

# WALTON COUNTY BOARD OF COUNTY COMMISSIONERS

Office of Central Purchasing

Procedure No: PP-012

**Title: Source Selection**

**Effective Date:** March 25, 2008

**Revised Date:** February 28, 2017

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**I. Purpose:**

To provide policies and procedures for the selection of sources.

**II. Scope:**

These policies and procedures will cover the following methods of source selection: Invitation to Bid, Request for Qualifications, Request for Letters of Interest, Request for Proposals, Proposals submitted for Competitive Negotiations, Competitive Sealed Bidding, Sole Source/Non-Competitive Negotiations, Sole Brand, Budget Commodities and Emergency Purchases.

**III. Responsibility:**

The Purchasing Agent and the Office of County Attorney have the responsibility for maintaining a uniform contract format and set forms to serve the source selection process. Consideration should include the need for mechanisms for vendor notification, analysis and summary, bonds, mailing list, invitations, notice of award and notice to proceed.

The Purchasing Agent/Finance Director may conduct a pre-qualification process in which the responsibility of potential vendors/contractors is evaluated and may then limit acceptance of bids or responses to those vendors/contractors deemed qualified in such process.

The Purchasing Agent is responsible, under the supervision of the Finance Director, for obtaining bids and proposals on all supplies and services except for sole source.

Answers to technical questions rose during the source selection process; must be provided in writing by the using Department. The Purchasing Agent should coordinate the reply and ensure that all potential suppliers are provided the same information.

After all bids or proposals have been received and examined for completeness, a tabulation sheet is to be prepared, noting all the pertinent data and exceptions. A recommendation for award will be prepared by the Review Team and/or using Department.

The information gathered will be kept with the source selection file as backup documentation. A copy of each response will be sent to the using Department, along with the tabulation sheet.

All original bid and proposal packets will be forwarded to the Clerk's Office for recording. Copies will also be maintained on file in the Office of Central Purchasing.

#### **IV. Competitive Sealed Bidding:**

Policy – All County contracts in excess of \$50,000 shall be awarded through a process of competitive sealed bidding except as otherwise provided for in these sections: “Competitive Sealed Proposals, Request for Letters of Interest, Request for Proposal, Request for Qualification, Sole Source/Non-Competitive Negotiations, Sole/Brand, and Emergency Purchases.”

#### **V. Invitations to Bids:**

An Invitation to Bid shall be issued for purchases of \$50,000 and over and shall include specifications and all contractual terms and conditions applicable to the purchase.

Policy – An invitation to bid may be used when the commodities sought after are defined.

##### **A. Procedures:**

1. Requestor contacts the Purchasing Agent to determine the type of procurement that will occur.
2. Purchasing Agent will coordinate an intake meeting date/time with the Office of County Attorney, and requestor to discuss the procurement needing a contract.

At this meeting, requestor is to provide all necessary documents and information needed to complete the contract.

Documents needed may include the following:

- ◆ Engineering specifications
  - ◆ Construction drawings
  - ◆ Scope of Work
3. The Office of County Attorney has a prepared form to assist with providing the needed information; this copy will be provided to the requestor. The form is to be completed and brought to the intake meeting. To the best of your ability, please provide a cost estimate for the project.

4. If at the conclusion of the intake meeting all information is provided, the Office of County Attorney will begin to prepare the front-end documents. The Office of County Attorney will be unable to complete the documents until all necessary information is provided.
5. If for any reason a contract request is to be tabled, please advise the Office of County Attorney in writing. (E-mail is acceptable.) At that time, the Office of County Attorney will stop work on the contract. When the contract is revived, please advise the Office of County Attorney in writing. (E-mail is acceptable). The Office of County Attorney will be unable to continue with the contract if not so informed.
6. If at any time the project documents (drawings, specifications, etc.) are revised or changed, please provide the updated version to the Office of County Attorney and Purchasing. This includes any addenda to the bidding documents.
7. When requesting contracts from the Office of County Attorney please keep in mind that up to 10 working days are needed to complete a contract once all information is provided. If you need a contract by a particular date (such as for a particular Board meeting) please remember to include the time in the Office of County Attorney when calculating the time frame.
8. After contract documents are prepared by the Office of County Attorney, they are forwarded to the Purchasing Agent to advertise.
  - a. Purchasing will be given approximately two (2) weeks to prepare/advertise the bid document.
  - b. The solicitation of competitive bids that is projected to cost more than \$200,000 shall be publicly advertised at least once in a newspaper of general circulation at least 21 days prior to the established bid opening and at least 5 days prior to any scheduled prebid conference, Projects that is projected to cost more than \$500,000 shall be publicly advertised at least once in a newspaper of general circulation at least 30 days prior to established bid opening and at least 5 days prior to any scheduled prebid conference. F.S. 255.0525(2)
  - b. A pre-bid conference with vendors may be necessary, Depending on the complexity of the specifications, or the scope of work, to be performed. When mandatory pre-bid conferences are held, no bid will be accepted from a bidder who did not attend the conference in its entirety. The Purchasing Agent shall prepare a summary or transcript of the meeting. If changes are made to the specifications, the Purchasing Agent shall prepare an addendum and issue to all known prospective bidders.
  - e. The bid submission closing date will be determined during the intake meeting.
  - d. Invitation to Bids arriving in the Office of Central Purchasing before

