Memorandum

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To: Honorable Daniella Levine Cava, Mayor, Miami-Dade County
Honorable Chairman Anthony Rodriguez, Chair
and Members, Board of County Commissioners, Miami-Dade County

From: Felix Jimenez, Inspector General

Date: August 31, 2026

Subject: OIG Observations on Selected Recommendations of the Special Task Force to Reduce Inefficiencies in Procurement, Ref. IG25-0005-O

The Miami-Dade County Office of the Inspector General (OIG) shares its observations on selected recommendations of the Special Task Force to Reduce Inefficiencies in Procurement (STRIP) that are currently being considered for implementation through legislative items 5E through 5H of the September 1, 2026, Board of County Commissioners (BCC) preliminary agenda.

The OIG recognizes and supports STRIP's objective of identifying opportunities to streamline the procurement process and improve operational efficiency. Based on our observations, however, several of the recommendations before the BCC present significant changes to existing procurement safeguards and, in our view, warrant additional consideration before final legislative action. The observations provided in this memorandum are intended to assist the BCC as it considers the proposed legislation and any subsequent implementation; particularly where efforts to improve efficiency may undermine procurement integrity, stifle competition, and weaken accountability measures.

BACKGROUND

The BCC established STRIP through Resolution No. R-441-25 on May 6, 2025, to conduct a comprehensive review of the laws, codes, procedures, and administrative practices governing County procurement to identify opportunities to improve efficiency, competition, transparency, and effectiveness. On May 19, 2026, STRIP approved 59 final recommendations. Four ordinances implementing significant portions of the recommendations were adopted on first reading by the BCC on July 21, 2026. As presently scheduled, the ordinances bypassed a committee hearing and are before the BCC for public hearing and second reading on September 1, 2026.

The OIG recognizes and supports the underlying objective of eliminating unnecessary delay and administrative burden from County procurement. However, several of the proposed changes warrant particular attention before final legislative action. These observations are noted below in Table 1 followed by a more detailed discussion on each observation.

Table 1: SELECTED STRIP RECOMMENDATIONS AND OIG SUGGESTIONS

STRIP Recommendation No.	OIG Observation
No. 24 **Affidavit Streamlining** **Agenda Item No. 5G**	The current required affidavits, even if not statutorily mandated, have been developed pursuant to procurement best practices to provide added accountability and transparency. The BCC can require one streamlined certification and continue to preserve the underlying disclosures, vendor accountability, and enforceability of material representations currently in place. The current legislation removes these attestations without codifying their necessity within a new, streamlined document.
No. 17 **Competitive Selection Committee Composition** **Agenda Item No. 5H**	A representative from the Strategic Procurement Department (SPD) should chair the Competitive Selection Committee (CSC) instead of a member of the issuing department; this ensures neutrality and familiarity with the County's procurement procedures, of which SPD staff have extensive training.
No. 49 **Frivolous Protest Penalties** **Agenda Item No. 5E**	Consider whether early dismissal procedures as reflected in Recommendation 50 can address deficient protests without creating unnecessary financial deterrents to good-faith challenges.

Streamline Due Diligence Affidavit Requirements
STRIP Recommendation No. 24 (Agenda Item No. 5G)

Recommendation 24, as adopted in Agenda Item No. 5G, eliminates what is commonly known as a Non-Collusion Affidavit currently required under Sections 2-8.1.1(c) and 10-333.02.1(c). A non-collusion affidavit provides important protections for the County and clear notice to contractors against sham or collusive practices. In addition to the elimination of the non-collusion affidavit, Resolution No. R-63-14 requiring due diligence affidavits prior to certain awards exceeding one million dollars will be repealed.[1] Eliminating forms may reduce vendor and staff burden. However, the current certifications serve purposes beyond collecting information. They establish that a vendor specifically acknowledged and affirmed a particular representation and may later provide an important record if the accuracy of that representation is questioned.

The OIG does not suggest that every existing checklist item or affidavit must remain unchanged. However, information appearing routine during procurement becomes relevant if questions arise concerning vendor responsibility, ownership, conflicts, collusion, financial condition, or representations made to the County.

