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

## **MEMORANDUM**

			Agenda Item No. 11(A)(14)		
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		
Resolution No. R-1122-21					

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

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

Bonzon-Keenan

FROM:

County Attorney

SUBJECT: Agenda Item No. 11(A)(14)

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
$\checkmark$	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	Agenda Item No. 11(A)(14)
Veto		11-16-21
Override		

## RESOLUTION NO. R-1122-21

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.

<u>Section 4.</u> 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.

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

foregoing resolution was offered by Commissioner	Raquel A. Regalado	, who moved
its adoption. The motion was seconded by Commission	er Rebeca Sosa	and upon
being put to a vote, the vote was as follows:		

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

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.



Approved by County Attorney as to form and legal sufficiency.



Eduardo W. Gonzalez

MIAMI-DADE COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

Melissa Adames

By: Deputy Clerk