

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION



PURCHASING MANUAL

March 2017

PURPOSE:

It is the policy of the Florida Fish and Wildlife Conservation Commission (FWC) to procure commodities and services to achieve the agency's goals using the most cost effective methods and through adherence to the State's procurement laws, regulations and the agency's policies and procedures.

FWC employees who procure goods and services on behalf of the agency shall conduct themselves ethically in accordance with [Chapter 112](#), Florida Statutes (FS) and shall follow agency policies and all statutory guidelines related to procurement and contract guidelines.

This manual contains the FWC's procedures and guidelines to be observed when procuring commodities or services as established in the Internal Management Policy and Procedures (IMPP) [4.1 Procurement](#).

AUTHORITY:

The authority for this manual is through the Executive Director and contained in Chapters [119](#), [287.057](#), and [413](#), FS; Sections [112.313](#), [112.3185](#), [120.57](#), [215.422](#) through [283](#), FS; Title [60A](#), Florida Administrative Code (FAC); the [Reference Guide on State Expenditures](#); and [IMPP 4.1 Procurement](#).

AREAS OF RESPONSIBILITY:

The Tallahassee Purchasing Office and/or the Regional Purchasing Directors are responsible for ensuring purchases are compliant with FWC and statutory guidelines. For purposes of the [IMPP 4.1](#) and this manual, these entities will be considered the "supporting purchasing offices".

- The Tallahassee Purchasing Office is responsible for reviewing and approving purchases for, but not limited to, the Divisions/Offices (D/Os) within Tallahassee and all purchases which meet or exceed Category Two (\geq \$35,000) statewide.
- The Regional Purchasing Directors located in each of the Service Centers have been delegated purchasing authority for the review and approval of [MyFloridaMarketPlace](#) (MFMP) requisitions/purchase orders less than Category Two ($<$ \$35,000).

All purchases shall be approved in accordance with each D/O's official delegation of authority on file located on the [Finance and Budget Office \(FBO\) SharePoint Site](#).

SPECIAL NOTE:

This manual cannot be expected to cover all situations that may be encountered. Some situations will have to be addressed on a case-by-case basis. Please consult with your supporting purchasing office, as needed, for guidance.

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SECTION 1 – GENERAL GUIDELINES

The type of product/service, the type of contractor, and the estimated dollar value of the purchase are the major factors utilized in determining which state procurement regulations apply and which procurement method to use.

- A. Purchases made on behalf of the FWC will be accomplished using either a formal written contractual services contract, P-Card or purchase order.
- B. Prior to making a purchase for commodities, staff will review current surplus property inventories to utilize commodities to the maximum extent practicable. For more information contact the Asset Management section.
- C. Contractual services are services rendered by individuals and firms who are independent contractors.
- D. All procurements will be in the best interest of the FWC and the state. Staff should always be encouraged to ensure the greatest possible degree of vendor competition.

SECTION 2 – PURCHASING CATEGORIES, THRESHOLDS AND REQUIREMENTS

A. Purchasing Categories ([s. 287.017](#), FS)

Category One:	\$20,000.00
Category Two:	\$35,000.00
Category Three:	\$65,000.00
Category Four:	\$195,000.00
Category Five:	\$325,000.00

B. Purchasing Thresholds - The following thresholds apply when purchasing commodities or services; except as exempted by statute or rule ([s. 287.057\(1\)\(e\)](#), FS - Exemptions).

- **(\$0 - \$2,499):** Purchases with value below \$2,500 shall be carried out using good purchasing practices. Such practices include, but are not limited to the receipt of written quotes or records of telephone quotations. Written quotes or records of telephone quotations should be obtained whenever possible.
- **(\$2,500 - \$34,999):** Purchases which meet or exceed \$2,500, but are less than Category Two, written records of a minimum of two (2) written or telephone quotes are required. The quote shall include the name and address of each respondent and the amount quoted. If quotes were solicited, however less than two quotes were received, a justification must be included in the supporting documentation and in the comments of the MFMP purchase requisition or with the P-Card backup documentation. If the agency determines that commodities or contractual services are available only from a single source, or that conditions warranted negotiation on the best terms and conditions, the conditions and circumstances used to determine the procurement method shall be included in the supporting documentation or in the comments of the MFMP purchase requisition and P-Card backup documentation.
- **(\$35,000 or Greater):** Purchases with a total contract value of \$35,000 or greater, unless exempt by statute, shall be made by utilizing a formal competitive solicitation (ITB, RFP or ITN). No purchase may be divided into two (2) or more purchases or by blanket purchase order for the purpose of avoiding the competitive requirements. The subsequent contract shall include the respondent's submittal, solicitation page including the term, bid tab and award letter.

- **(\$65,000 or Greater):** Purchases with a total contract value of \$65,000 or greater, must be reviewed by the Legal Office.

It is recommended to contact the Regional Purchasing Director and having the process initiated through the Tallahassee Purchasing Office once the need for a competitive solicitation is determined.

C. Approving Authority

For purposes of this Manual, the following table is provided to identify approving authorities for each category/threshold:

Purchases \$0-\$34,999	Approving Authority
MFMP Requisitions	Regional Purchasing Director and Tallahassee Purchasing Office
Requisitions for FLEET	Regional Purchasing Director and Tallahassee Purchasing Office/Fleet Section/Department of Management Services (DMS) Statewide Fleet Approver
Informal Single/Sole Source Requisitions (\$34,999 or below)	Regional Purchasing Director
Urgent or Emergency Purchases (\$34,999 or below)	Regional Purchasing Director
After-the-Fact Requisitions (\$34,999 or below)	Regional Purchasing Director
Advance Payment (\$34,999 or below)	Prior approval of the advance payment request will be required by the Tallahassee Finance & Accounting Office and the Department of Financial Services (DFS) (unless exempt per the Reference Guide on State Expenditures) is required
Advance Payment (\$35,000 or greater)	Prior approval of the advance payment request will be required by the Tallahassee Finance & Accounting Office and the Department of Financial Services (DFS) (unless exempt per the Reference Guide on State Expenditures) is required
Additional Approvals for Purchases \$35,000 or Greater	Approving Authority
MFMP Requisitions	\$65,000 or Greater – Legal (Services only) \$100,000 or Greater – FWC Assistant Purchasing Director \$250,000 or Greater – FWC Purchasing Director \$325,000 or Greater – General Services Section Leader \$500,000 or Greater – Chief Operating Officer and Executive Director or Designee

Additional Approvals for Purchases \$35,000 or Greater	Approving Authority
FLEET Requests in MFMP	Purchasing Office Staff/Fleet Section DMS Statewide Fleet Approver FWC Property Administrator \$100,000 or Greater – FWC Assistant Purchasing Director \$250,000 or Greater – FWC Purchasing Director \$325,000 or Greater – General Services Section Leader \$500,000 or Greater – Chief Operating Office and Executive Director or Designee
Request for Information (RFI)	Tallahassee Purchasing Office and Legal
Formal Solicitations (ITB, RFP, ITN)	Tallahassee Purchasing Office and Legal \$1 million or Greater – Office of Policy & Budget (OPB) – Prior to advertising
Request for Statement of Qualification (RFSOQ)	Tallahassee Purchasing Office and Legal
Formal Written Contracts, Agreements or Amendments (requiring 2-party signatures) Includes: Expenditure Contracts Revenue Contracts Memorandum of Agreements Memorandum of Understanding Grant Agreements And, all amendments thereto.	Tallahassee Purchasing Office \$65,000 or Greater – Legal (Services only) \$100,000 or Greater – FWC Assistant Purchasing Director \$250,000 or Greater – FWC Purchasing Director \$325,000 or Greater – General Services Section Leader for Finance and Budget Office (FBO) \$500,000 or Greater – Chief Operating Officer and Executive Director or Designee
Request for Formal Single/Sole Source (\$35,000 or above)	Tallahassee Purchasing Office \$35,000 or Greater – Legal \$100,000 or Greater – FWC Assistant Purchasing Director \$250,000 or Greater – FWC Purchasing Director \$325,000 or Greater – General Services Section Leader FBO \$500,000 or Greater – Chief Operating Officer and Executive Director or Designee \$1 million or Greater – Office of Policy & Budget (OPB) – Prior to contract execution
Alternate Contract Source (ACS) Request	Tallahassee Purchasing Office and DMS State Purchasing Office;

Additional Approvals for Purchases \$35,000 or Greater	Approving Authority
Emergency Purchase (\$35,000 or above)	Tallahassee Purchasing Office, COO and Executive Director or Designee
Settlement Agreement (After the Fact for purchases that are equal to or greater than \$35,000)	Tallahassee Purchasing Office Legal Tallahassee Finance & Accounting \$100,000 or Greater – FWC Assistant Purchasing Director \$250,000 or Greater – FWC Purchasing Director \$325,000 or Greater – General Services Section Leader FBO \$500,000 or Greater – Chief Operating Officer and Executive Director or Designee DFS-Bureau of Auditing \$1 Million or Greater – Office of Policy & Budget (EOG)

SECTION 3 – FORMAL COMPETITIVE PROCUREMENTS (>\$35,000)

A. Request for Information (RFI)

Prior to issuing a formal competitive procurement (see below), the FWC may initiate an RFI as a means to gather information, poll vendors, and assist in determining specifications or a SOW. Employees are prohibited from utilizing specific specifications or SOWs provided by a vendor without the use of an RFI. No contract can result from an RFI, however vendors who respond to an RFI may participate in a future competitive solicitation should the FWC issue one. RFIs may be advertised on the Vendor Bid System (VBS) by the Tallahassee Purchasing Office, but it is not mandatory. They may also be advertised in newspapers and/or minority publications as a means to reach target audiences.

