

Charlotte County 2023 Purchasing Manual



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Charlotte County Purchasing Division
Budget & Administrative Services Department
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FOREWORD

The Charlotte County Procurement Code provides that "The County of Charlotte is authorized to procure goods and services of every description and nature necessary to the operation of County government under this Ordinance". The Board of County Commissioners has delegated this authority through the County Administrator to the Purchasing Division. The mission of the Purchasing Division is, therefore, to provide any and all goods and services of appropriate quality and quantity as may be required by the County government, in a timely manner, at the least overall cost to the taxpayers.

The objectives of government procurement can be summarized as follows:

1. To purchase goods and services at the lowest total cost consistent with needs, using specifications that will attract wide competition, as appropriate.
2. To maintain required quality standards.
3. To promote standardization and simplification of specifications.
4. To minimize inventory accumulations and the attendant carrying costs.
5. To assure a continuing supply of materials.
6. To support the functions of the various departments and activities of the government.
7. To affect savings through such techniques as volume purchasing, value analysis, and lifecycle costing and the use of commercially available items whenever practicable.
8. To administer the procurement process in an open, competitive, fair manner, and without conflict of interest, or other impropriety, or the appearance of impropriety.

The Procurement Code defines the purpose and intent of the Ordinance as:

- To simplify and clarify the law governing the County of Charlotte's procurement system;
- To ensure the fair, equitable, and uniform treatment of all persons who deal with the procurement system of the County; and
- To foster effective, broad-based competition within the free enterprise system in procurement activities.

The Code established a Central Procurement System and ordained that all procurements for goods and services shall be effected through the Central Procurement System. Therefore, no purchase commitment, either verbal or written, shall be made by anyone other than the Senior Division Manager - Purchasing, employees of the Purchasing Division, or others authorized by the Senior Division Manager - Purchasing.

One of the main objectives of a Central Procurement System is to achieve savings through the application of efficient management techniques. Under centralized purchasing, responsibility rests with an authorized specialist, and is not incidental to other operating functions. A specialized effort devoted to coordinating the requirements of various departments and inviting widespread competition results in maximum value in the following ways:

1. Combining volume reduces prices.
2. Planned purchases reduce the number of small and emergency orders.
3. Proper planning and coordination results in fewer requisitions, bid invitations, purchase orders, and related paperwork.
4. Standard procedures can be developed and published to help prevent costly errors by new and temporary help. Practices are made routine and efficiency is improved, resulting in increased productivity.
5. Greater value is achieved through improved specifications.
6. Specifications for similar items used by more than one department may be standardized.

County Purchasing is primarily a service activity for the operating departments and is the act of acquiring at the best possible price, consistent with specified quality, the goods and services necessary for proper and efficient operations of County Government. Although the Senior Division Manager - Purchasing is charged with the full responsibility for its proper operation, the procurement function, because of its complexity, requires the cooperation of many employees not directly involved in the purchasing activity.

Since it is essential that all who are involved in the procurement function be properly informed, this manual has been developed to aid all employees either directly or indirectly involved with purchasing.

It is intended to act as a guide to those concerned, outlining their duties and responsibilities, so that the County's reputation for fairness and integrity is maintained.

The policies and procedures shown in this manual represent the current County practices. All users of this manual are invited to present to the Senior Division Manager - Purchasing, in writing, suggestions for revisions that will improve service to them or the taxpayers. The Purchasing Division will review this manual on an annual basis to determine if revisions are needed. Revisions will be made at the direction of the County Administrator upon recommendation of the Senior Division Manager - Purchasing.

COOPERATIVE PURCHASING

Cooperative Purchasing is procurement conducted by, or on behalf of, more than one Public Procurement Unit, or by a Public Procurement Unit with an External Procurement Activity.

Types of Cooperative Purchasing:

Piggyback:

Under the piggyback method of cooperative purchasing, a large purchaser of an item (or group of items) invites bids, enters into a contract, and arranges, as part of the contract, for other governmental units to purchase the item (or items) under the same terms and conditions. The vendor is given the option; at the time he submits his bid, of allowing or not allowing other governmental units to use the contract. A bidder's refusal to allow other governmental units to piggyback on a contract shall not result in disqualification.

Joint Bid:

Two or more governmental entities agree on specifications and contract terms and conditions for an item of common usage and combine their requirements for this item in a single invitation for bid. Once bids have been received and discussed by participating entities, each entity issues its own receiving and inspection, issues its own checks for payment and resolves its own disputes.

Note: All bids issued with the intent of cooperative purchasing shall include names of participating governmental agencies, delivery points and estimated usage.

Additionally, to ensure no liability each bid shall include the following:

“Each Governmental Agency desiring to accept these bids and make an award thereof shall do so independently of any other governmental agency. Each agency shall be responsible for its own purchases and each shall be liable only for materials ordered and received by it, and no agency assumes any liability for any other agency by virtue of this bid.”

COMPETITIVE SEALED BIDS

The Charlotte County Procurement Code provides that no procurement of goods or services in excess of \$50,000.00 shall be made without competitive sealed bids, except as stated in Charlotte County's Procurement Code.

BID PROCEDURES:

1. REQUESTING DEPARTMENT'S RESPONSIBILITY

- a. Submittal of all necessary permits (SWFWMD, DEP, etc.), if required.
- b. Submittal of all technical specifications, special conditions/requirements, plans, prints and/or drawings necessary to the project. Specifications may be submitted on computer disc or e-mail using Microsoft Word.
- c. The requesting department is to review the draft of the project package and return to Purchasing Division with corrections and/or changes.
- d. Requesting department is to provide a representative to attend a pre-bid information conference (See pre-bid conference procedure, form C, of this section), bid opening and a pre-commencement conference.
- e. Requesting department is to provide an electronic copy of plans, prints and/or drawings, as required by Purchasing Division, for proper distribution to potential bidders. Also, one (1) hard copy of plans, prints and/or drawings to be provided to the Purchasing Division for distribution to the Clerk's Minutes Division.
- f. Failure to adhere to any of the above may result in an unnecessary delay of the bid process.
- g. The Requesting Department shall not artificially divide requests for products or services to circumvent any competitive bidding requirement.

2. SPECIFICATIONS

Along with request for solicitation for bids, the department or division shall submit specifications. Whenever practicable, specifications are to be submitted in a form which can be reproduced by the Purchasing Division, such as an electronic copy or e-mail mentioned above.

When specifications cannot be submitted to the Purchasing Division in reproducible form (as with blueprints, etc.), the Purchasing Division may request assistance in duplicating or distribution of specifications from the department or division requesting bids. The Purchasing Division will distribute an Invitation to Bid notice to vendors who are included on the County's Vendor's List. This notice is to indicate where specifications and bid

packages may be obtained. This information shall also appear in the public notice published in accordance with Paragraph 3 of this section, Public Notice.

3. PUBLIC NOTICE

The Purchasing Division shall electronically post on the County's website, a notice inviting sealed competitive bids, for at least ten (10) calendar days before the date set for receipt of bids, proposals or replies, unless the Purchasing Division determines in writing that a shorter period of time is necessary to avoid harming the interest of the County.

In the case of construction projects that are projected to cost more than \$200,000, they shall be publicly advertised at least once in a newspaper of general circulation for a period of 21 days prior to the established bid opening and at least 5 days prior to any scheduled pre-bid meeting. In the case of the construction projects that are projected to cost more than \$500,000, they shall be publicly advertised at least once in a newspaper of general circulation for a period of 30 days prior to the established bid opening and at least 5 days prior to any scheduled pre-bid meeting. In cases of emergency, the procedures outlined herein may be altered in any manner that is reasonable under the emergency circumstances.

The notice shall include the following, where applicable (See Form A, of this Section):

- a. Bid identification number;
- b. Name of item or service to be bid and description;
- c. Place where bid documents, including specifications, are available;
- d. Date, time, and location at which bids will be received; date, time and place for pre-bid information conference, if required;
- e. Date, time and location where bids will be opened.

In addition to the electronic posting, the Purchasing Division shall notify any vendors who have indicated an interest in furnishing these goods and/or services to the County; are currently registered with the Purchasing Division as a supplier of the specified goods and/or services; and who have not previously been denied the right to submit bids to the County.

4. BID SUBMISSION AND OPENING

Sealed bids are received and retained in the Purchasing Division until the date and time specified for bid opening on the public notice. The date and time of receipt of the bid is marked with a time stamp on the sealed envelope or with a time stamped sheet which is attached to the bid envelope/package. Sealed bids are also accepted in person at the location of the bid opening, up until the time on the public notice of the bid opening. Bids received after such time will be accepted but are not to be opened. All bids received after the specified time are not to be considered for award and are to be returned to the bidder with explanation.

5. WITHDRAWAL OF BID

After receipt by the Purchasing Division, bids may be withdrawn by the bidder, up until the scheduled time for opening, upon presentation of proper identification. However, if a bidder wishes to withdraw a bid, but the bid cannot be picked up prior to bid opening time, then a formal written request for withdrawal must be made to the Purchasing Division, who will file the request, along with the unopened, withdrawn bid, in the official bid file.

6. BID OPENINGS

Bids are opened promptly, at the time designated in the public announcement by the Senior Division Manager - Purchasing or his/her designee. That person opens the bids in the presence of a witness, reads aloud the name of the bidder, the amount of the bid, and any other pertinent information contained in the bid or omitted from the bid that is necessary at that time. (See Bid Opening Procedure, Form B, of this Section).

Bidders and the public are encouraged to attend bid openings and may examine the bid documents after all bids have been opened in accordance with Florida Statutes -Section 119.07, "Inspection and Examination of Records - Exemptions". Within a reasonable time following the bid opening, the bids shall be tabulated and the results presented to the department or division that requested the bid for their recommendation of award. When the Purchasing Division receives this recommendation, Purchasing initiates a board memo along with a recommendation and presents it to the County Administrator for Board of County Commissioners consideration. Bid information will not be divulged over the telephone. Tabulation sheets are posted on the County's website in accordance with State Statutes and the results may be obtained by viewing the tabulation sheets-

7. AWARD OF BID

The Purchasing Division determines the lowest responsible and responsive bidder. The term "responsible and responsive bidder", as defined in the State Procurement Code, means a bidder whose bid conforms in all material respects to the solicitation, who has the capability in all respects to perform the contract requirements, and who, by his integrity and reliability, gives reasonable assurance of good faith performance.

In determining the lowest responsive and responsible bidder, the Purchasing Division may, within reason, after the bid opening, request additional information of the bidder concerning his responsibility to perform, and the bidder may voluntarily provide additional or corrective information concerning his responsibility, which may be considered in making the bid award.

No bidder is permitted to correct a bid mistake after bid opening except that any bidder may correct errors in extensions of unit prices in the bids, or in multiplication, division, addition or subtraction. In such cases, the unit prices bid shall not be changed.

A voluntary or negotiated reduction in price from a low bidder can be accepted after the bid opening, provided such reduction does not result in the modification or deletion of any conditions contained in the bid documents.

Bid award is made to the lowest responsive and responsible bidder through one of three procedures:

- Formal contract
- Purchase Order
- Notice of Acceptance

After award of bids, in the event that the Purchase Order is the sole contract document involved in the transaction, the Purchasing Division shall forward a notice of award to the successful bidder. The Purchase Order is issued only after all necessary items such as insurance, bonding, etc., if necessary, have been submitted by the successful bidder.

For all solicitations in the amount of \$50,000.00 or more, the Purchasing Division shall report the findings of the bid tabulation and recommend that the County Administrator or the Board of County Commissioners approve the award to the lowest responsive and responsible bidder and authorize the Chairman to execute the contract, if applicable. The contract/purchase order shall then be processed in accordance with normal procedures.

8. PRE-CONSTRUCTION CONFERENCE

A pre-construction/commencement conference is to be held, if necessary, to finalize work scheduling or any items pertinent to performance and/or completion of the work/project.

9. NOTICE TO PROCEED

A "Notice to Proceed" or "Notice of Acceptance" shall be issued by the Purchasing Division to the successful bidder after all necessary documents (insurance, bonding, permits, etc.) have been received and a contract, if necessary, has been properly signed and received by the Purchasing Division.

10. BID EVALUATION CRITERIA

May include but is not limited to:

- Conformance to specifications and other documents of the bid package.
- Total bid price.
- Discounts.
- Previous performance.
- Delivery/completion time of/for item/project.
- Transportation costs.
- Licenses/credentials necessary for delivery and/or completion of project.
- Compliance with appropriate Federal, State and Local Laws.

FORM A



Charlotte County Purchasing Division
18500 Murdock Circle, Suite 344
Port Charlotte, Florida 33948-1094

Phone 941.743.1378
Fax 941.743.1384

NOTICE OF AVAILABILITY OF BID SPECIFICATIONS

REQUEST FOR BIDS
CHARLOTTE COUNTY, FLORIDA

The County of Charlotte will be receiving sealed bids at the Purchasing Division, Suite 344, Charlotte County Administration Center, 18500 Murdock Circle, Port Charlotte, FL 33948-1094 for:

BID NO. 2019000XXX
PROJECT TITLE

(Brief Project Description)

PRE-BID CONFERENCE: xx:00 x .m. (EST), month XX, Year
PURCHASING DIVISION CONFERENCE ROOM

BID OPENING: 2:00 p.m. (EST), month xx, Year
PURCHASING DIVISION CONFERENCE ROOM

Bid Documents may be obtained by accessing the Charlotte County Purchasing Division's website at <https://purchasingbids.charlottecountyfl.gov> under "Purchasing Bids Online", document number 19XXX2. Any questions can be answered by contacting (Your Name) (941).743.XXXX or e-mail at (Contract Specialist).

