

Memorandum



Date: May 25, 2012
To: Department Directors
From: Carlos A. Gimenez
Mayor 
Subject: County Contractors' Reporting Requirements

On November 15, 2011, the Board of County Commissioners adopted amendments to Sections 2-8.1, 2-8.8 and 10.34 of the County Code, requiring County contractors to report race, gender and ethnicity of the owners and employees of first tier subcontractors for contracts valued at \$100,000 and up. The amendments also require that contractors report payments made to all first tier subcontractors under the contract. The aforementioned information must be submitted prior to receiving final payment under the contract.

In order to collect this information, contractors will be provided both manual and online methods of submission. Contractors will be provided forms to submit race, gender and ethnicity information with bid/proposal submission or after award on the Subcontractor/Supplier Listing Form, which has been revised to include the demographic data (Attachment 1); and a Subcontractor Payment Form (Attachment 2) to submit subcontractor payment information. Online submission of the demographic information will be available via a link on the Regulatory and Economic Resources Department (RER) website. Please note, as it is currently required, contractors must submit the Subcontractor/Supplier Listing Form with their bid/proposal submission regardless if any subcontractors will be used or if demographic data is available at that time.

In order to ensure compliance with these reporting requirements, the following guidelines are being provided:

- Departments are required to include the Subcontractor/Supplier Listing Form and the Subcontractor Payments Form in bid/proposal documents; completed forms should be sent to the Small Business Development (SBD) Division of RER upon receipt.
- Boilerplate language that refers to these new requirements must be added to the Terms and Conditions boilerplate language and included in bid/proposal documents.
- Firms must submit Subcontractor Payment Form with final requisition to contracting department.
- Departments must sign and forward Subcontractor Payment Form to SBD prior to submittal for final payment.
- A list of contracts in compliance with these requirements will be posted on RER's website. Departments may confirm via the website or directly with SBD that reporting requirements have been met prior to authorizing final payment.

As this is a new requirement for County vendors, necessary modifications will be made to facilitate the submittal and maintenance of this information. If you have any questions or concerns, you may contact Veronica Clark at 305-375-3134.

c: Robert A. Cuevas, Jr., County Attorney
Jack Osterholt, Deputy Mayor/RER Director
Mario Goderich, Assistant Director, RER
Veronica Clark, SBD/RER
Procurement Liaisons

Attachments

**MIAMI-DADE COUNTY
SUBCONTRACTOR/SUPPLIER LISTING
(Ordinances No. 97-104 and No. 11-90)**

BID NO.: _____

Name of Bidder/Proposer: _____

FEIN #: _____

Bid No.: _____ **Title:** _____

In accordance with Ordinance No. 97-04, a bidder/proposer who is awarded this bid/contract shall not change or substitute first tier subcontractors or direct suppliers or the portions of the contract work to be performed or materials to be supplied from those identified, except upon written approval of the County. This form, or a comparable listing meeting this requirement, **MUST** be completed, signed and submitted with the bid/proposal, even if the bidder/proposer will not utilize subcontractors or suppliers on the contract. The bidder or proposer should enter the word "NONE" under the appropriate heading of this form if no subcontractors or suppliers will be used on the contract.

In accordance with Ordinance No. 11-90, an entity contracting with the County shall report the race, gender and ethnic origin of the owners and employees of all first tier subcontractors. In the event that the successful bidder demonstrates to the County prior to award that the race, gender, and ethnic information is not reasonably available at that time, the successful bidder shall be obligated to exercise diligent efforts to obtain that information and provide the same to the County not later than ten (10) days after it becomes available and, in any event, prior to final payment under the contract.

The above requirements apply to bidders/proposers of County contracts for purchases of supplies, materials or services, including professional services, which involve expenditures of \$100,000 or more, and all bidders/proposers on County or Public Health Trust construction contracts which involve expenditures of \$100,000 or more.

(Please duplicate this form if additional space is needed.)

Business Name and Address of First Tier Subcontractor/ Subcontractor or Direct Supplier	Federal Employer Identification Number	Name of Principal Owner and % of Ownership	Scope of Work to be Performed by Subcontractor/Subconsultant or Supplies/Materials/Services to be Provided by Supplier	Principal Owner (check gender and race/ethnicity below)							
				Gender	White	Black	Hispanic	Asian/Pacific Islander	Native American/Native Alaskan	Other	
				M							
				F							
				Employee(s) (insert the number of male and female employees and the number of employees by race/ethnicity)							

Mark here if race, gender and ethnicity information is not available and will be provided at a later date. This data may be submitted to Contracting/User department or on-line to the Small Business Development Division of the Regulatory and Economic Resources Department at <http://new.miamidade.gov/business/business-development.asp>.

I certify that the representations contained in this Subcontractor/Supplier Listing are to the best of my knowledge true and accurate.

Bidder/Proposer's Signature

Print Name

Print Title

Date

**MIAMI-DADE COUNTY
SUBCONTRACTORS PAYMENT REPORT
(Ordinance 11-90)**

In accordance with Sections 2-8.8 of the County Code (as amended by Ordinance No. 11-90), an entity contracting with the County as a condition of final payment under a contract, the contractor shall identify all subcontractors used in the work, the amount of each subcontract, and the amount paid to each subcontractor. In the event that the contractor intends to pay less than the subcontract amount, the contractor shall deliver to the County a statement explaining the discrepancy or any disputed amount.

This form may be submitted after final payment to each subcontractor or comprehensively at the end of the contract with final requisition/invoice. All payments to subcontractors must be submitted as a condition of final payment by Miami-Dade County. Please include in the "Total Amount Paid" column any funds that will be paid to subcontractors from the final payment issued by the County and denote such an amount with an asterisk (*). Attach statements explaining discrepancies when applicable.

PRIME CONTRACTOR/VENDOR: _____

FEIN: _____

PROJECT/CONTRACT NAME: _____

PROJECT/CONTRACT NUMBER: _____

CONTRACT AWARD DATE: _____

CONTRACT AWARD AMOUNT: _____

SUBCONTRACTOR	FEIN	CONTRACT VALUE	TOTAL AMOUNT PAID
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$

COMPLETED FORM SHOULD BE INCLUDED WITH FINAL REQUISITION/INVOICE TO THE CONTRACTING/USER DEPARTMENT.

Signature

Print Name and Title

Date