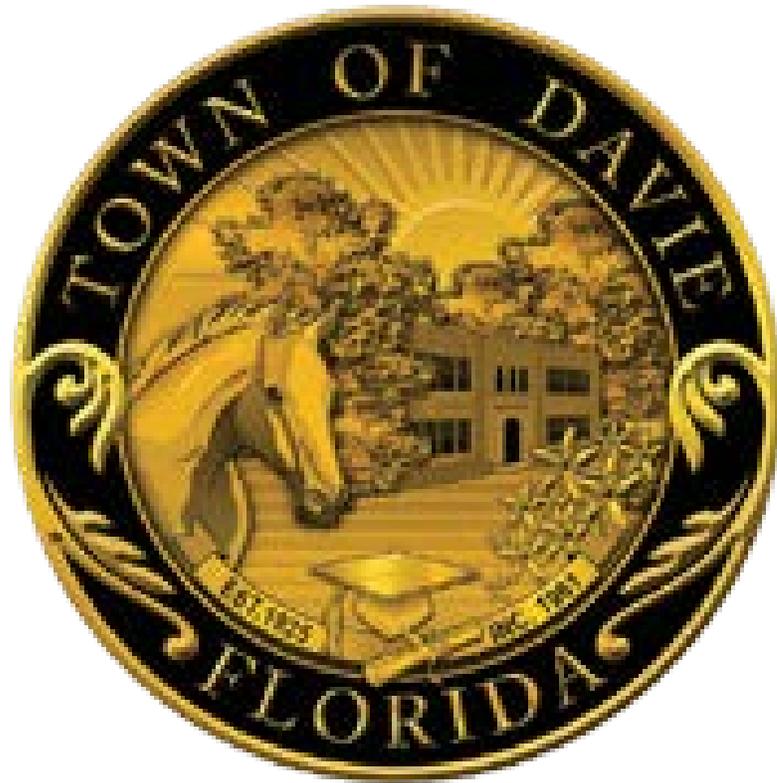


TOWN OF DAVIE PURCHASING POLICY & PROCEDURES MANUAL



Committed to excellence in customer service

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FOREWARD

It is a goal of the Town of Davie to fairly, equally, and impartially administer its procurement program. In that effort, the Town of Davie Purchasing Policy and Procedures Manual has been developed to act as a guide that describes and explains the responsibilities of the Town's purchasing and expense contracting program.

This Purchasing Policy and Procedures Manual contains instructions and describes the procedures to be utilized in the daily administration and management of the procurement function. This manual has been developed to serve as an outline whereby well-informed decisions can be made. Due to the variety of needs and requirements governing each type of purchase, not all possibilities can be addressed in detail in this manual.

Interpretation of the procedures outlined in this manual is the responsibility of the Procurement Manager, subject to the guidance and supervision of the Budget and Finance Director and the Town Administrator.

This manual is effective immediately upon issuance and supersedes all previously issued purchasing policies, manuals, instructions, or directives. The Purchasing Manual is subject to periodic revision as an administrative policy subject to the final approval of the Town Administrator or designee. The Purchasing staff encourages any suggestions to improve the effectiveness of the purchasing process.

If at anytime you have a specific question regarding purchasing functions, you should contact the Purchasing Division at (954) 797-1016.

I. MISSION STATEMENT

The mission of the Purchasing Division is to provide for fair and equitable treatment of all persons involved in public purchasing by the Town; to maximize the purchasing value of public funds in procurement; and to provide safeguards for maintaining a procurement system of quality and integrity.

II. INTRODUCTION

Section 1: Purpose

The purpose of this manual is to set forth and establish the Town's policies and procedures to be used in the procurement of goods and services required for the operation of all departments.

This manual is not intended to address every issue, exception, or contingency that may arise in the course of purchasing activities. The basic standard that should always prevail is to exercise good judgment in the use and management of Town resources. See Flow Chart 1 for basic purchasing decisions and procedures.

Section 2: Scope

The policies and procedures outlined in this manual shall apply to all departments involved with any procurement of goods and services for the Town of Davie. Throughout this manual, the word "Town" may also be used to represent the Town of Davie. The word "department(s)" or "Town department(s)" may, in many instances, also apply to Town division(s).

Section 3: General Policies

- A. All elected and appointed officials of the Town who participate in the solicitation and approval of purchases and contracts are personally responsible for becoming familiar with and abiding by all applicable State of Florida Statutes, Town of Davie Code, and Purchasing policies and procedures in this manual, governing such activities.
- B. Town officials should endeavor to receive maximum value for the public dollar and to purchase in the best interest of the Town.
- C. The Town Administrator has designated the Procurement Manager as the authorized purchasing agent for the Town. It is his/her responsibility to provide leadership in all purchasing and contracting activities for the Town.
- D. It is the Procurement Manager's responsibility to develop and maintain a purchasing policy & procedures manual, which shall provide for rules, regulations, and procedures for the internal management and operation of the Purchasing Division.
- E. The Procurement Manager shall supervise the procurement of all supplies, services, or other items as needed by the Town; exercise supervision and control over inventories of fixed assets belonging to the Town; and sell, trade, donate, destroy, transfer, or otherwise dispose of surplus property.
- F. In order to minimize stock levels and obtain better prices through large volume purchases, the Town standardizes products used across Town departments.
- G. All qualified bidders shall be afforded equal opportunities to quote and will compete on equal terms.

- H. Awards shall be made for bids and quotes that provide the best value to the Town, taking into consideration the vendor's skill, business judgment, experience, facilities to carry out the contract and previous work and pecuniary ability. The Town reserves the right to waive minor irregularities, reject and/or accept any and all bids, in whole or in part, or take such other action as serves the best interests of the Town.
- I. The Town Council reserves unto itself the final approval of all purchases that exceed \$25,000. The Procurement Manager shall be the final approver for all purchases between \$2,500.01 and \$25,000. The Mayor shall sign all contracts relative to the expenditure of funds in excess of \$5,000. The Mayor shall sign contracts relative to Inter-local Agreements. Note: Even though Town Council also services as the Community Redevelopment Agency (CRA) Board, decisions made by the CRA Board are required to be approved by the Town Council as well.
- J. It is the intent of the Town to buy only from suppliers who have adequate financial strength, high ethical standards and a record of adhering to specifications, maintaining shipping promises and giving maximum service. New sources of supply shall be given due consideration, as multiple sources of supply are necessary to ensure availability of materials.
- K. The Town shall strive to maintain strong and enduring relationships with vendors of proven ability and with those who have a desire to meet the needs of the Town. To accomplish this, purchasing activities shall be conducted so the vendors will value the Town's business and will make every effort to furnish its requirements on the basis of quality, service and price.
- L. Individuals engaged in purchasing shall promote maximum competition by constantly seeking new bidders, obtaining multiple bids on everything purchased and developing more than one active source of supply for various products and services to the extent possible.
- M. Acceptance of gifts is prohibited. Officials and employees shall not become obligated to any vendor and must not conclude any Town transaction from which they may personally benefit.

Section 4: Duties & Responsibilities

The Purchasing Division staff of the Budget and Finance Department is responsible for establishing purchasing policies and coordinating the purchasing procedures for the Town. The Purchasing staff also provides training to using departments.

Function

- A. Develop purchasing objectives, policies, programs and procedures for the acquisition of materials, equipment, supplies, and services.
- B. Coordinate and provide assistance for purchasing procedures of user departments.
- C. Consolidate the purchase of like or common items or services.
- D. Review drafted specifications for formal bids.
- E. Provide contract administration. (only for item that are procured through the division.)
- F. Provide administration for the Town Procurement Card program.

- G. Ensure all purchases are made as per State laws and Town policy.
- H. Resolve, monitor and negotiate contract disputes regarding contract compliance.
- I. Request and/or assist with audit of departments for compliance of Town procurement policies.

Objectives

- A. To know and become acquainted with the needs of all departments.
- B. To procure a product or service that will meet the department's requirements and is the best value to the Town.
- C. To know the sources and availability of needed products.
- D. To write manuals, provide training, and be a source of information to all departments in meeting their purchasing needs.
- E. To maintain good vendor relations.
- F. To inform department staffs of market changes, new products and other such factors.
- G. To provide an understanding of sound purchasing policy and procedures throughout all departments of the Town.
- H. To exchange ideas and information with other public purchasing agencies in an effort to solve common problems.
- I. To develop standardized specifications for use by all departments, improve the purchasing practices and apply them when feasible.
- J. To understand legal procurement laws and ensure purchasing personnel comply.

Purchasing Policy

Changes will occur relative to State and Federal laws as well as revisions to the policies set forth by the Town Administrator. Such changes will be incorporated into our Purchasing Policy and Procedures Manual by addendum and the information will be distributed to all departments. Situations may occur which will require deviations from these policy decisions to expedite purchases. These decisions will be made by the Procurement Manager unless he/she feels a higher level of authorization should be responsible to choose. The higher level of authorization will then be the Budget and Finance Director, the Town Administrator, and/or Assistant Town Administrator.

The Town Attorney's office must review all contracts for departments other than the Police Department, regardless of the dollar amount., Contracts for the Police Department will be reviewed by the acting attorney for the department.

All expense contracts \$5,000 and under, including \$0 contracts, can be handled administratively but are still subject to review by the Town Attorney. All expense contracts more than \$5,000 must go to Town Council

by resolution to authorize the Mayor's signature. If the contract is a multi-year contract, the total value of the contract is the amount for all years of the contract for purposes of determining who has authority to sign the contract. (e.g. a three (3) year contract for \$2,000 per year would require the Mayor's signature because the total value of the contract is \$6,000.)

Relations with Town Departments

The Purchasing Division shall establish and maintain communication with Town departments in order to meet their purchasing requirements.

Requesting Department's Responsibilities

- A. Initiate purchases, as outlined in this Purchasing manual, allowing sufficient lead time for the Purchasing Division to process the order and the vendor to deliver goods or services.
- B. Follow the Town's purchasing policies outlined in the Purchasing policy & procedures manual.
- C. Prepare clear and unrestrictive technical specifications when needed for products or services.
- D. Review bid tabulation sheets and submitted proposals to inform the Purchasing Division of their department's recommendations for award.
- E. Provide proper documentation when exercising an option to "piggyback" or declaring sole/single source procurement in lieu of performing our own competitive bid process.
- F. Promptly inform the Purchasing Division of any contract compliance issues.
- G. The requesting department is responsible for all contract management of any agreement that results from either a piggyback, cooperative contract, sole / single source, professional service or other means.
- H. The requesting department is responsible to ensure that any agreement is sent to the vendor after it has been approved by the authority.
- I. The requesting department is responsible for ensuring that all terms, conditions and pricing is compliant with any contract it is utilizing and has been verified to be accurate before submitting any payments to the Budget & Finance Department.

Ethics and the Procurement Process

The Town of Davie and the Purchasing Division subscribe to the Florida State Statutes' Code of Ethics: 112.215, Section III to 112.363, Part IV. Furthermore, the Purchasing Division promotes the published and established Code of Ethics as adopted by the National Institute of Governmental Purchasing (NIGP) and the Florida Association of Public Purchasing Officers, Inc (FAPPO).

In accordance with Section 2-327 of the Town Charter, no officer or employee of the Town shall have any personal, beneficial interest, either directly or indirectly, in any expenditure, purchase, sale (not including items auctioned by the Town) or contract for items, equipment, supplies, commodities, or services made by the Town. Additionally, they shall not have an interest in any firm, corporation, or association furnishing or bidding on such purchase, sales contract, or services.

No employee, Town management, or official, acting as agent for the Town, shall directly or indirectly, purchase, rent, or lease any supply or service from a business entity in which he/she or his/her immediate relative owns a material interest. A public officer or employee acting in a private capacity may not rent, lease, or sell any supply or service to the Town where he/she will have a personal gain in any manner.

The Town of Davie is also governed by the Government in the Sunshine, Florida Statute 119. Briefly, the records held by the Purchasing Division are viewed as public information and as such, can be examined by the public upon proper request.

Section 5: Purchasing Methods

Petty Cash

Item(s) up to \$50 in value may be purchased under the Petty Cash Policy set forth by the Budget and Finance Department.

Procurement Card

A Procurement Card (P-card) is intended for use by an employee that has a frequent and recurring need to purchase small dollar supplies and services (up to \$2,500 for a single transaction). The P-card program is designed to improve efficiency in processing purchases from any supplier that accepts the Visa credit card. Purchases can be completed with suppliers over the phone, fax, Internet, mail, or in person. All P-card purchases must follow the rules and procedures prescribed in the Purchasing Card Program Cardholder Manual, available in the Purchasing Division. The P-card program is administered by the Procurement Manager. If a P-Card purchase exceeds the \$2,500, single transaction threshold the using department will complete the Procurement Card Transaction Request Form (Form 8; Page 82) and send it to the Purchasing Division. Upon receipt, the Purchasing Division will complete the transaction and inform the using department of the disposition.

Fuel Card

The Town has a Fuel Card program that can be implemented as directed by the Town Administrator or his/her designee. This fuel card program employs the use of a Wright Express fuel Card, which can be used at any retail gas station to purchase fuel for a Town vehicle. The fuel card, is assigned to a department and, may be used for the purchase of fuel only when authorized by the Town Administrator or his designee. Unless specifically authorized by the Town Administrator or his/her designee, all drivers of Town vehicles shall fuel up at the Town's fuel islands. All Fuel Card purchases must follow the rules and procedures as prescribed in the Fuel Card Policy and Procedures, available in the Fleet Management Division. The Fuel Card program is administered by the Fleet Manager.

Purchase Requisition

A Purchase Requisition (Req) is a system-generated numbered form, required for the purchase of all items not covered under Petty Cash or Procurement Card procedures. This, however, is not a document which can be used to actually purchase goods or services. Req's are only requests for Purchase Orders. Reference: Section 1: Purchase Requisition, page 15.

Purchase Order

A Standard or Blanket Purchase Order (PO) is a system-generated numbered document authorizing a supplier to issue goods or services. A PO is the result of an authorized and approved Req. Reference: Section: 2 Purchase Order (PO), Page 18.

Blanket / Open Purchase Orders

Blanket Purchase orders are to only be used for items that are not subject to the competitive process or are associated to a contract.

Emergency Purchase

An "Emergency" is defined as a situation brought about by a sudden unexpected turn of events or any circumstance or cause beyond the control of the Town in the normal conduct of its business. An emergency purchase is made to alleviate a situation where there is a threat to health, welfare, injury, or loss to the Town that can only be rectified by immediate purchase of equipment, supplies, materials, or services.

An “emergency purchase” must fit the circumstances noted above and requires such competition as is practicable under the circumstance. Poor planning and inadequate management are not “emergencies” and cannot be treated as such. Purchases of this nature may be expedited, but still do not justify “emergency” status. Departments must complete the Emergency Purchase Request Form for Emergency Purchases above the single transaction threshold of \$2,500 (Emergency Purchase Request Form 5; Page 68).

Internet Purchase

To protect the assets of the Town, it is important to use caution when purchasing goods or services over the Internet. The purchase should be made by providing the supplier a purchase order number, obtained through the normal process, to ensure goods are received and meet specifications before payment is made. If payment must be made by use of a Procurement Card, extreme care is to be exercised to ensure the vendor is legitimate and the user understands the return policy in case the goods do not meet their demand.

Price Quotes

With the exceptions of purchases exempt from competitive bids (See Page 40), all purchases between \$2,500.01 and \$25,000 require the opportunity for competition be given by solicitation from vendors. Competitive quotations are to be obtained by the Purchasing Division for all such purchases. A minimum of three (3) quotations should be obtained for all quotes if available.

Sealed Invitation to Bid (ITB)

This method for purchases of goods and/or supplies that exceed \$25,000 is also called the formal bid method and is used when specifications are clear and pricing is the main focus. Sealed bids allow a maximum degree of competition among a number of suppliers offering similar products. As a result, prices obtained are generally considerably lower than standard “list” pricing. Sealed bids require considerable effort in the preparation of their terms, conditions, and specifications.

Sealed Request for Proposal (RFP)

This formal method of procurement for purchases of goods and/or services that exceed \$25,000 is used when competitive sealed bidding (ITB) is not practical.

Formal proposals differ from formal bids in the nature of their intent. An Invitation to Bid (ITB) will usually supply, in detail, the nature and specifications of the goods or services desired. The requesting department has generally provided this data. Request for Proposals (RFP), however, will specify the nature of a requirement that needs to be met. Often, the means of satisfying this requirement is unknown to the requesting department or there might be several acceptable methods of satisfying the need of the requesting department. Therefore, the Purchasing Division will request that vendors submit their proposals for accomplishing a specific goal. These proposals will be diverse relative to approach, means, and cost. Formal proposals are best used when the objective is vague or lacking in details; or when the vendor’s knowledge of his field may provide innovative and economical solutions. Evaluation criteria must be included in the proposal.

Consultant’s Competitive Negotiation Act (CCNA)

This requires a Request for a Proposal for Professional Services. “Professional Services” means those services within the scope of the practice of architecture, professional engineering, landscape architecture, or registered surveying and mapping, as defined by the laws of the State [FS 287.055]. The Town of Davie Code section 2-319 entitled “Professional Services” differs from the State Statute definition in that the Town’s definition refers to any occupation which by reason of specialized training or expertise is generally recognized as a profession (e.g. accountant, dentist, lawyer, physician, psychologist, veterinarian, etc.)

A Request for a Proposal for Professional Services that states the names of the projects and the specific time period may be used to set up CCNA Continuing Services Contracts. One example would be a request for architecture services that includes the 5-year Capital Improvement Plan. These Continuing Services contract proposals are intended to be awarded to multiple firms that have equal qualifications for the professional service requested. Selection of the firm by project is made by availability and price negotiation in accordance with Florida Statutes.

Procedure:

Once a contract has been established and approved by resolution of the Town Council with each of the selected firms, departments will notify the selected firms in accordance with the disciplines they have been awarded when in need of their services. A department representative shall only contact one firm on the list at a time. Price shopping between firms is prohibited. The following steps should be followed when negotiating with Continuing Services Consultant.

- The department will negotiate a Scope of Work (SOW) with the firm
- The department will have the Consultant provide a final SOW to the department representative; all SOW shall reference the original contract that was approved by the Town Council.
- The department representative will determine if the SOW meets the Town’s requirements and is within the department’s budget.
- If the SOW does not meet the requirements and budget and negotiations have not proven successful, the department shall notify and disengage with the Consultant. Once disengaged the department shall repeat the above process until the representative has determined that they have negotiated the best SOW for the project and the Town.
- Once a final SOW has been submitted the department representative will forward the SOW the department head for routing of signatures.
- All SOW’s shall be accompanied by a standardized approval form (See forms)
- Once all signatures have been obtained the department will send a copy of the SOW back to the vendor.

State Contracts and Other Government Agency Contracts

State, Government Agency, and Organizations contracts have already been competitively bid; therefore, the need to bid is satisfied for purchases of this nature. This method of purchase is commonly known as piggybacking, and is particularly desirable if time is a constraint or if the chances for obtaining better prices from other sources is poor. Utilization of these sources waives the requirement for a formal competitive bid. When requesting the use of these contracts the department must follow and provide all information in accordance with the Piggyback Checklist requirements. (Piggyback Checklist Forms 2 & 3; Page 62 & 63) Reference: Section: 2 Purchase Contracts-Government and Co-Operative Bids, Page 42.

