

TABLE OF CONTENTS

SECTION	TITLE	PAGE
41-100	INTRODUCTION	1
41-110	PURPOSE	1
41-120	SCOPE	1
41-130	ORGANIZATIONAL UNITS INVOLVED	1
41-200	POLICY	3
41-210	PURCHASING POLICY	3
Section 1:	Purpose	3
Section 2:	Responsibilities of Purchasing	3
Section 3:	Functions of the City’s purchasing divisions	3
Section 4:	Ethics in Public Contracting	4
Section 5:	Definitions	4
Section 6:	Method of Source Selection	6
Section 7:	Purchases Requiring City Commission Approval	7
Section 8:	Small Business Programs	7
Section 9:	Prohibition of lobbying in procurement matters	8
Section 10:	Remedies/Appeals	8
Section 11:	Sale of Obsolete and Unusable Property	8
Section 12:	Donations of Property	8
Section 13:	Loans, Sales, or Rentals to Other Entities	9
41-220	PROCEDURES	10
41-230	COMPETITIVE BIDDING	10
41-240	PROFESSIONAL SERVICE CONTRACTS	10
41-241	Design-Build Professional Services	10
41-242	Research Projects	11
41-250	DEBARRED AND SUSPENDED BIDDERS; BREACH OF CONTRACT	12
41-300	OVERVIEW	13
41-400	THE BID PROCESS	15
41-420	Receipt And Screening Of Purchase Request	15
41-411	Locating Potential Vendors	15
41-421	MAKING THE SOLICITATION	16
41-422	Determining the Acquisition Method	16
41-423	Information Disclosed In The Solicitation	19
41-424	Prohibition of lobbying in procurement matters	20
41-425	Distribution Of Written Solicitation	21
41-430	BID CONTROL PROCEDURES	21
41-431	Pre-Bid Discussion With Vendor	21
41-432	Submission And Control Of Sealed Bid	22

CITY OF
GAINESVILLE

FINANCIAL SERVICES
PROCEDURES MANUAL

CHAPTER: 41-000 Purchasing

EFFECTIVE DATE: January 1, 2007 (revised 07/11/2013)

41-433	Modification Of Bids Before Bid Call	22
41-434	Withdrawal Of Bids Before Bid Call	23
41-435	Retraction Of Bid Withdrawal	23
41-440	BID OPENINGS	23
41-441	Public Disclosure	24
41-442	Telephone Responses To Written Bids	24
41-443	Late Bids	24
41-444	Correction Or Withdrawal After Bid Opening But Before Award	24
41-445	Alternate Bids Or Proposal	25
41-450	OTHER PUBLIC AGENCY COMPETITIVE BID	26
41-460	COMPETITIVE BIDDING NOT REQUIRED	27
41-500	BID EVALUATION AND AWARD	29
41-510	BID EVALUATION	29
41-520	GENERAL CRITERIA FOR AWARD	29
41-521	Responsiveness	29
41-522	Responsibility	30
41-523	Price	30
41-524	Other Evaluative Factors	30
41-525	Decision	30
41-530	TIE BIDS	30
41-540	ONLY ONE BID RECEIVED	31
41-550	NO BIDS	32
41-560	REJECTION OF BIDS	33
41-570	OBTAINING CITY COMMISSION APPROVAL FOR PURCHASES	33
41-571	Preparing the Agenda Item	34
41-580	BID PROTESTS	34
41-581	Filing the Protest	34
41-582	Format of Protest	35
41-583	Process to Protest Award	36
41-584	Protests of Projects Funded Under Federal Grant Programs	39
41-600	PURCHASE ORDER ISSUANCE	40
41-610	ISSUING THE PURCHASE ORDER	40
41-620	CONSTRUCTION	41
41-621	Construction Purchase Order	41
41-622	Payments	41
41-623	Retainage	42
41-630	EQUIPMENT RENTAL	42
41-631	Heavy Equipment	42
41-632	Heavy Equipment Rental Calculation Form	43
41-633	Heavy Equipment Rental Purchase Order	43
41-640	BLANKET PURCHASE ORDERS	45
41-641	Ordering against Blanket Orders	46
41-650	FLEET PURCHASES	46
41-660	EMERGENCY PURCHASES	46
41-661	Initiating the Emergency Request	46

CITY OF
GAINESVILLE

FINANCIAL SERVICES
PROCEDURES MANUAL

CHAPTER: 41-000 Purchasing

EFFECTIVE DATE: January 1, 2007 (revised 07/11/2013)

41-662	Ordering the Purchase	46
41-700	SUPPLEMENTAL PROCEDURES	48
41-710	PURCHASE ORDER MODIFICATIONS	48
41-711	Preparing the Purchase Order Modification	48
41-720	LOCAL SMALL BUSINESS PROGRAM	49
41-730	SURPLUS PROPERTY DECLARATION & STORAGE	49
41-731	Declaration of Surplus	49
41-732	After Receipt of Goods From User Departments:	51
41-740	DISPOSAL OF SURPLUS	51
41-741	Transfer to Other City Department	52
41-742	Disposal by Sealed Competitive Bids	54
41-743	Donation of Surplus Property to other Public Agency	54
41-744	Disposal by Public Auction	55
41-800	MISCELLANEOUS PROCEDURES	58
41-810	CITY-WIDE CONTRACTS	58
41-820	GASOLINE CREDIT CARDS	58
41-821	Permanent Card Issue	58
41-822	Temporary Issues (1 week or less)	59
41-830	PROCUREMENT CARDS	59
41-840	SUPPLIER PERFORMANCE PROGRAM	59
41-841	Supplier Evaluation Reports	59

41-100 INTRODUCTION

This section sets forth the purpose and scope of this Purchasing Chapter to initiate, process, approve, and monitor the purchase of all goods and services for the City. The procedures set forth in this Chapter exclude Gainesville Regional Utilities unless otherwise indicated.

41-110 PURPOSE

The purpose of these procedures is to define and communicate the purchasing process in order to ensure consistency among all organizational units and compliance with all applicable City policies. This Chapter will provide the City staff with an organized source of information regarding policies, procedures and responsibilities which is required to make a purchase.

41-120 SCOPE

The scope of these procedures addresses the process involved in the bidding and/or procurement of typically, but not limited to, the following items and/or services:

- Materials and supplies
- Maintenance or repair type services
- Construction, new or renovation of City facilities
- Contractual/professional services

These procedures also address pre-solicitation procedures, making the solicitation, bid control procedures, bid opening process, bid evaluation and purchase order issuance, supplemental and miscellaneous procedures.

These procedures include activities which:

- Start when the Requisition and/or specifications are developed to initiate the bidding and/or purchasing process, and
- End when the actual purchase commitments (either purchase order and/or contract) are executed and City funds committed.

41-130 ORGANIZATIONAL UNITS INVOLVED

- City Commission sets formal policy and approves line item purchases over \$50,000, except those specifically exempted.
- Finance Department monitors and administers policies and procedures.

CITY OF
GAINESVILLE

FINANCIAL SERVICES
PROCEDURES MANUAL

CHAPTER: 41-000 Purchasing

EFFECTIVE DATE: January 1, 2007 (revised 07/11/2013)

- All City Departments use the system and comply with established policies and procedures.
- City Attorney provides legal advice, reviews, and negotiates (if needed) contractual terms and conditions.
- Risk Department provides advice regarding liability issues.

41-200 POLICY

The current policies of the City of Gainesville, pertaining to the purchasing process, were adopted by the City Commission on April 22, 1996, which became effective May 6, 1996, and were amended October 25, 1999 and December 11, 2006.

41-210 PURCHASING POLICY

The purchasing policies are comprised of twelve (12) sections:

Section 1: Purpose

The City's Charter, Article III, Section 3.01, vests the Charter Officers of the City with the authority to purchase and contract for supplies, materials, equipment and services required to perform their assigned duties subject to the rules adopted by the commission. The Charter Officers shall have the authority to bind the City for all purchases unless prior approval of the City Commission is required, and may delegate such authority as they see fit. Approval of the City Attorney shall be obtained on all written contracts, except where standardized documents approved by the Attorney's office are used. The policies contained herein as amended shall constitute the regulations which shall govern the sale and purchase of supplies, materials, equipment, and contractual services by the City, which regulations shall be implemented by procedures approved by the City Manager and the General Manager for Utilities (the "Managers"). The Purchasing Divisions of the City derive their authority to supervise purchases and sales through the Managers. Nothing herein shall be construed to regulate the purchase and sale of any interest in real property by the City.

Section 2: Responsibilities of Purchasing

- (a) The purchasing divisions shall assist all departments and divisions, including Charter Officers, in making purchases and sales of supplies, materials, equipment and services in accordance with the policies established by the City Commission and the procedures established by the Managers.
- (b) The purchasing divisions shall provide support to enable all purchases to be made at prices, which are the most cost effective and through the application of sound business practices.
- (c) The purchasing divisions shall maintain records, which document that purchases have been made in accordance with City Commission policy and established procedures.

Section 3: Functions of the City's purchasing divisions

In carrying out its responsibilities, the purchasing divisions shall perform as follows:

- (a) provide customer responsive management of the purchase, receipt, and delivery of materials, equipment and services to support corporate and public operational requirements.

CITY OF
GAINESVILLE

FINANCIAL SERVICES
PROCEDURES MANUAL

CHAPTER: 41-000 Purchasing

EFFECTIVE DATE: January 1, 2007 (revised 07/11/2013)

- (b) identify qualified suppliers of materials, equipment and services; develop and maintain bid lists of quality suppliers; add and delete vendors and contractors from the list of qualified suppliers in order to maintain performance standards;
- (c) develop and maintain fair and impartial business relationships with vendors that ensure that quality, cost-effective products and services are provided for the benefit of tax and rate payers;
- (d) conduct quality control and performance checks as needed to ensure that vendors fulfill contractual requirements; and
- (e) supervise the disposition of supplies, materials and equipment by approved processes.

Section 4: Ethics in Public Contracting

City employees shall have no interest, financial or otherwise, direct or indirect, nor engage in any business transaction or professional activities nor incur any obligation of any nature which is in conflict with the City's Code of Ethical Standards and Florida Statutes, Chapter 112 as applicable. To this end, City employees are expected to demonstrate the highest standards of personal integrity in public activities and conduct their duties in ways that are free from the inference or perception that favorable treatment was sought, received or given and to avoid any interest or activity which is in conflict with the conduct of official duties.

Section 5: Definitions

- (a) Award Basis. The basis on which the purchase decision is made.
- (b) Best Evaluated Bid. The bid which, through analysis, is determined to be most advantageous to the City considering factors such as qualifications, past performance, stated price, costs of transportation, ownership and operation, elements of service, technical support, product quality, fitness for purpose or design, delivery time and/or time required for performance, warranties, exceptions taken to the specifications or any other basis of award stated in the bid documents.
- (c) City. The operating and administrative departments of the General Government, Gainesville Regional Utilities, and the Charter Officers of the City of Gainesville, Florida.
- (d) City Officials and Employees. City Commissioners, Charter Officers, City Employees, and agents of the City.
- (e) Competitive Situation. Exists if at least two suppliers submit responsive bids in an effort to obtain an award and the receipt of quotations is without prior disclosure of a competitor's quotation; also, the receipt of quotation(s) by auction.
- (f) Contractual Services. Services performed for the City by persons not in the employ of the City including, but not limited to, travel, freight, express, parcel post, postage, telephone, telegraph, utilities, rent, professionals services and the construction, repair, alteration and maintenance of facilities of the City.
- (g) Cooperative Purchasing. Purchases made under the terms and conditions of another public agency's bid where the vendor awarded the bid is willing to supply

the items at the agency's bid price or the agency's bid documents provided for purchases by other agencies.

