

Purchasing Policy & Procedures Manual Hardee County Purchasing

Volume Two

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Approved by BOCC 10/17/02
Revised/Accepted by BOCC 04/16/09

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Chapter 1 **MANUAL INTRODUCTION**

1.1 PURPOSE

The purpose of this Purchasing Manual is to serve as a source of instruction to all County divisions, Departments, and employees regarding the Purchasing policies and procedures of Hardee County, Florida.

The adoption of this Purchasing Manual and the approval of any subsequent revision to it by the Board of County Commissioners of Hardee County, Florida, shall authorize the policies and procedures contained herein for official use of County business.

1.2 SCOPE

The scope of this manual and the policies and procedures contained herein governs all departments under the jurisdiction of the Board of County Commissioners, as well as all purchasing transactions which are paid for directly from County funds under the control of the Board of County Commissioners.

This manual and the policies and procedures contained herein pre-empts all previously existing purchasing manuals, policies and procedures.

1.3 DISTRIBUTION

The Purchasing Agent will distribute copies of this manual and any revisions to all appropriate County departments and employees involved in the purchasing process. The manual is also available for viewing and reproduction on the County's Internet and Intranet System.

1.4 IMPLEMENTATION

It shall be the responsibility of the County Manager, through the PURCHASING DEPARTMENT, to implement and enforce the policies and procedures set forth in this manual.

- (a) Each Director, Department Head, and Supervisor shall be responsible for implementing and enforcing these policies and procedures within their respective jurisdictions.
- (b) The County Manager shall exercise functional authority over the County purchasing process for the purpose of implementing and enforcing these policies and procedures on a countywide basis, as well as in the PURCHASING DEPARTMENT for its role in the process.
- (c) A violation of any of the policies and procedures in this manual shall be grounds for disciplinary action. In addition, a violation may result in the County's refusal to pay for any improperly ordered goods or services.
- (d.) Only the Board of County Commissioners shall have the authority to waive or over-ride the policies and procedures in this manual. In such cases, which are in their opinion exceptional, they may issue specific directions that a particular case be handled in a manner different than required by this manual.

1.5 REVISIONS

This manual is to serve as a guide to County purchasing policies and procedures. Therefore, as necessary changes are made in policies and procedures, appropriate revisions will be made to this manual. The PURCHASING DEPARTMENT shall be responsible for the accurate maintenance of the manual and for assisting all appropriate parties in maintaining an up-to-date manual.

1.6 RECOMMENDATIONS

Responsible County employees are encouraged to make recommendations on chapters of the manual that, due to changing conditions, may need a revision. Also, they are encouraged to make recommendations on new subjects not presently included in the manual which they feel are necessary.

(a) Any such recommendations should be submitted through appropriate organizational channels to the Purchasing Agent for review and consideration. The Purchasing Agent shall be responsible for presenting any proposed revisions of this manual to the County Manager.

(b) After proposed revisions are approved by the County Manager, the revisions shall be submitted to the Board of County Commissioners for approval.

Chapter 2 DEFINITION OF TERMS

ADDENDUM - an addition or change to the already prepared specifications that an invitation to bid or quotation has already been mailed out for sealed bids.

BID BOND – An insurance agreement, accompanied by a monetary commitment by which a third party accepts liability and guarantees that the bidder will not withdraw the bid, the bidder will furnish bonds as required, and if the contract is awarded to the bonded bidder, the bidder will accept the contract as bid, or else the surety will pay a specific amount. Bid bonds are required when a contract can reasonably be expected to exceed \$100,000.00. For contracts reasonably expected to be UNDER \$200,000.00, the requirement for a bid bond MAY be waived by the Board of County Commissioners.

BID PROTEST – A formal complaint made against the methods employed or decisions made by a procurement authority in the process leading to the award of a contract.

BID RIGGING – The agreement among potential competitors to manipulate the competitive bidding process, for example, by agreeing not to bid, to bid specific prices, to rotate bidding, or to give kickbacks to purchasers.

BID WAIVER - a request and/or approval to purchase goods or services through methods other than the standard approved procedures. Used for emergency purchases only and must be approved by the Board of County Commissioners.

CHANGE ORDER – A written alteration to a contract or purchase order, signed by the purchasing authority, in accordance with the terms of the contract, unilaterally directing the contractor to make changes.

COLLUSION – A secret agreement, whether expressed or implied, to commit a fraudulent deceitful, unlawful, or wrongful act.

COMPETITIVE NEGOTIATIONS – a method for acquiring goods, services, and construction in which discussions or negotiations may be conducted with responsible offerors who submit proposals in the competitive range, with quality, not cost, being the primary factor.

COMPETITIVE SEALED BIDDING - Preferred method for acquiring goods, services, and construction for public use in which award is made to the lowest responsive and responsible bidder, based solely on the response to the criteria set forth in the ITB; does not include discussions or negotiations with bidders. Also called formal bid, formal advertised bid. Used for the purchase of items, exceeding \$25,000.00 during the current fiscal year. Sealed Bid may be on a case-by-case basis, at the discretion of the Board of County Commissioners.

CONTRACT – A legally binding promise, enforceable by law. An agreement between parties, with binding legal and moral force, usually exchanging goods or services for money or other consideration. All types of agreements, regardless of what they may be called, for the procurement or disposal of supplies, services, or construction. An agreement between a contracting authority and a person or business unit to provide a good, perform a service, construct a work, or to lease real property for appropriate consideration. Contracts are required when an ITB/RFP can reasonably be expected to exceed \$100,000.00. For ITB/RFP's reasonably expected to be UNDER \$200,000.00, the requirement for a contract MAY be waived by the Board of County Commissioners.

EMERGENCY - an unforeseen situation in which there is a breakdown in County service and there is an urgent need to restore such service in order to avoid serious and adverse consequences affecting the life, health, welfare, or property of the citizens of Hardee County.

"ITB" – Invitation to Bid – A formal request to vendors soliciting price quotations or bids; contains, or incorporates by reference, the specifications of scope of work and all contractual terms and conditions.

INFORMAL BID – A competitive bid or price quotation for supplies or services that is conveyed by letter, telephone, or other means and does not require a sealed bid, public opening, or public reading of bids.

PAYMENT BOND – A bond which assures payments, as required by law, to all persons supplying labor or material for the completion of work under the contract.

PERFORMANCE BOND – A bond, executed subsequent to award by a successful bidder, to protect the buyer from loss due to the bidder's inability to complete the contract as agreed; secures the fulfillment of all contract requirements. Performance bonds are required when a contract can reasonably be expected to exceed \$100,000.00. For contracts reasonably expected to be UNDER \$200,000.00, the requirement for a performance bond MAY be waived by the Board of County Commissioners.

PETTY CASH PURCHASE - a method used for the purchase of items or services whose cost is in the price range of \$0.01 to \$25.00.

PRE-BID CONFERENCE - a meeting of all interested parties prior to the opening date of the formal "Sealed Bid" at which all questions and abnormalities concerning the project are discussed.

PRICE ESTIMATE - a price given by a vendor for an item or service meeting specifications given them. This is not necessarily a firm quote.

PROCUREMENT CARD - The Procurement Card is a credit card issued by a bank. It is a fast and flexible purchasing tool which provides an extremely efficient and effective method of purchasing and paying for small dollar items with a total value of \$300 or less.

PROFESSIONAL SERVICES - assistance obtained in the support of County operations from an independent contractor in a professional field. (Medical services, legal services, financial services, architectural or engineering services, audit and accounting services and consulting services.)

PURCHASE ORDER - the actual ordering of items or services. This is the point at which funds are encumbered on the County's financial records. This is the official offer to purchase an item or service. A Purchase Order is also a contract with that vendor.

PURCHASING AGENT – Public purchaser binds a government and a supplier together in a contractual relationship creating legal duties that each of those parties must abide or perform. An agent is someone who is authorized to act on behalf of and bind government agency. All individuals placing orders are acting as County's purchasing agent.

QUOTATION – A statement of price, terms of sale, and description of goods or services offered by a vendor. **Verbal** method used for the purchase of items or services in the price range of \$25.01 to \$5,000.00. **Written** method used for the purchase of items or services whose cost is \$5,000.01 to \$25,000.00.