Sole Source/Single Source Provider Purchase

Sole source or a single source purchase is defined as being non-competitive in price or availability and may be exempt from the competitive solicitation requirements. Examples might be purchasing from a manufacturer’s sole sales agency or purchase of a particular brand of computer equipment because it is exclusively compatible with the network system.

Caution should be exercised when requesting “sole source” approval from Town Council for a purchase. In many cases, other sources do exist for a given item, and these must be investigated by the using department and/or Purchasing Division. Even if there are multiple sources for the acquisition of a product or service, a

vendor may be determined to be a “single source” for reasons of standardization, maintaining the validity of a warranty, etc.

The department must provide documentation from the manufacturer proving sole source or single source status. Providing a patent number or other information indicating they are the only suppliers in the area may satisfy this requirement. Reference: Section: 3 Sole Source and Single Source Circumstances, Page 43. Purchasing staff will review all sole source or single source requests to ensure all supporting documentation is included and will post a “Notice of Sole/Single Source” on the Town’s webpage and other media for a period of 7 days to ensure transparency and due diligence.

All purchases that exceed \$25,000 and contracts that exceed \$5,000 MUST be approved by the Town Council.

Check Request Form

The Check Request Form is a standard form used to authorize Accounts Payable staff to make payment for purchases of goods and/or services that qualify under at least one of the following categories: \$1,000.00 or less; against an existing Purchase Order; and/or a specifically identified class of transaction listed in Chapter IV, Section 5 of this manual.

Before processing a Check Request Form, be sure to review other purchasing methods to ensure Purchasing policies and procedures are followed. A Check Request Form may not be used to circumvent established Purchasing policies and procedures. Such a request is an unauthorized purchase and the Town is not obligated to make payment. Additionally, use of a Check Request form is not designed to take the place of a Purchase Order or to circumvent the normal bidding procedure.

Contact the Purchasing Division if you have any questions regarding the types of items that can be processed on a Check Request Form.

At the time of this revision the Town is eliminating this process and moving to the Invoice Processing Module inside the New World ERP System. This process will be sunset within 6 months of this revision.

III. GENERAL GUIDELINES

This section provides an introduction to the general policy, guidelines, and/or rules for the purchasing process. Subsequent sections provide those procedures and methods to be utilized to carry out this policy.

The Town Administrator, as authorized by the Town Council, has delegated to the Procurement Manager the authority to procure materials and services for the Town of Davie that are within the guidelines set forth by the Town Council. All purchase orders (purchases exceeding \$1,000 where the vendor will not accept a Town of Davie Procurement card) must be processed through the Purchasing Division. Additionally, all informal bids (purchase of all goods and/or services that exceed \$2,500) are handled by the Purchasing Division. This complies with Town Ordinance O-2009-01.

Section 1: Purchasing Categories

The purchase process is controlled by two components: (1) established policy dollar amount and (2) approving authority. Dollar limit categories apply to the total amount to be purchased and/or the total amount to be expended over the entire contract term. Purchase approval thresholds apply to all Town employees (i.e. Department Director, Procurement Manager, Town Administrator, or Town Council). All required purchase

approvals will be noted on all Purchasing Division forms including Purchase Requisitions, Check Requests, Purchasing Cards, Procurement Card Transaction, and all Petty Cash.

Category 1 - Purchases of \$0.01 to \$50.00

Types of Purchase: Petty Cash
Quote Requirement: None
Approval: Department Director or designee

Category 2 - Purchases of \$50.01 to \$1,000.00

Types of Purchase: Procurement Card, Purchase Order Check Request Form
Quote Requirement: None
Approval: Department Director or designee

Category 3 - Purchases of \$1,000.01 to \$2,500.00

Types of Purchase: Procurement Card, Purchase Order Check Request Form (if applicable)
Quote Requirement: None
Approval: Department Director or designee

Category 4 – Purchases of \$2,500.01 to \$25,000.00 (Informal Bid)

Types of Purchase: Procurement Card, Purchase Order Check Request Form (if applicable)
Quote Requirement: Minimum of three (3) written quotes, if available, shall be obtained by the Purchasing Division after department submits specification. This constitutes an informal bid.
Approval: Department Director and Procurement Manager

Notes: Quotations are to include delivery charges and time frame for that delivery. Informal Bid Number which is assigned by the Purchasing Division should be referenced on the Purchase Requisition and entered by the department on the receipt if a Procurement Card is used. If the purchase resulting from an informal bid exceeds \$2,500 and the selected vendor will accept payment via a Procurement Card, the using department will complete the Procurement Card Transaction Request Form (Form 8; Page 82) and forward it to the Purchasing Division for completion of the transaction.

Category 5– Purchases That Exceed \$25,000.00

Types of Purchase: Procurement Card or Purchase Order
Bid Requirement: Formal bid solicitation or waiver of bidding from one of the authorized bid deviations
Approval: Department Director, Procurement Manager, and Town Council

Purchases over \$25,000 (Category 5 Purchase) must be approved by the Town Council. The requesting department must submit Procurement Authorization Form (Form 1; Page 60) along with a bid specification or an RFP document to the Purchasing Division. After review by the Procurement Manager the item will be advertised for solicitation of either bids or proposals. Reference: Section 2 Page 22.

After bids are received, the Purchasing Division will send a copy of each bid to the using department. It is the responsibility of the using department to review the bids and write a recommendation for award. The recommendation for award will be reviewed by the Procurement Manager prior to approval by the Town Council. After review and approval of the recommendation for award, the purchasing Division will post it as a recommendation / intent to award on the Town’s website. For the award of a bid, the using department is responsible for preparing the resolution and the agenda report. The Procurement Division will provide the using department with all necessary backup for the resolution.

If the solicitation is an RFP, then the Purchasing Division will distribute a copy of each proposal to all members of the selection committee immediately following the opening of proposals. It is the responsibility of the Purchasing Division to establish a date and time for the proposals to be reviewed and short-listed if necessary. The selection committee may determine that presentations may be necessary to assist in the selection process. After this meeting, the Procurement Manager or designee, will contact each of the short-listed firms and advise them of the date and time for them to make an oral presentation to the selection committee, if applicable. At the end of the oral presentations, each committee member will be asked to rank each of the respondents. A resolution recommending the top ranked respondent(s) will be prepared by the Procurement Manager. If the Town Council approves staff's recommendation, the using department will negotiate a contract with the top ranked firm. The using department will then prepare a resolution sending the contract, which must be approved by Town Attorney, to the Town Council for approval and requesting that the Mayor execute the contract.

Council award or approval takes place only during regular Council meetings typically on the first and third Wednesday evenings of each month. It is essential that the Agenda Item recommendations be processed and submitted on a timely basis to avoid unnecessary delays. To this end, all items to be placed on a subsequent Wednesday Council Agenda must go through the agenda review and approval process in accordance with deadlines established by the Town Clerk's Office (usually 1 p.m. on the Thursday following a Council meeting). A Council Meeting Agenda Preparation Schedule is issued by the Town Clerk's office for each calendar year and is available in the agenda procedure manual which can be found on the Town Hall share server. Items required on the Agenda can be found in the agenda procedure manual.

Section 2: Unauthorized Purchases

Except for emergencies or other authorized exemptions stated in these guidelines, no purchase of supplies, services, or equipment shall be made without authorization as described within this manual. No representative of the Town shall enter into a verbal agreement or make any arrangements until final approval is granted. In the event than an unauthorized purchase is made, the following may apply: (1) such purchases are void and not considered an obligation of the Town, and (2) the person ordering the unauthorized purchase may be held personally liable for the costs of the purchase or contract. Employees involved in unauthorized purchases will be referred to the Human Resources Department.

NOTE: No item or service is to be ordered, received, or paid for without use of a Purchase Order (Regular, Open, or Emergency), Procurement Card, or Petty Cash, with the exception of an authorized Check Request payment.

No employee may purchase Town property for his/her own personal use unless it is purchased through the Town's public auction.

No employee may use the purchase power of the Town of Davie to make private purchases; in addition, employees should not have private purchases sent to the Town C.O.D. to be paid for by the employee.

Section 3: Prohibition Against Subdivision or Splitting Transactions

No contract or purchase shall be subdivided to avoid the requirements of the Purchasing Policy & Procedures Manual or Town Code.

Procurement authority is based on the total cost of goods and/or service. Splitting an order so that the total cost is within one's spending authority is prohibited.

Section 4: Tax Exempt Status

The Town of Davie is exempt from Federal, State, and Local taxes except in certain prescribed cases. An exemption certification is available from the Budget and Finance Department or Purchasing Division and should be furnished to any of the Town's suppliers upon request.

Section 5. Notice of Inquiry (NOI)

The Purchasing Division reviews all transaction to ensure adherence to the Town's policies, procedures and compliance with contractual agreements. If the Buyers discover an abnormality, they will create a NOI and send it to the department for further information. If an infraction of the policies or procedure has occurred, it is the department's responsibility to stipulate what happened or why the policy was not adhered to and what will be done to prevent further occurrences in the future. The department will sign and send the document to Purchasing for review before the Purchasing Division will process the order or payment. A list of all NOI's will be maintained on the Town's Shared Drive for Administration to review as needed.

IV: PURCHASE REQUISITIONS/ORDERS

Section 1: Purchase Requisition

A. Purpose

The role of the Town's Purchasing Division is to meet valid needs for materials, goods, services, construction, and equipment by providing the right products or services in the right quantity, at the right price, at the right time, and at the right place. To accomplish this, it is necessary for the various departments to inform the Purchasing Division of their requirements by the preparation of a Purchase Requisition (Req) submitted through the Town's purchasing software system.

The Purchase Requisition serves to inform the Purchasing Division of the needs of a specific user department and to correctly define the material or service requested. The requisition is not an order, but **merely the request** for Purchasing to procure the item(s) or service(s) in accordance with established Town purchasing policies and procedures.

The procedures that are set forth in this manual have been established as a tool used by Purchasing for the processing of all requisitions. The Purchase Requisition will begin with the issuing department.

B. When Prepared

The requesting department should anticipate their requirements and submit requisitions allowing ample time for Purchasing to complete action to secure the items needed at the time required. Rush or emergency orders shall be authorized on a case-by-case basis to avoid additional costs affiliated with expediting delivery.

C. Who Prepares

Purchase Requisition shall originate in the using department at the level where the purchase is to be used and electronically sent to the Purchasing Division after receiving approval of the Department Director or his/her designee.

Department Directors may, at their discretion, designate certain other employees to approve purchase requisitions. To accomplish this, the designated person would have to have a profile change. Profile changes are done by the systems administrator, which is through the Town's IT Department.

D. Data Entry of Requisition

A properly prepared requisition must, at a minimum, contain the information listed below.

1. Department: Department requesting the Requisition
2. Vendor: This field is completed by the using department if the purchase is more than \$1,000 but less than \$2,500 or the requisition pertains to an existing contract or proposed piggyback. If the purchase exceeds \$2,500 and requires competitive bidding, this field will be completed after the appropriate bid process takes place.
3. Description: Detailed descriptions are required for the Department Director, the Purchasing staff, and the vendor. Manufacturer's numbers or stock numbers are not to take the place of a description. Unclear descriptions will cause delays in processing the PO.
4. Category: Identifies the type of requisition being created, Standard or Blanket.
5. Form Type: Only Standard form type will be allowed.
6. G/L Date: Date the requisition is being initiated.
7. Deliver by Date: Reasonable date required for delivery or date vendor promised as a delivery date.
8. Resolution Number: This area is where the resolution number, bid number, sole/single source information, etc. should be included if applicable.
9. Bill to Location: Only Account Payable will be allowed.
10. Item: This area is a drop-down menu of common item categories. The department should select the item nearest to the purchase being made. If the item is a Fixed Asset, it must be designated as a FA.
11. Quantity: The amount of an item requested.
12. Unit of Measure: This area is where the correct unit of measure (EA, FT, PT) can be selected from a drop-down menu.
13. List Price Per Unit: The amount of a single unit or the complete service will cost. The system will extend the unit cost by the quantity listed to create the extended cost. This is the amount the using department will be charged for this purchase. It is important that the quantity and the unit cost are in agreement in order for the extended cost to be accurate.
14. G/L Account: This area is where the expenses are to be charged according to department, program, account description and project code, if any. It can be accomplished by entering an account number(s) and a percentage or a dollar amount. This task cannot be completed until all necessary information is entered correctly. If

there are “insufficient funds” in an account, the system will require an “override” or a budget revision to proceed.

15. If the item or services is being purchased from a contract either through a piggyback, Vendor Contract, or Town Bid / RFP, the contract shall; be entered by using the drop-down feature.
16. Employee: This area is for the employee entering the requisition to add their name from a drop-down menu.
17. Ship to Location: Shipping information.

The Buyers shall review, approve or return a requisition within 7 business days from when it has been approved by the requesting Department Director. A requisition lacking or containing incorrect information will be returned to the originating department for completion or compliance. This will cause a delay of the PO processing. When in doubt, call the Purchasing Division for assistance prior to submitting for approval.

Once all required fields are completed and the requesting department enters through all of the necessary steps, the system will automatically send the REQ to the Department Director for their approval. No person under a Department Director or designee(s) may approve REQ's for processing based on security levels maintained by IT.

If the REQ is validated, approved and posted by the Department Director, the system will automatically send the REQ to the Purchasing Division for the next step in processing a PO.

If the REQ is not approved, or if the Department Director or the Purchasing Division has a question, they can return the REQ to the requesting department, or cancel it altogether. Then the requisitioning process must be repeated. The requesting department must satisfy any question(s) and then return the requisition for re-approval.

A PO is a system-numbered form that only the Purchasing Division staff has access to generate a PO.

A REQ is received by the Purchasing Division via system only after the Department Director or designee has authorized it by their system approval process

The Purchasing staff will review the REQ for compliance as follows:

1. If the description is adequate;
2. If the REQ is authorized by a resolution, the resolution number must be listed in the body of the REQ;
3. If there was an Emergency Purchase, an Emergency Purchase Approval form authorized by the Town Administrator is on file;

4. If the account information is correct and budgeted funds are available. If it is found that funds are not available in the account, the Purchasing Division will refer the matter to the requesting department for further action.
5. If the vendor is listed as a sole source or single source provider, that proper documentation is submitted by the requesting department. See the section on sole source/single source vendors on page 43 for more details. Approval for a pre-paid PO is made by the Procurement Manager along with the Director and/or Deputy Director of Budget and Finance.
6. If the purchase is being obtained by way of an informal or formal bid or co-op or piggybacking an existing bid, is the bid number and/or city (for piggybacking and co-op bids only) and appropriate documentation included
7. If proper procurement policies have been followed as determined by the amount of the PO.

Any questions or the return of a REQ to the requesting department will be accomplished via the system. The requesting department should check the REQ status daily. When a REQ is returned, all questions must be answered prior to the re-routing of the REQ through the system. The REQ will, again, require Department Director approval prior to the receiving of the revised REQ by the Purchasing Division. If assistance is needed the department should call the Purchasing Division.

Section 2: Purchase Order (PO)

When it is determined that all areas of the purchase requisition have been complied with and that all appropriate approvals have been obtained, the Purchasing staff will generate a PO with a PO number. The PO documents are reviewed and authorized by the Procurement Manager. In the absence of the Procurement Manager, the Budget and Finance Director or Deputy Budget and Finance Director can approve POs. Once approved, the using department prints the PO which will have an electronic signature affixed to the document. If a department needs to cancel a PO they must send an Purchase Order Change Request Form (Form 6; Page 78), which includes the PO number and vendor name, to the Accounts Payable Division requesting that the PO be canceled. POs are not needed for the payment of Town of Davie utility bills, such as electricity and water usage.

In the instance of a Pre-paid PO, the using department must obtain the approval of the Budget and Finance Director. If approved, the using department must indicate “prepaid” in the body of the requisition. The using department is responsible for printing the PO and forwarding it to the Accounts Payable Division for payment.

The Purchasing Division has access to the electronic version of the PO. All increase requests must be sent to Purchasing to the Departments assigned Buyer. Any increase or decrease should be processed on Purchase Order Change Request Forms. Accounts Payable has access to reduce or complete any purchase order.

Section 3: Receiving an Order

The Town has no central receiving department. Shipments are received either at the Town Clerk’s Office for the Town Hall complex or can be delivered to departments directly.

After receiving a package, an inspection of the contents should be conducted to ensure that the item(s) received is what was ordered, that the correct quantity was received, and that the item(s) is in satisfactory condition. An invoice, packing slip, or bill of lading should be included with the shipment.

If any damage to the shipment is detected, this should be noted on the receiving slip. Damaged merchandise should generally not be accepted.

A copy of the invoice shall be forwarded to the Purchasing Division, along with a properly authorized Check Request Form (CRF), unless payment is being made with the Town's procurement card, for payment of the invoice.

Section 4: Processing for Payment

An Invoice is the vendor's statement of their charges against the Town for materials or services rendered. The Invoice is based upon the Purchase Order and should contain the same basic information. The prompt and proper processing of an Invoice is recommended.

Upon receipt of vendor Invoice, completion of delivery, and acceptance of material or service, the department will promptly process the Invoice. Vendors are directed to mail invoices directly to the requesting departments. The Town adheres to the State of Florida "Prompt Payment Act" as required by Chapter 218, Part VII, Florida Statutes.

Section 5: Check Request Form

Check Request Form

A Check Request Form (CRF) is an internal authorization form used by a department for the purpose of paying for an invoice, disbursement or reimbursement as defined below. All non-procurement card transactions, with the exception of pre-paid Purchase Orders, Tuition/Equipment Reimbursements and Travel Request/Finals, are required to be submitted on a CRF.

In addition to purchases of goods and/or services that are \$1,000.00 or less, or against an existing purchase order, the following items can be paid by CRF without a PO even if the cost exceeds \$1,000.00:

- Payments to Governmental Agencies, i.e. usage fees, permits, grant payments, utility bills and other intergovernmental charges
- Insurance payment, settlements or legal settlements
- Donations and/or sponsorships paid to 501(c)(3) and other non-profit organizations
- Association dues and/or memberships
- Books, publications and/or subscriptions
- Reimbursements or refunds
- Education, training and/or certifications
- Utility bills, for example electric, telecom, water & sewer etc.
- Newspaper ads
- TV or radio broadcasting
- Advertisement on Radio, TV, newspapers, magazines, and other media.
- Disbursement against liability accounts
- Disbursement of shared revenue (income that must be shared with a third party by contractual agreement, state requirements, etc.)
- Purchases for which a Town "Notice of Inquiry" form was completed

- Other payments that do not require competitive bidding procedures and approved on a case by case basis by the Procurement Manager or designee.