RFIs should contain at a minimum:

- Introduction containing what type of information is being sought
- Response Format
- Timeline/Calendar of Events
- Process
- Questions
- Response Instructions
- MFMP Registration Requirements

B. Types of Formal Competitive Procurements:

If a procurement is anticipated to meet or exceed Category Two (\geq \$35,000) and is not exempted by statute, a competitive solicitation will be required. The Tallahassee Purchasing Office will be responsible, at a minimum, for the administrative functions, as outlined in Section 6. E. Administrative Functions.

The Tallahassee Purchasing Office has pledged a 10-business day turn around on initial review/comments of draft competitive solicitation documents. In addition, all solicitations will be reviewed by the Legal Office, prior to advertisement.

There are three (3) types of formal competitive solicitations which are described below:

1. Invitation to Bid (ITB) - A formal competitive solicitation method used when purchasing a commodity or service with an anticipated cost that meets or exceeds Category Two (\geq \$35,000); the ITB method shall be used when the agency is capable of specifically defining the SOW for which a contractual service is required or when the agency is capable of establishing precise specifications defining the actual commodity or group of commodities required. The contract shall be awarded to the responsible and responsive bidder that submits the lowest responsive bid. Note: If the specifications or SOW cannot be specifically defined, an RFI process should be utilized prior to issuing an ITB.

a. Minimum Requirements - ITBs must include, at a minimum:

- i. A Timeline/Calendar of Events: This information identifies all events that will occur during the solicitation process. It will, at a minimum, include the actual event to occur, the date/time of the event, and the location (i.e., URL or physical address);
- ii. A detailed description of the commodities or contractual services being sought; and
- iii. Pre-Proposal Conference and/or Site Visit: As determined by the D/O, a determination will need to be made if a pre-proposal conference and/or site visit (non-mandatory or mandatory) will be necessary.
- iv. If renewals are contemplated, the ITB must include a statement to that effect; bids submitted in response to an ITB that contemplates a renewal(s) must include the price for each year the contract may be renewed.
- v. Evaluation and award of bids must include consideration of the total cost for each year of the contract, including renewal years, as submitted by the vendor.
- vi. Determination if References will be required - reference checks will be a responsibility of the Contract Manager.
- vii. Financial Statements – as determined by the D/O if financial statements will be required as part of the vendor's response; Financial statements should be evaluated by a Certified Public Accountant (CPA); if a CPA is utilized the responsibility is on the D/O to contract and pay for such services.
- viii. Prospective Vendors list – as determined by the D/O to receive a courtesy notice (i.e., current contract, minority vendors, veteran-owned).

Any agreement resulting from an ITB shall be awarded to the responsible and responsive bidder who submits the lowest bid. A few examples of an ITB solicitations include Printing, Palletized Freight, and Janitorial Services just to name a few.

Typically, an ITB may take up to six (6) weeks from submission to the Tallahassee Purchasing Office to award.

2. Request for Proposal (RFP) - A formal competitive solicitation method used when purchasing a commodity or service with an anticipated cost that meets or exceeds Category Two (\geq \$35,000); the RFP method shall be used when the agency is capable of identifying necessary deliverables. Various combinations or versions of commodities or contractual services may be proposed by a responsive vendor to meet the specifications of the solicitation document.

The contract shall be awarded by written notice to the responsible and responsive vendor whose proposal is determined in writing to be the most advantageous to the state, taking into consideration the price and other criteria set forth in the request for proposals. The contract file shall contain documentation supporting the basis on which the award is made. Note: If the deliverable or SOW cannot be specifically defined, an RFI process should be utilized prior to issuing an RFP.

Unlike an ITB, price is generally not the main factor or sole criterion used in awarding RFPs. The use of a RFP method requires a written justification explaining why ITB is not practicable. This justification must be submitted with the Bid-Solicitation Request form through the regional service center to the Tallahassee Purchasing Office.

a. *Minimum Requirements* - RFPs must include, at a minimum:

- i. Evaluation Team – a team that shall consist of at least three (3) members who will evaluate responses; each team member shall demonstrate their experience and knowledge in the program areas and service requirements for which commodities or contractual services being sought; evaluation teams require agency head appointment prior to advertising the RFP. In order to accommodate and document these requirements, the Evaluation/Negotiation Team Acknowledgement Form may be utilized and must be submitted to the Tallahassee Purchasing Office, prior to opening in order to obtain appropriate approvals.
- ii. Timeline/Calendar of Events – this information identifies all events that will occur during the solicitation process. It shall, at a minimum, include the actual event to occur, the date/time of the event, and the location (i.e., URL or physical address).
- iii. SOW: A SOW describing the commodities or contractual services being sought, the tasks to be performed, the deliverables to delivered, the performance measures and financial consequences.
- iv. The estimated budget.
- v. Determination of renewal, if applicable. Agency-approved language has been developed for renewals, it is also included in the DMS PUR 1000 [General Contract Conditions](#); however, it may be revised as needed.
- vi. Cost Proposal – how the respondent will provide pricing and renewal pricing, if applicable.
- vii. Reference – as determined by the D/O if references will be required. Reference checks will be a responsibility of the Contract Manager.
- viii. Financial Statements – as determined by the D/O if financial statements will be required as part of the vendor's response; Financial statements should be evaluated by a Certified Public Accountant (CPA); if a CPA is utilized the responsibility is on the D/O to contract and pay for such services.
- ix. Prospective Vendors list – as determined by the D/O to receive a courtesy notice (i.e., current contract, minority vendors, veteran-owned etc.).
- x. Pre-Proposal Conference and/or Site Visit: As determined by the D/O, a determination will need to be made if a pre-proposal conference and/or site visit (non-mandatory or mandatory) will be necessary.
- xi. Demo – often during a RFP a demonstration may be needed for the D/O to review a product. As determined by the D/O a determination will be needed if a demo is necessary during the solicitation period.
- xii. Mandatory Criteria – as determined by the D/O, mandatory criteria (often called fatal criteria) will be identified.

xiii. Evaluation Criteria – as determined by the D/O, criteria will be developed to score/rank responsive proposals. The Evaluation Criteria shall include, at a minimum:

- How the Respondent's relevant experience will be evaluated/scored for delivery of the commodities or services being sought, to include but not limited to Technical Experience
- How the Respondent's cost proposal will be evaluated/scored as compared to other respondent's cost proposal. Renewal costs (if applicable) shall be included in scoring the cost proposal. **REMINDER:** *The cost is not the sole factor in awarding a RFP and should not be scored higher than other factors, such as experience.*

The Tallahassee Purchasing Office can assist with examples as needed.

b. RFP Process – Once all information above has been received and all reviews and approvals have been obtained, the RFP will be advertised on the VBS for a minimum of 10 calendar days, by the Tallahassee Purchasing Office. During the solicitation, the Tallahassee Purchasing Office will be responsible for facilitating and recording events. Responses will be delivered and opened on the date identified in the solicitation's Timeline/Calendar of Events by the Tallahassee Purchasing Office and respondents shall be recorded onto a Bid Tab. Following the opening, the Tallahassee Purchasing Office will review the responses to ensure all mandatory criteria, if applicable, has been provided by the respondent(s). Once this verification is complete, the responses will be provided to the Contract Manager who will be responsible for disbursing to the appointed Evaluation Team Members. If the Contract Manager is on the appointed Evaluation Team, the Tallahassee Purchasing Office will disburse the responses to each team member individually. An evaluation team training will be provided by the Tallahassee Purchasing Office, if needed.

Each team member will:

- i. Complete and Sign DMS PUR 7662 [Attestation of No Conflict Form](#) and return it to the Tallahassee Purchasing Office – prior to ii below. (Note: If a conflict is determined, the team member shall not continue with ii below and shall return all responses to the Tallahassee Purchasing Office)
- ii. Conduct an independent review of each response as compared to the Evaluation Criteria set forth in the RFP
- iii. Score each response, as compared to others and total
- iv. Sign/Initial the score sheet and return the them to the Tallahassee Purchasing Office

Once the score sheets are received by the Tallahassee Purchasing Office, they will review/verify scoring and totals. Should a discrepancy be found, the Tallahassee Purchasing Office will consult with the appropriate team member as needed. **The Tallahassee Purchasing Office will not alter scoring.**

Once the scores have been verified by the Tallahassee Purchasing Office, they will provide a Summary of Scores to the D/O Contract Manager who will be responsible for drafting a Justification of Award.

This justification must also include, at a minimum, the estimated contract value (including all renewals, if applicable) and detail as to why this respondent's proposal is the most advantageous to the state. This justification is required to be included in the Contract File and **auditors will be looking for this documentation.**

If it is determined that an Evaluation Team meeting is necessary at any time during the solicitation process, and if not already identified in the Timeline or any addendum, the Tallahassee Purchasing Office will schedule and advertise a public meeting notice on VBS within a reasonable time, as needed. The Tallahassee Purchasing Office or designee will be responsible for facilitating meetings related to a competitive solicitation, as needed.

Typically, a RFP may take up to 4-6 months from submission to the Tallahassee Purchasing Office to award.

3. **Invitation to Negotiate (ITN)** - A formal competitive solicitation method used when purchasing a commodity or service with an anticipated cost that meets or exceeds Category Two (\geq \$35,000); the ITN **shall be** used by an agency which is intended to determine the best method for achieving a specific goal or solving a particular problem and identifies one or more responsive vendors with which the agency may negotiate in order to receive the best value. The contract file for a vendor selected through an invitation to negotiate must contain a short plain statement that explains the basis for the selection of the vendor and that sets forth the vendor's deliverables and price, pursuant to the contract, along with an explanation of how these deliverables and price provide the best value to the state. Note: The use of the RFI may be utilized prior to the issuance of an ITN.

An ITN is used when an ITB or RFP is not practicable and is necessary to determine the best method for achieving a specific goal or solving a particular problem. The ITN includes the process of evaluation and negotiating with selected responsive and responsible vendors.