- (h) Emergency Purchase. Any purchase which becomes necessary due to unforeseen circumstances and which affects the operation of the City; or is needed in a life threatening situation or public safety emergency or where delay of the purchase would subject the City to substantial additional costs.
- (i) Formal Bid. A process of bidding, conducted by Purchasing, which sets forth the requirements of a purchase or sale and which is issued by Invitation to Bid, Request for Quotation, Request for Qualification, or Request for Proposal.
- (j) Item. A unit of supplies, materials, equipment, or contractual services; a quantity of the same units purchased at the same time; or, a combination of items which are purchased together because the purchase of one item is required for the use of other(s).
- (k) Lowest Responsive Bid. The lowest bid which conforms in all material respects to the requirements set forth in the bid documents.
- (l) Manager. The City Manager or General Manager for Utilities as appropriate, or their designee.
- (m) Non-competitive situation. Exists when the product or service is purchased from a sole source, a specified source, or an only approved source.
- (n) Obsolete materials and equipment. Materials and equipment that is no longer used, useable, useful, or cost-effective.
- (o) Only Approved Source. Only one source meets the stated requirements of a specification based on a thorough qualitative and/or quantitative evaluation.
- (p) Professional Services. Services which involve extended analysis, the exercise of discretion and independent judgment in their performance, and an advanced, specialized type of knowledge, expertise, or training customarily acquired either by a prolonged course of study or equivalent experience in the field.
- (q) Purchasing Division. The purchasing organization of General Government or Gainesville Regional Utilities, as appropriate.
- (r) Sole Source. The only source through which materials or services may be purchased.
- (s) Specified Source. A source selected without competitive bidding for justifiable reasons.
- (t) Standard Material. Any material, which is specified in an approved materials manual and routinely stocked for use of any operations department of the City.
- (u) Black out period means the period between the time the submittals for invitation for bid or the request for proposal, or qualifications, or information, or the invitation to negotiate, as applicable, are received at the City of Gainesville Purchasing Departments, and the time the City Officials and Employee awards the contract.
- (v) Lobbying means when any natural person for compensation, seeks to influence the governmental decision making, to encourage the passage, defeat, or modification

of any proposal, recommendation or decision by City Officials and Employees, except as authorized by procurement documents.

Section 6: Method of Source Selection

6.1 To ensure the greatest economic benefit to the City, competitive bidding will be used except as provided herein. The requirement for competitive bidding shall be satisfied as long as two or more qualified suppliers submit responsive bids. The value of the award shall determine the bidding process as follows:

- (a) Purchases with an anticipated cost exceeding \$50,000 require Formal Bids submitted through the Purchasing Division;
- (b) Purchases with an anticipated cost of \$50,000 or less, but greater than \$2,000 require a Written Quotation submitted either through the Purchasing Division or the originating department, except that verbal quotations will be permissible for the following:
 - i. Petroleum products;
 - ii. Emergency purchases.

6.2 Best evaluated or lowest responsive bids, as designated by the bid solicitation, will serve as the basis for bid awards in competitive situations. All factors being equal, preference shall be given in the following order to products, manufactured, produced, or distributed by a person, firm, or corporation: 1) with drug-free workplace programs meeting the requirements of Florida Statutes; 2) located within the City of Gainesville, if not subject to the Local Preference Ordinance; 3) located within Alachua County; 4) located within the State of Florida. When the appropriate Charter Officer determines that rejection of all bids is in the best interest of the City, all bids may be rejected and either the purchase discontinued or additional bids sought.

6.3 The following may be purchased without receipt of competitive bids:

- (a) Items of supplies, materials, equipment, or contractual services whose cost does not exceed \$2,000.
- (b) Non-competitive situations.
- (c) Materials, equipment, or services purchased under state or federal contracts or other public agency cooperative purchasing opportunities.
- (d) Utility services when the subject utility is the only available source of such service
- (e) Contractual services of a professional nature whose cost does not exceed \$50,000 , except as required by State law and except for legal services in which case the City Attorney may supply the qualifications of one firm for legal services in connection with litigation involving the City. Continuing contracts for professional services of indefinite duration shall be reviewed for appropriateness with regard to the quality of the service and the competitiveness of the cost. Such review shall be the responsibility of the appropriate charter officer or his/her designee and shall be conducted not less than every five years.
- (f) Emergency purchases, at the discretion of the Manager, where the circumstances of the emergency do not permit sufficient time to obtain competitive quotes.

CITY OF
GAINESVILLE

FINANCIAL SERVICES
PROCEDURES MANUAL

CHAPTER: 41-000 Purchasing

EFFECTIVE DATE: January 1, 2007 (revised 07/11/2013)

Section 7: Purchases Requiring City Commission Approval

7.1 Every purchase of an item of supplies, materials, equipment, contractual services, or extension(s) to existing contracts costing in excess of \$50,000 shall require the approval of the City Commission, except that no prior approval shall be required for the following:

- (1) any adjustment to a contract or purchase order previously approved by the City Commission which does not affect the cost, including change of the contract time, or which constitutes a deduction to the purchase amount or which constitutes an addition to the purchase amount of ten (10%) percent or less of the previously approved amount.
- (2) Purchases of fuels used in operating plants and equipment or for the delivery of customer services, including petroleum products and fuel oil for generation; coal meeting environmental requirements at the lowest delivered price per BTU available and the transportation thereof; and natural gas and liquefied petroleum gas at the lowest delivered price per BTU available and the transportation thereof; also natural gas rebates.
- (3) Purchases of materials, equipment or services used for the operation and maintenance of utility plants, and distribution facilities, substations, lift stations and gate stations, and purchases of standard materials.
- (4) Purchases for the repair and maintenance of system-wide computer software and hardware.
- (5) Purchases for the expansion or operation and maintenance of the fiberoptic of other telecommunication systems and contracts for telecommunication access, transport, and other services.
- (6) Used lease vehicles and purchases for the maintenance of fleet equipment.
- (7) Materials, equipment or services purchased under state or federal contracts or other public agency cooperative purchasing opportunities, provided funds for the items have been included in the approved budgets.
- (8) Utility services when the subject utility is the only available source of such service.
- (9) Emergency purchases as defined in Section 5.
- (10) Contracts or purchase orders for construction projects, or professional services associated with construction projects, which do not exceed \$300,000.

7.2 Reports shall be made to the City Commission of any purchase of materials, equipment or services greater than \$50,000 for which prior approval has not been obtained.

7.3 Reports shall be made to the City Commission of any Bid Protest for purchases that do not require approval of the City Commission.

Section 8: Small Business Programs

The Purchasing Divisions shall take affirmative steps to seek out, identify, and work with Small Business Enterprises in accordance with programs and procedures developed by the Purchasing Divisions. As part of these programs, the Purchasing Divisions may waive competitive bidding requirements for the first time order with a Small Business Enterprise in an amount not greater than \$10,000 in order to fairly assess their capabilities to perform in accordance with required standards.

Section 9: Prohibition of lobbying in procurement matters

Except as expressly set forth in section 10, during the black out period as defined herein no person may lobby, on behalf of a competing party in a particular procurement process, City Officials or employees except the purchasing division, the purchasing designated staff contact. Violation of this provision shall result in disqualification of the party on whose behalf the lobbying occurred.

Section 10: Remedies/Appeals

Any actual or prospective bidder or contractor who is aggrieved in connection with the solicitation or award of a contract shall comply with the administrative procedures published by the Purchasing Divisions established for bid protest. In the case of purchases that require approval of the City Commission, a bidder or proposer who has exhausted the foregoing procedures may appeal the decision of the City Manager, or other Charter Officer as applicable, to the City Commission, which appeal shall be scheduled by the Charter Officer involved, prior to the award.

The City Commission shall review the decision of the Charter Officer, the record before the Charter Officer, and written or oral argument of the parties involved in the protest. No new evidence shall be considered and the City Commission may only reverse or modify the decision of the Charter Officer upon a determination that his/her decision was not based on substantial competent evidence or that his/her reasoning or application of the policies, procedures and law was fundamentally flawed. The decision of the City Commission shall constitute final administrative action.

Section 11: Sale of Obsolete and Unusable Property

- (a) The sale of obsolete or other unused equipment and materials or the sale of by-products of utilities operations or improvements on real property (such as timber or hay) shall be at the discretion of the Manager. The sale shall be by method selected by the Purchasing Manager as appropriate to reach prospective buyers.
- (b) Any items sold with a current book value in excess of \$10,000 shall be sold by written quotations except when the sale is by auction.
- (c) Obsolete or unusable items with a current book value of \$25,000 or less may be sold in accordance with written guidelines promulgated by the Manager.
- (d) Any items sold shall be for cash, payable by certified check, wire transfer, or other means acceptable to the Accounting Manager.

Section 12: Donations of Property

The Manager may authorize and approve the donation to any governmental agency of obsolete or unusable items whose value does not exceed \$7,500 after making a determination that such donation is in furtherance of governmental objectives.

41-220 PROCEDURES

The Policies as adopted by the City Commission provide the opportunity for General Government and Gainesville Regional Utilities to establish specific procedures to comply with the Policies. The procedures that follow in subsequent sections of this manual comply with those Policies and effect control over the City's purchasing process; these procedures do not apply to GRU, unless specifically stated otherwise.

41-230 COMPETITIVE BIDDING

Before any purchase of commodities or services is made, the Purchasing authority (centralized or decentralized) shall attempt to obtain at least three (3) responsive quotes/bids from approved suppliers for the designated commodities or services, except in those instances defined in 41-450.

41-240 PROFESSIONAL SERVICE CONTRACTS

Professional services shall be procured in such a manner as to:

- Provide the opportunity for competition among qualified firms if the cost of the services is estimated to exceed \$50,000.
- Follow the Consultants Competitive Negotiation Act (CCNA), F.S. 287.055, when the professional service is provided by an engineer, architect, landscape architect or land surveyor and the basic construction cost for the project is expected to exceed the threshold amount provided in Florida Statutes Section 287.017 Category Five or for a planning or study activity when the fee exceeds the threshold amount provided in Category Two.
- Provide reasonable assurance of compliance with all relevant laws, regulations, and policies.
- Rate competing firms on explicit criteria directly relevant to the work to be accomplished, clearly documenting the method and results of such ratings.

41-241 Design-Build Professional Services

When the method of choice for procuring design and construction services is design-build, the following procedures are to be used:

- The design criteria package must be prepared by a design criteria professional;

- No fewer than three (3) firms shall be qualified and selected as most-qualified based upon qualifications, availability and past work of the firms;
- Criteria and standards for evaluation of the responses must be developed, based on price, technical aspects, and design aspects, and weighted for the project;
- Criteria must be established prior to the solicitation of competitive proposals from the qualified design-build firms and evaluation of the responses;
- The City shall consult, from time to time, with the retained design criteria professional concerning:
 - evaluation of responses
 - supervision of the project
 - approval by the City of detailed working drawings of the project;
- The City shall have the design criteria professional evaluate the compliance of the project construction with the design criteria package.
- In case of a declared public emergency, negotiations may be authorized with the best qualified firm available at that time.
- If outside professionals are utilized to prepare the design criteria package, their selection must be in accordance with the CCNA. Such design criteria professional is then not eligible to render services under the design-build contract.

