



Office of the Town Manager

Rafael G. Casals, ICMA-CM, CFM
Town Manager

MEMORANDUM

To: Honorable Mayor and Town Council

From: Rafael G. Casals, ICMA-CM, CFM, Town Manager

Date: February 20, 2019

Re: Comprehensive Records Management Plan
Consulting and Implementation Services

REQUEST

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, SELECTING SML, INC. TO DEVELOP A COMPREHENSIVE RECORDS MANAGEMENT PLAN AND PROVIDE RECORDS MANAGEMENT PLAN CONSULTING AND IMPLEMENTATION SERVICES; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

BACKGROUND AND ANALYSIS

Section 257.36, Florida Statue mandates each public agency establish and maintain a records management program to ensure the economical and efficient management of agency information. Currently, the Town stores records physically and digitally and possess records, which have surpassed the statutory retention date, such as documents that date back to the Town's incorporation in 2005. Throughout the years, most of the attempts to manage documents and data have been unsuccessful due the specialized knowledge, plan, and training necessary among staff. As part of the 2018-2019 budget process, the Town Council allocated \$50,000.00 to address the need for the Town's compliance with Florida Statutes and set the standard to begin the overall systematic management of public records retention.

On June 7, 2018 and June 8, 2018, Mr. Steve Lewis, President of SML, Inc. (the "Consultant"), provided a public records training to all Town staff which focused on the requirements of public records management. The Consultant has provided training and consulting services to numerous public agencies throughout Florida for nearly 40 years. The Consultant provides customized formal public records management plans for the retention, destruction, and systematic review of documents. In addition, the Consultant also provides implementation services assisting with the systematic clearing of records as required by Florida law, saving time, and costs of storage. The Consultant's client list and testimonial sheets are hereto attached as *Attachment "A"*.

On January 23, 2019, the Consultant submitted a proposal to the Town Clerk, outlining a detailed scope of work for a comprehensive Records Management Plan (the “Plan”) and Consulting Services (*Attachment “B”*). The development of the Plan will be customized, comprehensive, systematic, legally sufficient and efficient in its approach. The plan will have the following goals:

I. ACCESS

- a. Internal – management access to both active and inactive records in an accurate and timely fashion to facilitate government processes.
- b. External – management access to both active and inactive records in an accurate and timely fashion to facilitate public records request.

II. RETENTION

- a. Retention of records in accordance with all local, state and federal requirements.
- b. Retention of all records under secure conditions, preventing unauthorized access by both employees and third parties.

III. DISPOSITION

- a. Timely destruction of records at the end of their retention period in a secure manner.
- b. Disposition documentation pursuant to state requirements.

IV. PRESERVATION

- a. Protection of all records from physical calamity and decay and provision for disaster recovery, vital records protection.
- b. Conversion of long-term retention records to an appropriate preservation device.
- c. Storage of all records under secure conditions, preventing unauthorized access by both employees and third parties.

The Consultant will spend time on-site, visiting Town departments and ultimately creating a customized plan specific to Florida law and the Town’s need. In addition, the Consultant’s Agreement provides for implementation of the plan with their technically trained staff. Using their technically trained staff to bring the Town into compliance with Florida Statutes, and providing on-site training to Town staff, will ultimately save the Town time and money.

Upon reviewing the scope of work to be provided by the Consultant, contracts from the City of Coral Gables and Town of Surfside, and the memo dated February 5, 2019 provided by the Town Clerk, Debra Eastman, MMC (*Attachment “C”*); the Town Manager has determined the Consultant is a sole source provider. Pursuant to Town Code Section 24-66 (Exemptions

Established), the Town Manager has determined that acquiring the Consultant for the proposed services is exempt from the bidding requirements of the Town Code

RECOMMENDATION

We recommend that the attached Resolution be adopted, authorizing the Town Manager to enter into an agreement with SML, Inc., as a Sole Source vendor, pursuant to Town Code Section 24-66 (Exemptions Established) to establish a comprehensive Records Management Plan and to provide consulting and implementation services of the Records Management Plan in accordance with FY 2018-19 Town budgeted funds.

ATTACHMENTS

- Attachment “A” – SML Client List and Testimonials
- Attachment “B” – Proposal: Records Management Plan and Consulting Services
- Attachment “C” – Town Clerk Memo (*dated February 5, 2019*)