RFP - A formal "Request for Proposals" issued for the procurement of Professional Services in accordance with the "Consultants Competitive Negotiation Act" provisions of FS (CHAPTER 287.055). A method for acquiring goods, services, and construction for public use in which discussions or negotiations may be conducted with responsible offerors who submit proposals in the competitive range.

REQUISITION – A request to obtain material or services and authority to encumber funds to cover the purchase.

RESTRAINT OF TRADE – The effect of an act, contract, conspiracy, or combination which eliminates or stifles competition, effects a monopoly, artificially maintains prices, or otherwise hampers or obstructs the course of trade and commerce as it would be carried out if left to the control of natural and economic forces.

RESTRICTIVE SPECIFICATIONS – specifications that unnecessarily limit competition by eliminating items capable of satisfactorily meeting actual needs, often by requiring features which exceed the minimum acceptable characteristics required for satisfactory performance.

SOLE SOURCE – Only one vendor possesses the unique and singularly available capability to meet the requirement of the solicitation, such as technical qualifications, ability to deliver at a particular time, or when there is a situation where a particular supplier or person is identified as the only qualified source available to the requisitioning authority.

SPECIFICATIONS – A description of the physical or functional characteristics, or of the nature of a supply, service, or construction item; the requirements to be satisfied by a product, material, or process indicating, if appropriate, the procedures to determine whether the requirements are satisfied.

TABULATION – The recording of bids and bidding data listing items offered, prices, delivery schedules, etc., submitted in response to a solicitation for purposes of comparison, analysis, and record keeping.

VENDOR - an individual or company that either is available to sell goods or services to Hardee County or has sold goods or services to Hardee County in the past.

Chapter 3 PURCHASING OVERVIEW

3.1 VALUE OF CENTRALIZED PURCHASING

The strength of the central purchasing system is its ability to serve the operating Departments without requiring them to maintain their own internal purchasing process. The value of centralized purchasing has long been recognized in both government and private business.

(a) Centralized purchasing promotes economy and efficiency by facilitating accounting and finance control, and by enabling quantity purchasing and the standardization of frequently used items.

(b) Centralized purchasing facilitates public advertising and competitive bidding by channeling the purchasing process through a specialized PURCHASING DEPARTMENT.

3.2 ROLE OF THE PURCHASING DEPARTMENT

The role of the PURCHASING DEPARTMENT is to perform a public trust and insure integrity, ethics, fairness and eliminate favoritism in the purchasing process. Purchasing maximize competition for price and value. Ensures proper procedures are followed to maintain public records and plays a 'watchdog role'.

(a) The PURCHASING DEPARTMENT is responsible for locating and ordering goods and services that:

(1) Conform to the specifications provided by the Department;

(2) are at the lowest reasonable cost;

(3) are available within the time requested by the Department, or as soon as possible;

(b) The PURCHASING DEPARTMENT is also responsible for ensuring proper authorization and recording of all purchase transactions by its personnel.

(c) The PURCHASING DEPARTMENT shall assist the operating Departments in preparing and revising the specifications.

(d) The PURCHASING DEPARTMENT shall maintain an up-to-date list of all possible vendors

3.3 ROLE OF OPERATING DEPARTMENTS

The role of operating Departments in the purchasing process is to utilize the services of the PURCHASING DEPARTMENT.

(a) Operating Departments are responsible for:

(1) Identifying, as soon as possible, and sufficiently in advance, their needs for goods and services in their County operations and activities.

(2) Notifying the PURCHASING DEPARTMENT of all purchasing needs, utilizing the proper forms and procedures, as described in this manual.

(3) Accurate coding of all financial codes, including fund, department, program, object, sub-fund, project and cost center.

- (4) Clear and precise specifications for each item or service being ordered. Purchasing has sources available if you need assistance in obtaining specifications.
 - (5) Determining that sufficient funds are available in their authorized budgets to pay for each item or service that they order.
 - (6) If delivered to department by vendor, inspect all items or services promptly, sending packing slip to PURCHASING DEPARTMENT so that authorization for payment to the vendor may be made.
- (b) Departments are also responsible for the adherence to proper procedures proper authorization and signatures of all purchase transactions initiated by their personnel. Department heads are authorized to sign requisitions up to \$15,000 (All leases and contracts are to be signed by County Manager).

3.4 ROLE OF THE ACCOUNTING OFFICE

The role of the Accounting Office, as an agent of the Clerk of the Board, is to serve as the Accountant and Treasurer to the Board of County Commissioners.

- (a) In the purchasing process, the Accounting Office is responsible for:
- (1) Pre-auditing all payment requisitions, prior to disbursement, to review for accuracy and to determine whether or not they are legal and proper, and that appropriate policies and procedures are complied with.
 - (2) Rejecting any payment requisitions for purchasing transactions where the policies and procedures outlined in this manual have not been complied with.
 - (3) Disbursing funds for purchasing transactions, which are legal and proper, and in compliance with all appropriate policies and procedures.
 - (4) Recording all disbursements in the County's accounting records.

3.5 GENERAL PURCHASING POLICIES

This Purchasing Manual outlines the general purchasing policies of the Board of County Commissioners of Hardee County, Florida, which are as follows:

- (a) All requests for prices for the purpose of initiating the purchase of goods and services shall be made by the PURCHASING DEPARTMENT except for Professional Services where the County Manager authorizes a Department to issue an RFP (working with Purchasing). Inquiries made for the purpose of budget preparation and services information may be made by individual Departments.
- (b) The PURCHASING DEPARTMENT shall insure that the quality, quantity and type of materials requisitioned and delivered conform to the specifications of the Department that has ordered the materials.
- (c) No member of the staff of the PURCHASING DEPARTMENT, their family, or Board of County Commissioner's employee or their family, shall receive any benefit or profit from any contract or purchase made by Hardee County except as provided in CHAPTER 112.313 (3)(12) FS.

(d) Acceptance of gifts reference FS CHAPTER 112.313(2) which reads as follows:

No public officer, employee of an agency, local government attorney, or candidate for nomination or election shall solicit or accept anything of value to the recipient, including a gift, loan, reward, promise of future employment, favor, or service, based upon any understanding that the vote, official action, or judgment of the public officer, employee, local government attorney, or candidate would be influenced thereby.

(e) The PURCHASING DEPARTMENT strives to maintain strong and enduring relationships with vendors of proven ability. To accomplish this, purchasing activities will be conducted so that vendors will value County business and make an effort to meet our requirements on the basis of quality, service and price.

(f) The County will buy only from suppliers who have adequate financial strength, high ethical standards, and a record of adhering to specifications, maintaining shipping promises and giving a full measure of service. New sources of supply are necessary to ensure availability of materials and competitive prices.

(g) All bidders must be afforded equal opportunities to furnish price quotations and are to compete on equal terms.

(h) The Purchasing Director shall act as the County Representative on all matters pertaining to purchasing unless otherwise stated in this manual. In the Purchasing Director's absence, the Purchasing Specialist will handle matters except for Professional Services Procurement where the Department Head may be authorized by the County Manager to act as the official representative.

(i) The Purchasing Director shall not knowingly issue a purchase order when there is evidence of a conflict of interest. In instances when a conflict may exist, the Purchasing Director shall refer the matter to the County Manager.

(j) All contracts shall be reviewed and approved by the Department Director, County Manager, and County Attorney prior to execution, forwarding a copy to Purchasing.

(k) All leases shall be reviewed and approved by the County Manager prior to issuing a purchase order.

3.6 SPECIFIC PURCHASING POLICIES AND PROCEDURES

Specific Purchasing Policies and Procedures will vary depending on the type and cost of the item or service being purchased. This manual is organized into a number of chapters describing policies and procedures applicable to different purchasing transactions and controls.

(a) PRIMARY PURCHASING TRANSACTIONS

Primary purchasing transactions are divided into a number of mutually exclusive categories. These categories are as follows:

- (1) Petty Cash Purchases
- (2) Stockroom Orders
- (3) Outside Purchases

(b) PURCHASING CONTROLS

The Purchasing and Finance Offices and other central management agencies to oversee various purchasing transactions utilize various purchasing controls. These controls are as follows:

- (1) Requisition Procedure
- (2) Vendor Selection
- (3) Purchase Orders
- (4) Receiving
- (5) Payment Procedures

Chapter 4 LOCAL PREFERENCE

4.1 ALLOWANCE OF A LOCAL PREFERENCE

The intent and purpose of the Hardee County Local Preference in Purchasing is to establish a written policy that allows the authorized purchasing authority to give a preference to local businesses.