41-242 Research Projects

Research projects fall outside the bounds of the CCNA, even when engineering services are involved, if the following criteria are met:

- The research is being provided by a university's engineering department which does not normally provide engineering services for the general convenience of the public or for profit.
- The information requested is typically collected from sources such as scientific journals rather than provided by a registered professional engineer.
- The study results in an improved understanding of a biological, chemical or geological process rather than the design of an engineered structure.

CHAPTER: 41-000 Purchasing

EFFECTIVE DATE: January 1, 2007 (revised 07/11/2013)

41-250 DEBARRED AND SUSPENDED BIDDERS; BREACH OF CONTRACT

This policy relates to and provides for:

- the debarment of bidders for cause;
- suspension of bidders for cause under prescribed conditions; and,
- rejection of bids, revocation of acceptance, and termination of contracts for cause.

Note: General Government will notify GRU of any debarred or suspended vendors.

41-300 **OVERVIEW**

The purpose and function of the Purchasing Division is to assist General Government departments in acquiring the commodities and services necessary to perform their functions as efficiently and cost effectively as possible and to establish and implement procedures to ensure adherence to the City Commission-adopted Policies for those purchases. The policies of the City Commission are designed to afford the opportunity for competition whenever practicable and to provide for the purchase of goods and services of a quality consistent with the public interest at the least cost to the City.

This Chapter is designed to provide the Purchasing Division staff (centralized purchasing) and all other City Departments (decentralized purchasing) with a clear understanding of the current approval practices and procedures for acquiring commodities and services.

These procedures are separated into five (5) categories, each outlined in a separate section, as follows:

41-400	The Bid Process
41-500	Bid Evaluation and Award
41-600	Purchase Order Issuance
41-700	Supplemental Procedures
41-800	Miscellaneous Procedures

Purchase Orders, when referenced within the procedures, refers to any and all encumbrance documents, regardless of the Purchase Order type.

NOTE: The Purchasing Division or soliciting Department will issue a Purchase Order based on the executed contract (see Contract Procedures) in instances where a contract is signed by both the vendor and the City.

The Purchase Order serves to accomplish the following:

- Encumbers City funds
- Authorizes vendors or contractors to furnish designated goods or provide services as required
- Allows payment by processing an electronic payment document.

In summary, as the Purchase Order authorizes the expenditure of City funds, and defines the terms and conditions, it is essential that all City Commission policies and procedures are properly followed to minimize the risk to the City. The following procedures identify the specifics of the purchasing process and are applicable to both Purchase Orders and Acquisition Contracts. For

41-400 THE BID PROCESS

This procedure documents the complete bid process, beginning with the final approval of the solicitation authorization and ending with the evaluation process after all bids are received.

41-420 Receipt And Screening Of Purchase Request

The department staff responsible for the acquisition of commodities and supplies:

- Reviews for completeness, accuracy and compliance with Purchasing Policies and Procedures.
- Consults with Local Small Business Procurement Program Coordinator to identify any barriers that may exist that would inhibit Small Business participation.

41-411 Locating Potential Vendors

City policies require an attempt be made to obtain and document at least two responsive quotations for all item purchases over \$2,000.

- A bid list sufficient to generate an adequate quantity of responses should be prepared using the following available resources:
 - telephone directories
 - Local Small Business Procurement Program Directory
 - ordering department personnel
 - Thomas Register
 - McRae's Blue Book
 - product catalogs
 - trade journals
 - professional associations
 - trade shows, exhibits, conventions
 - sales representatives
 - city, state and local Minority Business Enterprise (MBE) listings
 - state and federal purchasing contracts
 - other public entities
 - internet
- Contact the Local Small Business Procurement Program Director to obtain list of available vendors.

- Prepare a quote or bid list.
- Conduct phone survey to determine interest level, and to seek new potential sources if low response is anticipated.

41-421 MAKING THE SOLICITATION

The method chosen for solicitation should produce the most competition and deliver the specified item in the required time period.

Note: See Contract Administration Procedures (31-000) for Bid and/or Proposal review routing procedures.

41-422 Determining the Acquisition Method

The value of the award shall determine the bidding process as follows:

- (a) Purchases with an anticipated cost exceeding \$50,000 require Formal Bids submitted through the Purchasing Division;
- (b) Purchases with an anticipated cost of \$50,000 or less, but greater than \$2,000 require a Written Quotation submitted either through the Purchasing Division or the originating department, except that verbal quotations will be permissible for the following:
 - i. Petroleum products;
 - ii. Emergency purchases.

To determine the appropriate method of solicitation, the following steps are followed:

- Take into account the following factors:
 - what item/service is requested?
 - how detailed are the specifications?
 - what is the estimated cost?
 - is competitive bidding required?
 - how quickly is the item/service required?
 - how knowledgeable is the ordering department regarding the commodity/service being purchased?
- Select the acquisition method based on answers to the above questions utilizing one of the following methods:
 - verbal quotations
 - written quotations

CHAPTER: 41-000 Purchasing

EFFECTIVE DATE: January 1, 2007 (revised 07/11/2013)

- formal bids
 - Request for Proposals (RFP)
 - Request for Qualifications (RFQ)
 - Invitation to Negotiate
 - Multi-step sealed bidding
 - Non-competitive situation
- Verbal quotations
Verbal quotations may be solicited when the following conditions occur:
 - purchase does not exceed \$2,000
 - when time constraints do not allow for written quotations (emergency orders)
 - Record all verbal quotations on the Phone Quote Worksheet as a permanent record of quoting activity.
 - Utilize written quotations
The required method for all purchases over \$2,000 (single line item or cumulative total, including annual total). Specific types of written bids are defined below. The type used is determined for each request.
 - Request for Quotation
This method solicits written quotes by either telephoning, mailing or faxing a Request for Quotation.
 - Formal Bid
The method for all purchases in excess of \$50,000. A process of bidding, conducted by Purchasing Division, which sets forth the requirements of a purchase or sale and which is issued by Invitation to Bid, Request for Qualification or Request for Proposal.
 - Invitation to Bid
This is done by sealed bid, is the standard method used, and is usually preferred for purchases over \$5,000. The Invitation to Bid is accompanied by terms and conditions, detailed specifications, bid forms, survey forms, and other documents as needed. Once bids are received and opened, no changes in scope or price are allowed.
 - Request for Proposal (RFP)
This is similar to an Invitation to Bid, but is more complex and is generally used for services or when soliciting vendor's ideas or when award is based

on criteria other than price. This method requires the vendor to provide a detailed proposal in response to the Request for Proposal, which is more general in nature, and usually results in a contractual agreement. This method allows for negotiation with the best evaluated proposer in the scope of services, price and delivery whereas the sealed bid method allows no substantive changes.

NOTE: The criteria to be used in the evaluation of the proposals must be included in the RFP specifications.

- Request for Statements of Qualifications (RFQ)

This is utilized primarily for acquisition of professional services. This method requires potential vendors to submit written Statements of Qualifications for the proposed project which typically include: capabilities, adequacy of personnel, past record, experience, or other factors required by the City. Pricing may or may not be included. This method allows for negotiation on scope, price, delivery and terms, and usually results in a contractual agreement. Under Florida Statutes, Chapter 287.055, an RFQ may be required for Architectural, Engineering, Landscape Architectural, or Land Surveying Services.

- Invitation to Negotiate (ITN)

This method is used when an RFP will not provide appropriate mechanism to purchase the needed services or commodities. This process brings together vendors, which may be capable of providing the required services/commodities. If one or more of the following criteria apply, the ITN is the most applicable purchasing method:

- The scope of work cannot be accurately or completely defined. This often occurs for acquisitions of rapidly changing technology, outsourcing, or complex services.
- The services/commodities can be provided in several different ways, any of which could be acceptable.
- Contractor qualifications and the quality of the services/commodities to be provided can be considered more important than the contract price.
- The expected responses may contain innovative solutions that differ from what the agency may have requested and this process allows for those types of alternatives to be considered.

- Multi-Step Sealed Bidding

This method is a two-phase process consisting of a technical first phase composed of one or more steps in which bidders submit unpriced technical offers to be evaluated by the City and a second phase in which those bidders whose technical offers are determined to be acceptable during the first phase have their price bids

considered. It is designed to obtain the benefits of competitive sealed bidding by award of a contract to the lowest responsive, responsible bidder, and at the same time obtain the benefits of the competitive sealed proposals procedure through the solicitation of technical offers and the conduct of discussions to evaluate and determine the acceptability of technical offers.

- Non-Competitive Situation

Process as outlined in Section 41-450 when the non-competitive situation exists.

- Other Public Agency

This is done by sealed, competitive bid performed by another entity (State Agency, Public Agency Cooperative Purchasing, Other Municipality, etc.) that has been awarded to one or more vendors for specifically stated products. The Competitive Bid is accompanied by terms and conditions, detailed specifications, bid forms, survey forms, and other documents as needed.

- When utilizing other public agency purchasing competitively bid opportunities you must obtain a copy of all elements of the bid award:
 - Invitation to Bid
 - Bid Record
 - Awarded Bid Response(s)
 - Notification of award
 - Vendor name
 - Commodities/services awarded
 - Award price
 - Complete Contract

41-423 Information Disclosed In The Solicitation

Regardless of the solicitation method utilized, convey and include all known provisions affecting the purchase to prospective vendors.

- Include the required information which may consist of, but is not limited to the following:
 - Detailed scope of services
 - Technical specifications and descriptions
 - Required delivery date/performance time
 - Quantity
 - Evaluation criteria and method
 - Point of delivery
 - Mode of transportation (if important)
 - Date, time, place of quotation or bid submittal

CHAPTER: 41-000 Purchasing

EFFECTIVE DATE: January 1, 2007 (revised 07/11/2013)

- Special conditions such as insurance, bonding
- Special price information, such as quantity ranges and dates to which prices are firm
- Disclosure of all permits or fees required by the City for construction projects
- Pre-bid conference
- Examination of site
- City's contact person *
- Term of contract
- Terms and conditions to be included in a contract

- * City Contact is responsible for coordinating all bid solicitation information including, specification clarification, collecting and answering vendor questions in writing and distributing addenda.

Communication between proposer and the City will be either 1) initiated by the requesting department or City's Purchasing Division in order to obtain information or clarification needed to develop a proper, accurate evaluation of the proposal; or 2) initiated by a proposer and addressed to the requesting department representative or Purchasing Manager. Contact between a vendor with any other City employee shall be grounds for disqualifying the offending proposer from consideration of award of the proposal being evaluated and/or any future proposals.

It will be the responsibility of the proposer to contact the requesting department representative or City's Purchasing Division prior to submitting a proposal to ascertain if any addenda have been issued, to obtain all such addenda and to return executed addenda with the proposal.

41-424 Prohibition of lobbying in procurement matters

Except as expressly set forth in Resolution 060732, Section 10, during the black out period as defined herein no person may lobby, on behalf of a competing party in a particular procurement process, City Officials or employees except the purchasing division, the purchasing designated staff contact. Violation of this provision shall result in disqualification of the party on whose behalf the lobbying occurred.

