

Memorandum



Date: July 13, 2023

To: Department Directors

Daniella Levine Cava

From: Daniella Levine Cava
Mayor

Subject: Rollout of Purpose-Driven Procurement (PDP) Review Process to All County Departments

As part of my initiative to move our County towards a Purpose-Driven Procurement (PDP) approach, I am pleased to issue the attached Administrative Order (A.O.) to provide guidance on the PDP review process and associated checklist. The purpose of the A.O. is to establish a review process that all procurements, whether competitive or non-competitive in nature, will undergo to ensure that the values of equity, economy, environment, engagement, employee welfare, and community benefits are included to the maximum extent possible. In order to ensure that core PDP priorities are included in all procurements, a PDP Checklist was created to assist departments in drafting scope of work, solicitations and contracts. The PDP checklist encompasses Board of County Commissioners' policies and aspirational goals of my administration aimed at bolstering contracting opportunities for small and local businesses, promoting community engagement, and building resiliency.

PDP is a methodical approach intended to increase transparency, enhance equity, and foster small and local business contracting opportunities in all procurements within the County. PDP will focus on engaging businesses and residents in new ways, improving working conditions, prioritizing environmental considerations and ensuring ethical behavior throughout the County's supply chain.

I encourage all Department Directors to continue to enroll their staff for various trainings and workshops offered by the Strategic Procurement Department's (SPD) Procurement Academy. SPD in conjunction with other key stakeholders will be launching training on the PDP process in the near future. Training opportunities for PDP and all other procurement related trainings, how to register, and more will be posted on SPD's [Procurement Academy \(miamidade.gov\)](https://www.miamidade.gov/procurement-academy) website.

Should you have any questions, please contact Namita Uppal, SPD Director and Chief Procurement Officer, at 305-375-1574.

Attachment

- c: Honorable Chairman Oliver G. Gilbert, III and Members, Board of County Commissioners
- Gerri Bonzon-Keenan, County Attorney
- Gerald K. Sanchez, First Assistant County Attorney
- Jess M. McCarty, Executive Assistant County Attorney
- Office of the Mayor Senior Staff
- Jennifer Moon, Chief, Office of Policy and Budgetary Affairs
- Yinka Majekodunmi, Commission Auditor
- Felix Jimenez, Inspector General, Office of the Inspector General
- Jose J. Arrojo, Executive Director, Commission on Ethics and Public Trust

Purpose-Driven Procurement (PDP) Checklist

Date Completed:

Department:

Department Contact Person (Name, Phone, Email):

CURRENT CONTRACT/POOL (if applicable):

Contract/Pool #:

Action Requested (check one): Modification or Extension (beyond contract term) or Replacement

Contract Type (check one): Competitive or Non-Competitive or Pool

Contract/Pool Term, Amount, and Expiration Date:	Funding Source(s):
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Awarded/Prequalified Vendor(s):

PROPOSED NEW CONTRACT/POOL:

Action Requested (check one): New or Replacement or Spot Market under Pool

Contract Type (check one): Competitive or Non-Competitive or Pool

Contract/Pool Term and Estimated Amount:	Funding Source(s):
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Brief Scope of Work Description (highlight any changes from current contract scope, if applicable):

Review of Scope of Work

1. Can the scope of work be divided into smaller scopes to allow for competition by Small Business Enterprise (SBE) firms?
 Yes No
 If Yes, explain how this was done:
 If No, provide reason:

2. For qualitative solicitations, is the Proposer using SBE and local businesses on the project (to include beyond any small business goal) included in the evaluation of proposals?
 Yes No
 If Yes, where in the solicitation is this located?:
 If No, provide reason:

3. If the services are not covered under the Living Wage ordinance, does the scope of work include labor intensive services that can be paid a rate equal to or greater than the Living Wage?
 Yes No N/A (as Living Wage ordinance is applicable)
 If Yes, where in the solicitation is this located?
 If No, provide reason:

4. On labor intensive service contracts, is the following criteria included in the evaluation of proposals (check all that apply)?
 Wage structure and benefits
 Hiring of existing employees by the new vendor
 Safe and accessible working conditions
 Local hiring commitment
 Employee hiring, development, training, evaluation process and promotional opportunities
 If any of the above are included, where in the solicitation are these located?:
 If any of the above are not included, provide reason:

5. For qualitative solicitations, are environmentally sustainable practices criteria included in the evaluation of proposals?
 Yes No
 If Yes, where in the solicitation is this located?:
 If No, provide reason:

6. For qualitative solicitations, are accessibility considerations to encourage proposers to go above and beyond legislative mandates included in the evaluation of proposals?
 Yes No
 If Yes, where in the solicitation is this located?:
 If No, provide reason:

7. If the services are not covered under the Labor Peace Agreement resolution, are there considerations in the solicitation to require the awarded vendor to provide written evidence of a signed labor peace agreement with each Labor Organization that represents, or seeks to represent its workforce for any hotel or food and beverage operations within the project?
 Yes No N/A (as Labor Peace Agreement resolution is applicable)
 If Yes, where in the solicitation is this located?:
 If No, provide reason:

8. For project-based or development contracts, are community benefits criteria above and beyond the project requirements included in the evaluation of proposals?
 Yes No
 If Yes, where in the solicitation is this located?:
 If No, provide reason:

Miami-Dade County has several policies in place to ensure protection of the environment and long-term community resilience. Please refer to the below guidance to determine the applicability of County policies and select those that apply.

