural produce, serve our local and global environment, and conserve fuel costs; and

WHEREAS, this Board has previously adopted resolutions fostering the policy advanced in this Resolution, including Resolution No. 591-12, directing the Mayor to develop recommendations and specifications requiring the County to purchase from local manufacturers, Resolution No. 592-12 directing the Mayor or Mayor's designee to celebrate an annual local business expo, and Resolution No. 593-12 directing the Mayor to establish a registry of County based manufacturers; and

WHEREAS, notwithstanding the progress made in local purchases as a result of those initiatives, this Board wishes to further favor local purchases through a preference program to be incorporated in County purchases as more particularly set forth below,

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

Section 1. It is the policy of Miami-Dade County, in its proprietary capacity, to establish a preference for the purchase of goods produced or manufactured in geographical Miami-Dade County ("Local Products"), including, without limitation, local agricultural products.

Section 2. In furtherance of this policy, >>following the report required under Section 4 of this resolution,<<[1] the Mayor or Mayor's designee is hereby directed to identify

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

competitive solicitations and contracts for inclusion of appropriate set-aside or preference provisions for the purchase of Local Products, at any contracting, subcontracting or material purchase tier. The Mayor or Mayor's designee is further directed to create language for inclusion in competitive solicitation documents and contracts to give effect to this preference.

Section 3. For all purposes under this resolution, the Mayor or Mayor's designee shall solicit the advice of the Agricultural Manager, the Miami-Dade County Extension Service, and the Small Business Development Division of the Internal Services Department.

Section 4. The Mayor or Mayor's designee shall provide a report to this Board setting forth the steps taken to implement this directive not later than 90 days following the effective date of this resolution and shall place the completed report on an agenda of the Board pursuant to Ordinance No. 14-65.

The Prime Sponsor of the foregoing resolution is Commissioner Daniella Levine Cava, and the Co-Sponsors are Commissioner Audrey M. Edmonson and Commissioner Barbara J. Jordan. It was offered by Commissioner **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman			**aye**
Esteban L. Bovo, Jr., Vice Chairman			**aye**
Bruno A. Barreiro	**aye**	Daniella Levine Cava	**aye**
Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**aye**	Barbara J. Jordan	**aye**
Dennis C. Moss	**absent**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**absent**	Xavier L. Suarez	**aye**
Juan C. Zapata	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of May, 2015. 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 *Christopher Agrippa*
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Hugo E. Benitez