Notice of Availability
Posted:

BID OPENING PROCEDURE

1. Call for any additional bids and, if none, close receipt of bids. Call to Order:
 - A. Introduce yourself and any other County Personnel.
 - B. Ask everyone present to sign the attendance sheet.
2. Give the name of the bid, and the bid number.
3. Give the number of bids received.
4. Proceed with bid opening by opening each bid and stating the submitting company names and prices as deemed appropriate by the Purchasing representative.
5. After all bids are read, ask if anyone would like any of the bids repeated.
6. Tell approximately when the bid tabulation might go before the Board with recommendation for approval, if everything is in order.
7. Close meeting and thank attendees.

PRE-BID CONFERENCE PROCEDURE

This procedure sets forth a standardized method for conducting Purchasing Division pre-bid conferences and these guidelines will be followed whenever the Purchasing Division holds a pre-bid conference.

1.0 Purpose

The purpose of this procedure is to establish responsibilities and prescribe specific necessary action for the Purchasing Division during a pre-bid conference.

2.0 Application

This procedure is applicable to any pre-bid conference.

3.0 Responsibilities

- 3.1 Senior Division Manager - Purchasing or designee: The Senior Division Manager - Purchasing or designee shall, along with the user agency, determine if and when a pre-bid conference is necessary. Notification of the pre-bid conference will be contained in the bid document or subsequent written addendum. The specific intent is to satisfy the bidders as to the exact nature of the County's requirements.
- 3.2 The Senior Division Manager - Purchasing will conduct or assign a designee to conduct each pre-bid conference if called for in the invitation to bid.
- 3.3 The Requesting Department Representative: The requesting department representative will be present to respond to technical questions where applicable.

4.0 Procedure

This procedure will set forth those steps to be followed during the pre-bid conference by:

- Introducing him/herself
- Introduce all concerned County representatives; and
- Give a brief statement on the intent of the pre-bid conference.

4.1 Sign-in Form

The Senior Division Manager - Purchasing or designee will provide a sign-in form and require each attendee to sign.

4.2 Invitation to Bid

The Senior Division Manager - Purchasing or designee may introduce each document in the Invitation to Bid. Special attention shall be given to bid documents, specifications and bid form to ensure that each bidder has the same interpretation of the documents.

- a. No question shall be answered unless the Senior Division Manager - Purchasing or designee is satisfied that he/she has the correct answer and

or until he/she has obtained the correct answer from knowledgeable sources (Law, engineers, user agency, etc.).

- b. Private discussions relative to the bid between County employees and any bidder are prohibited. Any information shared with one bidder shall be shared with all bidders.

4.3 Review

The Senior Division Manager - Purchasing or designee shall review the pre-bid conference and if necessary, the appropriate information will be prepared and issued in the form of an addendum to all bidders who have expressed an interest in participating in the bid.

COMPETITIVE SEALED PROPOSALS

The Procurement Code provides that Competitive Sealed Proposals may be used when the Senior Division Manager - Purchasing or his/her designee determines that the use of Competitive Sealed Bidding is not practicable, not legal, or not advantageous to the County.

Competitive Sealed Proposals are used when only a performance specification or limited scope specification is available, and offers the advantages of using vendor expertise to define the final specifications, and differ from Competitive Sealed Bids only in the type of specifications and method of evaluation.

This procedure will assure adherence to the requirements of the Procurement Code, "Competitive Sealed Proposals".

1. DETERMINATION BY SENIOR DIVISION MANAGER - PURCHASING

Since Competitive Sealed Bidding is the preferred procurement procedure, authorization to solicit sealed proposals must be given by the Senior Division Manager - Purchasing. The Department or Division desiring to use this procedure shall advise the Senior Division Manager - Purchasing, of the reasons that Competitive Sealed Bidding is not practicable, not legal, or not advantageous to the County.

2. REQUEST FOR CALL FOR PROPOSALS

The Department or Division requesting that Competitive Sealed Proposals be submitted shall present the request to the Senior Division Manager - Purchasing with a Purchase Requisition in the form of a memorandum and such other information concerning the proposal that may be pertinent and required by the Purchasing Division.

3. SCOPE OF SERVICES

Along with the request for solicitation of proposals, the Department or Division shall submit specifications. The scope of services shall include the evaluation criteria to be used to select the best proposal and shall state the relative importance of evaluation criteria. Whenever practicable, scope of services shall be submitted as an electronic copy or via e-mail using the Microsoft Word program; the Purchasing Division will review scope of services and reproduce sufficient sets for transmittal to interested proposers.

4. PUBLIC NOTICE

Public notice shall be given in accordance with the section on "Competitive Sealed Bids" of this Manual.

5. PROPOSAL SUBMISSION

Proposals shall be received and opened in accordance with the section on "Competitive Sealed Bids" of this Manual.

6. AWARD

Award shall be made to the offeror whose proposal is determined to be most advantageous to the County. This determination shall be in writing and shall be based only on the evaluation criteria set forth in the Request for Proposals. A copy of this determination shall be filed in the Purchasing Division proposal file and if the Board of County Commissioners approval is required will be a part of the recommendation.

SMALL PROCUREMENTS

(Purchases less than \$50,000.00)

Although Competitive Sealed Bidding is the procedure universally preferred in governmental procurement, consideration of the time and cost involved dictates that a less formal procedure be used for small purchases.

The Procurement Code provides that procurements less than \$50,000.00 may be made in the open market without formal bid, and further provides that these procurements, when practicable, shall utilize competitive oral or written requests for quote.

In utilizing the Small Procurement Procedure, the following shall apply:

1. Award shall be made to the offeror providing the most value while meeting the needs of the County.
2. Requirements shall not be artificially divided so as to constitute small procurements.
3. If the Purchasing Division or any Department foresees a need for products or services of a like or similar nature, in the amount of \$50,000.00 or more in aggregate within a fiscal year, it shall arrange for Competitive Sealed Bidding, even though the products and services individually may be under the \$50,000.00 bid threshold.
4. When previous experience indicates a reasonable expectation that combined requirements from all Departments and/or Divisions, for a commodity or service, will exceed the bid threshold within a fiscal year, Purchasing Division shall solicit requirements from all users of this commodity or service, cause specifications and bid documents to be developed, and shall arrange for Competitive Sealed Bidding.
5. In order to reduce the number of small procurements required, along with the consequent paperwork generated, a procurement card shall be used whenever practicable.
6. Emergency procurements are exempt from the provisions of this procedure. An explanation of the reasons for the declaration of an emergency shall be documented in the quote file maintained by the Purchasing Division. This provision shall be used only if there is imminent danger to the health or welfare of the citizens of the County, or threat of deterioration of a critical service.
7. Where only one source exists for a required commodity or service, the Purchasing Division shall document it in the quote file.
8. Quotations received via fax or e-mail shall be accepted as written quotes required by this procedure.

9. The Requesting Department shall have the authority to approve selection of the vendor for those purchases less than \$10,000.00; except in those instances where a contract has been previously awarded to a particular vendor; the Purchasing Division shall have the authority to approve selection of the vendor for purchases from \$10,000.00 and less than \$50,000.00 in value. The County Administrator or his/her designee shall have the authority to approve selection of the vendor for purchases from \$50,000.00 and less than \$170,000.00 in value. The limit of this authority shall increase without further legislative action, by five thousand dollars (\$5,000) each year, commencing on October 1, 2023, and increasing on the first day of October of each year thereafter. (Initially enacted October 1, 2004, at \$75,000).
10. The Purchasing Division shall be responsible for obtaining the quotations required by this procedure. In instances where it is more practicable, the Senior Division Manager - Purchasing may delegate the obtaining of quotes to the using departments, however, this shall not absolve the Purchasing Division from the responsibility of having proper quotes on file prior to issuing a Purchase Order, or from assuring that good value is being obtained.
11. On occasion, good business judgement or common sense may dictate deviations from the procedures outlined in Paragraph 10 of this Section. In this instance the reason(s) for the deviation shall be approved by the Senior Division Manager – Purchasing (or his/her designee) and shall be documented in the quote file. Such deviations shall not violate any requirement of the Procurement Code.
12. The Purchasing Division shall maintain a central file of quotes, which shall be open to public inspection during normal business hours.
13. The Requesting Department shall not artificially divide requests for products or services to circumvent any competitive bidding requirement.

EMERGENCY PROCUREMENTS

The Procurement Code provides that the Board of County Commissioners may, where they find it is in the best interests of the County, declare an emergency procurement condition and may suspend any and all provisions of the code and authorize an emergency procurement.

In administering this provision, the following shall apply:

1. An emergency procurement shall be made with as much competition as is practicable under the circumstances.
2. A request for declaration of an emergency condition shall be made in writing for inclusion on a Commission Meeting agenda and shall include the basis of the request, approximate cost, the basis upon which a particular contractor is selected, and any other information which is pertinent and which will aid the Board in arriving at a decision.
3. Full documentation of the events leading to the declaration of an emergency shall be filed in the Purchasing Division bid file.

In the event that the Board of County Commissioners declares a "state of local emergency", the means of which to be followed for procuring goods and services will be processed via disaster purchase orders.

DISASTER REQUISITION/PURCHASE ORDERS

Purpose of Disaster Requisition/Purchase Orders:

The Purchasing Division will offer to the County Departments/Divisions pre-numbered Disaster Requisition/Purchase Orders to be used in the event of a State of Local Emergency, which would be declared by the Board of County Commissioners and/or their designee.

Disaster Requisition/Purchase Orders will be pre-numbered and issued to the Departments/Divisions for the purpose of procuring goods and/or services after a State of Local Emergency has been declared by the Board of County Commissioners or their designee.

The pre-numbered Disaster Requisition/Purchase Orders are to be issued to the vendor at the time of the purchase to serve as an official document authorizing the vendor to sell their goods or services to Charlotte County Government and also to give Charlotte County's Requesting Department, Charlotte County Purchasing Division and the Clerk of Courts Finance Department their official document.

Procedures for Disaster Requisition/Purchase Orders:

The Purchasing Division will procure pre-numbered, 4-part Disaster Requisition/Purchase Orders. For example, the beginning number would read as follows: DPO. #00001. The "D" standing for disaster. The Disaster Requisition/Purchase Orders differ in format from the regular purchase order being used for day-to-day purchases. The 4-part form would be as follows:

White - Vendor Copy.
Golden Rod - Department/Division Copy
Yellow - Purchasing Copy
Pink - Finance Copy

The following procedural steps would be followed:

1. The Purchasing Division will issue a given amount (to be determined by the Requesting Department and Purchasing) of the Disaster Requisition/Purchase Orders to the Department/Division Director.
 - a. A log will be kept by the Purchasing Division showing the total number of the pre-numbered forms and the numbers of the Disaster Requisition/Purchase Orders issued to each Department/Division Director.
 - b. The Department/Division Director and/or their designee must sign for the Disaster Requisition/Purchase Orders and it is highly recommended that either he/she should have control over these forms or assign a designated employee in his/her department.

- c. The Department/Division Director should issue Disaster Requisition/Purchase Orders to their designated employees out in the field at the various locations that are under their authority and supervision. Each Disaster Requisition/Purchase Order must be accounted for at all times by the Department/Division Director that has signed for and received them. These Disaster Requisition Purchase Orders will be valid for ongoing fiscal years unless the procedure or the format is changed.

In the event the Disaster Requisition/Purchase Orders must be used, the following procedure should be followed:

1. The Department/Division Director's designated employee having proper authorization would either procure the goods and/or services himself by telephone or in person. In the event of a major disaster the telephone service would probably be out-of-service throughout the County. Authorization may be given to a County employee by the Department/Division Director's designated employee, to pick up the materials.
 - a. The employee designated to pick-up materials should make sure that he/she has completed all required information on the Disaster Requisition/Purchase Order.
 - b. Upon pick-up or delivery, the white (top) copy of the Disaster Requisition Purchase Order will be given to the vendor's representative. The employee shall immediately return the remaining completed copies (yellow, pink and goldenrod copy) to the Department/Division Director's designated employee.
2. The Department/Division Director's designated employee shall verify that all required information has been completed, signed off on the form and immediately forward it to his/her Department/Division's administrative office.
3. Upon receipt of the completed Disaster Requisition/Purchase Order, the Department/Division Director or designee shall review the completed form, and as soon as possible, a computerized requisition must be issued to the Purchasing Division by the requesting Department/Division.
 - a. The requisitioner should reference the Disaster Requisition/Purchase Order number in the comment area of the computerized requisition. Purchasing Division's copy and Finance's copy should be forwarded to Purchasing.
 - b. Purchasing will review the computerized requisition and match up the Disaster Requisition/Purchase Order to the on-line computerized requisition.
 - c. Upon review by the Purchasing Division, if all guidelines have been followed and proper authorization received, Purchasing will then issue a

Purchase Order number. The Purchase Order will reflect the Disaster Requisition/Purchase Order number in the comment area.