Black out period means the period between the issue date which allows for immediate submittals to the City of Gainesville Purchasing Department for an invitation for bid or the request for proposal, or qualifications, or information, or the invitation to negotiate, as applicable, and the time the City Officials and Employee awards the contract.

Lobbying means when any natural person for compensation, seeks to influence the governmental decision making, to encourage the passage, defeat, or modification of any proposal, recommendation or decision by City Officials and Employees, except as authorized by procurement documents.

41-425 Distribution Of Written Solicitation

The following steps are followed to distribute the solicitation:

- Develop the bid list in accordance with Procedure 41-411.
- Mail or Fax written Bid Notifications, whenever time permits to prospective vendors.
- Maintain an accurate list of each vendor to whom the request was sent and each vendor who subsequently requests bids.
- Distribute copies of solicitation documents to Requestor.
- Send any addenda out after the initial solicitation to each name on the list and the Requestor as well.

41-430 BID CONTROL PROCEDURES

This section addresses steps followed prior to the Bid Call.

41-431 Pre-Bid Discussion With Vendor

Prior to submitting bids, prospective suppliers often seek clarification or additional information regarding particular bid invitations.

- Advise prospective suppliers to direct all questions or clarifications to the contact person, defined above, indicated in the Bid documents *.
- Furnish any information given to one prospective supplier to all potential suppliers on the bid list to eliminate the possibility of giving an unfair advantage to any one supplier, which would necessitate rejection of all bids.
- Immediately furnish all bidders the information in the form of a written addendum to the bid.

CITY OF
GAINESVILLE

FINANCIAL SERVICES
PROCEDURES MANUAL

CHAPTER: 41-000 Purchasing

EFFECTIVE DATE: January 1, 2007 (revised 07/11/2013)

- If time does not allow a written addendum to be received, advise all bidders verbally and immediately follow up with a written addendum to the bid.

Communication between proposer and the City will be either 1) initiated by the requesting department or City's Purchasing Division in order to obtain information or clarification needed to develop a proper, accurate evaluation of the proposal; or 2) initiated by a proposer and addressed to the requesting department representative or Purchasing Manager. Contact between a vendor with any other City employee shall be grounds for disqualifying the offending proposer from consideration of award of the proposal being evaluated and/or any future proposals.

It will be the responsibility of the proposer to contact the requesting department representative or City's Purchasing Division prior to submitting a proposal to ascertain if any addenda have been issued, to obtain all such addenda and to return executed addenda with the proposal.

41-432 Submission And Control Of Sealed Bid

Control of the Sealed Bid is essential.

- Instruct all bidders to submit all bids in sealed envelopes with the following clearly identified on the outside of the envelope:
 - Vendor name
 - Name of item or service for which bid is submitted (Bid Title)
 - Due date (month, day, year)
 - Time due (hour/a.m. or p.m.)
- Time and date stamp each bid as it is received.

41-433 Modification Of Bids Before Bid Call

Modification or withdrawal of a bid is permitted any time prior to the bid opening.

- Instruct bidder that oral notifications must be confirmed in writing and received by City contact, as indicated in the bid instructions, prior to bid call or Fax is acceptable but must be followed up with an original signature. If written notification is not received by bid opening, original bid will be opened and considered as submitted.

CITY OF
GAINESVILLE

FINANCIAL SERVICES
PROCEDURES MANUAL

CHAPTER: 41-000 Purchasing

EFFECTIVE DATE: January 1, 2007 (revised 07/11/2013)

- Instruct bidder to address written modifications to City contact, with envelope identification as follows:

"Modification of a bid on _____ (item name or contract name) due on _____ (month, year, date) at _____ a.m./p.m."

- Time and date stamp all modifications and attach to original bid. Envelopes will be opened by date received, starting with original bid.

If modification is a telegram or Fax, it shall be placed in a sealed envelope and marked with the above statement.

41-434 Withdrawal Of Bids Before Bid Call

Withdrawal is permitted any time prior to the bid opening.

- Instruct bidder that withdrawal must be submitted in written form. Verbal instructions must be confirmed and received prior to bid call.
- Time/date stamp the written notification and file with original bid.
- Maintain original bid and withdrawal until after bid award. Then return original bid, unopened, and maintain withdrawal letter on file with other bid documents.

41-435 Retraction Of Bid Withdrawal

A vendor may decide to retract a withdrawal of a bid. This is acceptable provided the retraction is written, clearly references the prior withdrawal, and is received prior to bid call.

- Instruct bidder to submit written retraction in a sealed envelope marked:

"Retraction of withdrawal of a bid on (item or contract name) due on (month, day, year) at _____ a.m./p.m."

• Time/date stamp envelope and attach to original bid. At bid opening, documents are opened in the order received.

41-440 BID OPENINGS

The City representative and assistant conducts the bid opening to record the bid responses.

CITY OF
GAINESVILLE

FINANCIAL SERVICES
PROCEDURES MANUAL

CHAPTER: 41-000 Purchasing

EFFECTIVE DATE: January 1, 2007 (revised 07/11/2013)

- Announce "Bid Call." Any bids received after this announcement are late and will not be considered (See Section 41-443).
- Publicly open bids. Prices may or may not be read aloud.
- Check for pertinent bid documents such as bid bonds. If bid bond was requested, but not submitted with bid, bid is to be immediately rejected.
- Both City representative and assistant sign bid record.
- Any attendees of the bid opening also sign as "witnesses".

41-441 Public Disclosure

- Under Florida's Public Records Act, any person has the right to review any document which is kept by the City in the course of regular business. Bids, however, are exempt until such time as the City recommends an award or thirty days after bid opening, whichever occurs first.

41-442 Telephone Responses To Written Bids

Telephone responses to written bids are expressly prohibited and are to be rejected if received.

41-443 Late Bids

A bid is late when it is received after the designated bid opening time; late bids are rarely considered.

- To determine whether to accept or to reject late bids, take into account the following:
 - Bid was misplaced in department files and error was not observed until the bid opening had started, or later.

41-444 Correction Or Withdrawal After Bid Opening But Before Award

Correction or withdrawal of a bid because of an inadvertent, non-judgmental mistake in the bid requires careful consideration to protect the integrity of the competitive bidding system and to assure fairness. If the mistake is attributable to an error in judgment, the bid may not be corrected. Bid correction or withdrawal by reason of a nonjudgmental mistake is permissible but only to the extent it is not contrary to the interest of the City or the fair treatment of other bidders.

- Allow bid mistakes to be corrected in the following situations:
 - Minor Informalities - matters of form rather than substance evident from the bid document or insignificant mistakes that can be waived or corrected without prejudice to other bidders; that is, the effect on price, quantity, quality, delivery, or contractual conditions is negligible. Examples include, but are not limited to, the failure of the bidder to:
 - o return the number of signed bids required by the Invitation to Bid
 - o sign the bid, but only if the unsigned bid is accompanied by other material indicating the bidder's intent to be bound; or
 - o acknowledge receipt of an addendum to the Invitation to Bid, but only if: it is clear from the bid that the bidder received the addendum and intended to be bound by its terms; or the addendum involved had a negligible effect on price, quantity, quality or delivery.
 - Mistakes Where Intended Correct Bid is Evident - if the mistake and the intended correct bid are clearly evident on the face of the bid document, the bid shall be corrected to the intended correct bid and may not be withdrawn. Examples of mistakes that may be clearly evident on the face of the bid document are typographical errors, errors in extending unit prices (unit prices will prevail) transposition errors, and arithmetical errors.
 - Mistakes Where Intended Correct Bid is Not Evident. A bidder may be permitted to withdraw a low bid if:
 - o a mistake is clearly evident on the face of the bid document but the intended correct bid is not similarly evident; or
 - o the bidder submits proof of evidentiary value which clearly and convincingly demonstrates that a mistake was made.
 - o failure of the withdrawal notice to arrive on time was not the fault of the bidder. (Use criteria in 41-443.)
- Consult the City Attorney's office whenever doubt may occur as to the legality of the decision under the Florida law or City Policies.

41-445 Alternate Bids Or Proposal

Alternates are often submitted, and should be handled as follows:

- Alternate bids or proposals not specifically provided for in the bid specifications shall be rejected. However, if a bidder clearly indicates a base bid, it shall be

considered for award as though it were the only bid or proposal submitted by the bidder.

- Reject all bids, base and alternate, if specifications are determined to be faulty or ambiguous, and rebid so equal opportunity is granted to all bidders to offer an alternate.

41-450 OTHER PUBLIC AGENCY COMPETITIVE BID

Other Public Agency Competitive Bid (Cooperative Purchasing) allows for purchases to be made under the terms and conditions of another public agency's bid where the vendor awarded the bid is willing to supply the items at the agency's bid price or the agency's bid documents provided for purchases by other agencies.

- These opportunities are available when a contract is awarded based on sealed, competitive bidding performed by another entity (State Agency, Public Agency Cooperative Purchasing, Other Municipality, etc.).
- An award may be to one or more vendors for specifically stated products. The Competitive Bid is accompanied by terms and conditions, detailed specifications, bid forms, survey forms, and other documents as needed.
- When utilizing other public agency competitive purchasing opportunities you must obtain a copy of all elements of the bid award:
 - Invitation to Bid
 - Bid Record
 - Awarded Bid Response(s)
 - Notification of award
 - Vendor name
 - Commodities/services awarded
 - Award price
 - Complete Contract

Note:

All purchases \$50,000 or greater unless specifically excluded by policy (See 41-210, Section 7.1) require prior approval by the City Commission.

41-460 COMPETITIVE BIDDING NOT REQUIRED

Solicitation of competitive bids is not required when one of the following occurs:

- Items of supplies, materials, equipment or contractual services whose single purchase cost or yearly cumulative cost does not exceed \$2,000
 - A non-competitive situation exists - goods and/or services are available only from:
 - o a sole source
 - o a specified source
 - o an only approved source
 - Materials, equipment or services purchased under state or federal contracts or other public agency cooperative purchasing opportunities
 - Services purchased from a public utility when such utility is the only available source of such service
 - Services of a professional nature including, but not limited to surveying, engineering, architectural, medical, veterinarian, accounting, legal, computer, geologic, or environmental (except as required by Florida Statutes) services, and the value does not exceed \$50,000
 - Emergency purchases, at the discretion of the Manager, where the circumstances of the emergency do not permit sufficient time to obtain competitive quotes.
 - As part of the Small Business Program, the Purchasing Divisions may waive competitive bidding requirements for the first time order with a Small Businesses Enterprise in an amount not greater than \$10,000 in order to fairly assess their capabilities to perform in accordance with required standards.
- Determine whether competitive bidding required
 - Follow bid process per procedures set forth in 41-400 if competitive bids are required

If competitive bidding is not required based on the criteria stated, then proceed in the following manner:

- If the materials, equipment or contractual services are purchased under a non-competitive situation, as stated above, requesting department to complete the Waiver of Competitive Bidding form.

CHAPTER: 41-000 Purchasing

EFFECTIVE DATE: January 1, 2007 (revised 07/11/2013)

- When utilizing state or federal contracts or other public agency cooperative purchasing opportunities you must obtain a copy of all elements of the bid award:
 - Invitation to Bid
 - Bid Record
 - Awarded Bid Response(s)
 - Notification of award
 - Vendor name
 - Commodities/services awarded
 - Award price
 - Complete Contract

Note:

All purchases \$50,000 or greater unless specifically excluded by policy (See 41-210, Section 7.1) require prior approval by the City Commission.