The CRF can be found on the Town's "FILEMAKER" database (see example below). Each department has a unique set of identification numbers generated when they open a new CRF screen. The following steps will guide you through the process of requesting a payment with a Town issued check:

1. The invoices are given to the Department Director or designee to initial indicating their approval for payment. The invoices are then returned to the employee responsible for payment processing.
2. Enter your department's "FILEMAKER" database on the Town's portal and request a new CRF. The next number in the sequence will appear in the CRF Number column in the upper right hand corner.
3. Fill in all information including, the account number, Purchase Order (PO) number being used if applicable, the amount being paid, the payee name and address, the payee vendor number, a complete description, if the check is to be mailed, picked up or other means and if the check is a pre-paid request. Please ensure that adequate funds are available in the PO or account number. If forfeiture funds are being utilized please write after the account number the description of STATE, FEDERAL-JUSTICE, FEDERAL-TREASURY or PREAWARD and highlight to emphasize the use of the correct forfeiture funds.
4. If the purchase is more than \$1,000.00, a PO is needed (unless otherwise stipulated above) and must be requested before the work has started. (See Purchase Requisitions Chapter IV Section 1)
5. If the purchase is more than \$2,500.00, a proper explanation of exemption shall be provided or if using a bid, bid documentation needs to be included along with the bid number listed in the description. (See bid information beginning on page 29)
6. Attach the invoice and all corresponding documentation to the CRF.
7. Forward the CRF with attached documentation to the Department Director or designee to sign and date in the Department Use Only section.
8. Once completed and signed, forward the CRF and documentation to the Purchasing Division.
9. Once approved by the Purchasing Division, the CRF will be forwarded to the Accounts Payable Division for payment.
10. All payments must be made within **30 days** of the invoice date unless the invoice is incorrect and being questioned by the Town. **Departments shall not combine invoices dated more than two weeks apart on the same CRF** except in cases where all invoices being paid to that vendor are all already over 30 days old (then they may be combined on the same CRF since they would already all be past due.) Repeat occurrences of submitting overdue invoices for payment will be brought to the attention of the Budget and Finance Director for further discussion with the Department Director.
11. Departments shall not add additional funds to a CRF payment or change account numbers (for PO related purchase) without requesting a change order to the PO prior to submitting a CRF.

Section 6: Change Orders

When a contract for a Town project needs to be amended, a Contract Change Order shall be created. After negotiating the costs included with the Change Order, the requesting department will forward a copy of the Change Order to the Purchasing Division.

Change Orders in excess of \$5,000 require approval by the Town Council. If the Change Order is \$5,000 or less, the requesting department will execute the Change Order administratively, in coordination with the Procurement Manager. If the Change Order is more than \$5,000, the requesting department will prepare a Resolution for Town Council approval, attaching the Change Order. If the Town Council approves the change, the Mayor will sign the Change Order. The requesting department will receive a resolution and send a copy of the Change Order to the contractor.

The requesting department shall send a request to the Purchasing Division via-email to change the original purchase order. The request shall include any Change Order that has been approved or if it is a term contract the reason for the increase. The Department Director must be copied on all requests for such changes. It is the responsibility of the Department Director to contact the Purchasing Division if the request is otherwise denied.

At the time of the writing of this revision the Town is implementing the NWS Invoice Processing module and will sunset this process within 6 months.

V: PROCUREMENT CARDS

Section 1: Procurement Card

The use of a Procurement Card is the Town's preferred method to complete a transaction for goods and/or services below \$2,500. The Procurement Card is a less expensive method for low dollar transactions and the Town also receives a rebate based on total dollars spent. It is imperative that Fixed Assets are not purchased through this method unless there are no other possible means, it is in the Town's best interest, or in an emergency. Before inputting a requisition or processing a CRF, the employee should ask the vendor if they accept payment via the Town of Davie's Procurement Card. All purchasing rules still apply, including informal and formal bidding requirements as well as rules related to travel (See separate travel policy). More information on the Town's Procurement Card can be found in the attached Town of Davie Procurement Card Policies & Procedure Manual.

VI: BIDS AND PROPOSALS

Section 1: Informal Request for Quotations or Proposals

This process is used when purchases are more than \$2,500 and not more than \$25,000. Flowcharts at the end of this manual will also assist in this process. The following method must be used to obtain informal quotations or proposals:

- A. The requesting department will submit specifications to their assigned Buyer for an Informal Bid or Invitation to Quote to be processed. Informal RFP's may be issued as well when circumstances call for this method of procurement.
- B. Once reviewed, the Purchasing Division will post a copy of the solicitation on the Town's website.
- C. Once bids are received in the Purchasing Division, they will be reviewed for completeness and determine if any responses qualify under local preference requirements. If so, the Purchasing Division will contact any effected vendor to see if they want to submit a second bid as outlined in the Town's Local Vendor Preference Policy. Once that process is complete, the Purchasing Division will contact the using department so that they can complete their recommendation for award.
- D. An Award Recommendation Form will be sent by the Purchasing Division to the requesting department with the bid results. The requesting department is asked to make a recommendation.

- E. The requesting department will return a Recommendation Form by e-mail advising their recommendation to the Purchasing Division. If the lowest bidder is not chosen, an acceptable justification must be given by the requesting department to the Purchasing Division. The Purchasing Division will post a recommendation / notice of intent to award on the Town's website.
- F. Once a bid is accepted, the requesting department will either complete an electronic requisition or complete a purchasing card transaction and send it to the Purchasing Division for processing.

Section 2: Formal Solicitations

Preparation of technical specifications for all formal bid items is the responsibility of the requesting department in cooperation with the Purchasing Division. Formal Bid Templates are available to assist the department with their specification preparation. The Purchasing Division is responsible for adding the standard terms and conditions.

The Flowcharts at the end of this manual will also assist in this process. Formal Bids can be handled as follows:

Invitation to Bid

Invitations to Bid are sent to vendors when an end user knows exactly what they wish to purchase and can write a specification describing such item(s). As long as the bidder complies with the requirements of the specification, the award is based on the lowest responsive and responsible bidder. Therefore, the recommendation should be written for the lowest responsive and responsible bidder that submits the lowest price. Nonetheless Town's Local Vendor Preference Policy (LVP) could afford the second lowest bidder an opportunity to become the lowest bidder if they meet LVP requirements and are willing to submit a BAFO.

Request for Proposals

Request for Proposals are sent to vendors when the Town is procuring services or when the product being sought is of a highly technical nature. The recommendation will be made by the members of the Review Committee. The committee will evaluate each proposal based on the evaluation criteria set forth in the solicitation and determine the best overall solution for the Town. The Purchasing Division will forward the recommendation to the Town Administrator for placement on the agenda and approval for Council if the cost exceeds \$25,000.

The following method must be used to obtain an invitation to bid or request for proposal:

1. Requesting department will fill out a Procurement Authorization Form (Form 1; Page 60). This form contains an area to mark which method of procurement is being used, the account funds will be taken from and an estimate of the price of the item to be purchased. It must be authorized by the requesting Department Director. Along with this form, the requesting department will create a Bid Specification, for the purchase being requested. Both of these documents are forwarded to the Purchasing Division.
2. Any solicitation that involves the hiring of a design professional for a construction project will follow the guidelines set forth in Florida State Statute 287.055 (The Consultants Competitive Negotiation Act).

3. Once the requesting department creates a Procurement Authorization Form, they will open a requisition based on information provided on the Procurement Authorization Form. The creation of the requisition will pre-encumber the funds for the purchase. The requisition number will be noted on the Procurement Authorization Form.
4. The Procurement Manager will review and, if appropriate, approve the Procurement Authorization Form and forward it to the Budget and Finance Director and then to the Town Administrator for authorization. After the Town Administrator approves the form, it will be returned to the Purchasing Division. If the purchase is not approved the requisition will be cancelled by the requesting department.
5. Once the Procurement Manager or designee reviews the specifications, and makes suggestions (if applicable), they will be forwarded to the requesting department for review and approval. This document should contain at minimum:
 - a. A complete description with all technical requirements of items or services to be provided
 - b. Required delivery date, if applicable
 - c. Pre-bid meeting information, if applicable.
 - d. Provide a desired initial contract term to include any renewals, if applicable.
6. If changes need to be made, the requesting department will incorporate the Procurement Managers or designee's suggestions and then submit an electronic copy of the Bid Specification, with changes completed, to the Procurement Manager or his designee.
7. The Purchasing Division will format and prepare the solicitation document and include all necessary forms and legal requirements, for advertisement. If required, this will be advertised in the local newspaper and on the Town's website.
8. Purchasing Division staff will coordinate and set the time, date and location for any necessary pre-bid conference and the formal public opening. These schedules will become part of the Legal Advertisement Notice sent to a newspaper by the Purchasing Division and are indicated on the Notice to Bidders page. Once legally advertised, no changes of any kind can be made without formally notifying all potential participants.
9. The requesting department will be notified by email that the proposal or bid has been advertised and the date and time bids are due.
10. Vendors will be able to download copies of the bid document, addenda and other related electronic files from the Town's website and Demandstar.com.
11. Pre-bid conferences are most advantageous to both potential bidders and to Town staff. Their purpose is to freely exchange information so as to have potential bidders become confident with the specifications of the product or service being requested and to have them understand what it takes to fully comply with all terms and conditions of a request. The Purchasing Division will facilitate the meeting and the requesting department's representative and the consulting engineer or architect, if appropriate, will be present to share information with regards to the terms, conditions, policy, procedures and response requirements of the bid

specifications. An addendum to the original specifications, terms, or conditions may result after a pre-bid meeting.

12. An addendum is used to clarify information and misunderstandings and to document official changes to the terms, conditions and specifications of a request for proposal, quotation or invitation to bid, to clarify or change any specific requirement to assist each bidder in submitting a response that is in full compliance with the request. An addendum may be issued to adjust the bid due date, if appropriate. An addendum also helps Purchasing staff to compare the various responses equally. The Purchasing Division shall post all addendums on the Town's website and it shall be the responsibility of the vendor/contractors to download any required documents before submitting their bid. Each addendum must be returned signed and dated by the participant with their formal response package. Failure to do so may result in the submission being disqualified. The return of a signed addendum is an indication that the information and changes contained therein were considered by a participant in preparing an official response.
13. When plans or specifications are developed by a consulting engineer or architect they will write any addendum and send it to the Purchasing Division after the addendum has been reviewed and approved by the requesting department.
14. All original, formal responses are to be delivered to the office of the Purchasing Division to be stamped with an official date and time of receipt by the Town. No response will be accepted after the date and time indicated on the Legal Advertisement and bidding documents. The Purchasing Division is the custodian of all responses until the actual public opening. This will normally occur in the Town Council Chambers. However, the Procurement Manager may elect to change the location of any formal bid opening.
15. At the formal public opening of a proposal or bid, the Purchasing Division will open a responses electronically and record such pertinent information as name of company and price(s) quoted (if applicable). A Purchasing staff member will read aloud the pertinent information found in the response packet's content, this will be recorded by audio or video. The information is part of the Town's Public Record. A report will be developed and become part of the official bid file, which is retained by the Purchasing Division, the physical custodian of all original responses.
16. The Purchasing Division will forward a copy of all bids and a copy of the bid opening report to the appropriate department for their review. If response is a proposal, a copy will be submitted to each member of the committee. An Intent to Award and tabulation of all bids shall be posted for public inspection. For RFP and RFQ's an Intent to Award and the Review Committees evaluation. Inspection of the Town's formal bids and proposals shall be conducted in accordance with F.S. 119.07, as amended from time to time.

Reverse Auction

A reverse auction (*also called procurement auction, e-auction, sourcing event, e-sourcing*) is a tool used in business-to-business procurement. In this process, the role of the buyer and seller is reversed, with the primary objective to compete purchase prices downwards. In an ordinary auction (also known as a forward auction), buyers compete to obtain a product or service. In a reverse auction, sellers compete to obtain business.

A Reverse Auction is an event usually used as the last leg of sourcing to obtain the best price by encouraging competition among bidders on price. It is a two-part solicitation process that prequalifies bidders first to ensure that they can provide the required products and services. The second part is a web-hosted event that includes a buyer and features two or more suppliers competing for business. It is called reverse because during the auction, the price can only come down.

A Reverse Auction has a number of advantages. It is very time efficient as the awarding decision can be taken in weeks instead of months, as is the case in traditional bidding process. They provide an insight to the bidders on how competitive they are and indicate their ranking amongst their peers. It reduces paperwork and increases transparency in the award process; something quite appreciated and required in the public sector. Reverse auctions should not be universally used for all procurement. They should only be carried out for commodities which have many suppliers thereby producing a competitive market, and for which the key awarding decision is price.

Invitation to Negotiate – ITN

An ITN is a formal competitive solicitation for the purchase of goods and/or services, where factors other than price are to be considered in the award determination. These factors may include such items as vendor experience, project plan, design features of the product(s) offered, scope of services, etc. Simultaneous negotiations, with a shortlist of vendors, may be part of the ITN process.

An ITN may be used when the total cost of the goods and/or services exceed \$25,000.00, the award decision is not being made on lowest price alone, and the scope of work is not clearly defined. Examples of procurement needs that may fall under this format include: software purchases, acquiring consultants and design-build projects.

Section 3: Evaluation of Responses

Evaluations shall be based solely upon the requirements and criteria set forth in the solicitation document, or any addenda. Any other information submitted by a vendor will, therefore, not be considered as part of an official response. An unsigned, improperly prepared or incomplete response may not be considered for evaluation or award. All of the Town's documents for competitive responses have wording such as "The Town reserves the right to accept or reject, any or all responses, in part or in total, and to waive any minor irregularities, as deemed in the best interest of the Town," and "... responsive, responsible bidder meeting the requirements and criteria set forth in the specifications." Such wording allows the Town some latitude in evaluating vendors and their responses. Bid evaluations are made by a representative of the requesting department. RFP evaluations are made by a Review Committee. The Review Committee shall be facilitated by Procurement Manager or designee, a representative of the using department and any other Town employees as deemed necessary by the Procurement Manager or designee. Non-voting consultants or subject matter experts can attend the Review Committee meeting to offer assistance if deemed appropriate by the committee. Modifications to the composition of any Review Committee can be made by the Town Administrator or designee. Minor irregularities are those that will not alter a bidder's relative position with respect to receiving an award and performing, as required.

Some solicitations may require the meeting of special specifications or the fulfillment of additional requirements by a vendor, e.g., an on-site visit to the vendor's place of business or to that of a customer(s) referred by the vendor, a presentation or physical demonstration of an item(s), a listing of experiences with other customers, a sample of an item(s) for examination, suggestions of alternative products or services, etc. solicitations with such specifications or requirements will take more time to evaluate than those without. All participating vendors should be made aware of this.

If the document used for competitive solicitation is a bid specification, the following steps should be taken:

1. Once bids are received in the Purchasing Division, they will be reviewed for completeness and tabulated, it will also be determined if any responses qualify under local preference requirements. If so, the Purchasing Division will contact any effected vendor to see if they want to submit a second bid as outlined in the Town's Local Vendor Preference Policy. Once that process is complete, the Purchasing Division will contact the using department so that they can review the responses and make their recommendation for award.
2. The requesting department will make a recommendation to the Purchasing Division. If the lowest bidder is not chosen, sufficient justification must be provided, or disbarment form must be included with the recommendation.
3. Once the Procurement Manager approves the bid recommendation, the Purchasing Division will post the recommendation on the Town's website as an intent to award.
4. The requesting department will then generate a resolution and an Agenda item. If applicable, the Agenda item should contain a statement regarding the effect that the Town's Local Vendor Preference Policy has on the award. The Purchasing Division will provide the following documents to the department preparing the resolution: Procurement Authorization form with complete bid information, Vendor Registration, Sunbiz incorporation information (Florida Department of State Division of Corporations, www.sunbiz.org) from recommended bidder, bid opening report detailing how many bids were received, Newspaper Ad, Tabulation, signed Award Recommendation, Original Solicitation including Addenda (if applicable), and Vendor's solicitation response.
5. When the Resolution is passed by the Town Council, it will be authorized by the Mayor and the Town Clerk. The Town Clerk will assign a Resolution and inform the departments when it is available.
6. Once this document is received in the Purchasing Division orders may be placed as necessary. The Resolution number will be entered on the PO. The Procurement Manager will check for proper authorization on the Resolution before creating the PO.
7. All bids which are awarded by Resolution are considered to be valid for one year from the date of Resolution (unless otherwise specified), provided that the vendor is willing to perform the same service or provide the same product at the awarded price. If any of the conditions mentioned above are altered, it will be necessary to re-bid.
8. If, the Town enters into a certain contracts that has a specific term (e.g., 2 years, 5 years, with certain renewals or extensions, etc.), that term should be mentioned in the Resolution which approves the award and communicated to Purchasing Division.

If the document used for competitive solicitation is a request for proposal or a request for qualifications:

1. Following the formal opening, the Purchasing Division will distribute a copy of each respondent's proposal to every Review Committee member.

2. The using Purchasing Division will establish a meeting date to review the proposal responses. The Review Committee will meet to decide on a short list, if necessary, of the most qualified firms. To ensure compliance with the Florida Sunshine Law, **ALL** Review Committee meetings must be publicly noticed at least 48 hours prior to the meeting.
3. If required, the Purchasing Division will send a letter to the short listed firms establishing a date and time for oral presentations.
4. Following any oral presentations from the short-listed firms, the Review Committee will rank the firms in order of preference unless further information is necessary.
5. The Purchasing Division will prepare a resolution presenting the rankings from the Review Committee. The Resolution asks the Council to ratify the rankings and authorize a negotiation team to negotiate a contract with the highest ranked firm. The Town Attorney shall review all contracts awarded and shall approve said contracts as to form prior to their execution by the appropriate Town officials.
6. Once a contract has been negotiated, the original requesting department prepares a Resolution requesting the Mayor to execute the contract on behalf of the Town.
7. Upon issuance of the Resolution and any fully signed contract, if required, a PO may be issued. Reference: IV Purchase Requisitions/Orders, Page 18.
8. The Town Administrator or his/her designee is hereby authorized to terminate any contract entered by the Town.

Section 4: Local Vendor Preference

Local Davie Vendor- a “local Davie vendor” shall mean a person or business entity which has maintained a permanent place of business with full-time employees within the Town limits for a minimum of six months prior to the date of issuance of a bid or proposal solicitation. The permanent place of business **may not** be a post office box or a residence. The business location must actually distribute goods or services from that location. In addition, the business must have a current business tax receipt from the Town of Davie and have an address that the U.S. Postal Service recognizes as being a Davie address to be eligible.

Local Broward County Vendor- a “local Davie vendor” shall mean a person or business entity which has maintained a permanent place of business with full-time employees within the Broward County limits for a minimum of six months prior to the date of issuance of a bid or proposal solicitation. The permanent place of business **may not** be a post office box or a residence. The business location must actually distribute goods or services from that location. In addition, the business must have a current business tax receipt from the Broward County or the city within Broward County where the business resides and have an address that the U.S. Postal Service recognizes as being a Broward County address to be eligible.

Bid- A bid shall be any competitive solicitation by specification officially posted by the Town of Davie Purchasing staff on the Town’s website where the award is determined by price.

Proposal- a proposal shall be any competitive solicitation by Request for Proposal (RFP) officially posted by the Town of Davie purchasing staff on the Town’s website where the award is determined by qualifications.

