

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 31 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PURCHASING," BY CREATING SECTION 31-1 THEREOF, ENTITLED "MANAGEMENT POLICY FOR INTERNAL CONTROLS ON MAJOR CONSTRUCTION PROJECTS," TO REQUIRE A COMPREHENSIVE CITY-WIDE POLICY AND PROCEDURES FOR PROCUREMENT AND IMPLEMENTATION OF CITY CONSTRUCTION PROJECTS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Miami Beach is committed to following best practices in the design and execution of all construction projects initiated and conducted by the City to ensure integrity, efficiency, accountability and transparency; and

**WHEREAS**, the City Administration has worked in collaboration with the Office of the Inspector General to create and refine a comprehensive management policy designed to establish additional internal controls; and

**WHEREAS**, the City Commission further desires to strengthen its commitment to the policy, by amending the City Code to require a Management Policy for Internal Controls on Major Construction Projects to remain in place at all times (the "Management Policy"); and

**WHEREAS**, once the amendment to the City Code is approved, and the initial Management Policy is adopted by resolution of the City Commission, any subsequent material amendment to the Management Policy shall also be subject to the prior approval of the City Commission, via resolution of the City Commission.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:**

**SECTION 1.** That Section 31-1 of Article II of Chapter 31 of the Code of the City of Miami Beach is hereby amended as follows:

**CHAPTER 31**

**PURCHASING**

\* \* \*

**ARTICLE I. IN GENERAL**

Sec. 31-1. - Management policy for internal controls on major construction projects.

- a. The city manager shall adopt and maintain a comprehensive citywide policy for the management of all major construction projects conducted by the city. The policy shall provide for procedures and internal controls for the initiation and management of such projects from procurement through completion, as may be amended from time to time to

codify best practices in construction management. The policy, and any subsequent amendments thereto, shall be subject to approval by resolution of the city commission.

- b. The policy shall apply to all city departments managing city construction projects. Any material deviation from the policy, based on criteria developed by the administration, must be submitted in writing for approval by the city manager, following which, within a reasonable time thereafter, the city manager shall notify the city commission of such deviation and the reason(s) therefor.

\* \* \*

**SECTION 2. REPEALER.**

All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

**SECTION 3. SEVERABILITY.**

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

**SECTION 4. CODIFICATION.**

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Miami Beach City Code. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

**SECTION 5. EFFECTIVE DATE.**

This Ordinance shall take effect on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2022.

ATTEST:

\_\_\_\_\_  
Dan Gelber, Mayor

\_\_\_\_\_  
Rafael E. Granado, City Clerk

**APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION**

Underline denotes additions  
~~Strikethrough~~ denotes deletions

    *MO*              1-27-22      
City Attorney      *PAR*      Date

(Sponsored by Commissioner Mark Samuelian)