

Ms. Maria Teresa Rojas, Chair

SUBJECT: AMENDMENT TO SCHOOL BOARD POLICY 6325 – CONE OF SILENCE

COMMITTEE: FISCAL ACCOUNTABILITY & GOVERNMENT RELATIONS

LINK TO STRATEGIC

PLAN: EFFECTIVE & SUSTAINABLE OPERATIONAL PRACTICES

Miam-Dade County’s Administrative Order No. 3-27, *Cone of Silence* “prohibits any communication regarding a particular RFP, RFQ or bid solicitation after they have been advertised. This Cone of Silence is designed to protect the professional integrity of the procurement process by shielding it from undue influence prior to the recommendation of contract award.” Furthermore, as stated on the Miami-Dade County’s website, “The Cone of Silence is terminated at the time when the County Manager issues a written recommendation to the Board of County Commissioners, or at the time when the issuing department issues its written recommendation to the Manager when the award is within the manager’s delegated authority.”

School Board Policy 6325 *Cone of Silence*, states under Section D: “The cone of silence shall terminate at the time the item is presented by the Superintendent to the appropriate Board Committee immediately prior to the Board meeting at which the board will award or approve a contract, reject all bids or responses, or take any other action that ends the solicitation and review process.”

Therefore, this agenda item seeks to amend School Board Policy 6325 – *Cone of Silence*, to a similar language as that of the County to state the following: The cone of silence shall terminate at the time when the agenda presented by the Superintendent recommends an award or approves a contract, or rejects all bids or responses, or takes any other action that ends the solicitation and review process and the agenda is published for the upcoming School Board meeting.

This item has been reviewed and approved by the School Board General Counsel’s office as to form and legal sufficiency.

ACTION PROPOSED BY CHAIR

MS. MARIA TERESA ROJAS:

That The School Board of Miami-Dade County, Florida, direct the Superintendent of Schools to initiate rulemaking proceedings, in accordance with the Administrative Procedure Act, to amend School Board Policy 6325 – *Cone of Silence*, to include a similar language as the one from Miami-Dade County government to state that the cone of silence shall terminate at the time when the agenda presented by the Superintendent recommends an award or approves a contract, or rejects all bids or responses, or takes any other action that ends the solicitation and review process and the agenda is published for the upcoming School Board meeting.