- d. Purchasing's copy of the completed Disaster Requisition/Purchase Order will be retained by the Purchasing Division to serve as documentation and backup.
- e. Purchasing will forward to Finance the Disaster Requisition/Purchase Order which the Finance Department will maintain for their records once it has been matched up to the receiving report.
- f. At the time Purchasing receives the Purchase Order Receiving Report and the Vendor's Invoice, they will match it up to the Disaster Requisition/Purchase Order. All documents will be reviewed and then if all is in order and approved, payment will be processed to the vendor.

Any Emergency Purchases other than those declared to be a "State of Local Emergency" by the Board of County Commissioners shall be processed in accordance with the Charlotte County Purchasing Manual.

SOLE SOURCE PURCHASE

The Procurement Code provides that a contract may be awarded without competitive bids when the Senior Division Manager - Purchasing determines in writing that there is only one source.

In administering this provision, the following shall apply:

1. Specifications shall not be designed for the sole purpose of declaration of sole source.
2. When certain characteristics are specified which define the goods or services as sole source, justification for these characteristics shall be made, in writing, to the Senior Division Manager - Purchasing.
3. The Senior Division Manager - Purchasing shall take all reasonable steps necessary to ensure that specifications are developed to permit competition.
4. The Senior Division Manager - Purchasing shall conduct and document an investigation sufficient to be convinced that there is only one source for the goods or services required.
5. The Board of County Commissioners or the County Administrator may declare a Sole Source Procurement upon recommendation by the Senior Division Manager - Purchasing for those purchases in excess of \$50,000. The Senior Division Manager of Purchasing may declare a sole source procurement for those purchases less than \$50,000.

SPECIFICATIONS

Specifications:

Any description of the physical or functional characteristics or of the nature of a supply, service, or construction item. It may include a description of any requirement for inspecting, testing, or preparing a supply, service, or construction item for delivery.

Maximum Practicable Competition:

All specifications shall be drafted so as to promote overall economy for the purpose intended and encourage competition satisfying the County's needs, and shall not be unduly restrictive. The policy enunciated in this Section applies to all specifications including but not limited to, those prepared for the County by architects, engineers, designers and draftsmen.

To the extent practicable, and unless otherwise permitted by the Procurement Code or this Purchasing Manual, all Specifications shall describe the County's requirements in a manner that does not unnecessarily exclude a particular good or service.

The County may also standardize to certain types of equipment in order to maintain efficiency and best value when it is in its best interest. Said standardization must be supported by thorough research and evaluation by the Purchasing Division, with the assistance of the requesting department, which clearly demonstrates the validity of such request. Documentation to support the standardization must be maintained in the Purchasing file.

No person preparing Solicitations shall receive any direct or indirect benefit from the utilization of such Specifications.

Preparation of specifications is the responsibility of the requesting department in coordination with the Purchasing Division. The Purchasing Division may recommend modifications or alterations to a specification to permit competitive bidding. The requesting department shall review and approve or may explain why the recommended changes are not acceptable. The source selection shall be selected or approved by the Senior Division Manager – Purchasing.

Qualified Products List:

1. **USE:** A qualified products list may be developed by the Purchasing Division when testing or examination of the supplies or construction items prior to issuance of the solicitation is desirable or necessary in order to best satisfy the County's requirements.
2. **COMMENTS:** Prior to final approval of the proposed specifications for a qualified products list item, the Purchasing Division shall provide the using agency, and a reasonable number of manufacturers or suppliers as the Senior Division Manager - Purchasing deems appropriate, an opportunity to comment on the draft of the proposed specifications.

3. SOLICITATIONS: When developing a qualified products list, a representative group of potential suppliers shall be solicited in writing to submit products for testing and examination to determine acceptability for inclusion on a qualified products list. Any potential supplier, even though not solicited, may offer its products for consideration.
4. TESTING: Inclusion on a qualified products list shall be based on results of tests or examinations conducted in accordance with prior published requirements.
5. FINAL APPROVAL, REVISIONS AND CANCELLATIONS: The final approval of revisions to and cancellation of qualified products lists shall be made only upon approval of the Senior Division Manager - Purchasing or the designee of the Senior Division Manager - Purchasing.

Brand Name or Equal Specification:

1. USE: Brand name or equal specifications may be used when the Senior Division Manager - Purchasing determines that:
 - a. no other design or performance specification or qualified products list is available;
 - b. time does not permit the preparation of another form of purchase description, not including a brand name specification;
 - c. the nature of the product of the County's requirements makes use of a brand name or equal specification suitable for the procurement, or;
 - d. use of a brand name or equal specification is in the County's best interests.
 - e. documentation in support of the use of a particular brand name or equal specification shall be maintained by the Purchasing Division as part of the Purchasing file.
2. DESIGNATION OF SEVERAL BRAND NAMES: Brand name or equal specifications shall seek to designate as many different brands as are practicable, as "or equal" references and shall further state that substantially equivalent products to those designated will be considered for award.
3. REQUIRED CHARACTERISTICS: Unless the Senior Division Manager - Purchasing determines that the essential characteristics of the brand names included in the specifications are commonly known in the industry or trade, brand name or equal specifications shall include a description of the particular design, functional, or performance characteristics which are required.
4. NONRESTRICTIVE USE OF BRAND NAME OR EQUAL SPECIFICATIONS: When a brand name or equal specification is used in a solicitation, the solicitation shall contain explanatory language that the use of a brand name is for the purpose of describing the standard of quality, performance, and characteristics desired and is not intended to limit or restrict competition.

Brand Name Specification:

1. USE: Because the use of a brand name specification is restrictive of product competition, it may be used only when the Senior Division Manager - Purchasing makes a determination that only the identified brand name or items will satisfy the County's needs.
2. Competition: The Purchasing Division shall seek to identify sources from which the designated brand name item or items can be obtained and shall solicit such sources to achieve whatever degree of price competition is practicable. If only one source can supply the requirement, the procurement shall be made on "Sole Source Procurement".

Sole Source Procurement:

A contract may be awarded without competition when the Senior Division Manager - Purchasing determines in writing, after conducting a good faith review of available resources, that there is only one available source for the required supply, service, or construction item. The Purchasing Division shall conduct negotiations, as appropriate, as to price, delivery and terms. A record of sole source procurements shall be maintained as a public record. Should the procurement exceed the established bid limit, the Purchasing Division shall solicit approval of the Board of County Commissioners to purchase as a sole source.

SPECIAL PROCEDURES

Several categories of purchases are impractical to make using the procedures of this manual; therefore, other specific procedures have been developed. These categories are:

- (a) Purchases from the Federal Surplus Property Utilization Program
- (b) Books, periodicals, and related materials for libraries
- (c) Purchase of specialty insurance coverage
- (d) Funeral related services
- (d) Medical services for indigents
- (e) Performances, shows, cultural events or exhibits for Community Services at the Charlotte Harbor Event and Conference Center, Charlotte Sports Park or Historical Center
- (f) Purchases from PRIDE
- (g) Purchases from RESPECT

FEDERAL SURPLUS PROPERTY UTILIZATION PROGRAM PURCHASES

POLICY:

Some equipment and supplies needed by County agencies and Departments may be purchased at Federal Surplus Property Warehouses for a nominal charge.

It is the policy of the County to obtain the equipment and supplies needed from this source, when available.

WAIVER OF BIDS:

Since the Federal Surplus Property Utilization Program is the only source available for this category, the Board of County Commissioners may waive the bidding requirements in instances when the cost of the items purchased exceeds the bid threshold.

PROCEDURES:

Each agency that wishes to participate in the program shall submit to the Board of County Commissioners the name of a representative to be included in the "Eligibility Application for Public Agencies, Federal Surplus Property Utilization Program", which authorizes the representative to participate in the program.

The names of the designees shall be submitted by the Board of County Commissioners to the State of Florida, Director of the Division of Surplus Property, the Department of General Services. Only designated employees are permitted to visit warehouses and select materials, supplies, and equipment considered useful and valuable to the County.

State policy permits the use of alternates to acquire materials, supplies, and equipment, as long as an individual who is a designated representative accompanies the alternate.

Invoices for items purchased through this program are billed by the State of Florida to the Board of County Commissioners. In the event that more than one agency receives material billed on an invoice, each agency shall submit a requisition for their material to the Purchasing Division, who will issue a confirming order.

Where the value (not cost) of the material received exceeds the limit set for inclusion of the Property Control inventory, it will be added through normal procedures.

BOOKS, PERIODICALS, AND RELATED MATERIALS FOR LIBRARIES

POLICY:

The library orders books, audio visual materials, magazines, newspapers and electronic resources for use by the public. Many materials are acquired through standing orders under which the publisher automatically ships new titles that meet the standing order criteria set up by the library. Electronic resources, magazines and newspapers are purchased on an annual subscription basis. Other items are selected individually by title and format. Many items are ordered prior to publication or backordered by the vendor until they are available.

PROCEDURES:

1. The library acquisitions unit will order books and materials directly from vendors electronically or via fax or phone. All orders are prepared using library acquisitions and fund accounting software.
2. Upon delivery, shipments will be verified and checked for accuracy.
3. Invoices will be batched and sent to the assigned Department Accounting Specialist for payment or verification against the procurement card statement. The Accounting Specialist will forward the invoices requiring check payment to the Clerk's Finance Department.

RESPONSIBILITY:

The library will maintain detailed records in the acquisitions software of items ordered and items received and funds spent by account line. The Department Financial Division will maintain records of invoices and payments and will ensure that total payments made in any fiscal year do not exceed the approved book and materials budget for that year.

LIMITATION:

The procedure shown herein shall be used only for books, audiovisual materials, magazines, newspapers, electronic databases and related items. All other library purchases shall be procured through normal purchasing procedures.

PURCHASE OF SPECIALTY INSURANCE COVERAGE

PROCEDURE:

Purchase of Insurance – Non-Request for Proposal
Specialty Coverage; i.e., Aircraft, Intentional Death, EMS, Fire/Rescue, Auto, Error & Omissions, etc.

SCOPE:

Many insurance programs and coverages purchased by the Risk Management Division are not obtained via the bid process or through the normal insurance market. These coverages are considered specialty insurances and are not offered nor sold by many insurance companies and are only provided by a small group of carriers.

METHOD:

In order to obtain specialty coverages, the following procedure is used:

- A. Obtain names of insurance companies who sell specialized coverages from the following sources:
 1. Best Property/Casualty Insurance Review
 2. Business Insurance Yearly Listing of Insurance Companies
 3. National Underwriter "Who Writes What for both Life/Health and Property/Casualty"
 4. Contact non-sales consultants
 5. Contact with other Risk Managers
- B. After obtaining the name of the carrier(s) who can underwrite the particular type of insurance being requested, contact the office or closest representative agent of the carrier(s) and provide them with all pertinent data and information for rating and underwriting purposes of the requested coverage.
- C. It is recommended that a minimum of two (2) proposals be obtained on the requested coverage for cost and coverage comparison.
- D. Upon review of coverage, cost and qualifications of the carrier, the Risk Manager will submit his/her recommendation for approval and purchase of the coverage to the County Administrator.

FUNERAL RELATED SERVICES FOR INDIGENT BURIALS/CREMATION

POLICY:

The County is responsible per the Florida State Statutes to pay for indigent burials/cremation. The Board of County Commissioners has established a fee schedule for indigent burial/cremation that will be paid to the funeral home.

PROCEDURES:

The Human Services Department will receive notification from the local funeral home that they have a deceased, which may qualify as an indigent burial/cremation. Human Services will do a further investigation of the deceased verifying the claim presented by the funeral home. Human Services Department will give authorization to the funeral home and instruction on how to dispose of the remains.

RESPONSIBILITY:

The Human Services Department will maintain the required documentation and forward the necessary invoicing approved to the Finance Department for payment.

PERFORMANCES, SHOWS, CULTURAL EVENTS OR EXHIBITS

POLICY:

The Charlotte County Community Services Department provides performances, shows, cultural events and exhibits for community entertainment and education.

PROCEDURES:

The Community Services Department plans for performances, shows, and cultural events as part of its annual budget. The Director of Community Services, or their designee, enters into a Performer's License Agreement with the vendor or individual providing these activities.

PURCHASES FROM PRIDE

POLICY:

Prison Rehabilitative Industries and Diversified Enterprises, Inc., (PRIDE) is a non-profit corporation formed by an act of the Florida State Legislature in 1981. The mission of PRIDE is to produce and sell goods and services with the end purpose of rehabilitating and educating prison inmates and returning them into society as useful citizens. Profits from selling PRIDE goods or services are reinvested in the system, thereby reducing the cost of State Government. The markets of PRIDE are limited to branches of State Government, political subdivisions, other states, foreign governments, and agencies of the Federal Government. State agencies are required to purchase from PRIDE, while County participation is voluntary.