- Review for completeness of information and pricing per 41-411.
- Process Purchase Order

Note:

The following language should be inserted into the City's multi-year contracts, bids, proposals, purchase orders etc., so that the language in agreements remains consistent with the legal obligations and the budgetary practices of the City

“The obligations of the City as to any funding required pursuant to this Agreement shall be limited by an obligation in any given year to budget and appropriate from legally available funds, after monies for essential City services have been budgeted and appropriated sufficient monies for the funding that is required during that year. Notwithstanding the foregoing, the City shall not be prohibited from pledging any legally available non-ad valorem revenues for any obligations heretofore or hereafter incurred, which pledge shall be prior and superior to any obligation of the City pursuant to this Agreement.”

41-500 BID EVALUATION AND AWARD

It is the policy of the City to award to the most responsive and responsible bidder whose bid or proposal is, according to the criteria designated in the solicitation, most economical for the intended purpose and in the best interest of the City.

41-510 BID EVALUATION

After the bids are opened and recorded, the next step is to thoroughly examine each bid.

- Review each bid for conformance to:
 - Invitation to Bid
 - General Provisions
 - Specifications
 - Bond Requirements
 - Price
 - Delivery
 - Alternate bids
 - Exceptions taken to specifications
 - Compliance with Local Small Business Procurement Program
- Review the Invitation to Bid to verify the exact evaluation factors stated in the bid. No others should be considered.

41-520 GENERAL CRITERIA FOR AWARD

Certain criteria are present in all bids, and require careful consideration.

41-521 Responsiveness

These criteria address the scope of the bidder's response and conformance to specifications.

- Evaluate the responsiveness, which relates to compliance with the specifications and provisions of the solicitation.
 - Determine bounds of commonality. Absolute conformity is not required, just material compliance.
 - Check for bid security requirements; lack of security, where required, is a material nonconformity.

41-522 Responsibility

These criteria consider the bidder's capability to perform:

- Evaluate the ability of the bidder to successfully carry out a proposed contract.
- Consider past performance, experience, business and financial capabilities, skills, technical organization, legal eligibility and reliability.
- Is there any current litigation pending between bidder and City?
- Has bidder paid all debts owed to City?
- Does bidder have all required licenses?

41-523 Price

These criteria consider the cost and resulting benefit to the City if an award is made to the bidder.

- Evaluate the pricing offered by the bidder. Each bidding transaction is unique and requires choosing pertinent evaluative criteria and relative weights for each criteria. Low bid pricing is a factor but may not be the final determinant if other criteria are to be evaluated and are specified in the bid documents.

41-524 Other Evaluative Factors

Evaluate the other factors set forth in the bid documents and apply the pre-determined weights for each criterion.

41-525 Decision

Select the appropriate bidder based on the evaluated combination of responsiveness, responsibility, price and other evaluative factors.

- Document the evaluation and weight of each element to propose a preliminary selection.
- Discuss the preliminary selection.
- Make final selection.

41-530 TIE BIDS

On occasion, bids equal in all respects are received.

When this occurs:

- Select the vendor by applying the following criteria in order:*

 - Drug-free work place
 - located within Gainesville, if not subject to the Local Preference Ordinance
 - located within Alachua County
 - located within Florida
 - coin toss

- * In-State or local geographic preferences in the evaluation of bids or proposals shall not apply to procurements involving federal transportation funds, including procurements involving FTA funding, except (1) when contracting for architectural and engineering services, geographic location may be a selection criteria provided its application leaves an appropriate number of qualified firms, given the nature and size of the project to compete for the contract; or (2) where applicable Federal statutes expressly mandate or encourage geographic preference.

41-540 ONLY ONE BID RECEIVED

When only one bid is received, the following steps are necessary:

- Inquire of those who did not bid to determine the reason for lack of response.
- Determine whether to accept or reject the bid.
 - Accept the bid if any or all of the following conditions exist:
 - Time is crucial
 - Cost is reasonable
 - Scope should not or cannot be revised
 - It is determined to be in City's best interests
 - Reject the bid if any or all of the following conditions exist:
 - Time is not crucial
 - Cost is unreasonable
 - Scope can be revised to afford more competition
 - New vendors have been identified who are able to bid
 - It is determined to be in City's best interests

Note:

If less than two responsive bids, proposals, or replies for commodity or contractual services purchases are received, the City may negotiate on the best terms and conditions. The Department shall document the reasons that such action is in the best interest of the City in lieu of resoliciting competitive sealed bids, proposals, or replies and shall forward to the Purchasing Manager the collected documentation with a written request to negotiate. The Purchasing Manager or designee shall make a determination to whether or not resoliciting competitive sealed bids, proposals, or replies are warranted. (Reference State Statute 287.057(6)).

41-550 NO BIDS

On occasion, the Invitation to Bid will receive no responses. In those cases, proceed as follows:

- Contact all those vendors on bid list to determine reason for lack of response.
- Contact the Ordering Department to determine if rebid is desired, using information obtained from vendor survey.

Note:

If less than two responsive bids, proposals, or replies for commodity or contractual services purchases are received, the City may negotiate on the best terms and conditions. The Department shall document the reasons that such action is in the best interest of the City in lieu of resoliciting competitive sealed bids, proposals, or replies and shall forward to the Purchasing Manager the collected documentation with a written request to negotiate. The Purchasing Manager or designee shall make a determination to whether or not resoliciting competitive sealed bids, proposals, or replies are warranted. (Reference State Statute 287.057(6)).

If decision is made to rebid:

- Review specifications and bid list.
- Revise bid documents where appropriate.
- Determine date of desired bid opening.
- Initiate the bidding process per Procedures 41-400.

41-560 REJECTION OF BIDS

Any or all bids may be rejected if it is determined to be in the best interest of the City but should be avoided whenever possible. Final decision is determined by the Purchasing Manager and/or Department Manager.

- Bids may be rejected if situations including, but not and limited to, the following occur:
 - Proposed supplies/services no longer needed at this time
 - Errors in specifications or incomplete specifications
 - Invitation did not provide for consideration of all factors of cost
 - Bids are unmeasurable
 - Collusion
 - Lack of competitiveness
 - Inadequate evaluation criteria
 - Lack of available funds
 - Changes in intended project
 - All bids exceed budgeted amount for project
- Notify all bidders, in writing, of rejection.
- Determine appropriate further action.
 - Rebid the item/project with appropriate revisions
 - Cancel the bid
 - Delay to some future date

41-570 OBTAINING CITY COMMISSION APPROVAL FOR PURCHASES

This process is required on all purchases exceeding \$50,000 unless specifically excluded by policy (See 41-210, Section 7.1).

Reports shall be made to the City Commission of any purchase of materials, equipment or services greater than \$50,000 for which prior approval has not been obtained.

- *Extensions to existing contracts costing in excess of \$50,000 shall require the approval of the City Commission.*
- *Contracts or purchase orders for construction projects, or professional services associated with construction projects, which do not exceed \$300,000 shall require no prior approval of the City Commission.*

CHAPTER: 41-000 Purchasing

EFFECTIVE DATE: January 1, 2007 (revised 07/11/2013)

The purpose of this procedure is to:

- Establish and communicate a consistent and acceptable method of submitting agenda items for purchase of goods or services to the City Commission, and
- Define the responsibilities of both Purchasing and the Ordering Department in this process.

41-571 Preparing the Agenda Item

Prepare the agenda item for submittal to the City Commission after evaluation of the bid and decision to award. Purchasing will assist with Agenda content preparation upon request.

Prepare bid tabulation for attachment to agenda item. If tabulation includes total points rather than specific scores, i.e., RFP total points, provide complete evaluation backup, showing prices bid for City Manager's information.

41-580 BID PROTESTS

41-581 Filing the Protest

Any actual or prospective bidder or proposer, who could reasonably be expected to obtain the work if its protest is granted, may protest in writing to General Government Purchasing to the attention of the Purchasing Manager. This is for all solicitations or awards, regardless of means – centralized purchasing or decentralized purchasing.

A protest with respect to the solicitation, including, but not limited to, the contents of the specifications or evaluation criteria set forth in the Invitation to Bids, Request for Proposals (RFP) or Request for Statements of Qualifications (RFQ), shall be filed with General Government Purchasing, to the attention of the Purchasing Manager, within five (5) business days of the issuance of the solicitation.

Except in the case of the LSBPP, a protest of a rejection of proposal/bid(s) by the Purchasing Manager shall be filed within five (5) business days of sending of notification of the nature of the rejection. A bid/proposal rejection for failure to comply with the Local Small Business Procurement Program (LSBPP) shall be processed in accordance with the provisions of the LSBPP.

A protest with respect to an intended award shall be filed within five (5) business days of the issuance of the notice of intended award.

CITY OF
GAINESVILLE

FINANCIAL SERVICES
PROCEDURES MANUAL

CHAPTER: 41-000 Purchasing

EFFECTIVE DATE: January 1, 2007 (revised 07/11/2013)

For the purpose of sections 41-581-584, all periods of time shall be calculated as follows: the day of posting, faxing, mailing, receipt, issuance, etc., shall not be counted and the last day of the period shall be included. A business day is defined as any day for which General Government Purchasing is open for business to the general public. Notification is defined as fax, mail, or e-mail.

In cases where Federal or State regulations require the mailing of a notice of intent to award, the period for appeal shall be five (5) business days from the date of issuance of such notice. Filing shall mean actual receipt of the written protest by the Office of the Purchasing Manager.

The City may, in the exercise of its sole discretion, withhold the award or extend the solicitation pending resolution of the protest.

41-582 Format of Protest

Protests shall:

1. Be legible
2. Contain facts clearly supporting the proposition that the protester has a reasonable likelihood of submitting a responsive, responsible bid or proposal if the protest of the solicitation is successful; or

Contain facts clearly supporting the proposition that the protester has reasonable likelihood of obtaining the work if the protest is successful.
3. State clearly the protester's required adjustment or remedy.
4. Include a Power of Attorney and/or Corporate Seal which verifies that the protester has legal authority to act on behalf of his/her company, corporation or recognized legal entity.
5. State the date that the protester became aware of the alleged aggrieved incident.
6. If the protest involves a specification or specific language contained in the solicitation document, specifically identify the specification or language upon which the protest is predicated and why and how such is allegedly improper.
7. Include all relevant information which the alleged aggrieved party feels is pertinent to the protest.
8. Include a sworn statement that the protester is acting alone and not in concert with any other party for any other reason but direct financial interest.

9. Be accompanied by a protest bond of an amount equal to one percent of the value of the solicitation but in no case less than \$500.00 nor greater than \$5,000.00. This bond shall be by a U.S. postal service money order, certified cashiers or bank check payable to the City of Gainesville. Failure to post such bond within three business days after the filing of the protest shall result in the protest being dismissed by the Purchasing Manager or his or her designee. The bond shall be forfeited at the conclusion of the protest proceedings if the administrative official making the final decision determines that the protest was filed for a frivolous or improper purpose, including but not limited to the purpose of harassing, causing unnecessary delay, or causing needless cost for the City or other parties.

For purposes of this subsection:

- (a) “Improper purpose” means participation in a bid protest proceeding primarily to harass or to cause unnecessary delay or for frivolous purposes or to needlessly increase the cost of litigation, licensing, or securing the approval of an activity.
- (b) “Frivolous” means lacking a legal basis or legal merit, not serious, not reasonable purposeful.

