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Making Miami-Dade County Procurement More Efficient, Transparent and Competitive

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Overview

For businesses seeking to work with Miami-Dade County, the procurement process can present significant opportunities—but also substantial administrative, procedural, and timing challenges. That is why, at the initiative of Chairman Anthony Rodriguez, the Board of County Commissioners established the Special Task Force to Reduce Inefficiencies in Procurement, or STRIP, and why I was honored to serve as its Chair.

Our charge was both broad and practical: examine the County's procurement laws, procedures, and systems across the full procurement lifecycle, from early planning and scope development through solicitation, evaluation, award, protests, and contract performance. We considered procurements involving goods and services, architecture and engineering, construction, design-build, public-private partnerships, leases, development agreements, and concessions.

After extensive meetings with the County's Strategic Procurement Department, the County Attorney's Office, subject matter experts, and industry stakeholders—including a workshop focused on the small business community—the Task Force approved 59 recommendations presented in a **May 19, 2026, Final Report**. Collectively, these recommendations were intended to shorten procurement timelines, reduce unnecessary administrative burdens, improve transparency and fairness, strengthen accountability, and support small business participation. Based on the Final Report, on September 1, 2026, the Board of County

Commissioners approved four ordinances implementing most of the recommendations.

- **Objections and Bid Protests.**

  The first ordinance focused on the procedures to object and protest procurement decisions.

  See **Agenda Item 5(E) Substitute, File No. 261725, Ordinance No. 26-61 (Sept. 1, 2026) (Adopted).**
- **SBE and Local Business Preferences.**

  The second ordinance involved changes to the procedure to review and grant Small Business Enterprise (SBE) and local business preferences.

  See **Agenda Item 5(F) Substitute, File No. 261548 (Amended)**.

- **Procurement Workflow.**

  The third ordinance directed the Mayor to implement, subject to available funding and feasibility, various recommendations primarily aimed at streamlining the procurement workflow from scope development through award, including setting procurement timeline goals, automating workflow, and allowing bidders and the public to track procurement progress online. The ordinance also established Board policy requiring each Commissioner to designate one staff member to be trained and certified in procurement matters and streamlined proposal submissions by removing several required affidavits.

  See **Agenda Item 5(G) Substitute, File No. 261705, Ordinance No. 26-63 (Sept. 1, 2026) (Adopted)**.

- **Evaluation Committees.**

  The fourth ordinance focused on the size, composition, and procedures to be followed by evaluation committees.

  See **Agenda Item 5(H) Substitute, File No. 261780, Ordinance No. 26-64 (Sept. 1, 2026) (Adopted)**.

After this blog post was first published, on October 20, 2026, the Board of County Commissioners approved a fifth ordinance implementing Recommendation 29 of the Final Report, which recommended reorganizing the County's procurement regulations to create a simplified procurement framework. The ordinance, currently recorded as **Agenda Item 5(I), File No. 261735 (Oct. 20, 2026)**, consolidates the County's principal procurement provisions, which were previously scattered throughout the Code, into a new Chapter 3 of the Code; incorporates the changes adopted on September 1, 2026; and replaces the County's numerous procurement-

related implementing orders with a single Master Procurement Implementing Order 3-38.

The ordinance also made additional changes, including eliminating the requirement to convene a selection committee when only one responsive submission is received, establishing timeframes for negotiations in single-proposal procurements, simplifying selection committee scoring procedures, directing the implementation of a vendor performance review program, and directing the creation of a centralized online bid protest portal. These additional changes are discussed separately below.

Unless otherwise noted, references in this summary to Code sections and implementing orders are to those provisions as in effect before adoption of the October 20, 2026, ordinance. Following the recodification, many of these provisions have been renumbered and relocated to the new Chapter 3 of the Code and Master Procurement Implementing Order 3-38.

Updates to Objections and Bid Protest Procedures

The first ordinance amends Section 2-8.4 of the Code and Implementing Order ("IO") 3-21, making significant changes to the County's bid protest framework.

