



**Brazilian-American**  
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# Doing Business with Local Government in South Florida

# Experience and Expertise Working with Local Government in South Florida



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# First Steps to Doing Business with Local Government in South Florida

1

Recognize what kinds of products and services Local Governments need.

2

Register for Government Business Development Programs.

3

Understand the procurement process steps and the different procurement processes.

4

Know where to find business opportunities.

5

If you qualify as a Disadvantaged Business Enterprise (“DBE”), be aware of other opportunities.

6

Take advantage of Public-Private Partnerships (P3s).



# Products and Services



# 1

## Recognize What Kinds of Products and Services Local Governments Need.

### Contracts Currently Before the Miami-Dade Board of County Commissioners

<p>Agenda Item 8F2: Safety Shoes and Boots</p>		<p>Agenda Item 8F6: Computer Equipment Peripherals and Services</p>	
<p>Agenda Item 8F3: Valves, Gas/Vapor, Parts and Services</p>		<p>Agenda Item 8F7: Office Supplies</p>	
<p>Agenda Item 8F4: Information Technology Network Security</p>		<p>Agenda Item 8F8: Police Vehicles, Mobile Equipment, and Other Light and Heavy Fleet Vehicles</p>	
<p>Agenda Item 8F5: Operations and Maintenance of Wastewater Treatment Plant</p>		<p>Agenda Item 8F10: Lift Station Maintenance Services</p>	

# 1

## Recognize What Kinds of Products and Services Local Governments Need (cont'd).

Contracts Currently Before the Miami-Dade Board of County Commissioners			
Agenda Item 8F2: Safety Shoes and Boots	<b>\$9.2m</b> <b>Over 5 years</b>	Agenda Item 8F6: Computer Equipment Peripherals and Services	<b>\$6.1m</b>
Agenda Item 8F3: Valves, Gas/Vapor, Parts and Services	<b>\$1.1m</b> <b>Over 5 years</b>	Agenda Item 8F7: Office Supplies	<b>\$12.8m</b> <b>Over 5 years</b>
Agenda Item 8F4: Information Technology Network Security	<b>\$26.5m</b> <b>Over 5 years</b>	Agenda Item 8F8: Police Vehicles, Mobile Equipment, and Other Light and Heavy Fleet Vehicles	<b>\$81.8m</b>
Agenda Item 8F5: Operations and Maintenance of Wastewater Treatment Plant	<b>\$2.8m</b> <b>Over 5 years</b>	Agenda Item 8F10: Lift Station Maintenance Services	<b>\$755k</b>

# 1

## Recognize What Kinds of Products and Services Local Governments Need (cont'd).

### Agenda Item 8A1:

- Master Development Lease Agreement for the Construction of a Patented Vertical Cargo Solution at Miami International Airport
- Unsolicited bid; direct negotiations



# Government Business Development Programs

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# 2

## Types of Government Business Development Programs

### Local Government Business Development Programs

- Community Business Enterprise (CBE)
  - Small Business Enterprise (SBE)
- CBEs and SBEs receive preferential treatment in bid selection.

- Many local government entities also establish set-asides where as much as 100% of the procurement contract is required to be awarded to CBEs or SBEs
- Applicants must register and apply for certification with the respective local government entities they seek to do business with.

[Register with Broward County](#)  
[Register with Miami-Dade County](#)  
[Register with City of Miami](#)