When quality standards, delivery, and cost are in accordance with County requirements, purchases are made from PRIDE without adhering to the requirements of the Procurement Code or this Manual.

PRODUCTS:

Products available from PRIDE shall be found in the current published list available for inspection in the Purchasing Division.

AUTHORITY:

The Procurement Code exempts procurement contracts between the Board of County Commissioners and other public entities from requirements of the Code. Since PRIDE is a public entity established by the State Legislature, purchases from PRIDE are exempt from the requirements of the Procurement Code and this Manual.

PURCHASES FROM RESPECT

POLICY:

In 1974, the Florida Legislature, through Sections 413.032-037, F.S., created within the Department of Management Services the Commission for Purchase from the Blind or Other Severely Handicapped. The purpose of the Commission is to provide employment for Florida citizens with disabilities. This is accomplished by designating certain products and services to be purchased by state and local government agencies. These products and services are produced by qualified nonprofit agencies that provide rehabilitation services and employment for persons who are severely disabled.

The statute provides for the Commission to designate a central nonprofit agency to facilitate orders and coordinate transactions between the participating nonprofit agencies and state and political subdivision purchasing authorities. The Commission has designated the Florida Association of Rehabilitation Facilities, Inc. as its central nonprofit agency, which in turn operates the program as RESPECT of Florida.

PRICING PROCEDURES:

In accordance with Section 413.035, F. S., the Commission has established the following pricing procedures for products:

1. Requests for establishment or adjustment of prices of products are generated from qualified participating nonprofit agencies.
2. In accordance with Section 413.035, F. S., prices shall recover the cost of raw materials, labor overhead, and delivery, but without profit, and shall be revised from time to time in accordance with changing cost factors.
3. In accordance with Section 60E-1.003, F.A.C., pricing requests with cost breakdowns are submitted to the central nonprofit agency. The central nonprofit agency reviews the requests to ensure accuracy and justification for all costs.
4. Pricing requests are then submitted to the Department of Management Service, Division of Purchasing, for review and determination of conformity with industry-wide pricing.
5. The Commission, during a public meeting, considers pricing requests and the recommendation of the Division of Purchasing and the central nonprofit agency.
6. The Commission establishes prices in accordance with Section 413.035, F. S.

SPECIFICATIONS AND QUALITY:

The following are Commission procedures in reference to specifications and quality of products and services:

1. In accordance with Section 60E-1.005, F.A.C., products must be manufactured in strict compliance with state specifications.
2. Samples of proposed products must be tested and approved by the Department of Management Services, Division of Purchasing, Bureau of Standards, to assure compliance with state specifications.
3. Products are subject to random and scheduled testing by the Bureau of Standards to ensure continued compliance with state specifications.
4. In accordance with Section 60E-1.005, F.A.C., services must be performed in strict compliance with contract specifications.
5. Performance of service contracts are subject to random and scheduled inspections by the central nonprofit agency.

AUTHORITY:

The Procurement Code exempts procurement contacts between the Board of County Commissioners and other public entities from requirements of the Code. Since RESPECT is a public entity established by the State Legislature, purchases from RESPECT are exempt from the requirements of the Procurement Code and this Manual.

FEDERAL PROCUREMENTS

POLICY:

When property or services are procured using funds derived from a Federal grant or agreement (whether direct to the County or “pass-through” from another entity such as the State), the County is required to and will follow the Federal procurement standards in the “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards”, 2 C.F.R. Sections 200.213 and 200.317 through 200.326. All procurements must be conducted in a manner that provides full and open competition. Micro-purchases of \$10,000 or less, do not require competition or a cost/price analysis provided the County considers the price reasonable. Purchases within the Simplified Acquisition Threshold, between \$10,000 to \$250,000, require price and rate quotes from an adequate number of qualified sources. Sealed bids, competitive proposals and noncompetitive proposals may be used pursuant to the requirements of 2 C.F.R. Section 200.320.

It is the responsibility of the requesting Department to notify Purchasing whether federal funds will be used on any particular project and of any special conditions that are imposed upon the County through such federal funding.

PROCEDURES:

The County shall use the same procurement policies and procedures as otherwise contained in this Purchasing Manual to the extent that they do not conflict with the Federal procurement standards. The requirements of 2 C.F.R. Sections 200.213 and 200.317 through 200.326 will apply in the case of a conflict. Applicable Davis-Bacon wage determinations shall be submitted by the requesting department together with technical specifications. Departments should ensure that Federal grant requirements do not prohibit the use of previously-awarded vendors. The following additional procedures shall apply:

1. Equipment.

Management and disposition of equipment purchased with funds deriving from Federal grants shall be in accordance with 2 C.F.R. Section 200.313. All property acquired must be used for federally authorized purposes until project funding ceases or until the property is no longer needed for the project, and shall not be encumbered without approval of the federal awarding agency. Property will be managed and disposed of as follows:

a. Property records will be maintained that include a description of all federally funded equipment, a serial number, the source of funding including the FAIN, record of title, the date of acquisition, the cost, the percentage of Federal participation in the purchase, the property location, use and condition, and the ultimate disposition of the property.

- b. A physical inventory of the property will be taken and the results reconciled once every two (2) years.
- c. The County's existing and customary property control system will be utilized to ensure against loss, damage or theft.
- d. Property authorized for sale shall be sold in a manner ensuring the highest possible return.
- e. Surplus property no longer needed for its original purpose may be used for other federally supported activities.
- f. The County may sell or otherwise dispose of federally funded equipment with a current fair market value under \$5,000 in accordance with its customary surplus property processes.
- g. The County will request permission from the Federal granting entity prior to disposal of equipment with a current fair market value over \$5,000.

2. Conflicts of Interest.

All County employees and officers are subject to the provisions of the Code of Ethics for Public Officers and Employees (Sections 112.311 et seq. of the Florida Statutes); Human Resources Policy 3.25 – Conflict of Interest; BOCC Policy 3.04, Code of Ethics the Conflict of Interest provisions in this Manual and the provisions governing Federal conflicts of interest outlined herein.

For Federal procurements, no employee, officer, or agent of the County may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated above has a financial or other interest in, or a tangible personal benefit from a firm considered for a contract. Except as limited by County Policy 3.25, officers, employees, and agents of the County may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. Any potential conflicts of interest must be disclosed, in a timely manner and in writing, to the Federal awarding or pass-through agency. The assigned Grant Coordinator for the federally funded project is responsible for making this disclosure. Please see the Grants Administration Manual, BOCC Policy 3.04 – Conflict of Interest and County Policy 3.25 – Conflict of Interest.

In addition to the penalties provided in the Florida Statutes, a violation of any provision of the Code of Ethics for Public Officers and Employees, BOCC Policy 3.04 Human Resources Policy 3.25; or this section, may subject an employee to disciplinary action up to and including discharge from employment.

3. Suspension and Debarment.

The County is subject to the debarment and suspension regulations implementing Executive Orders 12549 and 12689, 2 C.F.R. Part 180.

The County may not enter into an agreement for property or services with an entity or person who has been disqualified (suspended or debarred) from participation in Federal programs or activities, unless the Federal granting agency grants an exception.

The County shall take reasonable steps to determine whether any vendor, contractor or consultant is or has been excluded or disqualified from participating in such transaction. Prior to awarding any bid, the Grants Coordinator shall check with SAMS EPLS to ensure that the bidder or subcontractors, if applicable, are not disbarred or suspended from working with federally funded contracts.

The County shall include a provision in all agreements requiring contractors, vendors or consultants to comply with Part 180 when entering into covered transactions with subcontractors, sub-vendors and subconsultants, etc.

The County shall comply with all reporting requirements as mandated by the Federal granting agency.

4. Settlement of Procurement and Contract Disputes.

Any person or entity wishing to dispute the award of a bid, acceptance of a proposal, other procurement of property or services, or the application or interpretation of a contract or agreement relating to property or services procured using Federal grant funds shall submit all relevant information to the Senior Division Manager - Purchasing. The Senior Division Manager - Purchasing, shall review all information presented and shall conduct such further investigation as he or she deems appropriate under the circumstances. After review of all relevant information, the Senior Division Manager – Purchasing shall render a decision concerning the dispute, which decision shall be the final decision of the County. Persons not satisfied with the decision of the Senior Division Manager – Purchasing, may proceed in accordance with Florida law.

5. Local Preference.

Local Preference will not be used in the evaluation of bids or proposals relating to procurements deriving from Federal grant funding, unless otherwise provided for in any specific grant agreement. When contracting for architectural and engineering services, geographic location may be a selection criteria provided its application leaves a number of qualified firms, given the nature and size of the project, to compete for the contract.

6. Domestic Preference for Procurements.

Pursuant to 2 C.F.R. Section 200.322, as appropriate and to the extent consistent with law, to the greatest extent practicable under a Federal award, the County will provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The County shall include this requirement in all subawards

including all contracts and purchase orders for work or products paid for by any federal award.

7. Minority- and Women-Owned Business Enterprises

Charlotte County does not discriminate on any basis within its procurement and contracting process, and encourages the participation of minority- and women-owned business enterprises (collectively, “MBEs”). Within the limits of the Federal Constitution, the County will consider the firm’s status as an MBE or a certified MBE, and also the status of any sub-contractors or sub-consultants proposed to be utilized by the firm, within the evaluation process. Interested MBEs and certified MBEs are encouraged to respond.

The County will take constitutionally-permissible affirmative steps to assure that minority- and women- owned businesses are used whenever possible. These steps include, but are not limited to:

- a. Placing qualified small, minority- and women-owned businesses on solicitation lists;
- b. Assuring that small, minority- and women-owned businesses are solicited whenever they are potential sources;
- c. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small, women- and minority-owned businesses;
- d. Establishing delivery schedules, where requirements permit, which encourage participation by small, women- and minority-owned businesses;
- e. Using the services and assistance, as appropriate, of organizations such as the Small Business Administration, the Minority Business Development Agency of the Department of Commerce and the Florida Office of Supplier Diversity; and
- f. Requiring the prime contractor, if subcontracts are to be let, to take these same affirmative steps in the administration of its related contracts.

8. Procurement of Recovered Materials.

The County shall comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, when procuring goods funded through Federal grant funding.

Whenever feasible, the County will procure items designated in the guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000.

The County will procure solid waste management services in a manner that maximizes energy and resource recovery.

The County will maintain an affirmative preference program for procurement of recovered materials identified in the EPA guidelines. The County may consider the Minimum Content Standard, the Case-by-Case Standard, or a substantially equivalent standard, as set forth in RCRA Section 6002(i)(3), as appropriate to any situation. The County may utilize the assistance of EPA Product Resource Guides located at <http://www3.epa.gov/epawaste/consERVE/tools/cpg/resources.htm> for all product categories for all covered procurements.

9. Contract Cost and Price.

For every procurement in excess of \$250,000, including contract modifications or change orders greater than \$250,000, the County shall perform a cost or price analysis in connection with every procurement subject to Federal procurement guidelines, which shall include an independent estimate of cost prior to issuing bids or proposals. For proposals where price is not considered in the award, profit shall be negotiated as a separate element of the price. In determining whether profit is fair and reasonable, the County shall consider the complexity of work, the risk to be borne by the contractor, the contractor's investment, the amount of subcontracting necessary, the quality of the contractor's record and past performance, and industry profit rates for the surrounding geographical area. "Cost Plus Percentage" methods for determining profit may not be used.

10. Contract Types.

Consistent with 2 C.F.R. 2-00.318, the County will use its own documented procurement procedures which reflect applicable State and local law and regulations provided that the procurements conform with applicable standards for federal awarded projects. The County may enter into fixed price, not to exceed or cost reimbursement contracts.

The County disfavors the use of time and materials contracts for projects under Federal award. Consistent with 2 C.F.R. 200.318(j), the County will only use time and materials contracts when no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. The County will provide a high degree of oversight in order to obtain reasonable assurances that the contractor is using efficient methods and effective cost controls.

11. Shared Services.

Pursuant to 2 C.F.R. 200.318, to foster greater economy and efficiency, the County may enter into state and local intergovernmental agreements or inter-agency agreements, including "piggyback" procurements, where appropriate, for procurement or use of common or shared goods and services. The County will evaluate the economy of shared

services and will document all shared procurement actions using strategic sourcing, shared services or other similar procurement arrangements.

12. Value Engineering, Construction Contracts.

Pursuant to 2 C.F.R. 200.318(g), the County will encourage the use of value engineering clauses in construction contracts of sufficient size to offer reasonable opportunities for cost reductions.

13. Procurement Records.

Consistent with 2 C.F.R. 200.325 and state law (the Public Records Act), the County maintains, through a centralized records management system, and will make available to the Federal awarding agency or pass-through entity, upon request at any time for any reason, all technical specifications and pre-procurement documents relating to any proposed procurement under a federal award. Where appropriate, the County may request a review of its procurement system by the Federal agency or pass-through entity to ensure that it meets Federal standards.

