

MEMORANDUM

Amended
Agenda Item No. 11(A)(2)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: June 21, 2023

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution amending Resolution No. R-718-17; directing the County Mayor to provide the Commission Auditor with real-time access to administrative control systems or applications used to monitor contract performance and plan for re-procurement and re-advertisement of contracts and prequalification pools for the purchase of goods and services that are subject to Board approval; directing the Commission Auditor to develop a dashboard relating to such information for use by the Board and to provide a report to the Board within 60 days

Resolution No. R-540-23

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Marleine Bastien and Co-Sponsors Commissioner Juan Carlos Bermudez and Senator René García.


Geri Bonzon-Keenan
County Attorney

GBK/gh

MDC001



MEMORANDUM

(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: June 21, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Amended
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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 _____

Amended
Agenda Item No. 11(A)(2)
6-21-23

RESOLUTION NO. **R-540-23**

RESOLUTION AMENDING RESOLUTION NO. R-718-17; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PROVIDE THE COMMISSION AUDITOR WITH REAL-TIME ACCESS TO ADMINISTRATIVE CONTROL SYSTEMS OR APPLICATIONS USED TO MONITOR CONTRACT PERFORMANCE AND PLAN FOR RE-PROCUREMENT AND RE-ADVERTISEMENT OF CONTRACTS AND PREQUALIFICATION POOLS FOR THE PURCHASE OF GOODS AND SERVICES THAT ARE SUBJECT TO BOARD APPROVAL; DIRECTING THE COMMISSION AUDITOR TO DEVELOP A DASHBOARD RELATING TO SUCH INFORMATION FOR USE BY THE BOARD OF COUNTY COMMISSIONERS AND TO PROVIDE A REPORT TO THE BOARD WITHIN 60 DAYS

WHEREAS, the Board of County Commissioners serves as the governing body for Miami-Dade County; and

WHEREAS, the Commission Auditor is charged with, among other duties, the responsibility of (a) determining the extent to which county policies are being faithfully, efficiently, and effectively implemented and (b) reviewing the administrative control and executive control systems established by the County Mayor or County Mayor's designee and departmental personnel to determine whether such control systems are adequate and effective in accomplishing their objectives; and

WHEREAS, the Commission Auditor is also charged with, among other duties, the task of providing information to this Board whenever required regarding any subject relating to the affairs of the County; and

WHEREAS, it the policy of this County, as provided for in section 5.03(D) of the Miami-Dade County Home Rule Charter and section 2-8.1 of the Code of Miami-Dade County, Florida, that, whenever practicable, County contracts should be entered into on the basis of a competitive procurement process; and

WHEREAS, establishing County contracts after an open and fair competition helps ensure that the County obtains the best value in its contracts; and

WHEREAS, competition for County contracts also broadens the opportunities for businesses, including local and small businesses, to provide important goods and services to the County; and

WHEREAS, for this reason, the Board has encouraged expiring contracts and prequalification pools for the purchase of goods and services to be immediately replaced with contracts and prequalification pools that have been established after advertisement and a competitive procurement process; and

WHEREAS, from time to time due to various circumstances and to continue the purchase of vital goods and services, this Board has been left with little choice but to approve or ratify non-competitive contract and pool term extensions and additional contract and pool expenditure authority because there was insufficient time to complete advertisement and award via a normal procurement process; and

WHEREAS, tacking on additional time and monies to contracts without a procurement process frustrates competition, lessens the opportunities for the County to obtain the best value for taxpayer money, and decreases the participation of small and local businesses in County contracting; and

WHEREAS, to address this concern, this Board passed Resolution No. R-718-17, which directed the County Mayor or County Mayor's designee to (a) commence the planning for re-procurement and re-advertisement of contracts and prequalification pools for the purchase of goods and services that are subject to Board approval no later than 18 months before the expiration of such contracts and prequalification pools inclusive of option-to-renew periods, and (b) provide periodic reporting to the Commission Auditor regarding the status of these planning activities; and

WHEREAS, having the status of the County's re-procurement planning provided to this Board through the manual process of generating and submitting static reports hinders the availability and visibility of real-time information; and

WHEREAS, in 2022, the Commission Auditor developed a Directives Dashboard to allow this Board and its staff to have access to quick real-time updates on Board-issued directives and their corresponding status as opposed to the static periodic reports that had been previously provided; and

WHEREAS, this Board desires for the Commission Auditor to develop a similar dashboard for information relating to the County's monitoring of performance of awarded contracts and to the County's planning for re-procurement and re-advertisement of contracts and prequalification pools for the purchase of goods and services that are subject to Board approval,

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

Section 1. This Board amends Resolution No. R-718-17 to eliminate the periodic reporting requirements provided in section 3 of Resolution No. R-718-17 and directs the County Mayor or County Mayor's designee to now provide the Commission Auditor with real-time access, in accordance with section 2-481 of the County Code, to the systems, databases, and applications

used by the County to monitor contract performance and plan for re-procurement and re-advertisement of contracts and prequalification pools for the purchase of goods and services that are subject to Board approval.

Section 2. The Commission Auditor is directed to utilize the information provided in section 1 to develop a dashboard, using legally available funding, for use by this Board and its staff to have access to real-time updates on contract performance and to the planning for re-procurement and re-advertisement of contracts and prequalification pools for the purchase of goods and services that are subject to Board approval. The Commission Auditor is further directed to provide this Board with a report within 60 days of the effective date of this resolution identifying the deliverables and a timeline for completion of the dashboard. The Commission Auditor shall place the completed report on an agenda of the full Board without committee review pursuant to rule 5.06(j) of the Board's Rules of Procedure.

The Prime Sponsor of the foregoing resolution is Commissioner Marleine Bastien and the Co-Sponsors are Commissioner Juan Carlos Bermudez and Senator René García. It was offered by Commissioner **Marleine Bastein**, who moved its adoption. The motion was seconded by Commissioner **Juan Carlos Bermudez** and upon being put to a vote, the vote was as follows:

Oliver G. Gilbert, III, Chairman	absent		
Anthony Rodríguez, Vice Chairman	aye		
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	absent	Sen. René García	aye
Roberto J. Gonzalez	aye	Keon Hardemon	absent
Danielle Cohen Higgins	aye	Eileen Higgins	absent
Kionne L. McGhee	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 21th day of June, 2023. 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

JUAN FERNANDEZ-BARQUIN, CLERK

Basia Pruna

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in dark ink, consisting of the letters "MBV" in a stylized, cursive-like font.

Michael B. Valdes