

PROCUREMENT MANUAL

City of Florida Procurement Hub



Office of Procurement Services

1234 Strategic Sourcing Street
Florida Procurement Hub, FL 33333

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CHAPTER 1: INTRODUCTION & GENERAL PROVISIONS

1.1 Purpose of the Manual

This Procurement Manual (“Manual”) provides detailed procedures and guidance for City staff involved in the procurement of goods, services, and construction. It serves to implement the policies established in the **City of Florida Procurement Hub (“City”)** Procurement Ordinance (“Procurement Ordinance” or “Ordinance”). This Manual is intended to promote efficiency, consistency, transparency, and compliance in all City procurement activities.

1.2 Goals of Procurement Services

The Office of Procurement Services strives to:

- Support the City's mission by procuring necessary goods and services efficiently and effectively.
- Obtain the best value for the City through fair and open competition.
- Ensure integrity, ethics, and transparency throughout the procurement process.
- Provide excellent service and support to City departments (Using Agencies).
- Foster positive relationships with the vendor community.
- Comply with all applicable laws, regulations, and the City's Procurement Ordinance.

1.3 Legal Authority and Order of Precedence

Procurement activities are governed by the City Charter, the Procurement Ordinance, Florida Statutes (including but not limited to Chapters 112, 218, 255, 287), federal regulations (where applicable), and this Manual. In case of conflict among governing documents, the order of precedence shall be:

1. Federal Law (if applicable)
2. State Law (Florida Statutes)

3. City Charter
4. Procurement Ordinance
5. This Procurement Manual
6. Other City Policies and Procedures

1.4 Applicability

The procedures in this Manual apply to all City departments, employees, and agents involved in the expenditure of City funds for goods, services, and construction, unless specifically exempted by the Procurement Ordinance.

1.5 Ethics in Public Procurement

All City employees involved in procurement must adhere to the highest ethical standards as outlined in Florida Statutes Chapter 112, Part III (Code of Ethics for Public Officers and Employees), the City's Code of Ethics, the Procurement Ordinance (Section 37), and the principles outlined below. Key principles include:

- Avoiding conflicts of interest, or the appearance thereof.
- Refusing gifts, gratuities, or favors that might influence, or appear to influence, decisions.
- Promoting competition and ensuring fair and equal treatment of all vendors.
- Maintaining confidentiality of sensitive information.
- Acting solely in the best interest of the City.
- Reporting any suspected unethical conduct. Failure to adhere to these standards may result in disciplinary action, up to and including termination, and potential legal consequences.

1.6 Requirement of Good Faith

All parties involved in City procurement must act in good faith, consistent with Section 3 of the Procurement Ordinance.

CHAPTER 2: PROCUREMENT ORGANIZATION & RESPONSIBILITIES

2.1 Overview of Procurement Organization

The City's procurement activities are centrally managed and overseen by the Office of Procurement Services ("Procurement Services"). This centralized approach ensures consistency, efficiency, compliance with the Procurement Ordinance, and application of best practices across all City departments (Using Agencies). Procurement Services works collaboratively with Using Agencies, the City Manager, the City Commission, the City Attorney, and other key departments like Finance, Risk Management, IT, and Budget to acquire necessary goods, services, and construction while safeguarding public funds and maintaining public trust. The specific roles and responsibilities within this framework are detailed below.

2.2 Role of the Chief Procurement Officer (CPO)

The Chief Procurement Officer (CPO) is appointed by the City Manager and serves as the Director of Procurement Services. The CPO is the City's principal public procurement official, vested with overall responsibility for administering the City's procurement functions in accordance with the Procurement Ordinance.

Key powers and duties of the CPO include:

- Administering all centralized procurement functions.
- Developing, recommending, and implementing procurement policies and procedures through the Procurement Manual.
- Determining the most appropriate method of source selection for procurements.
- Preparing, issuing, and managing competitive solicitations (e.g., IFBs, RFPs).

- Awarding and executing contracts, purchase orders, and related documents within the CPO's delegated authority (up to \$25,000).
- Developing and maintaining standard contract terms and conditions, subject to City Attorney approval.
- Determining requirements for bid and performance security (bonding).
- Maintaining vendor registration systems and actively encouraging broad vendor participation and competition.
- Overseeing the management and disposal of surplus City property
- Investigating and making recommendations regarding the potential debarment or suspension of vendors.
- Providing essential guidance, support, and training to Using Agencies on procurement policies and procedures.
- Staying informed of current market conditions and best practices in public procurement.
- Performing other duties as assigned by the City Manager or required by the Procurement Ordinance.

2.3 Role of Using Agencies/Departments

Using Agencies (City departments, offices, or other entities requiring goods or services) play a critical role in the procurement process. Their primary responsibilities include:

- **Needs Assessment:** Identifying and clearly defining the need for goods, services, or construction required to fulfill their operational mission.
- **Planning & Budgeting:** Participating in strategic procurement planning, forecasting needs, and ensuring sufficient funds are budgeted and available before initiating a procurement request.
- **Requisitioning:** Preparing and submitting accurate and complete purchase requisitions through the City's financial system, including detailed specifications or scopes of work, estimated costs, funding sources, and supporting documentation.