Process

a) Competitive Bid- For bid evaluation purposes, vendors that meet the definition of “local Davie vendor” as detailed above shall be given a 5% evaluation credit. This shall mean that if a “local Davie vendor” submits a bid/quote that is within 5% of the lowest price submitted by any vendor, the “local Davie vendor” shall have an option to submit another bid which is at least 1% lower than the lowest responsive bid/quote. If the “local Davie vendor” submits a bid which is at least 1% lower than that lowest responsive bid/quote, then the award will go to the “local Davie vendor”. If not, the award will be made to the vendor that submits the lowest responsive bid/quote. **If the lowest responsive and responsible bidder IS a “local Davie vendor”, the award will be made to that vendor and no other bidders will be given an opportunity to submit additional bids as described herein.**

For bid evaluation purposes, vendors that meet the definition of “local Broward County vendor” as detailed above shall be given a 2.5% evaluation credit. This shall mean that if a “local Broward County vendor” submits a bid/quote that is within 2.5% of the lowest price submitted by any vendor, the “local Broward County vendor” shall have an option to submit another bid which is at least 1% lower than the lowest responsive bid/quote. If the “local Broward County vendor” submits a bid which is at least 1% lower than that lowest responsive bid/quote, then the award will go to the “local Broward County vendor”. If not, the award will be made to the vendor that submits the lowest responsive bid/quote. **If the lowest responsive and responsible bidder IS a “local Davie vendor”, the award will be made to that vendor and no other bidders will be given an opportunity to submit additional bids as described herein.**

If there is a “local Davie vendor” and a “local Broward County vendor” participating in the same bid solicitation and both vendors qualify to submit a second bid as detailed above, the “local Davie vendor” will be given first option. If the “local Davie vendor” cannot beat the lowest bid received by at least 1%, an opportunity will be given to the “local Broward County vendor”. If the “local Broward County vendor” cannot beat the lowest bid by at least 1%, then the bid will be awarded to the lowest bidder regardless of geographic location of the business.

If multiple “local Davie vendors” submit bids/quotes which are within 5% of the lowest bid/quote, then all vendors will be asked to submit a “best and final offer (BAFO)”. The award will be made to the “local Davie vendor” submitting the lowest BAFO providing that that BAFO is at least 1% lower than the lowest bid/quote received in the original solicitation. If no “local Davie vendor” can beat the lowest bid/quote by at least 1%, then the process will be repeated with all “local Broward County vendors” who have submitted a bid/quote which is within 2.5% of the lowest bid/quote. If no “local Davie vendor” and no “local Broward County vendor” can submit a BAFO that is at least 1% lower than the lowest bid/quote submitted in the original solicitation, the award will be made to the lowest responsive bidder regardless of geographic location of the business.

b) Competitive Proposal- For evaluation purposes, “local Davie vendor” and “local Broward County vendor” shall be a criterion for award in any Request for Proposal unless specifically exempted by the Town Administrator or the Town Council.

c) Exceptions

1. No “local vendor” preference will be included in any competitive solicitation where the Town is the lead agency for the Southeast Florida Cooperative Purchasing Group.
2. Utilization of a State or other agency contract.
3. State or Federal law prohibits the use of local preference.
4. The work is funded in whole or in part by a governmental entity where the laws, rules, regulations or policies prohibit the use of local preferences.
5. Sole source or single source purchases.
6. The “local vendor” is either non-responsive or non-responsible.
7. All bids submitted exceed the budget amount for the project.
8. Emergency purchase
9. The Town Administrator and/or the Town Council may exempt any competitive solicitation from the local vendor preference.

Section 5: Bonds and Deposits

Bonding may be required by the Procurement Manager and a Department Director or mandated by the Florida State Statutes for RFP’s and ITB’s. One or more of the following situations and conditions may require or demand bonding:

1. The Town would suffer if a project or the delivery of merchandise is indefinitely delayed or unfinished or project is not completed;
2. To ensure that a vendor is not allowed to withdraw a bid or proposal prior to the execution of a contract;
3. To ensure that a contractor provides the specific materials, equipment or labor, for a project;
4. A contract is for \$250,000 or more for construction requires bonding.

All Bonds are to be handled by the vendor and issued by a bonding or insurance company licensed to do business in the State of Florida. The company must also have an A.M. Best rating as outlined in the bid specification. The Procurement Manager will determine whether a bid bond is necessary and whether forms of payment other than bid security bond will be accepted. All Bid Bonds must be received with the vendor’s bid package. Any bids received without Bid Bonds when a Bid Bond is required will be considered non-responsive.

A bidder may be required to submit a guarantee of good faith security deposit with their response in the amount specified in the Bid Specification. The purpose of this is to ensure that the winning bidder will engage the Town in good-faith negotiations once they have been awarded the bid. All bonds shall be recorded with the Broward County Clerk's Office and is the responsibility of the contractor to do so.

Section 6: Response Tabulations

Once an Invitation to Bid is opened, the Purchasing Division will prepare a tabulation comparing the responses received and distribute it to the requesting department involved in the evaluation process. If a review of the technical data is required, the requesting department will perform the review and include in their recommendation memo any errors, omissions, disqualifications, etc. that are of consequence to the final recommendation. Staff is not able to make an award without first obtaining the Town Council's approval by approved Resolution.

Recommendation to Council for Official Award

The requesting department will complete an Intent to Award Form and submit it to the Procurement Manager for their approval before the Intent to Award Form and supporting resolution is added to the Town's agenda software. If elimination of the respondent who submitted the apparent lowest bid must be recommended, the award recommendation should explain in detail the reason(s) with example(s) of consequences if given the award. Remember, it is very unlikely that the Council will accept a recommendation for award to a vendor with a higher price without receiving a complete, clear and concise justification from the staff. The final decision is the responsibility of the Town Council.

Final Notice to Vendors

The Purchasing Division will notify all participants of the Council's decision via posting of the Resolution on the Town's webpage. Any bid deposits will be returned to unselected vendors at this time, if applicable.

Rejection of All Responses

In the event that all responses have been declared non-responsive or it is in the Town's best interest to reject all responses, the requesting department will prepare a recommendation to the Procurement Manager to officially reject them. If the Procurement Manager approves this action, the following steps should be followed:

1. The Purchasing Division will notify all of the participants and the Town staff involved of the official reason(s) for the ruling and the next step the Town may take to fulfill the procurement need.
2. A review of the specifications shall be made by the requesting department. The specification may be changed and re-issued. New specifications may be drafted and the complete process will begin again, if in the Town's best interest.

Receipt of Only One Response

In the event that only one response is received and the requesting department recommends the bid for approval, the Procurement Manager may require Purchasing staff to contact non-responsive vendors to determine the reason(s) why they did not respond. The results of this polling may reveal a plausible explanation as to why no other vendor responded, e.g., their company is too small to meet the Town's requirements, they are over-extended, there was not enough time for them to respond, they could not meet the bonding requirement, etc. In any event, the requesting department will have the opportunity to still recommend whether or not to award to the lone respondent.

Waiver of Informalities

Bids may be defective in that they fail to give certain information requested by the invitation. For example, a bid may fail to furnish a required form, catalogs or descriptive data. These “minor” informalities may be corrected by allowing the bidder to furnish the information prior to award, or by waiving them if time does not permit their correction.

The difference between a minor informality and a failure to conform to the essential requirements of the invitation may be difficult to determine without legal advice. Nevertheless, the decision to allow the defect to be corrected will be judged according to the fundamental principle – Is it in the best interest of the Town to do so and/or will it be prejudicial to the interests of the other bidders?

The Town reserves the right to waive any bid informalities when deemed in its best interest.

Alternative Bids, Approved Equivalent

The bidder may offer any brand for which he/she is an authorized representative that meets or exceeds the specifications as written. If the bid is based on an “approved equivalent or equal” item, supportive information in the form of the manufacturer’s printed literature or brochures, sketches, diagrams, and/or complete specifications must accompany the bid. The bidder must explain in detail the reasons why the proposed equivalent or equal will meet specifications and not be considered an exception thereto. The Town of Davie reserves the right to determine acceptance of proposed equivalent or equal items.

If an Invitation to Bid does not expressly permit the submission of alternate bids, a bid which qualifies the specifications should be rejected as non-responsive. Some specification will require that the vendor submit its request for use of a substitute prior to the submission of the bid. In such cases, each bidder **MUST** conform to the requirements of the specifications or their bid will be declared non-responsive.

No Bid

On occasion, the Invitation to Bid will receive no responses. In those cases, the following options should be evaluated:

1. Contact vendors on bid list to determine reason for lack of response.
2. Contact the user department to determine if re-bid is desired, using information obtained from vendor response.
3. Review specifications if decision is made to re-bid.
4. Revise bid documents where appropriate.
5. Requesting department shall notify the Purchasing Division if decision is made not to re-bid.

Section 7: Tie Proposals or Bids

Proposals – The ranking by review committee members may result in a tie. If that is the case, the following tie-breaker procedures will be used to determine the selection (in the order listed).

1. The committee members will revote for either of the bidders involved in the tie.
2. If either vendor has a business with its business address in Davie, they will be declared the selected vendor.
3. If either vendor is an incumbent vendor with a good performance record with the Town, that vendor will be declared the selected vendor.
4. In the case of short-listing the committee can determine that the tied companies can both participate.

Bids – When two or more bidders submit identical pricing, the following tie-breaker procedures will be used to determine the bid award (in the order listed).

1. The vendor has a business address in Davie, they will be declared the selected vendor.
2. If a vendor has a business address in Broward County, they will be declared the selected vendor.
3. If it is a unit priced bid, the award can be made to both bidders. Then, the appropriate department director will be responsible for the distribution of business at their discretion.
4. If the above measures were not able to break the tie, the decision will be made by coin-toss that has been witnessed by two or more Town Officials.

Section 8: Mistakes in Bids

Mistakes Discovered Prior to Bid Opening

Corrections to or withdrawal of a bid because of an inadvertent, non-judgmental error in its completion requires serious consideration in order to protect the integrity of the competitive bidding process and assures all of the respondents that fairness has been guarded.

A respondent may withdraw their bid anytime prior to the formal, public opening. Samples and documents submitted with or pertaining to an RFP, RFQ or a bid response become the property of the Town and become a part of the official request record. If the Town intends to return a sample or any other item submitted with response documents, said intention will be clearly stated in the request documents and shall be returned at no expense to the Town.

Mistakes Discovered After Bid Opening

If the Procurement Manager knows or has reason to believe that a mistake has been made by the vendor, he/she may request a respondent confirm such by a letter signed by the respondent or their authorized agent. The letter must state, in detail, the nature of the mistake and, if any, a reason for same. The letter from the vendor may request that the bid be withdrawn. Under no circumstances may the bid be changed or amended.

When a mistake in a response is discovered after the date and time of its public opening and before the Council awards a contract, the following may apply:

A matter of form or an insignificant mistake that can be waived without prejudice to any other response would be one of the following, but not limited to: 1) a unit of measure multiplied by a quantity does not equal the extended price; 2) a document like an insurance certificate that is specifically required as part of the response is not attached but is readily accessible for the addition to the response; 3) the requested number of copies of the response package were not submitted but can be added. The Purchasing Division or/and the requesting department may waive the informality and continue with the award process.

If there is an appearance of collusion with any Town staff member, a committee person, an elected official, other respondent or a supplier, the award process will be delayed until evidence can be gathered to dispel such suspicion. If gathered evidence does not dispel a suspicion of collusion or is not acceptable to Town staff or the appropriate agency having jurisdiction for further investigation, the Procurement Manager may, after consulting with the Budget and Finance Director, reject bids from the vendors suspected of collusion. If it is determined that a particular vendor had the intention to collude, said vendor will be summarily removed from the list of vendors who receive requests for response.

Section 9: General Criteria for Award

Recommendations for award of all bids are made by the requesting Department Director to the lowest, responsive and responsible bidder and approved by the Procurement Manager. In determining the lowest

responsive and responsible bidder, the following, in addition to price, shall be considered as a basis for award:

1. The ability, capacity, and skill of the bidder to perform under the terms of the bid documents.
2. Whether the bidder can perform the contract or provide the materials or service promptly, or within the time specified, without delay or interference
 - a. The character, integrity, reputation, judgment, experience, and efficiency of the bidder
 - b. The quality of performance of previous contracts and the providing of materials and/or services
 - c. The previous and existing compliance by the bidder with laws and ordinances relating to the contract, or the providing of materials or services
 - d. The sufficiency of the financial resources and ability of the bidder to perform the contract or provide the materials or services
 - e. The quality, availability, and adaptability of the supplies, equipment, or contractual services to the particular use required
 - f. The ability of the bidder to provide future maintenance and service for the use of the subject of the contract

Should there be reason not to recommend award to the lowest bidder; the decision must be fully explained in a memo, citing one or more of the above criteria, from the requesting department.

Responsiveness VS. Responsibility

Responsiveness:

1. A responsive bid conforms to the material elements of an Invitation to Bid (ITB)
2. Bids must conform in all material respects to the criteria in the ITB.
3. A responsive bid conforms substantially to specifications and does not contain a material variance. A nonresponsive bid is not valid and must be rejected – it cannot be cured after bids are opened.
4. The determination of responsiveness is not discretionary (although it does require interpretation of the standard).
5. A contract awarded to a non-responsive bidder is void.

Responsibility:

1. Relates to the bidder's qualifications and financial ability to perform the contract.
2. Evidence of responsibility is sometimes obtained after the bid opening (e.g. Dunn and Bradstreet report).
3. Determining responsibility sometimes involves discretion and judgment by the awarding staff.

Rejection of Bids

Town staff shall have the power to reject any or all bids. The following reasons may be considered causes for rejection:

1. All prices too high or unbalanced
2. Sufficient funds not budgeted or available
3. An error in the specifications sufficient to have caused confusion and misunderstanding among bidders
4. The item on which bids were requested is no longer needed
5. Lack of adequate competition
6. Noncompliance of specifications

7. Lack of adequate work history and/or work experience
8. Debarment of bidder (vendor).

A bid must be rejected for any of the following reasons:

1. Does not comply with applicable law.
2. Does not provide what the Town seeks to acquire (either too much, or too little).
3. Contains a material defect (waiver would give the bidder a competitive advantage over the other bidders.)

Framework for analyzing responsiveness:

Does the bid comply with legal requirements? If not – reject.

Does the bid provide what the Town seeks to acquire? If not – reject.

Does the bid contain an error or defect? (Analyze whether the error or defect is material or waivable).

In the event all bids have been rejected for one or more of the reasons above, the Purchasing Division will notify all of the participants and the Town staff involved of the official reason(s) for the ruling and the next step the Town may take to fulfill the bid requirement. The bid specifications should be reviewed and any changes made to reissue the bid solicitation.

Bid Award

It shall be the responsibility of the Procurement Manager in conjunction with the requesting department, to determine the bid that is the best value for the Town. If a recommendation is made to accept a bid other than the apparent low bid meeting specifications, the Recommendation for Award must include adequate documentation to justify the rejection of the low bid.

Section 10: Bid/Proposal Documents

A. File

Purchasing maintains a complete control file on all informal and formal bids and proposals for the Town processed by Purchasing staff. The Purchasing files are maintained by bid number, with the file numbers designated by fiscal year.

The folder for each bid will contain, at a minimum, copies of the following:

1. Bid Invitation
2. Specifications
3. Bids Received
4. Bid Tabulation or Evaluation Committee Score sheets
5. Resolution, Agenda Report and All Backup
6. Contract, if Appropriate
7. Bonds, if Appropriate

B. Public Disclosure

Under Florida's Public Records Act, any person has the right to review any document which is kept by the Town in the course of regular business. However, Florida Statute Chapter 119.07,3(m) of this Act exempts the Town from allowing interested parties to examine sealed bids or proposals as follows:

Sealed bids or proposals received pursuant to invitations to bid or requests for proposals are sealed from the public or other bidders until such time as the Town provides notice of a decision or intended decision or within thirty (30) days after bid or proposal opening, whichever is earlier.

If the Town rejects all bids or proposals submitted in response to an invitation to bid or request for proposals and the Town concurrently provides notice of its intent to reissue the invitation to bid or request for proposals, the rejected bids or proposals remain sealed from the public or other bidders until such time as the Town provides notice of a decision or intended decision concerning the reissued invitation to bid or request for proposals or until the Town withdraws the reissued invitation to bid or request for proposals.

A competitive sealed reply in response to an invitation to negotiate, as defined in Florida Statute 287.012, is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution until such time as the Town provides notice of a decision or intended decision or until 20 days after the final competitive sealed replies are all opened, whichever occurs earlier.

If the Town rejects all competitive sealed replies in response to an invitation to negotiate and concurrently provides notice of its intent to reissue the invitation to negotiate and reissues the invitation to negotiate within ninety (90) days after the notice of intent to reissue the invitation to negotiate, the rejected replies remain sealed from the public or other bidders until such time as the Town provides notice of a decision or intended decision concerning the reissued invitation to negotiate or until the Town withdraws the reissued invitation to negotiate. A competitive sealed reply is not exempt for longer than 12 months after the initial Town notice rejecting all replies.

Section 11: Bid Protest

If a vendor feels that they have been treated unfairly with regards to the results of a solicitation, or the resulting recommendation for award, they may protest the Town's action. The resolution of Bid Protests shall be governed by the following policies:

This section shall apply to protests by bidders and proposers when the Town recommends a purchase of goods, supplies, equipment, or services that would cost twenty-five thousand dollars (\$25,000.00) or more.

The Town shall provide notice of its intent to award or reject to all bidders by posting such notice on the Town's website within two (2) working days after the posted review committee meeting. The bidder must file a notice of protest in writing to the Procurement Manager within three (3) working days after the posting of the notice of the Town's intent to award, and shall file a formal written protest within five (5) working days after filing the notice of protest. The notice of protest must be either, hand-delivered and date and time stamped by the Procurement Division, or sent via Certified U.S. mail, return-receipt requested. Failure to file a protest within the time-frame specified herein shall constitute a full waiver of all rights to protest the Town's decision regarding the award of bid.

(a) The written protest shall state in detail the specific facts and law or ordinance upon which the protest of the proposed award is based, and shall include all pertinent documents and evidence.

(b) A written protest may not challenge the relative weight of evaluation criteria or a formula for assigning points.

(c) Only a bidder whose bid is timely received and fully complies with all terms and conditions of the bid may protest an award.

(d) Upon receipt of a formal written protest, the Town may stop award proceedings until resolution of the protest; however, the award proceedings shall not be stopped if the Town Administrator decides the award

must continue without delay in order to avoid an immediate and serious danger to the public health, safety, or welfare.

(e) Any and all costs incurred by a protesting party in connection with a bid protest pursuant to this section shall be the sole responsibility of the protesting party.

Protest Review

A protest shall be reviewed and evaluated administratively and a decision in writing shall be forwarded to the protesting firm. If the protesting firm does not agree with the administrative decision, they may appeal the decision in writing to the Town Administrator within five (5) working days. The notice of appeal must be either, hand-delivered and date and time stamped by the Town Administrator's Office, or sent via Certified U.S. mail, return-receipt requested to the Town Administrator. The decision of the Town Administrator will be final and submitted with his/her recommendation to the Town Council if the award exceeds (\$50,000.00).

Protest Deposit

Any person who files a formal written protest shall post with the Procurement Manager, at the time of filing the formal written protest a cashier's check made payable to the Town of Davie in an amount equal to (one) 1% percent of the Town's estimate of the total amount of the contractor \$5,000, whichever is less.

If the decision of the Town Administrator or designee upholds the action taken by the Town, then the deposit becomes nonrefundable and the Town shall retain the deposit as payment for a portion of the cost and expense, including but not limited to, time spent by Town staff in responding to the protest and in conducting the evaluation of the protest. If the decision of the Town Administrator or designee does not uphold the action taken by the Town, then the Town shall return the amount of the cashier's check without deduction, to the person or entity filing the protest.