The OIG recommends that each control be evaluated based on both the administrative burden it imposes and the substantive purpose it serves. The value of a due diligence control should not necessarily be measured solely by how often it results in a vendor being disqualified. Such controls may also provide

[1] Also eliminated will be an affidavit required under Section2-11.1 the Conflict of Interest and Code of Ethics, requiring the listing of certain individuals prior to oral presentations; a certification listing subcontracting policies, procedures, and payments under Section 2-8.8 of the Code; and Certificates of Assurance acknowledging SBE measures apply and that a list of certified SBEs will be provided pursuant to Section 2-8.1.1.1.1 of the Code.

information to decision-makers, deter inaccurate representations, preserve accountability, and establish a useful record if misconduct is later alleged.

The OIG recommends the BCC maintain the essential information gathered currently through these affidavits and certifications in one centralized streamlined affidavit/certification ensuring vendor accountability and the enforceability of material representations currently in place. In particular, acknowledgments in the non-collusion affidavit and the responsibility-related information currently obtained through Resolution R-63-14 should remain available.

Competitive Selection Committee Composition
STRIP Recommendation No. 17 (Agenda Item No. 5H)

Recommendation 17 (Agenda Item No. 5H) represents a significant structural change to the current CSC composition. The OIG recognizes the operational concerns underlying this recommendation. Selection committees exercise substantial discretion when evaluating qualifications, technical approaches, experience, and other qualitative factors. Greater representation from the user department may improve technical expertise and provide evaluators with a better understanding of operational needs. At the same time, because the user department will ultimately administer and work with the resulting contractor or consultant, concentrating a majority of committee membership within that department increases the importance of maintaining sufficient institutional separation and independent participation in the evaluation process.

Notably, having SPD's staff chair the CSC serves as an important safeguard ensuring the process proceeds according to rules, regulations, and procedures. SPD staff are trained in the requirements and subtleties of the procurement process and are thus better able, than department representatives, to handle issues as they arise. Having SPD chair the CSC, also provides an independent procurement professional to lead discussions, avoid errors, expedite the process, and ensure consistency in CSC performance.

The OIG therefore recommends that the BCC consider that maintaining meaningful participation from outside the user department provides an additional measure of independence while still allowing the department to supply the technical expertise necessary to evaluate the procurement. The OIG recommends that SPD staff as Chair of the CSCs remain as a safeguard and meaningful component of the process.

Recovery of Attorney's Fees for Frivolous Bid Protests
STRIP Recommendation No. 49 (Agenda Item No. 5E)

Recommendation 49 seeks to reduce the time and expense associated with procurement protests. The OIG recognizes that protests can delay procurement awards and that the County has a legitimate interest in resolving legally deficient challenges without unnecessary hearings or administrative expense.

Recommendation 49 provides a deterrent by authorizing attorney-fee awards where a protest involving a procurement above $25 million is determined to be frivolous and specified notice requirements have been satisfied. The proposed threshold and notice provisions narrow the application of the original STRIP recommendation. Nevertheless, this may affect vendors differently depending upon their financial resources. A large firm may be better positioned to absorb litigation risk than a smaller business considering whether to challenge a procurement decision.

The OIG therefore recommends that the BCC consider whether the motion-to-dismiss process provided by Recommendation 50 may adequately address a meaningful portion of legally deficient protests before imposing additional financial consequences, particularly those that may disproportionately affect small businesses. If retained, clear standards and procedural protections may help distinguish genuinely frivolous protests from good-faith challenges that ultimately do not prevail. Although Recommendation 49 presents an opportunity to streamline protest procedures, its implementation should seek to preserve a meaningful avenue for vendors of all sizes and abilities to raise legitimate procurement concerns.

CONCLUSION

The OIG recognizes the substantial effort undertaken by STRIP, SPD, and other participants to identify opportunities to improve County procurement. The most effective procurement reforms are those that achieve administrative efficiencies while retaining safeguards proportionate to the financial, operational, and integrity risks involved. Alternative or supplemental safeguards may achieve the intended efficiency while reducing the potential for unintended consequences.

Several STRIP recommendations require additional analysis, collaboration, funding, or refinement before full implementation. The OIG remains available to the BCC, the Administration, SPD, and the County Attorney's Office to provide additional information or assistance regarding these matters as the proposed procurement reforms continue through the legislative and implementation process.

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