- **Specification/Scope Development:** Developing clear, concise, and non-restrictive specifications or scopes of work that accurately reflect the minimum requirements, focusing on performance where possible and avoiding bias towards specific vendors unless justified. Procurement Services assists in this process.
- **Evaluation Participation:** Participating in the evaluation of bids or proposals (e.g., serving on selection committees for RFPs) when requested by Procurement Services.
- **Contract Management:** Serving as the primary day-to-day manager for awarded contracts, including monitoring vendor performance, ensuring compliance with terms, inspecting and accepting deliverables reviewing and approving invoices for payment, and maintaining contract files.
- **Compliance:** Adhering strictly to the Procurement Ordinance, this Manual, and all related City policies and procedures.

2.4 Role of City Manager

The City Manager holds significant authority and responsibility within the procurement framework, including:

- **Appointment of CPO:** Appointing the Chief Procurement Officer.
- **Contract Approval:** Approving and executing contracts and agreements with a value above \$25 000 up to and including \$100,000.
- **Change Order Approval:** Approving contract amendments (change orders) within specific limits defined in Ordinance Section 33 (e.g., for Manager-approved contracts up to a cumulative \$100k; for Commission-approved contracts up to 10% or \$250k cumulative increase and 120 days extension, provided no material change).
- **Renewal/Extension Approval:** Approving short-term contract extensions (up to 120 days) and certain contract renewals based on thresholds outlined in Ordinance Section 34.
- **Emergency Procurement Authorization:** Authorizing emergency procurements when necessary to protect public health, safety, welfare, or critical City operations.

- **Termination Authority:** Terminating contracts for cause (vendor default/breach).
- **Bid Protest Decisions:** Potentially determining if an award should proceed despite a bid protest due to urgent City interests.
- **Policy Oversight:** Providing overall executive oversight of the procurement function.

2.5 Role of City Commission

The City Commission, as the City's legislative body, holds ultimate authority over significant procurement actions:

- **Contract Approval:** Approving all contracts and agreements exceeding \$100,000.
- **Change Order Approval:** Approving contract amendments (change orders) that exceed the City Manager's authority.
- **Renewal/Extension Approval:** Approving contract renewals and extensions that exceed the City Manager's authority or as otherwise specified in Ordinance Section 34.
- **Sole Source Approval:** Approving sole source procurements exceeding \$100,000.
- **Termination Approval:** Typically required to approve termination of contracts (that they originally approved) for the City's convenience (without cause).
- **Surplus Property Approval:** Approving the sale or disposal of surplus property estimated to exceed \$100,000 in value.
- **Ordinance Adoption:** Establishing the legal framework for procurement by adopting and amending the Procurement Ordinance.

2.6 Role of City Attorney

The City Attorney provides essential legal counsel throughout the procurement process:

- **Legal Review:** Reviewing all formal contracts and agreements for legal form and sufficiency prior to execution by the City.
- **Ordinance Interpretation:** Providing legal opinions on the interpretation and application of the Procurement Ordinance and other relevant laws.
- **Contract Terms:** Assisting the CPO in developing and maintaining standard contract terms and conditions.
- **Protest & Dispute Resolution:** Providing legal advice and representation regarding bid protests, contract disputes, and potential litigation.
- **Ethics Guidance:** Advising on ethics regulations and potential conflicts of interest.

2.7 Other Key Roles (Finance, Risk, IT, Budget)

Several other departments play crucial supporting roles:

- **Finance Department:** Responsible for processing vendor payments upon receipt of approved invoices, managing accounts payable, ensuring compliance with prompt payment requirements, and assisting with financial system controls related to procurement.
- **Risk Management:** Establishes standard insurance requirements for vendors, reviews certificates of insurance for compliance, advises on risk mitigation strategies for specific procurements, and manages City insurance programs. Their review and approval are often required before contracts involving risk are executed.
- **Information Technology (IT) Department:** Reviews and approves requisitions and specifications for technology-related goods and services (hardware, software, IT services) to ensure compatibility, security, and compliance with City IT standards.
- **Budget Office:** Verifies the availability of funds within approved budgets before requisitions are fully approved and purchase orders/contracts are issued. Monitors expenditures against budget allocations.

2.8 Segregation of Duties

A fundamental principle of internal control is the segregation of duties. To the extent practicable within the City's structure, different individuals should be responsible for different parts of a transaction cycle. In procurement, this means separating the functions of:

- Requesting goods/services (Using Agency).
- Approving the expenditure (Department Head, CPO, City Manager, Commission).
- Executing the purchase/contract (Procurement Services/Authorized Signatories).
- Receiving and inspecting goods/services (Using Agency).
- Approving invoices for payment (Using Agency).
- Making the payment (Finance Department)

This separation helps prevent errors, fraud, and abuse by ensuring checks and balances throughout the process.

CHAPTER 3: THE PROCUREMENT CYCLE & PLANNING

3.1 Overview of the Procurement Cycle

Procurement is not a single event but a cyclical process encompassing all activities from identifying a need to the final payment and closeout of a contract. Understanding this cycle helps ensure procurements are conducted efficiently, effectively, and in compliance with City policy. The primary phases include:

1. **Phase 1: Strategic Procurement Planning:** Identifying needs, budgeting, and defining requirements.

2. **Phase 2: Solicitation Development & Supplier Selection:** Choosing the procurement method, preparing solicitation documents, seeking offers, evaluating responses, and awarding the contract. (Detailed in Chapters 4 & 5)
3. **Phase 3: Contract Administration:** Managing the contract, monitoring performance, processing payments, and handling changes or closeout. (Detailed in Chapter 7)

3.2 Phase 1: Strategic Procurement Planning

Effective procurement begins long before a solicitation is issued. Proper planning is essential for acquiring the right goods/services at the best value and avoiding delays or compliance issues.