# 2

# CBE and SBE Eligibility Requirements for Broward County



SBE RESERVE	CBE PROGRAM
Project Value ≤ \$250,000	Project Value > \$250,000
<p><b>PROGRAM ELIGIBILITY</b></p> <ul style="list-style-type: none"> <li>• Personal net worth per owner &lt; \$1.32 million</li> <li>• Firm/Business must be independent</li> <li>• 15 or less permanent full-time employees</li> <li>• Vendor must have a Broward Business Tax Receipt and be located in Broward County</li> <li>• Business must be established for a period of one year prior to submitting its application</li> <li>• Site visit by OESBD</li> </ul>	<p><b>PROGRAM ELIGIBILITY</b></p> <ul style="list-style-type: none"> <li>• Personal net worth per owner &lt; \$1.32 million</li> <li>• Firm/Business must be independent</li> <li>• Vendor must have a Broward Business Tax Receipt and be located in Broward County</li> <li>• Business must be established for a period of one year prior to submitting its application</li> <li>• Site visit by OESBD</li> </ul>
<p><b>Average Gross Revenues*</b></p> <ul style="list-style-type: none"> <li>• \$3 Million - Construction Services (calculated over the previous three calendar years)</li> <li>• \$1 Million - Contractual Services (calculated over the previous three calendar years)</li> <li>• \$500,000 - Professional Consultants (calculated over the previous three calendar years)</li> </ul> <p>*Commodity Suppliers are not subject to gross revenue limitation</p>	<p><b>Average Gross Revenues*</b></p> <ul style="list-style-type: none"> <li>• \$9 Million - Construction Services (calculated over the previous three calendar years)</li> <li>• \$5 Million - Contractual Services (calculated over the previous three calendar years)</li> </ul> <p>*Commodity Suppliers are not subject to gross revenue limitation, however, firm must have 25 or less full-time employees.</p>

Source: <https://www.broward.org/EconDev/Pages/localcertificationprograms.aspx>.

# 2

## SBE Eligibility Requirements for Miami-Dade County and the City of Miami



### Certification

Miami-Dade County does not use the CBE terminology, but offers three types of programs for SBEs: (1) Goods and Services; (2) Architectural and Engineering; and (3) Construction.

### Important note on the City of Miami

The City of Miami relies on Miami-Dade County's certification process.

# 2

## SBE Goods and Services Eligibility Requirements for Miami-Dade County and the City of Miami



Goods	Services
<ul style="list-style-type: none"> <li>Business must have a Miami-Dade County Local Business Tax (LBT) Receipt for at least one (1) year</li> </ul>	
<ul style="list-style-type: none"> <li>Business must have an actual location in Miami-Dade County. No virtual office</li> </ul>	
<ul style="list-style-type: none"> <li>Home based business require an owner to reside at the location</li> </ul>	
<ul style="list-style-type: none"> <li>Business 3 Years average gross receipts not to exceed \$5 million, except manufacturers with less than 100 employees and wholesalers with less than 50 employees</li> </ul>	<ul style="list-style-type: none"> <li>Business 3 Years average gross receipt not to exceed \$5 million</li> </ul>
<ul style="list-style-type: none"> <li>Business owner can own only one certified goods SBE</li> </ul>	<ul style="list-style-type: none"> <li>Business owner can own only one certified services SBE</li> </ul>
<ul style="list-style-type: none"> <li>Business License holder/qualifier (if applicable) must own at least 10% of the firm’s issued stocks or have at least a 10% ownership interest in the certified firm</li> </ul>	
<ul style="list-style-type: none"> <li>Business owner(s) Personal Financial (net worth) Statement cannot exceed \$1,500,000 for each owner</li> </ul>	

# 2

## SBE Architectural and Engineering Eligibility Requirements for Miami-Dade County and the City of Miami



### Architectural and Engineering

- Average Gross Revenue for last 3 years does not exceed \$4.5 million for architectural services. 3 yr. average gross receipts cannot exceed \$6 million for engineering, surveying and mapping services, and landscape architecture services.
  - Located and performing a commercially useful function in Miami-Dade County.
    - Local Business Tax Receipt for 1-year prior to certification
    - Qualifier must own at least 25% of the certified firm's issued stock.
    - Personal Net Worth does not exceed \$1.5 million of each owner
  - Owner can have only one Small Business Enterprise – Architectural & Engineering certified firm.
    - Annual renewal of certification required.

# 2

## SBE Construction Eligibility Requirements for Miami-Dade County and the City of Miami



### Construction

- Located and performing a commercially useful function in Miami-Dade County.
- Not exceeding 3 year average gross receipts of \$10 million for general building (NAICS 236/SIC 15), \$6 million for heavy construction contractors (NAICS 237/SIC 16), and \$5 million for specialty trade contractors (NAICS 238,SIC 17).
  - Local Business Tax Receipt for 1-year prior to certification
  - Qualifier must own at least 10% of the certified firm's issued stock.
  - Personal Net Worth does not exceed \$1.5 million of each owner
- Owner can have only one Small Business Enterprise - Construction certified firm.
  - Annual renewal of certification required.