4.2 ACKNOWLEDGEMENTS

Any type of procurement done by the county staff to which the provisions of this subsection are being applied will contain a statement that a local preference will be used in the evaluation and award of that purchase.

4.3 PREFERENCE IN BIDDING

In purchasing, or contracting for procurement of tangible personal property, materials, contractual services, and construction of improvements to real property or existing structures, the authorized purchasing authority of the County will give preference to local businesses in making such purchases or awarding such contracts, in an amount of five (5) percent of the total purchase price under \$250,000.00; four (4) percent from \$260,000.00 to less than \$1,000,000.00; three (3) percent from \$1,000,000.00 to less than \$2,000,000.00; and two (2) percent for purchases \$2,000,000.00 and over with a maximum cost differential that shall not exceed \$80,000.00. For purposes of this subsection "total purchase price" shall include the base bid and all alternatives or options to the base bid which are being awarded by the authorized purchasing authority of the County.

4.4 PREFERENCE IN (RFP) REQUESTS FOR PROPOSALS

In purchasing, or contracting for procurement of tangible personal property, materials, contractual services, and construction of improvements to real property or existing structures for which a request for proposals is developed with evaluation criteria, a local preference of not more than five (5) percent of the total score will be assigned for a local preference to local businesses.

4.5 NOTICE

All procurement documents including but not limited to bid documents and request for proposal documents shall include a notice to vendors of the County's Local Preference Policy.

4.6 LOCAL BUSINESS DEFINITION

For purposes of this subsection, "local business" shall mean a business which:

- (1) Has had a fixed office or distribution point located in and having a street address within Hardee County for at least twelve (12) months immediately prior to the issuance of the request for quotations, competitive bids or request for proposals by the County; and
- (2) Holds any business license required by the County, and/or, if applicable, the Municipalities; and

- (3) Employs at least one full-time employee, or two part-time employees whose primary residence is in Hardee County, or, if the business has no employees, the business shall be at least fifty percent owned by one or more persons whose primary residence is in Hardee County.

4.65 CERTIFICATION

Any vendor claiming to be a local business as defined by Section 4.6 of this Manual, shall deliver a written certification to the County Purchasing Department. The certification shall certify that the business is a “local business” as that term is defined in Section 4.6 of this manual, shall provide all necessary information establishing that fact, and shall be signed under penalties of perjury. It is also the responsibility of any vendor claiming to be a local business, as defined by Section 4.6 of this Manual, to include a copy of its certification in its bid or proposal. The Purchasing Department shall be required to verify the accuracy of any such certifications when determining whether a vendor meets the definition of a “local business.”

4.7 EXCEPTIONS TO LOCAL PREFERENCE POLICY

(A) The procurement preference set forth in this policy shall not apply to any of the following purchases or contracts:

- (1) Goods or services provided under a cooperative purchasing agreement or inter-local agreement;
- (2) Contracts for professional services, procurement of which is subject to the (CCNA) Consultants; Competitive Negotiation Act or subject to any competitive consultant selection policy or procedure adopted by or utilized by the Board of County Commissioners;
- (3) Purchases or contracts which are funded, in whole or part, by a governmental entity and the laws, regulations, or policies governing such finding prohibit application of that preference;
- (4) Purchases made or contracts let under emergency or noncompetitive situations or for litigation related legal services.

(B) Application of local preference to a particular purchase, contract, or category of contracts for which the Board of County Commissioners is the awarding authority may be waived upon written justification and recommendation by the County Manager, Assistant County Manager or the Purchasing Director.

(C) The local preference established in this policy does not prohibit or lessen the right of the Board of County Commissioners and Purchasing staff to compare quality or fitness for use of supplies, materials, equipment, and services proposed for purchase and to compare qualifications, character, responsibility, and fitness of all persons and entities submitting quotations, bids or proposals.

(D) The local preference established in this policy does not prohibit the Board of County Commissioners from giving any other preference permitted by law, in addition to the local preference authorized in this policy.

4.75 APPLICATION AND ENFORCEMENT OF PREFERENCE POLICY

(A) The local preference established in this policy shall apply to new quotations, contracts and procurements solicited after the effective date of this policy.

(B) This policy shall be implemented in a fashion consistent with otherwise applicable County purchasing policies and procedures.

4.8 PROMULGATION OF RULES

(A) The County Manager, Assistant County Manager, or Purchasing Director are hereby authorized to adopt administrative rules supplemental to the provisions of this policy as deemed necessary and appropriate to implement the provisions of this policy.

(B) The provisions of this policy and the rules adopted by the County Manager, Assistant County Manager, or Purchasing Director shall be provided to potential bidders, vendors, and contractors to the widest extent practicable.

Chapter 5 PETTY CASH PURCHASES

5.1 PETTY CASH POLICY

The cost of purchasing supplies and services of small monetary value through the usual purchasing procedure is usually excessive in relation to the value of the supplies and services received. For this reason, the County has adopted a petty cash purchasing procedure.

5.2 PETTY CASH PURCHASE AUTHORIZATION

Petty cash purchases are authorized for minor purchases such as those outlined below:

- (a) Freight and Postal Charges
- (b) Tools and operating supplies with a limit of \$25.00 per transaction.
- (c) Repair parts with a limit of \$25.00 per transaction.
- (d) Reimbursement for fuel with a limit of \$25.00 per transaction.

5.3 PETTY CASH EXPENDITURES NOT TO EXCEED \$25.00

- (a) Petty cash expenditures must be approved by the Department Head or their approved designee before the expenditure is made.
- (b) A sales receipt with the vendor's name and date must be returned noting the item purchased. Department Head must initial receipt with appropriate department and account number noted.

5.4 DISALLOWANCE OF PETTY CASH PURCHASES

Department Heads and the Accounting Office shall have the authority to disallow any reimbursement of any purchases not made in accordance with such policies and procedures.

6.1 PURCHASING STOCKROOM

The Purchasing Stockroom stores and distributes commonly used items for repeat or continuing use by all County Departments.

- (a) New items may be added to the Stockroom Inventory depending upon need and turnover rate. Operating Departments may request additional items to be placed in inventory. Form #PUR-NSI (copy attached) is available for this purpose in purchasing. These additions will be at the discretion of the County Manager and Purchasing Agent.
- (b) Criteria for stocking new items (**NO OFFICE SUPPLIES**):
 - (1) Fast moving
 - (2) Use at least 6 a year
 - (3) Will item shut down operations completely?
 - (4) If item can be obtained overnight or locally, can you live with delivery? Hard to get?
 - (5) Preventative maintenance parts for priority or vital equipment.

6.2 AUTHORIZATION FOR STOCKROOM USE

To authorize the use of the Stockroom, the Department Head of each Department must prepare an authorization list of employees of his or her Department that will be authorized to initiate requisitions to draw items from the Stockroom for their departments.

The authorization list must be submitted to the PURCHASING DEPARTMENT before Stockroom issues can be made. To revoke or add signature authorizations, a memo from the Department Head must be sent to the PURCHASING DEPARTMENT stating the date of addition or revocation.

6.3 ORDERING STOCKROOM ITEMS

Any authorized employee may order a needed item from the Stockroom by using a requisition form PUR-SRR. A copy of the requisition will be returned to the originator. A copy of all Stockroom requisitions will be forwarded to the Store Manager on a daily basis.

- (a) Departments must arrange to pick up items from the stockroom.
- (b) Any employee receiving items from the Stockroom will sign the requisition form for each withdrawal.
- (c) The Store Manager will charge the reimbursements to the appropriate budgetary expenditure for Stockroom orders.

Items valued above the limits allowed for Petty Cash purchasing and not kept in inventory in the County Stockroom, shall be purchased as an "Outside Purchase" following all pertinent provisions of the procedures required within the manual.

Chapter 6A PURCHASE OF USED ITEMS OR EQUIPMENT

6A.1 POLICY FOR PURCHASE OF USED ITEMS OR EQUIPMENT

Recognizing the fact that in some cases it is more equitable to purchase used items or equipment rather than to purchase new items or equipment, the County has adopted a policy which provides, under certain conditions, the purchase of used items or equipment.