Elevated Protest Thresholds

Perhaps the most significant change involves the protest thresholds. The ordinance amends IO 3-21 to raise the ceiling for informal protests from $250,000 to $5 million, aligning the informal process with the Mayor's current delegated authority for contract awards. Formal protests—which involve hearings before an appointed Hearing Examiner and presentation to the Board—now apply only to contracts exceeding $5 million. Contracts valued at $250,000 or less are no longer subject to protest rights, a notable increase from the prior $25,000 floor. For practitioners, this means that protests for a large portion of County procurements will now proceed through the streamlined informal process, with departmental review and resolution rather than a full evidentiary hearing.

New Objection Window for Two-Step Procurements

The ordinance amends Section 2-8.4 to add a new objection window for two-step qualification-based procurements. Because the SBE and Local Preferences ordinance now permits local preference eligibility to be determined up to the time of award, this provision ensures that any scoring or ranking issues—particularly those involving local preference determinations—are resolved before shortlisting. Under the revised procedures, proposers have five working days from receipt of either the Selection Committee Coordinator report for the first step or a notification of shortlisted proposers, to raise objections concerning rankings, scoring, or committee recommendations. Issues not raised during this window are waived and cannot form the basis of a later bid protest.

During the Board meeting, Commissioner Raquel Regalado requested an amendment to ensure that Commissioners are aware of whether issues raised late could have been addressed through the protest process. As adopted, when bidders send correspondence objecting to an award recommendation before the Board, the County Mayor must disclose to the Board in writing, in the award recommendation memorandum or a supplemental memorandum, whether the issues raised could have been raised in a bid protest. This amendment was accepted as an enhancement to ensure issues are addressed promptly rather than allowing concerns to surface late in the process and derail a procurement.

Motions to Dismiss

The ordinance amends Section 2-8.4(c) to introduce motions to dismiss as a procedural tool in formal bid protests. Within five working days of the Hearing Examiner's appointment, the County may move to dismiss a protest where there is no genuine dispute as to any material fact and the County is entitled to a decision in its favor as a matter of law. Under the amended IO 3-21, the County may also move to dismiss a protest for the protestor's failure to comply with the applicable protest rules. The Hearing Examiner must rule on the motion within five working days, and if granted, the dismissal is final and binding. This mechanism allows the County to resolve protests raising purely legal issues—such as timeliness—without the expense and delay of a full evidentiary hearing. If the motion is denied, the Code requires the hearing to be conducted within ten working days of the denial. To accommodate this new step, the deadline for completing hearings where no motion is filed has been extended from ten to fifteen working days following appointment, and the deadlines for the Hearing Examiner's report before a fee reduction applies have been extended correspondingly.

Attorney's Fees for Frivolous Protests

The ordinance also amends Section 2-8.4(c) to add a potential fee-shifting consequence for frivolous protests, though its application is limited. For procurements valued at over $25 million, if the Hearing Examiner determines that a protest is frivolous—meaning it lacks material facts to support the claim or is not supported by existing law—the Hearing Examiner shall award attorney's fees to the County and any party defending the award. To preserve this remedy, the County or the defending party must file a notice of intent to seek fees within five working days of the protest being filed. Notably, a protestor can avoid fee liability by withdrawing the protest before the hearing commences. The $25 million threshold and withdrawal safe harbor ensure that smaller businesses are not deterred from seeking to resolve procurement controversies due to the risk of fee exposure.

Filing Fee Adjustments

The ordinance also amends IO 3-21 to adjust the filing fee structure. The lowest fee tier—previously $500 for contracts between $25,001 and $250,000—has been eliminated, consistent with the removal of protest rights for contracts at or below

$250,000. For informal protests (now covering contracts up to $5 million), the administrative fee has been eliminated entirely, reducing the upfront cost for protestors in this expanded category. Formal protests for contracts over $5 million retain both the filing fee and administrative fee structure.

SBE and Local Business Preferences

The second ordinance amends Sections 2-10.4.01, 2-8.1.1.1.1, 2-8.1.1.1.2, and 2-8.5 of the Code, modernizing the County's Small Business Enterprise (SBE) and local preference programs. The ordinance standardizes SBE participation percentages for A&E contracts and adopts contract-level utilization requirements that reduce compliance risk for task-based A&E procurements. It eliminates the SBE Advisory Boards, streamlines SBE requirements for smaller purchases, and establishes a new process permitting vendors to demonstrate local preference eligibility after submittal. The ordinance also creates make-up plans to address SBE shortfalls during active contracts.