Prevention

There are four (4) opportunities for the prevention of Bid Protests:

1. While developing solicitation document:
 - a. Ensure specification quality
 - b. Communicate with bidders (Request for Information and Q&A)
 - c. Develop fair, non-restrictive specifications
 - d. Translate subjective evaluation criteria into measurable, objective criteria
 - e. Determine evaluation criteria; state the criteria and award standard in the solicitation document.

2. While bidders are developing their bids:
 - a. Allow written questions (due by a specific date)
 - b. Carefully consider the questions to determine if a change is needed
 - c. Respond to the questions through addenda, and change the specifications if necessary
 - d. Postpone the bid deadline if required

3. While bids are being evaluated:
 - a. Evaluate bids based solely on the criteria in the solicitation document
 - b. If a key criteria is not expressed in the solicitation document, start over
 - c. Document and support all considerations not related to price

4. After determination of award:
 - a. Post notice of award
 - b. Debrief unsuccessful bidders regarding the evaluation process
 - c. Once a contract is in place, monitor contract performance, and document problems.

Specifications

A properly written specification describes the commodity or service required in terms clearly understandable to both the seller and the buyer.

A. Specification Development

In considering and developing specifications, it must always be remembered that expenditures of the Town of Davie are derived from public sources and cannot be expected to provide for unwarranted levels of quality. Therefore, the general policy of purchasing good, standard grades of merchandise, which represent an optimum of quality and price and provide a satisfactory level of service, should be followed.

B. Purpose of Specifications

Bids and quotations will be based on concise but adequate specifications. A lengthy specification composed or designed solely for the purpose of eliminating competition other than those able to supply a particular brand name will not be used. Specifications shall be detailed only to the extent that they assist the purchaser in obtaining the best value, provide a basis for full and fair competitive bidding upon a common standard, and should be free from any restrictions which would have the effect of restricting competition.

C. Types of Specifications

Below are the basic types of specifications used to describe what is to be purchased.

1. Performance – Specifications which describe the characteristics and capabilities that are pertinent to the intended use of the item. This specification is less concerned with how a product is made, and more concerned with how well it performs, and at what cost.
2. Design – Specifications which employ dimensional and other physical requirements of the item being purchased. This type specification concentrates on how a product is to be fabricated or constructed and is used when a structure or product has to be specially made to meet the purchaser's unique need.
3. Approved Products List – Specifications based on manufacturers' names, brand names, and model or catalog numbers which have been tested or examined and approved, prior to seeking prices.
4. Sample - Specifications requiring the suppliers to furnish representative samples of products offered for the purchaser's comparison and evaluation in determining the successful bidder.

5. Name Brand “Or Equal”- Specification wherein the exact product of one or more suppliers or typical workmanship is designated as the level of quality desired, and the purchaser reserves the right to approve any other as equal or acceptable.

D. Recommended Practices

The following guidance is provided for the preparation of a specification.

1. State exactly what is wanted clearly, definitively, and completely.
2. Provide the means or basis for testing deliveries for conformance with the specifications.
3. Avoid non-essential quality restrictions that add to cost and difficulty in procurement without adding to utility and value.
4. Avoid definitions that unnecessarily restrict competition.
5. Conform, so far as possible, to establish commercial and industrial standards.
6. State what you want the good or service to do or provide.
7. State what the good or service will be used for.
8. State any particular concerns for the item or project.

Remember: Shall is used to express a binding requirement – mandatory.

Will is used to express a declaration of purpose on the part of.

Should or may are used to express non-mandatory provisions. It is best to avoid them.

E. Sources

Standard assistance is available from many sources, including the Town’s Purchasing Division. Others include:

1. The State of Florida
2. American National Standards Institute, Inc (ANSI)
3. American Society for Testing and Materials (ASTM)
4. Underwriter’s Laboratories (UL)
5. Department of Transportation (DOT)
6. National Institute of Governmental Purchasing (NIGP)
7. Florida Association of Public Purchasing Officers (FAPPO)

VII: WAIVER OF COMPETITIVE BIDS

Waiver of Competitive Bids

The following types of purchases and contracts are exempt from competitive quotes or bids:

1. CCNA - Architectural, engineering, landscape architects, registered surveying, and mapping services in amounts less than that specified in the Competitive Negotiations Act (CCNA) per FS 287.055, as it may be amended from time to time.

2. Purchase Contracts – State, Government Agency, and other Organization contracts that have already been competitively bid; therefore, the need to bid is satisfied for purchases of this nature. This method of purchase is commonly known as piggybacking, and is particularly desirable if time is a constraint or if the chances for obtaining better prices from other sources is poor. Utilization of these sources waives the requirement for a formal competitive bid.
3. Sole/Single Source – Sole Source may be used as a procurement method for the purchase of products or services when available from only one source. Single Source (non- competitive) may be used (when approved by the Procurement Manager) when there is only one practicable and reasonable source wherein competitive bidding is not feasible or not advantageous to the Town.

A Sole Source purchase exists when research has determined there is only one potential provider for an item. A Single Source purchase exists when it is advantageous to the Town to declare a purchase non-competitive because it will result in verifiable financial savings to the Town; it is a trial program; standardization of a product, or utilizing a competitive process will be detrimental to timely securing the goods or services. More than one potential supplier may exist for a good or service. The Purchasing Division, in conjunction with the requesting department, will document the advantages of declaring the purchase non-competitive.

A Sole/Single Source Request Form (Form 4; Page 64) must be completed and submitted with each request for sole or single source procurement. See Flow Chart 5 for additional information.

4. Emergency Purchases – Emergency purchases are allowable when certified by a Department Director to the Town Administrator that a delay incidental to competitive bidding would be detrimental to the interest of the Town. An “Emergency” is defined as a situation brought about by a sudden unexpected turn of events or any circumstance or cause beyond the control of the Town in the normal conduct of its business. An emergency purchase is made to alleviate a situation where there is a threat to health, welfare, injury, or loss to the Town that can only be rectified by immediate purchase of equipment, supplies, materials, or services (Flow Chart 4).

An “emergency purchase” must fit the circumstances noted above and requires such competition as is practicable under the circumstance.

5. The following list of specific items are exempt from competitive bidding based on the nature of the item and the intricacy or specific needs of the purchase:
 - a. Dues and memberships in trades or professional organizations
 - b. Subscriptions for periodicals
 - c. Legal advertisements
 - d. Postage
 - e. Expert witnesses
 - f. Abstracts of titles for real property
 - g. Title insurance for real property
 - h. Court reporter services
 - i. Water, sewer, electrical, telephone, and other utility services where competition is not available
 - j. Copyrighted materials not available from multiple sources

- k. Seasonal and recreational service providers
- l. Hospitality services and expenses
- m. Fees and costs of job-related seminars and training
- n. Travel
- o. Artists, music ensembles (bands) and other entertainment providers and animals
- p. Professional Services –defined as an occupation which requires specialized training and expertise (e.g. accountant, dentist, lawyer, physician, psychologist, veterinarian, etc.)
- q. Speakers for seminars or training courses.
- r. Animals such as dogs & horses that require specialized training and behavior characteristics that must be evaluated and tested for a period of time prior to acceptance.
- s. Additional software licensing and maintenance from existing software the Town already owns or has utilized .
- t. Purchase or rental of real property that is in the best interest of the Town.
- u. Auctioneer Services, Vending Services, or other revenue related contracts for services.
- v. Advertisement on Radio, TV, newspapers, magazines, and other media.
- w. Credit Card Processing Services where there is no cost to the Town.

NOTE-ALTHOUGH ALL THESE ITEMS ARE EXEMPT FROM BIDDING, ANY PURCHASE WHICH EXCEEDS \$25,000 OR ANY CONTRACT WHICH EXCEEDS \$5,000 MUST BE SENT TO THE TOWN COUNCIL FOR APPROVAL, PRIOR TO THE PURCHASE.

Section 1: Professional Services - CCNA

In order to comply fully with the requirements of Section 287.055, Florida Statutes, Consultants Competitive Negotiation Act (CCNA), the following procedures shall be followed in selecting firms to provide professional services, and in negotiating contracts for professional services.

Competitive Selection – Guidelines

- A. All RFP's for Professional Services shall be processed through the Purchasing Division.
- B. Formal RFP's must be issued to secure professional services, when the fee for a planning or study activity or for a project the basic construction cost of which is estimated to exceed the statutory limits which may be changed from time to time. Exception-a "continuing services" contract may be established with a firm. If a "continuing services" contract is established, that firm may be awarded projects when the professional fee for a planning or study activity or for a project where the basic construction cost does not exceed the statutory limits which may be changed from time to time.
- C. All contracts for professional services which exceed \$5,000 must be approved by Town Council.
- D. Contracts for services must be accompanied by a Purchase Order. Payments shall be issued against said order with proper authorization.

Competitive Selection – Procedures

- A. A Review Committee shall be formed to evaluate all proposals. The Purchasing Division and a representative of the using department will select Town employees to serve on the Review Committee based on their expertise in relation to the scope and execution of the project to be

awarded. At least one of the employees should be from the using department. The remaining members should consist of employees chosen from departments, which would enhance the committee's makeup. A Purchasing Division representative shall facilitate the Review Committees, and shall monitor all Committee activities and act as the Committee Chair. The Committee Chair will: chair the meetings established by the using department, prepare recommendation for the top ranked firm, have the final say on the composition of the selection committee and may negotiate and prepare final contract documents.

- B. Recordings of each Committee meeting and ranking sheets are to be maintained by the Purchasing Division. The Purchasing Division will facilitate the meeting and make sure all legal requirements are met. The Purchasing Division is responsible for preparing the recommendation for the top ranked firm and may assist as member of the contract negotiation committee. All appropriate documents are to be sent to the Town Clerk with Agenda award recommendation.
- C. The Review Committee should develop general guidelines for interview procedures for the short-listed firms. Interviews and/or presentations shall be optional, as determined by the Review Committee.
- D. Each member of the Review Committee will rank their top selections for the short list after review of proposals, as per the established criteria in the bid specifications.
- E. After each committee member ranks their top selections for the short list, the Procurement Manager or representative of the Purchasing Division shall total all votes and the Review committee will determine how many firms will make the short list based on this sheet. The summary sheet is the Notice of Intent.
- F. Recommended criteria for evaluation of proposals may include but are not limited to:
 - 1. Prior experience with projects of similar size and complexity
 - a. Number of similar projects
 - b. Complexity of similar projects
 - c. Three references (Contact name & telephone number)
 - 2. Past record of performance for the Town
 - a. Project name, dates, cost
 - b. Town personnel assigned to the project
 - 3. Qualifications of personnel including sub consultants
 - a. Number of technical staff
 - b. Qualifications of technical staff
 - c. Number of licensed staff
 - d. Education of staff
 - e. Experience of staff
 - 4. Availability of personnel
 - a. Current work load/staff participation
 - b. Organization of the team
 - 5. Proximity of the nearest office to the project location

- a. Location
- b. Number of staff at the nearest office

6. Financial Statements

7. Technical approach to perform the tasks described in the Scope of Services

- a. Level of effort
- b. Effectiveness of the technical approach to complete each phase of the project, maintain time schedules and cost control

Competitive Negotiation

- A. After finalists' ranking, the Purchasing Division, Project Manager, and other designated Town staff (if required), shall negotiate a contract for professional services with the firm which has been determined to be most qualified by the Review Committee, at compensation within a range which has been determined to be fair, competitive, reasonable, and within budget.
- B. Should the contract negotiation committee be unable to negotiate a satisfactory contract with the firm considered to be the most qualified, at a price the Town determines to be fair, competitive, and within budget, negotiations with that firm shall be formally terminated. After negotiations have been terminated with a firm, negotiations cannot be reopened at a later date. The negotiation committee shall then undertake negotiations with the second most qualified firm. Failing accord with the second most qualified firm, the negotiation committee shall cancel negotiations. Should the negotiation committee be unable to negotiate a satisfactory contract with any of the selected firms, additional firms shall be selected through a re-bid in accordance with procedures noted above. Negotiations shall continue in accordance with these procedures until agreement is reached.
- D. Unless otherwise required, a lump sum contract shall be designated as the preferred form of contract for professional services contracts.

In the event less than three (3) firms express an interest in a project or less than three (3) firms are deemed qualified by the Review Committee, the Review Committee may proceed with the process described above or a decision can be reached to re-advertise the project in an attempt to obtain more competition.

Each contract for professional services shall contain the prohibition against contingent fees required by and set forth in Section 287.055 (6) (a), Florida Statutes.

Section 2: Purchase Contracts - Government and Co-operative Bids (or Piggybacking)

Purchases are allowed to be made from awarded contracts resulting from a competitive, public bidding processes, or negotiated agreements, by other governmental agencies, i.e., State of Florida, PRIDE (Florida Department of Corrections, Prison System), RESPECT (Blind or Severely Handicapped Center, Non-Profit Agency), School Boards, Counties, Municipalities and purchasing co-operatives locally or nationally. The following websites can be used to find contracts:

www.dms.myflorida.com/business_operations/state_purchasing (State of Florida Purchasing Dept), http://www.nigpsefl.org/co-op_contracts.asp (Co-operative contracts)

Purchases Pursuant to Previous Government Contracts

Purchases from contracts previously established by other entities may be accomplished only after the following information has been received.

1. Completion of the Piggyback Checklist and all documents required therein. There are two Piggyback Checklist documents, one for purchases above \$25,000 and one for purchases below \$25,000. Any purchase or “piggy-backing” off an established government contract must be reviewed completely by the Procurement Manager, with the Department Director and, when necessary, the Town Administrator and the Town Attorney. When the Town uses another contract as its own, all the terms and conditions must be agreed to by all the parties involved.
2. The Town of Davie has developed a “piggyback agreement” this document will be used to the same terms, conditions and pricing as the contract affords the original contracting government agency. The Town has added provision to correct/add such items as Venue, Termination, and Auditing, Availability of Funding and other terms and conditions that protect the Town. This agreement is not necessary for Cooperative Agreements where the Town is directly named in the solicitation. Also, it is the discretion of the Procurement Manager to waive this requirement when necessary.
3. When the “piggy-back” purchase exceeds \$25,000, a resolution must be prepared by the using department. All documents contained in the Piggyback Checklist form, must be included as backup to the resolution. The piggy-back checklist forms can be found on the Town’s network or see Forms 3 & 4 towards the end of this manual.

Co-operative Purchases

The Town is a member of the Southeast Florida Governmental Purchasing Co-Operative Group and other national cooperative such as US Communities, NJPA, IPA and NPPO.gov. As such, the Town is entitled to the rights and privileges afforded to members of that group. Purchasing is the only authorized division to enter into any cooperative agreements on behalf of the Town.

Section 3: Sole Source and Single Source Circumstances – Flow Chart 5

The requirements of competitive bidding may not apply when the legitimate needs of the Town require the purchase of a product or service that is available only from a single vendor or a sole source. This may be because of the uniqueness of a product or service, existence of patents, involvement of original equipment parts or services and warranties, legal restrictions or a monopoly situation. Sole source and single source purchases are generally less cost-effective than competitive purchases and should, therefore, be used only when no alternative exists.

The Town prefers using competitive bidding by requesting quotations and bids for purchases of goods and services. However, if competition cannot be so stimulated and a sole or single vendor must be used, justification for declaring a purchase sole or single source must be clearly documented. If there is any doubt whenever a purchase is designated sole or single source, quotes or bids will be solicited.

Requesting departments must submit the Sole Source/Single Source Request Justification Form (Form 4; Page 64) to the Purchasing Division documenting a sole or single source selection. This form can be found on the Town Hall Share under Purchasing Forms. Such documentation should answer the following questions:

Sole Source Purchases: How many individuals, companies and/or manufacturers were contacted for this purchase? What is the justification for purchasing this item? **Note:** The selection of a local vendor as sole source when the vendor is the only local vendor of an item or service is not considered justification for designating a vendor as sole source when there are vendors of the same item located out of the South Florida area.

Single Source Purchases: Which characteristic(s) of the product or service limits competitive bidding? The requesting department must include the Sole Source/Single Source Request Justification Form (Form 4; Page 64) and a letter on company letterhead and signed by the vendor from the sole or single source vendor declaring that they are indeed a sole or single source for the item being purchased.

Section 4: Policy for Emergency Purchases – Flow Chart 4

Emergency purchases are only made by authorized personnel including the Town Administrator, department director or designee. Emergency purchases orders are made to protect public health, safety and welfare which are threatened by an unforeseen event, which has, or may soon occur, as in the case of unanticipated damage to machinery or equipment or other Town assets. Emergency purchases are not for everyday purchase of goods or services

Emergency purchases must be approved by the Procurement Manager and the Town Administrator or designee prior to payment.

Emergency Purchase Procedures

The Emergency Purchase Request Form (Form 5; Page 68) must be filled out completely by the department requesting the emergency purchase. The form must be signed by the requesting department director or designee. The department must submit the signed Emergency Purchase Request Form to the Procurement Manager and the Town Administrator or designee for approval.

The Town Administrator or designee must approve such emergency purchases. If the emergency occurs outside of normal business hours the form must be submitted the next business day for approval.

After the emergency expenditure is authorized by the Town Administrator or designee, the department must submit a completed Requisition accompanied by the signed Emergency Approval for Purchases and Services Form to the Purchasing Division. POs will only be issued after authorization has been obtained from the Town Administrator or designee. Any purchase more than \$25,000.00 must go through Town Council.

In the event of bona fide public emergencies declared by the Town Council, compliance with some or all of the provisions of this procedure or Section 287.055, Florida Statutes, may be waived by the Administrator.

Inconsistency with Section 287.055, Florida Statutes

To the extent of any inconsistency between these regulations and Section 287.055, Florida Statutes, the provisions of the Florida Statutes shall prevail.

Section 5: Contract Renewals or Extensions

Often times, Bid awards are for an initial term (e.g. two years, three years, five years, etc.) and then an option or options to extend or renew that agreement for an additional term established by the bid specifications or request for proposal document. If a using department desires to exercise a renewal or extension option, a Contract Renewal Form (Form 7; Page 79) must be completed. The Contract Renewal Form stipulates that the Vendor will continue to provide the same product, level of service and pricing as the original agreement

unless otherwise stipulated in the renewal and requires approvals from the Vendor, Procurement Manager, the Budget and Finance Director, and the Town Administrator. If the annual amount exceeds over \$25,000 and the original resolution did not provide for administrative approval then the item will require Town Council approval. Once all approvals have been obtained, the Purchasing Division will return the original form to the using department.

VIII: SURPLUS PROPERTY

Sale of Town Property

According to the Code of Ordinances, Town of Davie, Section-b (k), all confiscated, unclaimed or abandoned property coming into the possession of the Town, or any property owned by the Town, which has become obsolete or which has become inadequate for the public purposes for which it was intended, shall be disposed of by 1) public auction, 2) open competitive bidding, 3) direct sale, 4) trade, or 5) gifted.