6A.2 AUTHORIZATION TO PURCHASE USED ITEMS OR EQUIPMENT

Authorization of the purchase of used items or equipment is to be made under the following conditions:

- (a) An outside source or professional who is knowledgeable about and familiar with the anticipated item to be purchased has evaluated and recommended that the item is in good condition and would be a good investment
- (b) It has been determined that the age of the item or equipment will not affect the ability to obtain parts or accessories
- (c) The availability of a warranty or service has been considered
- (d) A price on a new comparable item has been obtained, and the price exceeds the cost of the used item by more than fifty percent (50%).

Chapter 7 CLASSIFICATION OF PURCHASES

7.1 COMPETITIVE BIDDING POLICY

Purchases of materials, supplies, equipment and contracted services from outside vendors by County Departments will normally be acquired through competitive bidding through the PURCHASING DEPARTMENT.

The only exceptions permitted to this policy are those authorized in the other chapters of this manual, such as Petty Cash Purchases, Bids solicited by other governmental entities, emergency situations or sole source items.

7.2 PETTY CASH PURCHASE (\$0.01 TO \$25.00)

When goods or services are small in cost (under \$25.00) the Department is authorized to use good judgment and planning to make these minor purchases with the vendor that is able to provide the best buy for the County.

For petty cash purchases competitive prices are not required. In purchasing goods or services, the Department is responsible to obtain a dated proof of purchase and vendor name.

7.3 VERBAL QUOTATION (\$25.01 TO \$5,000.00)

To obtain price estimates the requesting Department must:

- (a) Prepare a requisition with as much information pertaining to the goods and/or services required.
- (b) Include the date materials or services are required.

INCOMPLETE REQUISITIONS WILL BE RETURNED TO THE REQUESTORS.

The PURCHASING DEPARTMENT will contact a minimum of three vendors (if available) to obtain the price estimates and proceed with the purchase order.

7.4 WRITTEN QUOTATION (\$5,000.01 TO \$25,000.00)

Items or services anticipated to cost between \$5,000.01 and \$15,000.00 will require three written quotations. The PURCHASING DEPARTMENT will require clear and precise specifications for each item or service being ordered. Purchasing has sources for obtaining specifications, if needed. Purchasing will solicit quotes from a minimum of three vendors (if available) for the requested goods or services. Items or services anticipated to cost between \$15,000.01 and \$25,000.00 will require the approval of the COUNTY MANAGER.

- (a) After receipt of quotes from vendors, Purchasing will prepare a tabulation and send to the Department Head for review.
- (b) After the Purchasing Agent and the Department Head have selected a vendor, the requesting Department will prepare a requisition and submit it to the PURCHASING DEPARTMENT to prepare and issue a purchase order.

7.5 ADVERTISED SEALED BIDS (over \$25,000.00)

(1) EQUIPMENT OR SERVICES in excess of \$25,000.00 will be handled through the sealed bid process (Invitation to Bid). Departments requiring this process shall submit to the PURCHASING DEPARTMENT a complete set of clear and precise specifications for each item or service being ordered. Purchasing has sources to help in obtaining specifications. Include form PUR-ITB1 (copy attached). This form will give PURCHASING the information needed to advertise and post on our web site. The PURCHASING DEPARTMENT will prepare the advertisement, add "Instructions to bidders", bid form and any other documents required to complete the bid packet. The final bid packet will be returned to the requesting Department Head for proofing and approval before advertising.

Upon receipt of "approved" bid packet the PURCHASING DEPARTMENT will advertise in newspapers and publications as noted on form PUR-ITB1, when the advertisements have been scheduled, the PURCHASING DEPARTMENT will also post on our Web site with Demand Star.

When bids are received at the specified time, date and place, the bid opening will be held. Bids will be opened and read aloud by the Purchasing Director or designee. Everyone present is required to sign Witness Sheet form PUR-WS. The bids will be tabulated (form PUR-BID TAB) and posted to Hardee County Purchasing's web site.

The Purchasing Director and the requesting Department Head shall review all bids to check for compliance with the specifications. Bidders must meet all terms, conditions, and material aspects of the bid document and must be responsive and responsible. Bidder is determined to be capable of performing the work:

- a. Have technical expertise/staffing
- b. Have resources/capacity to perform
- c. Past performance/ability
- d. Financial stability
- e. Size of the project

Bidders must include original insurance document from their agent, if required. Check for fraudulent or forged bonds. Tabulations along with the recommendation of the requesting Department Head will then be sent to the County Manager for selection of a vendor.

After the County Manager or his designee has recommended a vendor to the Board of County Commissioners for approval, the tabulations will be returned to the PURCHASING DEPARTMENT. A copy of the tabulation will be sent to the requesting Department and to all bidders, denoting the selection of a successful vendor.

The requesting Department shall then prepare a requisition noting the bid number and vendor on the requisition and submit it to the PURCHASING DEPARTMENT, who will then issue a purchase order. See purchase order award procedure 7.8.

(2) BID BONDS, PERFORMANCE BONDS AND FORMAL CONTRACTS: ITB/RFP/RFQ's that are reasonably expected to exceed \$100,000.00 must include in the specifications a requirement for the bidder to post a 5% Bid Bond, a 100% Performance Bond and will require a Formal Contract. The Bid Bond, Performance Bond and Formal Contract may be waived by the Board of County Commissioners if the bid can reasonably be expected to fall between \$100,000.00 and \$200,000.00.

(3) CONTRACT PROVISIONS: If a contract for a purchase between \$100,000.00 and \$200,000.00 is waived, the department head may incorporate into the Scope of Services or Work the provisions of FS 287.058, paragraphs (a-f). In lieu of printing the provisions of 287.058 (a-f) in the Scope of Services, the purchase order may incorporate the requirement by reference.

(4) ITB/RFP/RFQ'S THAT REQUIRE A CONTRACT: If a contract is required, the contract must be prepared by the County Attorney and must be routed through the County Manager's Office. When the contract is received from the County Attorney, forward to Purchasing for processing in accordance with item 7.5(1).

The ordering department must prepare a requisition and submit it to the PURCHASING DEPARTMENT. PURCHASING will issue a letter to proceed, if required, and, also, a purchase order. See Purchase Order procedure 7.8

7.6 BID WAIVER

Purchases which are anticipated to be over \$25,000.00 may be acquired through quotations if the Board of County Commissioners has approved a waiver.

(a) A waiver of formal sealed bids or formal quotations may be requested when there is an urgent need for the purchase to be made immediately, an emergency situation or when there is only a sole source for the purchase. Lack of planning will not be an acceptable reason for waiver of sealed bid requirements.

(b) If the bid waiver request is rejected by the Board of County Commissioners, the "Sealed Bid" process will begin.

7.7 EXEMPT PURCHASES UP TO AND EXCEEDING FORMAL QUOTATIONS AND SEALED BIDS

The following are exempt from the requirement for approval for goods and services which cost in excess of the formal quotes and sealed bid limits. This

may be implemented by any Department Head within the funds of that Department with the approval of the County Manager:

- (a) Intra/Inter Governmental purchase of goods and services such as custodial services and vehicle maintenance.
- (b) The purchase of petroleum products and utilities, such as water, electric and monthly telephone service.
- (c) Vehicle maintenance, heavy equipment maintenance and reconditioning and building repairs and maintenance.
- (d) The purchase of services and commodities that require an open purchase order and are essential to the continuous operation of a Department's program within the scope of policy and procedures. An open purchase order will be issued at the discretion of the Purchasing Agent.
- (e) Services contracted pursuant to CHAPTER 8 of this manual.
- (f) The lease or lease-purchase of property shall be in full accordance of the requirements of Chapter 125.031 FS.
- (g) The purchase of real property shall be in full accordance of the requirements of Chapter 125.355 FS.

7.8 PURCHASE AWARD PROCEDURE

Purchases of Hardee County are authorized only if a signed purchase order is issued in advance of the transaction, showing that the ordering department has sufficient funds available to pay for the service. Contractors providing services without a signed purchase order do so at their own risk. Hardee County will not be liable for payment for any services provided under the contract unless a valid purchase order has been issued to the contractor.

