

PORT ST. JOE REDEVELOPMENT AGENCY
PURCHASING POLICY
Adopted February 9, 2012

Section 1 – Purpose

This policy is adopted to promote the following purposes and comports with the City of Port St. Joe Purchasing Policy.

- A. To clarify and procurement practices used by the PSJRA.
- B. To promote the continued development of professional and equitable procurement policies and practices.
- C. To promote public confidence in the purchasing procedures followed by the PSJRA.
- D. To ensure the fair and equitable treatment of all persons who deal with the procurement system of the PSJRA.
- E. To maximize economy in procurement activities and to maximize to the fullest extent the purchasing value of public funds.
- F. To provide safeguards for the maintenance of a procurement system of quality and integrity.

Section 2 – Application of Policy

- A. Activities: This policy shall apply to the purchase/procurement of all materials, supplies, services, construction, and equipment except as herein specifically exempted.
- B. Exemption from the Purchasing Policy: The following are exempt:
 - 1. All purchased from a utility whose rates are determined and controlled by the Public Service Commission or other governmental authority, including but not limited to electricity, water, sewer, telephone, and cable television services.
 - 2. All supplies, materials, equipment, or services purchased from another unit of government.
 - 3. Sole source as provided in Section 6.06 hereof.
 - 4. All purchased having a value of two thousand dollars (\$5,000) or less; however, each such purchase shall be supported by one equipment appraisal report from the vendor.
 - 5. Emergency purchases as provided in Section 6.07 hereof.

Section 3 – Definitions

The following terms defined in this section shall have the meanings set forth below whenever they appear in this policy:

- A. Blanket Purchase Order: a purchase order issued to a vendor for an amount not to exceed the face value of the purchase order for the procurement of commodities or services no single item of which shall exceed the threshold for small purchase unless the appropriate method of procurement was used to generate the Blanket Purchase Order.
- B. Commodity: A product that the PSJRA may contract or purchase for the use and benefit to further the Redevelopment Plan. A specific item, it is different from the rendering of time and effort by a provider.
- C. Competitive Sealed Bidding (Invitation to Bid): a written solicitation for sealed competitive bids used for the procurement of a commodity, group of commodities, or services valued more than the threshold for this category. Must be publicly advertised and have the title, date and hour and location of public bid opening, and specifically define the commodity, group of commodities, or services for which bids are sought. Competitive Sealed Bidding is used when the PSJRA is capable of specifically defining the scope of work for which a contractual service is required or when the PSJRA is capable of establishing precise specifications defining the actual commodity or group of commodities required.
- D. Construction: the process of building, attaining, repairing, improving, or demolishing any public structure or building, or other public improvement of any kind to any public real property. Exclusions: Routine operation, routine repair, or routine maintenance of existing structures, buildings, or real property.
- E. Contract: all types of PSJRA agreements, regardless of what they may be called, for the purchase or disposal of supplies, services, materials, equipment, or construction.
- F. Contractual Services: the rendering by a contractor of its time and effort rather than the furnishing of specific commodities. The term applies only to those services rendered by individuals and firms who are independent contractors, and such services may include, but are not limited to, evaluations; consultations; maintenance; accounting; security; management systems; management consulting; educational training programs; and professional, technical, and social services.
- G. Cooperative Purchasing: procurement conducted by, or on behalf of, more than one public procurement unit.
- H. Emergency: when there exists a threat to public health, welfare, or safety; natural unexpected events; accidents; or loss to the PSJRA under emergency conditions which shall be considered to mean those situations where the operation would be seriously impaired if immediate action were not taken.
- I. Emergency Purchase: a purchase necessitated by a sudden unexpected turn of events (e.g. acts of God, riots, fires, floods, accidents) where the delay incident to competitive bidding would be detrimental to the interests of the PSJRA.
- J. Gratuity: compensation for services (money, gifts, etc.).

- K. Purchasing Quotes: procurement procedure used to purchase commodities or contractual services with a value within the threshold amounts set for this category. Quotes may be written or oral, from two or more vendors, and do not require a public bid opening and is awarded by the Executive Director or designee.
- L. Request for Proposals (RFP): a written solicitation for sealed proposals with the title, date, and hour of public opening designated. The RFP is used when the PSJRA is unable to specifically define the scope of work for which the commodity, group of commodities, or contractual service is required; and when the PSJRA is requesting that a qualified offeror propose a commodity, group of commodities, or contractual service to meet the specifications of the solicitation document. An RFP includes, but is not limited to, applicable laws and rules; functional or general specifications; statement of work; proposal instructions; and evaluation criteria. Procedures for and evaluation of a proposal, when such proposal is for “professional services,” shall be in accordance with Florida Statutes Chapter 287.055.
- M. Small Purchases: the procurement of commodities or services with a value within the threshold set for this category without the requirement of quotes, bids, or public notice.
- N. Sole (Single) Source Purchases: the purchase of a commodity, service, equipment, or construction item(s) from one available practical source of supply and may be declared such by the PSJRA for reasons acceptable to it.

Section 4 – Authority for Purchasing

- A. The Executive Director shall serve as the central purchasing officer and shall administer operational procedures governing internal functions of the purchasing program.
- B. Except as otherwise specifically provided in this policy, the Executive Director shall purchase or supervise the purchase of all supplies, services, materials, equipment, and construction services defined within the scope of this policy.
- C. The discretionary spending limit for the Executive Director shall be \$2,000 for goods or services.