3.2.1 Determination of Need

The procurement cycle starts when a Using Agency identifies a need for goods, services, or construction necessary to support its operations and the City's mission. The Using Agency is responsible for:

- Clearly defining the purpose and objectives of the procurement.
- Justifying the need and quantifying the requirements (e.g., quantity, duration).
- Considering alternatives and ensuring the procurement represents a valid City requirement.

3.2.2 Budgeting and Funding Verification

No procurement action can proceed without ensuring adequate funds are available and approved within the City's budget. This involves:

- **Budget Planning:** Using Agencies must anticipate needs and request appropriate funding during the annual budget development process.

- **Funding Identification:** Before submitting a requisition, the Using Agency must identify the correct, approved budget account code(s) with sufficient available balance to cover the estimated cost of the procurement.
- **Verification:** The City's financial system and the Budget Office/Finance Department play roles in verifying budget availability before a financial commitment (e.g., Purchase Order, Contract) is made. Procurements cannot proceed without confirmed funding.

3.2.3 Developing Specifications and Scopes of Work

Clear and well-defined requirements are critical for successful procurement.

- **Responsibility:** The Using Agency is primarily responsible for developing the technical specifications (for goods/construction) or the scope of work (for services).
- **Clarity and Competition:** Specifications and scopes must be clear, accurate, and written to maximize competition and avoid being unduly restrictive (i.e., not tailored to a single vendor unless justified as a sole source). They should focus on the City's minimum functional or performance requirements.
- **Procurement Services Assistance:** Procurement Services provides guidance and reviews specifications/scopes to ensure they are consistent with City policy, promote competition, and are suitable for the chosen solicitation method.
- **Standardization:** Where feasible, standardized specifications may be used for commonly purchased items to leverage volume and reduce costs.
- **(Refer to Chapter 5.2 for more detailed guidance on preparing specifications and scopes of work)**

3.3 Phase 2: Solicitation Development & Supplier Selection

Once needs are defined, budgets confirmed, and specifications/scopes developed, the process moves to selecting a source. This phase involves determining the appropriate procurement method based on thresholds and complexity (Chapter 4),

preparing solicitation documents, advertising the opportunity, receiving and evaluating bids/proposals, and making an award recommendation (Chapter 5).

3.4 Phase 3: Contract Administration

After a contract or purchase order is awarded and executed, the focus shifts to managing the agreement throughout its lifecycle. This includes monitoring vendor performance, managing deliverables, ensuring compliance, processing payments, handling any necessary amendments or change orders, managing renewals or extensions, and formally closing out the contract upon completion (Chapter 7).

3.5 Unauthorized Purchasing Practices

Adherence to the established procurement process is mandatory. Actions taken outside the authorized procedures are considered unauthorized procurements. Key prohibitions include:

- **Commitment without Authority:** Making a purchase or committing the City to an expenditure without an approved Purchase Requisition and resulting executed Purchase Order (PO) or Contract. Employees making unauthorized commitments may face disciplinary action and/or personal liability for the cost incurred.
- **Splitting Purchases:** Artificially dividing a known requirement into smaller purchases solely to circumvent competitive bidding thresholds or required approval levels is strictly prohibited. Procurements should be planned and aggregated based on the total anticipated need.
- **Circumventing Process:** Using improper methods (e.g., claiming an emergency for routine needs, misrepresenting sole source status) to avoid competition or required approvals.

Any suspected unauthorized procurement must be reported immediately to Procurement Services and the appropriate Department Director for review and corrective action, as detailed further in this Manual.

CHAPTER 4: PROCUREMENT METHODS & THRESHOLDS

4.1 Overview of Source Selection Methods

The Procurement Ordinance (Section 13) mandates competitive procurement unless specifically exempted. Procurement Services, in consultation with the Using Agency, determines the most appropriate method based on factors like estimated cost, complexity, market conditions, and the nature of the goods/services required. Key methods include Micro-Purchases, Small Purchases (Informal Quotations), Intermediate Procurements (Competitive Quotes/Procedures), and Formal Competitive Solicitations (IFB, RFP, RFQ, ITN).

4.2 Procurement Thresholds Summary Table

Estimated Cost	Minimum Requirement	Acquisition Method(s)	Approval Authority	Processing Time*
Up to Delegated Authority (e.g., \$2,500)	Per Delegated Authority Procedures (Manual Sec 4.3)	P-Card, Direct Payment (if applicable)	Delegated User / CPO	0-2 Business Days
Up to \$10,000	One (1) Written Quote (3 Recommended) (Manual Sec 4.4)	P-Card (if within limit), PO, Direct Payment	CPO	0-4 Business Days
\$10,000.01 to \$25,000	Competitive Basis (Min. 3 Written Quotes Required) (Manual Sec 4.5)	PO, Blanket PO (if established)	CPO	1-5 Business Days
\$25,000.01 to \$100,000	Competitive Basis (Min. 3 Written Quotes/Quote Form) (Manual Sec 4.5)	PO, Agreement, Blanket PO (if established)	City Manager	3-10 Business Days
Over \$100,000	Formal Competitive Solicitation (IFB, RFP, etc.) (Manual Sec 4.6)	PO, Agreement, Blanket PO (based on solicitation)	City Commission	30-120 Calendar Days

**Processing times are estimates and may vary based on complexity, required reviews (Legal, Risk, IT), and negotiation timelines. Commission approval may also add time.*

4.3 Micro-Purchases (Up to Delegated Authority, e.g., \$2,500)

Departments may have delegated authority (as approved by the CPO and City Manager) to make very small purchases, often via Procurement Card (P Card) or potentially simplified PO processes. Specific limits and procedures are defined by the P-Card Manual and any formal delegation memos. Competition is encouraged but may not be formally required at this level. Purchases must not be split to stay under this threshold.