The use of an ITN method requires a written justification explaining why an ITB or RFP is not practicable and what will be negotiated (negotiation points). This justification must be submitted with the Bid-Solicitation Request form to the Tallahassee Purchasing Office who will submit to the appropriate authority for approval, prior to advertising.

a. Minimum Requirements - ITNs must include, at a minimum:

4. An ITN Evaluation and Negotiation Team: The ITN-Evaluation Team must consist of at least (3) members who can demonstrate experience and knowledge in the program area or services being sought; and must be appointed by the agency head; The ITN-Negotiation Team (can be the same people as the ITN-Evaluation Team) shall also consist of at least (3) members but must demonstrate experience and knowledge in negotiating contracts, contract procurement, and the program areas and service requirements for which commodities or contractual services are being sought; and, require agency head appointment. In order to accommodate and document these requirements, the Evaluation/Negotiation Team Acknowledgement Form may be utilized and must be submitted to the Tallahassee Purchasing Office, prior to opening in order to obtain appropriate approvals.

5. Florida Certified Contract Negotiator (FCCN) and Project Management Professional (PMP) Requirement: If the value of a contract is in excess of **\$1 million** in any fiscal year, at least one (1) of the persons conducting negotiations must be certified as a contract negotiator, as certified by the DMS. Furthermore, if the value of the contract is in excess of **\$10 million** in any fiscal year, at least one (1) of the persons conducting negotiations must be a PMP, as certified by the Project Management Institute. In order to accommodate and document this requirement, the Evaluation/Negotiation Team Acknowledgement Form may be utilized and must be submitted to the Tallahassee Purchasing Office, prior to opening in order to obtain appropriate approvals. The certification number(s) must be included on this form.
6. A Timeline/Calendar of Events: This information identifies all events that will occur during the solicitation process. It shall, at a minimum, include the actual event to occur, the date/time of the event, and the location (i.e., URL or physical address).
7. SOW: A SOW describing the commodities or contractual services being sought, the tasks to be performed, the deliverables to be delivered, the performance measures and financial consequences.
8. The questions that will be explored, facts being sought and goals or problems that are the subject of the solicitation.
9. The estimated budget.
10. Determination of Renewal, if applicable. Agency-approved language has been developed for renewals, it is also included in the DMS PUR 1000 [General Contact Conditions](#); however, it may be revised as needed.
11. Determination if references will be required. Reference checks will be a responsibility of the Contract Manager.
12. Financial Statements – as determined by the D/O if financial statements will be required as part of the vendor's response; Financial statements should be evaluated by a Certified Public Accountant (CPA); if a CPA is utilized the responsibility is on the D/O to contract and pay for such services.
13. Cost Proposal – this demonstrates how the respondent will provide pricing and renewal pricing, if applicable.
14. Prospective Vendors list – as determined by the D/O to receive a courtesy notice (i.e., current contract, minority vendors, veteran-owned etc.)
15. Pre-Proposal Conference and/or Site Visit: As determined by the D/O, a determination will need to be made if a pre-proposal conference and/or site visit (non-mandatory or mandatory) will be necessary.
16. Demo – often during a RFP a demonstration may be needed for the D/O to review a product. As determined by the D/O a determination will be needed if a demo is necessary during the solicitation period.
17. Mandatory Criteria – as determined by the D/O, mandatory (often called fatal criteria) criteria will be identified.

18. Evaluation Criteria - criteria that will be used for determining the acceptability of the reply and guiding the selection of the vendors in order to score/rank responsive replies, and to decide with whom negotiations will be conducted. The Evaluation criteria shall include, at a minimum:

- How the Respondent's relevant experience will be evaluated/scored for delivery of the commodities or services being sought, to include but not limited to Technical Experience
- How the Respondent's cost proposal will be evaluated/scored as compared to other respondent's cost proposal. Renewal costs shall be included in scoring the cost proposal. **REMINDER:** *The cost is not the sole factor in negotiating and/or awarding an ITN and should not be scored higher than other factors, such as experience.*

The Tallahassee Purchasing Office can assist with examples, as needed.

b. ITN Process – Once all information above has been received and all reviews and approvals have been obtained, the ITN will be advertised on the VBS for a minimum of 10 calendar days, by the Tallahassee Purchasing Office. During the solicitation, the Tallahassee Purchasing Office will be responsible for facilitating and recording events. Replies will be delivered and opened on the date identified in the solicitation's Timeline/Calendar of Events by the Tallahassee Purchasing Office and respondents shall be recorded onto a Bid Tab. Following the opening, the Tallahassee Purchasing Office will review the replies to ensure all mandatory criteria, if applicable, has been provided by the respondent(s). Once this verification is complete, the replies will be provided to the Contract Manager who will be responsible for disbursing to the appointed ITN-Evaluation Team Members. If the Contract Manager is on the appointed ITN-Evaluation Team, the Tallahassee Purchasing Office will disburse the responses to each team member individually. An evaluation team training will be provided by the Tallahassee Purchasing Office, if needed.

Each team member will:

- i. Complete and sign the DMS PUR 7662 [Attestation of No Conflict Form](#) and return it to the Tallahassee Purchasing Office – prior to ii below. (Note: If a conflict is determined, the team member shall not continue with ii below and shall return all responses to the Tallahassee Purchasing Office)
- ii. Conduct an independent review of each response as compared to the Evaluation Criteria set forth in the ITN
- iii. Score each response, as compared to others to establish a competitive range with which to negotiate
- iv. Identify negotiation points during evaluations
- v. Sign/Initial the score sheet and negotiation points and return them to the Tallahassee Purchasing Office.

Once the score sheets are received by the Tallahassee Purchasing Office, they will be verified and a Summary of Scores will be created and submitted back to the Contract Manager to determine who negotiations will be conducted with. Should a discrepancy be found, the Tallahassee Purchasing Office will consult with the appropriate team member as needed. **The Tallahassee Purchasing Office will not alter scoring.**

If all respondents are not chosen to negotiate with, a short list may be used. However, if a short list is utilized, it must be advertised for a reasonable time on the VBS, prior to commencing any negotiations. A short list is considered an agency decision, therefore during this period of advertisement, any respondent may file an intent to protest in accordance with [Chapter 120](#), FS

The respondents chosen to conduct negotiations will be contacted by the Tallahassee Purchasing Office to schedule an appropriate date/time to conduct those negotiations. At that time, the negotiation points previously provided by the ITN-Evaluation Team will be submitted to the respondent for their review prior to negotiations. The Tallahassee Purchasing Office will also coordinate meeting locations, dates, times and prepare an agenda for each negotiation session.

The Tallahassee Purchasing Office will facilitate and record negotiation meetings, unless a FCCN is a designated team member. Once negotiation sessions commence, a negotiation team meeting may be necessary. If this public meeting has not been previously advertised by the solicitation timeline or any addendum, it will be advertised within a reasonable time on the VBS by the Tallahassee Purchasing Office. Following the advertisement of the public meeting notice, the meeting may occur. **REMINDER:** *This meeting is open to the public.*

Following negotiations, the Contract Manager will be responsible for creating and submitting to the Tallahassee Purchasing Office a Justification for Award. This justification, at a minimum, must contain a short plain statement that explains the basis for the selection of the vendor and that sets forth the vendor's deliverables and price, pursuant to the contract, along with an explanation of how these deliverables and price provide the best value to the state. This justification is required to be included in the Contract File and **auditors will be looking for this documentation.**

Typically, an ITN may take up to 4-6 months from submission to the Tallahassee Purchasing Office to award.

- C. Conflict of Interest** - Individuals taking part in the development or selection a competitive solicitation, including the Purchasing Manager, shall attest in writing that they are independent of and have no conflict of interest in the entities responding to, being evaluated and/or selected for an award to a competitive solicitation. This attestation shall be accomplished through the DMS PUR 7662 [Attestation of No Conflict Form](#) and submitted to the Purchasing Manager prior to evaluating any responses to a RFP/ITN. This form shall become part of the contract file, and **auditors will be looking for it.**
- D. Protests** - Vendors filing an Intent to Protest in accordance with [s. 120.57\(3\)\(b\)](#), FS, shall provide, at the time of filing the formal written protest, a bond payable to FWC in the amount of one percent (1%) of the estimated contract amount.

- E. Administrative Functions (ITB/RFP/ITN)** - Once the Bid Request Form and all required documentation as specified above for ITB/RFP/ITN is submitted to the Tallahassee Purchasing Office, a Purchasing Manager will be assigned to work with the Contract Manager to administer and facilitate the competitive solicitation as follows:
- 1. Routing/Review** – The Purchasing Manager will review all documentation and apply the appropriate agency approved language to the draft solicitation, as deemed necessary by the Contract Manager. Once the Contract Manager has addressed the revisions and comments provided by the Purchasing Manager, the draft document will be routed to the Legal Office for review. Further revisions and comments provided by Legal may constitute further revisions to the draft document by the Purchasing Manager or the Contract Manager. **Note:** If any language is altered after review of the Legal Office, a second review of Legal may be necessary, depending on the legal ramifications of those changes. Before moving to the next step below, a draft Timeline/Calendar of Events may be created by the Purchasing Manager as part of the draft and in conjunction with the Contract Manager. These events, dates/locations may be revised as necessary, based on the review/routing process.
 - 2. Advertising** – Once all revisions and the Timeline/Calendar of Events is complete the Purchasing Manager will advertise the solicitation on the VBS. This advertisement meets the statutory provision to provide all vendors notice simultaneously with detailed specifications, terms and conditions applicable to the solicitation, the date and time for the receipt of bids and of the public opening. **Note:** The Purchasing Manager will also send the advertisement to prospective vendors that have been provided by the Contract Manager.
 - 3. Conversations/Meetings (Important)** – Once advertised, the Purchasing Manager will be the sole point of contact regarding the ITB, RFP or ITN. There must be no communications (phone calls, emails, faxes, etc.) between the Contract Manager or any team members including but not limited to potential vendors and program staff. If contacted by potential vendors, the Contract Manager should immediately notify the Purchasing Manager of such contact. **Tip:** In addition, if the Contract Manager is an appointed Evaluation and/or Negotiation Team Member there should be no conversations, emails etc. between him/her and other team members during an active solicitation. All communications will be handled by the Purchasing Manager (see s. [287.057\(23\)](#), FS).
 - 4. Questions (Q/A)** – As outlined in the solicitation Timeline/Calendar of Events and described in the solicitation document, questions may be asked by potential vendors during the competitive solicitation event or as specified in the Timeline/Calendar of Events. It is recommended the Purchasing Manager to send the questions to the Contract Manager upon receipt so that they have adequate time to prepare an answer. Programmatic questions will be answered by the Contract Manager, while administrative questions will be answered by the Purchasing Manager. Once all questions/answers have been sent back to the Purchasing Manager, a final document will be posted on VBS. This allows the Purchasing Manager to assist with formatting, add the administrative questions and answers and discuss final questions/answers with Contract Manager, prior to posting the Q/A on the VBS. **Note:** It is not necessary for the Q/A to identify which vendor submitted the question(s).