deadline, are filed until the bid opening. All bids received shall be date-time stamped.

9. On the, closing date, the Purchasing Agent and an appointed designee will open the bids, read aloud publicly. Purchasing Agent and requestor will review each bid for compliance with the standards and requirements identified in the Invitation for Bid and project specifications and verify that bidders hold current, active licenses and/or certifications that may be required by the contract or specifications, and are authorized to transact business in the State of Florida. Periodically, depending on the dollar amount of the project, Purchasing will obtain a Dunn & Bradstreet financial report. If consultant services are used to assist in the bid process, Purchasing retains oversight responsibility for determining whether or not bids are responsive to the standards and requirements identified in the Invitation to Bid and project specifications.
  - a. Purchasing will prepare a bid tabulation sheet, including any applicable local preference pursuant to PP 017.
  - b. This form will include the names, address, and dollar amounts for the submitted bids, identify any non-responsive bids and the reason(s) for the non-responsiveness.
  - c. The original bid documents will be sent to the Deputy Clerk of Court, and copies will be kept in the bid file in the Office of Central Purchasing.
  - d. The bid tabulation form will along with copy of apparent low bidder's bid package will be sent to the requestor and to the Office of County Attorney.
    - a) The requestor will inform the Purchasing Agent when the bids will be presented to the Board.
    - b) The Office of County Attorney will check the corporate status of the bidders.
10. The requestor will arrange to have review of bids placed on the agenda for the Board of County Commissioners and will present the bids along with his/her recommendation at the BCC meeting.
11. In accordance with Florida Statute 119.071(1)(b)2, there shall be a blackout period during which no information shall be released regarding bids submitted to the County in response to an Invitation to Bid. This blackout period shall occur between the time bids are received at the Walton County Office of Central Purchasing and the time the Board of County Commissioners provides notice of an intended decision or until 30 days after opening of bids, whichever is earlier.
12. After Board approval, the Purchasing Agent will find out which vendor was awarded the bid and prepare the Notice of Award.

- a. A copy of the Notice of Award will be sent to the Office of County Attorney, the requestor and the winning bidder.
  - b. Administration will receive the necessary bonds and proof of insurance.
13. The Office of County Attorney will finalize the contracts.
14. Finalized contract will be given to Administration, who is responsible for getting the documents signed. In case of contracts prepared for the Tourist Development Council, the contract document will be provided to the Executive Director.
  - a. The Office of County Attorney will be the final signature, approving as to form. All contract documents (as itemized in the contract) must be available for review prior to approval as to form.
  - b. The Office of County Attorney will return the signed originals to Administration for distribution, retaining one fully executed original.
15. The Purchasing Agent will issue the Notice to Proceed once a signed contract with all required forms is received and provided to the bidder, copy to the requestor, County Attorney and the Deputy Clerk of Court.

**B. Public Notice:**

Adequate public notice of the Invitation for Bids shall be given prior to the bid opening date set forth in the Invitation to Bid. A minimum of 14 calendar days should be provided. Such notice may be published in a newspaper of general circulation and on the County web page. The notice shall state the date and time of the bid opening. For construction projects, the notice requirements of Section 255.0525(2), Florida Statutes shall apply.

