~~Purchasing~~Procurement Policies and Procedures Manual

Indian River County Board of County Commissioners

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BOARD OF COUNTY COMMISSIONERS
INDIAN RIVER COUNTY, FLORIDA

~~Purchasing~~ Procurement Policies and Procedures

Manual ~~Updated~~ Effective October 1, 2025~~March 28, 2023~~

1. GENERAL INFORMATION

1.1 INTRODUCTION

The purpose of this manual is to set forth and implement policies and procedures governing the procurement of all commodities and services. All personnel charged with responsibility for procuring commodities and services must be thoroughly familiar with the policies and procedures set forth herein.

1.2 ~~PURCHASING~~ PROCUREMENT OVERVIEW

Procurement is regulated by this manual, the Indian River County Code and, to the extent applicable, state and federal statutes.

The Board of County Commissioners (Board) has delegated limited authority to procure commodities and services to the County Administrator and the Procurement Manager, as provided in Chapter 105, Indian River County Code~~, and through his authorized delegation, the Purchasing Manager.~~ Any procurement in excess of the authority of the County Administrator shall be approved by the Board.

The County Attorney shall serve as legal counsel and provide legal services with respect to procurement matters.

1.3 GENERAL PROVISIONS, PURPOSES AND APPLICATION

A. Authority. Pursuant to chapter 105 of the Indian River County Code of Ordinances, the policies and procedures set forth herein have been promulgated by the ~~County Administrator, and approved by the Board~~ Procurement Manager and approved by resolution of the County Commission.

B. Short Title. These policies and procedures shall be known and may be cited as the "Indian River County ~~Purchasing~~Procurement Policies and Procedures Manual" or "~~Purchasing~~Procurement Manual."

C. Application of This Manual.

1. General Application. This manual shall apply only to procurement transactions solicited or entered into after the effective date of the manual.

2. Application to Procurement. This manual shall apply to all procurement transactions by the County, irrespective of the source of funds. The use of state or federal

grants or funds shall not exempt compliance with the requirements of this manual, unless specifically provided within a grant or funding agreement approved by the Board, or by applicable state or federal law.

3. Dependent Special Districts. This manual shall apply to procurement transactions solicited or entered into by the County on behalf of dependent special districts.

4. Revisions. ~~The Purchasing Manager shall review this manual on an annual basis to determine if revisions are needed. Revisions may be made at the direction of the County Administrator upon recommendation of the Purchasing Manager. Any substantial and material revisions shall be approved by the Board.~~Recommendations and suggestions for modification, may be submitted to the Procurement Manager at any time, and must be approved by the Board of County Commissioners by resolution.

D. Waiver of Requirements of the Manual. The Board may waive the requirements of this manual, or any related technicalities or irregularities, when it is in the best interests of the County to do so. This waiver may be made before or after completion of the procurement transaction. The County Administrator and ~~Purchasing~~Procurement Manager may also waive the requirements for procurement within their award authority.

~~E. Waiver of Technicalities and Irregularities. The Board may waive any technicalities or irregularities relating to compliance with the requirements of this manual when it is in the best interests of the County to do so. This waiver may be made before or after completion of the procurement transaction.~~

~~F.~~E. Limited Authority of the ~~Purchasing~~Procurement Manager. The ~~Purchasing~~Procurement Manager shall be authorized to procure commodities and services up to $~~35~~100,000, without competitive selection, unless otherwise required by applicable state or federal law; provided, however, that nothing herein shall require the ~~Purchasing~~Procurement Manager to exercise such authority.

~~G.~~F. Limited Authority of the County Administrator. The County Administrator shall be authorized to procure commodities and services up to $~~75~~200,000, without competitive selection, unless otherwise required by applicable state or federal law; provided, however, that nothing herein shall require the County Administrator to exercise such authority. ~~The County Administrator is authorized to procure planning or study activity services obtained pursuant to the Consultants' Competitive Negotiation Act, F.S. 287.055 up to $35,000.~~ Any agreement executed by the County Administrator under this authority must first be reviewed and approved by the County Attorney, as to form and legal sufficiency, and by the Procurement Manager, as to vendor/supplier qualifications to do business with the County.

~~H.~~G. Indemnification. All contracts for services or public works projects (other than construction contracts), and any other contracts deemed necessary by the County Administrator or the Board, shall provide that the contractor or vendor shall defend, indemnify and hold

harmless the County and its commissioners, officers, employees and agents, from any and all losses, damages, expenses (including reasonable attorneys fees) and other liabilities of any type whatsoever, arising out of or relating to any negligence, intentional tort, breach of contract, or breach of applicable law by the contractor (or vendor), or its employees, agents, subcontractors, or other persons or entities performing work under the contract. CONSTRUCTION CONTRACTS SHALL INCLUDE THE INDEMNIFICATION PROVISION SET FORTH IN SECTION 4.4 BELOW.

~~I.~~H. Insurance Requirements. Contracts shall contain requirements for the protection of the County through sufficient insurance as specified by the Risk Management Division, which shall approve the insurance requirements contained in the bid documents. Upon award, the Risk Management Division shall review certificates of insurance, approving those which comply with the requirements of the bid documents. Non-approved certificates of insurance shall be returned to the ~~Purchasing~~Procurement Division with a statement of the reasons for non-approval and instructions on how the certificate may be corrected. Insurance requirements shall be met prior to final execution of the contract by the Chairman of the Board, or the County Administrator or the ~~Purchasing~~Procurement Manager. The Originating Department, ~~Purchasing~~Procurement Division and the Risk Management Division shall not allow any contract to continue without proper insurance in effect. Work to be authorized by purchase order must also meet the insurance requirements dictated by the Administrative Policy and Risk Manager~~ment~~.