5. **Pre-Bid/Proposal Conference or Site Visit – Events (If required by the ITB/RFP/ITN)** – If the Timeline/Calendar of Events designates one or more of these events, they will occur prior to posting the final Q/A. Since these meetings are considered a public meeting and were noticed via the Timeline/Calendar of Events in the solicitation, minutes will be required to be taken and the meeting must be recorded (with the exception of Site Visits). The Purchasing Manager or designee will be responsible for facilitating these events by providing an opening/closing statement, introductions, preparing sign-in sheets and recording the meeting (minutes and electronically). **Note:** If a court reporter is desired, the Contract Manager’s budget will be utilized to render such services, and a purchase order must be executed prior to the event.
6. **Pre-Bid/Proposal Facilitation** – The Purchasing Manager will read aloud the previously submitted written questions and answers (Q/A – See above). Potential vendors will be offered the opportunity to ask additional questions which may be answered by the Contract Manager or designated staff in attendance; answers to questions may also be deferred during these events until the posting date of the Q/A indicated in the Timeline/Calendar of Events. If additional questions are posed, the Purchasing Manager will compile a list of the addition questions received (recorded) or the ones that were deferred to the Contract Manager for answering, prior to the Q/A being posted on the VBS.
7. **Site Visits** – A site visit may be necessary during a solicitation process to allow vendors to view facilities, sites or equipment etc. prior to the submittal of a response. During site visits it is important that no conversations/questions be entertained, unless a pre-bid or pre-proposal conference is conducted in conjunction with the site visit. Site Visits are typically not recorded; however, the pre-bid/proposal conferences are required to be recorded. Vendors will be advised by the Purchasing Manager or designee at the beginning of the site visit to hold their questions until the pre-bid/proposal meeting continues after the site visit, if applicable. This ensures all questions are heard by all attendees, recorded and documented. **Tip:** Vendors may be provided a means to write their questions down during a site visit.
8. **Opening** – The Timeline/Calendar of Events and solicitation language will clearly explain when and where the bids are due and when the opening will occur. Openings are considered public meetings and vendors may attend. Prior to the opening, the Purchasing Manager shall verify locations where submittals were to be received, prepare the sign in sheet and bid tabulation sheet. The Purchasing Manager will open the submittals and perform the following:
 - a. Per [Chapter 287](#), FS (Commodities or Services) – Read aloud the bidder’s name and record the vendor’s name on the Bid Tabulation Sheet.
 - b. Per [Chapter 255](#), FS (Construction) – Read aloud the bidder’s name, price and record the vendor’s name and price on the Bid Tabulation Sheet.

The Purchasing Manager may provide copies of the bid tab, upon request of attendees/vendors. However, submittals are not public at the time of opening, per s. [119.071](#), FS. The Contract Manager and/or other staff may attend the opening; however, they are not required to do so. **Note:** Responses submitted or delivered late will not be accepted.

NOTE: If a vendor participates in developing a solicitation they will become ineligible to bid on the work.

F. Evaluation of Responses – After the ITB/RFP/ITN opening

1. **ITB** – The Purchasing Manager will review the responses for completeness and determine the apparent lowest bidder. The apparent lowest responsive submittal will be scanned and sent to the Contract Manager. The Contract Manager is responsible for determining if the bidder is responsible, as defined in statute. If a responsive and responsible vendor is chosen for award, as determined by the Contract Manager, the determination shall be submitted to the Purchasing Manager in writing for the posting of the Intent to Award on VBS. If the lowest bid submittal is found to not be non-responsive and/or non-responsible by the Purchasing Manager or the Contract Manager, the second apparent lowest bidder, if found to be responsive and responsible will be sent to the Contract Manager for their determination, and so on. If the Purchasing Manager and/or Contract Manager determines none of the responses are responsive or responsible, a Reject All must be posted on the VBS. A justification must be created by the Contract Manager and submitted to the Purchasing Manager before a Reject All can be posted. This justification to Reject All must detail the reasons why the submittals were rejected. **Note:** It is important to remember that the dates indicated on the Timeline/Calendar of Events should be followed as closely as possible. If for any reason these dates cannot be met, a Notice of Delay (Addendum) should be issued by the Purchasing Manager in conjunction with the Contract Manager's determination. **Tip:** If a date in the Timeline/Calendar of Events is not met within 2 business days, it is recommended a Notice of Delay be issued.
2. **RFP** – Prior to responses being distributed to the RFP Evaluation Team, an Evaluation Team Training shall be conducted to explain roles and responsibilities, process and applicable guidelines related to the solicitation. Any meeting/training during an active solicitation must be publicly advertised within a reasonable time, prior to the meeting/training. The RFP Evaluation Team will be responsible for evaluating/scoring proposals. Once the evaluation/scoring is complete, the evaluation/scoring shall be returned to the Purchasing Manager who will in coordination with the Contract Manager, conduct a verification of scoring.
3. **ITN** – Prior to responses being distributed to the ITN Evaluation Team, an Evaluation Team Training shall be conducted to explain roles and responsibilities, process and applicable guidelines related to the solicitation. Any meeting/training during an active solicitation must be publicly advertised within a reasonable time, prior to the meeting/training. The ITN Evaluation Team will be responsible for evaluation/scoring and composing Negotiation Points. Once evaluations/points have been completed, the scores and points shall be returned to the Purchasing Manager who will, in coordination with the Contract Manager, verify all scores for accuracy. The Purchasing Manager will then prepare a Summary of Scores which will be verified by the Contract Manager. If deemed necessary, the ITN Negotiation Team may meet to determine with whom they will negotiate with. This meeting shall be considered a public meeting and must be publicly noticed within a reasonable time prior to the meeting, recorded and minutes taken. The public notice may be administered via the Timeline/Calendar of Events or Addendum and posted on the VBS. Once the ITN Evaluation Team has completed their public meeting, if applicable, a recommendation shall be provided to the Purchasing Manager detailing what vendor(s) will proceed to the next phase,

negotiations. **Note:** If the recommendation is made to only negotiate with select vendors and not all, this decision is considered as “short-listing” and must be publicly noticed via VBS for a reasonable time, before any Negotiation may begin. Should an Intent to Protest be received as a result of the short-list decision, the process will cease until further determination is made by Purchasing and/or Legal Counsel. If no intent to protest is received and as a result of the short-list decision, the Purchasing Manager will begin coordinating/scheduling negotiation meetings with the identified vendors and the ITN-Negotiation Team. A conference-call or face-to-face negotiation may be conducted, as determined by the Contract Manager.

G. Facilitation of Meetings (ITB/RFP/ITN) – The Purchasing Manager or designee will facilitate meetings by, at a minimum:

- Record the meeting
- Take minutes
- Prepare and administer the Sign in Sheet
- Opening statement

- Facilitate Negotiation Meetings by reading the points allowed (ITN Only)

Note: If a FCCN is on the team he/she will conduct negotiations. The Contract Manager or other subject matter experts, as deemed necessary, will be expected to provide their knowledge and expertise during negotiations.

Should the ITN-Negotiation Team have the need to reconvene following vendor negotiations, this will be considered a public meeting and must have been noticed via the Timeline/Calendar of Events or Addendum on the VBS within a reasonable time, prior to the meeting. **Tip:** These meetings often allow the ITN-Negotiation Team a chance to discuss strengths and weaknesses.

H. Prior to Posting the Intent to Award (ITB/RFP/ITN) – The Contract Manager will prepare a Vendor Selection Justification (a statement that explains the basis for vendor selection and how the deliverables and price provide the best value to the state) and send to the Purchasing Manager. The Purchasing Manager’s final function, prior to posting the Intent to Award, will be to complete the Bid Tabulation documenting, at a minimum, the following:

- Ensure the Title and Name of the Solicitation are accurately noted on the Bid Tab
- Ensure the Opened By, Tabulated By and Verified By information is accurately reflected on the Bid Tab
- Verify all Respondent’s Names are accurately identified on the Bid Tab
- Verify pricing is included on the Bid Tab (ITB Only)
- Verify evaluation scores have been documented on the Bid Tab (RFP/ITN Only)
- Verify Mandatory Requirements (y/n) is identified as such on the Bid Tab (ITB/RFP/ITN)
- Verify vendors who were negotiated with are documented as such (y/n) – (ITN Only)
- Ensure the intended award/respondent is documented on the Bid Tab (y/n) – (ITB/RFP/ITN)
- If a Reject All or other Action is taken as a result of evaluations and/or determination by the Contract Manager, the Purchasing Manager will ensure the appropriate comments are inserted on the Bid Tab.

