

# MEMORANDUM

Agenda Item No. 8(F)(3)

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


**DATE:** October 6, 2015

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

**SUBJECT:** Resolution authorizing a two-  
year extension of the Interlocal  
Agreement between Broward  
County and Miami-Dade County  
for reciprocity of Local  
Preference Ordinances and  
Programs

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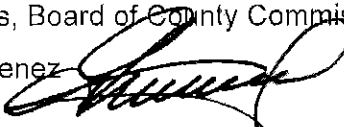
The accompanying resolution was prepared by the Internal Services Department and placed on the agenda at the request of the Economic Prosperity Committee.

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/smm

# Memorandum



**Date:** October 6, 2015  
**To:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners  
**From:** Carlos A. Gimenez  
Mayor   
**Subject:** Resolution Authorizing a Two-Year Extension of the Interlocal Agreement Between  
Broward County and Miami-Dade County for Reciprocity of Local Preference

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## Recommendation

It is recommended that the Board of County Commissioners (Board) authorize a two-year extension of the Interlocal Agreement between Broward County and Miami-Dade County for Reciprocity of Local Preference Ordinances and Programs (Agreement).

## Scope

The impact of the accompanying resolution is countywide in nature.

## Fiscal Impact/Funding Source

The accompanying resolution will have no fiscal impact to Miami-Dade County.

## Track Record/Monitor

Mr. Amos Roundtree, Director of the Procurement Management Services Division in the Internal Services Department, is responsible for the administration of the Local Preference Ordinance and oversight of this Agreement.

## Background

The original Agreement between Broward County and Miami-Dade County established reciprocity of local preference ordinances and programs. That Agreement became effective in June 2002 upon the execution of both parties of a Statement of Substantial Similarity, which attests that Broward County has adopted a local preference ordinance substantially similar to the local preference ordinance of Miami-Dade County.

The terms of the Agreement require each county to apply its Local Preference Ordinance to the qualifying local vendors of both counties. The Board has extended this Agreement on six (6) previous occasions, with the current Agreement scheduled to expire on September 30, 2015. Approval of this seventh amendment will extend the term of the Agreement for two (2) years, through September 30, 2017. The Agreement is null and void unless the Statement of Substantial Similarity is executed by both parties.

Since the implementation of the reciprocity agreement in 2002, six (6) contracts have been awarded by Broward to Miami-Dade vendors and 15 contracts have been awarded by Miami-Dade to Broward vendors, based on the application of local preference reciprocity.

Attachments

  
Edward Marquez  
Deputy Mayor




# MEMORANDUM

(Revised)

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

**DATE:** October 6, 2015

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

**SUBJECT:** Agenda Item No. 8(F)(3)

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

Agenda Item No. 8(F)(3)

Veto \_\_\_\_\_

10-6-15

Override \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

RESOLUTION AUTHORIZING A TWO-YEAR EXTENSION OF THE INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND MIAMI-DADE COUNTY FOR RECIPROCITY OF LOCAL PREFERENCE ORDINANCES AND PROGRAMS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND STATEMENT OF SUBSTANTIAL SIMILARITY BETWEEN BROWARD AND MIAMI-DADE COUNTY LOCAL PREFERENCE ORDINANCES

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves a two-year extension of the Interlocal Agreement between Broward County and Miami-Dade County for Reciprocity of Local Preference Ordinances and Programs, in substantially the form attached hereto and made a part hereof; and authorizes the County Mayor or County Mayor's designee to execute the Seventh Amendment to the Interlocal Agreement and a statement of substantial similarity which states that Broward County has adopted a Local Preference Ordinance substantially similar to the Local Preference Ordinance of Miami-Dade County.

The foregoing resolution was offered by Commissioner \_\_\_\_\_ who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman

Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro

Daniella Levine Cava

Jose "Pepe" Diaz

Audrey M. Edmonson

Sally A. Heyman

Barbara J. Jordan

Dennis C. Moss

Rebeca Sosa

Sen. Javier D. Souto

Xavier L. Suarez

Juan C. Zapata

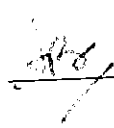
The Chairperson thereupon declared the resolution duly passed and adopted this 6<sup>th</sup> day of October, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon 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: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.



Hugo Benitez

SEVENTH AMENDMENT TO RENEW  
THE INTERLOCAL AGREEMENT

Between

BROWARD COUNTY

and

MIAMI-DADE COUNTY

for

RECIPROCITY OF LOCAL PREFERENCE  
ORDINANCES AND PROGRAMS

This is the Seventh Amendment to the Interlocal Agreement, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2015, by and between: BROWARD COUNTY, a political subdivision of the State of Florida, hereinafter referred to as "BROWARD COUNTY," or "BROWARD,"

and

MIAMI-DADE COUNTY, a political subdivision of the state of Florida, hereinafter referred to as "MIAMI-DADE COUNTY" or "MIAMI-DADE."

