

Memorandum



Date: DEC 28 2009

To: Department Directors

From: George M. Burgess
County Manager

A handwritten signature in black ink, appearing to read "G. Burgess", written over the printed name of George M. Burgess.

Subject: Disabled Veterans Preference in County Contracting

On September 1, 2009, the Board of County Commissioners adopted Ordinance No. 09-68 (attached) which provides a five percent bid preference to Certified Service-Disabled Veteran firms on all County contracts. To qualify for the preference a firm must be:

1. Local businesses as defined by Section 2-8.5 of the Code, and
2. Certified by the Florida Department of Management Services as a Service-Disabled Veteran Business Enterprise (SDVBE) prior to bid or proposal submission.

The ordinance requires the vendor to affirm, in writing, compliance with Section 295.187 of the Florida Statutes and to provide a copy of the SDVBE certification with the bid, proposal, or work order response. When evaluating bids received in response to a solicitation, staff must confirm the vendor qualifies for the preference by verifying that:

1. The vendor is certified by the State of Florida by visiting their online directory at <https://vendorstrator.dms.myflorida.com/directory>, and
2. The vendor is a local firm pursuant to Section 2-8.5 of the Code. Guidance is also provided in the Procurement Guidelines and Evaluation Transmittal, both of which are available at <http://intra/dpm>.

If these two factors are verified, a five percent preference must be deducted from the SDVBE's price submitted for evaluation purposes only. In cases of qualitative solicitations such as Requests for Proposals, an SDVBE is entitled to receive an additional five percent added to their score for the technical portion only of their proposal.

This Disabled Veterans Preference applies to all competitive County contracts for goods, services, concessions, leases, construction and design, regardless of value. This also includes Small Purchase Orders (SPOs) and Invitations to Quote from pre-qualified pools. DPM has updated its boilerplates, guidelines and intranet site to reflect the new procedures and provide additional resources. These guidelines are available at DPM's intranet site: <http://intra/dpm>.

Should you have any questions, please do not hesitate to contact Miriam Singer, Director, Department of Procurement Management, or me directly.

Attachment

c: Honorable Carlos Alvarez, Mayor
Denis Morales, Chief of Staff
County Executive Office Senior Staff
Deputy and Assistant Directors
Procurement Liaisons

**OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA**



MEMORANDUM

Amended
Agenda Item No. 7(A)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: September 1, 2009

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

SUBJECT: Ordinance establishing
procedures for providing
Preference to Local Certified
Service-Disabled Veteran
Businesses in County Contracts
Ordinance No. 09-68

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Vice-Chairman Jose "Pepe" Diaz, and Co-Sponsors Commissioner Audrey M. Edmonson, Commissioner Carlos A. Gimenez, Commissioner Barbara J. Jordan, Commissioner Joe A. Martinez, Chairman Dennis C. Moss, Commissioner Dorrin D. Rolle, Commissioner Katy Sorenson, Commissioner Rebeca Sosa and Senator Javier D. Souto.



R. A. Cuevas, Jr.
County Attorney

RAC/ j1s

Memorandum



Date: September 1, 2009

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

From: George Burgess
County Manager

Subject: Ordinance Establishing Procedures for Providing Preference to Local Certified Service-Disabled Veteran Businesses in County Contracts

The proposed ordinance establishing a preference for local certified service-disabled veterans may have a fiscal impact that cannot be not easily quantified.

In accordance with Section 295.197 of Florida Statutes, the State certifies vendors as service-disabled and maintains a database of these vendors. Currently 76 businesses in the State are certified as service-disabled veterans, three of which are from Miami-Dade County and seven from Broward County.


Assistant County Manager

fls04709

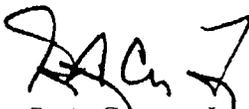


MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: September 1, 2009

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

SUBJECT: Amended
Agenda Item No. 7 (A)

Please note any items checked.