- I. Posting the Intent to Award** – The Purchasing Manager will post the intended decision (bid tabulation) for the required 72 hours (3 business days) on VBS. **Note:** This is an opportunity in which a vendor may file an intent to protest. If an intent is received, the Purchasing Manager or Legal Office will contact the Contract Manager of the next steps. The vendor has 10 calendar days, following any Intent to Protest to submit a formal written protest and bond to the FWC.
- J. Following the Intent to Award** - Pending no Intent to Protest is received, the Purchasing Manager will notify the Contract Manager to proceed with the formal written contract or purchase order. **REMINDER:** A formal written contract or purchase order requires a review/approval process. Also, staff that named to manage the resulting contract or purchase order must have completed required training prior to assuming these responsibilities. If the Contract/PO is \geq \$35,000 but less than \$100,000 Advancing Accountability training is required. If the Contract/PO is \geq \$100,000 the DMS Florida Certified Contract Manager (FCCM) training is required. Please note that the FCCM training will cover both requirements.
- K. Exemptions to a Competitive Solicitation** (per [Chapter 287.057](#), FS) - The following exemptions outlined in statute, include:
- Regulated utilities and government franchised services;
 - Regulated public communications, except long distance telecommunications or facilities;
 - Artistic services;
 - An academic program review if the fee for such services does not exceed \$50,000;
 - Lectures by individual; (a lecture is a reading or presentation on any subject (not training));
 - Promotional services and events purchased from donated funds by the Secretary of State s. [15.18](#), FS;
 - Legal services, including attorney, paralegal, expert witness, appraisal, or mediator services;
 - Health services involving exams, medical consultation, diagnosis, treatment;
 - Family placement services;
 - Prevention services;
 - Training and education services provided to injured employees pursuant to s. [440.491\(6\)](#);
 - Contracts entered into pursuant to [s. 337.11](#), FS;
 - Continual education events or programs that are offered to the general public and for which fees have been collected that pay all expenses associated with the event or program;
 - Purchases as a result of DMS approved of an alternate contract source;
 - State Contracts;
 - Services or commodities provided by governmental agencies.
 - Emergency procurement per statute
 - Single Source procurements

- L. **Vendor Lists** Convicted / Suspended / Discriminatory / Federal Excluded Parties/ Complaints - These lists are maintained by the DMS and consists of vendors that have been:
1. **Convicted of a Crime** – [s. 287.133\(3\)\(d\)](#), FS, provides that the DMS shall maintain a list of the names and addresses of those who have been disqualified from participating in the public contracting process under this section.
 2. **Suspended** – Vendors removed from the Vendor List pursuant to [Rule 60A-1.006](#), FAC
 3. **Discriminatory**
 4. **Federal Excluded Parties List** - The Federal Excluded Parties List is furnished for convenience in complying with Federal grant requirements, and/or determining vendor responsibility in accordance with [s. 287.057\(1\),\(2\), and \(3\)](#), FS; and [Rule 60A-1.006\(1\)](#), FAC. This list may be helpful when establishing contracts from grant funding.
 5. **Complaints** – Lists all formal Vendor Complaints issued to vendors by state agencies and received by the DMS. DMS tracks this information as part of its vendor management processes. Agencies are encouraged to review this information before making judgments about a vendor's responsibility pursuant to [Rule 60A-1.006\(1\)](#), FAC.
- M. **Public Information** - Employees shall not divulge information concerning competitive quotations to vendors for any purpose prior to the issuance of a purchase order, execution of a P-Card procurement or execution of a contract. Once the purchase or contractual document has been executed, or if quotes received are not to be utilized, employees may divulge any information to the requesting vendor at that time. Quotes are public information. If information on previous bids, quotes or purchase orders are requested, these items are also public information. Contact the Tallahassee Purchasing Office when unsure about divulging information to a vendor or any other non-FWC personnel. If a vendor requests copies of competitive results, the request should be made by the vendor to the Tallahassee Purchasing Office (by phone, mail, E-mail, or fax). A fee may be charged for the actual cost of duplication, if copies are requested ([s. 119.07](#), FS)

SECTION 4 – OTHER METHODS OF PROCUREMENT

- A. **Agency Term Contracts (ATC)** - When it is anticipated that products may be needed on a statewide basis and repetitively purchased on a continuing basis throughout the year(s), the establishment of an ATC should be considered. The FWC executes the ATC for use by all Divisions/Offices. Use of the ATC may be deemed mandatory and will include the assignment of a Florida Certified Contract Manager. When issuing a MFMP purchase order or P-Card purchase, as a result of an ATC, it shall contain the FWC's Contract Number.

The Tallahassee Purchasing Office shall be responsible for the administration of Agency Term Contracts.

B. Alternate Contract Source (ACS) ([Rule 60A-1.047](#), FAC) - The FWC may purchase commodities and services from contracts competitively procured and issued by other governmental entities (e.g., federal government, another state agency, or a political subdivision). All requests for an ACS must be reviewed and approved by the Tallahassee Purchasing Office as well as DMS. Approvals shall be contingent upon, but not limited to, if the request is cost effective and in the best interest of the FWC, in lieu of issuing a competitive solicitation. When submitting the ACS request, the D/O shall:

1. Complete and submit the DMS PUR 7102 [Agency Request for Review of Alternate Contract Source](#) form to the Tallahassee Purchasing Office; and,
2. Attach the original contract issued by the other governmental agency which must contain specific language or other legal authority authorizing third parties to make purchases from the contract, with the vendor's consent. Tip: See Cooperative Purchasing language in the DMS PUR 1000 [General Contract Conditions](#) as an example.
3. Include an attestation from a Commission-Certified Contract Manager that the ACS provides the same commodities or contractual services and amount being sought; and, if services are for a specified area, region etc. the proposed ACS must be for that location. If services being sought are outside of the ACS specified area(s), the ACS request will not be approved or processed.
4. Include the competitive solicitation from which the contract was established.

Once this documentation is received by the Tallahassee Purchasing Office it will be reviewed to ensure compliance. Upon review/approval to proceed, the Tallahassee Purchasing Office will submit the form to the potential vendor for signature and route to the appropriate approving authority, to include but not limited to, DMS.

The DMS has the right to approve the ACS request for a single or for multiple transactions or for a specific period of time. The DMS also approves ACS requests to be utilized by all state agencies. For more information, go to the [DMS website](#).

C. Minority and Veteran Owned Business Participation - State agencies are encouraged to improve business opportunities for Florida-based woman-, veteran- and minority-owned small businesses in procurement opportunities.

To find out more about this program or to locate vendors who meet these criteria, go to the [DMS website](#).

D. Prison Rehabilitative Industries and Diversified Enterprises (PRIDE) (s. [946.515](#), FS) – Except when available from [RESPECT of Florida](#), the FWC must purchase commodities or contractual services from PRIDE.

The products offered by PRIDE must be of similar price and quality with what is available in the market. If another vendor offers the commodity or service as defined by the specifications or SOW, then the requestor must document reasonable determination of its procurement need(s), pricing, quality, and delivery requirements relating to the purchase of PRIDE's products, and receive approval by the appropriate Purchasing Authority. Purchasing approval must be added to the procurement file.

Any service or item manufactured, grown or produced in a Florida correctional work program is available to be purchased by any eligible user. When PRIDE is used, competitive quotes are not required, except for printing. Letterhead stationary and business cards are certified items required to be purchased from PRIDE.

- E. Recycled or Recyclable Products** – As an environmental agency participating in the Solid Waste Management Act, the FWC will take an active role in the development and of markets for products with recycled materials through the purchase of commodities made from recycled or recyclable materials.
- F. RESPECT (s. 413.036, FS) - RESPECT** products and services have been designated for purchase by all agencies and political subdivisions and are produced by nonprofit community-based organizations employing Florida citizens with disabilities.

The FWC must purchase commodities or contractual services from RESPECT of Florida when the identified procurement need is available, is comparable in market price and quality, and is available within a reasonable delivery time. When Respect is used, competitive quotes are not required.

If a state term contract also offers the commodity or service, then the FWC may choose to purchase from a vendor on a state term contract or from RESPECT of Florida based upon the best value to the state.

The latest copy of the procurement list from RESPECT of Florida can be obtained at: [Procurement List](#).

- G. Single Source** - If a commodities or contractual services are available from only one source and are the only commodities/services that meets the need, the following guidelines shall apply:
1. **\$2,500 - \$34,999** – Commonly known as an Informal Single (Sole) Source (less than Category Two, \$35,000). Informal Single (Sole) Source purchases require a justification to be included in the comments of the MFMP requisition; if a P-Card is utilized, the review and approval of the supporting purchasing office must be obtained prior to the purchase. This approval must be included in the P-Card backup documentation.
 2. **\$35,000 or Greater** - Commonly known as a Formal Single (Sole) Source. The following information/documentation will be provided to the Tallahassee Purchasing Office when utilizing this process:
 - a. The completed DMS PUR 7776 [Description of Intended Single Source Purchase](#) including a justification detailing:
 - i. Why this is the only commodity/contractual service that will meet the need?
 - ii. Why this is the only vendor that can provide the commodity/contractual service?
 - b. Any employee involved in drafting a formal sole source will complete the DMS PUR 7662 [Attestation of No Conflict](#). This form must be submitted to the Tallahassee Purchasing Office prior to advertising.

- c. The Tallahassee Purchasing Office will review the information/documentation DMS PUR 7776 [Description of Intended Single Source Purchase](#), obtain the appropriate approvals, and advertise the request, as required, for seven (7) business days on the VBS. If a dispute from another vendor is received during this timeframe, the Tallahassee Purchasing Office will forward the dispute to the requestor in order to obtain a response. The requestor must immediately research the validity of the dispute. If the commodity or service is found to be available from more than one provider, the single-source process stops and the requestor must begin the competitive solicitation process. If no disputes are received during this timeframe, the single-source process continues.
- d. After the seven (7) day advertisement has been completed and pending no inquiries, the Tallahassee Purchasing Office will complete the DMS PUR 7778 [Notice of Intended Decision to Enter into a Single Source Contract](#) which serves as the intent to award, and will be posted on the VBS for 72 hours, excluding weekends and holidays. During this period, vendors adversely impacted by the Agency Decision may file an intent to protest.
- e. The Tallahassee Purchasing Office will notify the requestor once the Agency Decision completes posting.
- f. The FWC may issue formal single sources for contract terms up to three (3) years; single sources cannot be renewed.