WITNESSETH:

WHEREAS, BROWARD COUNTY and MIAMI-DADE COUNTY entered into a Interlocal Agreement in June 2002, for the purpose of providing for reciprocity of local preference ordinances and programs under each county's procurement programs; and

WHEREAS, the Interlocal Agreement expires September 30, 2015; and

WHEREAS, BROWARD COUNTY and MIAMI-DADE COUNTY agree that each county's local preference ordinance is substantially similar to the other's ordinance; and

WHEREAS, the parties wish to further extend the Interlocal Agreement for an additional two (2) year period ending September 30, 2017; NOW, THEREFORE,

IN CONSIDERATION of the mutual terms, conditions, promises, covenants, and payments hereinafter set forth, BROWARD and MIAMI-DADE agree as follows:

1. Section 3.2, "Term," is amended as follows:

3.2 Term: This Interlocal Agreement shall only be effective upon fulfillment of the following condition subsequent not later than 60 days following the date of execution by both parties. Within that period, the County Administrator of Broward County and the Mayor of Miami-Dade County shall, in turn and using their reasonable discretion, execute a statement that Broward County has duly adopted a local preference ordinance that is substantially similar to the local preference ordinance of Miami-Dade County. In the event that the statement has not been executed within the stated period, this Agreement shall be null and void without further action of either party. In the event that the statement is executed, this Interlocal Agreement shall take effect upon the date of signature by the Mayor of Miami-Dade County, and shall expire at 5 p.m. on September 30, ~~2015~~ 2017, unless earlier canceled as provided herein. This Agreement shall not apply to solicitations advertised prior to the effective date of the Agreement.

2. BROWARD COUNTY and MIAMI-DADE COUNTY agree that the preparation of this Seventh Amendment to the Interlocal Agreement is a joint effort.

3. Except as otherwise specifically amended, the terms and conditions contained in the Interlocal Agreement dated June 3, 2002, shall remain in full force and effect. This Amendment shall be deemed part of the Interlocal Agreement.

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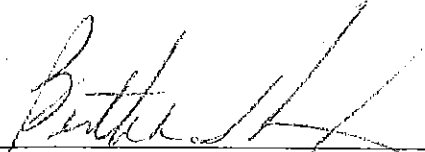
Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in underscored type are additions.

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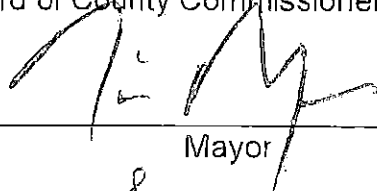
IN WITNESS WHEREOF, the parties hereto have made and executed this Seventh Amendment to the Interlocal Agreement on the respective dates under each signature: BROWARD COUNTY through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Mayor or Vice-Mayor, authorized to execute same by Board action on the 23<sup>rd</sup> day of June, 2015, and MIAMI-DADE COUNTY, signing by and through its Mayor, duly authorized to execute same.

BROWARD COUNTY

ATTEST:

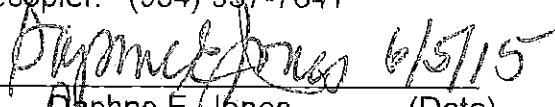

  
Broward County Administrator as  
Ex-officio Clerk of the Broward County  
Board of County Commissioners

BROWARD COUNTY, by and through  
its Board of County Commissioners

By   
Mayor  
23<sup>rd</sup> day of June, 2015

Approved as to form by  
Joni Armstrong Coffey  
Broward County Attorney  
Governmental Center, Suite 423  
115 South Andrews Avenue  
Fort Lauderdale, Florida 33301  
Telephone: (954) 357-7600  
Telecopier: (954) 357-7641



By  6/5/15  
Daphne E. Jones (Date)  
Assistant County Attorney  
 6/5/15  
Glenn M. Miller (Date)  
Assistant County Attorney



SEVENTH AMENDMENT TO RENEW THE INTERLOCAL AGREEMENT BETWEEN  
BROWARD COUNTY AND MIAMI-DADE COUNTY FOR RECIPROCITY OF LOCAL  
PREFERENCE ORDINANCES AND PROGRAMS

ATTEST:

MIAMI-DADE COUNTY, through its  
Board of County Commissioners

\_\_\_\_\_  
County Administrator and  
Ex-Officio Clerk of the Board of  
County Commissioners of  
Miami-Dade County, Florida

By \_\_\_\_\_  
Mayor  
\_\_\_\_\_ day of \_\_\_\_\_, 2015

Approved as to form and  
legal sufficiency

By \_\_\_\_\_

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RECIPROCITY OF LOCAL PREFERENCE  
ORDINANCES AND PROGRAMS

STATEMENT OF SUBSTANTIAL SIMILARITY

Between

BROWARD COUNTY

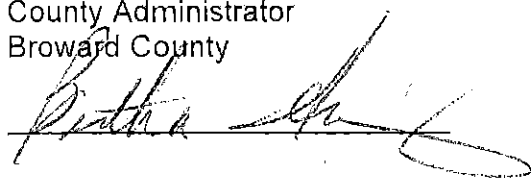
and

MIAMI-DADE COUNTY

The undersigned County Administrator of Broward County and Mayor of Miami-Dade County, pursuant to Section 3.2 of the Interlocal Agreement for reciprocity of local preferences dated June 11, 2002, and renewed by amendment on \_\_\_\_\_, 2015, hereby state that Broward County has duly adopted a local preference ordinance that is substantially similar to the local preference ordinance of Miami-Dade County.

The amendment to renew the Interlocal Agreement shall be effective on the date of signature below by the Mayor of Miami-Dade County and shall be effective for a two-year period commencing upon execution and terminating on September 30, 2017.

County Administrator  
Broward County



Dated this 23<sup>rd</sup> day of June, 2015

Mayor  
Miami-Dade County



Dated this \_\_\_ day of \_\_\_\_\_, 2015

DEJ:hb  
Miami-DadeInterlocal.ren2015  
03/25/15  
#15-101.02