- "4-Day Rule" ("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**
- Bid waiver requiring County Mayor's written recommendation**
- Ordinance creating a new board requires detailed County Manager's report for public hearing**
- Housekeeping item (no policy decision required)**
- No committee review**

Approved _____ Mayor
Veto _____
Override _____

Amended
Agenda Item No. 7(A)
6-30-09

ORDINANCE NO. 09-68

ORDINANCE ESTABLISHING PROCEDURES FOR PROVIDING PREFERENCE TO LOCAL CERTIFIED SERVICE-DISABLED VETERAN BUSINESSES IN COUNTY CONTRACTS; CREATING SECTION 2-8.5.1 OF THE CODE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

WHEREAS, the Board of County Commissioners of Miami-Dade County would like to provide a preference in County procurement and contracting to service-disabled veterans who are local vendors and who have made extraordinary sacrifices on behalf of the nation,

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

Section 1. The Code of Miami-Dade County is hereby amended by adding the following new section thereto as Section 2-8.5.1¹

>>**Sec. 2-8.5.1** **Procedure to Provide Preference to Local Certified Service-Disabled Veteran Business Enterprises in County Contracts**

- (1) Definitions: Local Certified Service Disabled Veteran Business Enterprise is a firm that is (a) a local business pursuant to Section 2.8.5 of the Code of Miami-Dade County and (b) prior to proposal or bid submittal is certified by the State of Florida Department of Management Services as a service-disabled veteran business enterprise pursuant to Section 295.187 of the Florida Statutes.

¹ Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

- (2) A Local Certified Service-Disabled Veteran Business Enterprise that submits a bid for a contract shall receive a bid preference of five percent of the price bid. These preferences will only be used for evaluating and awarding the bids and shall not affect the contract price. However, if a Local Certified Service-Disabled Veteran Business Enterprise is the lowest bidder as a result of a Best and Final Bid (also known as a BAFO), then the price submitted as part of the Best and Final Bid shall be the contract price.
- (3) A Local Certified Service-Disabled Veteran Business Enterprise that submits a proposal in response to an RFP, RFQ, RFI or a Notice to Professional Consultants that assigns weights to evaluation and selection criteria shall receive an additional five percent of the evaluation points scored on the technical portion of such bidder's proposal.
- (4) In procurements where SBE (Small Business Enterprises) measures are being applied, a Local Certified Service-Disabled Veteran Business Enterprise who is also an SBE shall not receive the veteran preferences provided in this section and shall be limited to any applicable SBE preferences.
- (5) At the time of bid or proposal submission, the firm must affirm in writing its compliance with the certification requirements of Section 295.187 of the Florida Statutes and submit this affirmation and a copy of the actual certification along with the bid or proposal submission.
- (6) In the event that Broward, Palm Beach or Monroe County extend preferences to Local Certified Service-Disabled Veteran Business Enterprises, Miami-Dade County may enter into an inter-local agreement with such County wherein the preferences of this section may be extended and made available to vendors that are both Certified Service-Disabled Veteran Business Enterprises and considered local vendors in those counties pursuant to Section 2-8.5 of the Code of Miami-Dade County. Nothing in this ordinance is meant to limit any preferences otherwise available to local businesses pursuant to the Code.<<

Section 2. If any section, subsection, sentence, or clause of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

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Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any Sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED: **September 1, 2009**

Approved by County Attorney as
to form and legal sufficiency: ADW/RAC

Prepared by D.F. ✓

Daniel Frastai

Prime Sponsor: Vice-Chairman Jose "Pepe" Diaz

Co-Sponsors: Commissioner Audrey M. Edmonson,
Commissioner Carlos A. Gimenez,
Commissioner Barbara J. Jordan,
Commissioner Joe A. Martinez,
Chairman Dennis C. Moss,
Commissioner Dorrin D. Rolle,
Commissioner Katy Sorenson,
Commissioner Rebeca Sosa,
Senator Javier D. Souto