J. Bid Bond.

1. A bid bond or alternative bid security must accompany each bid exceeding $~~35~~200,000, unless such requirement is waived by the County. A bid bond must be properly executed by the bidder and by a qualified surety. Alternative bid security must be in the form of a certified check or cashier's check issued by a bank authorized to do business in the State of Florida. The bid bond or security shall be in the amount of not less than five percent (5%) of the total amount of the bid, and shall be payable to the Indian River County Board of County Commissioners. Any failure or refusal by the bidder to honor the bid after opening shall be deemed to be a breach of the bidder's obligations. In such event, the bid bond or security shall be immediately payable to the County as liquidated damages, and not as a penalty.

2. Failure to supply the required bid bond or security at the time of the bid opening shall automatically disqualify the bidder as non-responsive to the bid requirements.

3. Physical, electronic, and complete electronic copies (such as scanned images) of bid security bonds, may be accepted. Certified and cashier's checks must be physically received in the Procurement Division prior to the deadline for receipt of bids or proposals.

K. Sole Discretion. Any decision, waiver, exercise of judgment or interpretation required or permitted by this manual, or the application of this manual, by the County or any County official shall be deemed to be made in the sole and absolute discretion of the County or the official, and shall be final and binding upon all affected parties.

L. Contract Renewal or Extension. Renewal or extension of any contract shall be at the sole discretion of the County. No supplier of commodities or services shall have a legal right to renewal or extension of any contract.

M. Contracts or Purchase Orders Entered into in Violation of this Manual. Any contract, purchase order, or other commitment entered into by a County employee or department in violation of this manual shall be null and void.

N. Nondiscrimination, Equal Employment Opportunity and Americans with Disabilities Act. Indian River County will not knowingly do business with vendors or contractors who discriminate on the basis of race, color or national origin, sex, sexual orientation, gender identity, age and/or disability. Through the course of providing services to the County, Contractors shall affirmatively comply with all applicable provisions of Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 and the Florida Civil Rights Act of 1992, as well as all other applicable regulations, guidelines and standards. Any person who believes their rights have been violated should report such discrimination to the County's Title VI/Nondiscrimination Coordinator through the office of the County Attorney.

O. Ethics and Conflict of Interest. All County employees involved in any part of the procurement process are required to act in an ethical manner. Local policies, including disciplinary action for violations, addressing such practices may be found in the Administrative Policy Manual, AM-806.1, Conflicts of Interest/Ethics Code 104.06 (which supplements the requirements of F.S. Chapter 112) and County Code Section 105.08 – Disclosure of Relationships. In addition to civil penalties imposed by state or federal authorities, violation of these practices will be evaluated in accordance with the disciplinary procedure provided in AM-807.1.

P. Projects Involving Federal Funding. When a procurement involves federal assistance, the expenditure of federal funds, or federal grant funds for a pass-through agency (such as Florida Department of Emergency Management and the Florida Department of Law Enforcement), the procurement and any resulting contract shall be conducted in accordance with any mandatory applicable federal laws and regulations, including 2 C.F.R. §200.317 through 327. Departments are responsible for defining funding sources when requesting a bid number or entering a requisition. Key items of note in relation to 2 C.F.R. include:

1. Departments shall avoid acquisition of unnecessary or duplicative items, with consideration given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach.

~~2. Geographical preference may not be considered for work under 2 C.F.R. §200.319.~~

Q. Cone of Silence. Potential bidders/respondents and their agents ~~must not~~ are prohibited from communicating~~e~~ in any way with the Board of Commissioners, County Administrator or any County staff other than ~~Purchasing~~Procurement personnel in reference or

relation to a solicitation. This restriction is effective from the time of bid advertisement/release until the Board of County Commissioners meets to authorize award. Any ~~S~~such communication must be disclosed to the Procurement Manager and may result in disqualification.

R. Domestic Preference. To the extent practical, as determined by the Department Director and ~~Purchasing~~Procurement Manager, a preference will be given to items produced in the U.S.A. Florida law requires U.S.-produced iron and steel in construction projects (§255.0993). All U.S. Flags purchased for display at County facilities shall be Made in the U.S.A.

S. Alternative Project Delivery Methods. When appropriate and authorized under local, state and federal law, alternative delivery methods such as job order contracting (JOC), construction manager at risk, and design-build may be utilized, after approval by the Procurement Manager.

T. Termination for Convenience/Non-Appropriation. All contracts for service or public works, and any other contracts deemed necessary by the County Administrator, County Attorney or the Board, shall provide that the contract may be terminated for convenience and also may be terminated if the Board of County Commissioners fails to appropriate funds for the contract.

1.4 ~~PURCHASING~~PROCUREMENT DEFINITIONS

APPLICABLE LAW - Any local, state or federal law which applies to the transaction or issue at hand, as amended from time to time. If any specific statute or local law is cited in this manual, such reference shall be to the statute or local law, as amended from time to time.

BEST AND FINAL OFFER – A response to a request made by County to one or more proposers, or a single bidder if only one responsive bid is received, for their best price(s) for a specific solicitation prior to determining a contract award.