The Purchasing Manager shall reject and return a protest not complying with the above criteria, noting the deficiencies. The Finance Director or Department Head, as appropriate, will make an initial determination of any protest that is filed for improper purpose and is thus subject to forfeiture of the bond. The protester shall have one opportunity to timely resubmit a protest meeting all criteria and to challenge the initial determination of improper purpose, if applicable; failure to do so shall constitute abandonment and withdrawal of the protest and the bond will be forfeited. Protest proceedings shall be limited to matters raised in the protest and to any challenge to the initial determination that the bid is for an improper purpose, unless sound discretion requires otherwise.

41-583 Process to Protest Award

1. Protests involving awards and initial determinations of improper purpose which do not require prior approval of the City Commission or protests relating to the solicitation of such, shall be heard by the Finance Director, or designee, whose decision shall be final.

Within five (5) business days of receipt of a timely protest complying with the above requirements, the Purchasing Manager or designee shall notify the protester of the opportunity to be heard by the Finance Director or designee. Not less than three (3) business days written notice of the hearing date shall be provided. All bidders/proposers shall be notified of the protest and the scheduled meeting time. Any bidder/proposer desiring to attend the meeting in order to protect its interests may do so.

CHAPTER: 41-000 Purchasing

EFFECTIVE DATE: January 1, 2007 (revised 07/11/2013)

The Finance Director shall within five (5) business days of the hearing render his/her decision in writing to the protester and make available the record upon which his/her decision was based.

The final decision of the Finance Director may be subject to additional review if required under State or Federal regulations.

Reports shall be made to the City Commission of any Bid Protest for purchases that do not require approval of the City Commission.

2. A. Protests involving awards and initial determinations of improper purpose which require prior approval of the City Commission, or protests relating to the solicitation of such, shall be heard by the Department Head or designee of the department for whose benefit the award is to be made, who may obtain assistance of the Finance Director or Designee and/or a representative of the Project Engineer, Architect, or other person having the responsibility for preparation of the specifications or having knowledge of the service/product being acquisitioned or designee. Within five (5) business days of receipt of a timely protest complying with the above requirements, the Purchasing Manager or designee shall notify the protester of the opportunity to be heard by the Department Head or designee. Not less than three (3) business days written notice of the hearing date shall be provided. All bidders/proposers shall be notified of the protest and the scheduled meeting time. Any bidder/proposer desiring to attend the meeting in order to protect its interests may do so. The Department Head or designee shall within five (5) business days of the close of the hearing render his/her recommended decision in writing to the City Manager along with the record upon which his/her decision was based.

The City Manager or other Charter Officer shall review the recommendation and record and cause written notice of his/her decision to be given to the protester within five (5) business days of receipt of the Department Heads recommendation, and make the record upon which the decision is based available.

- B. A bidder or proposer who has exhausted the procedures in 2A above may appeal the decision of the City Manager, or other Charter Officer as applicable, to the City Commission or designee, which appeal shall be scheduled by the Charter Officer involved. The appeal must be filed with the Purchasing Manager within three (3) business days of receipt of the Charter Officers' decision. It is the responsibility such protester to make copies of the record available for each City Commissioner or the City Commission's designee, if applicable, at least seven (7) business days in advance of any scheduled hearing.

The appeal shall:

1. Be legible
 2. Contain argument, and facts based upon the record, indicating that the protester has a reasonable likelihood of submitting a responsive, responsible bid or proposal if appeal of the solicitation is successful; or

Contain facts clearly supporting the proposition that the protester has reasonable likelihood of obtaining the work if the appeal is successful.
 3. State clearly the protester's required adjustment or remedy.
 4. Address those areas or matters in the Charter Officers' decision which the protester/appellant believes:
 - i. Are not based on substantial competent evidence in the record, by reference to the record;
 - ii. Are materially inconsistent with applicable City policies, practice or procedures, by reference to such inconsistencies;
 - iii. Do not conform with the essential requirements of law, with specific reference to the matter involved and the specific law or legal principle violated.
- C. The City Commission or designee shall review the decision of the Charter Officer, the record before the Charter Officer, and written or oral argument of the parties involved in the appeal. No new evidence shall be considered and the City Commission may only reverse or modify the decision of the Charter Officer upon a determination that his/her decision was not based on substantial competent evidence or that his/her reasoning or application of the policies, procedures and law was fundamentally flawed. The decision of the City Commission or designee shall constitute final action and shall be issued within 15 days of the close of the hearing.

CHAPTER: 41-000 Purchasing

EFFECTIVE DATE: January 1, 2007 (revised 07/11/2013)

3. All bidders/proposers shall be notified of appeals and the scheduled meeting time.

Any bidder/proposer desiring to attend the meeting in order to protect its interests may do so.

The final decision of the City Commission or designee may be subject to additional review if required under local, State or Federal regulations.

41-584 Protests of Projects Funded Under Federal Grant Programs

With regard to projects funded in whole or in part under Federal Grant or State Programs, the aggrieved party may have additional rights regarding protest appeals under applicable laws or regulations.

It is the responsibility of the aggrieved party to protect such rights as may be provided under said Federal or State law or regulations.

41-600 PURCHASE ORDER ISSUANCE

This procedure documents the issuance of Purchase Orders, which are initiated after the Bidding Process (41-400) and the Bid Evaluation Process and City Commission approval (if necessary) Process (41-500) are completed.

Purchasing Manager and/or Department Head or designee review and approve indicating compliance with City ordinances, directives, memoranda, and procedures.

Note:

The following language should be inserted into the City's multi-year contracts, bids, proposals, purchase orders etc., so that the language in agreements remains consistent with the legal obligations and the budgetary practices of the City

“The obligations of the City as to any funding required pursuant to this Agreement shall be limited by an obligation in any given year to budget and appropriate from legally available funds, after monies for essential City services have been budgeted and appropriated sufficient monies for the funding that is required during that year. Notwithstanding the foregoing, the City shall not be prohibited from pledging any legally available non-ad valorem revenues for any obligations heretofore or hereafter incurred, which pledge shall be prior and superior to any obligation of the City pursuant to this Agreement.”

41-610 ISSUING THE PURCHASE ORDER

- Electronically input the Purchase Order document as applicable to the purchase type (with or without a contract).
 - Construction purchase orders are encumbered for the full contract amount and will include 5% (established standard) retainage.
- All purchase orders require a detailed description (text) including, but not limited to, bid or quote number and date, contract reference (including other Public Agency, i.e. State Contract), City Commission approval date, etc.
- See Purchase Order specific processes for detailed electronic input instructions.
- Once electronically approved print Purchase Order. The Terms and Conditions must be printed on the reverse side of each page of the purchase order.
 - Stapling the Terms and Conditions to the purchase order is unacceptable.
- Purchase Order must be signed and dated by the Purchasing Manager, Department Head or designee as the *Authorized Signature*.

CITY OF
GAINESVILLE

FINANCIAL SERVICES
PROCEDURES MANUAL

CHAPTER: 41-000 Purchasing

EFFECTIVE DATE: January 1, 2007 (revised 07/11/2013)

- Issue (mail) Purchase Order to appropriate vendor(s) as required.

41-620 CONSTRUCTION

Building Inspections and Facilities Management must be contacted prior to initiating any construction project, regardless of size, amount or funding source.

- Building Inspections – permitting, contractor licensing, certification or registration, etc.
- Facilities Management – oversees City facilities

Construction projects (renovations or new construction) are classified as a capital project and must be pre-approved by Budget and Property Control. Construction projects range in term and price:

- A small build or renovation project that can be completed within a few days and have a one-time pay when the project is complete.
- A large dollar major build or renovation that can span over several weeks, months or even years with draw-down payments throughout the project term.

Retainage Note:

The City shall withhold, from each progress payment made to the contract, 5% as retainage. Once the project reaches 50% or more completion of construction services (payment will result in expenditure of over 50% of the total cost of construction services, as identified in the contract, including additions or deletions approved up to and including this pay request), and upon request, the City will disburse 50% of previously withheld retainage.

41-621 Construction Purchase Order

The construction purchase order is encumbered for the full contract amount and will include retainage.

- Finance (Accounting or Property Control) will provide the retainage account information.
- Retainage, once established on the purchase order, will automatically reduce contractor payments

41-622 Payments

All construction payments are released by an electronic payment release document that is processed by the requesting department. The minimum backup required to release payment is as follows:

- Application and Certificate for Payment

CITY OF
GAINESVILLE

FINANCIAL SERVICES
PROCEDURES MANUAL

CHAPTER: 41-000 Purchasing

EFFECTIVE DATE: January 1, 2007 (revised 07/11/2013)

- Payments and work completed to date
- Work Completed worksheet
 - Detail of project construction that represent this payment
- Prompt Payment Certification (also known as Subcontractor Release of Lien)
 - Indication that subcontractors are paid for services rendered to date

All construction payment requests (electronic payment document backup as listed above) must be submitted to Finance (Accounting or Property Control) for review prior to submission to Accounts Payable.

All contractor payments will be automatically reduced by the retainage percentage, which is deposited into the retainage account.

41-623 Retainage

Retainage is released after specific project elements and criteria have been met. The requesting department is to complete the Retainage Release Request Form and submit to Finance (Property Control or Accounting) for release of all or part of the withheld retainage.

Retainage is also subject to prompt payment requirements and must be returned to the subcontractor or Material Supplier whose Work has been completed or Materials have been completely supplied, even if the prime contract has not been completed.

Prior to Substantial Completion, progress payments will be made in an amount equal to the percentage indicated below, but in each case, less the aggregate of payments previously made and less such amounts the City may withhold.

- 90% of Work completed (with the balance being retainage)
- 90% (with the balance being retainage) of materials and equipment not incorporated in the Work, but delivered, suitably stored and accompanied by documentation satisfactory to the City.

Before the final acceptance of the work and payment by the City, the Contractor shall furnish to the City proper satisfactory evidence, under oath, that all claims for labor and materials employed or used in the construction of said work have been settled and no legal claim can be filed against the City for such labor and materials. If such evidence is not furnished to the City, such amounts as may be necessary to meet the unsatisfied claims may be retained from monies due to the Contractor under this Contract until the liability shall be fully discharged.

41-630 EQUIPMENT RENTAL

41-631 Heavy Equipment

Heavy equipment can include, but is not limited to carts (i.e. utility or golf type), trencher, backhoe, office building, on-site storage, etc. Equipment rentals \$2,000 or greater over the life of the rental period requires competitive bidding. See Section 41-400 for detailed bidding instructions.

41-632 Heavy Equipment Rental Calculation Form

A Heavy Equipment Rental Calculation Form (located on the City's Intranet) must be completed prior to committing the City to any rental obligation. The Form will calculate and determine if it is in the City's best interest to rent the equipment or purchase outright.

The elements required to complete the form include:

- Purchase Price that would be paid if bought (purchased) outright
- Annual maintenance or service fee if purchased outright
- Monthly rental rate
 - Any elements included in the monthly rental rate should be noted (i.e. utility cart allowance of 3,000 miles per month).

The Heavy Equipment Rental Calculation Form requires approval authorization based on the entire rental term.

