

## Administrative Order

**Administrative Order No.:** AO 3-67

**Title:** OPERATING PROCEDURES FOR PURPOSE DRIVEN PROCUREMENT

**Ordered:** 7/13/2023

**Effective:** 7/13/2023

### **AUTHORITY:**

Section 5.02 of the Miami-Dade County Home Rule Amendment and Charter and Administrative Order 1-1, Administrative Orders and Implementing Orders.

### **POLICY:**

Miami-Dade County prioritizes equity, inclusion, environmental resiliency and sustainability, local participation, small business participation, safe and equitable worker conditions, living wages, equal treatment of participants, worker retention, and labor peace in its procurements. The operating procedures described in this document is referred to as Purpose-Driven Procurement (PDP). In order to promote efficiencies, consistencies, and transparency in the procurement process, the organizing principles and guidelines in this Administrative Order along with the PDP Checklist establish an operating procedure to review applicable procurements and to create greater economic opportunities for residents and small businesses. Neither this Administrative Order nor the PDP Checklist shall in any way be utilized to request documentation relating to or authorizing consideration of a vendor's social, political, or ideological interests when determining if the vendor is a responsible vendor or give a preference to a vendor based on the vendor's social, political, or ideological interests.

### **SCOPE:**

The purpose of this Administrative Order (AO) is to set forth processes and protocols for County departments to effectuate the PDP review process. The provisions of this AO shall apply to all County departments unless a department is expressly exempted by law.

### **RESPONSIBILITY:**

The Strategic Procurement Department (SPD), or successor agency, as the central procurement agency for the County, shall establish maintain, and update procurement policies and standard documents for the PDP process, such as guidelines for use by County departments, and shall be responsible for conducting training to County personnel on the PDP process. These duties shall be carried out by SPD in conjunction with the Small Business Development (SBD) Division of the Internal Services Department (ISD) and the Office of Resilience (OOR) of the Regulatory and Economic Resources Department (RER). SBD shall be responsible for coordinating agendas and scheduling meetings of the Procurement-Driven Procurement Review Group (PDPRG), reporting the results of decisions made by the PDPRG, and ad-hoc reporting of metrics, as requested. OOR will be responsible for supporting, coordinating, and assisting with training conducted to County personnel on the PDP process.

As certain procurement actions are decentralized and handled by the Departments, it is essential for all Departments that manage their own procurements adhere to the PDP procedures contained in this AO.

## **DEFINITIONS:**

The following definitions, for understanding the provisions of this Administrative Order, shall apply:

- A. "Administrative Order" or "AO" means the established operating methods and administrative procedures, and/or delineated organizational responsibilities for identified procedures, for County departments under the executive authority of the Mayor.
- B. "ARF" means Allocation Request Form.
- C. "Code" means the Code of Miami-Dade County, Florida.
- D. "County" means Miami-Dade County.
- E. "Department" means a County department, agency, or other party responsible for awarding a contract on behalf of the County.
- F. "EDP" means the Equitable Distribution Program managed by SBD.
- G. "Implementing Order" or "IO" means the established legislation or policies that fall under the Board of County Commissioners' authority.
- H. "ISD" means the Internal Services Department, or successor department.
- I. "ITB" means Invitation to Bid.
- J. "ITQ" means Invitation to Quote.
- K. "MCC" means the Miscellaneous Construction Contracts program managed by SBD.
- L. "NARF" means Non-Competitive Allocation Request Form.
- M. "NTPC" means Notice to Professional Consultants.
- N. "OOR" means Office of Resilience.
- O. "Purpose-Driven Procurement" or "PDP" means the collection of policies established through the Miami-Dade Code of Ordinances, resolutions adopted by the Board of County Commissioners, AOs, IOs, and accompanying procedures and plans that are designed to prioritize equity, inclusion, environmental resiliency and sustainability, local participation, small business participation, safe and equitable worker conditions, living wages, equal treatment of participants, worker retention, labor peace, transparency, and efficiency to create greater economic opportunities for residents and small businesses in the procurement of goods and services, architecture and engineering services, design-build, and construction, including any alternative procurement methods like public-private partnerships (P3).
- P. "Purpose-Driven Procurement Checklist" or "PDP Checklist" means a checklist matrix used to assist County departments in drafting scopes and solicitations for goods and services, architecture and engineering services, design-build, and construction contracts to ensure core PDP priorities are captured. As the PDP Checklist will be updated periodically, the most current version posted on the Strategic Procurement Department's intranet website should be utilized (<https://intra.miamidade.gov/procurement/purpose-driven.asp>).
- Q. "Purpose-Driven Procurement Review Group" or "PDPRG" means the County Mayor's selected group of key stakeholders to review County procurements in accordance with this AO.
- R. "RDBS" means Request for Design Build Services.
- S. "RFP" means Request for Proposals.
- T. "RFQ" means Request for Qualifications.
- U. "RTA" means Request to Advertise.
- V. "RTQ" means Request to Qualify or also known as a prequalification pool.
- W. "SBD" means the Small Business Development Division of the Internal Services Department.

