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

MEMORANDUM

Agenda Item No. 14(A)(1)

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

DATE: January 20, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution establishing, pursuant to section 218.39, Florida Statutes, audit committee for the purpose of assisting the Board with the selection of an external auditor and appointing membership of said audit committee; setting forth the obligations of the audit committee; directing the County Mayor to negotiate an agreement with external auditing firms on the basis of the rankings produced by the audit committee and further directing the submission of any negotiated agreement to the Board for approval; providing for protest procedures; and providing for the sunset of the ad hoc audit committee

Resolution No. R-87-16

The accompanying resolution was prepared by the Internal Services Department and placed on the agenda at the request of Prime Sponsor Commissioner Daniella Levine Cava.

Abigail Price-Williams for
County Attorney

APW/lmp

Memorandum

MIAMI-DADE COUNTY

Date: January 20, 2016

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

From: Carlos A. Gimenez
Mayor

Subject: Recommendation to Establish an Audit Committee in Accordance with Florida Statutes 218.391

Recommendation
It is recommended that the Board of County Commissioners (Board) adopt the accompanying Resolution requesting the establishment of an Audit Committee. Members of the Audit Committee are recommended based upon their technical expertise in the financial field and include senior level representatives from each of the financial segments/departments for which independent audits are to be conducted.

Scope
The scope of this item is countywide in nature.

Fiscal Impact/Funding Source
There is no fiscal impact associated with the establishment of the Audit Committee. Any recommendation to award a contract resulting from the competitive process will contain the fiscal impact for that particular contract and the applicable funding source.

Track Record/Monitor
Beth Goldsmith of the Internal Services Department is the Procurement Contracting Manager.

Delegated Authority
The Audit Committee will have the authority to conduct the duties described below. The County Mayor or County Mayor's designee will have the authority to conduct negotiations in accordance with Florida Statutes Section 218.391(4)(d). A recommendation for award will be presented to the Board for approval.

Background
Pursuant to the requirements of Florida Statutes Section 218.391 (Auditor Selection Procedures), the Board is required to establish an Audit Committee for the primary purpose of assisting the Board in selecting an external auditor to conduct annual financial audits required by Florida Statutes Section 218.39 (Annual Financial Audit Reports). The duties of the Audit Committee shall include: 1) establishing factors to use for the evaluation of firms responding to competitive requests for proposals for external auditing services, 2) publicly announcing requests for proposals, 3) ensuring that interested firms receive the announcement, 4) evaluating the proposals received in response to competitive requests for proposals, and 5) ranking and recommending firms to the Board for award.

Attachment

Edward Marquez
Deputy Mayor

MEMORANDUM

(Revised)

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

DATE: January 20, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 14(A)(1)

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 ____, 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. 14(A)(1)
1-20-16

RESOLUTION NO. R-87-16

RESOLUTION ESTABLISHING, PURSUANT TO SECTION 218.39, FLORIDA STATUTES, AUDIT COMMITTEE FOR THE PURPOSE OF ASSISTING THE BOARD WITH THE SELECTION OF AN EXTERNAL AUDITOR AND APPOINTING MEMBERSHIP OF SAID AUDIT COMMITTEE; SETTING FORTH THE OBLIGATIONS OF THE AUDIT COMMITTEE; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO NEGOTIATE AN AGREEMENT WITH EXTERNAL AUDITING FIRMS ON THE BASIS OF THE RANKINGS PRODUCED BY THE AUDIT COMMITTEE AND FURTHER DIRECTING THE SUBMISSION OF ANY NEGOTIATED AGREEMENT TO THE BOARD FOR APPROVAL; PROVIDING FOR PROTEST PROCEDURES; AND PROVIDING FOR THE SUNSET OF THE AD HOC AUDIT COMMITTEE

WHEREAS, this County desires to procure external auditing services for the completion of the annual audit required under Fla. Stat. § 218.39; and