**C. Bid Opening:**

Bids shall be opened publicly in the presence of two (2) or more people at the time and date designated in the Invitation to Bid. The amount of each bid and such other relevant information as deemed appropriate, together with the name of each bidder, shall be recorded; records and bids shall be open for public inspection in accordance with Florida State Statute.

1. Bid tabulation sheet will be posted at the Office of Central Purchasing for a period of three (3) business days.
2. All persons present at the Invitation to Bid opening shall sign the attendance sheet. Bid tabulation sheet is posted for three (3) business days at the Office of Central Purchasing.

**D. Acceptance:**

Bids shall be accepted without alteration or correction. Apparent obvious mathematical errors will be revised with bidder to determine corrections of bid amount.

**E. Bid Cancellation or Postponement:**

The Finance Director and/or County Administrator, for good cause, may, prior to bid opening, elect to cancel a bid or postpone the date and/or time of bid submission or opening. After a bid opening, for good cause, the Finance Director and/or County Administrator may cancel a bid if no or only one (1) responsive, responsible bid is received, if the lowest, responsible bid is in excess of the funding limits established by the County for that project, or if it is deemed that it is not in the best interest of the County to continue with the procurement process. It may also be cancelled in the event of discovery after bid opening of a patent irregularity or procedural flaw which is so severe as to render the process invalid, or in the event that the County determines that the need for the procurement no longer exists and will not exist in the immediate future, the Finance Director and/or County Administrator may cancel the bid. The Finance Director and/or County Administrator will present the recommendation to cancel or postpone the bid to the Board of County Commissioners at the next Commission meeting.

**F. Corrections, Additions to and Withdrawal of Bids:**

The following shall govern the correction of information submitted in a bid when that information is a determinant of the responsiveness of the bid:

1. Errors in the extension of unit prices, stated in a bid or in multiplication, division, addition, or subtraction in a bid, may be corrected by the Purchasing Agent/Finance Director prior to award. In such cases, the unit prices shall not be changed.
2. No bidder shall be permitted to correct a bid mistake after bid opening that would cause such bidder to have the low bid, except that any bidder may correct errors

in extension of unit prices stated in the bids, or in multiplication, division, addition, or subtraction. In such cases, unit prices shall not be changed.

A bidder who is alleging a judgmental mistake of fact shall not be permitted to withdraw his/her bid after bid opening. If such bidder unilaterally withdraws his/her bid without permission after bid opening, the Purchasing Agent/Finance Director may suspend the vendor from receiving new orders from the County up to two years, dating from the date of unilateral withdrawal.

A bidder alleging a nonjudgmental mistake of fact may be permitted to withdraw his/her bid only when it is determined by the Purchasing Agent/Finance Director that there is reasonable proof that such a mistake was made and, if the bid is the low bid, that the intended bid cannot be determined with reasonable certainty. If a bidder unilaterally withdraws his/her bid without permission after bid opening, the Purchasing Agent/Finance Director may suspend the vendor from receiving new orders from the County for up to two (2) years, dating from the date of the unilateral withdrawal.

Information in a bid, which concerns the responsibility of the bidder, shall not necessarily be considered conclusive at the time of bid opening, except when the Invitation to Bid unequivocally states that the bid shall not be considered responsive unless the particular information is provided in the bid; when such information has not been so declared as a determinant of responsiveness of the bid.

3. The Purchasing Agent/Finance Director may determine that the information submitted concerning the responsibility of the bidder is so administratively inadequate as to warrant a recommendation of rejection of the bid based on lack of demonstrated bidder responsibility.
4. The Purchasing Agent/Finance Director may, after bid opening, request additional information of the bidder concerning his/her responsibility to perform, and the bidder may voluntarily, after bid opening, provide additional or corrective information concerning his/her responsibility as a bidder. The Purchasing Agent/Finance Director may seek and shall consider this and all other information gained prior to the time of award or rejection in making his/her determinations and recommendations concerning bid acceptance and award.

A bid shall be considered responsive only if it conforms to the requirement of the Invitation to Bid concerning pricing, surety, insurance, specifications of the goods or services requested, and any other matters unequivocally stated in the Invitation to Bid as a determinant of responsiveness, provided, however, that the alternative methods may be considered and awarded unless specifically prohibited. A lack of conformity on these matters which is not substantive in nature may be considered a technicality or irregularity which may be waived by the Purchasing Agent/Finance Director. Failure by the bidder

to execute the County's contractual services acknowledgment form, binding the bidder's offer, shall result in bid being rejected as non-responsive.