Standardized SBE Participation for Architecture and Engineering

Before these changes, Prime consultants on task-based A&E contracts committed to specific utilization percentages for each SBE Subconsultant throughout the contract term. Task-based contracts are typically long-term arrangements where the County issues individual task orders at its discretion depending on project needs. Under the prior firm-level approach, the Prime had to utilize each SBE at the rate committed in its proposal—even when the tasks in a particular order fell outside that SBE's area of expertise. In practice, this introduced significant uncertainty into contract administration. If task orders were more intensive in one discipline than another, the Prime risked contractual non-compliance simply because the actual mix of work did not match the projections made at proposal time.

The ordinance amends Section 2-10.4.01 to adopt contract-level SBE utilization requirements for these task-based contracts, replacing the prior firm-level commitment approach. Under the new contract-level approach, the Prime has flexibility to deploy the SBEs on its team based on the actual needs of each task order, with the understanding that the overall contract-level goal must still be met by the end of the contract term. This change eliminates the compliance risk created when task order work does not align with proposal projections, while still ensuring meaningful SBE participation across the contract's life.

In addition, to streamline the determination of the SBE utilization level that should apply to a specific contract, rather than continuing to make that determination on a case-by-case basis, the ordinance establishes standardized SBE participation percentages: 10 percent for task-based contracts and 15 percent for defined-scope, project-specific awards. The County's procurement staff may waive the standardized percentages or provide for higher or lower percentages for good cause and upon written justification. For task-based contracts, the Utilization Plan must describe how

the Prime will meet the 10 percent requirement but need not identify the SBE subconsultants.

Elimination of SBE Advisory Boards

Because the ordinance replaces case-by-case SBE utilization determinations with standardized percentages, the SBE Advisory Boards that previously supported the A&E and Goods and Services programs are no longer necessary. The ordinance accordingly eliminates the A/E Advisory Board and the Small Business Advisory Board, as well as the A&E program's Review Committee, which will shorten procurement timelines and reduce administrative costs. The ordinance also directs the County Attorney's Office to prepare legislation removing the Project Review Analysis Committees for goods and services contracts and replacing separate SBE subcontractor goals for goods and services with a bid preference for price-based solicitations and a selection factor for qualitative solicitations. The County has indicated it will continue to solicit feedback from SBE firms through other channels to ensure the implementation of an equitable procurement process.

Streamlined SBE Requirements for Purchases of $250,000 or Less

For services and goods contracts of $250,000 or less, the ordinance amends Sections 2-8.1.1.1.1 and 2-8.1.1.1.2 to eliminate the requirement that County departments expend 100 percent of the value of these contracts with SBEs. Under the prior approach, departments were expected to award all such contracts to SBEs unless the Small Business Development division determined that there was not enough SBE capacity or that the work could only be performed by a non-SBE firm, and at least two SBEs had to be available to perform a competitive bid contract. In practice, this created delays and administrative hurdles whenever qualified SBEs were unavailable for a particular purchase. The ordinance removes both requirements and instead relies on the automatic bid preferences already built into the program: SBE bids or quotes receive a 10 percent bid preference for Tier 1 and Tier 2 SBEs and a 5 percent bid preference for Tier 3 and Tier 4 SBEs when the contract is not set aside, and a 10 percent preference for Tier 1 and a 5 percent preference for Tier 2 SBEs when it is set aside. The preference is deducted from the bid or quoted price for evaluation purposes only. These changes support small business participation while simplifying compliance and preserving competition in the County's smaller procurements.