4.4 Small Purchases (Up to \$10,000)

For purchases estimated between the micro-purchase limit and \$10,000:

- A minimum of one written quotation is required. Obtaining three quotes is strongly encouraged to ensure competitive pricing.
- Quotes should be attached to the Purchase Requisition.
- Acquisition is typically via Purchase Order (PO), P-Card (if under card limit), or Direct Payment (for eligible items).
- Approval authority rests with the CPO.

4.5 Intermediate Procurements (\$10,000.01 to \$100,000)

Procurements estimated to cost between \$10,000.01 and \$100,000 must be conducted on a competitive basis but do not require a *formal* sealed solicitation process.

- **Quotation Requirements:** A minimum of three (3) written quotations based on uniform specifications must be obtained and documented. For purchases over \$25,000, a quote approval request (or similar documentation justifying selection) may be required by Procurement Services.

- **Processing Procedures:** Using Agencies typically obtain quotes and submit them with a Purchase Requisition. Procurement Services reviews documentation, ensures compliance, and processes the PO or Agreement.
- **Approval Authority:** CPO approves up to \$25,000; City Manager approves \$25,000.01 to \$100,000.

4.6 Formal Competitive Solicitations (Over \$100,000)

All purchases estimated to exceed \$100,000 must be procured via a formal, sealed competitive solicitation process, publicly advertised, as required by the Procurement Ordinance. The CPO, in consultation with the Using Agency, determines the most appropriate method. The primary methods are detailed below. General procedures applicable to all formal solicitations (including public notice, pre-bid conferences, addenda, submission, opening, evaluation, and award) are outlined in Chapter 5.3.

4.6.1 Invitation for Bids (IFB)

- **Purpose and Use:** The IFB method is used when the City can develop clear, detailed, and non-restrictive specifications for the goods, services, or construction required, and the award decision will be based primarily on the lowest price submitted by a qualified bidder. It is suitable for procurements where requirements are well-defined and evaluation factors beyond price are minimal.
- **Procedure:** IFBs are publicly advertised and include complete specifications and contractual terms. Bids are submitted sealed (physically or electronically) by the specified deadline and opened publicly. Procedures outlined in Chapter 5.3 apply.
- **Ordinance Reference:** Procurement Ordinance, Section 14.
- **Award Basis:** Award is made to the lowest responsive and responsible bidder meeting all specifications outlined in the IFB. Responsiveness and Responsibility determination procedures are found in Chapter 5.4.1.

4.6.2 Request for Proposals (RFP)

- **Purpose and Use:** The RFP method is used when the specific requirements are less defined, when factors other than price (such as technical expertise, approach, qualifications, or innovation) are significant considerations, or when negotiations may be necessary to achieve the best outcome. It allows for flexibility in proposals and focuses on achieving the Best Value for the City.
- **Procedure:** RFPs are publicly advertised and clearly state the evaluation criteria and their relative importance. Proposals are evaluated by a Selection Committee based on the stated criteria (Chapter 5.4.3). Discussions or negotiations may be conducted with top-ranked proposers. Procedures outlined in Chapter 5.3 apply.
- **Ordinance Reference:** Procurement Ordinance, Section 15.
- **Award Basis:** Award is made to the responsible proposer whose proposal is determined to provide the Best Value to the City, considering all evaluation factors stated in the RFP.

4.6.3 Request for Qualifications (RFQ)

- **Purpose and Use:** The RFQ method is used primarily for procuring professional services, such as architectural, engineering, landscape architectural, and surveying and mapping services, governed by the Consultants' Competitive Negotiation Act (CCNA), Florida Statutes § 287.055. It may also be used to pre-qualify vendors for future solicitations. Selection is based solely on qualifications and experience; price is not a factor in the initial evaluation or selection phase under CCNA.
- **Procedure:** RFQs are publicly advertised and outline the required qualifications and evaluation criteria. A Selection Committee evaluates submissions based on qualifications only (Chapter 5.4.3). For CCNA services, the City negotiates a contract with the most qualified firm at a fair, competitive, and reasonable price. If negotiations fail, the City negotiates with the next most qualified firm. General procedures from Chapter 5.3 apply where applicable.
- **Ordinance Reference:** Procurement Ordinance, Section 16(a), Section 21(a).

- **Award Basis:** For CCNA services, selection is based on demonstrated competence and qualifications; award follows successful negotiation of a fair price. For other RFQs (e.g., pre-qualification), the outcome is a list of qualified vendors rather than a direct contract award.