BONFIRE – See Euna Solutions Bonfire.

EMERGENCY - Any circumstance which creates a threat to public health, safety, welfare or property, or may result in substantial loss to the County. The term shall not be limited to officially-declared local, state or federal emergencies. In the absence of an officially declared state of emergency, the ~~Purchasing~~Procurement Manager ~~(for purchases up to $35,000)~~, the County Administrator or the Board shall determine whether an emergency exists for procurement purposes within their approval authority.

EMERGENCY PROCUREMENT – A procurement transaction necessitated by an emergency where the delay incident to compliance with this manual would be detrimental to the best interests of the County.

ENTERPRISE ERP – Tyler Technologies' enterprise resource planning (ERP) software program previously known as Munis.

EUNA SOLUTIONS BONFIRE ("Bonfire") – Electronic solicitation software system also used to manage contracts and vendors.

INTERESTED PARTY – An actual or prospective bidder or proposer whose direct economic interest would be affected by the award of a contract or by the failure to award a contract. (See Federal Acquisition Regulation (FAR) 33.1).

INVITATION TO BID – A solicitation for fixed pricing to complete specified work or provide specified commodities or services. Award is made to the lowest, responsive, responsible bidder.

INVITATION TO NEGOTIATE (ITN) – A solicitation for proposals to determine a best value option to meet a specific goal or address a specific problem. The solicitation seeks one or more respondents with whom the County will negotiate for the procurement of commodities or contractual services. Unless otherwise identified in the individual solicitation, evaluation will be completed as outlined in Section 5.1, however negotiations with multiple firms may be conducted concurrently.

JOB ORDER CONTRACTING (JOC) - A maximum dollar value or a fixed-term construction contract resulting from a competitively bid solicitation in which the contractor will perform according to separate job orders issued during the term of the contract. Often available for use under a cooperative agreement.

MANDATORY BID THRESHOLD – The mandatory bid threshold shall be $~~35~~100,000. Commodities or services having an estimated value equal to or in excess of the mandatory bid threshold shall be procured through a competitive selection process; provided that the County Administrator shall be authorized to enter into a procurement transaction up to $~~75~~200,000, without competitive selection, and at his discretion, without three quotes if determined to be in the best interest of the County, unless otherwise required by applicable law; and provided further that the Board shall be authorized to approve a procurement transaction up to or in excess of $~~75~~200,000, without competitive selection, unless otherwise required by applicable law.

OFFICIAL – Any reference to a county official in this manual – such as the County Administrator, County Attorney, Department Director, ~~Purchasing~~Procurement Manager or Risk Manager – shall include the official, or his or her designee.

ORIGINATING DEPARTMENT – The department within the County which originated the request for procurement of a commodity or service.

PURCHASE ORDER – The County's written document to a vendor/supplier formalizing all terms and conditions of a proposed transaction. A "blanket" purchase order may be issued to cover a group of related transactions. Purchase Orders are delivered electronically, and are executed by the Procurement Manager.

QUOTE - An informal purchasing process that solicits pricing information from one or more sources.

REQUEST FOR INFORMATION (RFI) – A solicitation of input from interested parties for an upcoming solicitation or project. This procurement practice used to obtain comments, feedback or reactions from potential suppliers (contractors) prior to the issuing of a solicitation, or to obtain evidence of limited or no competition or sources of supply. Generally, price or cost is not required. Feedback may include best practices, industry standards, technology issues, etc. Responses from an RFI may also be used to qualify or select vendors authorized to provide supplemental services paid for by the public, with a portion of revenue or fee paid to the county, such as food trucks and concessions.

REQUEST FOR PROPOSAL (RFP) – A solicitation for proposals to achieve a stated objective. An RFP is characterized by a description of the desired objective and a statement of evaluation criteria. RFPs may request a price proposal, to be considered in accordance with the evaluation criteria. (See section 5.1 below).

REQUEST FOR QUALIFICATION (RFQ) – A solicitation to professionals to submit a summary of their qualifications to perform a general or specific job or service. ~~If the RFQ is subject to the Consultants' Competitive Negotiation Act, the County shall select no less than three professionals for discussions and, if requested by the County, for presentations.~~ After staff recommendation and approval by the Board, the County shall enter into negotiations for a contract with the most qualified professional(s). RFQs shall be governed by the Consultants' Competitive Negotiation Act, to the extent applicable. (See section 5.2 below).

REQUISITION - A request for goods or services entered into the Enterprise ERP system for review and approval through the department, budget, and procurement. When all approvals are made, the requisition is converted into a Purchase Order.

RESPONSIVE BIDDER – A bidder whose bid, proposal or submittal complies in all material respects with the bid invitation or solicitation request, as determined by the County.

RESPONSIBLE BIDDER – A bidder who has the capability in all respects to fully perform the contract requirements, and the integrity and reliability that will assure good faith performance, as determined by the County.

REVERSE AUCTION – a real-time, sealed procurement process in which bidders compete to provide goods at the lowest selling price, in an open and interactive environment.

SERVICES – This term shall generally include all services rendered to the County, except those described in section 287.057(3)(e), Florida Statutes (e.g., legal services, health services, etc.). Services described in section 287.057(3)(e), Florida Statutes, may be procured without competitive selection.

SOLE SOURCE/SINGLE SOURCE – The only known vendor reasonably capable of providing a specific commodity or service to the County. These terms are used interchangeably, with Sole Source being commonly used by the County, but Single Source defined in 2 C.F.R.