Section 5 – Threshold Amounts

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| A. Small Purchase Procedures (Section 6.01)
Does not require documentation of bids and quotes.
Responsibility of purchaser to obtain most economical source of goods and services. | \$1 to \$1,000 |
| B. Blanket Purchase Orders (Section 6.02)
Made at beginning of fiscal year for repetitive costs. | N/A |
| C. Purchasing Quotes (Section 6.03)
Written Quotes from Vendor | \$1,001 to \$5,000 |
| D. Competitive Sealed Bids (Section 6.04) | \$5,001 and above |

Section 6 – Purchasing Categories

Section 6.01 Small Purchases

The purchase of commodities, equipment, and services that cost less than the threshold authorized in Section 5 does not require solicitation of quotes or bids.

Section 6.02 – Blanket Purchase Orders

No purchase order shall be issued for an amount greater than the annual limit established for a blanket purchase order in Section 5 of this policy for the purchase of goods or services unless approved by the PSJRA Board of Directors.

Section 6.03 – Purchasing Quotes

The purchase of goods and services that cost within the range authorized for purchasing quotes in Section 5 shall require competitive written quotations from two or more vendors.

Section 6.04 – Competitive Sealed Bids

- A. Conditions for Use: All contracts for purchases of a single item or aggregate in excess of the established base amount for competitive sealed bidding in Section 5 shall be awarded on the basis of sealed competitive bidding, except as provided in Section 6.06, Competitive Sealed Proposals.
- B. Invitation to Bid: An invitation to bid shall be issued and shall include specifications, all contractual terms and conditions, and the place, date, and time for opening or submittal.

No negotiations, decisions, or actions shall be initiated or executed by the proposer as a result of any discussions with any person prior to the opening of the proposals. Only those communications that are in writing from the PSJRA may be considered as a duly authorized expression on behalf of the PSJRA. Also, only communications from firms or individuals that are in writing and signed will be recognized by the PSJRA as duly authorized expressions on behalf of proposers.

- 1. Alternates: Alternate bids will not be considered unless authorized by and defined in the bid specifications.
- C. Public Notice: Public notice shall by publication in a newspaper of general circulation at least ten (10) working days prior to bid opening. Notice of the Invitation to Bid shall give the date, time, and place set forth for the submittal of proposals and opening of bids. Bids shall be opened publicly.
- D. Award: The contract shall be awarded with reasonable promptness to the lowest responsive, responsible bidder whose bid meets the requirements and criteria set forth in the Invitation to Bid. The PSJRA reserves the right to waive any informality in bids and to make an award in whole or in part when either or both conditions are in the best interest of the PSJRA. The

PSJRA shall make every effort to include local vendors/contractors in any and all RFP processes and fully supports awarding contracts to local vendors as possible and prudent as the result of a thorough and detailed bid analyses.

- E. Cancellation of Invitations for Bids: An Invitation for Bids or other solicitation may be canceled, or any or all bids may be rejected in whole or in part, when it is in the best interest of the PSJRA, as determined by the Board of Directors. Notice of cancellation shall be sent to all businesses solicited.
- F. The requirements and procedures of Florida Statutes section 287.057 are incorporated herein by reference.

Section 6.05 – Competitive Sealed Proposals

- A. Conditions for Use: When it is determined that the use of competitive sealed bidding is either not practical or not advantageous to the PSJRA, a contract may be entered into by the use of competitive sealed proposals.
- B. Professional, Architectural, Engineering, Landscape Architectural, and Land Surveying Services: Professional services within the scope of the practice of architecture, professional engineering, landscape architecture, or registered land surveying shall be obtained in accordance with the Consultant's Competitive Negotiation Act, Section 287.055, Florida Statutes provided that the value of the services exceed \$5000.00.
- C. Proposals anticipated to exceed the threshold established in Section 5 for Competitive Sealed Proposals shall be approved by the PSJRA Board of Directors prior to solicitation.

Section 6.06 – Sole Source Purchases

- A. Sole Source Certification: A contract may be awarded for a supply, service, material, equipment, or construction item(s) without competitive bidding when the Executive Director certifies in writing, after conducting a good-faith review of available sources, that there is only one available source for the required material, supply, service, equipment, or construction item(s). Such awards will be made within the authorized procurement limits. When a purchase exceeds the two thousand dollar (\$2,000) limit, the item will be agendaed for Board of Directors approval and certification that the vendor has been determined to be a sole source.
- B. Additional Purchases from Certified Sole Source: The Executive Director shall be authorized, after initial sole source certification, to make additional purchases from a sole source vendor for not more than one year or until such time as contrary evidence is presented regarding sole source eligibility, whichever period is less.

Section 6.07 – Emergency Purchases

- A. Authorization During Normal Business Hours: In the case of emergencies that require the immediate purchase of goods, equipment, or services, the Executive Director shall be empowered to secure such goods or services without competitive bidding when there exists a threat to public health, welfare, or safety; natural unexpected events; accidents' or loss to

the PSJRA under emergency conditions. In this event, all measures reasonable possible under the circumstances shall be taken to assure the maximum cost benefit of the PSJRA of the goods and or services procured.

- B. Authorization Outside of Normal Business Hours: The Executive Director, during non-business hours, is authorized to make purchase without competitive bids when an emergency arises and such purchases are necessary to protect the safety, health, welfare, or property of the PSJRA.
- C. Documentation and Approval: Documentation for emergency purchases pertaining to the above shall be provided by the Executive Director, including a detailed explanation, with support material attached, within ten (10) working days after the event occurred. Emergency purchases that exceed the competitive sealed bid threshold shall be ratified by the Board of Directors.