Although agencies are supposed to group like commodities or services together for better pricing; due to having decentralized purchasing functions with full time staff in the Service Centers; the single source requests do not have to be combined and submitted to Tallahassee when the amount per Service Center will not exceed Category Two for the same single source vendor.

PLEASE NOTE: [Rule 60A-1.045](#), FAC provides direction on the process for single sources and [s. 838.22](#), FS outlines the penalty for official misconduct in a competitive procurement. It is a **second-degree felony** if it is found that a person knowingly circumvents the competitive bid process by falsely claiming a single source.

H. State Term Contracts (STC) - DMS administers indefinite quantity, term contracts for all agencies and eligible users to utilize. Some examples of commodities and contractual services on STC include: furniture, office supplies, vehicles, car rental, common software, consultant services, IT equipment/computers, etc.

State Term Contracts have been deemed mandatory, unless it is determined in writing that a STC commodities or contractual services will not meet the agency's needs and therefore it is necessary to purchase the commodity(ies) or contractual services or additions from another source. Price is not a factor for not utilizing these contracts.

This written justification must be due to one of the following reasons:

- commodities or contractual services cannot meet the specified delivery requirements needed;
- commodities or contractual services cannot meet the need for compatibility with existing equipment or systems; or,
- commodities or contractual services do not meet the agency-required specifications, quality levels or technical requirements.

The justification for the exception shall be documented on the MFMP purchase order comments; if a p-card is being utilized, the exception justification shall be approved, prior to the purchase, by the supporting purchasing office. This approval must be included in the p-card documentation/file.

State Term Contracts will be checked for availability, prior to making a purchase. Terms and conditions may vary amongst state contracts. Additionally, some contracts may contain a requirement for Request for Quotes (RFQ) requirements (Rule [60A-1.043](#), FAC). The RFQ is to seek additional competition within the STC.

I. Urgent or Emergency Purchase of Commodities or Contractual Services (Chapter [287](#), FS) – When a commodities or contractual services is necessary due to an urgent/emergency situation and time to obtain quotes or issue a competitive solicitation is not feasible, the following categories shall apply:

1. \$2,500 - \$34,999 - While it is always recommended to obtain quotes, if quotes cannot be obtained due to an urgent/emergency, the D/O may proceed with the purchase and include a justification in the comments of the MFMP requisition detailing why quotes could not be obtained. If using the P-Card, a written justification must also be included in the backup documentation.

2. \$35,000 or Greater - The DMS requires that the DMS PUR 7800 [Notice of Emergency Purchase](#) must be completed and approved by the FWC and DMS and accompany the payment request when being sent the DFS for payment.

a. Governor or Executive Director – Declared State of Emergency (Executive Order)

- The Governor may, by Executive Order or proclamation, declare a state of emergency in one or more of Florida's counties and suspend some or all procurement provisions. The order may limit the suspension of procurement laws based on geographic region, by category of purchase, and other limitations as deemed necessary to serve the public interest.
- In the event an Executive Order has been issued, the requestor does not need prior approval from the Tallahassee Purchasing Office to proceed with the purchase. If possible, quotes should be obtained, but is not required during a declared emergency. The requestor must notify the Tallahassee Purchasing Office prior to making the emergency purchase and provide the statement detailing the event(s) creating the emergency; the detail must meet all criteria for an emergency purchase as defined in [Rule 60A-1.045](#), FAC. The statement must certify the conditions and circumstances requiring an emergency purchase of commodities or contractual services in excess of the Category Two threshold.
- Upon notification and receipt of the statement from the D/O, the Tallahassee Purchasing Office will complete and submit DMS PUR 7800 [Notice of Emergency Purchase](#) to the Executive Director or Designee for certification, prior to issuing the PUR 7800 to DMS and DFS. The form must be submitted to DMS within thirty (30) days after the date of purchase.
- The requestor must attach the approved DMS PUR 7800 and invoice (if available) to the MFMP purchase order.
- The method of procurement code "O2 – Emergency per Executive Order" should be used when completing the purchase requisition.

SECTION 5 – PROCUREMENTS REQUIRING SPECIAL PROVISIONS/APPROVALS

Approvals and/or documentation required for the following type of purchases are to be attached to the MFMP purchase requisition or in the P-Card transaction documentation.

A. Repair to a FWC-Owned Vehicle Due to an Accident - When a repair to a FWC-owned vehicle is due to an accident, the equipment property number must be documented and a copy of the police report or accident report must be submitted with the back-up documentation.

B. Advance Payments - If a vendor requires an advance payment prior to the commodities being delivered or the contractual services being rendered, the criteria outlined in the [Reference Guide on State Expenditures](#) as follows:

- Advance payment will result in a savings to the State that is equal to or greater than the amount the State would earn by investing the funds and paying in arrears.
- The goods or services are essential to the operation of a state agency and are available only if advance payment is made.

The approval of the FBO-Accounting Services, Disbursement Unit is required for purchases of \geq \$35,000. Additionally, DFS approval is required, which is handled by FBO-Accounting Services. See exceptions to this approval in the [Reference Guide on State Expenditures](#).

C. Air Cards - To request the approval to purchase Air cards, the OIT form located on the [FWC Portal](#) shall be utilized.

D. After the Fact - All purchases shall be administered by a MFMP purchase order or the state's P-Card, if applicable. If commodities or contractual services are obtained without a MFMP purchase order or via the State's P-Card, and are below Category Two (<\$35,000), a written justification must be provided on the MFMP After-The-Fact Requisition (listed in the title of the requisition) and requires the approval of the supporting purchasing office. This justification shall include why the purchase occurred without a purchase order or P-Card, and the corrective action to prevent reoccurrence. The invoice must be included as an attachment to the MFMP requisition and/or with the P-Card documentation.

For an after the fact payment that meets or exceeds Category Two (<\$35,000.00), a Settlement Agreement must be processed and approved by DFS. Contact the Tallahassee Purchasing Office for processing.

E. Cellular Phone Purchases - Requests for obtaining a new or replacement cellular phone shall be reviewed and approved by the designated D/O. This approval may be obtained via the OIT form located on the [FWC Portal](#).

NOTE: Cellular services are a prohibited purchase via the P-Card. However, equipment may be purchased with a P-Card.

F. Water Purchases - Purchases of water (i.e., bottled or dispensing system) must be justified and will require the prior approval of the D/O Director or designee; and, the annual prior approval of the FBO-Accounting Services, Section Leader. Examples of justifications may be provided by FBO-Accounting Services, as needed.

G. Business Cards - Business cards may be obtained from PRIDE (unless you make your own via a computer, etc.) Only Section Leaders and above may purchase two color business cards.

H. Communication Equipment - Telephones, Telephone Lines, Data and Video Communications - The purchase of the following, require the prior approval of the Chief Information Officer (CIO):

- Data Communications - Data services, communications lines, equipment and building wiring systems
- Telephone Communications - New and replacement telephone systems and related high-speed communications circuits
- Video Communications - Video conferencing systems and related high-speed communications circuits

A Communication Service Authorization (CSA) is required for obtaining authorization to add, delete or change existing equipment or services when provided by a regulated telecommunications company. The CSA requirement is approved by the D/O Director (or Assistant or Deputy Director) and forwarded to the CIO office for approval. DMS's automated CSA form will be prepared and submitted by OIT's telecommunications specialist based on the D/O's approved requirements along with their funding codes.

Inside telephone services are acquired from a non-regulated telephone service vendor using applicable purchasing practices for the services. The subsequent approval must be attached to purchase requisition, or to the P-card transaction documentation. Prior CIO approval is required before the purchase is actually made.

I. Information Technology Related Purchases - When there is a need to obtain standard desktops and/or portable computers, mobile communications devices, or software licenses, the OIT Desktop Services portal site shall be utilized, prior to issuing the MFMP requisition.

Visit the [Technology Request Form](#) or contact the Desktop Services Manager for instructions on how to acquire these items.

All other prospective technology (hardware or software) purchases shall be submitted for technical review by OIT, follow competitive purchasing policies and require the explicit approval of the D/O Director plus the CIO and/or the CIO's designee. The submission will include the following:

- A description of the items to be purchased
- One-time and recurring costs
- An explanation of the items' use and benefits to the agency

The subsequent approvals must be attached to purchase requisition, or be attached to the P-Card transaction documentation. Prior approval is required before the purchase is actually made.

J. Job-Related Training - Each D/O is responsible for arranging for job-related training for their personnel. For information regarding internal training opportunities, go to: [Agency Training](#)

K. Equipment Leases (e.g. Copiers, Vehicles, etc.) – Copiers/Multi-Function Office Machine – Copiers shall be leased or purchased using the [DMS-State Term Contract](#). Should a lease and overage estimate meet or exceed Category Two (\$35,000) in any fiscal year, the D/O must complete the [DFS-Checklist for Equipment Leases](#) located under the **Financial Reporting** tab and submit to the Tallahassee Purchasing Office for submittal to DFS, **prior** to the MFMP requisition submittal. Once the form has been reviewed/approved by DFS, the Tallahassee Purchasing Office will notify the requestor. This form/approval shall be attached to any subsequent MFMP purchase order.

- **Equipment** - Any multi-function office machine (copier, scanner, printer, fax machine) must have prior approval of the OIT. This approval is obtained in MFMP by including OIT-Special Approver for IT equipment in the approval flow.
- **Vehicle Leases** - If the lease agreement is anticipated to meet or exceed Category Two (\$35,000) in any fiscal year, the [DFS-Checklist for Equipment Leases](#) requirement shall also apply.