Example: The annual amount for a utility cart rental at \$360.00 per month totals \$4,320.00, an amount that falls within the approval authority of Department Heads and Direct Reports. However, the total of a three year rental will be \$12,960.00. Therefore, prior approval is required by the City Manager (obligations \$10,000 or greater {excluding Charter Offices}).

If the total for the rental period is \$50,000 or greater prior approval by the City Commission is required.

If it is determined the rental is not in the City's best interest (Calculation Form will state that fact) you do have options.

1. Consider renting for fewer months (recalculate form with revised information)
 - 24 month rental instead of 36 months
2. Consider the options (extras)
 - Is a roof or air conditioning a necessity (needed) or an option (wanted)?
3. Consider different equipment or manufacturer
 - Equipment with same or similar functions but at a lesser rental rate

41-633 Heavy Equipment Rental Purchase Order

CHAPTER: 41-000 Purchasing

EFFECTIVE DATE: January 1, 2007 (revised 07/11/2013)

- Electronically input the Purchase Order document.
 - Purchase Orders are encumbered for the current fiscal year, in whole or prorated for the remaining period.
- All purchase orders require a detailed description (text) including, but not limited to, bid or quote number and date, contract reference (including other Public Agency, i.e. State Contract), City Commission approval date, etc. The following is an example of a three year utility cart rental:

U-MAX MEDIUM DUTY I GAS UTILITY CART

- 357 CC 4 STROKE GAS ENGINE
- 800 POUND PAYLOAD CAPACITY
- 1300 POUND TOW CAPACITY
- 4 WHEEL MECHANICAL DRUM BRAKES
- DC POWER OUTLET
- HEADLIGHTS AND TAIL LIGHTS

IN ACCORDANCE WITH STATE CONTRACT #765-900-04-1

THREE YEAR RENTAL TO BEGIN FEBRUARY 7, 2005 AND
END FEBRUARY 6, 2008

PURCHASES MADE AGAINST THIS PURCHASE ORDER NOT
TO EXCEED GRAND TOTAL

THIS PURCHASE ORDER REPRESENTS FY2004/2005 OF THE
THREE RENTAL PERIOD, FEBRUARY 7, 2005 THROUGH
SEPTEMBER 30, 2005

SHOULD FUNDS FOR SUBSEQUENT FISCAL YEARS OF
THREE YEAR AGREEMENT ARE:

FY 2005/2006 \$4,320.00

FY 2006/2007 \$4,320.00

FY 2007/2008 \$1,440.00

- See Purchase Order specific processes for detailed electronic input instructions.
- Once electronically approved print Purchase Order. The Terms and Conditions must be printed on the reverse side of each page of the purchase order.
 - Stapling the Terms and Conditions to the purchase order is unacceptable.

- Purchase Order must be signed and dated by the Purchasing Manager, Department Head or designee as the *Authorized Signature*.
- Issue (mail) Purchase Order to appropriate vendor(s) as required.

Note:

It is the Departments responsibility to input a new Purchase Order at the beginning of each fiscal year through the rental period.

41-640 BLANKET PURCHASE ORDERS

Blanket purchase orders will only be issued for items for which a fixed unit cost cannot be established or identified and the item cannot be purchased with the procurement card. In such instances, a Blanket Purchase Order will be issued based on estimated usage and/or quantity for a specific period of time (not to exceed the Fiscal Year; October 1st to September 30th). Blanket Orders may be issued against existing Federal, State, City or other public agency competitive bid contracts; against bids; for non-competitive situations; or when no line item purchase will exceed \$2000 during the duration of the blanket purchase order.

The procedure is as follows:

- Bid and evaluate items or services in accordance with City procedures.
- Purchase Order detailed description should include, at a minimum, the following language:
 - Detailed description of items (or categories)
 - Flu Vaccine
 - Automotive Parts
 - Film and Film Developing
 - No single line item purchase to exceed \$2,000
 - Bid information (State Contract or Bid number)
 - This Purchase Order for the period of October 1, XXXX through September 30, XXXX.
 - Blanket Purchase Orders can only be established for the current Fiscal Year
- Print Purchase Order. The Terms and Conditions must be printed on the reverse side of each page of the purchase order.
 - Stapling the Terms and Conditions to the purchase order is unacceptable.

- Purchase Order must be signed and dated by the Department Head or designee as the *Authorized Signature*.
- Issue (mail) Purchase Order to appropriate vendor(s) as required.

41-641 Ordering against Blanket Orders

Once the Blanket Order is established the following steps are followed to release materials.

- Contact vendor and purchase items as needed referencing Blanket Purchase Order number.
- After goods are received, complete appropriate electronic payment document and forward to Accounts Payable.

41-650 FLEET PURCHASES

- "Ship to" address is always the Fleet Department no matter which department has ordered the equipment.
- The payment is processed by the Fleet Manager.

41-660 EMERGENCY PURCHASES

An emergency purchase is any purchase which becomes necessary due to unforeseen circumstances and which affects the operation of the City or is needed in a life threatening situation or public safety emergency or where delay of the purchase would subject the City to substantial additional costs.

41-661 Initiating the Emergency Request

Any person detecting an emergency should telephone department personnel responsible for approving purchases, explain the nature of the emergency, and secure verbal approval to request an emergency purchase.

- Obtain two verbal quotes — emergency purchases without quotes can be made at the discretion of the City Manager.

41-662 Ordering the Purchase

Once the emergency purchase is approved the following steps are taken:

CITY OF
GAINESVILLE

FINANCIAL SERVICES
PROCEDURES MANUAL

CHAPTER: 41-000 Purchasing

EFFECTIVE DATE: January 1, 2007 (revised 07/11/2013)

- Award verbal Purchase Order to low responsive/responsible bidder meeting specified requirements in the documents.
- Initiate and print purchase order. The Terms and Conditions must be printed on the reverse side of each page of the purchase order.
 - Stapling the Terms and Conditions to the purchase order is unacceptable.
- Issue (mail) written confirmation Purchase Order to appropriate vendor(s) as required.
- If total cost is over \$50,000, advise the City Commission of emergency purchase.
- Items specifically stated as excluded to the prior approval of the City Commission must be reported to the City Manager as a Purchase by Staff memo.

41-700 **SUPPLEMENTAL PROCEDURES**

41-710 **PURCHASE ORDER MODIFICATIONS**

Purchase orders often require modification to extend the contract time, change the scope of work, add or deduct from the contract price or make any other material change in the terms or conditions of the agreement between the parties.

Modifications of \$25.00 or less to purchase orders are allowed without the use of a purchase order modification.

Modifications in excess of \$25.00 to purchase orders may be processed by modifying the electronic document.

Modifications to formal contracts shall be made by change order or amendment executed by both parties. Decreases to purchase orders, other than blanket purchase orders, in any amount must be agreed to by the vendor. An invoice from the vendor on the vendor's standard printed invoice form which confirms the decreased amount as the amount due constitutes agreement by the vendor for minor changes.

41-711 **Preparing the Purchase Order Modification**

- Check original bid and/or contract to determine if the change is allowed and follow any specific requirements for modifications.
- Determine if City Commission approval is required (increase of greater than 10% over the previous approval amount or the modification increases the total line item amount to exceed \$50,000).

- Prepare agenda item if City Commission approval is required.

NOTE: Items specifically stated as excluded to the prior approval of the City Commission must be reported to the City Manager as a Purchase by Staff memo.

- Process a purchase order modification by modifying the original electronic document in accordance with the current step-by-step instructions.

- Provide complete description of reason and/or explanation for change

CHAPTER: 41-000 Purchasing

EFFECTIVE DATE: January 1, 2007 (revised 07/11/2013)

41-720 LOCAL SMALL BUSINESS PROGRAM

The Local Small Business Procurement Program as set forth in Resolution No. 970214 applies to all applicable purchasing transactions (centralized or decentralized) by any and all City departments reporting to the City Manager.

- See Local Small Business Procurement Program Policies and Procedures, Chapter 42-000, for specific program details.
- As part of these programs, the Purchasing Divisions may waive competitive bidding requirements for the first time order with a Small Business Enterprise in an amount not greater than \$10,000 in order to fairly assess their capabilities to perform in accordance with required standards.

41-730 SURPLUS PROPERTY DECLARATION & STORAGE

The Public Works Department, Operations Division is the City's designated custodian of all items declared surplus by both General Government and Gainesville Regional Utilities. The steps that follow provide the procedure for declaration, tagging and storage of surplus property.

41-731 Declaration of Surplus

A Department Head may declare an item as surplus, except when the book value or fair market value, whichever is higher, exceeds \$50,000, which also requires City Commission approval.

When an item is declared surplus:

- Department to complete the Property Transfer Form making sure condition of equipment is indicated.

NOTE: If it is fleet equipment, it must be approved (initialed) by the Fleet Manager or designee.

- Department to submit the Property Transfer Form, along with the surplus equipment, to the Surplus Clerk in the Streets Division.
- Deliver surplus on Wednesdays between 8:00 AM and 12:00 Noon, unless other special arrangements are made in advance.

- Deliver surplus to the 405 NW 39th Avenue compound, Building C.

CHAPTER: 41-000 Purchasing

EFFECTIVE DATE: January 1, 2007 (revised 07/11/2013)

- User Departments are responsible for the transport of surplus. A Department that does not have the manpower nor the means to transport surplus should contact Facilities Management to make arrangements to have the items delivered.

NOTE: Property Control Specialist, Surplus Clerk or designee responsible for the following unless otherwise noted.

- Department to send a work order with your charge number to Facilities Management requesting assistance to move surplus. A ten (10) day advance notice is requested so all planning can be completed.
 - Outside moving contractor will be hired at a 4-hour minimum charge.
 - User Department billed for moving cost through interdepartmental billing.
- Verify all appropriate information, and sign Property Transfer Form as receiving Custodian.
- Assign a lot number and mark on the bottom of the Property Transfer Form (lot number consists of the current auction number, the unique item number and the appropriate fund).

NOTE: If it is fleet equipment:

- Verify description of vehicle (year, make, model, VIN no., etc.) and obtain the current mileage.
- Collect all keys and store.
- Check to make sure no equipment is left in vehicle (radio, etc.).
- Send tag, with vehicle number indicated, to Property Control Specialist.
- Distribute copies of Property Transfer Form as follows:
 - 1st - Property Control Specialist
 - 2nd - Retained by Department/Division
 - 3rd - Surplus Custodian
 - 4th - Fleet Manager (if applicable)
- Adjust Financial Control Records.

CITY OF
GAINESVILLE

FINANCIAL SERVICES
PROCEDURES MANUAL

CHAPTER: 41-000 Purchasing

EFFECTIVE DATE: January 1, 2007 (revised 07/11/2013)

41-732 After Receipt of Goods From User Departments:

- Tag/mark each item indicating the assigned lot number.
- Store in appropriate designated locations.
- Add item to Surplus inventory lists. Inventory lists are to include the following information:
 - Lot Number
 - City I.D. Number (Decal)
 - Fund Code (General Government, GRU, etc.)
 - Serial Number and Model
 - Description
 - Make
 - Date Received at Surplus
 - Group Code
 - Remarks
 - Mileage (Vehicle Log)

NOTE: The inventory list also has space for the following information, which should be completed upon disposition or re-assignment:

- Date Re-Issued
- Buyer Number
- Sale Price

- Distribute updated Surplus Property Listing to Property Control Specialist on a monthly basis.
- Verify Surplus List.