Section 1: Procedures for Conducting a Public Auction

1. The Purchasing Division distributes a memo to each department asking for a “preliminary” inventory list of surplus items that it wants to dispose of by means of a public auction.
2. All items to be auctioned must be listed on the Auction Surplus List provided by the Purchasing Division.
3. The Purchasing Division will review the lists to determine if enough surplus goods exist to warrant conducting an auction.
4. Following the selection of an auctioneer, the Purchasing Division will request (by memo) a revised “final” inventory list from each department.
5. Each department is responsible for completing the “final” inventory list, which must include quantity, description, and tag number of all items. The description of the item must include the serial number or vehicle identification, if applicable. Each department will attach inventory tags, to every item on the auction list Tag numbers will be numbered as follows:

Administration AD 001, AD 002
Budget & Finance BF 001, BF 002
Building BD 001, BD 002
Community Redevelopment CR 001, CR 002
Engineering EN 001, EN 002
Fire Department FD 001, FD 002
Housing Department HS 001, HS 002
Human Resources HR 001, HR 002
Parks & Recreation PR 001, PR 002
Planning & Zoning PZ 001, PZ 002
Police Department PD 001, PD 002
Public Works PW 001, PW 002
Technology Information Management Systems IT 001, IT 002
Town Clerk TC 001, TC 002
Utility Department UD 001, UD 002
Vehicle Maintenance VM 001, VM 002

6. It will be the responsibility of each department to have an area for storage of surplus items. The Purchasing Division will advise the departments of the schedule for auctioneer tagging and subsequent transfer of items to the auction location.
9. The Purchasing Division will verify that all items on the “final” list are present and accounted for during the tagging process.
10. The Purchasing Division will advertise the date and time of the auction. The auction will be held no less than thirty (30) days after advertisement is published per Code of Ordinances, Town of Davie, Section 10 (k).
11. A Representative of the Purchasing Division will be present at the auction in its entirety.
12. The auctioneer must submit copies of the sales receipts to the Representative of the Purchasing Division at the conclusion of the auction.
13. The auctioneer shall provide the Town with its payment a comprehensive list showing inventory item, tag number, sale price and to whom the item was sold.

Section 2: Open Competitive Bidding

If the department chooses to dispose of surplus/obsolete goods by open competitive bidding, then the department must submit a complete description of the item(s) for sale and a statement on the condition of these goods (i.e., excellent, good, fair, poor) to the Purchasing Division. The department must submit a cover memo requesting the Purchasing Division to proceed with the advertising and subsequent sale of surplus/obsolete goods. The Purchasing Division will solicit sealed bids for the sale of these items. A bid opening report will be prepared by the Purchasing Division and presented to the appropriate department for disposition.

Section 3: Direct Sale

Direct Sale is a disposal method used when the item(s) being sold is a specialized piece of equipment or animals. If this method is to be used, the department wishing to sell the equipment writes a memo to the Town Administrator. The memo shall include a statement from the department detailing the fact that direct sale of the specialized equipment would be a better financial option for the Town than sale at an auction. If the direct sale is approved by the Town Administrator, the department will contact the Budget and Finance Department to create an invoice for the sale. A copy of the paid receipt shall be sent to the Purchasing Division for record purposes.

Section 4: Trade

As a method of disposal, the Town may choose to dispose of vehicles, equipment or other surplus items through the use of trade-in, this can be done through the competitive bid process or buy additionally discounting a cooperative or piggyback contract. In the case of vehicles or Fleet related equipment being traded the contractor shall provide the Town with a fair market value offer that will be reviewed by the Fleet Manager. The Fleet Manager may conduct market research to ensure that what is being offered is within fair market value. Any other equipment will be the responsibility of the Department Director to ensure fair market value is being offered before agreeing to this method of disposal.

Section 5: Gifting

This method of disposal is used when the Town decides to donate an item (typically to another governmental entity or a not for profit agency). If this method is to be used the department will prepare a memo to the

Town Administrator describing what the item is, the agency the item is to be donated to, and the justification for the donation. If approved by the Town Administrator, the department shall write a donation letter to the benefice for record purposes. A copy of this donation letter shall be sent to the Purchasing Division.

Section 6: Disposal of Broken Items

This method of disposal is used when items are broken and no longer usable and does not have a valuable resale potential such as broken desks, chairs, lamps, calculators, adding machines etc. The using department will compose a memo that will state, in detail, why the item is being disposed of in this manner. A copy of the memo should always be kept by the department for future reference and a copy sent to the Procurement Manager Approvals from appropriate parties are received as described below:

1. If the item is \$1,000 or less disposal can be authorized by the Department Director.
2. If the item is less than \$1,000 and is of a technical nature the memo must be sent and authorized by the Department Director and forwarded to the Technology Information Management Systems director for authorization before disposing of the item.
3. If the item is more than \$1,000 the memo must be authorized by the Department Director and forwarded to the Town Administrator for authorization before disposing of the item.
4. If the item is more than \$1,000 and of a technical nature the memo must be authorized by the Department Director, forwarded to the Technology Information Management Systems director and then to the Town Administrator for authorization before disposing of the item. All surplus/obsolete goods must be listed on the Inventory List of Surplus Items regardless of which method of disposal described above is utilized

IX: VENDOR RELATIONS

Section 1: Vendor Contact

A. INTRODUCTION

The Town of Davie strives to develop effective relationships with vendors and encourages full and open competition wherever possible. The Town also endeavors to maintain strong enduring relationships with vendors of proven ability and desire to meet our needs. To accomplish this, our purchasing activities will be conducted so that vendors will value our business and make every effort to furnish our requirements on the basis of quality, service and price. The relationship between the purchaser and seller is one of mutuality.

The Town will buy only from suppliers who have adequate financial strength, high ethical standards, and a record of adhering to specifications, maintaining shipping promises and giving full measure of services. New sources of supply will be given due consideration as multiple sources of supply are necessary to ensure availability of materials and promote competition.

It is essential to develop and maintain good will between the Town of Davie and its suppliers. The reputation of the Town can be promoted by:

1. Giving all salespersons a full, fair, prompt and courteous hearing.
2. Keeping competition open and fair.
3. Keeping specifications fair and clear.

4. Cooperating with the seller and considering their difficulties in providing the service or products.
5. Having consistent buying policies and principles.
6. Observing strict truthfulness in all transactions and in correspondence.
7. Respecting the confidence of the salespersons or their company as to confidential information.
8. Keeping free from obligation to any vendor.

B. DEPARTMENT CONTACT WITH VENDORS

In the day-to-day conduct of their duties, departmental employees are often in contact with potential vendors and suppliers. While it is sometimes desirable for employees to be in a position to recommend certain products, no department shall attempt to place orders with vendors, except as described in this manual.

C. INITIAL VENDOR CONTACT

It is suggested that all vendors desiring to sell goods and services to the Town go to www.Davie-FL.gov and select the “Notify Me” button. We have identified categories that vendors can register for to receive solicitations based on their line of business. If the Town advertises a solicitation, posts addendums or posts notices related to a category, vendors will receive notification through either text or email.

Section 2: Code of Ethics and Conduct

It is the policy of the Purchasing Division to promote the Town’s reputation for courtesy, fairness, and impartiality. The responsibility for achieving this goal rests with each individual who participates in the procurement process. This includes the using departments, the vendors, as well as the Purchasing staff. The Purchasing Division adheres to a high standard of ethics and conduct as set forth by the State of Florida Statutes, the National Institute of Governmental Purchasing (NIGP), and the Florida Association of Public Purchasing Officers (FAPPO).

Public purchasing officers are required to maintain complete independence and impartiality in dealings with vendors, both in fact and in appearance, in order to preserve the integrity of the competitive process and to ensure there is public confidence that contracts are awarded equitably and economically.

The following are excerpts from Chapter 112, Part III, Florida Statutes, Code of Ethics for Public Officers and Employees:

A. SOLICITATION OR ACCEPTANCE OF GIFTS - Section 112.31(2)

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

B. DOING BUSINESS WITH ONE’S AGENCY – Section 112.313(2)

No employee of an agency acting in his official capacity as a purchasing agent, or public officer acting in his official capacity, shall either directly or indirectly purchase, rent, or lease any realty, goods, or services for his own agency from any business entity of which he or his spouse or child is an officer, partner, director, or proprietor or in which such officer or employee or his spouse or child, or any combination of them, has a material interest, or shall a public officer or employee, acting in a private capacity, rent, lease, or sell any realty, goods,

or services to his own agency, if he is a state officer or employee, or to any political subdivision or any agency thereof, if he is serving as an officer or employee of that political subdivision.

C. UNAUTHORIZED COMPENSATION - Section 112.313(4)

No public officer or employee of an agency or his spouse or minor child shall, at any time, accept any compensation, payment, or thing of value when such public officer or employee knows, or with the exercise of reasonable care, should know, that it was given to influence a vote or other action in which the officer or employee was expected to participate in his official capacity.

D. CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP – Section

112.313(7) No public officer or employee of an agency shall have or hold any employment or contractual relationship with any business entity or any agency which is subject to the regulation of, or is doing business with, an agency of which he is an officer or employee, excluding those organizations and their officers who, when acting in their official capacity, enter into or negotiate a collective bargaining contract with the State or any municipality, Town, or other political subdivision of the State; nor shall an officer or employee of an agency have or hold any employment or contractual relationship that will create a continuing or frequently recurring conflict between his private interests and the performance of his public duties or that would impede the full and faithful discharge of his public duties.

In order to avoid the possibility of any misunderstandings regarding compliance with the law and regarding any appearance of impropriety relative to the competitive process for awarding contracts, it is respectfully requested that purchasing staff not accept anything of value offered from vendors.

E. CONFLICT OF INTEREST

State Statute, Chapter 38-305 defines conflict of interest as:

Any public officer or employee of a public agency who has, or whose relative has, a substantial interest in any contract, sale, purchase or service to such public agency shall make known that interest in the official records of such public agency and shall refrain from voting upon or otherwise participating in any manner as an officer or employee in such contract, sale or purchase.

The mere employment of an individual simultaneously by the Town and an outside company that has a direct or indirect business relationship with the Town, in itself established no conflict of interest. A conflict of interest would arise if actions by such an individual as a Town employee conferred a direct or indirect benefit on the private business by which he was also employed or in which the employee has a financial interest.

The law provides that when a potential for a conflict of interest arises, the Town employee with the potential conflict make his interest known to the Town and refrain from taking any actions on the matter creating the potential for a conflict of interest.

When a potential for a conflict of interest arises, the Town employee must either (a) provide written notification to the Purchasing Division identifying what relationship exists that could be classified as a potential for a conflict of interest; or (b) provide the same information during a Town Council meeting so it can be recorded in the official minutes of the meeting.

F. ETHICAL CONSIDERATIONS

In any consideration of public responsibilities, there must be understanding and agreement with reference to the ethics of public purchasing. These concepts are expressed by the Florida Association of Public Purchasing Officers, Inc., Code of Ethics, which obligates every procurement official to an unquestionable standard of ethics and conduct.

Section 3: Disbarment of a Vendor

A vendor who is to be formally removed from the vendor eligibility list and who is to be subsequently barred from doing future business with the Town will be notified in writing by the Procurement Manager through the Office of the Town Administrator. Said written notification will state the reason for disbarment and the length of time of its effectiveness, which shall be thirty six months or less from the date of notification.

A vendor who receives a notice of disbarment may request, in writing, an appointment with the Procurement Manager and the Town Administrator for the purpose of reviewing the decision. If the review does not satisfactorily resolve the issue, the vendor may then petition to appear at a formal, twice-monthly session of the Town Council to further defend their position. Said petition to appear must be directed to the Office of the Town Administrator or the Office of the Town Clerk for scheduling.

If a vendor's name is removed from the list of vendors eligible to receive a bid opportunity no Town department is able to continue doing business with said vendor. A vendor may be removed from the vendor eligibility list for any of the following reasons:

1. Conviction of a criminal offense relative to securing a public or private contract;
2. Conviction of a violation of a State or Federal anti-trust statute or act relating to the submission of a bid or a proposal;
3. Conviction of a violation of a State or Federal Statute which indicates a lack of business integrity or honesty, e.g., theft, forgery, embezzlement;
4. A serious violation of a contract provision, e.g., a previous failure to perform or unsatisfactory performance associated with an awarded contract or bid;
5. A violation of ethics, as defined within this manual or the Florida State Code of Ethics;
6. Conviction of or evidence of collusion by a respondent or a subsidiary in the submission of a response to the Town, other government agency or business in connection with a solicited RFP, or bid;
7. Any other reason that would affect a vendor's responsibility to the Town.

Section 4: Vendor Performance

Upon completion of a transaction or contract term, the using department may complete the Vendor Performance Form (Form 10; Page 85) to rate the performance of the vendor(s) involved. The using department will transmit the completed performance form to the Purchasing Division. The Purchasing Division will compile the information, send a copy of the completed Vendor Performance Form to the vendor, and make it available on a Town server. The vendor is given an opportunity to respond to the comments on the Vendor Performance Form, by completing the last page and sending it back to the

Purchasing Division for review. This information can be used as an evaluation tool for future recommendations.

Reinstatement

A person or corporation may be reinstated to do business with the Town under the following conditions:

1. Discovery of new and material evidence not previously available
2. Dismissal of indictment or reversal of conviction, or
3. Bonafide change in ownership or management sufficient to justify a finding of present responsibility.

The request of reinstatement shall be forwarded in writing to the Procurement Manager. The Town Administrator shall determine whether to reinstate based on written submission of evidence to one or more of the above conditions from the Procurement Manager

X: GLOSSARY

Agent – One who is empowered to act for or in place of another.

Bid Bond – An insurance agreement, accompanied by a monetary commitment, by which a third party accepts liability and guarantees that the bidder will not withdraw the bid, the bidder will furnish bonds as required, and if the contract is awarded to the bonded bidder, the bidder will accept the contract as bid, or else the surety will pay a specific amount.

Bid Specification – A document containing all information relating to the bid, including, but not limited to, requirements, purchase request, invitation to bid, bid evaluation and award information.

Buyer – 1. A purchaser; can refer to the buying agency or government 2. A worker in a procurement office who is appointed to purchase a specific range of goods and services on a routine basis, usually under the supervision of a Procurement Manager.

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

Check Request Form (CRF)– An internal authorization form used by a department for the purpose of paying for an invoice.

Commercial Completeness – A response from a vendor to an Invitation to Bid or a Request for Proposal that contains all required information.

Competitive Bidding – Preferred method for acquiring goods, services, and construction for public use in which award is made to the lowest responsive and responsible bidder, based solely on the response to the criteria set forth in the IFB (invitation for bid).

Contract Management – The function of: A. Tracking vendor performance B. Making sure that vendor complies with all terms and conditions of the bid or contract C. Coordinating with the Procurement Manager

on written correspondence that needs to be sent to vendor D. Taking the appropriate action to keep the contract current (i.e. re-bid, exercise contract extension option)

Contract Administration – The function of: A. Tracking the inception date, expiration date and length of all term contracts including any extension options B. Keeping using departments apprised of the status of all term contracts C. Taking care of all written correspondence to bidders concerning contractual matters.

Department Director – The person that directs or controls each Town department as determined by the Town Administrator.

Encumbrance - A management tool used to reflect commitments in the accounting system and attempt to prevent overspending. Allows the Town to recognize future commitments of resources prior to an actual expenditure.

Formal Bidding – A bid which must be submitted in a sealed envelope and in conformance with a prescribed format to be opened in public at a specific time.

Immediate Relatives – The Town of Davie defines “immediate relative” as mother, father, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister, grandparent, great grandparent, grandchild, great grandchild, step grandparent, step great grandparent, step grandchild, step great grandchild, and any person who is engaged to be married to the Town employee/public officer.

Informal Bidding – A competitive bid or price quotation for supplies or services that is conveyed by letter, or other means and does not require a sealed bid, public opening, or public reading of bids as handled by the Purchasing Division.

Invitation to Bid – A formal request to prospective bidders to submit offers, bids, quotations, or proposals for specified goods and services within the terms and conditions of tender documents.

Modified Centralized Purchasing – Each department has a person(s) responsible for the clerical functions of purchasing. That individual works with the Purchasing Division to assure that all purchases are within the rules, regulations and policies as set forth in this manual, the Town’s Charter, and Florida State Statutes.

Payment Bond - A payment bond is requested on contracts which will require the purchase of materials or services from others in order to protect subcontractors from non-payment by the general contractor.

Performance Bond - A performance bond may be required when it is deemed in the best interest of the Town to ensure that a contract is executed in accordance with the agreed upon specifications and price; or when mandated by Florida State Statutes.

Petty Cash – A cash fund kept at a fixed amount for disbursement as needed to pay for relatively small purchases.

Pre-encumbrance – To hold funds for a future purchase.

Procurement Card – Town issued credit card used for acquiring supplies and services for use by the Town.

Procurement Manager – An employee in public purchasing with responsibility and authority to act for the jurisdiction in certain areas and to supervise all purchasing activities.

Purchase Order – A purchaser’s written document to a vendor formalizing all the terms and conditions of a proposed transaction, such as a description of the requested item(s), delivery schedule, terms of payment, and transportation.

Request for Proposals (RFP) – A document used to solicit responses from various bidders for a known specific project where the criteria for award results in a qualifications based decision.

Request for Qualifications (RFQ) – A document used to solicit responses from various vendors for miscellaneous projects where the criteria for award results in a qualifications based decision.

Responsible Bidder – A bidder who has the capability in all respects to perform fully the contract requirements, and the experience, integrity, perseverance, reliability, capacity, facilities, equipment, and credit which will assure good faith performance.

Responsive Bidder – A vendor who has submitted a bid which conforms in all material respects to the requirements stated in the Invitation to Bid.

Single Source Supplier– Bidders that make a product which is available from other sources, but the Town has a need to purchase from this particular vendor.

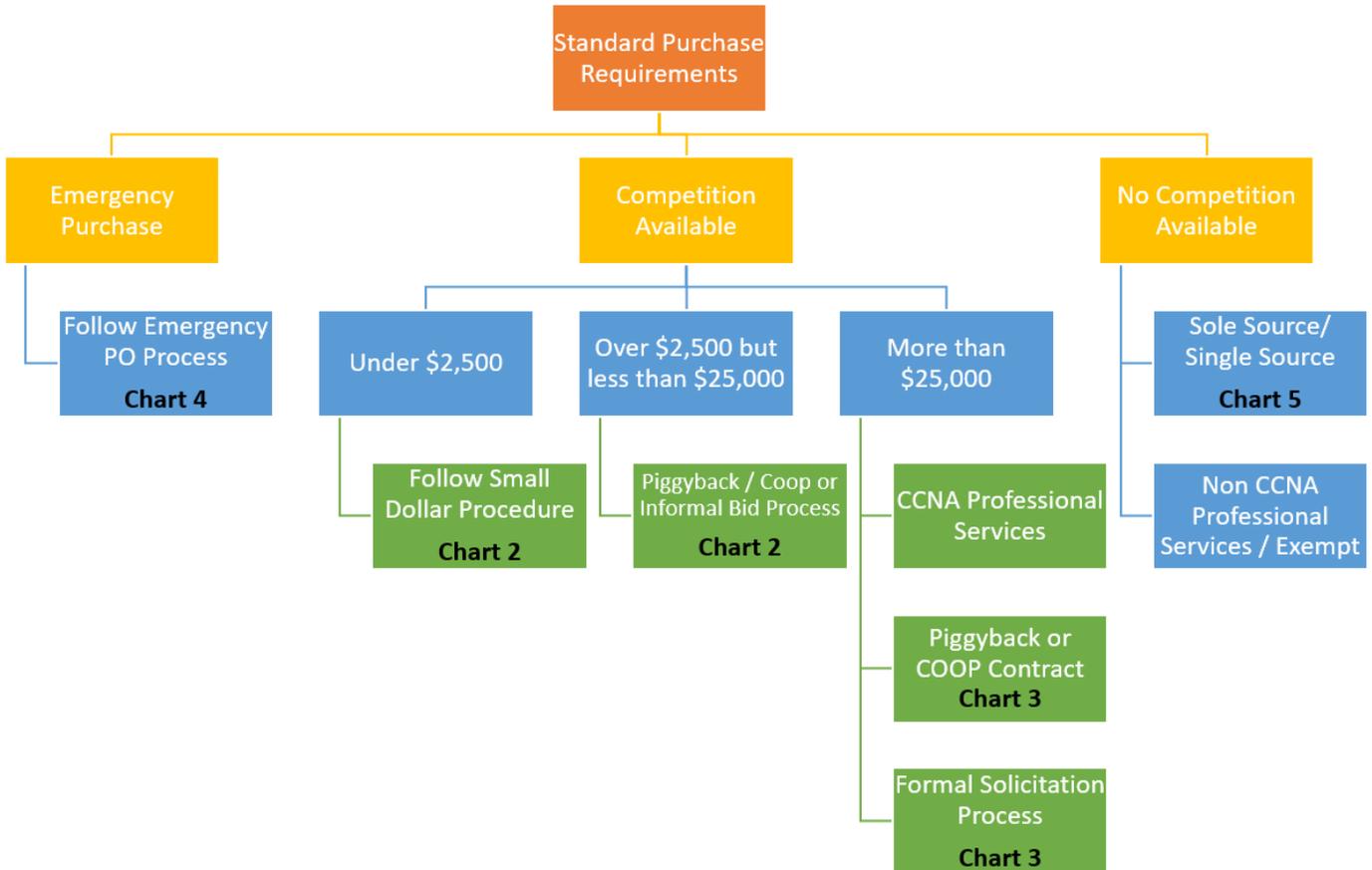
Sole Source Supplier- The one and only vendor that makes a product that is needed for Town business.