WHEREAS, under Fla. Stat. § 218.391, the governing body of a County desiring to procure external auditing services in connection with the annual audit required under Fla. Stat. § 218.39 must establish an audit committee "to assist the governing body in selecting an auditor to conduct the annual financial audit"; and

WHEREAS, this Board desires to comply with Fla. Stat. § 218.391 in its selection of external auditor(s),

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

Section 1. This Board establishes an audit committee for the purpose of assisting this Board with the selection of the external auditor(s) necessary to conduct the financial audit required under Fla. Stat. § 218.39. The membership of the audit committee shall consist of:

Name	Department
Beth Goldsmith (Non-Voting Chairperson)	Internal Services Department, Procurement Contracting
Cathy Jackson	Audit Management Services, Director
Blanca Padron	Finance Department, Deputy Director
Robert Villar	Transit Department, Assistant Director
Frances Morris	Water and Sewer Department, Chief Financial Officer
Charles Anderson	Office of the Commission Auditor, Commission Auditor
Sergio San Miguel	Aviation Department, Controller

The performance of the audit committee shall be in accordance with that portion of Implementing Order 3-34 titled "Performance of Selection Committees."

Section 2. In accordance with Fla. Stat. § 218.391(3), the audit committee formed pursuant to Section 1 shall be required to (1) establish factors (including, but not limited to, ability of personnel, experience, ability to furnish the required services, and such other factors as may be determined by the audit committee to be applicable to its particular requirements) to use for the evaluation of audit services to be provided by a certified public accounting firm duly licensed under Chapter 473, Florida Statutes, and qualified to conduct audits in accordance with government auditing standards as adopted by the Florida Board of Accountancy; (2) publicly announce the request for proposal(s), which announcement shall include, at a minimum, a brief description of the audit and an instructions as to how interested firms can apply for consideration; (3) provide interested firms with a request for proposal, which shall include information on how proposals are to be evaluated and such other information the committee determines is necessary for the firm to prepare a proposal; (4) evaluate proposals provided by qualified firms, which proposals shall be evaluated, in part, on the basis of compensation, but

provided that compensation shall not be the sole or predominant factor used to evaluate proposals; and (5) rank and recommend, in order of preference, no fewer than three firms deemed to be most highly qualified to perform the required services after considering the evaluation factors established by the audit committee or, if fewer than three firms respond to the request for proposal, the audit committee recommend such firms as it deems to be the most highly qualified.

Section 3. In accordance with Fla. Stat. § 218.391(4)(d), this Board directs the County Mayor or County Mayor's designee to negotiate agreement(s) with the external auditing firm(s) receiving the highest ranking from the audit committee. If negotiations with the highest-ranked firm are unsuccessful, the County Mayor or County Mayor's designee shall negotiate an agreement with the next highest ranked firm and proceed in similar fashion until an agreement is reached. If negotiations with all ranked firms are unsuccessful, the County Mayor or County Mayor's designee shall request that the audit committee produce an additional ranking for the purpose of conducting negotiations pursuant to this Section. Once negotiations have successfully concluded, the agreement(s) negotiated pursuant to this Section shall be presented to this Board for approval accompanied by a written recommendation memorandum from the County Mayor or County Mayor's designee, which shall, if warranted, set forth any reason why the recommended award(s) is not to the highest-ranked or next highest ranked firm. Any agreement(s) submitted to the Board for its consideration shall, at a minimum, include the provisions required under Fla. Stat. § 218.391(7)(a)-(c) and § 2-11.30 of the Code of Miami-Dade County, Florida.

Section 4. The protest procedures outlined in § 2-8.4 of the Code of Miami-Dade County, Florida and Implementing Order 3-21 shall apply to the procurement of external auditing services.

Section 5. The audit committee established pursuant to this Resolution shall sunset after the Board has approved of all of the agreements to be issued pursuant to the request for proposals described in Section 2.

The foregoing resolution was offered by Commissioner **Audrey M. Edmonson**, who moved its adoption. The motion was seconded by Commissioner **Xavier L. Suarez** 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	**aye**	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 20th day of January, 2016. 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. MAG

Miguel A. Gonzalez