- X. "SBD Input Document" means the form used and completed by Departments to request Small Business Enterprise measures from SBD.
- Y. "SBD Worksheet" means the document issued by SBD that details the Small Business Enterprise measures and other requirements as determined by the PDPRG.
- Z. "SPO" means Small Purchase Order.
- AA. "SPD" means the Strategic Procurement Department, or successor department.
- BB. "WOPR" means Work Order Proposal Request.

## **PURPOSE-DRIVEN PROCUREMENT REVIEW GROUP (PDPRG):**

### **A. Membership**

The County Mayor or designee shall establish a Purpose-Driven Procurement Review Group (PDPRG) consisting of key stakeholders in the County's procurement process. The PDPRG members should include the following or alternative representatives designated by the Mayor: 1) the Director of Equity from the Mayor's Office; 2) the Director of Policy from the Mayor's Office; 3) SBD staff; 4) the Director of SPD or appointed SPD staff; and 5) the Chief Resilience Officer or appointed OOR staff.

### **B. Applicability**

The PDPRG review process will be applicable to contracts for goods and services, architecture and engineering services, design-build, and construction. Such contracts include those solicited through a competitive process, such as an ITQ under a prequalification pool, spot market quotes, ITBs, RFPs, RFQs, etc. and contracts that may be non-competitive in nature. The PDPRG shall also make recommendations for updates to the PDP Checklist to be used as a guide by Departments throughout the competitive solicitation or non-competitive contract development process.

### **C. Purpose**

The purpose of the PDPRG is to review departmental adherence to legislative requirements to ensure the protection of the environment and long-term community resilience as well as other social goals as documented in the PDP Checklist.

### **D. Meetings**

The PDPRG shall endeavor to meet weekly or as needed to review procurement items including, but not limited to, solicitations, contracts, and contract modifications, to ensure compliance with PDP procedure.

### **E. Responsibility**

The PDPRG shall review all new and replacement solicitations and modification actions on applicable contracts. Departments are required to be proactive during the preliminary stages of any procurement action to ensure compliance with key legislation referenced in this AO and as enumerated in the PDP Checklist. Departments are encouraged to contact the applicable members of the PDPRG as early as possible during the procurement action for any questions regarding the elements of the PDP Checklist. It is incumbent upon SPD and the Departments, as applicable, to complete and submit the PDP Checklist jointly with the SBD Input Document with each solicitation or contract submitted for review by the PDPRG and to obtain an SBD Worksheet with applicable measures and PDPRG requirements. Such requirements shall be incorporated into the applicable solicitation or contract.

## **F. Exceptions**

Documented emergency contracts, confirmation purchases, and purchases made under the SPO authority as outlined in IO 3-38 are exempt from PDPRG review.

### **KEY LEGISLATION:**

The key legislation governing the PDP process includes, but is not limited to, the legislation referenced in the PDP Checklist which is updated from time to time.

### **DOCUMENT SUBMITTAL FOR PDPRG REVIEW:**

The review process allows PDPRG to work closely with Departments to ensure all efforts are exhausted for Small Business Enterprise (SBE) and local business inclusiveness as well as sustainability and resilience compliance, in adherence with the Mayor's 4E tenets of Purpose-Driven Procurement: Environment, Equity, Economy, and Engagement. The process flow is set forth for the specified procurement methods managed by SPD and those managed by the Departments as follows.

#### **A. Procurements Managed by SPD**

##### **1. Goods and Services – New and Replacement Contracts and Pools**

Examples of these procurement actions include competitive ITBs, RTQs, RFPs, RFQs, and access/piggyback contracts. All Departments shall complete a PDP Checklist, ARF, and scope of work for the contract/pool and submit in an email to SPD for review.

SPD shall send an email with the solicitation number and title of the solicitation/contract in the subject line to [SBDPRP@MIAMIDADE.GOV](mailto:SBDPRP@MIAMIDADE.GOV) and include the Department's prepared PDP Checklist and ARF along with the SPD prepared draft solicitation (including price structure) or letter of agreement and executed contract to be accessed, market research, any other supporting documents/attachments, and SBD Input Document for review.

##### **2. Goods and Services – Spot Markets on Behalf of Departments**

Examples of these procurement actions include ITQs and WOPRs performed by SPD on the behalf of a County department. All Departments shall complete a PDP Checklist, ARF, and scope of work for the spot market and submit in an email to SPD for review.

SPD shall send an email with the solicitation number and title of the solicitation in the subject line to [SBDPRP@MIAMIDADE.GOV](mailto:SBDPRP@MIAMIDADE.GOV) and include the Department's prepared PDP Checklist and ARF along with the SPD prepared draft solicitation (including price structure), any other supporting documents/attachments, and SBD Input Document for review.

##### **3. Goods and Services – Noncompetitive Contracts**

Examples of these procurement actions include non-competitive procurement methods such as bid waiver, sole source, legacy, and designated purchase. All Departments shall complete a PDP Checklist, NARF, and scope or work for the contract and submit in an email to SPD for review.