**G. Evaluation:**

The County reserves the right to accept or reject any and all bids and to make award to the lowest responsive and responsible bidder whose bid meets the requirements and criteria set forth in the Invitation to Bid and whose award will, in the opinion of the County, be in the best interest and most advantageous to the County.

Factors to be considered in determining whether the standard of responsibility has been met shall include whether a prospective contractor/vendor has:

1. Available the appropriate financial, material, equipment, facility, and personnel resources, experience, knowledge and expertise, or the ability to obtain them, necessary to indicate its capability to meet all contractual requirements.
2. A satisfactory record of performance.
3. A satisfactory record of integrity.
4. Qualified legally to contract with the County.
5. Supplied all necessary information in connection with the inquiry concerning responsibility including but not limited to any licenses, permits, and insurance or organization papers required.
6. Been suspended, debarred, or otherwise disciplined by the county, any state agency or subdivision, or the federal government for violations of procurement ordinances or laws.

The prospective contractor/vendor shall supply information requested by the County concerning the responsibility of such contractor/vendor. If such contractor/vendor fails to supply the requested information, the County shall base the determination of responsibility upon any available information or may find the prospective contractor/vendor not responsible if such information is not submitted within the time specified by the county.

7. The County may conduct a prequalification process in which the responsibility of potential vendors/contractors is evaluated and shall then limit acceptance of bids or responses to those vendors or contractors deemed qualified in such process.

**H. Awards:**

The contract should be awarded to the lowest responsible and responsive bidder whose bid meets the specifications, requirements and criteria set forth in the Invitation to Bid.

**I. Vendor Compliance:**

All correspondence in regards to a bid shall be directed to the Office of Central Purchasing. Failure to do so may disqualify vendor from doing business with the County for up to a year.

Note: In cases where the lowest cost bid is not recommended for Board award, the Finance Director will prepare a memo to the County Administrator with copies to the Office of County Attorney based upon information provided by the requesting division and a copy to all the Commissioners substantiating the determination that the recommendation for award is for a contractor other than the lowest cost bidder.

**VI. Request for Proposals:**

A request for proposal shall be issued for purchases of \$50,000 and over.

Policy – A request for proposal may be used when the County is incapable of specifically defining the scope of work for which the commodities or contractual services is required and the County is requesting that a qualified offeror propose commodities or contractual services to meet the specifications of the solicitation document.

**A. Procedure:**

1. The requestor along with the Purchasing Agent meets with the Office of County Attorney and discusses scope of work.
2. The Purchasing Agent reviews the purchase description for clarity and completeness
3. The Purchasing Agent plans and schedules key events and dates for the Request for Proposal review and issuance, public notice, the pre-solicitation conference, the proposal opening, evaluation and the preparation of the Purchase order if applicable. If a contract is to be issued, the Office of County Attorney will prepare documents.
4. The Office of County Attorney reviews the specifications and the Request for Proposal, if proposal is for services. If for commodities, the Purchasing Agent will review and prepare Request for Proposal.

5. The Purchasing Agent will review the vendor list and, as a courtesy, will ~~fax notice~~ email notice of advertisement to all vendors or electronically notify on website when available.
6. A pre-solicitation conference with vendors may be necessary, depending on the complexity of the specifications, or the scope of work, to be performed. When pre-solicitation conferences are held, no proposal will be accepted from a proposer who did not attend the conference in its entirety. The Purchasing Agent shall prepare a summary or transcript of the meeting. If changes are made to the specifications, the Purchasing Agent shall prepare an addendum and issue to all known prospective proposers.
7. Request for Proposals arriving in the Office of Central Purchasing before deadline for receipt of proposals are filed until the proposal opening. All proposals received shall be date-time stamped.
8. The proposals are opened publicly, in the presence of two or more witnesses, at the time, date, and place designated in the Request for Proposal.
9. All persons present at the Request for Proposal opening shall sign the attendance sheet. ~~The proposals are then made available for inspection by the public.~~ The Proposal sheet is posted for three (3) business days at the Office of Central Purchasing.
10. A copy of all submittals along with an evaluation form and questionnaire will be sent to the Review Team. The Review Team will be given at least two (2) weeks to review and evaluate the submittals. Review Team members shall not evaluate the submittals together. Once all evaluations are returned to the Purchasing Agent, a meeting will be scheduled with all Review Team members to discuss their evaluations.
11. The Purchasing Agent will prepare a notice of advertisement of the scheduled meeting to be posted for public view (via County website).
12. The Purchasing Agent coordinates with the Proposal Review Team, when necessary discussion with those vendors submitting proposals that is acceptable or potentially acceptable. The Purchasing Agent with the Proposal Review Team conducts discussions with offerors to promote an understanding of the County's requirements and the offeror's Proposal and to facilitate arriving at a contract that will be most advantageous to the County, taking into consideration price and the other evaluation factors set forth in the Request for Proposals.
13. If discussions are held, the Purchasing Agent schedules a date and time for the vendors to submit best and final offers.