14. Contract Provisions.

All contracts or Purchase Orders must contain the applicable provisions required pursuant to Section 200.326 and Appendix II to Part 200 of the Code of Federal Regulations. These include, but are not limited to:

- a. Contracts in excess of \$150,000 must address legal remedies in instances where contractors violate or breach contract terms, and provide for sanctions and penalties as appropriate;
- b. Contracts in excess of \$10,000 must address termination for cause and for convenience by the County;
- c. All contracts must include the Equal Employment Opportunity clause as provided in Appendix II;
- d. When required, all prime construction contracts in excess of \$2,000 must include a provision for compliance with the Davis-Bacon Act, as supplemented, requiring contractors to pay laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination issued by the U.S. Department of Labor, which determination must be included with all solicitations;
- e. Where applicable, all contracts in excess of \$100,000 that involve mechanics or laborers must include a provision for compliance with the Contract Work Hours and Safety Standards Act, 40 U.S.C. 3701-3708;
- f. Where applicable, a clause requiring compliance with the Rights to Inventions made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements, 37 C.F.. Part 401;
- g. Contracts in excess of \$150,000 must require compliance with the Clean Air Act and Clean Water Act and associated regulations;

- h. Contracts must include requirements concerning mandatory standards relating to energy efficiency as contained in Florida's Energy Conservation Plan;
- i. Contracts must include requirements that a contract award may not be made to debarred and suspended parties as listed on the EPLS in SAM;
- j. For contracts in excess of \$100,000, requirements for compliance with the Byrd Anti-Lobbying Amendment;
- k. Contracts must include a provision for compliance with the Copeland "Anti-Kickback" Act (40 U.S.C. 3145) as supplemented by Department of Labor regulations (29 C.F.R. Part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States") stating that each contractor or subrecipient must be prohibited from including, by any means, any person employed in the construction, completion or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled;
- l. Contracts for federally funded projects must include clauses required by Federal statutes and executive orders and their implementing regulations, including the provisions listed in Appendix II to 2 C.F.R. Part 200 – Contract Provisions for Non-Federal Entity Contracts under Federal Awards.

CONTRACTS AND CONTRACT ADMINISTRATION

A. Applicability:

The requirements of this section shall apply to all contracts entered by Charlotte County, except as may be specified herein, as otherwise required pursuant to Federal grant regulations or under an approved purchase order.

No officer or employee of Charlotte County subject to the authority of the Board of County Commissioners shall execute any contract nor recommend payment of any amount claimed to be due under any contract, unless the contract shall have express provisions that include these elements:

1. The maximum amount due under the contract;
2. The rate of compensation per hour or other unit that is the basis for payment;
3. That all invoices shall be first presented to the Purchasing Division;
4. Designating by title the county officer or employee authorized to approve all or parts of payments due, and, if so directed by the Board of County Commissioners, designating that the County Administrator or his/her designee shall approve payments;
5. Bid specifications/plans or scope of services, or other suitable description of work to be performed by the contractor or suitable references thereto.
6. In accordance with FS 287.32, and where applicable, a provision requiring the contractor to inform the County if he/she has been convicted of a public entity crime subsequent to July 1, 1989.
7. A provision specifying performance criteria and the final date by which such criteria must be met for completion of the contract.
8. A provision specifying the terms of cancellation by the County and where applicable, a provision specifying the terms of renewal.
9. Where applicable, a provision establishing the appropriate types and levels of insurance to be carried by the contractor and bonding requirements. Said provision shall be employed in a manner consistent with standards approved by the Board of County Commissioners and as prescribed by in this manual.

B. Contract Number:

Every contract entered by the Board of County Commissioners shall be immediately assigned a contract number by the Purchasing Division. No contract shall be placed on an agenda for consideration, nor approved by the Board of County Commissioners without first being assigned

said number. No numbering system other than the official Purchasing Division Bid Contract system shall be used to number contracts.

C. Audit and Payment:

Upon receipt of the invoice, the Purchasing Division shall enter the invoice and any associated applicable documentation in Sharepoint for the Designated Department Director or his/her designee for approval. Once approved the documentation will be submitted to the Clerk's Finance Division for audit and payment. The Clerk shall promptly audit the claim and make appropriate payment, less any authorized deductions or retainage, for all progress payments.

D. Contract Manager:

1. Every contract shall be assigned a Contract Manager. The Contract Manger shall be the Department Director from the using agency, or suitable subordinate, or a staff member specifically employed to manage contracts;
2. The Contract Manager shall serve as liaison between the Contractor and all County agencies and departments and shall be responsible for;
 - Coordination of interaction between the Contractor and County agencies;
 - Monitor progress and quality of the work performed by the Contractor;
 - Prepare schedules and timely progress reports for the Administrator or his/her designee and Board of County Commissioners;
 - Coordinate, initially approve and justify any necessary contract change orders for submission to the Purchasing Division for processing for final approval;
 - Keep up-to-date records of all relevant issues pertaining to the performance of work time schedules and adherence to specifications;
 - Apprise all regulatory departments and agencies of the project and its' progress to assure conformance by the Contractor with all-applicable codes and laws; and
 - Review and approve contract invoicing for payment.

E. Administrative Change Orders for Construction Projects:

1. Construction contracts are defined to be any contract for the planning, design, construction, repair, restoration, maintenance, acquisition or the operation without limitation of any waterworks system, sanitary or stormwater sewer system, gas system, bridges, roads, highways, streets, solid waste disposal facilities, parks and recreation facilities, or any building or structure.

2. Upon award of a construction contract by the Board of County Commissioners, a contingency reserve shall be established which will be five percent (5%) of the awarded bid price unless otherwise modified by contract.
3. Any change order or unit modification to any construction contract, that results as an increase to the contract less than \$170,000.00 or a decrease to the contract for any amount, that is within the contract budgeted amount including the contingency reserve, may be authorized and approved in writing by the County Administrator or his/her designee, the Senior Division Manager - Purchasing, and the Department Director, or Department Head of the department for whom the construction contract is being performed for unit modifications and improved value changes as set forth herein. The limit of this authority shall increase without further legislative action, by five thousand dollars (\$5,000) each year, commencing on October 1, 2023 and increasing on the first day of October of each year thereafter. (Initially enacted October 1, 2004, at \$75,000).
4. Unit modifications are defined as those changes specifically related to unit bid quantities.
5. Emergency change orders are defined as those changes which were not detectable prior to the implementation of the work and which require an immediate approval in order to prevent costly delays to projects or are threats to the public health, safety and welfare requiring immediate attention.
6. Improved value change orders are defined as those changes specifically related to types of materials used, methods of construction and/or design, which will have a project performance enhancement, cost advantage, or both, and which were not detected prior to the implementation of the work. Ample time should be available to investigate associated costs through at least one alternative source to ensure equity of pricing by the contractor.
7. Unit modifications shall be authorized in writing and approved by the Department Director, the Senior Division Manager - Purchasing and the County Administrator or his/her designee and limited to those items for which a unit bid price was included in the original contract.
8. Improved value change orders shall be authorized in writing and approved by the Department Director, the Senior Division Manager - Purchasing and the County Administrator or his/her designee.
9. Emergency change order shall be authorized and approved by the County Administrator or his/her designee only in the amount necessary to alleviate the emergency situation and such change order shall be presented to the Board of County Commissioners at the next regularly scheduled meeting.
10. Increases or decreases in contract completion time resulting from change orders approved under this policy are to be included as part of the change and duly documented.

11. Change orders must be documented by completed and signed change order forms prepared by the Purchasing Division. This allows the Purchasing Division and the Clerk's Finance Department time to adjust records, enabling prompt payment and accurate record keeping, in accordance with generally accepted accounting principles.
12. Interpretation of definitions and requirements contained in this policy rests solely with the County Administrator or his/her designee.
13. Any unit modification or change order in the amount of \$170,000.00 or more may only be approved by the Board of County Commissioners. The limit of this authority shall increase without further legislative action, by five thousand dollars (\$5,000) each year, commencing on October 1, 2023, and increasing on the first day of October of each year thereafter.
14. In contracts where the County reserves the right to direct purchase certain materials and/or equipment for the recover of a portion of the sales tax included in the bid pricing, the appropriate change orders shall be issued in accordance with and under this policy.

F. Delays and Extension of Time:

Delays and extension of time for completion of a project by a Contractor shall be submitted in writing with justification to the Contract Manager. Upon the Contract Manager's approval, the request shall be forwarded to the Senior Division Manager - Purchasing for submission to the County Administrator or his/her designee.

G. Contract Extension:

Extension of a contract for commodities or services may be requested by the Contract Manager to the Senior Division Manager - Purchasing in writing and shall be subject to the same terms and conditions set forth in the initial contract. All extensions of a contract may be authorized by the County Administrator or his/her designee.

H. Contract Renewal:

Direction for the renewal of a contract for commodities or services shall be in writing by the Contract Manager to the Senior Division Manager - Purchasing and shall be subject to the terms and conditions set forth in the initial contract. The cost and terms of any contemplated renewals shall be included in the Request for Bids or Request for Proposals. Renewals are to be done on a yearly basis, and any such contracts may be renewed up to three consecutive one-year terms unless competitively procured or otherwise determined by the Senior Division Manager – Purchasing to be in the best interest of the County. Renewals shall be contingent upon satisfactory performance evaluations by the contract manager.

I. Substitution of Subcontractors:

Charlotte County shall reserve the right to approve subcontractors to be used on a project.

Contractors shall not remove or replace subcontractors listed in bid submissions or as have been previously approved, without the express approval of the County.

J. Payment Dispute Resolution – Local Government Prompt Payment Act

Payment Dispute Resolution procedure which will apply to any payment dispute between the County and a contractor or vendor (both referred to as "vendors" in this section) over the County's nonpayment of a payment request or invoice brought pursuant to the Local Government Prompt Payment Act.

The County shall notify the vendor in writing within ten (10) days after receipt of an improper invoice, that the invoice is improper. The notice should indicate the steps the vendor should take to correct the invoice and resubmit a Proper Invoice to the County. The vendor's first step must be to contact the project sponsoring department to validate their payment request or invoice and receive a sign off from that entity indicating that the payment request or invoice in question is in keeping with the terms and conditions of their contract. Once the project sponsoring department's sign off is obtained, the vendor should then resubmit the payment request or invoice as a "Corrected Invoice" to the project sponsoring department which will initiate the payment timeline.

- "Project Sponsoring Department" for purposes of this Section is defined as the County department for whom the work is performed.
- "Proper Invoice" for purposes of this Section is defined as an invoice submitted for work performed that meets contract terms or conditions to the satisfaction of the County.

Should a dispute result between the vendor and the County over payment of a payment request or invoice, the vendor should submit their dissatisfaction in writing to the project sponsoring department. Each project sponsoring department shall designate a representative to act as a "Dispute Manager" to resolve the dispute at the department level.

The Dispute Manager shall investigate the dispute and document the steps taken to resolve the dispute in accord with Section 218.76, Florida Statutes. Such investigation shall be commenced no later than forty-five (45) days after the date on which the payment request or invoice was received by the County, and shall be finally determined by the County no more than sixty (60) days after the date on which the payment request or invoice was received.

The Dispute Manager will investigate and ascertain whether the work for which the payment request or invoice has been submitted was performed to County's satisfaction and duly accepted by the Proper Authority. For purposes of this Section "Proper Authority" is defined as the County representative who is designated as the approving authority for the work performed in the contract. The Dispute Manager must complete the investigation and furnish a written determination resolving the dispute within the sixty (60) day timeframe for resolution of the dispute, per Section 218.76, Florida Statutes.

If the vendor is not satisfied with the Dispute Manager's resolution of the dispute, the County Manager or his or her designee shall be the final arbiter in resolving the issue. The County Manager or his or her designee will issue their decision in writing within the sixty (60) day timeframe for resolution of the dispute.

The County Dispute Resolution Procedure shall not be subject to Chapter 120 of the Florida Statutes. Per Section 218.76, Florida Statutes, this procedure is not intended as an administrative proceeding which would prohibit a court from ruling again on any action resulting from the dispute.

Should the dispute be resolved in the County's favor, interest charges begin to accrue fifteen (15) days after the final decision made by the County. Should the dispute be resolved in the vendor's favor, the County shall pay interest as of the original date the payment was due.

BID SECURITY AND PERFORMANCE/PAYMENT BONDS

Bid Security:

1. Requirement of Bid Security: Bid security shall be required for competitive sealed bidding of construction contracts when deemed necessary by the Senior Division Manager - Purchasing. Bid security shall be a bond provided by a surety company authorized to do business in the State, or the equivalent in cash, or otherwise supplied in a form satisfactory to the County.
2. Amount of Bid Security: Bid security shall be in an amount equal to at least 5% of the amount of the bid.
3. Rejection of Bids for Non-compliance with Bid Security Requirements: When the invitation for bids requires bid security, a bid shall be rejected in the event of noncompliance.
4. Withdrawal of Bids: If a bidder is permitted to withdraw his bid before award, as stated in Competitive Sealed Bidding; Correction or Withdrawal of Bids; Cancellation of Awards, no action shall be taken against the bidder or the bid security.