SOLE BRAND – The only known brand reasonably capable of fulfilling the specific needs of the County.

TECHNICALITY OR IRREGULARITY – An item which is not in compliance with the bid invitation or solicitation request, but which is determined by the applicable County awarding authority to be immaterial to the substantive terms and conditions of the bid, proposal or submittal. The waiver of a technicality or irregularity shall not result in an unfair advantage or disadvantage to any person responding to the bid invitation or solicitation request.

1.5 AUTHORITY OF THE ~~PURCHASING~~PROCUREMENT MANAGER

A. Line of Authority. The ~~Purchasing~~Procurement Division is part of the Office of Management and Budget. The ~~Purchasing~~Procurement Manager is directly responsible to the Director of the Office of Management and Budget, who is the purchasing card administrator. Except as otherwise provided in this manual, the ~~Purchasing~~Procurement Manager shall procure or oversee the procurement of all commodities and services for the Board, under direct line of authority from the County Administrator.

B. Principal Procurement Officer of the County. The ~~Purchasing~~Procurement Manager shall be the principal procurement officer of the County. No solicitations other than requests for quotes may be issued by any department or division, other than the Procurement Division.

C. Operational Procedures. The ~~Purchasing~~Procurement Manager may adopt operational procedures covering the internal functions of the ~~Purchasing~~Procurement Division and delegate rights, powers, and authority vested in him or her to other ~~Purchasing~~Procurement Division staff.

1.6 FULL AND OPEN COMPETITION

All procurement must be conducted in a manner to encourage full and open competition, and to prohibit unfair competitive advantage. Prohibited actions, defined in 2 C.F.R. §200.319, include:

1. Placing unreasonable requirements on firms in order for them to qualify to do business;

2. Requiring unnecessary experience and excessive bonding;

3. Noncompetitive pricing practices between firms or between affiliated companies;

4. Noncompetitive contracts to consultants that are on retainer contracts;

5. Organizational conflicts of interest;

6. Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance or other relevant requirements of the procurement;

7. Any arbitrary action in the procurement process; and,

8. Any geographical preferences in the evaluation of bids or proposals (unless specifically mandated or encouraged by Federal statute). This prohibition does not apply to architectural and engineering (A/E) services, for which geographic location may be a selection criterion, provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

1.7 PROHIBITED PRACTICES

A. Quote/Bid Shopping is the disclosure of the low quote or low bidder's price to other vendors in an attempt to obtain an even lower bid. This is unethical and is prohibited, unless part of a formal reverse auction issued by the Procurement Division.

B. Public employees are prohibited in F.S. 112.313 from selling any realty, goods, or services to the agency they are employed by.

C. Procurement of the following items are prohibited:

1. Service plans for purchased items.

2. Food and Beverage items, including associated single use supplies, except as authorized in accordance with the purchase of food items policy contained in the Administrative Policy Manual.

2. REQUISITION, PURCHASE ORDER AND RECEIVING GUIDELINES

2.1 AUTHORITY

No County employee has the authority to purchase or commit public funds toward the purchase of commodities or services without first complying with the appropriate requisition and procurement procedures. Purchase Orders will not be issued "after the fact" without sufficient justification and explanation, at the ~~Purchasing~~Procurement Manager, County Administrator or Board's discretion.

2.2 PURCHASE REQUISITIONS

All requests for procurement shall start with a properly prepared purchase requisition created in the Enterprise ERP program. Requisitions must include all proper information, such as required quotes, documentation, attachments, departmental approvals, appropriate account number, and final approval by the Budget Office. Incomplete requisitions may be rejected and returned to the Originating Department.

2.3 QUOTE REQUIREMENTS BELOW MANDATORY BID THRESHOLD

Purchase requisitions for items valued between $~~3~~10,~~5~~00 and $~~35~~100,000 shall include copies of the written quotations received from each of a minimum of three vendors dated within the past 30 days or listing a current expiration date. The lowest quote should be selected, unless otherwise authorized by the ~~Purchasing~~Procurement Manager.

The ~~Purchasing~~Procurement Manager may waive the requirement for quotes below the mandatory bid threshold, if determined to be in the best interest of the County.

2.4 CAPITAL ITEM PURCHASES

Budgeted capital purchases must be completed and received during the funded fiscal year and must be procured in accordance with the quote and mandatory bid thresholds. Bids for capital purchases budgeted for more than the $~~35~~100,000 bid threshold should be prepared in the first quarter of the fiscal year. All budgeted capital purchases should be made prior to June 1 to ensure the goods are received prior to the end of the fiscal year. Requisitions for unbudgeted capital purchases must be submitted with the written approval (email) of the Budget Director attached in Enterprise ERP.

2.5 REQUISITION ENTRY

Requests for purchase orders shall be initiated by entry of an electronic requisition into Enterprise ERP indicating the vendor, item description, and amount being requested. Requisitions shall also include the following information:

A. Dates the blanket purchase order is to be in effect (i.e., start and end dates).

B. General description of commodities to be purchased (use "Exempt" as the first word in the description for any cybersecurity or other confidential purchases, and list the applicable statute(s) authorizing the exemption).

C. Account number must accurately reflect the item being procured (for example, capital items should be against a capital account; tools should be against expendable tools rather than office supplies). Contact the Comptroller~~Finance~~ for assistance in adding appropriate accounts.