Note: Negotiations, which result in modifications to the original proposal shall be documented and supported with a revised proposal from the offeror, which clearly demonstrates their "best and final offer."

10. When the Proposal Review Team and Office of Central Purchasing have completed the proposal review and made a recommendation(s) the information is presented to the Board for final review, concurrence and contract award.

Note: In cases where the lowest cost proposal is not recommended for Board award, the Finance Director will prepare a memo to the County Administrator with copies to the Office of County Attorney based upon information provided by the requesting division and a copy to all the Commissioners substantiating the determination that the recommendation for award is for a contractor other than the lowest cost proposer.

11. Upon award by the Board of County Commissioners, the Purchasing Agent prepares a Notice of Award. A copy of the Notice of Award will be forwarded to winning proposer, Requestor, Clerk of Court and Office of County Attorney
12. Administration will receive the necessary bonds and proof of insurance.
13. Purchasing will provide the winning proposal package, to the Office of County Attorney.
14. The Office of County Attorney will finalize the contract ~~and review the bonds.~~
15. The finalized contract will be given to Administration who is responsible for getting the documents signed and obtaining any bonds or certificate of insurance from vendor. In the case of contracts prepared for the Tourist Development Council, the contract will be provided to the Executive Director.
16. The Office of County Attorney will be the final signature, approving as to form. All contract documents (as itemized in the contract) must be available for review prior to approval as to form.
17. The Office of County Attorney will return the signed originals to Administration for distribution, retaining one fully executed original.
18. Purchasing will issue the Notice to Proceed once a completed executed contract is forwarded to the Office of Central Purchasing.

Adequate public notice of the Request for Proposal shall be given prior to the proposal opening date set forth in the Request for Proposal. A minimum of 14 calendar days should be provided. Such notice may be published in a newspaper of general circulation or on the County web page. The notice shall state the date and time of the proposal opening.

For construction contracts, the provision of Section 255.0525(2), Florida Statutes shall be followed.

**B. Proposal Opening:**

Proposals shall be opened publicly in the presence of two (2) or more people at the time

and date designated in the Request for Proposal. The list of respondent firms and such other relevant information as deemed appropriate, shall be recorded. Records and proposals shall be open for Public inspection in accordance with Florida State Statute.

1. Proposal sheet will be posted at the Office of Central Purchasing for a period of three (3) business days.
2. All persons present at the opening of the RFP shall sign the attendance sheet.

**C. Proposal Cancellation or Postponement:**

The Finance Director and/or County Administrator, for good cause, may, prior to proposal opening, elect to cancel a proposal or postpone the date and/or time of proposal submission or opening. After a proposal opening, for good cause, the Finance Director and/or County Administrator may cancel a proposal. If the lowest, responsible proposal is in excess of the funding limits established by the County for that project, or if it is deemed that it is not in the best interest of the County to continue with the procurement process. It may also be cancelled in the event of discovery after proposal opening of a patent irregularity or procedural flaw which is so severe as to render the process invalid, or in the event that the county determines that the need for the procurement no longer exists and will not exist in the immediate future, the Purchasing Agent, Finance Director and/or County Administrator may cancel the proposal. The Finance Director and/or County Administrator will present the recommendation to cancel or postpone the proposal to the Board of County Commissioners at the next Commission meeting.