4.6.4 Invitation to Negotiate (ITN)

- **Purpose and Use:** The ITN method may be used when the City determines that procurement via IFB or RFP is not practicable or advantageous, and negotiation with one or more vendors is necessary to determine the best method for achieving the City's objectives or to obtain the best value. It is suitable for complex procurements where vendor input on the scope or solution is desired.
- **Procedure:** ITNs are publicly advertised and describe the City's objectives and evaluation criteria. A Selection Committee evaluates initial responses (Chapter 5.4.3), and the City may enter into negotiations with one or more responsive vendors deemed reasonably susceptible of award. Best and Final Offers (BAFOs) may be requested. General procedures from Chapter 5.3 apply.
- **Ordinance Reference:** Procurement Ordinance, Section 16(b).
- **Award Basis:** Award is made to the responsible vendor(s) whose proposal(s) and successfully negotiated agreement(s) are determined to provide the Best Value to the City.

4.6.5 Request for Information (RFI) / Request for Letters of Interest (RLI)

- **Purpose and Use:** RFIs and RLIs are information-gathering tools used prior to issuing a formal competitive solicitation (IFB, RFP, RFQ, ITN). They help the City understand market capabilities, identify potential solutions, refine requirements, or gauge vendor interest. They are not formal solicitations intended to result directly in a contract award.
- **Procedure:** RFIs/RLIs are typically publicly advertised and describe the information sought. Responses are used for planning purposes and to develop specifications or scopes of work for a subsequent formal solicitation. There is no formal evaluation committee or award associated with an RFI/RLI.

- **Ordinance Reference:** While not explicitly listed as a source selection method leading to award in Article III of the Procurement Ordinance, their use as a planning tool is consistent with the CPO's duty to determine appropriate procurement strategies.
 - **Award Basis:** Not applicable. An RFI/RLI does not result in a contract award.
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CHAPTER 5: SOLICITATION PROCESSES

5.1 Requisition Preparation and Submission

- **5.1.1 Requirement for Requisitions:** Except for authorized P-Card purchases or payments processed via Direct Payment for exempt items, a purchase requisition approved through the City's financial system is required *before* any commitment is made to procure goods, services, or construction. Placing orders without an approved requisition and resulting Purchase Order (PO) or contract constitutes an unauthorized procurement (See Section 3.5).
- **5.1.2 Required Information and Documentation:** Requisitions must include a clear description of the need (specifications/scope), quantity, delivery requirements, estimated cost, suggested vendor(s) (if known), appropriate budget account code(s), and justification for the purchase. Supporting documentation (quotes, sole source justification, piggyback request, etc.) must be attached electronically or forwarded to Procurement Services.
- **5.1.3 Requisition Approvals:** Requisitions require electronic approval from the Using Agency's authorized approver(s) (e.g., Department Director or designee). Additional approvals may be required based on the commodity or service type (e.g., IT Department for technology, Public Works for facilities/vehicles, Risk Management for services requiring insurance, Budget Office for funding verification or overrides).

5.2 Preparing Specifications and Scopes of Work

- **5.2.1 Goods Specifications:** Using Agencies are responsible for developing clear, concise, and non-restrictive specifications that accurately describe the minimum requirements. Specifications should focus on performance requirements where possible and avoid features unique to a single vendor unless justified (e.g., sole source, standardization). Types include Performance, Design, Brand Name or Equal, and Qualified Products Lists. Procurement Services assists in specification review and development.
- **5.2.2 Service Scopes of Work:** For services, a detailed Scope of Work (SOW) is required, outlining tasks, deliverables, timelines, performance standards, personnel requirements, City responsibilities, and contractor responsibilities.
- **5.2.3 Standardization:** Procurement Services may work with Using Agencies to standardize commonly used items to achieve cost savings and efficiency, where appropriate and without unduly restricting competition.

5.3 Formal Solicitation Procedures (Over \$100,000)

As required by Ordinance Section 9, procurements exceeding \$100,000 require a formal competitive solicitation (e.g., IFB, RFP).

- **5.3.1 Public Notice and Advertising Requirements:** Solicitations must be publicly advertised (e.g., City website, electronic procurement portal, newspaper if required by statute like F.S. § 255.0525 for construction) for a minimum period (typically 21 days, per Ordinance Section 28) prior to the opening date.
- **5.3.2 Vendor Lists and Outreach:** Procurement Services maintains vendor registration lists and may directly notify registered vendors of relevant opportunities, but primary notification is via public advertisement. Using Agencies may suggest potential vendors for notification.
- **5.3.3 Pre-Bid/Pre-Proposal Conferences:** May be held (mandatory or voluntary) to clarify solicitation requirements and allow site visits. Information shared must be provided to all prospective bidders/proposers via addendum.
- **5.3.4 Addenda and Clarifications:** All substantive questions, clarifications, or changes to the solicitation must be issued in writing as formal Addenda to all prospective bidders/proposers. Vendors are typically required to acknowledge receipt of all addenda.

- **5.3.5 Electronic Submissions:** The City may utilize an electronic procurement system for solicitation distribution, Q&A, addenda issuance, and receipt of bids/proposals, consistent with Ordinance Section 29(c) and F.S. Ch. 668. Digital signatures may be permitted.
- **5.3.6 Bid/Proposal Receipt and Opening:** Submissions must be received by the specified deadline at the designated location (physical or electronic). Procedures for public opening vary: IFB amounts are typically read publicly; RFP/RFQ details are often kept confidential during evaluation per public records exemptions.
- **5.3.7 Late Submissions:** Bids or proposals received after the official deadline will be rejected and returned unopened (if possible) or disqualified.
- **5.3.8 Cone of Silence Requirements:** To ensure fairness and prevent undue influence during formal solicitations, communication restrictions ("Cone of Silence") may apply between potential vendors and City officials/staff (excluding designated Procurement contacts) from the time of advertisement until final award. Specific applicability and procedures will be noted in the solicitation document if enacted by City policy.