D. Multiple line items are required where more than one account number is to be used. Each account number requires a separate line.

E. If only one account is used on the requisition and/or if a quote is attached showing all items to be purchased are under the $~~3~~10,~~5~~00 quote threshold, the entire requisition amount should be entered on a single line to facilitate invoice processing and year end PO closeout.

F. Shipping must be included or accounted for on the total PO amount.

G. Quote numbers and bid or contract numbers must be referenced in a note ~~that will print on the Purchase Order~~, or in the line item description. The reference must be set to print on the Purchase Order.

~~H. Requisitions for tires must have a list of fleet vehicles and their respective tire sizes attached. Fleet Management Division purchases are exempted from this requirement.~~

~~I. Any requisition involving grant funding must have the commodity code (on main page of requisition entry) set to "000 Grant".~~

~~J. Any requisition involving an operating lease must have the commodity code (main page of requisition entry) set to "001 Operating Lease".~~

2.6 CHANGE ORDERS

If ~~the amount of a purchase order is anticipated to be exceeded, or~~ information on an issued purchase order needs to be modified, the department shall request changes in Enterprise ERP's Purchase Order Change Order program, which will utilize workflow approvals through their

Department Director, and the Budget Department. Requesting department should provide sufficient detail and justification for the increase or change to account number as a note. All requests to increase allocation against a Purchase Order (including those associated with bids, piggybacks and other contracts) must provide an explicit explanation for the overage.

If the Budget Department approves the increased funding request, the ~~Purchasing~~Procurement ~~Division~~Manager, County Administrator, or Board, based on level of authority, shall review and ~~process~~ approve the change order~~, up to a maximum total of $35,000 (for purchase orders not associated with a bid, contract, or piggyback, which may exceed the $35,000 threshold). The County Administrator may authorize an increase up to a maximum $75,000 total (on purchase orders not associated with a bid, contract, or piggyback). The Board may authorize increases to Purchase Orders over $75,000~~. Multiple Purchase Orders may not be issued to the same vendor for the same goods or services to subvert the required approvals. Maximum purchase order allocation thresholds apply per Division, unless otherwise approved by the Procurement Manager.

~~Requests to decrease the funds allocated on a Purchase Order can be made by informal email to purchasing@indianriver.gov.~~

2.7 PURCHASE ORDER AUDITS

The ~~Purchasing~~Procurement Division will audit Purchase Orders issued~~, by vendor~~ to ensure compliance with applicable thresholds, approvals~~, and~~ contract terms, effective dates, and pricing.

2.8 VENDORS

When a new vendor, whether to be paid through PO, Contract or Payment Request, is not presently listed in Enterprise ERP, or when an update to the vendor's information is necessary, ~~the Originating Department shall obtain and submit new vendor information in the form of a W-9 to the Purchasing Division for approval as a vendor. Alternately, vendors may submit updates to their information through Enterprise ERP's Vendor Self Serve~~necessary documents will be submitted by the vendor to the Department or Procurement, or through the Euna Solutions Bonfire platform. Via W-9, t~~T~~he vendor shall be referenced by the Procurement Division against the State of Florida's lists of convicted and suspended vendors, the U.S. Government's System for Award Management database, and the U.S. Department of Treasury Office of Foreign Assets Control's Sanctions List. The vendor must be classified as "open" in the U.S. Department of Homeland Security's E-Verify system (as required in Section 287.137, Florida Statutes). If required, the possession of appropriate licensure, and liability and worker's compensation insurance will also be verified. Additional sources of information regarding the vendor's qualifications may also be reviewed. If approved, the ~~Purchasing~~Procurement Division will forward the W-9 to the ~~Finance Office of the Clerk of the Circuit Court~~Comptroller~~, either directly, or through workflow approval in Enterprise ERP. The Clerk~~ for additional review. If approved, the Comptroller will enter the vendor information into ~~its records~~Enterprise ERP and ~~issue~~ assign a vendor number which shall be provided to the Originating Department. Departments should review the vendor information (address, contact name, email, etc.) for accuracy and currency prior to releasing a requisition.

Requested changes to vendor addresses must be documented in writing from the vendor and will require either ~~Purchasing~~Procurement or ~~Finance~~ the Comptroller to contact the vendor by telephone for verification.

2.9 PURCHASE REQUISITION/ORDER EXEMPTIONS

The following expenditures do not require a purchase requisition or a purchase order, and may be processed on a payment request, or other method described:

1. Travel expenses in accordance with the Indian River County Travel Policy and submitted on appropriate travel forms (not payment request)
2. Routine overhead such as: water, sewer, natural gas, electrical, telephone and garbage fees
3. Shipping charges, postage and postage meter rentals: does not include mailing or stuffing services
4. Subscriptions (print and electronic, excluding software), subscription renewals and books. This includes the following for libraries: preview materials, standing orders, single sets pre-ordered to be shipped when published. Routine orders of books for libraries are excluded from this exemption.
5. Hospital bills and nursing home bills
6. Medical claims, workers' compensation claims, and liability claims as paid from the County's self-insurance funds
7. ~~Salaries~~ Payments for instructors, referees, umpires~~ and~~, swim instructors, DJs and other entertainers, event (such as parade) entry fees, and food expenses for scheduled programs/events which comply with the Administrative Policy Manual Purchase of Food Items Policy
8. Railroad crossing signal maintenance and other payments required to Railroads
9. Legal services
10. Newspaper advertisement magazine/agency advertisements
11. Notary public applications
12. Welfare services indigent care (food vouchers, prescriptions)
13. Medical services
14. Surplus equipment and services acquired from other local, state or federal agencies
15. Application for permits and permit fees
16. Registration and licensing fees
17. College tuition and/or educational fee and training fees
18. Membership dues
19. Instructor fees (Up to $3,000 per training event)
20. Title searches/title insurance/appraisal services
21. Expert witness fees and/or services; also includes travel in accordance with Florida statutes
22. Court orders/fees/programs