**E. Corrections, Additions to and Withdrawal of Proposal:**

The following shall govern the correction of information submitted in a proposal when that information is a determinant of the responsiveness of the proposal:

1. Errors in the extension of unit prices, stated in a proposal or in multiplication, division, addition, or subtraction in a proposal, may be corrected by the Purchasing Agent/Finance Director prior to award. In such cases, the unit prices shall not be changed.
2. No proposer shall be permitted to correct a proposal mistake after proposal opening that would cause such proposer to have the low proposal, except that any proposer may correct errors in extension of unit prices stated in the proposals, or in multiplication, division, addition, or subtraction. In such cases, unit prices shall not be changed.

A proposer who is alleging a judgmental mistake of fact shall not be permitted to withdraw his/her bid after proposal opening. If such proposer unilaterally withdraws his/her proposal without permission after proposal opening, the Purchasing Agent/Finance Director may suspend the vendor from receiving new orders from the County up to two (2) years, dating from the date of unilateral withdrawal.

A proposer alleging a nonjudgmental mistake of fact may be permitted to withdraw his/her proposal only when it is determined by the Purchasing Agent/Finance Director that there is reasonable proof that such a mistake was made and, if the proposal is the low proposal, that the intended proposal cannot be determined with reasonable certainty. If a proposer unilaterally withdraws his/her proposal without permission after proposal opening, the Purchasing Agent/Finance Director may suspend the vendor from receiving new orders from the County for up to two years, dating from the date of the unilateral withdrawal.

Information in a proposal, which concerns the responsibility of the proposer, shall not necessarily be considered conclusive at the time of proposal opening, except when the Request for Proposal unequivocally states that the proposal shall not be considered responsive unless the particular information is provided in the proposal.

3. The Purchasing Agent/Finance Director may determine that the information submitted concerning the responsibility of the proposer is so administratively inadequate as to warrant a recommendation of rejection of the proposal based on lack of demonstrated proposer responsibility.
4. The Purchasing Agent/Finance Director may, after proposal opening, request additional information and clarification of the proposer concerning his/her responsibility to perform, and the proposer may voluntarily, after proposal opening, provide additional or corrective information concerning his/her responsibility as a proposer. The Purchasing Agent/Finance Director may seek and shall consider this and all other information gained prior to the time of award or rejection in making his/her determinations and recommendations concerning proposal acceptance and award.

A proposal shall be considered responsive only if it conforms to the requirement of the Request for Proposal concerning pricing, surety, insurance, specifications of the goods or services requested, and any other matters unequivocally stated in the Request for Proposal as a determinant of responsiveness, provided, however, that the alternative methods may be considered and awarded unless specifically prohibited. A lack of conformity on these matters which is not substantive in nature may be considered a technicality or irregularity which may be waived by the Purchasing Agent/Finance Director. Failure by the proposer to execute the County's contractual services acknowledgment form, binding the proposer's offer, shall result in proposal being rejected as non-responsive.

**F. Evaluation of Proposals:**

The Request for Proposals (RFP), when it's used, shall state the evaluation factors, including price and local preference if any. Evaluation factors should include a brief explanation defining the rating criteria to ensure uniform interpretation of the evaluation factors. Numerical rating systems may be used, but are not required. Factors not specified in the Request for Proposals shall not be considered. Upon review of evaluations, the OMB employee serving as the Review Team advisor will follow up on significantly variation in scoring between different reviewers to ensure each individual reviewing the proposals has a clear understanding of the item to be evaluated.

**G. Negotiation and Revision of Proposals:**

If so provided in the Request for Proposals, negotiations may be held with responsible offerors who submit proposals determined to be acceptable or potentially acceptable for award. Negotiations are held to promote an understanding of the County's requirements and the offeror's Proposal and to facilitate arriving at a contract that will be most advantageous for the County.

**H. Awards:**

An award shall be made to the offeror whose Proposal is the most advantageous to the County, taking into consideration price and the evaluation factors set forth in the Request for Proposals. No other criteria shall be used in the evaluation.

**I. Vendor Compliance:**

All correspondence in regards to a bid shall be directed to the Office of Central Purchasing. Failure to do so may disqualify vendor from doing business with the County for up to a year.

**VII. Design Build Contract:**

The procedures for awarding a design-build contract set forth in Section 287.055(9) (c) shall be followed.

**VIII. Request for Qualification for Professional Services:**

**A. Procedure:**

1. Requestor will provide all necessary information to the Purchasing Agent to compile and do scope of work for services needed. If a contract is needed, Purchasing Agent will contact the Office of County Attorney.