Local Preference Verification Before Award

The ordinance amends Section 2-8.5 to clarify that information regarding a vendor's eligibility as a local business may be furnished to the County for verification after bid or proposal submission and before award, pursuant to the solicitation's deadlines. Vendors must still affirm their local business eligibility in writing at submission, but failing to do so no longer renders them automatically ineligible. This change provides vendors a fair opportunity to claim local preference before being rendered automatically ineligible for not checking a box at the time of submission—a common source of bid protests and disputes with the County. The ordinance also empowers

the Office of the Inspector General to conduct random investigations and reviews to verify vendors' claims of eligibility as a local business, and requires vendors to cooperate fully with any such review.

Make-Up Plans During Active Contracts

The ordinance provides a mechanism to permit remedies for non-compliance with SBE utilization plans during the performance of active contracts, rather than limiting remedies solely to future contracts. Contractors who fall short of their SBE commitments may now address deficits through make-up plans on existing contracts, accelerating work opportunities for certified small businesses and enabling corrective action during contract performance rather than deferring consequences to future procurements.

Procurement Workflow Enhancements

The third ordinance takes a two-track approach to implementing the Task Force's procurement workflow recommendations. The first track consists of Code amendments and Board policies that take effect upon adoption. The second track directs the administration to implement certain recommendations and report back to the Board within 90 days on the progress of those initiatives.

Code Amendments Eliminating Affidavit Requirements

Lobbyist Affidavit

The ordinance amends Section 2-11.1 of the Code to eliminate the lobbyist affidavit requirement for individuals appearing on oral presentation and negotiation teams in procurement matters. Under prior law, proposers were required to submit an affidavit listing all technical experts and employees participating in presentations or negotiations who were not registered lobbyists. The ordinance removes this requirement, treating such participation as an exception to lobbying registration requirements without a separate filing obligation.

Certificates of Assurance and Fair Subcontracting Affidavit

The ordinance amends Sections 2-8.8, 2-8.1.1.1.1, and 2-8.1.1.1.2 to streamline SBE compliance documentation. The Certificate of Assurance—a separate form that bidders submitted acknowledging that SBE measures applied to the project and committing to submit a Utilization Plan—is eliminated. Bidders continue to submit Utilization Plans via the County's web-based system, but no longer need to file a separate acknowledgment form in addition to the Utilization Plan itself. The ordinance also eliminates the requirement under Section 2-8.8 for bidders to provide a detailed statement of subcontracting policies and procedures prior to contract award, and for contractors to report all subcontracts used in the work as a condition of final payment. Additionally, the ordinance renames the Review

Committees under the SBE Services and Goods Programs as Review Teams, reflecting an administrative shift in how goal-setting disputes are handled.

Due Diligence Affidavit for Related-Party and Collusion Matters

The ordinance amends Sections 2-8.1.1 (for goods and services) and 10-33.02.1 (for construction) to eliminate the post-recommendation due diligence affidavit. Previously, a contractor recommended for award was required to submit an affidavit within five business days stating whether it was related to other bidders and attesting that its proposal was genuine and not collusive. The ordinance removes the affidavit requirement. The ordinance also repeals Resolution R-63-14, which had established the due diligence affidavit requirement.

Board Policies

The ordinance establishes two Board policies that take effect upon adoption. First, the Board commits to considering the impact on procurement timelines when it considers policy changes related to procurement or takes action relating to an ongoing procurement. Second, each Commissioner is required to designate one member of his or her staff to be trained and certified in procurement matters, with training and certification provided by the Strategic Procurement Department. These policies reflect the Task Force's recognition that both legislative action and Commission office involvement can affect procurement efficiency.

Directives to the Administration

Expanded Role for the Chief Procurement Officer

The ordinance directs the administration to consider expanding the role of the existing Chief Procurement Officer (CPO) to oversee procurement policies and procedures across all County departments—not just within the Strategic Procurement Department. Each department would designate a Procurement Lead to serve as the point of contact for procurement matters and coordinate directly with the CPO.

The CPO would also share authority with department directors over the hiring, goal setting, and evaluation of Procurement Leads. The recommended structure is intended to ensure County-wide consistency. The CPO would also establish baseline procurement standards, provide training, and make staffing recommendations to the Mayor.