All leases for motor vehicles for a period in excess of thirty (30) days (any cost) requires the prior approval of the DMS-Bureau of Fleet Management and Federal Property Assistance. This approval shall be obtained **only** through the MFMP requisition approval flow (**NOTE:** P-Cards may not be utilized for the lease of a vehicles in excess of thirty (30) days).

If renting/leasing equipment from another source, not the DMS-State Term Contract, insurance may need to be obtained. Contact the FBO-Asset Management Section for instructions or assistance.

L. Prohibited Expenditures (Exceptions) - The FWC may only purchase items necessary to carry out statutory duties and should select items on economically prudent and cost-effective basis.

Procurement of commodities and services to satisfy the personal preference of FWC employees is not allowed.

Examples of prohibited purchases include, but are not limited to:

- Congratulatory or condolence telegrams
- Plants, flowers, pictures, plaques, statues, globes, and other decorative items except those associated with fixed capital outlay projects or an approved awards program
- Entertainment
- Refreshments
- Convenience appliances including, but not limited to, heaters, fans, refrigerators, stoves, microwaves, dishwashers, coffee makers, and smoke filters
- For examples of prohibited purchases please see the [Reference Guide for State Expenditures](#) under the **Payments** tab.
- Items not purchased in accordance with applicable federal, state or local laws and ordinances

Exceptions may apply on a case-by-case scenario. The exception justification must be approved by the supporting Purchasing Office and if applicable the DFS Bureau of Auditing. This approval must be obtained prior to submittal of the MFMP requisition or P-Card transaction. If a P-Card is utilized, the approvals shall be attached to all file documentation.

The justification shall state the intended use, statutory authority, the benefit to the agency, and, if applicable, that the purchase is for a replacement of a like item. Examples of exceptions may include, but are not limited to, cameras, freezers, fans, heaters, televisions, lamps, laboratory supplies, lumber, etc.

M. Federal Fund Guidelines - Regardless of where the funding comes from, the State's procurement guidelines shall apply. There are applicable determinations and/or forms required when using Federal Funding. Please refer the DFS guidelines as outlined in the [Reference Guide on State Expenditures](#) or contact the Tallahassee Purchasing Office.

N. Furniture Purchases - The [Reference Guide on State Expenditures](#) has established price limits for chairs, tables etc. Should a request to purchase furniture exceed those established in the guide, a justification must accompany the MFMP requisition and be approved by the supporting Purchasing Office and the DFS-Bureau of Auditing prior to the purchase. Each supporting Purchasing Office will be responsible for submitting these requests to DFS. The approval, if obtained, shall be attached to the MFMP purchase order or if a P-Card is utilized, the approval shall be attached to the file documentation. Acceptable justifications include, but are not limited to, reasonable accommodation under the Americans with Disabilities Act.

O. Insurance - The FWC requires contractors to have certain types of insurance, if they will be performing services on property owned/leased by the FWC. These types of insurances include, but are not limited to:

- Workers' Compensation
- Vendor's Public Liability and Property Damage Insurance

The appropriate language/requirements must be outlined in the SOW or Solicitation. To obtain the most up-to-date language, contact the Tallahassee Purchasing Office.

P. Rental of Space/Formal Leases - Rental of meeting space (e.g., at a hotel or with another governmental agency) may be accomplished by a MFMP purchase order or P-Card transaction. However, no rental agreement should be signed by a FWC-employee prior to the review of the Legal Office.

Rental of space (e.g., office, storage, modular buildings, trailer/mobile unit, hangers, etc.) for 120 days or less may be accomplished by a MFMP purchase order or a P-Card transaction with the **prior** approval of the FBO Facilities Services Manager. A purchase order or P-Card may be used for leases of uncovered space or wet slips for any amount of time. All purchasing guidelines and provisions shall apply. All formal leases will be handled by the FBO Facilities Services Manager.

Q. Membership Dues ([s. 216.345](#), FS) - Payment of dues for membership of the FWC in a profession or other organization are to be prior approved by the D/O Director (or Assistant or Deputy Director) when the membership is essential to the statutory duties and responsibilities of the FWC.

If a profession or other organization certifies that it will not accept institution memberships, the agency may authorize the payment of an individual membership when it is essential to the statutory duties and responsibilities of the agency.

Payment information must contain a statement that the records of the organization, as they pertain to the public agency from which or on whose behalf the payments are made, shall be public records pursuant to [s. 119.01\(3\)](#), FS

- R. Purchase of Motor Vehicles, Watercraft, Aircraft or other Mobile Equipment** - The term “*motor vehicle*” includes any automobile or light truck, any airplane, or other vehicle designed primarily for transporting persons. Funding for the purchase of motor vehicles must be outlined in the General Appropriations Act, special category, grant authority or reoccurring budget.

This type of equipment shall be purchased through the DMS-State Term Contract or a competitive solicitation contract. All motor vehicle (or other applicable mobile equipment) require the prior approval of the DMS-Bureau of Fleet Management and Federal Property Assistance. This approval shall be obtained by the MFMP requisition approval flow only. ***P-Cards will not be used to purchase mobile equipment.***

When purchasing mobile equipment, a completed MP6301 form must be attached to the MFMP purchase requisition. This form provides all necessary information such as:

- D/O purchasing the equipment
- New Equipment and Specifications
- New Equipment Pricing, as per State Term Contract
- Status of Vehicle in Fleet (Existing or an Addition) – specific legislative approval if adding to the FWC-Fleet
- Assignment of Equipment to be purchased
- Specific duties of assignee and equipment justification
- Description of replaced equipment and Property Number
- Authorization/Signature – must be signed by the D/O Director or designee, or Regional Director.

- S. Moving Expenses** - Refer to [IMPP 6.23 Personnel Moving Expenses](#) (The P-Card ***MAY NOT*** be used for paying for moving expenses.) However, office moves are allowed to be paid by the P-Card.

- T. Perquisites** ([s. 216.262\(2\)\(f\)](#), FS) - Refer to [IMPP 6.19 Perquisites and Sale of Goods and Services](#).

- U. Radios/Communication Equipment** - All purchases of radios/communication equipment for FWC radio system use are required to have the prior approval of the Communications Systems Manager in the Division of Law Enforcement to assure compatibility with current systems.

Marine VHF radio purchases for use in vessels to contact the Coast Guard or Marine operator do not require the approval of the Law Enforcement Communications Systems Manager.

- V. Operating Capital Outlay (OCO) and Capitalizing Property** - OCO is the appropriation category used to fund equipment, fixtures and other tangible personal property of a non-consumable and nonexpendable nature, the value or cost of which is **\$1,000 or more** and the normal expected life of which is one (1) year or more. The state may base OCO purchases on the cost of the functional unit. A functional unit is a collection of items purchased at the same time that you must combine or use together for a certain purpose.

When purchasing OCO or capitalizing property, the following shall apply:

- Capital assets should be reported at historical costs.
- The cost of a capital asset should include ancillary charges necessary to place the asset into its location and condition for use. Ancillary charges include the costs that are directly attributable to asset acquisition – such as freight and transportation charges, site preparation costs, and professional fees.
- Donated capital assets should be reported at their fair value at the time of acquisition plus ancillary charges, if any.
- When the historical cost of a capital asset is not practicably determinable, the estimated historical of the asset should be determined by appropriate methods and recorded. Estimated historical costs and the basis of determination should be so identified in record.
- Any improvements made to a capital asset that extends the useful life of the asset beyond one year should be capitalized.

Please refer to [Florida Administrative Code 69I-72](#), [Chief Financial Officer Memorandum No. 5](#) (2011-2012) and [IMPP 5.8 Property](#) for further guidance and requirements for state-owned tangible personal property.

Improvements to leasehold property, not insured by the FWC that will revert to the leaser upon termination of the lease, are not capitalized in the property records when the total project cost is less than **\$5,000**. These items should be purchased with Expense funds and will be identified as "to be used on leased property" on the MFMP requisition.

Examples of OCO vs. Expense expenditures include, but are not limited to, the following:

- Rigging of new boats and motors is an OCO expenditure. To repair or replace existing rigging is an Expense expenditure.
- A new or additional drain field on state-owned land is an OCO expenditure. Repairing or replacing an existing drain field is an Expense expenditure. A drain field on leased land is considered an Expense expenditure if total cost is less than \$5,000.
- New fencing is an OCO expenditure. Repairing or replacing an existing fence is considered an Expense expenditure.
- A new fence for leased land is an Expense expenditure if total cost is less than \$5,000.
- A security system for a mobile office building on leased land is an OCO expenditure.

SECTION 6 – PURCHASE ORDER VS FORMAL WRITTEN CONTRACT

Purchase orders and formal written contracts are two types of legally-binding contracts used to procure commodities and/or contractual services. There are specific conditions that warrant one over the other, such as how much contract management oversight is necessary.

A. Determining Factors - While formal contracts and purchase orders are legally binding, there are specific conditions that merit the use of each. The following are some considerations which may help D/Os determine the appropriate agreement:

- **Type of Commodity/Service:** Commodities are normally placed on a purchase order. Services requiring well-defined scopes are deliverable based for a specific period of time and are better suited for a purchase order (e.g., staff augmentation). Complex services requiring numerous components to be rendered, monitored, or safeguarded through contract management oversight would benefit from the formal contract process (e.g., client based services and outreach).
- **Length of Service:** Services procured on a one-time, deliverable or as-needed basis are better suited for a purchase order. Services to be performed over an extended time, but are repetitive in nature and require contract management oversight, are better suited for a formal contract.
- **Amount of Purchase:** The dollar amount of an anticipated purchase is not a barrier to the use of any specific purchasing document. It should be understood that the FWC requires safeguarding, monitoring, and contract management oversight for larger purchases; therefore, a formal contract should be utilized.
- **Method of Payment:** Payment(s) for commodities/services on a fixed price, deliverable based, or one-time basis may be suited for purchase order. A cost-reimbursement or fixed-price contract that required extensive supportive documentation and contract management oversight would be best suited for a formal contract.
- **Funding Sources:** Some federal and state funding sources have special conditions associated with funding (i.e., financial compliance audit, recipient/sub-recipient determination, match reporting, verification of federal debarment and suspension, etc.). A formal contract would benefit the provider and the FWC by ensuring that the special conditions are met. A purchase order should be used if the funding source only requires verification that services were completed.

