

Sec. 2-8.10. - User Access Program in County Purchases.

- (1) A User Access Program ("UAP") in County purchases is hereby created. Under the UAP, contracts for the purchase of goods and services shall provide that the County will deduct two (2) percent from each invoice with the amount retained by the County to defray the cost of procurement activities. Contracts shall further provide that in the event a non-County entity accesses a County contract, it shall deduct two (2) percent from each invoice and remit seventy-five (75) percent of the retained amount to the County to defray the cost of procurement activities. In cases where Miami-Dade County invoices and collects the UAP relating to a non-County entity accessing a County contract, the County shall retain ninety (90) percent of the fee, and the non-County entity will retain ten (10) percent to defray administrative costs.
- (2) The County Mayor or Mayor's designee is authorized and directed to include UAP provisions, as specified in this section, in each competed and non-competed County contract for the purchase of goods and services, including one-time, term, blanket and pool contracts and emergency awards, regardless of which Department issues the contract. The UAP shall apply to extensions and renewals of existing contracts. The UAP shall also be applicable to non-County entities who wish to access contracts procured by the County.
- (3) The following contracts shall be exempt from the UAP: construction, design, design-build, professional service contracts, small purchase orders issued by County departments, contracts funded with any funding source, including federal, 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. In addition, this Board may waive the application of the UAP upon a finding that the waiver is in the best interest of the County.
- (4) The County Mayor shall allocate the money retained upon application of the UAP as necessary to defray the cost of procurement activities throughout the County. The Public Health Trust is authorized and directed to implement a UAP program consistent with this section.
- (5) The County Mayor shall develop appropriate specifications and contract provisions to give effect to the requirements of this section.

(Ord. No. 12-12, § 1, 3-6-12)