

Administrative Order



Administrative Order No.: 3-25

Title: Surcharge Fee on Municipalities and Quasi-Governmental Entities Utilizing Joint Purchase Provisions for the Purpose of Procuring Goods and Services

Ordered: 4/21/1998

Effective: 5/1/1998

AUTHORITY:

Section 4.02 of the Miami-Dade County Charter and Section 2-10.1 of the Code of Miami-Dade County.

POLICY:

On an annual basis the Procurement Management Division of the General Services Administration Department, will review all new and recurring County contracts for the appropriateness of delivering the same commodities and/or services to other municipalities or quasi-governmental entities. Eligible contracts shall be designated County Wide (CW) or State Wide (SW) contracts and a fee shall be imposed on the affected contract.

DEFINITIONS:

1. "County Manager" shall refer to the County Manager or designee.
2. "Joint Purchase Provision" shall refer to a provision in County contract documents that County purchases shall be available to any quasi-governmental entity at the County contract price.
3. "County Purchases" shall refer to the County's purchase of commodities, services, or both, by competitive bidding procedures.
4. "Quasi-Governmental Entity" shall refer to any municipality or not-for-profit organization located in the State of Florida.
5. "Director of General Services Administration Department" shall refer to the Director or designee.

PROCEDURE:

Criteria for staff determining which contracts shall be designated a CW or SW contract should include, but not be limited to, the following:

1. any contract previously designated CW or SW;
2. any contract that another municipality or quasi-governmental entity has expressed an interest in accessing; and

3. any contract that is generic and can be utilized by other municipalities or quasi-governmental entities.

SURCHARGE FEE:

The surcharge fee shall be established as two percent (2%) of the unit purchase price or total contract value.

FEE COLLECTION:

After receipt of payment for purchases made by other municipalities or quasi-governmental entities, the applicable surcharge fee shall become payable to the Miami-Dade County General Services Administration Department by the contract vendor(s).

REPORTING:

Vendors shall be required to furnish detailed summary reports on a quarterly basis regardless of the value of sales during the quarter.

ENFORCEMENT:

Failure to complete the Quarterly Surcharge Payment Reports and make applicable payments in a timely manner may result in cancellation of the contract and any and all remedies relating to the collection of such a surcharge fee shall be enforceable. Additionally, any re-procurement charges may be charged to the vendor in default.

APPROPRIATION:

The County Manager, or designee, shall be responsible for the appropriation of revenue received. These revenues shall provide additional funding to partially support the cost of operating the County's procurement function.

AUDIT/REVIEW:

All vendor reports and fees are subject to audit by the County or its duly authorized representatives or governmental agencies. Vendors shall be required to maintain an accounting system that provides for accounting records that are supported with adequate documentation. Records shall be maintained for five (5) years after the year in which a report is issued.

This administrative order is hereby submitted to the Board of County Commissioners of Miami-Dade County, Florida.

M.R. Stierheim
County Manager