After a vendor has been selected for a purchase:

- (a) The PURCHASING DEPARTMENT will contact the requesting Department, notifying it of the successful vendor.
- (b) The requesting Department shall then prepare a requisition and submit it to the PURCHASING DEPARTMENT.
- (b) PURCHASING will contact the successful vendor by telephone, fax or mail to confirm the award of the bid.
- (c) PURCHASING will conclude the details of the purchase award with the vendor and issue a purchase order for the purchase.

7.9 BIDS SOLICITED BY OTHER GOVERNMENTAL ENTITIES.

On a case-by-case basis the Board of County Commissioners may, in its discretion, award a contract for goods or services based upon the bids received by another governmental entity. Such other governmental entities would include the State of Florida, other counties and municipalities therein. In such a case Hardee County shall not solicit bids or quotes, and the bid received by the other governmental entity shall be treated as a bid solicited by Hardee County. In exercising this discretion the Board shall consider the following factors:

- (a) Whether the other governmental entity used competitive advertised sealed bid procedures substantially similar to those used by Hardee County.
- (b) The proximity in time between when the other governmental entity made its solicitation for bids and when Hardee County proposes to award its contract.
- (c) The proximity in geography between Hardee County and the other governmental entity.
- (d) The relative similarities between the goods or services solicited by the other governmental entity and the goods or services sought by Hardee County.

Nothing herein shall be deemed to compel Hardee County to consider the bids of vendors submitted to other governmental entities.

Chapter 8 PROFESSIONAL SERVICES CONTRACTS

8.1 COMPETITIVE NEGOTIATIONS POLICY

Because price differentials may only be a minor consideration compared to the quality of the professional's work, professional services are exempted from the County's competitive bidding policy. Instead, professional services will be acquired through competitive negotiations (Chapter 287.055 FS).

8.2 PROFESSIONAL SERVICES DEFINITIONS

A professional service is assistance obtained in support of County operations from an independent contractor in a professional field. Examples of professional fields:

- (a) Audit and Accounting Services - auditors and accountants (Chapter 11.45 FS).
- (b) Architecture, professional engineering, landscape architecture, or registered land surveying as defined by the laws of the State of Florida (Chapter 287.055 FS)

8.3 NEGOTIATION PROCEDURES

For professional services as defined in 8.2 (a)&(b) above, CHAPTER 287.055 FS applies as well as the following procedures:

- (a) Professional services when the fee is expected to be under \$25,000.
 - (1) The Department Head shall submit a request for the professional services to the PURCHASING DEPARTMENT in the form of a completed requisition as defined in CHAPTER 11.2 (No public announcement is required).
 - (2) If the requisition is found to be in proper form and approved by the PURCHASING DEPARTMENT, the PURCHASING DEPARTMENT will process the purchase order.
- (b) Professional services when the fee is expected to be over \$25,000.
 - (1) To initiate a request for professional services that are expected to exceed \$25,000, a memo must be prepared by the requestor to the County Manager.
 - (2) The County Manager is authorized to approve the issuance of an RFP for their respective fields once the scope of work has been defined.
 - (3) After all RFP's are received the Department Head shall evaluate the firms proposals in accordance with the Board's adopted procedures.
 - (4) After a firm is selected, a contract shall be drafted for consideration of the County Manager. The County Attorney will review all contracts prior to execution.
 - (5) The Board of County Commissioners must approve all contracts.
 - (6) The Department Head must write a requisition in order that a purchase order may be issued to encumber funds.

8.4 PROCEDURES FOR DESIGN-BUILD CONTRACTS

1 PURPOSE:

The purpose of this CHAPTER is to establish the County's process for procuring and administering design and construction services within one contract.

2 DEFINITIONS:

- (a) A "design-build firm" means a partnership, corporation, or other legal entity which:
 - (1) Is certified under FS s.489.119 to engage in contracting through a certified or registered general contractor or a certified or registered building contractor as the qualifying agent; or
 - (2) Is certified under FS s.471.023 to practice or to offer to practice engineering; certified under FS s.481.219 to practice or offer to practice architecture; or certified under FS s.481.319 to practice or offer to practice landscape architecture.
- (b) A "design-build contract" means a single contract with a design-build firm for the design and construction of a public construction project.
- (c) A "design criteria package" means concise, performance-oriented drawings or specifications of the public construction project. The purpose of the design criteria package is to furnish sufficient information so as to permit design-build firms to prepare a bid or a response to the Board's RFP, or to permit the Board to enter into a negotiated design-build contract. The design criteria package shall specify such performance-based criteria for the public construction project, including but not limited to, the legal description of the site, survey information concerning the site, interior space requirements, material quality standards, schematic layouts and conceptual design criteria of the project, cost or budget estimates, design and construction schedules, site development requirements, provisions for utilities, storm water retention and disposal, and parking requirements, as may be applicable to the project.
- (d) A "design criteria professional" means a person or firm who holds a current certificate of registration under FS chapter 481 to practice architecture or landscape architecture or a person or firm who holds a current certificate as a registered engineer under FS chapter 471 to practice engineering and who is employed by or under contract to the Board for the providing of professional architect services, landscape architect services, or engineering services in connection with the preparation of the design criteria package.

3 PROCEDURE

- (a) **Process Initiation**

To initiate a request for a design-build contract, a memo defining the scope of work must be prepared by the requestor to the County Manager. The County Manager is authorized to approve the pursuit of a design-build contract once the scope of work has been defined.
- (b) **Design Criteria Package**

A design criteria package shall be prepared for the design and construction of each public construction project to be constructed pursuant to the design-build process. The design criteria package shall be prepared and sealed by the design criteria professional employed by or retained by the Board. If the Board elects to enter into a professional services contract for the preparation of the design criteria package, then the design criteria professional shall be selected and contracted in accordance with the requirements of FS S.287.055(4) and (5). A design criteria professional who has been selected to prepare the design criteria package shall not be eligible to render services under a design-build contract executed pursuant to the design criteria package. The design criteria professional shall be available for consultation regarding the evaluation of the responses or bids submitted by the design-build firms, the supervision or approval of the detailed work drawings of the project, and the evaluation of the compliance of the project construction with the design criteria package.

(c) Certification and Selection Committee

A Certification and Selection Committee shall be established for each design-build contract. The Committee will be comprised of the County Manager or the Assistant County Manager, the County Engineer, and a representative of the user department. The previously specified members may agree upon additional members. The designated committee shall serve throughout the selection process until completed. The Design Criteria Professional may serve in an advisory capacity to the Committee.

(d) Solicitation of Firms

Any known design-build firms will be solicited by the PURCHASING DEPARTMENT to submit qualifications. In addition, the Purchasing Department will advertise a description of the design-build project with instructions on how interested, qualified firms may apply for consideration. The advertisement will be run at least once per week in a newspaper of general circulation for two consecutive weeks with a submittal due date 30 days from the first advertisement. The design criteria package as well as the qualification and selection criteria will be made available by the PURCHASING DEPARTMENT to all interested parties.

(e) Selection of Qualified Firms

A minimum of three firms is required for the qualification process. The Certification and Selection Committee will determine the maximum number of firms to be interviewed. The firms will be interviewed by the Committee to determine the ability of each firm to provide services and commitment to meet time and budget requirements. Determination of ability will be based on a minimum of the following criteria:

- (1) Relevance of products and services;
- (2) Staff training and experience;
- (3) Firm experience;

- (4) Location;
- (5) Volume of past contracts with the County;
- (6) Financial capacity;
- (7) Past performance of the firms including the partners and members thereof; and
- (8) Current and projected workload.

(f) Request for Proposals (RFP)

The Certification and Selection Committee will determine the best interest of the County whether to use the Competitive Bidding or Competitive Negotiation approach for contract award.

(1) Competitive Bidding Approach.

In the event a competitive bidding approach is selected, proposals will be requested and due on a specified date and time from those qualified firms determined to be eligible by the Certification and Selection Committee. Proposals will not be considered if received after the specified date and time. Proposals shall consist of two parts, a Price Proposal and a Technical Proposal. The Certification and Selection Committee shall review the proposal from each firm and shall evaluate each proposal based on pre-determined criteria outlined in the RFP. The requirements of the price proposal and the technical proposal shall be well defined in the RFP. The qualified firm with the highest-ranking proposal will be recommended to the Board for award of the contract.