5.4 Evaluation Process

- **5.4.1 Determining Responsiveness and Responsibility:** All bids/proposals undergo initial review for responsiveness (compliance with material requirements of the solicitation) and responsibility (bidder's capability to perform). Non-responsive or non-responsible submissions will be disqualified.
- **5.4.2 Evaluation of IFBs (Lowest Responsive, Responsible):** Award is made to the bidder submitting the lowest price who is deemed responsive and responsible and meets all specification requirements.
- **5.4.3 Evaluation of RFPs/RFQs/ITNs (Best Value, Committee):** Proposals are evaluated based on criteria stated in the solicitation (e.g., qualifications, approach, experience, price - except for CCNA RFQs) to determine the Best Value. A Selection Committee, typically appointed by the City Manager or CPO, conducts the evaluation, scoring, and ranking. Meetings are public, and procedures follow the Ordinance and F.S. § 286.011. Reference checks, interviews, or presentations may be part of the process.

- **5.4.4 Tie Bid Resolution:** In the event of identical bids, tie-breaking procedures shall be applied in this order of precedence: (1) local vendor preference, (2) certification of a drug-free workplace, (3) coin toss, or (4) a final determination by the City Manager or CPO.
- **5.4.5 Negotiations:** For RFPs, RFQs and ITNs, negotiations may be conducted with the top-ranked firm(s) regarding scope, terms, and price (except price negotiation restrictions under CCNA) to reach a final agreement providing the best value.

5.5 Recommendation for Award and Contract Execution

- **5.5.1 Award Recommendation Documentation:** Procurement Services, with input from the Using Agency and Selection Committee (if applicable), prepares documentation justifying the award recommendation, detailing the solicitation process and evaluation results.
- **5.5.2 Required Approvals (CPO, City Manager, Commission):** The recommendation is routed for approval based on the contract value thresholds established in the Procurement Ordinance Section 11 (\$25k CPO / \$100k City Manager / >\$100k Commission).
- **5.5.3 Notice of Intent to Award:** Once internal approvals are obtained, a Notice of Intent to Award is typically posted publicly, initiating the protest period (See Chapter 8.3).
- **5.5.4 Contract Execution Process:** Following the protest period (if applicable) and final legal review (Ordinance Section 31), the contract is executed by the authorized signatory (CPO, City Manager, or Mayor following Commission approval)

CHAPTER 6: EXCEPTIONS TO COMPETITIVE SOLICITATION

6.1 Overview of Exemptions

The Procurement Ordinance (Section 21) allows for procurements without formal competitive solicitation under specific circumstances. Use of these exceptions requires justification and adherence to prescribed procedures.

6.2 Sole Source Procurements

- **6.2.1 Justification Requirements:** When a Using Agency believes only one vendor can supply the required good or service, sole source justification must be completed and submitted to Procurement Services. The form must detail the unique characteristics and the research conducted to confirm the lack of competition.
- **6.2.2 Public Posting Requirement:** For potential sole source procurements exceeding the small purchase threshold (\$10,000), Procurement Services will typically post a Notice of Intent to Sole Source publicly (e.g., for 5-7 business days) to allow other potential vendors to challenge the determination.
- **6.2.3 Approval Process:** The CPO makes the final determination on sole source status. Purchases over \$100,000 still require City Commission approval even if deemed sole source.

6.3 Emergency Procurements

- **6.3.1 Defining an Emergency:** An emergency is a situation requiring immediate action to protect public health, safety, welfare, or critical City property/operations, where adherence to standard procurement timelines is impossible. Lack of planning does not constitute an emergency.
- **6.3.2 Procedures and Documentation:** The City Manager or CPO may authorize emergency purchases. Efforts to obtain quotes should be made if practicable. A PO number should be obtained immediately, if possible, or as soon as feasible afterward. Full written documentation justifying the emergency and detailing the procurement actions must be submitted to Procurement Services promptly.
- **6.3.3 Reporting and Approval:** Emergency purchases are subject to the standard contract value approval thresholds, which may occur after the fact if necessary.

6.4 Cooperative Purchasing ("Piggybacking")

- **6.4.1 Conditions for Use:** The City may purchase from contracts competitively awarded by other governmental entities (State, County, other cities, federal GSA schedules, approved cooperatives) if the CPO determines it is in the City's best interest. The original contract must allow such use ("piggybacking"), and the pricing must be based on competition, not preference.
- **6.4.2 Documentation Requirements (Piggyback Request):** Using Agencies must submit a piggyback request to Procurement Services, referencing the specific contract number, awarding entity, and providing a copy of the relevant contract/pricing documentation.

6.5 Other Exempt Procurements (As per Ordinance Section 21)

Procedures for handling other exemptions listed in the Ordinance (e.g., CCNA services, specific utilities, required warranty work, insurance via agent of record, etc.) should be discussed with Procurement Services. Justification and appropriate approvals are still required.

CHAPTER 7: CONTRACT ADMINISTRATION & MANAGEMENT

7.1 Contract Coordination and Issuance

Procurement Services coordinates the final preparation, legal review, and execution of formal contracts and agreements. Once fully executed, Procurement Services issues the official contract or Notice to Proceed to the vendor.

7.2 Contract Management Responsibilities (Using Agency)

The Using Agency awarded the contract is primarily responsible for day-to-day contract administration, including:

- Monitoring vendor performance against contract requirements (scope, schedule, quality).

