


Florida Fish and Wildlife Conservation Commission Internal Management Policies and Procedures (IMPP)		
	TITLE Construction Contracts	IMPP 4.3
	APPLICABILITY All Employees	EFFECTIVE DATE RESCINDS/AMENDS April 14, 2008
REFERENCES: SECTIONS 255.05 AND 255.29, FLORIDA STATUTES (F.S.); RULE 60D-5, Florida Administrative Code (F.A.C.)		
AUTHORITY: CHAPTER 255, F.S.; RULE 60D-5, F.A.C.; EXECUTIVE DIRECTOR		
IMPP OWNER: FINANCE AND BUDGET OFFICE – PURCHASING SECTION		

POLICY

It is the policy of the Florida Fish and Wildlife Conservation Commission to comply with the Department of Management Services (DMS) construction contract requirements under s. 255.29, F.S. and to establish procedures for procuring services of construction contracts or purchasing orders. The following guidelines do not apply to contracts for maintenance of facilities or maintenance of component parts of facilities.

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4.3.1 DEFINITIONS

- A.** Construction Project – Any facility, building, portion of building, utility, park, parking lot, structure or other improvement of real property required to be constructed, renovated, repaired, modified or demolished.
- B.** Repairs - The restoration to an acceptable original state of a decayed, broken, deteriorated or demolished facility, building, portion of building, utility, park, parking lot, structure or other real property.
- C.** Maintenance - The upkeep, preservation of condition or the sustaining of operation of a facility, building, portion of building, utility, park, parking lot, structure or real property.
- D.** Firm or Contractor - Any individual, firm, partnership, corporation, company, association or other legal entity permitted by law, in accordance with Chapter 489, F.S., to construct projects or portions of projects, in the State of Florida.

- E. Contract Levels - Increments of contract dollar value based on estimated cost of the contract:
1. Level One: Contracts not exceeding a value of \$35,000.
 2. Level Two: Contracts having a value greater than \$35,000 but, not exceeding \$65,000.
 3. Level Three: Contracts having a value greater than \$65,000 but, not exceeding \$200,000.
 4. Level Four: Contracts having a value greater than \$200,000 but, not exceeding \$500,000.
 5. Level Five: Contracts having a value exceeding \$500,000.

4.3.2 CONTRACT LEVELS, LIMITS OF PUBLIC ADVERTISING, NEGOTIATION AND BIDDING

- A. Contracts within Level One may be executed with the firm whose proposal FWC determines best meets the needs of the Agency, using two or more verbal quotations, whenever practical. Should verbal quotations be received, name and address of the company and amount quoted shall be a part of the written documentation. If at least two quotations are not received, a statement of why they were not received must be shown. Quotations shall be confirmed by written proposals of the firms defining the scope and quality of work to be provided.
- B. At least three sealed written proposals based on written specifications shall be requested for Level Two and Level Three contracts or purchase orders. The Purchasing Section will be the office charged with requesting the sealed written proposals from at least three firms. The requestor shall submit specifications to the Purchasing Section for review. The formal written quotation shall be opened publicly at the date, time, and place selected by the Purchasing Section, Finance and Budget Office. A tabulation of the results will be furnished to each firm if requested.
- C. Competitive sealed bids are required for contracts or purchase orders within Level Four. Requestors shall submit specifications to the Purchasing Section for review and advertisement on the [Vendor Bid System \(VBS\)](#). Contracts within Level Four shall be publicly advertised in the Florida Administrative Register once, at least 21 calendar days prior to the established bid opening, based on approved plans and specifications. Bids shall be received and opened publicly at a location, date and time established in the bid advertisement, and results will be posted on the VBS.
- D. Competitive sealed bids are required for contracts within Level Five. Requestors shall submit specifications to the Purchasing Section for review and advertisement on the VBS. Bids shall be publicly advertised in the Florida Administrative Register at least 30 days prior to the established bid opening, and in at least one newspaper of general circulation in the county where the project is located at least 30 days prior to the established bid opening and at least 5 days prior to any scheduled pre-bid conference. The announcement shall also be published on VBS. Bids shall be received and opened publicly at a location, date and time established in the bid advertisement, and results will be posted on VBS.
- E. On projects where the base bid and sum of all additive alternates exceeds \$100,000, bids shall be accompanied by a bid guarantee of not less than five (5) percent of the amount of the bid, which may be a Cashier's check, Official bank check, Money Order or Bid Bond made payable to the Commission.
- F. A 100% Labor and Materials Payment Bond and a 100% Performance Bond shall be required on all construction projects, except when the contract is for \$100,000 or less. All required Payment and Performance Bonds must comply with [s. 255.05, F.S.](#). Please Note: For

contracts less than \$100,000, bonds may be required due to project scope and complexity after consultation with the Commission's Office of General Counsel and Purchasing Section.

4.3.3 BIDDERS QUALIFICATIONS REQUIREMENTS

The following requirements must be met by a contractor in order to perform construction of State projects on Level Four and Level Five contracts.

- A. Prequalification to submit a bid.
- B. Prequalification for award of the contract.

Contact the Purchasing Section, Finance and Budget for requirements for prequalification to submit a bid and award of the contract.

FORMS

FORM NUMBER	FORM TITLE
N/A	N/A

Approved: **Jennifer Fitzwater**
Executive Director or Designee

Date: **May 4, 2020**

History: Est.: 07/01/2000. Revised 04/14/2008; 04/15/2020, 05/04/2020