23. Landfill fees
~~24. Overnight express mail service~~
~~25.~~24. Payment of ~~fuel~~ credit cards
~~26. Reimbursement to County employees for the purchase of items intended for County use, when pre-approved prior to purchase by Division or Department Director in writing~~
~~27.~~25. Payments for Contracts and Work Orders (send directly to the Comptroller~~Finance~~ without Payment Request)

2.10 ONLINE PURCHASES

Prior to placing an order from an online vendor, whether by purchasing card or by purchase order, departments shall confirm with the ~~Purchasing~~Procurement Division whether a County account has already been established. The ~~Purchasing~~Procurement Division currently oversees online accounts providing tax-exempt and contract-based purchases from vendors such as Office Depot, Staples, Amazon, Lowes, Grainger, Fastenal, Harbor Freight, West Marine, Walmart, Sam's Club, and Home Depot. Departments should not enroll the County with online accounts without first discussing with the ~~Purchasing~~Procurement Division to prevent duplication of accounts, work with vendors convicted or suspended by the State or Federal government, and to ensure tax exemption and any available discounts are utilized.

2.11 ACCEPTANCE OF GOODS

When physical goods are received, the packing slip must be signed by the person accepting or receiving the goods. This documentation must be submitted with the invoice for processing, or with the purchasing card receipt as documentation. If no packing slip is received, the order confirmation may be printed and signed in the same manner as indication of receipt. In cases where a packing slip or order confirmation cannot be provided because the vendor requires the delivery to be confirmed on the invoice itself, the employee receiving the goods must sign the invoice to confirm delivery and then forward to a supervisor for approval of payment. The person signing for receipt of the goods may not be the same person approving the invoice for payment. In cases where the person with signatory authorization is the same as the person accepting the goods, that person's supervisor must also approve the invoice.

2.12 INVENTORY AND CONTROLS

Any goods held as "inventory" or "stock" must be controlled by an inventory management system. This does not apply to rapidly consumed items, such as office supplies.

2.13 INVOICES

Payment for goods and services is made by the Comptroller, after appropriate approvals have been received. Per 218.74, Florida Statute, the County must pay for goods/services other than construction, within 45 days of receipt of valid invoice or final product/work; however, the terms of most purchase orders require payment within 30 days of receipt.

Payment can only be made to a vendor from a valid invoice (not a statement, quote, or email). Departments are responsible for ensuring vendor invoices include the following information:

- ✓ Purchase Order Number (if applicable)
- ✓ Description of the items provided
- ✓ For equipment parts, indicate a specific fleet or unit number, if applicable

The Department must verify the price and quantity reflected on the invoice is in compliance with the terms and conditions of the PO, contract and/or quote.

Each invoice must be submitted separately for processing and payment.

Signature authorization for payment must be on each invoice itself (not the submitted PO copy or payment request cover sheet). Electronic signatures are acceptable.

Invoices for maintenance periods crossing fiscal years must be split. Departments should confirm with the Comptroller~~Finance~~ the amounts to charge to each fiscal year. Invoices for a capital purchase that include maintenance must be split, and the maintenance portion charged to the correct GL (non-capital) account.

The Budget Department will audit invoices and General Ledger accounts.

2.14 DEPARTMENTAL INVOICE PROCESSING

Departments will utilize Enterprise ERP's AP Workflow to enter and process invoices. Those invoices that cannot be entered into Enterprise ERP will be manually processed, per ~~Finance~~ Comptroller policies and instructions.

2.15 PREPAYMENT AND DEPOSITS

Departments must ensure vendor quotes do not require deposit or pre-payment prior to receipt of goods or services. The Budget Office must approve any deposit prior to requisition entry. Any deposit or pre-payment request must be submitted via an invoice from the vendor, and is generally limited to 50% of materials cost.

2.16~~5~~ FISCAL YEAR END PROCEDURES

Purchase orders are typically valid for ordering only through the end of the fiscal year issued.~~.~~ ~~Orders must be placed to facilitate delivery of goods and services prior to September 30th.~~ Purchase Orders will not be rolled over into the next fiscal year unless the ~~Purchasing~~Procurement Manager determines such action is warranted. Purchase Orders will not be issued to encumber funds not spent for use in the future fiscal year. Requests to carry forward unencumbered funds are made directly to the Budget Department, and accomplished via a budget amendment in January of the new fiscal year.