# Local Government Procurement Processes

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# 3 The Procurement Process Steps

- 1 Procurement Office conducts industry research
- 2 Solicitation advertised
- 3 Pre-bid meeting
- 4 Bid submittal
- 5 Selection Committee meeting presentations
- 6 Recommendations to Commission
- 7 Protest Period
- 8 Commission Approval
- 9 Contract negotiation
- 10 Execution performance award
- 11 Post award negotiations



# 3

## Understand the Differences Between ITBs, RFIs, RFQs, and RFPs.

### Invitation to Bid (ITB)

A form of Competitive Solicitation for which price is the determinative factor.

### Request for Proposal (RFP)

Used when the local government has determined what specific goods or services it wishes to procure, and has also determined that it is appropriate to procure such goods or services based on a combination of price, quality, experience of the vendor, or other factors identified in the solicitation.

### Request for Qualification (RFQ)

Used to obtain information from vendors regarding their qualifications to provide goods or services; primarily used for professional services.

### Request for Information (RFI)

Used to seek information regarding vendors' ability or interest to provide goods or services. An RFI may be used to determine whether specific goods or services should be designated Sole Source or Sole Brand.

# Solicitations

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# 4 Understand the Cone of Silence.



## Cone of Silence in Broward County

- The County's Cone of Silence Ordinance prohibits certain communications among vendors, county staff, selection committee members, Commissioners and their staff.
- Any violations of this ordinance by any members of the responding firm or its joint venture(s) may be reported to the County's Office of Intergovernmental Affairs and Professional Standards.
- For Invitations for Bids, the Cone of Silence shall be in effect for staff involved in the award decision process at the time of the solicitation advertisement. The Cone of Silence shall be in effect for the Board of County Commissioners upon bid opening for the solicitation.



## Cone of Silence in Miami-Dade County

- The Cone of Silence prohibits certain oral communications regarding a particular RFP, RFQ or bid during the period the Cone is in effect. Written communications, copied to the Clerk of the Board, are permitted at all times.
- This Cone of Silence is designed to protect the professional integrity of the procurement process by shielding it from undue influences prior to the recommendation of contract award.
- It establishes a disciplinary and/or penalty process for those who violate the Cone of Silence.
- The Cone of Silence is terminated at the time when the County Manager issues a written recommendation to the Board of County Commissioners, or at the time when the issuing department issues its written recommendation to the Manager when the award is within the manager's delegated authority.

# 4

## Familiarize Yourself with Where Local Government Entities Solicit and Advertise These Opportunities.



- Broward County Purchasing Division issues and receives solicitations through an electronic bidding system called Periscope S2G.
- Vendors can complete the registration process online in just a few minutes. It is free to register with Periscope S2G and you do not have to pay a fee to view any solicitations once registered.
- Links:
  - <https://www.periscopeholdings.com/s2g>
  - <https://www.broward.org/Purchasing/SolicitationsAndResults/Pages/Default.aspx>



- You can search by Solicitation, which allows you to search by solicitation number, type, title or date. Search by BidSync to search for Goods & Services and Architectural & Engineering contracts issued through BidSync. You can also search by Pre-Qualification Pool for spot market purchases. Finally, you can search solicitations by Commodity.
- Links:
  - <https://www.miamidade.gov/apps/isd/StratProc/Home/CurrentSolicitations>
  - <https://www.miamidade.gov/global/business/procurement/bidsync-search.page>
  - <https://www.miamidade.gov/apps/isd/StratProc/Home/PerpetualContracts>
  - <https://www.miamidade.gov/apps/isd/StratProc/Home/Solicitationcommoditysearch>



- City of Miami Department of Procurement issues and receives solicitations through an electronic bidding system called Periscope S2G.
- Link:
  - <https://www.miamigov.com/Business-Licenses/Doing-Business-with-the-City/Access-Current-Procurement-Solicitations-Bids-Proposals>

Source: Broward County Current Solicitations and Results, <https://www.broward.org/Purchasing/SolicitationsAndResults/Pages/Default.aspx> (last accessed February 11, 2022); Miami-Dade County Procurement, <https://www.miamidade.gov/global/business/procurement/home.page> (last accessed February 11, 2022); City of Miami Access Current Solicitations, <https://www.miamigov.com/Business-Licenses/Doing-Business-with-the-City/Access-Current-Procurement-Solicitations-Bids-Proposals> (last accessed February 11, 2022).