B. MFMP Purchase Order – To issue a MFMP purchase order, a requisition must be submitted in MFMP to include, at a minimum, pertinent information such as:

- Need by date
- Fiscal Year, as applicable
- A full description of the commodity or service being sought to include the service dates of a service.
- Term of Purchase Order (Start and End Date)
- State Contract Number / Solicitation Number, as applicable
- Commodity Code (a DMS number applied to the type of product/service being procured)
- Object Code (a DFS number which applies to the type of product/service being procured)
- A Method of Procurement which applies to the purchase of the commodity/service
- Accounting Codes (i.e., Organization Codes, Expansion Option, PID)
- A justification for the purchase
- A Quantity and Amount
- Shipping Terms (i.e. FOB Destination)
- A Contract Manager Name and phone number, if applicable
- FWC Terms and Conditions
- Applicable backup (e.g., internal/external approvals if not in the Approval Flow, Quotes/Solicitation Documentation etc.)

C. Blanket Purchase Order – Blanket purchase orders may be issued in MFMP for the purchase of commodities or services ordered on an as needed basis. These purchase orders shall not exceed a Fiscal Year. No purchase may be divided into two (2) or more purchases for the purpose of evading the competitive bidding requirement. The blanket purchase order shall prescribe the contract term and the maximum amount of money that may be spent on an “as needed” basis. Blanket purchase orders must contain the following information:

- A start and end date;
- The authorized person(s) to place orders or pick-up merchandise shall be listed in the description section of the MFMP purchase order. This person should not be the same individual with receiving or accounts payable duties or responsibilities;
- “Blanket Purchase Order” must be indicated in the description;
- Products or services shall be identified;
- The description indicates the maximum amount of each single item to be purchased, if applicable; and
- The total amount of the purchase

D. Scope of Work (SOW) – One key component when purchasing commodities or services is the creation of clear and detailed SOW which should include:

- Verifiable quantifiable and measurable tasks and deliverables
- Performance measures to be provided during the performance of the contract,
- Financial consequences for non-performance
- Term (start and end date)

NOTE: If it is determined to utilize a purchase order in lieu of a written formal contract a clear SOW containing all of the above is required. In addition, if the purchase order is a result of a competitive solicitation (ITB, RFP, ITN) the vendor response, bid tab and solicitation page identifying the term must be attached to the MFMP Purchase Order.

Refer to [IMPP 4.2 Contracts and Lease Agreements](#) for additional information necessary in a SOW or contact the Tallahassee Purchasing Office, as needed.

E. Change Orders - To initiate a change to a purchase order or to cancel a purchase order, the requestor must submit an electronic change order through MFMP. The servicing purchasing officer will electronically process the change or cancellation through MFMP.

Change orders will be used to reflect changes in the original transaction only. New orders will require new purchase requisitions and new purchase orders.

One exception to the change order process is a change to budgetary information. Budgetary information can be done thru a Change Order NO Work Flow. A Change Order NO Work Flow is completed by emailing the accounting office the necessary changes to budgetary codes. The email should contain the Purchase Order Number, budgetary changes requested and the requestor.

The following is a reference that provides all of the Minority Codes and Methods of Procurement that are available when completing an MFMP requisition.

Minority Codes

- | | |
|---|---------------------------------------|
| A - Non-Minority | J - Asian/Hawaiian, Certified (CMBE) |
| B - Small Business (State and Federal - Not CMBE) | K - Native American, Certified (CMBE) |
| C - Small Business (Federal - Not CMBE) | M - Women, Certified (CMBE) |
| D - Minority (Federal - Not CMBE) | N - African American, - Non-Certified |
| E - Government Agencies | O - Hispanic, Non-Certified |
| F - Non-Profit Organizations (Not CMBE) | P - Asian/Hawaiian, Non-Certified |
| G - PRIDE | Q - Native American, Non-Certified |
| H - African American, Certified (CMBE) | R - American Woman, Non-Certified |
| I - Hispanic, Certified (CMBE) | S - Non-profit- minority board |

CMBE - Certified Minority Business Enterprise

Methods of Procurement (MOP) listed in MFMP:

MOP Code	MOP Description
A	State term contract without RFQ [s. 287.042(2) and s. 287.056, FS; Rule 60A-1.044(2),FAC]
B	State term contract with RFQ [s. 287.042(2) and s. 287.056, FS; Rule 60A-1.043 and 60A-1.044(2), FAC]
C	Alternate contract source [s. 287.042(16), FS; Rule 60A-1.047, FAC]
D	State purchasing agreement [Rule 60A-1.025, FAC]
E	Purchase under \$2,500 [Rule 60A-1.002(2), FAC]
F	Informally quotes purchase not exceeding \$35,000 [Rule 60A-1.002(3), FAC]
F1	Informal quote [Chapter 255, FS, Construction, Fixed Capital Outlay, Leases
G	Single source \$2,500 or greater, not to exceed \$35,000 [s. 287.057(3)(c), FS]
H	Agency ITB [s. 287.057(1)(a), FS]
H1	Agency ITB [s. 255.25(3)(a), FS]
I	Agency RFP [s. 287.057(1)(b), FS]
I1	Agency RFP [s. 255.25(3)(a), FS]
J	Agency ITN [s. 287.057(1)(c), FS]
J1	Agency ITN [s. 255.25(3)(a), FS]
K	Agency negotiated (following fewer than 2 responsive offers) [s. 287.057(5), FS]
L	Governmental agency [s. 287.057(3)(e)12., FS, defined in s. 163.3164(21), FS]
L1	Purchase made in accordance with s. 11.147, FS
M	blind/handicapped program (RESPECT) per s. 413.036, FS
N	correctional work program (PRIDE) per s. 946.515, FS
O	emergency per Rule 60A-1.045, FAC and s. 287.057(3)(a), FS
O1	Emergency [s. 255.0525(1), FS]
O2	Emergency per Executive Order [s. 252.36(2), FS]
P	single source over Category 2 per Rule 60A-1.045, FAC & s. 287.057(3)(c), FS
Q	Consultant's Competitive Negotiation Act per s. 287.055, FS
R	exempt, county rule (DOH only) & contracts per to s. 337.11 and 287.057(3), FS
S	exempt, commodities purchased for resale per s. 287.012(5), FS
T	exempt reg utilities & public comm except long dist; & gov franchise svcs, Rule 60A-1.002(4), FAC
U	Exempt artistic svc [s. 287.057, FS; Rule 601.002(4)(c), FAC]
V	Exempt, an academic program review [s. 287.057(3)(e)2., FS; Rule 60A-1.002(4)(d), FAC]
W	exempt lecture per Rule 60A-1.002(4), FAC & cont ed offered to public & fees pay expenses, s. 287.057(3), FS
Y	exempt, payments for membership dues pursuant to s. 216.345, FS; per Rule 60A-1.002(4)(h), FAC
Z	exempt, exams approved in accordance with s. 455.217(1)(c), FS; per Rule 60A-1.002(4), FAC
0	exempt, adoption placement svc licensed by DCF, Rule 60A-1.002(4), FAC
1	Exempt, prescriptive assistance devices [s. 287.057(3)(d), FS]

MOP Code	MOP Description
2	Exempt legal svcs, incl attorney, paralegal, exp witness, appraisal, mediator [s. 287.057(3)(e)4., FS]
3	Exempt health svc incl exam, diag, treatment, prevention, med consult or admin, [s. 287.057(3)(e)5., FS]
4	Exempts, svc to persons w/mental or physical disabilities by not-for-profit corp, [s. 287.057(3)(e)6., FS]
5	Exempt Medicaid svc to eligible recipient by health provider w/o provider number [s. 287.057(3)(e)7., FS]
6	Exempt, family placement services [s. 287.057(3)(a), FS]
7	Exempt prevent rel to mntl hlth, drg & chld abuse, shelter/runaway, non-profit [s. 287.057(3)(e)9., FS]
8	Exempt, training & ed svc to injured employees [ss. 440.491(6) & 287.057(3)(e)10., FS]
9	Exempt State or Fed law prescribe contractor or rate pay est in appropriation [s. 287.057(10), FS]
10	Exempt, advertising or promotional items purchased per Rule 20-104.003, FAC (Dept. of Citrus only)
11	Lottery Procurement [s. 24.105(13), FS]
12	Exempt, Specialized equipment, devices and technology, including low-vision aids for Vision Impaired Persons [s. 413.011(3)(g), FS]
14	Lottery Single Source [s. 24.105(13) FS; Rule 53ER07-55(8), FAC]
15	Lottery Competitive Solicitation [s. 24.105(13), FS; Rule 53ER07-55(2), FAC]
16	Lottery Competitive Quote [s. 24.105(13), FS; Rule 53ER07-55(3), FAC]
17	Lottery Emergency Purchase [s. 24.105(13), FS; Rule 53ER07-55(9), FAC]
18	Lottery Cooperative Agreement [s. 24.105(13), FS; Rule 53ER07-55(11), FAC]
19	Division of Blind Services; Rehabilitation Council for the Blind per s. 413.011, FS
76	Statewide PSA programs provided by a Florida nonprofit corp [s 287.057(3)(e)13., FS]
87	DOS Commodity or services to maintain historical properties; [s. 267.031(5)(i), FS]
88	Florida Counter Drug Procurement Program (Federal 1122 Program) for Law Enforcement, [s. 287.057 (3)(e)12., FS]
89	Direct Pay to Hotel/Motel [s. 112.061(13), FS]
90	Contract in existence prior to 10/1/1990 [s. 287.057(20), FS]