Contract Performance and Payment Bonds:

1. Form: Bonds may be in the form as prescribed in FS 255.05, or on standard form for said bond, issued by a firm so authorized by the State of Florida. Bonds must be accompanied by appropriate Power of Attorney to assure validity.
2. Bond Amount: Unless otherwise stipulated in the request for bids or request for proposals, the bond shall be in an amount of one hundred percent (100%) of the approved contract price.
3. Guarantee: For all building construction projects and as may be so stipulated in the request for bids or request for proposals, the provision of the performance bond may be extended to include a guarantee period for all workmanship and materials supplied by the Contractor for the project, and shall assure that said contractor shall make all necessary repairs at no cost to the County, during said guarantee period. Said guarantee shall not preempt any other guarantees provided for materials or labor supplied on the project, but shall be in addition to.
4. Alternative to Bond: In lieu of a bond required by this section, a contractor may provide upon approval of the County, an alternative form of security in the form of money order or certified cashier's check issued by a bank in the State of Florida.
 - a. Any such alternative form of security shall be for the same purpose and shall be subject to the same conditions for a bond. The County shall reserve the right and be authorized to use said alternative security to satisfy any claims by labor sub-

contractors or material suppliers filing claim against the project, or remedy such defaults during a guarantee period for which the contractor does not remedy.

- b. Alternative security shall remain in full force during the entire construction period and any guarantee period specified.
5. When Required Amounts: When a construction contract is awarded in excess of \$200,000 the following bonds or security shall be delivered to the County and shall become binding on the parties upon the execution of the contract:
- a. a performance bond satisfactory to the County, executed by a surety insurer authorized to do business in the State as a surety, in an amount equal to 100% of the price specified in the contract, conditioned that the contractor perform the contract in the time and manner prescribed in the contract; and
 - b. a payment bond satisfactory to the County, executed by a surety insurer authorized to do business in the State as a surety, in an amount equal to 100% of the price specified in the contract, conditioned that the contractor promptly make payments to all persons supplying labor, materials or supplied used directly or indirectly in the performance of the work provided for in the contract, and who are laborer, materialman, subcontractor, and sub-subcontractor as defined in Section 713.01, Florida Statutes.
6. Reduction of Bond Amounts: After notice to the Board of County Commissioners through the County Administrator or his/her designee, the Senior Division Manager - Purchasing is authorized to reduce the amount of performance and payment bonds to 50% of the contract price for each bond when a written determination is made that it is in the best interests of the County to do so.
7. Authority to Require Additional Bonds: Nothing in this Section shall be construed to limit the authority of the County to require a performance bond or other security in addition to those bonds, or in circumstances other than specified.

Copies of Bond Forms:

Any person may request and obtain from the County a certified copy of a bond upon payment of the cost of reproduction of the bond and postage, if any. A certified copy of a bond shall be prima facie evidence of the contents, execution, and delivery of the original.

PURCHASE REQUISITION PROCEDURES

PURPOSE:

The Purchase Requisition is the medium used to inform the Purchasing Division of the needs of the using Department or Division, and to define the material or service needed.

PURCHASING DIVISION'S RESPONSIBILITIES:

1. To be generally knowledgeable of the operations and needs of all Departments.
2. To procure goods and services that meet the using Department's needs, as defined in the requisition or specifications, at the most economical cost and protecting the best interest of the County.
3. To determine the source and availability of needed products.
4. To aid and cooperate with all Departments in meeting their needs for goods and services.
5. To process requisitions with the least possible delay.
6. To assist departments in the preparation of specifications when deemed necessary by Purchasing.
7. To maintain an active Vendor's list.

USING DEPARTMENT'S RESPONSIBILITIES:

1. To allow sufficient time for the Purchasing Division to process the purchase requisition in accordance with required procedures and for the vendor to supply and/or deliver material or needed services.
2. To provide full and accurate description of materials or services required, including whether they are to be procured in association with a project funded by a Federal grant.
3. To provide technical specifications when required.
4. To advise the Purchasing Division of any unusual project demands and requirements.
5. To report in writing to the Purchasing Division favorable or unfavorable comments concerning the performance of vendors and/or products. Vendors cannot be removed from the approved supplier list without written documentation, prepared at the time of the occurrence.
6. To advise any vendor who seeks to be on the approved vendor list to contact the Purchasing Division.

7. To verify that all items/services on the requisition are charged to the proper account.
8. To verify that funds are available in the proper account line to procure the items/services shown on the requisition. The Purchasing Division cannot process a requisition unless proper funding is in place.
9. Ensure that requested items/services are necessary to operations and are used for their stated purposes.

DEPARTMENT CONTACT WITH VENDORS:

1. Departments that contact vendors for information to price purchase requisitions or gather operational or budgetary information shall inform the vendors that the information requested is for planning purposes only and is not a request for quotations.
2. Heavy Equipment demonstrations shall be arranged by the Purchasing Division. Whenever possible, such demonstrations will be consolidated to include all interested departments. This is essential to eliminate the possibility of backdoor buying.

PURCHASE REQUISITION PRICING LIMITS

LIMIT: \$50,000 and above

Purchasing Division will use a competitive sealed bidding process (Request for Bid) or if the use of a competitive sealed bidding process is either not practicable or not advantageous to the County, a contract may be entered into by any of the following:

1. Competitive sealed proposals;
2. Consultants' Competitive Negotiation Act (CCNA);
3. Request for qualification;
4. Request for proposal;
5. Non-competitive procurement;
6. Request for information; or
7. Any other method allowed or permitted by law and when authorized by the Board of County Commissioners ensuring the County selects the most qualified provider at the lowest cost.

LIMIT: \$10,000.00 up to \$50,000.00

Purchasing Division will use a competitive Request for Quotation (RFQ) process. **Note:** Departments are not to obtain quotes for those items over \$10,000. The exception is if a price needs to be obtained for budgetary purposes only.

LIMIT: \$ 0 up to \$10,000.00

Department will be responsible and have the authority to select vendor and obtain pricing information; except in those instances where a contract has been previously awarded to a particular vendor. These purchase requisitions, after review and approval by Purchasing, will be converted automatically by the Purchasing Division. A procurement card shall be used whenever practicable.

SUMMARY OF PROCESSING PURCHASING REQUISITION/PURCHASE ORDER

- STEP 1: Department issues and approves Purchase Requisition.
- STEP 2: Purchasing reviews, evaluates and processes Purchase Requisition per the appropriate guidelines. Approximate processing times are as follows:
- A) Request for Quotes: Forty (40) calendar days
 - B) Request for Bids: Eighty-Five (85) calendar days
 - C) Request for Proposals: One Hundred & Thirty (130) calendar days
 - D) Telephone Quotes: Five (5) days
 - E) Blanket Orders and Purchase Orders less than \$10,000.00 - Next day or same day
- STEP 3: Purchase Order is issued
- STEP 4: Department receives goods and/or services,
- STEP 5: Upon receipt of the invoicing the Purchasing Division shall submit the complete invoicing into SharePoint for processing and approval.
- Step 6: The Designated Department processes the receiving report in Eden and approves invoicing in SharePoint.
- STEP 7: All documentation is then forwarded to the Finance Department for payment.

FIXED ASSETS POLICY

Florida Statute requires all fixed assets be accounted for on an annual basis. Charlotte County therefore establishes the following procedures to comply with the laws:

PHYSICAL INVENTORY:

1. Inventories will be performed on a yearly basis by each department.
 - a. The Fixed Asset Coordinator will provide a current list of all equipment assigned to each department.
 - b. Departments will note the current location of each item.
 - c. Departments will list all items not located (see Missing Equipment).
 - d. Departments will sign the printout and return it to Purchasing.
2. At least once every three (3) years the Purchasing Division will perform the official annual inventory of each department with the department custodian.
3. Purchasing Division will perform interim inventories as time permits or as it deems necessary for proper control.

PROPERTY TAGS:

1. All equipment valued over \$5,000.00 with a minimum life expectancy of one (1) year must be tagged by the Purchasing Division, with the exception of vehicles and computers. These items have been authorized by the Purchasing Division to be tagged by Fleet Management, Fire/EMS Department and Information Technology Division.
2. All items over \$5,000.00 not tagged or having a missing tag should be reported to the Purchasing Division when noted.
3. Tags are to be removed only by direction of the Purchasing Division.

VEHICLE LICENSE PLATES

1. All new vehicles are to be delivered to the Charlotte County Fleet Management Department for acceptance, except for those vehicles purchased for the Fire/EMS Department.
2. Upon receipt of the vehicle the following documentation, which is submitted at time of delivery by the vendor, must be forwarded to Purchasing: Manufacturers Statement of Origin, Application for Title and the mileage statement.
3. When all the required documentation is received, the asset is to be tagged by the Fire/EMS Department and Fleet Management with a County identification tag provided

by the Purchasing Division. Then forward all documentation to the Fixed Asset Coordinator.

4. No new vehicle may be driven off county property until released by the Fleet Management Department or Fire/EMS Department and the Purchasing Division.

EQUIPMENT TRANSFERS:

1. Before any equipment, which is more than \$5,000.00 can be transferred to another department; the Fixed Asset Coordinator must be notified in writing of the requested transfer, including the property number and description of the item.
2. The Fixed Asset Coordinator must be notified of any equipment more than \$5,000.00, which is transferred to another location within a department.
3. Any equipment, which is under the \$5,000.00 value, can be transferred freely within the department or to another department without any notification to the Fixed Asset Coordinator.

DELETIONS:

1. Surplus Property
 - a. A list of any surplus equipment must be forwarded to the Fixed Asset Coordinator describing the item, the condition of the item and the property number.
 - b. The Fixed Asset Coordinator will then try to locate a home for the equipment within the other County departments.
 - c. If no other department requests the equipment the Purchasing Division will determine whether the item should be sold via on-line auction or be disposed of by whatever method that would be allowable in accordance with the Florida Statutes (see "Proper Disposal of Equipment").
 - d. Any department, which is in need of specific items of surplus equipment, must forward to the Fixed Asset Coordinator a request listing the items, which the department is interested in. The Fixed Asset Coordinator will then handle any requests for surplus equipment on a first come first serve basis.
2. Missing Equipment:
 - a. If any piece of equipment cannot be located, a Disposal Authorization Form must be forwarded immediately to the Fixed Asset Coordinator, including the property number and description of the item. Also, a memo must be attached, clearly stating any information or hypothesis surrounding the loss of the missing equipment. Also, include all circumstances of what was done to try and locate this equipment.

- b. If the missing equipment is deemed stolen, the Sheriff's Department must be notified, and a report filed.
 - c. A copy of the sheriff's report will then need to be forwarded to the Fixed Asset Coordinator along with the Disposal Authorization Form of explanation.
3. Unrepairable Equipment:
- a. If any piece of equipment is deemed unrepairable or is uneconomical to repair and maintain, a Disposal Authorization Form must be forwarded to the Fixed Asset Coordinator, requesting it be deleted off inventory. The Disposal Authorization Form must clearly state all surrounding circumstances in detail of the unrepairable/unmaintainable condition.
 - b. The equipment cannot be disposed of until the Board of County Commissioners has approved of its deletion. The equipment must be disposed of in accordance with Florida State Statutes.

COUNTY AUCTION:

- 1. All County equipment, which is deemed surplus property, and is determined by the Purchasing Division to have a resell value, will be sold via an on-line auction service or vendor on-site service.
- 2. Departments will be responsible for filling out the appropriate on-line auction form stating the condition of the equipment. Upon completion, it must be forwarded to the Purchasing Division to the attention of the Fixed Asset Coordinator.
- 3. The Purchasing Division will coordinate all auction sales.

PROPERTY CUSTODIAN:

- 1. Definitions
 - a. Custodian: The Department Director who is responsible for all equipment assigned to his/her department.
 - b. Custodian Designee: The person to whom the Custodian delegates the immediate supervision and control of the department's property assets.
- 2. Procedure
 - a. The Custodian may appoint one or more Custodian Designee(s) who will serve as property steward(s), responsible to the Custodian for the immediate use and control of the department's property assets. If the Custodian does not appoint a Custodian Designee, the Director only shall be listed in the official records. The

appointment of a Custodian Designee shall not serve to delegate the ultimate responsibility for property accountability that is charged to the Custodian.

b. Property Accountability Measures

1. Each work unit lead worker, supervisor or foreman shall ensure all tools, equipment, and all other County property is properly used, accounted for, and secured.
2. Departments will establish internal control procedures stressing accountability and include, where possible, sign out/sign in logs for all sensitive items such as portable radios, cameras, etc. Emphasis shall be placed on individual employee assignments of County property with the employee held personally responsible for equipment use, accountability and security.

EQUIPMENT UNDER \$5,000.00:

1. The Department Director is responsible for all equipment, including items valued under \$5,000.00, assigned to his department.
2. Usable surplus equipment should be reported to the Fixed Asset Coordinator for redistribution to other county departments.
3. Surplus equipment, which is broken, obsolete or in any way unusable, should be reported to the Fixed Asset Coordinator for permission to dispose by completing a Disposal Authorization Form.