(2) Competitive Negotiation Approach.

In the event a competitive negotiation approach is selected, the Certification and Selection Committee shall select no less than three firms in order of preference from those firms deemed to be most qualified to perform the required services in accordance with CHAPTER 8.4.3.c above. In making its determination, the Certification and Selection Committee shall interview no less than three firms to determine their relative ability to meet time and budget requirements and to identify and establish the relative merits of each firm's approach to managing and scheduling the project. The Certification and Selection Committee will then negotiate a contract for submittal to the Board for the design-build services for the project at compensation determined to be fair, competitive, and reasonable. In making the determination, the Certification and Selection Committee shall analyze the cost of the design-build services required, giving full consideration to the scope and complexity of the project and shall consult with the employed or retained design criteria professional concerning the evaluation of the responses or bids submitted by the design-build firms. The compensation shall be on a guaranteed maximum price basis for all costs which shall include reimbursable costs plus fixed lump sum fees for design, project management, overhead, and profit. Should the certification and Selection Committee be unable to negotiate a satisfactory contract with the firm considered to be the most qualified, at a

price determined to be fair, competitive, and reasonable, negotiations with that firm shall be formally terminated. The Certification and Selection Committee shall then undertake negotiations with the second most qualified firm. Failing accord with the second most qualified firm, the Certification and Selection Committee shall then undertake negotiations with the third most qualified firm. Should the Certification and Selection Committee be unable to negotiate a satisfactory contract with any of the selected firms, additional firms shall be selected in accordance with this CHAPTER until agreement is reached.

(g) Award of Contract

After a firm is selected, a contract shall be prepared by the County Attorney and reviewed by the County Manager. All contracts must be then approved and executed by the Board of County Commissioners.

A requisition must be written and a purchase order issued to encumber funds.

The Certification-and Selection Committee shall from time to time consult with the employed or retained design criteria professional concerning the supervision and approval of the detailed working drawings of the project and for evaluation of the compliance of the project construction with the design criteria package by the design criteria professional.

(h) Emergency Situation

In the event of an emergency, declared by the Board, refer to the procedures in CHAPTER 10 of this manual entitled "Emergency Purchases".

Chapter 9 CLAIMS, DISPUTES AND APPEALS

9.1 ADMINISTRATIVE PROCESS

Unsuccessful bidders have the right to appeal a contract award. The unsuccessful bidder must:

- (a) File a notice of protest in writing within 72 hours after posting the bid tabulation and/or awarding the contract to the County Manager's office.
- (b) Shall then file a formal written protest that must be received in the County Manager's Office within 10 days after filing the notice of protest. Formal protest received after the 10 days shall not be considered.
- (c) The envelope should be labeled "Protest". The formal written protest shall include the name and address of the protestor, appropriate identification of the contract, a statement of the reasons for the protest, and supporting evidence or documents to prove any claims.

"FAILURE TO FILE A PROTEST WITHIN THE TIME PRESCRIBED SHALL CONSTITUTE A WAIVER OF PROCEEDINGS"

HARDEE COUNTY shall:

- (a) Notify all bidders by certified US mail with return receipt requested of bid protest.
- (b) Upon receipt of the formal written protest (if filed on time) shall stop the award process until the protest is resolved by Board action unless the Department Director sets forth in writing particular facts and circumstances which require the continuance of the contract award process without delay in order to avoid an immediate and serious danger to the public health, safety, or welfare.
- (c) The County Manager shall provide an opportunity to resolve the protest by mutual agreement within seven working days after receipt of a formal written protest. All interested bidders, end users, purchasing, legal counsel and the protesting bidder may attend the meeting.

If the protest is not resolved by mutual agreement within seven working days, after receipt of the formal written protest, a hearing shall be scheduled before the Board of County Commissioners, who will issue a decision. The burden of proof shall rest with the party protesting Hardee County's action. The standard of proof for such proceedings shall be whether the proposed action was clearly erroneous, contrary to competition, arbitrary, or capricious. Decisions at each step of the process must be in writing, occur within stipulated time frames and be provided to all interested parties.

Chapter 10 EMERGENCY PURCHASES

10.1 EMERGENCY PURCHASE POLICY

While purchasing procedures involving competitive bidding is desirable for most purchases, when an emergency arises it is necessary to short cut the normal procedures. For this reason, the County has adopted an Emergency Purchase Procedure.

10.2 DEFINITION OF AN EMERGENCY

For purchasing purposes, an emergency is defined in Definition of Terms.

10.3 EMERGENCY PURCHASE AUTHORIZATION

Emergency purchases are authorized when there is an immediate need for items or services to deal with the situation.

- (a) If the emergency occurs during normal working hours, the Department must attempt to obtain appropriate authorization for the purchase through telephone or verbal communications by notifying the PURCHASING DEPARTMENT and submitting a requisition form with Reason for Emergency form attached through regular procedures.
- (b) In an emergency situation the Purchasing Director, Assistant County Manager, or County Manager may authorize an emergency purchase and waive any bid requirements.
- (c) If the emergency occurs at night, weekends, or holidays, the Department Director may initiate independent action after attempting to contact the County Manager or Assistant County Manager.

10.4 EMERGENCY PURCHASE FOLLOW-UP

On the first working day after an emergency purchase has been made, the Department will follow-up with: Preparing and submitting a requisition form to the PURCHASING DEPARTMENT.

- (a) Attach Reason for Emergency form (PUR-RFE) which must give the reason for emergency and be initialed by your department director.
- (b) The fact that the purchase was an emergency purchase should be highlighted on the requisition form in the "date needed" section.
- (c) Upon receipt of the requisition, the PURCHASING DEPARTMENT will issue a purchase order.
- (d)

Chapter 11 REQUISITION PROCEDURES

11.1 REQUISITION FORM

The requisition form will serve as a Source Document for outside purchases. In addition, the requisition form will be used to initiate a purchase order that will enter all purchasing transactions into the County's financial records encumbering the funds.

11.2 REQUISITION PREPARATION

An authorized person for the Department must prepare a requisition. Department Heads should designate one or more employees with authority to prepare Departmental requisitions.

- (a) Requisitions must be completely filled in with all pertinent information to identify the item(s) or service(s) to be ordered. **INCOMPLETE REQUISITIONS WILL BE RETURNED TO DEPARTMENTS FOR COMPLETION OR CORRECTION.**
- (b) Department Heads are responsible for reviewing their Department's availability of funds prior to preparing and submitting requisitions to the PURCHASING DEPARTMENT.
- (c) Whenever possible, a vendor should be entered in the suggested vendor area of the requisition. If a contact person and telephone number is available, include that information on the requisition.
- (d) Organize items by suggested vendor, and by object code. Use separate requisitions for each vendor.
- (e) Do not combine outside purchases and Stockroom items on the same requisition.

11.3 REQUISITION SUBMISSION AND REVIEW

After preparation of the requisition has been completed, it then must be submitted to the PURCHASING DEPARTMENT for review. The PURCHASING DEPARTMENT will return any requisitions that are:

- (a) Incomplete
- (b) Unsigned or Unauthorized
- (c) Signed and/or authorized by an unauthorized person
- (d) Involve a pre-purchase or other violation of County Policies or Procedures.

The PURCHASING DEPARTMENT will audit the account codes on the requisition form for:

- (a) Proper Department cost center
- (b) Proper object code
- (c) Valid account combination
- (d) Changes made to account numbers shall not be made without first contacting the requesting Department.
- (e) The department head and the Director of Finance will be contacted to resolve any problems or questions regarding account coding.
- (f) The Director of Finance shall have the final say in the determination of the proper account codes and any changes that are made will require the Director of Finance to contact the affected Department Head.

11.4 PLACING ORDERS

The PURCHASING DEPARTMENT will place orders with vendors within two (2) working days after receipt of requisition. Exceptions are:

- (a) Requisitions not filled out correctly.
- (b) Emergency situations.

DISBURSEMENT OF REQUISITION COPIES

- (a) One copy stays in purchasing with purchase order
- (b) One copy is attached to receiving copy, which goes to Accounting after receipt.