2. Purchasing Agent will type RFQ; assign number, and schedule opening and closing date. Closing date should be 31 days after closing of advertisement. The Purchasing Agent will prepare legal advertisement. Purchasing Agent will advise the requestor that this is the time to form a Review Team.
3. Once the RFQ is opened, copies should be sent to all Review Team members. The Review Team should have at least 31 days from opening of RFQ to review and make recommendations.
4. The Review Team makes recommendation to the Board for a presentation or for negotiation. Copy of recommendation should be sent to the Purchasing Agent, Deputy Clerk, Administration and the Office of County Attorney (if involved).
5. The Board will select in order of preference no fewer than three (3) firms deemed highly qualified to perform the services per FS. 287.055
6. Competitive negotiation process begins per FS. 287.055
7. Once a contract is ready to be made, the requestor is to send all documents to the Office of County Attorney to be issued.

**IX. Review Team/Evaluation of RFP's and RFQ's**

A Review Team is utilized to review the technical aspects of RFP/RFQ submittals for compliance with specifications and make recommendations on awards. The Review Team should consist of three to five individuals and be appointed by the County Administrator (or Deputy Administrator or Finance Director as the County Administrator's designee). The Review Team should consist of the following persons:

- a. A designee of the head of the requesting department;
- b. An individual or individuals with responsibility for administering the contract at issue, or involved in using, on behalf of the County, the products or services under consideration;
- c. An employee from the Office of Management and Budget will serve in an advisory capacity to the committee.

In those instances where the County requires the knowledge of an individual not employed by the County for purposes of evaluating bids/proposals/qualifications, the County Administrator (or Deputy Administrator or Finance Director as the County Administrator's designee) may select a County non-employee for such purposes, provided that the County non-employee is fully informed that all work and evaluation performed on behalf of the County is subject to all applicable Florida laws, including the

Florida Public Records law. It is also noted, that unless waived by the Finance Director for good, and sufficient written cause, the Review Team cannot be comprised of more than 25% County non-employees.

At their discretion and upon a majority vote during a regularly scheduled Board of County Commission meeting, the Board may elect to serve as the review team. In those instances, the Board shall direct staff to negotiate a final contract for Board approval.

**X. Request for Letters of Interest for Professional Services:**

Policy – When it is determined that services such as Professional, Architectural, Engineering, landscape architectural or land surveying services that are governed by Florida Statute 287.055 known as the Competitive Consultants Negotiation Act, the Request for Letters of Interest shall be used:

**A. Procedure:**

When professional services are required to be purchased for a project that the basic construction cost of which is estimated by the agency to exceed the threshold amount provided for (\$50,000), or in a planning or study activity when the fee for professional services exceed the threshold amount (\$50,000), except in cases of valid public emergencies so certified by the County Administrator, shall be solicited through Request for Letters of Interest.

**B. Public Notice:**

Adequate public notice shall be given in the same manner as provided in the section entitled “Competitive Sealed Bidding”, providing the minimum notice of 14 calendar days.

**C. Receipt of Letters:**

A Letter of Interest shall be documented containing the name of each offeror, their address, phone number, fax number and contact person. The Letters of Interest shall be open for public inspection.

**D. Evaluation of Letters:**

The Request for Letters of Interest shall state all the evaluation factors. Evaluation shall be based on evaluation factors set forth in the Request for Letters of Interest. Numerical rating systems may be used.

**E. Competitive Selection:**

The Florida Statute states the Review Team shall evaluate no fewer than three (3) firms regarding their qualifications; shall have discussions and/or presentations with each firm, and select in order of preference no fewer than three (3) firms deemed to be the most highly qualified to perform the services. The Board may decide to readvertise or proceed if fewer than three (3) firms have submitted.

**F. Competitive Negotiation:**

The Review Team/County Administrator shall negotiate a contract with the most qualified firm. If Review Team/County Administrator is unable to negotiate a satisfactory contract with the most qualified firm then negotiations shall be terminated and the Review Team shall undertake negotiations with the second most qualified firm; and so on until a satisfactory contract is negotiated.

**G. Award:**

An award(s) shall be made to the most qualified firm or a firm who's Letters of Interest and negotiations are determined in writing to be the most advantageous to the County.

