

Memorandum



Date: April 4, 2014
To: Department Directors
From: Carlos A. Gimenez
Mayor
Subject: Contractor Due Diligence Affidavit



On January 22, 2014, the Board of County Commissioners (Board) adopted R-63-14, which directed the Administration to require certain affidavits as part of the due diligence conducted by the County with respect to the responsibility of potential vendors and contractors prior to contract award. This resolution is applicable as a condition of award for any contract that exceeds \$1 million, or that is otherwise subject to Board approval.

In accordance with R-63-14, the Procurement Management Division of the Internal Services Department developed the attached affidavit that requires contractors to attest to the following under oath:

- All of the lawsuits that have been filed against that entity, its directors, partners, principals, and/or board members, based on breach of contract by that entity in the five years prior to bid or proposal submittal, including the case name and number and the disposition of the case;
- Any instances in the five years prior to bid or proposal submittal where that entity has been defaulted and a brief description of the circumstances; and
- All of the instances in the five years prior to bid or proposal submission where that entity has been debarred or received a formal notice of non-compliance or non-performance, such as a notice to cure or a suspension from participating or bidding for contracts, whether related to Miami-Dade County or not.

In order to implement this resolution, the attached Contractor Due Diligence Affidavit must be included with all solicitation packages meeting the criteria discussed above. It is the responsibility of the vendor/contractor to return the fully executed Affidavit at the time of bid or proposal submittal. This affidavit will be used as an additional measure of due diligence prior to award of a contract.

Should you have any questions or concerns, please do not hesitate to contact ISD Assistant Director Miriam Singer at (305) 375-5893.

Attachment

c: Robert A. Cuevas, Jr., County Attorney
Office of the Mayor Senior Staff
Miriam Singer, Assistant Director, Internal Services Director
Procurement Liaisons