In order to close out the previous year, departments and divisions are responsible for entering change orders to their purchase orders to reduce them to zero available balance.~~Departments must review and identify any POs that will not be complete by the end of the fiscal year and provide the details to the Purchasing Division, who will maintain a master list of incomplete POs and the dollar amount that needs to be rolled from one fiscal year into the next. The Purchasing Division will enter requisitions for new year POs to facilitate payment for work completed or goods delivered after the end of the fiscal year, and provide the details of those affected GL Accounts and dollar amounts to the Budget office for inclusion in a budget amendment, which will be requested after the beginning of the next calendar year.~~

3. PURCHASES NOT REQUIRING COMPETITIVE SELECTION

3.1 BELOW THE MANDATORY BID THRESHOLD

Competitive solicitation is not required for ~~P~~purchases below the mandatory bid threshold, however, q~~may be made without competitive selection; however, purchases below the mandatory bid threshold may be made with competitive selection, at the discretion of the Purchasing Manager, the County Administrator or the Board. Q~~uotes are required as detailed in paragraph 2.3.

3.2 SOLE SOURCE AND SOLE BRAND PROCUREMENT

A sole source or sole brand purchase less than $~~35~~100,000 may be authorized by the ~~Purchasing~~Procurement Manager after receipt of proper documentation from the Originating Department in the form of a completed sole source/sole brand memorandum and documentation verifying that a good faith review of available sources or brands has been completed. A record of the sole source or sole brand request shall be maintained by attachment of the completed documentation to the requisition.

A sole source or sole brand purchase up to $~~75~~200,000 may be approved by the County Administrator. Any request in excess of $~~75~~200,000, shall be submitted to the Board for approval.

A sole source procurement involving contracts or purchase of materials for the construction, modification, alteration, or repair of any publicly owned facility shall be governed by Florida Statute 255.04, which generally provides that the County may not specify the use of materials or systems by a sole source, unless the Board, after consideration of all available alternatives materials and systems, determines that the specification of the sole source is justifiable based upon its cost or interchangeability, and the sole source specification has been recommended by the architect or engineer of record. Documentation of the Board's determination and supporting justification shall be maintained in the bid or requisition file.

For a commodity or service to be deemed a sole source or sole brand procurement, the department must submit appropriate documentation, which shall include both correspondence from the manufacturer ~~or vendor~~ (dated within the past 12 months) asserting its status as sole source or sole brand and a completed sole source/sole brand memorandum, documenting at least one of the following:

A. This is the only known vendor or manufacturer reasonably capable of providing a specific commodity or service to the County.

B. This is the only known brand reasonably capable of fulfilling the specific needs of the County

C. The required commodities or services are sold only through an authorized dealer that serves Indian River County and no other dealer or distributor may sell within this geographical area.

To verify the vendor/manufacturer's statement, the ~~Purchasing~~Procurement Division may post a public notice ~~on Demandstar or similar service,~~ declaring the County's intent to award a sole source purchase and enabling other vendors to challenge that designation. This notification ensures due diligence has been taken in determining sole source/sole brand status.

Sole source designations will be valid for no more than three years before a new request and review are completed.

3.3 COOPERATIVE ~~PURCHASING~~PROCUREMENT THROUGH OTHER GOVERNMENTAL ENTITY CONTRACTS ("PIGGYBACKING")

A. Authority to Enter into Piggyback Contracts. As an alternative to any competitive selection process required by this manual, commodities and services may also be procured through: (1) the use of cooperative ~~purchasing~~procurement methods utilizing purchase agreements entered into by other governmental or public entities (local, state, federal, public educational, cooperatives, etc.) following a valid competitive selection process (and matching all of the County's internal process requirements), or (2) directly from vendors holding a current U.S. General Services Administration contract. The County shall have the authority to ~~enter into~~utilize a piggyback contract if both the vendor and the public procurement unit agree and the procurement transaction was entered into following a valid competitive selection process. Piggyback purchases shall be allowed without limit for any commodity or service that is included in the current year budget. ~~For items not included in the current year budget, such piggyback purchases shall be approved by the Purchasing Manager (up to $35,000), the County Administrator (up to $75,000), or the Board (up to and in excess of $75,000).~~

B. Authority to Sponsor, etc. Cooperative ~~Purchasing~~Procurement Agreements. The ~~Purchasing~~Procurement Division may sponsor, conduct, administer or participate in cooperative ~~purchasing~~procurement agreements for the procurement of any commodities or services with one or more other public procurement units. Such cooperative ~~purchasing~~ procurement may include but is not limited to joint or multiple party contracts which are made available to or by other public procurement units.

C. Contract Controversies. Any controversies concerning the award or processing of a contract which has been entered into on a cooperative basis shall be resolved under the terms of the original public contract, except as modified by ~~the~~ a separate piggyback contract.

3.4 EMERGENCY PROCUREMENTS

When an emergency exists, the Originating Department shall contact the ~~Purchasing~~Procurement Division and provide adequate justification for making an emergency procurement. Any emergency procurement exceeding the $~~35~~100,000 award authority of the ~~Purchasing~~Procurement Manager shall require the approval of the County Administrator or the Board, along with a written account of the emergency circumstances from the Director of the Originating Department.

The Originating Department shall provide a written request to purchasing@indianriver.gov describing the emergency and providing justification for the emergency purchase order. The proposed vendor, estimated dollar amount of the procurement and funding account should be provided, as available. A formal quote is not required. If an emergency is confirmed by the ~~Purchasing~~Procurement Manager, and the anticipated vendor's insurance and licensure, as applicable, are current, the ~~Purchasing~~Procurement Division shall enter a requisition and assign an emergency purchase order number.

The Originating Department shall provide the vendor with the PO number, make the purchase of the necessary commodities or services, and may be required to update the emergency requisition to reflect the actual description and cost of the commodities or services.