Additional Administrative Directives

The ordinance directs the County Mayor to implement, to the greatest extent possible, a number of additional Task Force recommendations that do not require Code amendments but instead call for administrative, operational, or system-level changes. These directives include establishing procurement cycle time targets (90 to

120 days for contracts up to $5 million; 120 to 150 days for larger contracts); adopting a task management system to establish roles and responsibilities for participants in the procurement process, measure the duration of each step, and publish the procurement stage online for bidders and the public to track; providing an automatic 10-business-day extension to submittal deadlines when the County answers questions less than 10 days before the deadline; providing training to County department staff to improve the development of scope for solicitations; developing an online public repository for procurement documents and evaluation scores; and standardizing the software applications used for each type of procurement.

For leases of County-owned property, the ordinance directs the development of a standard form ground lease, with input from lenders and capital markets and tax credit experts. Proposers would be required to identify any objections to its terms in their solicitation responses or be foreclosed from raising them during negotiations.

For A/E contracts, in particular, the ordinance directs the administration to examine shifting toward using Federal Acquisition Regulation (FAR) overhead audits and a negotiated margin—rather than the County's current approach—as the basis for establishing fee structures on architecture and engineering contracts. The administration is also directed to explore adopting a "safe harbor" multiplier, which may be capped by the County consistent with audited cost data and the negotiated margin framework. This change is intended to align the County's A/E pricing methodology with established federal standards, helping ensure fair and reasonable pricing.

The County Mayor is required to report to the Board within 90 days of enactment on the progress of these initiatives.

Evaluation Committees

The fourth ordinance amends Section 2-11.1 of the Code (the Cone of Silence provisions) and revises Implementing Orders 3-34 and 3-39, making significant changes to the size, composition, procedures, and training requirements for Competitive Selection Committees (CSCs). Below are some of the key changes.

Closed Oral Presentations

The ordinance amends Section 2-11.1 of the Code (the Cone of Silence provisions) to permit closed, recorded oral presentations before selection committees during competitive procurements. This change harmonizes County practice with Section 286.0113, Florida Statutes, which provides an exemption for certain procurement-related meetings. While presentations may now be closed to the public during the evaluation, the recordings must be made available to the public following the conclusion of the applicable procurement stage.

Committee Size and Composition

The ordinance establishes new minimum committee sizes based on contract value. Procurements for contracts under $20 million will be reviewed by three voting members, and for contracts of $20 million or more there will be five voting members. All committees must have two alternate members, with the County Mayor authorized to appoint additional alternates when appropriate. The ordinance also changes how committee members are appointed. For three-member committees, two members must come from the affected user department (named by the user department director) and one from a non-user department (named by the Strategic Procurement Department). For five-member committees, at least a majority must come from the user department. For procurements involving professional services under Section 287.055, Florida Statutes (the Consultants' Competitive Negotiation Act), non-user department members must be professionally licensed engineers or architects, unless waived by the Strategic Procurement Department for good cause.

Changes to Dropped Scores

The ordinance modifies the prior practice of automatically dropping the lowest selection committee score in competitive procurements for the acquisition of professional services. Under the new approach, as amended on the floor, a committee member's lowest score is eliminated only if it deviates by 25 percent or more from the average score of all committee members.

Standardized Instructions and Rationale Requirements

The ordinance directs the administration to develop standardized instructions for selection committee members in qualitative competitive procurements. Under the new requirements, committee members must articulate the rationale supporting their scoring decisions and, following completion of the scoring process, articulate the basis for determining which proposers should advance to oral presentations.

Technology for Oral Presentations

For competitive procurements with an estimated contract value of less than $5 million, the ordinance restricts the technology that proposers may use during oral presentations. All vendors must use only the presentation technology and equipment provided by the County; vendor-supplied or alternative technology is not permitted. The County's procurement staff must notify all vendors in writing in advance of the specific equipment that will be available. This requirement is intended to ensure fairness and consistency by placing all proposers on equal footing during oral presentations.

Change Order Disclosure and Reporting

As adopted, the ordinance also requires the County Mayor, when an item recommending a contract award is placed on a Board agenda, to disclose any vendor-originated change orders in that vendor's County contracts for the preceding

five years. The County Mayor must also report to the Board on the effects of these changes within one year of the ordinance's effective date.