SPD shall send an email with the contract number and title of the contract in the

subject line to [SBDPRP@MIAMIDADE.GOV](mailto:SBDPRP@MIAMIDADE.GOV) and include the Department's prepared PDP Checklist, NARF, and scope of work along with the market research, any other supporting documents/attachments, and SBD Input Document for review.

4. Goods and Services – Contract Modifications and Options to Renew

Examples of these procurement actions include additional allocation requests or modification to the scope of work of a contract or a request to exercise the option to renew on a contract. All Departments shall complete a PDP Checklist with any requested contract modification or option to renew and submit through the Project Administration system for SPD review.

SPD shall send an email with the contract number and title of the contract in the subject line to [SBDPRP@MIAMIDADE.GOV](mailto:SBDPRP@MIAMIDADE.GOV) and include the Department's prepared documents including the PDP Checklist, departmental justification, draft memorandum (if applicable), any other supporting documents/attachments, and SBD Input Document for review.

5. Architecture & Engineering and Design-Build

All Departments shall complete a PDP Checklist, scope of work, and draft RTA document, and submit in an email to SPD for review and concurrence.

Once concurrence is received from SPD, the Department will submit the prepared PDP Checklist, draft NTPC/RDBS, and SBD cover memorandum to SBD via email [SBDCAE@MIAMIDADE.GOV](mailto:SBDCAE@MIAMIDADE.GOV) for review.

## **B. Procurements Managed by Departments**

1. Spot Market Competitions

Examples of these procurement actions include ITQs.

All Departments shall send an email with the solicitation number and title of the solicitation in the subject line to [SBDPRP@MIAMIDADE.GOV](mailto:SBDPRP@MIAMIDADE.GOV) and include the Department's prepared PDP Checklist, draft solicitation (including price structure), any other supporting documents/attachments, and SBD Input Document for review.

2. Construction Contracts over \$5 million

All Departments shall send an email with the solicitation number and title of the solicitation in the subject line to [SBDCAE@MIAMIDADE.GOV](mailto:SBDCAE@MIAMIDADE.GOV) and include the Department's prepared PDP Checklist, draft solicitation (including price structure), any other supporting documents/attachments, and SBD Input Document for review.

3. Miscellaneous Construction Contracts (MCC) 7360 and 7040

All Departments shall initiate and submit a new Request for Price Quotation (RPQ) project in the Capital Improvements Information System (CIIS) for review and approval. In parallel, All Departments shall complete a PDP Checklist and SBD Input Document and submit via email [SBDCAE@MIAMIDADE.GOV](mailto:SBDCAE@MIAMIDADE.GOV) along with the draft solicitation (including price structure) to SBD for review.

4. Equitable Distribution Program (EDP)  
All Departments shall initiate and submit a new EDP project in CIIS for review and approval by SBD. In parallel, All Departments shall complete a PDP Checklist and SBD Input Document and submit via email [SBDCAE@MIAMIDADE.GOV](mailto:SBDCAE@MIAMIDADE.GOV) along with the draft solicitation (including price structure) to SBD for review.
5. Modifications to Procurements Managed by Departments  
All Departments shall complete a PDP Checklist and SBD Input Document and submit via email [SBDPRP@MIAMIDADE.GOV](mailto:SBDPRP@MIAMIDADE.GOV) along with a contract modification justification to SBD for review.

**SBD RECOMMENDATIONS:**

SBD will review the documents submitted for SBE measures, unbundling of scope, and related recommendations, as applicable. Once any recommendations are made, SBD shall submit the entire package to the PDPRG for review.

**PDPRG RECOMMENDATIONS:**

Recommendations are made by the various members of PDPRG to determine a final recommendation for the procurement action. In certain instances, it may require Department staff participation in the PDPBG meetings to fully understand their needs and the best approach. The PDPRG will focus on compliance with sustainability and resilience measures as well as a final recommendation for inclusion of SBE measures.

Once the PDPRG has made a final recommendation, SBD will issue a finalized SBD worksheet which outlines the requirements of the project inclusive of SBE measures and other PDP checklist requirements as determined by the PDPRG to SPD and/or the Department, as applicable.

For SPD managed procurements, SPD must include all applicable measures and requirements into the solicitation or contract prior to the solicitation end date or contract execution date or contract modification execution date, as applicable. For Department managed procurements, the Department must include all applicable SBE measures and PDPRG requirements prior to the solicitation end date.

**TRACKING AND REPORTING:**

All items reviewed by PDPRG are tracked by SBD and housed in a SharePoint site (or equivalent) where PDPRG members have access to all documents. Upon review and approval of the PDPRG and issuance of SBD Worksheet, each procurement action item may move forward in its approved format to the next step in the procurement or contracting process. SBD shall maintain meeting minutes and share with all members of the PDPRG. SBD may be requested to make periodic reports to the Mayor or Board of County Commissioners on the outcomes of the PDPRG meetings and the overall PDPRG process, success, achievements, etc.

County Mayor