

# MEMORANDUM

Agenda Item No. 11(A)(14)

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**TO:** Honorable Chairman Jose "Pepe" Diaz  
and Members, Board of County Commissioners

**DATE:** November 16, 2021

**FROM:** Geri Bonzon-Keenan  
County Attorney

**SUBJECT:** Resolution establishing policy that in solicitations for County contracts that require a minimum years of prior experience or minimum number of completion of similar projects that the experience of the bidding or proposing vendors' key personnel be considered in assessing vendors' experience; and directing the County Mayor to prepare specifications in solicitations for County contracts consistent with such policy and to prepare a report

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Raquel A. Regalado.



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Geri Bonzon-Keenan  
County Attorney

GBK/jp



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairman Jose "Pepe" Diaz  
and Members, Board of County Commissioners

**DATE:** November 16, 2021

**FROM:**   
Gen Bonzon-Keenan  
County Attorney

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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 present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_) 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. 11(A)(14)  
11-16-21

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

RESOLUTION ESTABLISHING POLICY THAT IN SOLICITATIONS FOR COUNTY CONTRACTS THAT REQUIRE A MINIMUM YEARS OF PRIOR EXPERIENCE OR MINIMUM NUMBER OF COMPLETION OF SIMILAR PROJECTS THAT THE EXPERIENCE OF THE BIDDING OR PROPOSING VENDORS' KEY PERSONNEL BE CONSIDERED IN ASSESSING VENDORS' EXPERIENCE; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PREPARE SPECIFICATIONS IN SOLICITATIONS FOR COUNTY CONTRACTS CONSISTENT WITH SUCH POLICY AND TO PREPARE A REPORT

**WHEREAS**, Miami-Dade County (the "County") commonly issues solicitations for construction contracts and for the purchase of goods and services; and

**WHEREAS**, many such County solicitations include specifications that the bidding vendor have a minimum number of years of prior experience or have constructed a minimum number of projects similar to the project that the County is seeking to construct; and

**WHEREAS**, most bidding vendors are legal entities such as corporations or joint ventures; and

**WHEREAS**, ultimately, however, entities like corporations and joint ventures are comprised of people and when assessing the prior experience of vendors, the County should assess the prior experience of the vendors' key personnel; and

**WHEREAS**, this Board desires to establish a policy that in solicitations for construction contracts or the purchase of goods or services, excluding professional services whose procurement procedures are governed by section 287.055 of the Florida Statutes, the experience of a vendor's key personnel be considered when evaluating if a vendor meets a solicitation's minimum experience requirements,

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

**Section 1.** The foregoing recitals are hereby incorporated as true and correct.

**Section 2.** This Board establishes a policy that in any solicitations for construction contracts or the purchase of goods and services, excluding professional services governed by section 287.055 of the Florida Statutes, that include specifications that the bidding or proposing vendor have a minimum number of years of prior experience or completed a minimum number of previous projects similar to the project that the County soliciting for, that the prior experience of the vendor's key personnel be considered in meeting such minimum experience specifications.

**Section 3.** This Board directs that in solicitations for the County contracts and purchases described above in section 2 the County Mayor or County Mayor's designee prepare specifications ensuring that the experience and qualifications of bidding vendors' key personnel are considered in assessing whether the vendor complies with the solicitation's minimum experience requirements.

**Section 4.** This Board directs the County Mayor or County Mayor's designee to prepare a written report to this Board within 60 days of the effective date of this resolution detailing the actions taken to implement the policy set forth in this resolution, and to place the completed report on an agenda of the Board pursuant to Ordinance No. 14-65.

The Prime Sponsor of the foregoing resolution is Commissioner Raquel A. Regalado. 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:

Jose "Pepe" Diaz, Chairman	
Oliver G. Gilbert, III, Vice-Chairman	
Sen. René García	Keon Hardemon
Sally A. Heyman	Danielle Cohen Higgins
Eileen Higgins	Joe A. Martinez
Kionne L. McGhee	Jean Monestime
Raquel A. Regalado	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared this resolution duly passed and adopted this 16<sup>th</sup> day of November, 2021. 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.



Eduardo W. Gonzalez