PROPER DISPOSAL OF COUNTY EQUIPMENT:

1. Any equipment valued over \$5,000.00 (original value) to be properly disposed of must have a Disposal Authorization Form completed, forwarded to the Purchasing Division's Fixed Asset Coordinator and must have Board of County Commissioners approval prior to disposal.
2. Proper disposal methods consist of the following:
 - a. Destroy equipment and place remains in a dumpster (non-hazardous only).
 - b. Hazardous equipment is to be picked up by an authorized disposal/recycling vendor.
 - c. Sell equipment via on-line auction service to the highest bidder.
 - d. Donate equipment to another Government Agency or Non-Profit Organization.
3. Equipment is never to be given to a County employee or the public.

PROCUREMENT CARD GUIDELINES

PURPOSE:

The Purchasing Division has initiated a Procurement Card Program for the purpose of expediting small purchases in the most cost effective and efficient method. This program will provide improved tracking of actual spending, and in addition, offer payments to vendors in a much more timely manner, thereby increasing the County's opportunity of obtaining discounted pricing.

The policies and procedures provided herein are minimum standards for departments. Departments may establish additional controls beyond those stipulated herein.

PROCESS:

The Procurement Card system simplifies the procurement/disbursement process by allowing the cardholder to place orders directly with the vendor.

When a purchase is placed with the supplier and the supplier requests authorization, the Procurement Card System validates the transaction against preset, limits established by the Department Head and the Purchasing Division. All transactions are approved or declined (electronically) based on the established procurement card authorization criteria. The authorization criteria may be adjusted periodically as needed and may include, but is not limited to, the following: single purchase limits (\$1,000 or 5,000.00 per transaction for employees and \$5,000 or \$10,000.00 per transaction for supervisors as established by the Senior Division Manager – Purchasing and the Department Head); approved merchant category codes; and monthly credit limit. The exception to this authorization criterion is for those procurement cards that have been established specifically for the payment processing of utility bills, library books, Charlotte County Utilities inventory items and/or animal shelter bills; or in the case where it has been determined by the Senior Division Manager - Purchasing that adjustment to the single purchase limit or credit limit is in the County's best interest. The monthly credit limits and single purchase limits will be established between the user department and the Purchasing Division.

ELIGIBILITY:

Department Directors will recommend permanent employees within their respective departments whose positions would benefit in cost savings and efficiency to receive a Procurement Card. Temporary employees and those employees on probation are not to be issued a card.

CRITERIA FOR DETERMINING CARDHOLDERS:

In determining which employees are to receive this card, Department Directors should use the following criteria:

- Will the employee's use of a card enhance productivity?

- Will the employee's use of a card reduce paperwork?
- Will the employee utilize the card regularly for purchasing of authorized goods/services?

PROCUREMENT CARD USES:

Procurement Cards may be used for small dollar purchases, not in conflict with purchasing procedures, which do not exceed a total expenditure of \$5,000.00 per transaction for employees and \$10,000.00 per transaction for supervisors. In most instances, this method of procurement is an alternate to traditional monthly purchase orders. In all instances, this card is to be used solely for Official County Business.

Procurement Cards may be used for travel expenses in accordance with the Administrative Travel Policy. Eligible charges consist of registration fees, airfare or other common carrier charges, rental cars, hotel expenses, and parking fees required by the hotel.

Procurement Cards may not be used for items not budgeted, nor items for personal use. Failure to properly use the Procurement Card within the guidelines set by Purchasing will result in the cancellation of Procurement Card privileges for the employee and possible disciplinary action.

TRAINING:

Cardholder(s) will receive training from the Purchasing Division on the overall policies of the Procurement Card Program, as presented in this document, at the time the procurement card is issued.

PROCUREMENT CARD USAGE:

In utilizing the Procurement Card, the following steps are to be followed:

- Call/visit the most competitive vendor available within reasonable travel distance.
- Provide vendor with shipping/delivery instructions, if applicable. Shipping and delivery costs must be inclusive within the total transaction cost and are not to be billed separately.
- All receipts, invoice copies and detailed store cash register receipt must be saved.

It is the Department Head/cardholder's responsibility to verify their monthly Activity Statement for Procurement Card usage within five (5) working days. The Activity Statement will detail charges billed during the month and is to be reviewed for any discrepancies. All receipts (cash register, credit card, and invoices) are to be attached to the Activity Statement in the same order as on the Statement. In the event a receipt is lost and a copy cannot be obtained, a signed memo is to be attached containing the required purchase transaction information.

Department Heads/cardholders are to send their reconciled Statement to the Purchasing Division within five working days in order to avoid any interest and bank penalties, which, if any, may be charged to the Department's Cost Center.

PURCHASING DIVISION RESPONSIBILITIES:

- Assume overall responsibility for administering the Procurement Card Program.
- Establish and maintain purchase procedures and Procurement Card Program guidelines.
- Revoke the delegation of purchasing authority and any procurement card where appropriately required.
- Ensure coordination with the Finance Department.
- Coordinate, review and approve issuance and cancellations of cards with Bank of America.
- Assist cardholder in resolving billing issues and supplier disputes.
- Provide initial and ongoing Procurement Card Program training.
- Coordinate and maintain Procurement Card Program internal controls.
- Obtain employees' signatures on the "Procurement Card Signature Form" at the time the employee receives the training from Purchasing.

DEPARTMENT MANAGEMENT RESPONSIBILITIES:

- Designate departmental representatives.
- Establish internal controls for billing statement review and approval procedures.
- Request procurement cards for appropriate personnel within the department per the criteria for determining cardholders.
- Handle situations involving improper use of procurement cards by department personnel.
- Obtain the procurement card upon a cardholder's employment with the County ceasing (obtain and verify statement of all purchases prior to issuance of last payroll check).
- Ensure sufficient budget is available to support purchases.

A DESIGNATED DEPARTMENTAL REPRESENTATIVE:

- Review and approve the cardholders reconciled monthly bank activity statement.
- Complete the Procurement Card Reconciliation Form and forward to the Purchasing Division.
- Serve as a liaison with the Purchasing Division.
- Monitor all disputed purchases, credits or billing errors. Disputes or errors, which cannot be resolved, will be referred to the Purchasing Division.
- Check budget availability to support purchases and process budget transfers as appropriate.
- Enter appropriate account line information into the procurement card on-line system (Works).

A Procurement Card cancellation may be handled by the Department Head (or designee). The card is to be taken from the employee, forwarded to Purchasing, along with a signed memo canceling the card.

SAFEGUARDING THE PROCUREMENT CARD:

It is the cardholder's responsibility to safeguard the procurement card and the account number at all times. The cardholder must take reasonable precautions to protect the card (account number) from loss or theft.

LOST OR STOLEN CARDS:

Any lost or stolen cards are to be reported immediately to Bank of America at 800.449.2273, 24 hours a day, seven days a week and the Department Head (or designee). Attached is the "Notification of Lost or Stolen Procurement Card" which must be completed and returned to the Purchasing Division within five (5) working days of the incident. The report shall include the complete information surrounding the loss, the date and location of the loss, the date and time Bank of America was notified, a list of any purchases made on the day the card was lost or stolen, and any other information pertinent to the incident.

LIMITATIONS ON USE OF THE PROCUREMENT CARD:

The employee whose name is embossed on the card may only use the Procurement Card and no other individual is authorized to use the employee's card.

DOLLAR LIMITATIONS & CONDITIONS:

The Department Head approving the assignment of the Procurement Card will set the employee's monthly credit limit and assist the Purchasing Division in establishing the Department's merchant category code groups. The single limit transactions will be established at \$1,000 or \$5,000.00 per transaction for employees and \$5,000 or \$10,000.00 per transaction for supervisors. **Transactions shall not be split to prevent rejection due to the single purchase limits established.**

All items purchased over-the-counter must be immediately available; items purchased during one telephone transaction shall be delivered in a single delivery; items purchased must be delivered by the vendor within the 30-day billing cycle; purchases must be immediately available, and NO BACK ORDERING is allowed.

PROHIBITED USES OF PROCUREMENT CARDS:

- Travel expenses related to food, hotel room incidentals, fuel, non-mandatory valet parking, or any other incidental expenses are prohibited charges on a procurement card. All other travel expenses will be in accordance with the Administrative Travel Policy.
- Cash Advances

PROCEDURES FOR USE OF THE PROCUREMENT CARD:

Cardholders using the Procurement Card shall following these procedures:

- Ensure that the goods or services to be purchased are for a public purpose, within the authorized Merchant Category Code (MCC).
- Determine that the intended purchase is within their credit card limit.
- Inform the merchant that the purchase will be made using the Procurement Card and that the purchase is tax-exempt. Please be sure to review the receipt before leaving the store. If taxes were included, a credit must be requested.

Telephone/Mail orders shall be placed following these procedures:

- If you place a telephone or mail order and sales taxes were charged, contact the merchant and request that a credit be processed for the amount of the tax charged.
- Purchases made in Florida and for use in Florida are exempt from Florida sales and use taxes. The County's tax-exempt identification number is printed on the face of the procurement card.
- Ensure that the vendor understands that charges are not to be billed until all item(s) have been shipped. Florida law prohibits payment to a vendor prior to receipt of goods or services except in specific circumstances.
- To ensure prompt delivery of items ordered by telephone or by mail, provide the vendor with the appropriate delivery information – do not use Post Office Box for "Ship to" addresses. Request that your name and "Ship to" address along with the room number (where applicable) be clearly marked on the outside of the package.
- Instruct the vendor to send the sales receipt directly to the cardholder and not to the Purchase Order billing address (the Purchasing Division).
- Inform the vendor that any shipping or delivery fees must be either included in the unit price (FOB – Destination) or listed as a separate item on the transaction.

MERCHANDISE RETURNS:

The cardholder is responsible for managing any returns/exchanges and ensuring that proper credit is received for returned merchandise, Contact the vendor and obtain instructions for return, and review your next card statement to ensure that your account is properly credited for the return.

DISPUTED CHARGES-RETURNED MERCHANDISE:

Any disputed charges are to be settled by the cardholder and vendor. The "Cardholder Statement of Disputed Item" form, which is to be completed whenever an item is contested and faxed to Bank of America as soon as possible, but no later than thirty (30) days of the billing cycle in which the transaction occurred. At the same time, copy the Purchasing Division on all communications.

If an unsubstantiated charge appears on a monthly statement, the cardholder must first attempt to verify the charge. If the cardholder does not agree with the charge posted on the statement, the

cardholder must complete the “Cardholder Statement of Disputed Items” and submit it to the Department Head (or designee) for authorization and submission to the issuing bank as noted above.

The Department Head (or designee) shall ensure that a copy of the “Cardholder Statement of Disputed Items” form is also provided to the Purchasing Division concurrently with submission to Bank of America. Bank of America will research the disputed charge and make the necessary adjustments.

When the bank receives proper notification of a disputed charge, the charge amount will be removed from the total owed by the County shown on the monthly statement as a “disputed” item. When the dispute is resolved, the charge will either be removed from the monthly statement (if the charge was improper) or remain charged to the cardholder (if research shows the charge is valid).

If items purchased with the procurement card are found defective or the repair or services faulty, the cardholder has the responsibility to return item(s) to the vendor for replacement or to receive a credit on the purchase. CASH REFUNDS ARE NOT PERMITTED. If the vendor refuses to replace or correct the faulty item, the purchase of this item will be considered to be in DISPUTE.

A disputed item must be noted on the cardholder’s statement.

DOCUMENTATION, RECONCILIATION AND PAYMENT PROCEDURES:

Anytime a purchase is made that will be paid using the procurement card, the cardholder shall obtain a customer copy of the itemized procurement card receipt and itemized vendor’s sales receipt, which will become the accountable document.

If for some reason the cardholder does not have documentation of the transaction to send with the statement, a memorandum of explanation which includes a description of the item, date of purchase, vendor’s name and an explanation of why there is no supporting documentation to be filed. Instances of frequent abuse of this provision shall result in cancellation of the cardholder’s procurement card.

The itemized procurement card receipt and itemized vendor’s sales receipt for purchases must be supplied. When purchases are conducted by telephone, request the vendor forward to you the receipt. These receipts are to be stapled to the monthly bank activity statements in the order they appear on the statement. Failure to keep adequate receipts will lead to cancellation of the cardholder’s procurement card. If receipts are lost or lack detail, a note of explanation shall be attached indicating the item(s) purchased.

Bank of America will provide one copy of the billing statement to each cardholder, mailed in c/o of the Department Head, and a master copy to the Purchasing Division at the end of each billing cycle. The billing statement will have a listing of all processed charges for that 30-day billing cycle.

The cardholder is required to review the statement and to note any errors on the statement. The receipts will then be stapled to the statement. The cardholder signs the statement, certifying the items were purchased. By signing the statement, the cardholder is certifying that all charges are appropriate, authorized and supported by attached receipts. Noncompliance may mean denial of future use.

The Department Head (or designee) reviews the monthly statements, assigns the accounting lines, verifies the budget availability and signs the statement as department approval. The Department Head (or designee) shall forward any "Statement of Disputes" copies with the monthly bank activity statement.

The Department Head (or designee) shall be responsible for the receipt of monthly activity statements from all department cardholders, verification of budget availability, and verification of purchases, resolution of any questions on the purchases, signing the statements and forwarding all statements to the Purchasing Division. All statements shall be attached to the "Bank of America Reconciliation Form" when forward to the Purchasing Division and must be sent within five (5) working days after receipt of the statements.