**H. Vendor Compliance:**

All correspondence in regards to a bid shall be directed to the Office of Central Purchasing. Failure to do so may disqualify vendor from doing business with the County for up to a year.

**XI. Small Purchases:**

Levels of purchasing are used to simplify the purchasing process. Under the survey and guidelines of the National Institute of Government Purchasing, there are presently four levels of purchasing good/services.

**UNDER \$1,000**

Policy – Purchases with the value below \$1000 are made from vendors who are supplying the item at a reasonable price and using good purchasing practices. These purchasing practices may include but are not limited to quotes.

**\$1,000 - \$5,000**

Purchases will be made with two (2) or more written quotes whenever practical. Should verbal quotations be received, name and address of company and amount quoted shall be part of written documentation.

## **\$5,000 - \$49,999**

Purchases shall be carried out using written quotations of at least two (2) or more vendors.

## **\$50,000 or Greater**

Official solicitations are advertised.

### **A. Procedures:**

The Purchasing Agent assigns the requisition to a Buyer, who solicits a quotation verbally or in writing.

#### 1. Verbal Quotations:

When verbal quotations are made over the telephone, the Buyer solicits quotations on the item(s) and quantity described on the requisition and records the quotation on a telephone quotation form.

When all the quotes are received, the Buyer selects the best and most responsive quotation and places the order over the telephone.

A purchase order is then prepared, signed by the Purchasing Agent in accordance with delegation of signature authority, and issued to confirm the order.

#### 2. Written Quotations:

Written quotes are to be obtained for purchases over \$5,000.

After all quotations are received, the Buyer under the supervision of the Purchasing Agent selects the lowest and best quotations and prepares a purchase order.

The purchase order is signed by the Purchasing Agent/Designee in accordance with delegation of signature authority and issued to confirm the order.

### **XII. Sole Source/Non-Competitive Negotiations:**

Policy – Non-competitive negotiations may be used as a procurement method for purchases of supplies or services available from only one source; or sole brand or when it is determined by the director of the using department or the Purchasing Agent that competitive bidding is not feasible or not advantageous to the County.

Sole Source means the only existing source of the items which meet the needs of the using department as determined by a reasonably thorough analysis of the marketplace.

Sole Source purchasing of goods and services requires a written finding that only one qualified source is available; and also requires a written statement that a search for alternative source have been made; and a justification of why the only source is acceptable to fit the needs of the using department.

A request for a proprietary item does not justify sole source procurement if there is more than one potential bidder for the item.

Purchasing may negotiate with a sole source supplier under the following circumstances:

- The needed supply or service is available from only one source/brand.
- The supply or service is wanted for experimental trial or testing.
- The supply is purchased for resale.
- Additional supplies or services are needed to complete an ongoing task.
- A supply or service is purchased from, or a sale is made to, another unit of government.
- The item is a unique component or replacement.

**A. Procedures:**

1. In processing requisitions for sole/source brand items, the Buyer, under the supervision of the Purchasing Agent, conducts negotiations as to price, delivery, terms and conditions.
2. The Purchasing Agent, in cooperation with the using department, prepares a recommendation for award for review and signature by the Finance Director. The recommendation for award should include a justification for the procurement method used on the Sole Source Purchase Data Sheet.

The recommendation for award is reviewed by the Finance Director and forwarded to the County Administrator for final review.

**XIII. Emergency Purchases:**

Policy – These policies and procedures apply in situations, which create a threat to public health, welfare, or safety, such as may arise by reason of hurricane, flood, equipment failure, natural

disaster, or other disruption of essential services, as may be declared by the County Commissioners or their designee.

This procedure shall serve as a specific guideline for emergency purchases.

Emergency procurement shall be limited to those supplies or services necessary to meet the emergency.

Scope – This procedure covers all emergency purchases \$50,000 or greater.

**A. Procedures:**

1. In the event of an emergency purchase \$50,000 or greater, the client department will prepare a purchase request describing the commodity and/or service.
2. The Department Director or designee, of the using department, will prepare an Emergency Purchase Written Request Memorandum, which will accompany the purchase request, providing a background as to the need of the emergency purchase. This letter is transmitted through the Purchasing Agent to the County Administrator who may authorize emergency purchases. Such purchases are exempt from the requirements of the competitive bid or proposal process.
3. Emergency purchases made by the County Administrator of over \$50,000 will be reported to the Board at the next regularly scheduled meeting.