# DBEs and ACDBEs

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# 5

## The Federal Disadvantaged Business Enterprise Program and the Airport Concession Disadvantaged Business Program (ACDBE)

### What are they?

Federal programs that ensure equal opportunity in transportation contracting markets, address the effects of discrimination in transportation contracting, and promote increased participation in federally funded contracts by small, socially and economically disadvantaged businesses, including enterprises owned by minorities and women.

### What is the objective?

To award not less than 10% of authorized federal funds to DBEs.

### Certification

The certification process is the starting point for firms to participate in airport business opportunities. To participate as a DBE or ACDBE, firms must be certified by the Unified Certification Program (UCP) for the State of Florida.

# 5 DBE and ACDBE Eligibility Requirements



DBE Eligibility Criteria	ACDBE Eligibility Criteria
Average gross receipts averaged over the three previous years must not exceed \$23.98 million in Broward or \$26.29 million in Miami-Dade	Gross receipts averaged over the three previous years must not exceed \$56.42 million
Personal Net Worth < \$1.32 million (excludes personal residence and ownership interest in the company)	
<p>A business that is 51% owned, controlled and managed by socially and economically disadvantaged U.S. citizen or legal resident who belongs to one or more of the following categories:</p> <ul style="list-style-type: none"> <li>(1) African-American / Black;</li> <li>(2) Hispanic;</li> <li>(3) Subcontinent Asian;</li> <li>(4) Asian-Pacific;</li> <li>(5) Native; or</li> <li>(6) Woman.</li> </ul> <p>Any other group classified as disadvantaged by the U.S. Small Business Administration (SBA).</p> <p>Note: An individual who is not a member of the groups listed above may still be DBE certified by establishing socially disadvantaged status.</p>	

# 5

## Entities Subject to DBE and ACDBE Compliance



**Any other transportation entity that receives Federal Funding**



# Public-Private Partnerships (P3s)



# 6 Introduction to Public Private Partnerships

## P3s in Florida

- The General P3 Act authorizes a “responsible public entity” to receive unsolicited or solicited proposals to develop or operate a “qualifying project.”
- **A responsible public entity is any:**
  - County
  - Municipality
  - School District
  - Special District
  - Florida political subdivision
  - Public body corporate and politic
  - Regional entity
- **A qualifying project is any:**
  - Project that serves a public purpose
  - Improvement, including equipment, of a building that is principally used by the public or supports a service delivery system in the public sector
  - Water, wastewater, or surface water management infrastructure

## Criteria for Evaluating Bids

- Before approving a P3 bid or proposal, the responsible public entity must determine that the proposed project:
  - Is in the public’s best interest
  - Is for a facility owned by or where ownership will be conveyed to the responsible public entity
  - Has safeguards to ensure that the public will not face additional costs or service disruptions
  - Has safeguards to ensure that the responsible public entity or private entity has the opportunity to add capacity
- A private entity must meet the responsible public entity's minimum guidelines for providing professional services and contracts for traditional procurement projects
- **In ranking the proposals, the responsible public entity may consider factors including:**
  - The private entity's professional qualifications.
  - The general business terms.
  - Innovative design techniques or cost-reduction terms.
  - Finance plans.

# 6

## Local P3 Examples



*Florida Brightline Services*

# 6

## Local P3 Examples (cont'd)



*Renovations to the Rickenbacker Causeway*

# 6

## Local P3 Examples (cont'd)



*Design and Construction of the Port of Miami Tunnel*

# 6

## Local P3 Examples (cont'd)



*Design and Construction of Miami-Dade's Civil Courthouse*

Questions?