

RESOLUTION NO. 2020-31519

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE, AT ITS NOVEMBER 13, 2020 MEETING, TO DIRECT THE CITY ADMINISTRATION TO DEVELOP A DATABASE AND REGISTRY OF SMALL AND DISADVANTAGED BUSINESS ENTERPRISES, AS CERTIFIED BY MIAMI-DADE COUNTY.

WHEREAS, the City of Miami Beach (the “City”) is one of the most diverse cities in the country; and

WHEREAS, the City prides itself on being a diverse and inclusive community and has demonstrated a long history of opposing discrimination; and

WHEREAS, ensuring the success of our small business community in the City is vital to our growth and improving quality of life for our residents and visitors; and

WHEREAS, the City is committed to providing small and disadvantaged business owners equal opportunities to compete and succeed, and is committed to increasing the number and diversity of supplier options; and

WHEREAS, the City is seeking to better understand the small and disadvantaged business community by creating a database and registry of these businesses and to track usage of these businesses in the procurement of goods and services; and

WHEREAS, on July 29, 2020, the Mayor and City Commission adopted Resolution No. 2020-31342, directing the Administration to create a database of LGBT firms certified by the National Gay and Lesbian Chamber of Commerce (NGLCC) in order to track the usage of LGBT certified businesses in the procurement of goods and services for the City; and

WHEREAS, at the October 14, 2020 City Commission meeting, pursuant to agenda item C4D, the City Commission referred to the Finance and Economic Resiliency Committee (“FERC”) a discussion on expanding the tracking currently applicable to LGBT certified firms to include small and disadvantaged businesses as certified by Miami-Dade County; and

WHEREAS, at its November 13, 2020 meeting, after a thorough discussion, FERC recommended for the City Commission to direct the City Administration to develop a database and registry of small and disadvantaged business enterprises, as certified by Miami-Dade County; and

WHEREAS, Miami-Dade County has established certification programs for small businesses in the following categories:

Small Business Enterprise – Architectural & Engineering. A gender and race neutral program specifically for firms that are defined as architectural and engineering companies.

Small Business Enterprise – Construction. A gender and race neutral program specifically for firms that are defined as construction companies. This category also includes trades (e.g., electrical, painting, plumbing, etc.).

Small Business Enterprise – Goods and Services. A gender and race neutral program specifically for firms that supply goods and services other than construction, architectural or engineering services.

Disadvantaged Business Enterprise. This program is specific to small businesses in transportation contracting markets, and promotes increased participation in federally funded contracts by small, socially and economically disadvantaged businesses, including minority and women owned enterprises; and

WHEREAS, by becoming certified in one or more of the categories offered by Miami-Dade County, such businesses are able to compete for procurement opportunities with governmental agencies across the County without needing to go through the certification process, which is extensive and time-consuming, at each agency; and

WHEREAS, the Administration supports the establishment of a program to track the utilization of small and disadvantaged businesses as certified by Miami-Dade County in the City's procurement activities; and

WHEREAS, in addition to the goals of the Resolution being consistent with the City's commitment to equity and inclusion, the registry and tracking of small and disadvantaged businesses will help the City be consistent with a number of federally funded and other agency grants that require recipients to make efforts towards the utilization of these businesses.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission accept the recommendation of the Finance and Economic Resiliency Committee, at its November 13, 2020 meeting, to direct the City Administration to develop a database and registry of small and disadvantaged business enterprises, as certified by Miami-Dade County.

PASSED and ADOPTED this 9 day of December, 2020.

ATTEST:

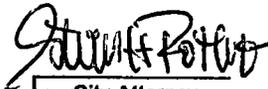

12/18/2020
Rafael E. Granado, City Clerk



Dan Gelber, Mayor



APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION


701 City Attorney EA

12/2/2020
Date

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Jimmy L. Morales, City Manager
DATE: December 9, 2020

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE, AT ITS NOVEMBER 13, 2020 MEETING, TO DIRECT THE CITY ADMINISTRATION TO DEVELOP A DATABASE AND REGISTRY OF SMALL AND DISADVANTAGED BUSINESS ENTERPRISES, AS CERTIFIED BY MIAMI-DADE COUNTY.

RECOMMENDATION

The Administration recommends that the City Commission approve the recommendation of the Finance and Economic Resiliency Committee to create a database and track utilization of small and disadvantaged businesses as certified by Miami-Dade County.

BACKGROUND/HISTORY

On July 29, 2020, the City Commission approved Resolution 2020-31342 directing the Administration to create a database of LGBT firms certified by the National Gay and Lesbian Chamber of Commerce (NGLCC). The resolution requires the Administration to track the usage of LGBT certified businesses in the procurement of goods and services for the City.

On October 14, 2020, pursuant to agenda item C4D, the City Commission referred to the Finance and Economic Resiliency Committee a discussion on expanding the tracking currently applicable to LGBT certified firms to include small and disadvantaged businesses as certified by Miami-Dade County.

On November 13, 2020, the Finance and Economic Resiliency Committee recommended that the City Commission direct the Administration to create a database and track utilization of small and disadvantaged businesses as certified by Miami-Dade County.

ANALYSIS

In order to establish a supplier diversity tracking program, it is first important to identify the agency that will act as the *certifying agency*. For example, when considering the previously approved LGBT tracking program, it was determined that the NGLCC would act as the certifying agency for program purposes. This is, in part, because NGLCC is the largest agency with a certifying program which would provide the largest pool of certified vendors. Similarly,

Miami-Dade County is the largest local agency with a supplier diversity certifying program which would yield the largest number of certified vendors. Miami-Dade County's program is also race and gender neutral which avoids Legal challenges seen in other programs that are based on race or gender. While there are other certifying agencies locally, including some municipalities, the pool of available bidders would not be as large as the pool available through the Miami-Dade County program. Accordingly, it is recommended that, if this item is approved, that it be based on supplier diversity certifications issued by Miami-Dade County. Miami-Dade County has established certification programs for small businesses in the following categories.

Small Business Enterprise – Architectural & Engineering. A gender and race neutral program specifically for firms that are defined as architectural and engineering companies.

Small Business Enterprise – Construction. A gender and race neutral program specifically for firms that are defined as construction companies. This category also includes trades (e.g., electrical, painting, plumbing, etc.).

Small Business Enterprise – Goods and Services. A gender and race neutral program specifically for firms that supply goods and services other than construction, architectural or engineering services.

Disadvantaged Business Enterprise. This program is specific to small businesses in transportation contracting markets, and promotes increased participation in federally funded contracts by small, socially and economically disadvantaged businesses, including minority and women owned enterprises.

Miami-Dade County also has a certification program for firms it refers to as *local developing businesses*. However, this category would not apply to the City's tracking efforts because it is specific to small businesses that have permits to provide general aeronautical services to commercial airlines and aircraft operators at Miami International Airport.

Miami-Dade County certifications are valid for a three year period, requiring an annual continuing eligibility affidavit.

FINANCIAL INFORMATION

There is no fiscal impact anticipated.

Amount(s)/Account(s):

NA

CONCLUSION

The Administration supports creating a database and tracking the utilization of small and disadvantaged businesses as certified by Miami-Dade County in the City's procurement activities. This program is not only consistent with the City's commitment to equity and inclusion, it also helps the City's practices be consistent with a number of federally funded and other agency grants that require recipients to make efforts towards the utilization of these firms.

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

No

Does this item utilize G.O. Bond Funds?

No

Legislative Tracking
Procurement

ATTACHMENTS:

Description

- Resolution