Chapter 12 VENDOR NOTIFICATION

12.1 MASTER BIDDER'S LIST

The PURCHASING DEPARTMENT will maintain a "Master Bidder's List" comprised of vendors that have requested the opportunity to bid on County purchases.

- (a) The "Master Bidder's List" will consist of various categories.
- (b) The PURCHASING DEPARTMENT may list vendors in as many categories as they request.
- (c) Periodically, the PURCHASING DEPARTMENT will purge the master list. Vendors who fail to respond to three (3) mailings will be purged from the list in that category.
- (d) The bidder's list will be used by the PURCHASING DEPARTMENT to solicit quotes on, "Written Quotations", "Advertised Quotations" and "Advertised Sealed Bids".
- (e) Department Heads may request Purchasing to remove a vendor from the bidder's list. This must be done in writing stating a reason for the request.

12.2 ADDENDUM TO SPECIFICATIONS

An addendum to a specification shall be defined as in Definition of Terms.

- (a) The addendum shall describe any additions or changes to the specifications.
- (b) It will be the responsibility of the PURCHASING DEPARTMENT to see that all prospective bidders are notified of the addendum by certified mail.

Chapter 13 PURCHASE ORDERS

13.1 PURCHASE ORDERS

A purchase order form will be prepared by the PURCHASING DEPARTMENT to encumber all purchasing transactions on the County's financial records.

(a) After receipt of the requisition form, the selection of the vendor, and the award of the purchase, the PURCHASING DEPARTMENT will complete and distribute the final version of the purchase order.

(b) The PURCHASING DEPARTMENT will enter the details of the purchase order form on the "online" purchasing system, details to include appropriate information in the main body of the purchase order as to equipment number, project number, Department title or name for which the purchase is made.

(c) The encumbrance and assignment of a purchase order number will be done on the "online" purchasing system.

(d) The encumbrance will be recorded in the County's accounting records and charged against the account coding entered by the Department.

(e) The account number shall not be changed without first contacting the requesting Department. The Director of Finance shall have the final say in the account code problems and shall contact the requesting Department and advise of the correct coding.

(f) After completing the encumbrance step, the PURCHASING DEPARTMENT will distribute the final version of the purchase order as follows:

- (1) Vendor Copy - mailed or faxed to vendor
- (2) Purchasing Copy - purchasing files
- (3) Receiving Copy - forwarded to Accounting.
- (4) Receiving/Purchasing Copy - purchasing files
- (5) Accounting Copy - forwarded to Accounting.
- (6) Originator Copy – forwarded to originating department

Any Department accepting delivery of an order will immediately forward any receiving documents to purchasing.

13.2 PURCHASE ORDER CHANGES

If a Department desires to change or cancel a purchase order after it has been encumbered, the Department may contact Purchasing to:

- (a) Correct clerical or technical errors.
- (b) Correct account code, with certain exceptions. (Must be within budgeting guidelines).
- (c) Change of vendor where no payments have been made.
- (d) The PURCHASING DEPARTMENT shall have the authority to accept or reject proposed changes as it may affect any outside vendor or purchasing

transaction that has already been agreed to. Any disputes will be referred to the County Manager.

13.3 PURCHASE ORDER YEAR-END CUTOFF

In order to facilitate the year-end cutoff, except for emergency purchases, no requisitions may be submitted to the PURCHASING DEPARTMENT during the last thirty (30) days of the fiscal year. **The Director of Finance must approve exceptions.**

13.4 PROCUREMENT CARDS – See policy & procedure for Procurement (Purchasing) cards in section – 17.

Procurement cards will be used for those few merchants from whom many repetitive purchases are made as materials are required, rather than issue a purchase order for each purchase. Do not use Procurement cards for items covered under contracts, capital outlay expenditures or items requiring bids or quotes.

Chapter 14 RECEIVING PROCEDURES

14.1 RECEIVING OF ORDERS

A Department should receive ordered goods or services within a reasonable time.

- (a) It is the responsibility of the requesting Department to inform the PURCHASING DEPARTMENT of any unreasonable delay in delivery.
- (b) Upon contact from the requesting Department, the PURCHASING DEPARTMENT will contact the vendor(s) regarding such delay. The PURCHASING DEPARTMENT shall keep the requesting Department informed about the status of the order. Contact of vendors by individual Departments must be kept to a minimum so as not to create a communication problem between the vendor and the PURCHASING DEPARTMENT.

14.2 RECEIVING REPORTS

The receiving copy of the purchase order will be sent to the Stores Manager. All receiving copies will be placed in a "receiving file" pending delivery of the goods or services and will be reviewed weekly as to status of order.

14.3 RECEIVING PROCEDURE

When an item or service is received, the receiver shall:

- (a) Identify the vendor and item(s) or service delivered.
- (b) Obtain receiving copy from file. Check all packages against the Bill of Lading or packing slip.
- (c) Note any damage to the packaging on the "Bill of Lading" and on the bottom of the receiving copy.
- (d) Inspect contents for correct quantity and description.
- (e) Note any discrepancies on the receiving copy.
- (f) The Store Manager will circle quantities received, sign and return the receiving copy with all delivery papers to the PURCHASING DEPARTMENT for processing. If there is a shortage or discrepancy in the goods received, Purchasing will contact the vendor to rectify the order.
- (g) The Store Manager will then call ordering department to pick-up order or make arrangements for delivery. Upon receipt of the order the Department needs to check immediately that the items are yours and correct.

14.4 RETURNS

If an item is shipped incorrectly by a vendor, then PURCHASING will make arrangements for return and/or exchange of item. If ordered incorrectly by department, the items with a value of \$25.00 or less will not be returned or exchanged. Over \$25.00 the vendor may require a restocking charge plus shipping charges which will be charged to the ordering department.

Chapter 15 PAYMENT PROCEDURES

15.1 PAYMENT AUTHORIZATION

To initiate payment for an order from an outside vendor, the Store Manager will:

- (a) Note items received on receiving copy of purchase order,
- (b) Sign the receiving report,
- (c) Receive the items or services on the purchasing system
- (d) Submit receiving report and packing slip to PURCHASING.

PLEASE NOTE: When items are received by departments, it is the department's responsibility to forward the packing slips to PURCHASING IMMEDIATELY. Without the packing slips invoices are held and vendors are not paid promptly.

15.2 PAYMENT FOR ORDERS

Upon receipt of a receiving report or payment request, PURCHASING will process it for payment in accordance with the appropriate procedure for processing purchase orders.

- (a) All payments will be charged against the purchase order number encumbered for the order.
- (b) It is a County policy that vendors mail original invoices directly to the Accounting Department. If vendor invoices, credit memos, monthly statements, etc., are inadvertently mailed to a Department, the Department should promptly forward them to Accounting.
- (c) Payment will be issued by the Accounting Office.
- (d) When an invoice is received from a vendor in excess of the amount encumbered, the PURCHASING DEPARTMENT will contact the requesting Department to resolve the differences.
- (e) For a contract, bid, or state contract, the contract or bid price is the firm payment limit.
- (f) FI Statute 218.735 mandates timely payment for purchases of construction services.
 - (1) The due date for payment for the purchases of construction services by a local governmental entity is determined as follows:
 - (a) If the project architect or project engineer must approve the invoice prior to the invoice being submitted to the local governmental entity, payment is due twenty (20) business days after the date on which the architect or engineer approves the invoice and the invoice is stamped as received.
 - (b) Invoices for non-construction services shall be paid within forty-five (45) days of receipt of proper invoice.

Chapter 16 SALE OF RECYCLABLE ITEMS

16.1 PURPOSE

The purpose and scope of this policy is to further the intent of the recycling program in order to maximize the County's ability to obtain recycling credits, while complying with all County and State financial and record keeping requirements.

16.2 PROCEDURE

White goods, batteries, ferrous metals, or other metals including aluminum, shall be handled for sale in the following manner:

(a) Upon accumulations of a marketable amount of recyclable items, the Solid Waste Superintendent or his/her designee shall have authority to negotiate by phone to sell said items at the highest price quoted. A written confirmation of the competitive quote shall be submitted to the Solid Waste Department within 72 hours as verification of bid submitted. A minimum of two (2) prices shall be obtained per item if available. Documentation justifying less than two (2) bids submitted will be required upon authorization of sale.