- Serving as the primary point of contact for the vendor.
- Receiving and inspecting goods/services.
- Reviewing and approving invoices for payment based on satisfactory performance/delivery.
- Maintaining contract files and documentation.
- Identifying and reporting issues or potential changes to Procurement Services.

7.3 Delivery, Receiving, Inspection, and Acceptance

- **Delivery:** Unless otherwise specified, deliveries should be F.O.B. Destination, meaning the vendor bears risk until delivery and acceptance. Using Agencies should coordinate delivery locations and times.
- **Receiving & Inspection:** Upon receipt, Using Agency staff must promptly inspect goods/services for conformity to contract specifications, quantity, and condition. Any damage or discrepancies must be noted immediately on delivery receipts and reported to the vendor and Procurement Services. Testing may be required to ensure compliance
- **Acceptance:** Formal acceptance occurs after verification that goods/services meet contract requirements. Acceptance triggers payment obligations. Non-conforming goods/services should be rejected or addressed according to contract remedies.

7.4 Insurance Requirements

- **7.4.1 Standard Requirements and Certificates of Insurance:** Vendors performing work on City property or providing services posing potential liability must provide proof of required insurance (e.g., General Liability, Auto Liability, Workers' Compensation) with specified limits and endorsements (e.g., naming the City as Additional Insured) *before* work begins or a contract/PO is issued. Requirements vary based on risk.
- **7.4.2 Role of Risk Management:** The City's Risk Manager establishes standard insurance requirements, reviews vendor certificates for compliance, determines necessary coverage levels for specific contracts, and may approve

waivers or require additional coverage. Using Agencies coordinate with vendors and Risk Management, forwarding compliant certificates to Procurement Services.

7.5 Payment Procedures

- **7.5.1 Invoice Submission and Approval:** Vendors submit invoices as specified in the contract/PO. Using Agencies are responsible for reviewing invoices against contract terms, verifying receipt and acceptance of goods/services, and promptly approving valid invoices for payment processing by Finance.
- **7.5.2 Compliance with Florida Prompt Payment Act:** The City adheres to F.S. § 218.70 et seq., requiring timely payment of undisputed invoices. Procedures for handling disputed invoices must also comply with the Act.

7.6 Contract Amendments (Change Orders)

- **7.6.1 Definition and Purpose:** A change order is a formal, written modification to an existing contract, required for any alteration in scope, price, time, or other terms.
- **7.6.2 Approval Authority and Limits (Per Ordinance Section 33):** Change orders require approval based on the *cumulative* impact relative to the original contract value and the *original* approving authority (Manager or Commission).
 - **City Manager Authority:** Can approve changes to Manager-approved contracts up to a cumulative total of \$100k. Can approve changes to Commission-approved contracts if the cumulative increase is $\leq 10\%$ or \$250k (whichever is less) AND cumulative time extension is ≤ 120 days. Changes must not materially alter the contract's character.
 - **City Commission Authority:** Required for any change order exceeding the City Manager's authority.
- **7.6.3 Documentation:** All change orders must be fully documented, justified, and processed through Procurement Services with required approvals before work commences under the modified terms.

7.7 Contract Renewals and Extensions

- **7.7.1 Authority and Procedures (Per Ordinance Section 34):**

- **Extensions:** Short-term extensions (max 120 days) of Commission-approved contracts may be approved by the City Manager. Further extensions require Commission approval.
- **Renewals:** Approval authority for renewals depends on the estimated cost of the renewal term and potentially which renewal it is (e.g., 1st, 2nd, 3rd). Thresholds (\$25k CPO, \$250k threshold for Manager, others for Commission) are specified in Ordinance Section 34(C). Automatic renewals require Commission action *not* to renew. Using Agencies must provide justification and performance assessment for renewal requests.

7.8 Contract Terminations

- **7.8.1 Termination for Cause / Default:** The City Manager may terminate contracts if the vendor fails to perform according to terms, after appropriate notice and opportunity to cure (if applicable per contract).
- **7.8.2 Termination for Convenience:** Termination without cause (for convenience) generally requires City Commission approval for contracts they originally approved.
- **7.8.3 Procedures and Authority (Per Ordinance Section 34):** All terminations must follow contract provisions and Ordinance requirements regarding notice and authority.

7.9 Vendor Performance Monitoring and Remedies

- **7.9.1 Documenting Performance:** Using Agencies must document vendor performance, both positive and negative, throughout the contract term. This documentation is crucial for managing current contracts and evaluating vendors for future awards.
- **7.9.2 Addressing Non-Performance:** Issues should be addressed promptly with the vendor. Progressive steps may include informal discussion, formal notice of deficiency, development of a Corrective Action Plan, withholding

payment, or ultimately, termination for default. Procurement Services and the City Attorney should be consulted for significant performance issues.

- **7.9.3 Debarment and Suspension (Per Ordinance Section 38):** Persistent poor performance, ethical violations, or breach of contract may lead to vendor debarment or suspension proceedings initiated by the CPO, following procedures outlined in the Ordinance.

