



Broward County

Legislation Details (With Text)

File #: 20-1724 **Version:** 1

Status: Agenda Ready

In control: County Commission

On agenda: 9/22/2020 **Final action:** 9/22/2020

Title: MOTION TO DIRECT Office of the County Attorney to draft an Ordinance amending the County Business Opportunity Act, Section 1-81 of the Broward County Code of Ordinances, to exclude from the calculation of average annual gross receipts to be eligible for certification as a County Business Enterprise (“CBE”) any amounts paid by a certified CBE architectural firm directly to a subconsultant engineering firm pursuant to a contract with Broward County. (Mayor Holness)

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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Broward County Commission Regular Meeting

Director's Name: Dale V.C. Holness
Department: County Commission

Information

Requested Action

MOTION TO DIRECT Office of the County Attorney to draft an Ordinance amending the County Business Opportunity Act, Section 1-81 of the Broward County Code of Ordinances, to exclude from the calculation of average annual gross receipts to be eligible for certification as a County Business Enterprise (“CBE”) any amounts paid by a certified CBE architectural firm directly to a subconsultant engineering firm pursuant to a contract with Broward County. (Mayor Holness)

Why Action is Necessary

Board direction is required to direct the Office of the County Attorney to draft an Ordinance amending the Broward County Code of Ordinances.

What Action Accomplishes

Directs the Office of the County Attorney to draft an Ordinance for Board consideration.

Is this Action Goal Related

No

Previous Action Taken

Summary Explanation/Background

Under certain Broward County (“County”) contracts, architectural firms that are certified CBEs are required to contract with subconsultants for engineering services. All payments received by the architectural firm CBE for subconsultant engineering work are passed through directly to the subconsultant. As a result, while there may appear to be growth in the gross revenues of the architectural firm CBE, the profits of the architectural firm CBE actually remain flat or decline because the additional revenue is passed on to the engineering firms. Many times, this work is taken on by the architectural firm CBE at the request of the County in order to expedite important County projects, including those at the airport and seaport.

This proposed amendment would exclude from the calculation of average annual gross receipts to be eligible for certification as a CBE any amounts paid by an architectural firm CBE directly to a subconsultant engineering firm pursuant to a contract with the County. The change would allow the determination for eligibility to be certified as a CBE to more closely reflect the architectural firm’s income for architectural services. The County has implemented a similar method to calculate the volume of work for prime contractors where the prime contractor retains CBE firms. Under current County policy, the revenues that are passed through to a CBE firm are excluded from the calculation of the prime contractor’s volume of work to determine the prime contractor’s ranking in procurements.

Source of Additional Information

Heidi Richards, Chief of Staff, District 9, 954-357-7009

Fiscal Impact

Fiscal Impact/Cost Summary

To be determined by the Office of Management and Budget upon presentation of a draft Ordinance.