County Policy / Legislation / Considerations	Type of Procurement		Check if applicable and included in Solicitation/Contract – identify location in Solicitation/Contract where this is included
	Goods & Services	Capital Projects	
Special Considerations			
A. Buy American Iron and Steel Products Procurement Program - Section 2-8.2.6.1 of the County Code		X	
B. Cybersecurity and Information Technology Procurement and Protection Program - Section 2-8.2.6.2 of the County Code	X	X	
C. Construction Contract Fee for Affordable Housing - Section 2.11.16.1 of the County Code		X	
Equity, Inclusion, and Worker Protection			
A. SBE Architecture & Engineering Program - Section 2-10.4.01 of the County Code and IO No. 3-32		X	As determined by SBD:
B. SBE Construction Services Program - Section 10-33.02 of the County Code and IO No. 3-22		X	As determined by SBD:
C. SBE Goods Program - Section 2-8.1.1.1.2 of the County Code and IO No. 3-41	X		As determined by SBD:
D. SBE Services Program - Section 2-8.1.1.1.1 of the County Code and IO No. 3-41	X		As determined by SBD:
E. Living Wage for County Service Contracts and County Employees - Section 2-8.9 of the County Code and IO No. 3-30	X		As determined by SBD:
F. Responsible Wages and Benefits for County Construction Contracts - Section 2-11.16 of the County Code and IO No. 3-24		X	As determined by SBD:
G. Community Workforce Program - Section 2-1701 of the County Code and IO No. 3-37		X	As determined by SBD:
H. Employ Miami-Dade Program - AO No. 3-63		X	As determined by SBD:
I. Residents First Training and Employment Program - Section 2-11.17 and IO No. 3-61		X	As determined by SBD:
J. EmployABILITY 305 - Resolution No. R-230-22 and EmployAbility 305 Program	X	X	
K. First Source Hiring Referral Program - Section 2-2113 of the County Code and IO No. 3-58	X		
L. Americans with Disabilities Act (ADA) - 42 U.S.C. §12101, et. seq. and AO No. 10-10	X	X	
M. Paid Sick Leave Requirement for County Service Contracts - Section 2-8.11 of the County Code and IO No. 3-66	X		

N. Labor Peace Agreement at Miami International Airport - Resolution No. R-148-07	X		
O. Disclosure of Discrimination Lawsuits - Resolution No. R-828-19	X	X	
P. Contractor Safety History - Resolution No. R-1181-18	X	X	
Resilience			
A. Sustainable Buildings Program , Envision and/or LEED Certified construction requirements, including “prescriptive” measures like cool roofs, electric vehicle charging, solar evaluation, and energy star certified products - Chapter 9, Article III, Sustainable Buildings Program; Section 9-71 through 9-75 of the County Code; IO No. 8-8 ; Sections 33-122.5 and 30-16 County Code; and Resolution Nos. R-1101-15 , R-1103-10 , R-54-18 , R-228-09 / R-918-12 / R-795-12 , Mayor Report EV Charging Stations	X	X	
B. Sea Level Rise - Resolution No. R-451-14 and Ordinance No. 14-79 , codified in Section 2-1 of the County Code as Board of County Commissioners Rule 5.09 Statement of consideration of sea level rise		X	
C. Tree Canopy Enhancement – Comprehensive Development Master Plan (CDMP) Goal of reaching a 30% tree canopy - CDMP CON-8M	X	X	
D. Cool Pavements - CDMP LU-10I	X	X	
E. Water Submeters Required for New Multifamily Residential Developments - Section 8-31 County Code / Section 8A-381(c) County Code and Ordinance No. 08-14		X	
F. Life Cycle Cost Analysis - AO 11-3	X	X	
G. Testing of Energy Saving Products - AO No. 11-2	X	X	
H. Green Procurement Preference Program - Resolution No. R-1053-09 and Buy Green Purchasing Guide	X		
I. Ban on Polystyrene Products at County Parks - Ordinance No. 16-58	X		
J. Plan to Reduce Consumption of Gasoline - Resolution No. R-969-03	X		
K. Integrated Pest Management Services - Resolution No. R-221-17	X		
L. Policy Favoring Waste Reduction - Resolution No. R-374-03	X	X	
M. Solar Hot Water and Solar Photovoltaic Feasibility Evaluation – Resolution No. R-303-17 and Solar Feasibility Study		X	
N. Use of Herbicides by the County – Resolution R-621-19	X		
Additional Programs for Informational Purposes			
A. Green Business Certification Program - IO No. 3-55	X	X	
B. Plastic 305 Program – Resolution No. R-1179-21	X	X	
C. Joint Venture Participation and Mentor Protégé Program - IO No. 3-41	X	X	

Administrative Order



Administrative Order No.: 3-67

Title: Operating Procedures for Purpose-Driven Procurement

Ordered:

Effective:

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 (sample attached) 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, which will be posted on the Strategic Procurement Department's intranet website, should be utilized.
- 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 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 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 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 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 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 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 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 Contracting 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 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 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 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