Transaction – 1. The act of carrying out some form of business between two parties or persons. 2. A business agreement or exchange.

XI: FLOWCHARTS

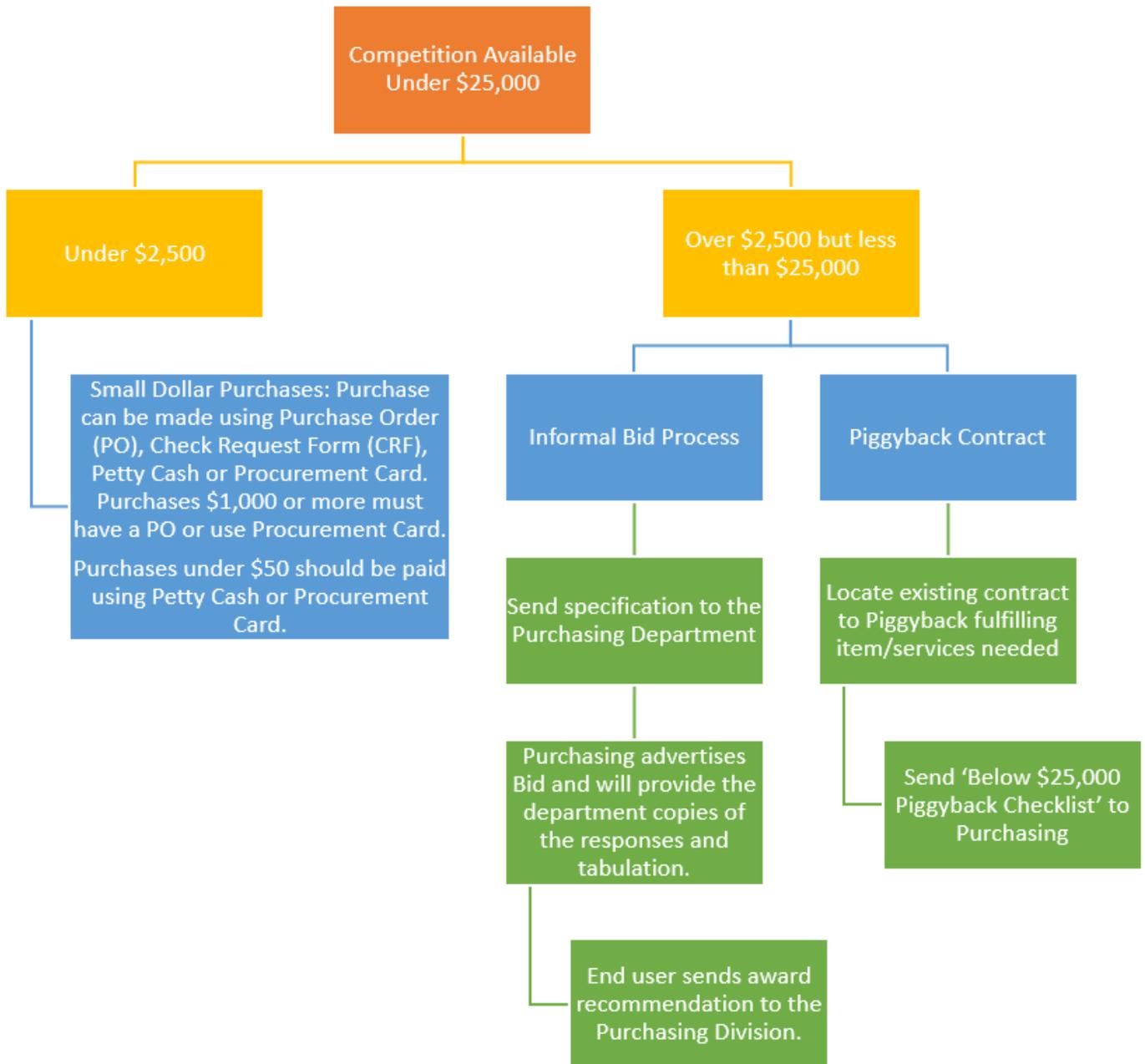
Flow Chart 1: Basic Decision Procedures

This and all future charts are for general reference only. Please refer to the Purchasing Policy & Procedures Manual for more detailed information.



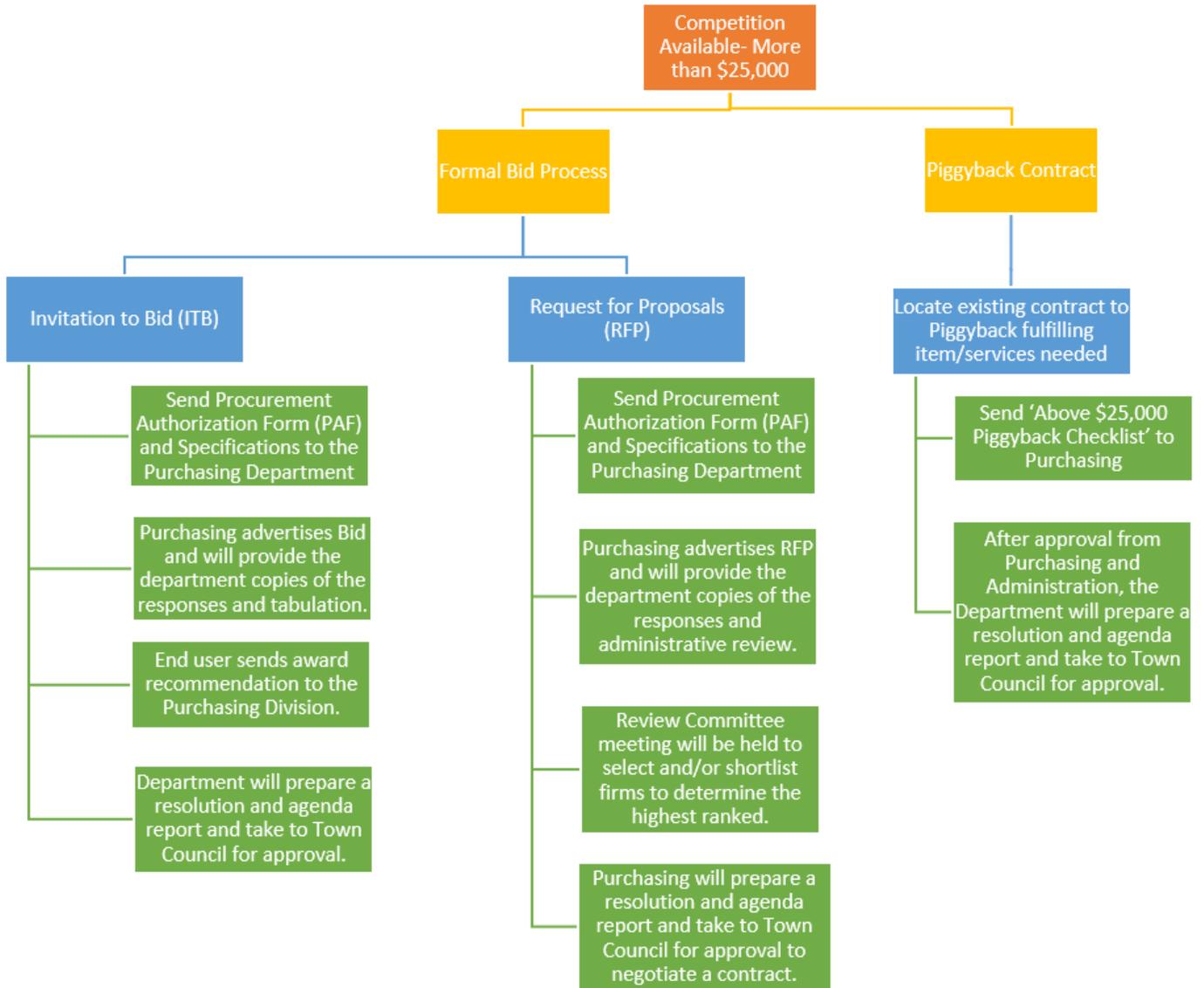
Flow Chart 2: Competitive Purchasing Process Under \$25,000

This and all future charts are for general reference only. Please refer to the Purchasing Policy & Procedures Manual for more detailed information.



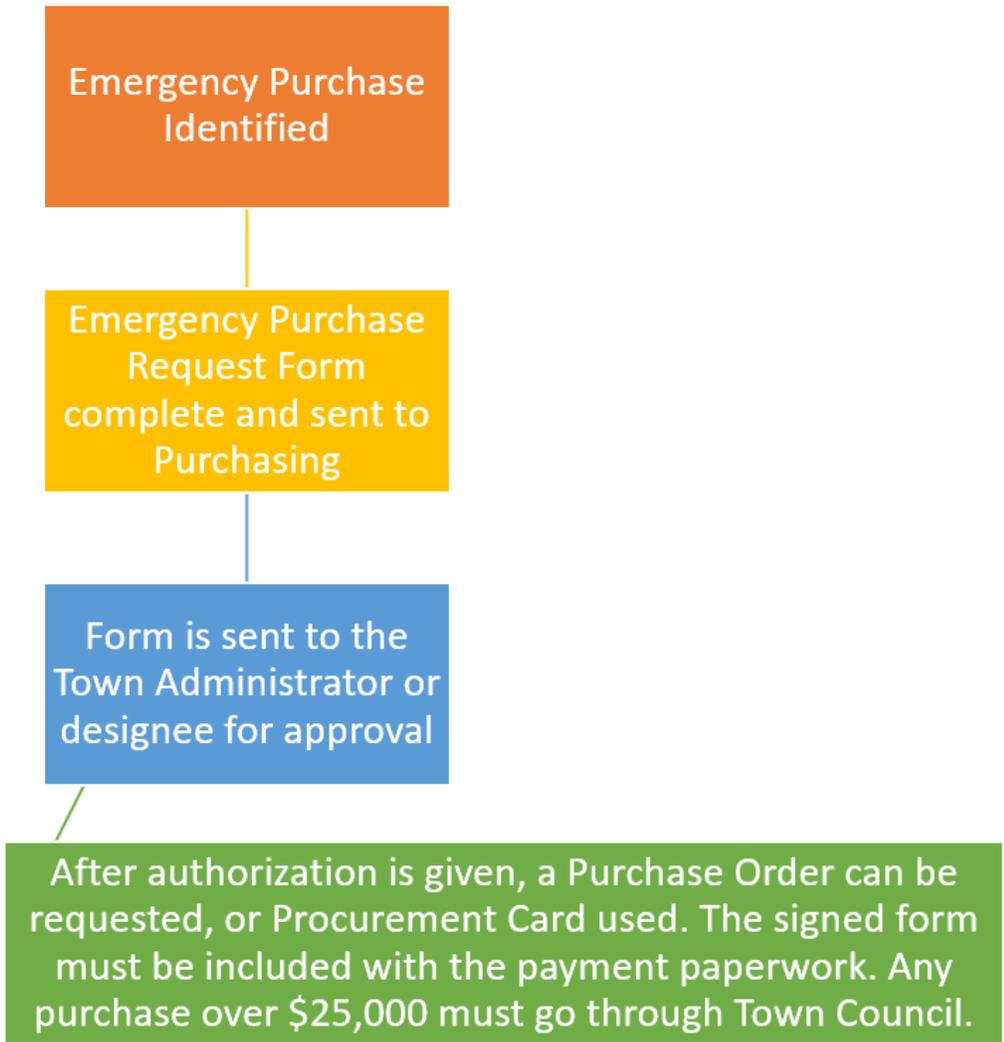
Flow Chart 3: Competitive Purchasing Process Over \$25,000

This and all future charts are for general reference only. Please refer to the Purchasing Policy & Procedures Manual for more detailed information.



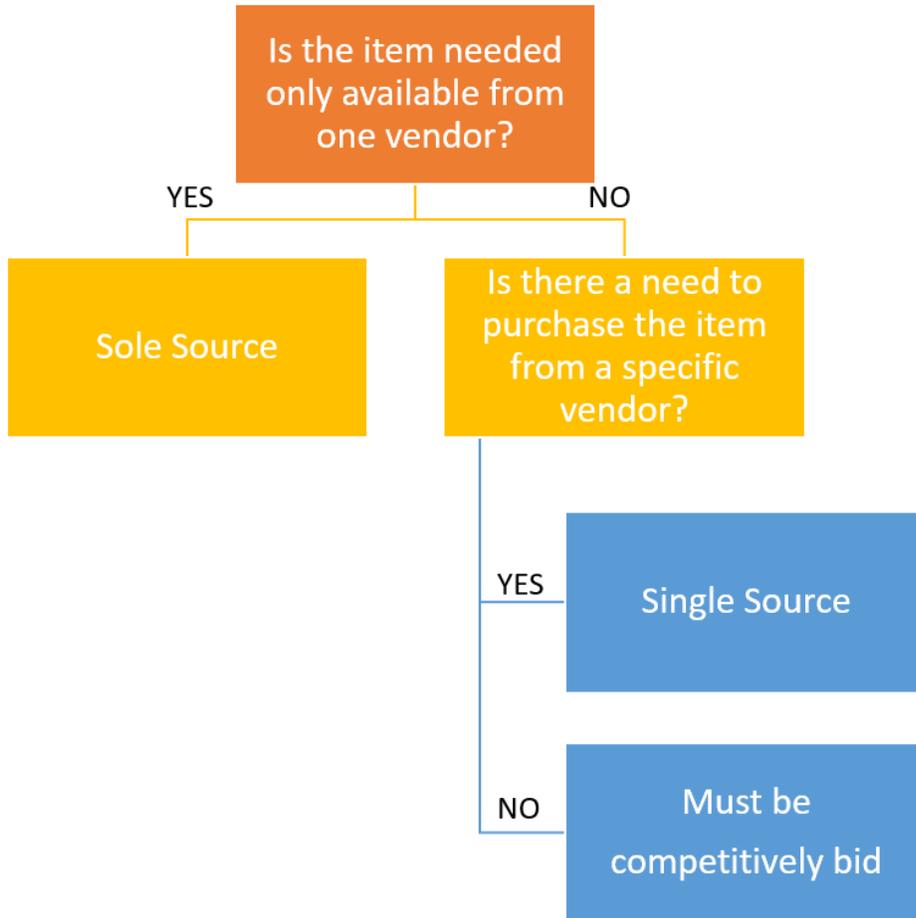
Flow Chart 4: Emergency Purchase Procedures

This and all future charts are for general reference only. Please refer to the Purchasing Policy & Procedures Manual for more detailed information.



Flow Chart 5: Sole/ Single Source Procedures

This and all future charts are for general reference only. Please refer to the Purchasing Policy & Procedures Manual for more detailed information.



Sole/ Single Source Documentation:

1. Complete the Sole Source/Single Source Justification Request Form.
2. Get a letter from the vendor declaring that they are indeed a sole/ single source for the item.
3. Forward both the form and letter to the Purchasing Division to be included with your payment method.

XI: FORMS

Form 1 – Procurement Authorization Form

Form 2 – Piggyback Checklist Over \$25,000

Form 3 – Piggyback Checklist Under \$25,000

Form 4 – Sole/Single Source Request Justification Form

Form 5 – Emergency Purchase Request Form

Form 6 – PO Change Request Form

Form 7 – Contract Renewal Form

Form 8 – Procurement Card Transaction Request Form

Form 9 – Procurement Card Request/Certification Form

Form 10 – Vendor Performance Form



Procurement Authorization Form
Budget & Finance / Purchasing Division

PURCHASING USE ONLY	
Solicitation No.:	

PLEASE PRINT DOUBLE-SIDED

Item Description (include what the item is used for, reason for bidding, expiration date of existing contract, etc.)

METHOD OF PROCUREMENT (mark the one that applies)

- Open Competitive Bidding Sole Source Single Source Prequalified Contractor Agreement
- Exempt Purchases over \$25K Co-Op Bid Number _____
- Piggyback on Contract Number (including name of entity) _____
- Request for Proposal/Qualification Reverse Bid Pre-Qualified Pool Contractors

Funds pre-encumbered by Requisition No. (If no vendor use Vendor No. 9924 Out to Bid) _____

Account #1 _____ Account #2 _____ Account #3 _____

Amount #1 _____ Amount #2 _____ Amount #3 _____

CONTACT INFORMATION

Dept. _____ Name: _____ Phone: _____

1. Estimated **Budgeted** Amount \$ _____ or Dependent on usage within established budget.

NUMBERS 2-17 ONLY APPLY FOR BIDS/RFP/RFQ AND MUST BE COMPLETED BY THE REQUESTING DEPARTMENT.

2. Advertisement Period: _____ days. All bids need to be advertised a minimum of 12 days and typically do not exceed 30 days.

3. Project Location: _____

4. Is this project **Grant** related? Yes No **Funding Agency:** _____

If **yes**, provide Grant special requirements _____

5. **Substantial Completion** of project shall be in _____ calendar days after Notice to Proceed.
Final Completion of project shall be in _____ calendar days after Substantial Completion.