In the absence of the cardholder, it will be the responsibility of the cardholder to provide to the Department Head (or designee) the receipts for that billing cycle should travel or extended leave be scheduled at the time the statement is due and the cardholder will not be able to complete the statement. The Department Head (or designee) shall complete the statement, make a copy for the absent employee and forward with the department's "Bank of America Reconciliation Form" for the overall department charges.

All receipts must be stapled to the statements in the order in which they appear on the cardholder's statement. If a cardholder has no activity for that particular billing cycle, a statement will not be generated by Bank of America for the cardholder (unless adjustments for previously billed transactions are processed during that billing cycle).

APPROVAL:

Based on their knowledge of the cardholder's responsibilities, the Department Head (or designee) shall review each purchase to determine if the purchase was for a public purpose and in accordance with these procedures.

If for any reason the Department Head (or designee) questions the purchase(s), it is their responsibility to resolve the issue with the cardholder(s). If they cannot be satisfied that the purchase was necessary and for a public purpose, the cardholder must provide a credit voucher proving the item(s) has been returned for credit. Inappropriate purchases are not the bank or vendor's responsibility. The vendor will be paid and the department will be charged unless the merchandise is returned and a credit is issued.

Resolution for improper use of the procurement card will be the responsibility of the Department Head (or designee). Unauthorized use of the procurement card will result in termination of the

card and charging privileges, and the cardholder shall be subject to disciplinary action up-to and including termination of employment.

REQUEST FOR INITIAL AND ADDITIONAL OR CHANGES TO PURCHASING CARD:

All requests for new cardholders or changes to current cardholders will be submitted on the "Request for Procurement Card" form. The Department Head (or designee) shall sign this form and the form shall be submitted to the Purchasing Division. Procurement cards may be issued to individual employees who frequently purchase goods and services. Generally, these cards will be used in lieu of monthly purchase orders.

When procurement cards are received at the Purchasing Division from the bank, the cardholder will be required to execute the cardholder agreement, before issuance of the card. All cards issued shall be personally signed by the cardholders. The procurement cards can be personally picked up by the cardholder at the Purchasing Division. The Purchasing Division will be held responsible for guaranteeing that the cardholder signs the back of the procurement card and signs the "Procurement Card Signature Form".

The procurement card will contain the employee's name, the County's name, the applicable tax exemption number and the expiration date embossed on the face of the card.

TERMINATION/TRANSFER:

Cardholders whose employment is terminated must turn-in their procurement card prior to their separation from the County. The procurement card will be returned to the Purchasing Division through the respective Department Head (or designee) in a secure manner along with the "Termination of Procurement Card form". Upon receipt of the card, the Purchasing Division will take timely action to deactivate the card and destroy it. A cardholder that uses their procurement card after separation shall be subject to legal action.

Any cardholder transferred from one department to another within the County shall turn-in their procurement card to the respective Department Head (or designee) for submission to the Purchasing Division for disposition along with the "Termination of Procurement Card form".

Purchasing cards canceled for any reason shall be deactivated and destroyed by the Purchasing Division.

UNDERUTILIZED PROCUREMENT CARDS:

The Purchasing Division shall review procurement card activity once a year for a 12-month period. Those cards that are identified as underutilized will be reviewed with the Department Director or designee to determine the eligibility of the procurement card to remain active. Any card to be determined to no longer be required will be canceled.

CODE OF ETHICS POLICY

In its dealings, Charlotte County will observe the highest standards of ethics. Government business must be fair, open and demonstrate the highest levels of integrity consistent with the public interest.

- Fairness and Impartiality - Potential suppliers/vendors are to be treated equally and must have the same opportunity to access information and advice.
- Use of Competitive Process – Consistent with Board policy, a competitive process should be used unless an alternative method of procurement is in the best interest of the County, as determined by the Senior Division Manager – Purchasing.
- Consistency and Transparency of Process – Proposers and Bidders are to be evaluated in a systematic manner against explicit predetermined evaluation criteria.
- Identification and Resolution of Conflicts of Interest – Any person involved in the procurement process is to declare and address any actual or perceived Conflict of Interest prior to undertaking any quote, bid or proposal evaluation.

The Purchasing Division staff subscribes to the following ethical principles as stated by the Universal Public Purchasing Certification Council (UPPCC) Code of Ethics.

- I will seek or accept a position of employment only when fully in accord with the professional principles applicable thereto, and when confident of possessing the qualifications to serve under those principles to the advantage of my employer.
- I believe in the dignity and worth of the services rendered by my employment and the societal responsibilities assumed as a trusted public servant.
- I shall be governed by the highest ideals of honor and integrity in all public and personal relationships in order to merit the respect and inspire the confidence of my employer and the public served.
- I believe that personal aggrandizement or personal profit obtained through misuse of public or personal relationships is dishonest and intolerable.
- I will identify and eliminate participation of any individual in operational situations where a conflict of interest may be involved.
- I believe that individuals that possess UPPCC certification should at no time or under any circumstances accept, directly or indirectly, gifts, gratuities or other things of value from suppliers which might influence or appear to influence purchasing decisions.
- I will keep my governmental organization informed, through appropriate channels, on problems and progress of applicable operations by emphasizing the importance of the facts.

- I will handle all personnel matters on a merit basis. Politics, religion, ethnicity, gender and age carry no weight in personnel administration in the agency being directed or served.
- I shall not seek or dispense personal favors that are in conflict with my profession. I will handle each administrative problem objectively and empathetically without discrimination.
- I subscribe to and support the professional aims and objectives of the Universal Public Purchasing Certification Council.

TERMS AND DEFINITIONS

<u>TERMS</u>	<u>DEFINITIONS</u>
Account	A commercial statement showing the amount due by one person or another for goods, etc.
Acknowledgement	A form used to inform the buyer that the seller has accepted the order.
Agreement	An understanding or arrangement between two or more parties.
Air Freight	Material transported by airplane.
Any Quantity Price	The price charged regardless of the order volume.
Arrival Notice	A notice sent by the carrier to the buyer advising of the arrival of a shipment.
As Is	An expression, in a sales agreement, implying that the buyer is taking delivery of goods without warranty or guarantee and must trust to his own examination.
Availability	Regarding materials, whether they are obtainable or not.
Average Cost	Cumulative average cost method of pricing inventories.
Back Order	The undelivered part of a previous order, which the vendor agrees to ship later.
Bid	A competitive price offer made by an intended seller, usually in reply to an invitation to bid. A price offer made at a public auction.
Bid Opening	The act of publicly removing bids from the bid box, opening the bid envelopes, and making available for public inspection, the bids received.
Bidder (Responsible)	One who satisfied all the following requirements: <ul style="list-style-type: none">○ Is a manufacturer of, regular dealer in, or an agent of a manufacturer of supplies of the general character to be furnished.○ Is financially and otherwise able to perform the contract; or Is otherwise qualified and eligible by law and regulation

Freight Bill	A form used by a carrier as an invoice showing consignee, consignor, description of shipment, weight, freight rate charges, and other pertinent information about goods being transported.
Bill of Lading	A receipt from a public carrier for material to be shipped.
Blanket Order	Generally specifies prices, terms, conditions and the period covered, but does not specify the quantity. Shipments are made against releases. Sometimes referred to as standing order or an open-end order or requirement order.
Bond (performance)	A bond executed in connection with a contract and which secures the performance and fulfillment of all the undertakings, covenants, terms, conditions, and agreements contained in the contract.
Brand Name Product	A products whose manufacturer is identified on the product, or on the package.
Breach of Warranty	A condition where the material fails to meet the specifications.
Breakage	That quantity received broken for which an allowance should be made.
Budget	A forecast of receipts and planned allocations of expense for a given period of time.
Bulk Buying	The concentration of total demand for a commodity into one purchase.
Cancellation of Order	Annulment of order.
Cancellation Request	Asking a supplier to accept cancellation of the order.
Cash on Delivery	Payment due and payable upon delivery of goods.
Cash Discount	A discount from the purchase price allowed to the purchaser if he pays within a specified period.
Check Enclosed	Payment is to accompany buyer's order.
Certificate of Damage	A document issued by dock companies in regard to merchandise received or unloaded in a damaged condition.
Change Order	Purchaser's written modification or addition to a purchase order.

Competitive Bidding	The offer of firm bids by individuals or firms competing for a contract, privilege, or right to supply specified services or merchandise.
Competitive Rate	A rate established by a carrier to meet the competition of another carrier.
Concealed Damage	Damage to the contents, which is not apparent externally.
Confirming Order	A purchase order restating the same terms originally placed orally.
Consignee	The person or organization to whom a shipper directs the carrier to deliver goods. Such person or organization is generally the buyer of goods and is called a consignee on a bill of lading.
Consignor	The person or organization who delivers freight to a carrier for shipment is called a consignor or shipper and is the one who directs the bill of lading to be executed by the carrier.
Contract	A verbal or written legally binding mutual promise between two parties. An accepted purchase order.
Contract Date	The date when a contract is accepted by all parties thereto.
Contractor	(1) Any one of the parties to a contract. (2) One who contracts to perform work or furnish materials in accordance with a contract.
Discount	Vendor's deduction from the selling price, usually upon some cost reducing condition such as prompt payment.
Emergency Order	Purchase of materials or services urgently needed to get rush jobs moving.
Estimate	An approximate calculation of the charges or cost to the buyer for whom the estimator proposes to supply goods or services, particularly repair work.
Freight on Board (FOB)	Indicates a type of business transaction in which the vendor of goods is responsible for all expenses incidental to delivery of goods to the buyer at a particular place designated.

Freight at Destination	An expression meaning those freight charges will be paid by the consignee of goods upon their arrival at a specified destination.
Guarantee	A pledge or assurance that something is as represented and will be replaced or repaired if it does not meet specifications.
Invitation For Bids	Solicitation for prospective suppliers by a purchaser requesting their competitive price quotations.
Mil	A unit commonly used for measuring the diameter of wires and textile monofilaments, being 1/1000 inch.
Packing List	A document that itemizes in detail the contents of a particular package or shipment.
Pallet	A portable platform upon which goods are placed in unit loads to facilitate stacking and handling by mechanical equipment such as forklift trucks.
Partial Payment	The payment authorized in a contract upon delivery of one or more complete units called for under the contract or upon completion of one or more distinct items of service called for thereunder.
Ply	A layer, as in plywood, or fabrics.
Prepaid	A term denoting that transportation charges have been or are to be paid at the point of shipment.
Purchase Order	A purchaser's written document to a supplier formally stating all terms and conditions of a proposed transaction.
Purchase Requisition	A formal request for material or services made to the Purchasing Division by the department in which the request originated.
Purchasing	Buying materials and services of the right quality, in the right quantity, at the right price, from the right source, and for delivery at the right time.
Purchasing Research	A continuing process in all active Purchasing Divisions, involving investigation and research into new and improved or alternative materials and sources of supply, with an ever-open door to new offers.

Quality Assurance	Quality assurance comprises a planned and systematic pattern of all actions necessary to provide adequate confidence that the products will perform satisfactorily in service.
Quantity Discount	Reduction in the unit price offered for large contracts.
Quotation	Generally a sales proposal including price, sales terms, and conditions. A price statement as an offer.
Service	The supplier's ability to comply with promised delivery dates, specifications and technical assistance.
Skid	A wood or metal platform fitted with two sled-type runners, or with legs, upon which material is placed and transported. It differs from a pallet in that its construction does not permit stacking of loaded skids one atop another.
Sling	A net of rope, chain, or other device into which goods are placed to be hoisted into and out of a ship or other conveyance.
Specifications	A statement containing a detailed description set out in groups according to the material classification code, together with the filed specification sheet.
Tracer	(1) A request for an answer to a communication, or for advice concerning the status of a subject. (2) A request upon transportation line to trace a shipment for the purpose of expediting its movement or establishing delivery.
Voucher	A written certification, usually the documentary statement of a transaction denoting payment due the payee.
Warranty	The representation that something is true. Not to be confused with "Guarantee": contractual responsibility for the deficient performance or nonperformance of another party.

CONCLUSION

The procurement activity of any organization is charged with providing good value in a timely manner. The private sector of business typically uses informal systems and procedures in their procurements. Their goals and objectives are profit-oriented, and almost any legal and ethical system that contributes to profitability is acceptable. Results of competitive buying are usually kept private and subject only to internal organizational review.

The public sector, which is funded by public money, requires more rigid and complicated procedures, resulting in more complex systems. In order to ensure that the public funds are well spent, and to aid in maintaining the credibility of the public body, these systems and procedures must be documented and audited periodically. The procurement system is subject to public scrutiny and is accountable to external as well as internal reviews.

This Manual documents the systems and procedures used by the County Government in the procurement of goods and services. All using departments and divisions are an important part of the procurement system; they are invited to address any suggestions for improvement to the Manual, or any part of the system, to the Senior Division Manager - Purchasing. This will ensure that the County Government will maintain an efficient procurement system, responsive to the needs of the users of the system.