Recodification of Procurement Regulations and Additional Changes

The fifth ordinance creates a new Chapter 3 of the Code relating to County procurement and relocates into it the County's most significant procurement provisions, which were previously scattered throughout the Code. These include the provisions governing contracts and purchases generally, the acquisition of professional architectural and engineering services, expedited purchasing programs, bid protest procedures, the Cone of Silence, debarment, local and veteran preferences, the small business programs, prompt payment, and contract extensions and joint purchases. The relocated provisions incorporate the changes adopted on September 1, 2026, in Ordinance Nos. 26-61, 26-62, 26-63, and 26-64, and include technical updates such as renumbering, replacing references to the County Manager with the County Mayor, removing references to federally enjoined provisions, and clarifying that the Living Wage Ordinance, the Small Business Enterprise Construction Services Program, and the Responsible Wage Ordinance apply only to the extent not prohibited by state or federal law. See Agenda Item 5(I), Sections 2–14.

Master Procurement Implementing Order

The ordinance also repeals fifteen procurement-related implementing orders, including IO 3-21 (Bid Protest Procedures), IO 3-34 (Competitive Selection Committees), IO 3-39 (Capital Improvements and Professional Services), and IO 3-41 (Small Business Enterprise Programs), and consolidates them as attachments to a new Master Procurement Implementing Order 3-38. The Master Procurement IO controls over prior procurement policies only to the extent they are inconsistent with it, and the County Mayor is directed to update its internal references to reflect the new Chapter 3 numbering. See Agenda Item 5(I), Sections 15–16.

Single Responsive Submissions

For architectural and engineering procurements, the ordinance eliminates the requirement to appoint a competitive selection committee when only one responsive submission is received. Instead, the County Mayor or designee evaluates the firm's qualifications and, if the firm is qualified and capable, proceeds directly to negotiations. The County Mayor is also directed to revise the Master Procurement IO to apply the same administrative review to other solicitations that receive a single responsive submission. In addition, the Cone of Silence now requires that, in single-submission procurements, the County Mayor commence negotiations or take other affirmative action within thirty days, or report the delay and its reasons to the Board. See Agenda Item 5(I), Section 3-20(6) of the Code and Section 18 of the ordinance.

Selection Committee Scoring

In light of the 25 percent dropped-score rule adopted in Ordinance No. 26-64, and to clarify and simplify the scoring process for architectural and engineering selection committees, the ordinance directs the County Mayor to remove from the Master Procurement IO the procedure allowing a committee member to revise a score that varies by more than 33 percent from the average. See Agenda Item 5(I), Section 17.

Vendor Performance Reviews and Small Business Programs

The ordinance directs the County Mayor to implement performance review measures to track vendor performance on County contracts and to require consideration of that record in future procurements in which the vendor competes. The County Mayor must also make recommendations, based on meetings with the small business community and the Task Force's final recommendations, on how to improve the local preference and small business goods, services, and architectural and engineering programs. Separately, the County Mayor must continue consolidating and refining County procurement policies and report to the Board within 120 days on the impact of the Master Procurement IO. The report must also recommend any further changes to the Master Procurement IO and identify procurement-related resolutions that should be rescinded, modified, or incorporated into it. See Agenda Item 5(I), Section 17.

Online Bid Protest Portal

Finally, the ordinance directs the Clerk of the Board, in coordination with the County Mayor, to create and maintain a centralized, automated online portal for bid protests that includes electronic fee submission, real-time tracking of protest status, automated notifications to participants, and a docket of protest decisions. See Agenda Item 5(I), Section 19.

Conclusion

Taken together, these five ordinances represent a meaningful step toward the goals the Task Force set out to achieve: shorter procurement timelines, reduced administrative burdens, greater transparency and fairness, stronger accountability, and continued support for small business participation. While not every recommendation made it into these ordinances—and implementation of the administrative directives will take time—the Board's action demonstrates a commitment to modernizing Miami-Dade County's procurement system. For businesses seeking to work with the County, these reforms should translate into a more predictable, efficient, and accessible process. We will continue to monitor implementation and provide updates as the County puts these changes into practice.