41-740 DISPOSAL OF SURPLUS

All surplus items will be stored at 405 NW 39th Avenue Compound until the appropriate disposal method is determined. The methods typically include:

- Transfer to other City Departments
- Public Auction
- Sealed Competitive Bids
- Donation to another Governmental Agency

NOTE: All surplus items valued at \$10,000 or more shall be sold by written quotations except when sale is by auction.

The succeeding procedures define the specific requirements to follow once the appropriate disposal method is determined by the City User Departments and Purchasing Department.

41-741 Transfer to Other City Department

Even though one Department has declared an item to be surplus, it is possible that other Departments would have use for the item(s). This procedure outlines the steps to be taken to communicate the availability to other Departments and how to affect transfers where appropriate.

- As needed, Surplus Clerk will circulate a list of available (useable) items to all City Departments.
- User Departments may inspect surplus items on Wednesday between 8:00 AM and 12:00 Noon.

NOTE: If transfer is within the Fund:

- Initiate Property Transfer Form
 - User Departments are responsible for the transport of surplus. A Department that does not have the manpower nor the means to transport surplus should contact Facilities Management to make arrangements to have the items delivered.
- Send a work order with your charge number to Facilities Management requesting assistance to move surplus. A ten (10) day advance notice is requested so all planning can be completed.
 - Outside moving contractor will be hired at a 4-hour minimum charge.
 - User Department billed for moving cost through interdepartmental billing.
- Sign form as receiving Department.
- Surplus Clerk will distribute Property Transfer Form.
- Surplus Clerk to add transaction to the Surplus Property Listing.
- Property Control Specialist to adjust financial control records as appropriate.

NOTE: If transfer is between funds:

CITY OF
GAINESVILLE

FINANCIAL SERVICES
PROCEDURES MANUAL

CHAPTER: 41-000 Purchasing

EFFECTIVE DATE: January 1, 2007 (revised 07/11/2013)

- Contact appropriate Property Control Specialist (General Government), Box 14, (ext. 5794), Utilities, Box A105 (ext. 1332), for approval and estimated value.
- Property Control Specialist to establish value and initiate billing document, if applicable. Items with a book value or market value less than \$500 are transferred at no cost.
- Initiate Property Transfer Form.
- User Departments are responsible for the transport of surplus. A Department that does not have the manpower nor the means to transport surplus should contact Facilities Management to make arrangements to have the items delivered
- Send a work order with your charge number to Facilities Management requesting assistance to move surplus. A ten (10) day advance notice is requested so all planning can be completed.
 - Outside moving contractor will be hired at a 4-hour minimum charge.
 - User Department billed for moving cost through interdepartmental billing.
- Sign form as receiving Department.
- Surplus Clerk to distribute Property Transfer Form.
- Property Control Specialist to add transaction to the Surplus Property Listing.
- Property Control Specialist to adjust financial control records as appropriate.

NOTE: If transfer is Primary Fleet item:

- Primary Fleet equipment requires approval of the Fleet Manager and either the General Manager for Utilities or City Manager/Designee. Temporary re-assignments are approved by the Fleet Manager.
- Follow steps as outlined above - If transfer is within the Fund.

If transfer is stolen/abandoned property:

- Contact General Government Property Control Specialist for approval.
- Property Control Specialist will establish Fair Market Value.

- User Department to follow steps as outlined above - If transfer is within the Fund.

41-742 Disposal by Sealed Competitive Bids

For certain specific surplus items, it may be more advantageous for the City to solicit sealed competitive bids as its disposal method. This procedure would be authorized by Purchasing (Decentralized Purchasing not permitted).

Once the decision is made to dispose of item(s) by sealed bid:

- Follow steps as outlined in 41-731.
- Develop specifications and send to Purchasing.
- Prepare Invitation to Bid documents, send to potential bidders directly and advertise in appropriate newspapers/journals.
- Coordinate inspections by potential bidders as required.
- Open bids at designated place and time.
- Award bid to highest responsive and responsible bidder.
- Within two (2) working days after bid is awarded, payment is processed through Billing and Collection Division.
- Copy of bid receipt payment is forwarded to Property Control Specialist and Operations Division.
- Arrange for pick-up of item(s) with bidder.
- Complete Property Transfer Form and distribute.
- Adjust financial control records as appropriate.

41-743 Donation of Surplus Property to other Public Agency

The Purchasing Policies allow the City Manager or designee to authorize and approve the donation to any governmental agency of obsolete or unusable surplus items whose value does not exceed \$7,500 after making a determination that such donation is in furtherance of governmental

objectives. If the governmental agency is willing to pay for the items, the proceeds will be placed in the appropriate fund. Once the formal request is received:

- Forward formal request to Property Control Specialist.
- Property Control to determine if surplus item is needed by other Departments.
- Obtain City Manager/Designee approval authorizing the donation.
- Initiate Property Transfer Form and forward to the Operations Division for processing.
- Have receiving custodian/agency sign Property Transfer Form as item(s) are picked up.

NOTE: General Government does not typically deliver; receiving agency must arrange for pickup of any items.

- Surplus Clerk to distribute Property Transfer Form as indicated on form.
- Property Control Specialist to adjust financial asset records as appropriate.

41-744 Disposal by Public Auction

The majority of surplus items are sold annually via Public Auction.

NOTE: Disposal by Public Auction is a centralized purchasing process only, handled through the Finance department.

Governmental and quasi-governmental agencies, after requesting to be placed on the City's bid list, will be given an opportunity to bid on items on the preliminary auction list prior to the public auction, provided the intended use for such items is for a governmental purpose.

NOTE: The overall safety of City staff and the general public must be maintained throughout the entire auction process.

When necessary, (at least once a year):

- Prepare Specification for Auction Bid or a Request for Proposal to select auctioneer.

CHAPTER: 41-000 Purchasing

EFFECTIVE DATE: January 1, 2007 (revised 07/11/2013)

- Send out an Invitation to Bid or a Request for Proposal to select potential auctioneers; specifications are to include estimated list of surplus available. Detailed specifications available at Purchasing Division.
- Select auctioneer based on lowest percentage commission bid or predetermined criteria as stated in the Request for Proposal and award contract.
- Prepare final item list for auctioneer. Refer to Section 41-732 for information required on lists.
- Vehicle titles prepared for processing.
- Prepare for auction following the specifications as outlined in Auction Contract.
 - Assistance may be required from Streets Division and Parks Division for set-up and clean-up of the auction.
 - Assistance may be required from Fleet Management for primary equipment.
- Conduct auction following specifications as outlined in Auction Contract.
- Monitor the auction process to make sure contract specifications are in compliance.
- Assure proper financial records are maintained throughout the auction process.
- Listed below are responsibilities/ functions which need to be addressed during the auction process. In most cases, the responsible party should be addressed in the Auction Contract.
 - Secure Public Works Compound for auction
 - Prepare site for auction
 - Provide adequate parking facilities
 - Monitor and assist with parking
 - Provide restroom facilities
 - Advertise auction
 - Auction brochure
 - Provide concessions
 - Maintain fleet in running condition
 - Detail fleet
 - Set up/display auction items
 - List of auction items for general public
 - Buyers terms and conditions

CHAPTER: 41-000 Purchasing

EFFECTIVE DATE: January 1, 2007 (revised 07/11/2013)

- Registration of buyers
 - Conduct auction (simultaneous auctions shall be conducted if the volume deems necessary by the City)
 - Auction transactions computerized (format to meet City requirements)
 - Collect all payments including sales tax
 - Issue Bill of Sale (three-part paper)
 - Process vehicle titles through tag agency
 - Buyers pick up of property
 - Verify and release property
 - Clean up of auction site
- Upon completion of the auction, a printout of all sales receipts along with auction totals are furnished to the City's Property Control Specialist.
 - Within ten (10) days after auction, furnish complete tally and sales receipts for all items to Property Control Specialist. Also, deliver check for entire amount, less percent- age due auctioneer, to Property Control Specialist.
 - Deliver check to Billing and Collection Division.
 - Adjust and reconcile all City financial asset records and distribute revenue among appropriate Departments.

NOTE: Contractor/Auctioneer fee is based on a fixed percentage price for provision of the services requested. No other charges, buyer premiums or commissions will be assessed by the contractor to the City or to the buyers. The check received from the Auctioneer will be net of agreed-upon fees.

41-800 MISCELLANEOUS PROCEDURES

41-810 CITY-WIDE CONTRACTS

The purpose of this procedure is to establish and communicate a consistent method for the provision of various commodities and services which are utilized by the various General Government departments of the City.

- Request bids and set up contracts with outside sources for the provision of such commodities as office supplies, copy paper, printing, uniforms, pagers, temporary services, etc.
- Advise General Government departments of awards and have contract information available through the City's intranet.
- Monitor contract for vendor performance.

41-820 GASOLINE CREDIT CARDS

- Purchasing currently maintains the gasoline credit cards for the General Government departments of the City. Persons traveling by city vehicle on City business should request a City gas card for the purchase of gasoline.

41-821 Permanent Card Issue

To receive a permanent card:

- Issue a written memorandum to Purchasing stating:
 - Type of credit card requested
 - Account number to be charged
 - Authorized signature
 - Need for card
 - Designated individual who will pick up the card(s)
- Deliver memorandum to Purchasing.
- Purchasing will assign appropriate cards to User Department
- Department representative to sign receipt card record, kept in Purchasing

NOTE: Credit cards will not be sent through interoffice mail.

41-822 Temporary Issues (1 week or less)

In order to receive a card on a temporary basis:

- Follow same steps in 41-921
- Purchasing will indicate date card returned on card record and initial.

41-830 PROCUREMENT CARDS

The purpose of this procedure is to provide efficiency in purchasing and processing low dollar purchases. Cardholders can purchase approved commodities and services directly from any vendor that accepts the VISA credit card.

Cards are issued to named individuals who frequently purchase goods and services in single purchase amounts of \$2,000 or less and a monthly limit of \$20,000 or less. All requests for procurement cards must be made by the Department Head.

- The Procurement Card Request Form and the Procurement Card Procedures are available through the intranet.
- Cards are not issued until both the Department Head and the Cardholder have attended training.

41-840 SUPPLIER PERFORMANCE PROGRAM

The purpose of this program is to provide the City of Gainesville a method for evaluating the suppliers with which it does business in order to utilize those suppliers which provide the best pricing, quality, delivery and service.

41-841 Supplier Evaluation Reports

All departments of the city will be requested to evaluate the following categories of suppliers:

- Suppliers that are issued blanket purchase orders
- Suppliers that are issued purchase orders exceeding \$5,000
- Suppliers that are utilized on a repetitive basis or which impact the City's ability to function efficiently and effectively (determined by the ordering department and purchasing).

CHAPTER: 41-000 Purchasing

EFFECTIVE DATE: January 1, 2007 (revised 07/11/2013)

Supplier Evaluation Report form is available through the intranet.

The ordering department defines the specific criteria which may have impact on the provision of the commodity or service being purchased. These criteria are marked on the Supplier Evaluation Report. A copy of the form is sent with the purchase order to the supplier with notification that the supplier will be evaluated in those areas for that purchase.

- Suppliers receive a score based on the percentage of points received out of the total possible points.
- Supplier evaluation reports are completed by the ordering department upon completion of the purchase.
- Purchasing maintains Supplier Evaluation Reports for use by ordering departments.
- Suppliers' scores may be used in the evaluation of bids.