

# MEMORANDUM

SPAGO  
Agenda Item No. 1(G)1

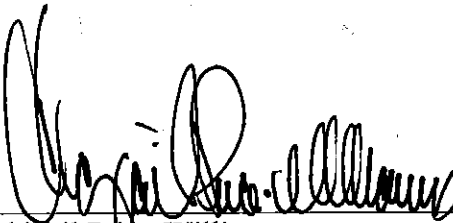
**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**DATE:** April 12, 2016

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Ordinance amending section  
2-10.4 of the Code relating to  
acquisition of professional  
architectural, engineering,  
landscape architectural or land  
surveying and mapping services  
to include a locally  
headquartered preference

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Vice Chairman Esteban L. Bovo, Jr., and Co-Sponsors Commissioner Daniella Levine Cava, Commissioner Jose "Pepe" Diaz, Commissioner Audrey M. Edmonson, Commissioner Barbara J. Jordan, Commissioner Dennis C. Moss and Commissioner Rebeca Sosa.



Abigail Price-Williams  
County Attorney

APW/lmp

# Memorandum



**Date:**

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

**From:** Carlos A. Gimenez  
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez". The signature is fluid and cursive, with a large, sweeping flourish at the end.

**Subject:** Fiscal Impact for Ordinance amending Section 2-10.4 of the Code of Miami-Dade County Relating to Acquisition of Professional Architectural, Engineering, Landscape Architectural or Land Surveying and Mapping Services to include a Locally Headquartered Preference

---

The proposed ordinance amends the existing Code relating to the acquisition of Professional Architectural, Engineering, Landscape Architectural or Land Surveying and Mapping Services to include a Locally Headquartered Preference. The application of Locally Headquartered Preference may result in a change to the order of the final ranking of the firms and the potential for increased pricing.

For Architectural and Engineering (A/E) design proposals, the price/fees are not scored, but are considered only at the time of contract negotiation with the successful firm. Therefore, the fiscal impact resulting from this change, if any, can only be determined on a contract by contract basis.

For design/build procurements, the change may result in a locally headquartered bidder being ranked higher than a non-locally headquartered bidder with a lower priced offer. The fiscal impact resulting from this change may be significant, but can only be quantified on a contract by contract basis.

A handwritten signature in black ink, appearing to read "Edward Marquez". The signature is fluid and cursive, with a large, sweeping flourish at the end.

---

Edward Marquez  
Deputy Mayor

# Memorandum



**Date:** March 8, 2016

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

**From:** Carlos A. Gimenez  
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez". The signature is fluid and cursive, written over the printed name.

**Subject:** Social Equity Statement for Ordinance Amending Section 2-10.4 of the Code Relating to Acquisition of Professional Architectural, Engineering, Landscape Architectural or Land Surveying and Mapping Services to Include a Locally Headquartered Preference

---

The proposed Ordinance amends the existing Code relating to acquisition of Professional Architectural, Engineering, Landscape Architectural or Land Surveying and Mapping Services to include a Locally Headquartered Preference. The application of a Locally Headquartered Preference may result in a change to the order of the final ranking of firms being evaluated for award.

Providing a Locally Headquartered Preference may benefit Locally Headquartered Businesses by allowing them preference if their qualitative score for a design build solicitation is within five (5) percent of a not locally headquartered firm, and within ten (10) percent of a nonlocal firm. This may provide a Locally Headquartered firm an opportunity to increased potential for award of bids, thereby increasing the firm's opportunity to contribute to the County's economic tax base and creating additional jobs.

A handwritten signature in black ink, appearing to read "Edward Marquez". The signature is fluid and cursive, written over a horizontal line.

---

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. 4(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
- 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. 4(A)  
1-20-16

ORDINANCE NO. \_\_\_\_\_

ORDINANCE AMENDING SECTION 2-10.4 OF THE CODE OF MIAMI-DADE COUNTY RELATING TO ACQUISITION OF PROFESSIONAL ARCHITECTURAL, ENGINEERING, LANDSCAPE ARCHITECTURAL OR LAND SURVEYING AND MAPPING SERVICES TO INCLUDE A LOCALLY HEADQUARTERED PREFERENCE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:**

**Section 1.** Section 2-10.4 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:<sup>1</sup>

**Sec. 2-10.4.** - Acquisition of professional architectural, engineering, landscape architectural or land surveying and mapping services.

\* \* \*

(5) Competitive selection committees for publicly announced projects or planning or study activities which are not provided under continuing contracts.

\* \* \*

(e) If two firms, one local and one nonlocal are within five (5) percent of each other's total Qualitative Scores, and for design build solicitations, the adjusted low bid, as defined in the corresponding Implementing Order, the local firm shall be ranked higher than the nonlocal firm in the final ranking of the County Mayor or Mayor's designee made in accordance with this subsection. >>If two local

<sup>1</sup> 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.

firms, one locally headquartered and one not locally headquartered, are within five (5) percent of each other's total Qualitative Scores, and for design build solicitations, the adjusted low bid, as defined in the corresponding Implementing Order, the locally headquartered firm shall be ranked higher than the not locally headquartered firm in the final ranking of the County Mayor or Mayor's designee made in accordance with this subsection. If two firms, one locally headquartered and one nonlocal are within ten (10) percent of each other's total Qualitative Scores, and for design build solicitations, the adjusted low bid, as defined in the corresponding Implementing Order, the locally headquartered firm shall be ranked higher than the nonlocal firm in the final ranking of the County Mayor or Mayor's designee made in accordance with this subsection.<< In case of a two-tiered evaluation process, the local preference >>and locally headquartered preference<< shall also apply at the conclusion of the first tier to allow eligible local >>and locally headquartered<< proposers within five >>or ten<< percent of the points assigned >>, as set forth above,<< to those >>firms<< recommended to participate in the second tier evaluation. >>This local preference and locally headquartered preference shall be applied after the ordinal ranking of the firms to determine the final ranking of selection.<< For purposes of this subsection, the term local firm shall have the same meaning as ~~[[local business]]~~ >>Local Business and Locally Headquartered Business shall have the same meaning as Locally Headquartered Business as set forth<< in Section 2-8.5 of this Code.

\* \* \*

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

**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 relettered 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:

Approved by County Attorney as  
to form and legal sufficiency:

Prepared by:

Oren Rosenthal

APW  
OR

Prime Sponsor: Vice Chairman Esteban L. Bovo, Jr.  
Co-Sponsors: Commissioner Daniella Levine Cava  
Commissioner Jose "Pepe" Diaz  
Commissioner Audrey M. Edmonson  
Commissioner Barbara J. Jordan  
Commissioner Dennis C. Moss  
Commissioner Rebeca Sosa