CHAPTER 8: SPECIAL PROCUREMENT TOPICS

8.1 Surplus Property Management and Disposal

- **8.1.1 Identifying Surplus Property:** Using Agencies identify property that is obsolete, excess, or no longer needed and report it to Procurement Services, including asset details.
- **8.1.2 Disposal Methods:** The CPO determines the most advantageous disposal method per Ordinance Section 36:
 - *Transfer:* To another City department.
 - *Trade-in:* On new purchases.
 - *Sale/Auction:* Via competitive bid or public (including electronic) auction, especially for items >\$100k requiring Commission approval.
 - *Donation:* To non-profits if sale efforts fail.
 - *Scrap:* For items with no value.
- **8.1.3 Procedures and Approvals:** Specific procedures for appraisal, advertising (if applicable), and approvals (including Commission approval for sales >\$100k) must be followed. Asset tags must be removed before disposal.

8.2 Local Vendor Preference Program

- **8.2.1 Definition and Eligibility (Per Ordinance Section 39):** A "Local Vendor" is a business meeting criteria defined in the Procurement Ordinance (Section 39) regarding a permanent place of business, duration, employees, function, and local business tax receipt within City limits. Vendors must provide proof of eligibility with their bid/proposal.
- **8.2.2 Application in Bids and Proposals:**
 - **Bids (IFB):** If the lowest responsive/responsible bid is from a non-local vendor, a qualified local vendor whose bid is within 5% may be given an opportunity to match or beat the low bid by at least 1% (Best and Final Offer). Procedures for handling multiple eligible local vendors apply.
 - **Proposals (RFP/RFQ/ITN):** A preference (e.g., 5% point increase or similar factor) may be applied during evaluation for qualified local vendors, as specified in the solicitation.
- **8.2.3 Set-Aside Program Details:** For specific services (Electrical, fencing, janitorial, landscaping, painting, sprinkler/irrigation, welding, automotive, printing) estimated under \$100,000, solicitations *shall* be set aside for local vendors only, provided at least three qualified local vendors exist. Award is based on Best Value. If bids received are not deemed economically comparable to market rates, the solicitation may be canceled and reissued without the set-aside.

Exceptions: Local preference does not apply in situations outlined in Ordinance Section 39 (e.g., grants, cooperative purchasing, emergencies).

8.3 Bid Protests

- **8.3.1 Summary of Process (Per Ordinance Section 40):** Aggrieved actual or prospective bidders/offerors may protest a solicitation or intended award according to the formal procedures in the Procurement Ordinance (Section 40).
- **8.3.2 Filing Requirements:** Protests must be written, filed with Procurement Services within five (5) business days of the posting initiating the protest right, identify the protester and grounds, and include any required deposit (1% of award or \$5,000, whichever is greater, per Ordinance). The process involves review for sufficiency, potential committee hearing, and a written decision. An award is typically stayed pending resolution, unless deemed urgent by the City Manager.

CHAPTER 9: GLOSSARY

9.1 Glossary of Terms

- **Addendum:** Formal written change/clarification to a solicitation issued prior to the submission deadline.
- **Best Value:** The highest overall value to the City, determined by evaluating factors such as price, quality, design, workmanship, qualifications, experience, capacity, delivery, life-cycle costs, and other criteria relevant to the specific procurement. Lowest price is not the sole determining factor.
- **Bid Bond:** Security ensuring bidder enters into contract if awarded.
- **Change Order:** A written alteration to the scope, specifications, price, term, or other provisions of an existing contract, executed by authorized parties.
- **Chief Procurement Officer (CPO):** The individual appointed by the City Manager responsible for the administration and oversight of the City's procurement functions.
- **Competitive Sealed Bidding (IFB):** A method of competitive solicitation used when the City can precisely define its requirements, and award is based primarily on the lowest responsive, responsible bid.
- **Competitive Sealed Proposals (RFP):** A method of competitive solicitation used when factors other than price are considered, and negotiation may be required. Award is based on Best Value.
- **Cooperative Purchasing:** Procuring goods or services using contracts established by the state, federal government, other governmental entities, or approved purchasing cooperatives, based on competitive solicitations.
- **Emergency Procurement:** A purchase made in response to a sudden, unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property, or essential public services.

- **F.O.B. Destination:** Seller retains title/risk until goods are delivered and accepted by buyer.
- **Local Vendor:** A "Local Vendor" shall be defined as a business meeting specific criteria regarding location, duration, operation, and taxation within City limits, as established by resolution or ordinance.
- **Procurement:** The process of acquiring goods, services, construction, or supplies, including all functions from determining needs, soliciting sources, awarding contracts, and contract administration.
- **Procurement Manual:** This document, maintained by the CPO, containing detailed procedures, forms, and guidelines for implementing this Procurement Ordinance.
- **Purchase Order (PO):** City document authorizing vendor to provide goods/services and encumbering funds.
- **Requisition:** Internal request to initiate a purchase.
- **Responsible Bidder/Offeror:** A vendor possessing the capability, capacity, experience, integrity, and financial/technical resources to perform the contract requirements.
- **Responsive Bid/Proposal:** A submission that conforms in all material respects to the requirements stated in the solicitation document.
- **Scope of Work (SOW):** Detailed description of services to be performed.
- **Sole Source Procurement:** A purchase made without competition because only one source is practicably available for the required good or service.
- **Solicitation:** Process of requesting bids/proposals (IFB, RFP, etc.).
- **Specification:** Detailed description of required goods/construction.
- **Surplus Property:** City-owned property no longer needed.
- **Using Agency:** Any City department, office, or entity requiring goods, services, or construction.
- **Vendor (Contractor / Supplier):** Any person or entity having a contract with the City or seeking to do business with the City.