Due to the limited markets of our geographic area two (2) quotes may not be available for specialty recyclables such as paper, glass, and oil. These items will be handled based on volumes accumulated and the efficiency of the sale of these goods will be determined by the Solid Waste Director and/or the Recycling Coordinator.

With the lack of markets available for plastic and polystyrene products and the trucking costs involved in transporting this low weight, high volume item, the availability of remuneration for these items may not be possible. In this case, the Solid Waste Director shall have the authority to dispose of the recyclable items in a manner that will be beneficial to obtain maximum recycling credits, thereby diverting items from the land-filling process.

16.3 INSURANCE

In such cases as compensation is available, market conditions shall be evaluated periodically to insure maximum revenue yields to the County.

Prices will include transportation of recyclables to end market. Consideration shall be given to overall costs involved in transporting recyclable goods for the purpose of sale.

In accordance with Board policy, proof of liability insurance in the amount of \$300,000 will be required prior to authorization of sale of any item requiring stationary equipment to be placed by the buy-back center on County property.

16.4 NOTIFICATION

It shall be at the discretion of the Solid Waste Superintendent to determine the best value and efficiency in the sale of the recyclable items for the benefit of the County's recycling program as a whole. Consideration shall be given to vendors based on but not limited to the following factors:

- Revenue Generated
- Cost of transportation to market
- County's handling cost prior to sale
- Volume required by vendor prior to acceptance of sale
- Efficiency of vendor in removing items from County property
- Ability of vendor to handle more than one item to reduce cost in handling

16.5 PURCHASE OF RECYCLED GOODS AND MATERIALS

When and wherever possible, recycled goods and materials shall be purchased, such as copy paper, computer paper, envelopes and other commodities that may be available in the office supply line.

Custodial supplies shall also be included such as toilet tissue; paper towels of all descriptions and trash can liners.

Recycled products as described above, but not limited to those items, shall be purchased when the cost of these commodities does not exceed ten percent of the cost of the products currently used by the County.

Chapter 17 PROCUREMENT CARD

The Procurement Card (aka purchasing card) is a credit card issued by Bank of America. It is a fast and flexible purchasing tool that provides an extremely efficient and effective method of purchasing and paying for small dollar items with a total value of \$300 or less.

The Purchasing Card works just like a personal credit card and will enable Cardholders to purchase non-restricted commodities directly from suppliers. Purchases can be completed with suppliers over the phone or in person.

The Purchasing Card will be issued in the employee's name with the "HARDEE COUNTY" name being clearly indicated on the card.

Cardholders - A Cardholder will be able to obtain goods and services under \$300 directly from suppliers without the need to use the paper intensive Requisition/Purchase Order process. By streamlining the purchasing process, the Purchasing Card will also help improve turnaround time on the delivery of goods and services.

HARDEE COUNTY - The Purchasing Card program provides a cost-efficient method for purchasing small dollar goods. Built-in card features make the program easy to control and reduces processing costs at all levels by minimizing the number of procurement related invoices and checks. This reduced workload provides employees with time they need to focus on negotiating strategic large dollar purchases.

Suppliers - Our suppliers will welcome the Purchasing Card. When accepting the card for business purchases, suppliers need not send invoices since they will receive payment directly from Bank of America (via the Card Association) within 48 hours. All the supplier will need to do is send a paid receipt to the Cardholder.

See Procurement Manual for complete procedures.

FORMS ATTACHED:

PUR-NSI	NEW STOCK ITEMS
PUR-SRR	STOCKROOM REQUISITION
PUR-ITB1	INVITATION TO BID FORM
PUR-BT	BID TABULATION
PUR-WS	WITNESS SHEET
PUR-PBC	PRE-BID CONFERENCE
PUR-RFE	REASON FOR EMERGENCY

REQUISITION – NEW STOCK ITEMS

Criteria for requisitioning a new item for stock:

1. Fast moving.
2. Use at least 6 a year.
3. An item that will shut down operations completely.
4. How hard is it to get and how expensive.
5. Preventative maintenance parts for priority or vital equipment.

If an item can be obtained overnight or locally and can you live with delivery than it should not be stocked. If you think there is a possibility that this item will be used in the near future it should not be stocked. Heat and dust deteriorate merchandise and at times will have to be disposed of by trashing or auctioning.

Stock items will be reviewed periodically for history of usage. If not used as indicated, inventory may be reduced or not re-stocked.

The following item(s) are requested to be stocked:

MIN QTY	MAX QTY	U/M	PART #	DESCRIPTION	PRICE	USE/PURPOSE

REQUESTED BY	DATE	DEPARTMENT
DEPARTMENT HEAD	DATE	ACCOUNT NUMBER

Vendor _____ P.O.# _____ Confirmed to: _____

Purchased by _____ Date _____

RFQ – REQUEST FOR QUOTE

ITB – INVITATION TO BID

RFP – REQUEST FOR PROPOSAL

Information needed & Checklist for RFQ'S, ITB'S, RFP'S: (Furnish copy of this form with Specs or bid packet to Purchasing Department)

Date _____ Department _____

Bid Type (RFQ, ITB, RFP, etc) _____ Phone: _____

Contact Person: _____

Account # _____ (Name) Project # _____ (Title) Budgeted Amt \$ _____

If replacing equipment:

Trade-in, Surplus, Other _____ PRC#/Equip# _____

Bid Name/Description _____

(Attach Specs and/or bid packet)

Scope of Work _____

Or Function _____

Requested action dates:

Return/Open Date/Time _____ Award Date/Time _____

(Allow enough time for bidders to adequately prepare a response)

Pre-bid Conference _____ (Yes or Not)

Date/Time _____

Location _____

Advertise:

Herald Advocate _____
Date

Tampa Tribune _____ (Heartland Edition)
Date

Other _____

Bid Bond (%) _____ Performance/payment Bond (%) _____

Sureties _____

Attach: (if applicable)

Plans _____ Specifications _____ Blueprints _____

Cost \$ _____ (Bid Packet)

Suggested Vendors _____

Approvals:

County Manager _____

Finance Officer _____

Department Director _____

HARDEE COUNTY

BID TABULATION

BID TABULATION FOR: _____ DEPARTMENT: _____

ADVERTISED: HERALD ADVOCATE _____ TAMPA TRIBUNE _____ OTHER _____
DATE DATE DATE

OPENING DATE: _____ AWARD DATE: _____ OPENED BY: _____

IN PRESENCE OF: _____

<u>BIDDERS</u>	TOTAL BID PRICE	<u>DELIVERY OR COMPLETE</u>	ALTERNATES

TABULATED BY: _____

RECOMMENDATION: _____ REASON: _____

HARDEE COUNTY BOARD OF COUNTY COMMISSIONERS

PURCHASING DEPARTMENT
205 Hanchey Road
Wauchula, Florida 33873

PHONE: (863) 773-5014
FAX: (863) 773-0322
e-mail: lorie.ayers@hardeecounty.net

WITNESS SHEET

PROJECT: _____ DEPT: _____

DATE: _____ TIME: _____

ADDRESS OF OPENING: _____

WITNESSES: Please sign your name, company & phone number.

NAME	COMPANY	ADDRESS	PHONE #
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

PURCHASING

DATE

HARDEE COUNTY BOARD OF COUNTY COMMISSIONERS

PURCHASING DEPARTMENT
205 Hanchey Road
Wauchula, Florida 33873

PHONE: (863) 773-5014
FAX: (863) 773-0322
e-mail: lorie.ayers@hardeecounty.net

MANDATORY PRE-BID CONFERENCE

PROJECT: _____ DEPT: _____

DATE: _____ TIME: _____

ADDRESS OF CONFERENCE: _____

Please sign your name, company & phone number.

NAME	COMPANY	ADDRESS	FAX/ PHONE #
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

PURCHASING

DATE

REASON FOR EMERGENCY

DATE _____

REQUISITION # _____

THE ATTACHED REQUISITION IS DEEMED AS AN EMERGENCY FOR
DEPARTMENT _____.

THE REASON FOR THE EMERGENCY: _____

DEPARTMENT HEAD

DIRECTOR

PLEASE NOTE: According to FS an emergency is a danger to public health, safety, welfare of County or other substantial loss.

PUR-RFE