

# Memorandum



**Date:** December 23, 2013

**To:** Department Directors

**From:** Carlos A. Gimenez  
Mayor 

**Subject:** Expansion of the User Access Program to Certain Construction Contracts

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On November 5, 2013, the Board of County Commissioners (Board) approved an amendment to the User Access Program (UAP) Ordinance (Section 2-8.10 of the County Code) that would expand the UAP fee to certain construction contracts. Effective February 1, 2014, all County departments will need to begin deducting the two percent UAP fee from all applicable construction contracts for which contractor invoices are submitted to the County. The applicable contracts will include all construction contracts valued at or above \$500,000.

The Ordinance also provides for certain exceptions, including Miscellaneous Construction Contracts with a total value of less than \$500,000; design, design-build and professional service contracts; small purchase orders issued by County departments; contracts funded with any federal or other funding source which prohibits or restricts the application of the credit to the County effected in the UAP; revenue generating contracts; and contracts with rates established by ordinance, resolution or applicable law. A copy of Ordinance is attached.

To ensure the timely implementation of this Ordinance, the Internal Services Department has coordinated a working group of County departments to properly communicate these requirements and clarify the process through which the UAP fee shall be applied and deducted from each contractor invoice. The role of this working group will include:

- Notifying contractors and County departments of the UAP fee's application and the contract language that will be used in future solicitations. This notification includes public meetings that will be scheduled in the near future, email communications, and posting of the requirements on the County's website.
- Working with the County's Finance Department to develop a standard invoice and financial report for this program, as well as a methodology for tracking UAP revenues.

As mentioned, the expansion of the UAP will become effective on February 1, 2014. As of this date, the UAP contract language shall be included in all applicable solicitations going forward.

Please ensure that all appropriate employees involved in your department's construction procurement process are aware of, and adhere to, this policy.

If you have any questions or concerns, please contact Miriam Singer, Assistant Director of the Internal Services Department, at 305-375-5893.

## Attachment

c: Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners  
Robert A. Cuevas, Jr., County Attorney  
Office of the Mayor Senior Staff  
Miriam Singer, Assistant Director, ISD  
Blanca Padron, Finance Department  
Charles Anderson, Commission Auditor