

Memorandum



Date: March 30, 2009

To: Shalley Jones Horn, Director
Office of Community and Economic Development

From: Tangie White Jackson, Director
Community and Economic Development Division

Subject: Delegation of Approval Authority for Subcontracts and Payment Requests

As per your instruction, we have researched other County departments' approval authority grids to propose recommendations on delegating sign off authority within OCED. We have interviewed and/or received information for the following departments:

- ◆ Miami Dade Public Housing Authority (MDPHA)
- ◆ Office of Capital Improvements (OCI)
- ◆ Parks and Recreation Department (MDPR)
- ◆ Department of Environmental Resources Management (DERM)

Copies of all e-mails from the various departments are available for your review. Currently in OCED, the Department Director and Deputy sign off on all subcontracts and payment requests. However, in all of the departments listed above, the Division Directors have sign off authority on both sub-contracts and payment requests **up to \$100,000**. For example in the Parks and Recreation Department, a payment goes through the following levels:

- Supervisor
- Division Director
- Assistant Director
- Accounting

A payment request in OCED goes through the following approval authority:

- Contracts Officer
- Supervisor
- Division Director
- Department Director
- Fiscal Division

Likewise, all sub-contracts are approved by the Department Director even though the approval is quite standard and all sub-contracts must adhere to a check list (see Attachments A and B). Based on this information, the attached approval process is recommended for OCED (see Attachment C). Please note that the arrow indicates the flow of the documents through our office.

Payment Requests/Work Orders:

Up to \$100,000:

Contracts Officer → Project Manager Lead Worker → **Division Director** → Fiscal Unit

Above \$100,000:

Contracts Officer → Project Manager Lead Worker → Division Director → **Department Director or Deputy Director** → Fiscal Unit

The Division Director must be copied on all subcontract approvals.

Subcontract Approval

Due to the fact that OCED has a check list for approval of sub-contracts, all Contracts Officers are well versed in procurements procedures and that checklist **MUST** be attached for all approvals, the following is recommended:

Up to \$5,000:

Contract officer → **Project Manager Lead Worker**

Up to \$100,000

Contracts Officer-Project Manager Lead Worker → **Professional Services and Technical Support Unit Supervisor**

Up to \$200,000:

Contracts officer → Project Manager Lead Worker → Professional Services and Technical Support Unit Supervisor → **Division Director**

Above \$200,000:

Contracts Officer → Project Manager Lead Worker → Division Director → **Department Director or Deputy Director**

In short, the above delegates sub-contract approval authority to Sonia Colon, Lead Worker - up to \$5,000; Maria Rodriguez Porto, Supervisor - up to \$100,000; and Tangie White Jackson, Division Director - up to \$200,000. For payment requests, Ms. White Jackson will be given authority up to \$100,000. **Please be advised this is just related to payments and or sub-contracts for agencies.**

The purpose of the above is to speed up the processing of payments and approval of sub-contracts. Due to the fact that all of the sub-contracts handled by OCED will be for housing, economic development and capital improvements, these projects take longer and may affect our draw down ratio schedule.

It is recommended that the above approval authority be revisited after six (6) months to ascertain the success rate.

In the absence of the PSTSU Supervisor, the Division Director can sign, and in the absence of the Division Director, the Department Director and or Deputy can sign.

The Division Director must be copied on all subcontract approvals.

New Monthly Reporting Requirement

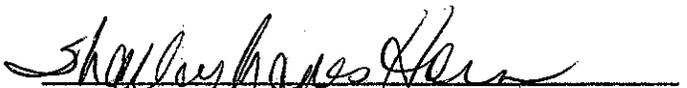
All subcontracts and payment requests approved at the Division Director level and below must now be maintained in a monthly report. The monthly report is due to the Department Director no later than the 5th of the month. The form of the report is attached as Attachment D.

Please sign below if you concur with the above changes. **The changes will become effective immediately.**

TWJ:ed

Attachment

I concur:


Shalley Jones Horn, **DIRECTOR**
Office of Community and Economic Development


Peter McDougal, **DEPUTY**

Attachment

c: Rick Glasgow
Sheila Martinez
Awilda Ashford
Maria Rodriguez-Porto
Sonia Colon
Jose Bravo
Brian Gillis
Felipe Rivero
Contract Officers - OCED
Elsie Douge
Project Management BPR Manual

LIST OF REQUIRED DOCUMENTS Related Subcontract Agreements (CONSTRUCTION)

The chart below depicts the required documents that must be incorporated in all construction related Subcontract Agreements.