6. Do you want to require **Liquidated Damages**? Yes No If yes, how much per day? _____

7. List **Special licenses/certifications** vendors are required to have _____

8. Do you want a **Pre-bid meeting**? Yes No if yes, do you want it to be **Mandatory**? Yes No

9. Do you want a **Site Visit**? Yes No if yes, do you want it to be **Mandatory**? Yes No

10. Is there an **Outside entity** assisting with this bid (ex: Architect, engineer, consultant) Yes No

If yes, provide Entity Name: _____ Contact Person: _____

Phone: _____ Email: _____

11. Are there **Plans** associated with this bid? Yes No (Purchasing will need 1 electronic copy)

If **yes**, have they been reviewed by Engineering , Planning and Zoning and the Building Division? Yes No

12. Does this bid work in conjunction with or will it **impact any other Dept?** Yes No (**Example; is this request IT related?**)

If **yes**, provide Department(s)/Division(s) name: _____

If **yes**, the listed Department Directors(s) will also need to review the specifications and sign this form in additional area's provide below;

13. **Project/Contract Manager** (in-house):

Name: _____ Ph: _____ Fax: _____

14. **Suggested Review Committee Members: (For RFP's Only!)**

A. _____ C. _____

B. _____

15. **Vendor(s)** to send packet to: (email addresses are required)

A. _____

16. Has this type of solicitation been done before: Yes Bid/RFP/RFQ Number _____ No Unknown?

17. Does the Award of this solicitation need to be approved by another body (FDOT, LAP, and CDBG etc.) before submitting item for Town Council approval? Yes No If yes, please list _____

18. Authorization: (per section 12, if additional Departments/Divisions are involved please have them sign below as well)

Department Director Approval: (Print) _____ (Signature) _____ Date: _____

Department Director Approval: (Print) _____ (Signature) _____ Date: _____

Department Director Approval: (Print) _____ (Signature) _____ Date: _____

Department Director Approval: (Print) _____ (Signature) _____ Date: _____

Procurement Manager Approval: (Print) _____ (Signature) _____ Date: _____

Budget & Finance Director Approval: (Print) _____ (Signature) _____ Date: _____

Town Administrator Approval: (Print) _____ (Signature) _____ Date: _____



PIGGYBACK & COOPERATIVE BID CHECKLIST (Over \$25,000 Per Year)

Agency Contract #: _____

Vendor Name: _____

Vendor Representative: _____ Vendor Rep Contact #: _____

Vendor Representative Email: _____

Completed By: _____

Please check boxes when completed.

Click on blue links below to access required forms:

- 1. Lead agency or bid awarded by _____
2. Date of award _____
3. Date of expiration _____
4. Date of last renewal _____
5. Number of renewals left _____
6. Copy of bid & award documents attached
7. Certificate of Insurance as required per contract, if applicable
8. Requested item same as awarded item
9. Approved Procurement Authorization attached
10. Vendor Registration Form
11. Piggyback Agreement attached *
12. Proposed Town of Davie resolution attached (sample resolution)
13. Justification _____
14. Benefit to the Town _____

By signing below I verify that:

- 1.) I have accurately completed all of the items and fields above.
2.) I have read the contract terms & conditions and find this formally solicited contract to be in the best interest of the Town.
3.) I have reviewed the pricing and find this contract to be the best value for the Town of Davie.

Employee Signature Date
*Piggyback agreement requirement may be waived by the Procurement Manager on a case-by-case basis.



PIGGYBACK & COOPERATIVE
BID CHECKLIST
(Under \$25,000 Per Year)

Agency Contract #: _____

Vendor Name: _____

Vendor Representative: _____ Vendor Rep Contact#: _____

Vendor Representative Email: _____

Completed By: _____

Click on blue links below to access required forms:

Please check boxes when completed.

1. Lead agency or bid awarded by _____

2. Date of award _____

3. Date of expiration _____

4. Date of last renewal _____

5. Number of renewals left _____

6. Copy of bid & award documents attached

7. Certificate of Insurance as required per contract, if applicable

8. Requested item same as awarded item

9. [Vendor Registration Form](#)

10. Justification _____

14. Benefit to the Town _____

By signing below I verify that:

- 1.) I have accurately completed all of the items and fields above.
- 2.) I have read the contract terms & conditions and find this formally solicited contract to be in the best interest of the Town.
- 3.) I have reviewed the pricing and find this contract to be the best value for the Town of Davie.

Employee Signature

Date



Sole / Single Source Request Justification
(For Noncompetitive Purchases over \$2,500)

WARNING: Per Florida Statutes 838.22(2) – It is unlawful for a public servant or a public contractor who has contracted with a governmental entity to assist in a competitive procurement to knowingly and intentionally obtain a benefit for any person or to cause unlawful harm to another by circumventing a competitive solicitation process required by law or rule through the use of a sole-source contract for commodities or services.

To: Budget & Finance / Purchasing Division:

Your approval is requested to initiate a sole/single source procurement action:

Requestor Name & Title: _____

Requestor Dept./Division: _____

Phone Number: _____ **Requisition Number** _____

Recommended Sole/Single Source procurement action with:

Company Name: _____

Contact Name: _____

Address: _____

City, State, Zip _____

E-mail: _____

Telephone: _____

Is the recommended company the manufacturer? Yes No

Does the manufacturer sell the item(s) through distributors? Yes No

If yes, please have manufacturer provide a list of all authorized distributors.

Describe the full scope of work contemplated including installation if required; items should include brand, model and part number if applicable.



Sole / Single Source Request Justification
 (For Noncompetitive Purchases over \$2,500)

Identify the date you need item delivered or work performed.

Type of Sole/Single Source (Check One)	Sole Source	Single Source
<input type="checkbox"/>	One-Time: applies to a single requisition and purchase order for the current fiscal year	
<input type="checkbox"/>	On-Going: Applies to multiple purchases to be made for one year from date Sole/Single Source approved. Estimated Annual Expenditures for one year: \$ _____	

Is there a contract related to these services? Yes No If, yes has legal reviewed it? Yes No

SOLE/SINGLE SOURCE RATIONALE

Explain why the recommended company is the only company who can perform the requirement. Address the following: Are there any other companies who can do this job? What condition (e.g. technological superiority, or performance risks, etc.) exists so that the recommended company has a significant advantage over any other company who can do this job?

It is important to sufficiently address the major reason for conducting a noncompetitive procurement, avoiding peripheral issues which detract from the main reason and reduce the credibility of the justification. The rationale must be clear and convincing, avoiding generalities and unsupported conclusions. Use one or more of the following as applicable. The radio converter gateway and cable allow us to connect our emergency public safety radios to their system in order to provide mass communication to all of our computer and cell phone devices. This will be one requirement for emergency management use, in addition to the software management of events. The ReadyOp Gateway AM360r is solely made by ReadyOp through Cleartronics a company owned by ReadyOp. The Gateway is copyrighted for and can only be used by the ReadyOp Dashboard software.

A specific contractor is the only source of the required item because (check all that apply):

The required items are **proprietary to the Contractor**

A specific item is needed:

- to be compatible or interchangeable with existing hardware,
- as spare or replacement hardware,
- for the repair or modification of existing hardware, or
- for technical evaluation or test.

Vendor is the original equipment manufacturer; there are no regional distributors.
 Verification from manufacturer is attached



Sole / Single Source Request Justification (For Noncompetitive Purchases over \$2,500)

This is the only equipment that meets the specialized needs of the department and performs the intended function. Detailed justification is attached.

Vendor is the sole distributor that is restricted by the manufacturer to our territory. Verification from manufacturer is attached.

It is not possible to obtain competition (i.e., only one source is capable of supplying the items or meeting the requirements). *In a brief explanation, provide supporting evidence for the conclusion; other sources considered should be identified and why they are not able to meet the requirements.*

- There is a **substantial technical risk** in contracting with any other contractor, thereby making that an unacceptable course of action (e.g., where only one contractor has been successful to date in implementing a difficult manufacturing process). *In a brief explanation, provide supporting evidence of other contractor's with relevant capabilities and emphasize their inability to overcome the substantial technical risk.*

- For support services effort, there is no reasonable expectation that a meaningful cost or other improvement could be made in the incumbent contractor's performance (e.g., the



Sole / Single Source Request Justification
(For Noncompetitive Purchases over \$2,500)

chances of another firm winning a competition are clearly remote). *Please provide a brief explanation.*

ACKNOWLEDGEMENT

This section must be completed:

I am aware of the Town’s requirements for competitive bidding for purchases over \$2,500.00 and the criteria for justification for Single Source/Sole. I have gathered the required technical information and have made a concerted effort to review comparable/equal equipment (e.g., market research). I have attached the pertinent documentation showing what market research was conducted to preclude other items from consideration.

Requestor Signature Date

Department Director Signature Date

To be complete by Purchasing staff:

The Town has advertised the above request on the Town’s website in accordance with State of Florida Statute 287.057 and no challenges or protests were received. *

Buyer: _____ Date: _____

Procurement Manager Signature: Date:

If approved by Town Council: Resolution Number: _____

*All requests for Sole/Single Source will be advertised on the Town’s website for a minimum of 7 days prior to approval from the Procurement Manager.



Town of Davie Emergency Purchase Request

Requesting Department:

Town of Davie
6591 Orange Drive , Davie FL33314
T: 954-797-1016 E: Purchasing@davie-fl.gov

VENDOR NAME / ADDRESS / INFORMATION

DATE: _____

REQUESTED BY: _____

DATE EXPECTED: _____

ACCOUNT #: _____

PROJECT #: _____

AND/OR

Is Funding Available for this Request? YES NO

TOD #: _____

Is a Budget Transfer Required? YES NO

Person: _____

Phone #: _____

Contract #: _____

Comparative Prices Attached? YES NO

Reason for Request: (Describe in detail why this is a Life, Health, Safety or Loss risk to the town)

QUANTITY	U/M	DESCRIPTION	UNIT PRICE	TOTAL PRICE

*Provide the necessary backup information when submitting this form

SHIPPING
SUBTOTAL
TOTAL DUE

Requesting Department Director on file Authorized Designee

Print Name:

Date

Budget & Finance Director Signature

Print Name:

Date

Procurement Manager Signature

Print Name:

Date

Town Administrator Signature

Print Name:

Date

Vendor must provide below documents before the delivery of products and/or services.



TOWN OF DAVIE

PURCHASE ORDER CHANGE REQUEST FORM

This form must be completed, signed and emailed to your department/division assigned Buyer prior to any PO Change Request being processed.

DATE: _____ PURCHASE ORDER #: _____ CHANGE #: _____

RESOLUTION #: _____ CONTRACT #: _____

FORM COMPLETED BY: _____
(Name, Title, Dept)

JUSTIFICATION FOR CHANGE: _____

OTHER NOTES: _____

Breakdown of proposed Change and Basis for Payment
*Include any backup information to support this request including quotes, change orders and/or resolutions.

Item and Description	GL Account No.	Qty.	Unit Price	Total Amount
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Change Request Total Addition or Reduction

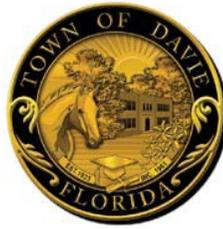
Requested Change: Addition Reduction

Original /Previous PO Amount _____ **+/-** Amount _____ = New Amount: _____

Proposed Revised PO Amount (with Change Request): _____

Approved: _____ Date _____
Supervisor Signature

Approved: _____ Date _____
Department Director / Division Manager Signature



CONTRACT RENEWAL

This contract renewal by and between the Contractor and the Town of Davie defined below shall be effective as of the date this Contract Renewal is fully executed. To the extent the contract requires the Town to issue a Notice of Contract Renewal for purposes of exercising the renewal option, this written document shall serve as such Notice of Contract Renewal.

Town Department:						
Solicitation Type:	<input type="checkbox"/>	Formal	<input type="checkbox"/>	Informal	<input type="checkbox"/>	Piggyback
Description of Services:						
Reason for Renewal						

TOWN OF DAVIE CONTRACT	
Company Name:	
Company Contact Person:	
Phone Number:	
Email:	
Town Contract No.:	
Lead Agency Name:	
Lead Agency Solicitation No.:	

Lead Agency Solicitation Title Name:	
Lead Agency Contract Award Date:	
Town Award Resolution(s) Number:	
Current Contract Term:	
Annual Contract Amount:	

WHEREAS, the Contract is in effect through the Current Contract Term as defined above; and

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties do hereby agree as follows:

1. **CONTRACT RENEWAL/EXTENSION.** The parties hereby agree that the contract will be renewed/extended for an additional period of time as follows:

NEW CONTRACT TERM	
Beginning Date of New Contract Term:	
End Date of New Contract Term:	

The parties agree the contract will expire at midnight on the date defined as the “End Date of the New Contract Term” unless the parties agree to renew/extend the contract for an additional period of time.

2. **SUCCESSORS AND ASSIGNS.** This Contract Renewal shall be binding upon and inure to the benefit of the successors and permitted assigns of the parties hereto.
3. **ENTIRE AGREEMENT.** Except as expressly modified by this Contract Renewal, the contract shall be and remain in full force and effect in accordance with its terms and shall constitute the legal, valid, binding and enforceable obligations to the parties. This Contract Renewal and the contract (including any written amendments thereto), collectively, are the complete agreement of the parties and supersede any prior agreements or representations, whether oral or written, with respect thereto.

IN WITNESS WHEREOF, the parties have caused this Contract Renewal to be duly executed by their authorized representatives.

CONTRACTOR

Company Full Legal Name: (PLEASE TYPE OR PRINT)	
Authorized Signature:	
Printed Name and Title of Person Signing:	
Date:	
Company Address	

TOWN OF DAVIE – Department Director or designee

Authorized Signature:	
Printed Name Signing:	
Date:	

TOWN OF DAVIE – Procurement Manager or designee

Authorized Signature:	
Printed Name Signing:	
Date:	

TOWN OF DAVIE – Budget and Finance Director or designee

Authorized Signature:	
Printed Name Signing:	
Date:	

TOWN OF DAVIE – Town Administrator or designee

Authorized Signature:	
Printed Name Signing:	
Date:	

PROCUREMENT CARD TRANSACTION REQUEST FORM

(Use this form for any purchase over two thousand five hundred dollars \$2,500.00)

Vendor Name: _____ Phone: _____

Vendor Address: _____

Vendor Contact Person: _____ Website: _____

Fax Number: _____ Email: _____

Justification Source: _____

(Formal/informal bid number, resolution, sole or single source, piggyback/cooperative contract number.)

Verification Checklist

By checking the following you certify that you have verified that:

- Pricing is in accordance with any associated contract (if applicable)
- No taxes or other charges have been applied that do not conform to the contract pricing
- All products and services are on the contract (if applicable)
- This purchase is not a fixed asset (tangible item that has a value over \$1,000 and a lifetime greater than one (1) year)

Please attach appropriate justification and backup documentation for this purchase.

Account Number: _____ Amount: _____

Account Number: _____ Amount: _____

Total Amount of Purchase: _____

Description of products to be purchased: _____

Ship to address: _____

Attention to: _____ (Person receiving goods or services)

Form completed by: _____ Date: _____

Dept. Director Approval: _____ Date: _____

TO BE COMPLETED BY PURCHASING STAFF ONLY

Order contact person's name: _____ Date Contacted: _____

Notified department: _____ Date contacted: _____

Buyer: _____ NWS Contract #: _____

Internal Reference Number: _____

Approved By: _____ Date: _____

Procurement Manager or designee



TOWN OF DAVIE
Procurement Card Request/Certification Form

Request to Issue a Town of Davie Procurement Card For:

Employee Name: _____

Employee ID: _____

Department/Division: _____

Who is responsible for coding: _____

CONTACT

Email Address: _____

Phone Number: _____ *Primary*

_____ *Cell*

_____ *Alternate (Optional)*

Card Information

PLEASE INDICATE BELOW WHICH OF THE FOLLOWING CREDIT LIMITS IS
REQUIRED OF THE NEW P-CARD BEING REQUESTED

Level 1: Low Transaction User
(\$500 MAX per month)

Level 2: General User
(\$2,500 per Transaction & \$15,000 MAX per month)

Level 3: Advanced/Frequent User
(\$2,500 per Transaction & \$25,000 MAX per month)

Level 4: High Transaction User
(\$2,500 per Transaction & \$50,000 MAX per month)

Default Account #: _____

(This is required for New World Systems but will not affect Suntrust coding)

Receipt

I certify that I received the Suntrust VISA Procurement Card listed above and have received a copy of the Town of Davie, Florida, Procurement Card Policies and Procedures, and, I understand and agree to abide by the Policy and Procedures set forth therein. I agree that I will relinquish my Suntrust VISA Procurement Card to the Town of Davie when requested to do so, and upon termination of employment. I understand that failure to use this Procurement Card in accordance with all rules and regulations may require relinquishing the card and may result in disciplinary measures. I also acknowledge that I have sat with a staff member of the Purchasing Division that has explained to me the policies and procedures set forth in this manual.

I UNDERSTAND THAT THIS PROCUREMENT CARD CANNOT BE USED FOR ANY PERSONAL USE AND SUCH USE WILL REQUIRE IMMEDIATE REIMBURSEMENT AND MAY RESULT IN DISCIPLINARY ACTION WHICH MAY INCLUDE DISMISSAL.

Employee Signature: _____

Date: _____

Authorization of Card

Department Director: _____ Date: _____

Procurement Manager: _____ Date: _____

Budget & Finance Director: _____ Date: _____

Town Administrator: _____ Date: _____

FOR INTERNAL USE ONLY

Card Number: _____

Expiration Date: _____

Issued by: _____
(Purchasing Staff Member Signature)

Date: _____



TOWN OF DAVIE

Vendor Performance Form

THIS FORM WILL BE USED TO EVALUATE THE PERFORMANCE OF VENDORS THAT DEPARTMENTS AND DIVISIONS ARE CURRENTLY WORKING WITH. USING THE CHECKBOXES AND COMMENT SECTIONS BELOW, PLEASE INDICATE HOW WELL THE VENDOR PERFORMED REGARDING THE CATEGORIES LISTED BELOW (EXCEPTIONAL, SATISFACTORY, OR UNSATISFACTORY). PLEASE BE FAIR AND TRUTHFUL IN YOUR EVALUATIONS. VENDORS THAT RECEIVE AN OVERALL UNSATISFACTORY RATING WILL BE SUBJECT TO REVIEW BY THE PURCHASING DIVISION AND WILL BE NOTIFIED BY PURCHASING TO ALLOW THEM AN OPPORTUNITY TO RESPOND.

VENDOR INFORMATION	
Name of Vendor:	Vendor #:
Vendor Address:	
Vendor Phone Number:	Vendor Email Address (Optional):
CONTRACT/BID INFORMATION	
Using Department or Division:	
Contract/Bid #:	Contract/Bid Name:
Describe the Nature of the Goods and/or Services Provided According to the Contract/Bid:	

DEFINITIONS OF PERFORMANCE RATINGS

<u>EXCEPTIONAL</u>	<u>SATISFACTORY</u>	<u>UNSATISFACTORY</u>	<u>N/A</u>	<i>Insufficient Information to Rate</i>
Exceeds contractual requirements. The vendor met the contractual requirements & the scopes of services were accomplished.	Meets contractual requirements & scopes of services were accomplished. The actions taken by the vendor were satisfactory.	Does not meet contractual requirements & scopes of services. The vendor's corrective actions weren't sufficient.	Not applicable	There is not sufficient information to rate performance.

PERFORMANCE RATING		COMMENTS
Work performed in compliance with contract terms.		
Materials, supplies, and equipment provided as required?		
Staff availability		
Timeliness & punctuality		
Staff professionalism		
Customer service		

Quality of work		
Communication and accessibility		
Prompt & effective correction of mistakes and issues		
Contractor compliance with Wages & Benefits (if applicable)		
Documentation records, receipts, invoices and computer-generated reports received in a timely manner and in compliance with contract specifications		
Overall performance		

(Rest of page left intentionally blank)