✓	MINIMUM STANDARDS FOR CONSTRUCTION RELATED SUBCONTRACT AGREEMENTS
1.	Notice to Bidders / Prospective Contractor(s)
2.	Statement of Bidder's Construction Experience
3.	Certification Receipt
4.	Federal Labor Standards Provisions (Form HUD-4010)
5.	Davis-Bacon Wage Determination (Agency to request from OCED – Must incorporate in Subcontract Agreement)
6.	Insurance Requirements
7.	Provisions to be Incorporated in Construction Contracts: a) Davis-Bacon Act, b) Termination, c) Access to Records and Record Retention, and d) Legal Remedies
8.	Non-collusion Affidavit
9.	Certification Regarding Lobbying
10.	Affirmative Action Standards
11.	Certification of Compliance with Part 60-2: Affirmative Action Programs
12.	Other Required Certifications: a. Equal Employment Opportunity b. Affirmative Action c. Americans with Disabilities Act d. Copeland Anti-Kickback e. Byrd Anti-Lobbying Amendment f. Full Disclosure by the Contractor/Bidder g. Non-Discrimination Clause h. Age Discrimination Act of 1975 as Amended i. Section 504 of the Rehabilitation Act of 1973 as amended
13.	Certification Regarding Drug Free Workplace (Grantees Other than Individuals)
14.	Assurance of Companies (Section 3, HUD Act of 1968)
15.	Section 3 Requirements
16.	Section 3 Clause
17.	Bidder's Initial Section 3 Goals
18.	Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Transactions (Certification Document and Instructions)
19.	Equal Employment Opportunity (EEO) Clause for Contractors Not Subject to Executive Order (EO 11246)
20.	Equal Employment Opportunity for Special Disabled Veterans and Veterans of the Vietnam Era
21.	Equal Opportunity for Workers with Disabilities
22.	Notice of Requirement for Affirmative Action to Ensure Employment Opportunity (EO 11246)
23.	Equal Employment Opportunity (EEO) Clause for Contractors Subject to EO 11246
24.	Certification of Non-segregated Facilities
25.	Notice to Prospective Subcontractors of Requirements for Certification of Non-segregated Facilities
26.	Notice of Requirement – Clean Water, Clean Air, EO 11738 and EPA Regulations Provision
27.	Certification of Compliance with Federal Regulations: Clean Air Act, Federal Water Pollution Control Act, and Lead-Based Paint Poisoning Prevention Act
28.	Certification Regarding Debarment, Suspension, and Other Responsibility Matters (Direct Recipient)
29.	Public Entity Crimes Affidavit

**LIST OF REQUIRED DOCUMENTS
RELATED SUBCONTRACT AGREEMENTS
(NON-CONSTRUCTION)**

The chart below depicts the required documents for all non-construction related Subcontract Agreements.

1.	Verify that agency/subcontractor is not on HUD's debarred contractors list at: www.epls.gov
2.	Verify that agency/subcontractor is not on the County's delinquent and debarred list at: www.miamidade.gov/sba/reports.debarment.asp and www.miamidade.gov/Finance/Delinquent.htm
3.	Copy of the Advertisement or Request for Quotations
4.	Written specifications for services being provided.
5.	Tabulation of the contractors being considered by agency.
6.	Recommendations by agency's staff regarding selection.
7.	Agency's Board minutes or Resolution approving selection.

ATTACHMENT C

**OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT
APPROVAL OF SUB-CONTRACTS AND PAYMENT REQUESTS**

	PAYMENT REQUEST/WORK ORDER			SUBCONTRACT APPROVAL			
	Up to \$10,000	Up to \$100,000	Above \$100,000	Up to \$5,000	Up to \$100,000	Up to \$200,000	Above \$200,000
POSITIONS							
Project Manager Lead Worker (Sonia Colon)	N/A	N/A	N/A	X			
Professional Services and Technical Support Unit (Maria Rodriguez-Porto)	N/A				X		
Community and Economic Development Division (Tangie White Jackson, Director)		X				X	
OCED Director / Deputy Director (Shalley Jones Horn) (Peter J. McDougal)			X				X