The ~~Purchasing~~Procurement Division shall issue a "confirming" purchase order to cover the purchase after receipt of the approved requisition. The ~~Purchasing~~Procurement Manager will forward emergency purchase requests exceeding $~~35~~100,000 to the County Administrator for his approval. Approved requests exceeding $~~75~~200,000 will be presented to the Board of County Commissioners for ratification.

After Normal Working Hours. The Department Director shall exercise his or her judgment as to the justification for verbally authorizing ~~making~~ an emergency procurement. ~~If justified, t~~The Department shall make the written emergency purchase request to the ~~Purchasing~~Procurement Division on the next working day~~, which shall prepare a requisition and assign a purchase order number. The Originating Department shall submit the written emergency purchase order request to the Purchasing Division on the next working day~~.

~~3.5 PROCUREMENT PURSUANT TO EXISTING ANNUAL TERM CONTRACTS~~

~~The Purchasing Manager shall issue annual term contracts for commodities and services (up to $35,000) or after approval by the County Administrator (up to $75,000) or the Board (up to or in excess of $75,000).~~

~~The Purchasing Manager may renew an annual contract for multiple years, one year at a time, subject to satisfactory performance, zero cost increase (or as stated in the original contract), vendor acceptance and the determination that such renewal of the annual contract is in the best interests of the County, and authority for such renewal(s) is set forth in the contract.~~

~~3.6~~3.5 BLANKET PURCHASE ORDERS

A blanket purchase order may be issued for up to $~~35~~100,000 for the purchase of miscellaneous commodities where the quantity cannot be anticipated or where it is not practical to store all items until they are needed. Single item purchases pursuant to a blanket purchase order may not exceed $~~3,500~~10,000. **Capital and attractive items may not be purchased on blanket POs**, unless the blanket PO is associated with a bid or contract, or the using department has been explicitly authorized to make capital purchases on a blanket PO by the Budget Director. Blanket purchase orders issued as a result of a bid or piggyback contract (entered into in accordance with section 3.3), or otherwise approved by the County Administrator (up to $~~75~~200,000) or the Board (up to or in excess of $~~75~~200,000), are exempt from the $~~35~~100,000 limit. Blanket purchase orders shall be effective for up to one year, and only for the fiscal year for which it has been issued. Blanket Purchase order requisitions should be requested in the full estimated expenditure for the year.

4. COMPETETIVE SELECTION – BIDS

4.1 AT OR ABOVE THE MANDATORY BID THRESHOLD

The Mandatory Bid Threshold is $~~35~~100,000. Except as set forth in applicable law or this manual, commodities or services having an estimated value in excess of the mandatory bid threshold shall be procured through competitive sealed bidding; provided that the County Administrator shall be authorized to enter into a procurement transaction up to $~~75~~200,000, without competitive selection, unless otherwise required by applicable law; and provided further that the Board shall be authorized to approve a procurement transaction in excess of $~~75~~200,000, without competitive selection, unless otherwise required by applicable law. A procurement transaction shall not be artificially divided so as to circumvent the mandatory bidding process.

4.2 BIDDING PROCEDURES

A. ~~Requisition~~Euna Solutions Bonfire. Each request for bid number and to issue a solicitation must be ~~submitted~~ requested ~~by requisition accompanied by a completed Solicitation Request Form, which has been approved by the Budget Office for availability of funds. The Originating Department shall enter an electronic requisition, leaving vendor blank and line item at zero dollars. The approved Solicitation Request Form must include all requested information, such as a description of the commodity or service, estimated cost and identification of any external funding source(s)~~ in the Euna Solutions Bonfire e-procurement software platform. ~~Upon receipt of an approved requisition and Solicitation Request Form, the Purchasing Division shall contact the Originating Department and provide a bid number~~After all approvals in the Bonfire workflow have been received, the Procurement Division will assign a bid number. This number shall be included on all specifications and bid documents.

B. Bid Documents. The Originating Department shall provide the ~~Purchasing~~Procurement Division with ~~a copy of specifications and~~and the scope of work, requirements, plans and specifications ~~bid documents~~. The ~~Purchasing~~Procurement Manager shall review the specifications and bid documents to ensure ease of understanding for bidders, a clear description of the need for the goods or services being procured, and that the specifications do not unduly restrict open and free competition. Full bid documents, including all specifications, must be provided for review no less than one week prior to requested advertisement/release date.

C. Public Notice and Document Release. Public notice of the invitation for bids shall be given a reasonable time prior to the date set forth in the bid documents for the opening of bids. Bids will be advertised as set forth in Florida Statute 255.0525(2) when required. Methods of~~Such~~ notice may include publication in a newspaper of general circulation, and posting ~~on the~~

~~internet~~ on Bonfire, Demandstar, ~~Vendor Registry, Bidexpress~~ or similar electronic service. The notice shall provide information on how bid documents may be obtained. The period between advertisement/release and opening of bids is typically a minimum of 21 days.

D. Addenda. Addenda to the bid documents shall be provided to all bid document holders of record through the same distribution method as the original documents. ~~A copy shall be provided to the Purchasing Division for its records.~~

E. Time of Receipt. Bids must be received by the ~~Purchasing~~Procurement Division no later than the time and date stated in the invitation for bids. Bids offered or received after this time shall not be considered. The time stamp in the ~~Purchasing~~Procurement Division used to log receipt of bids will serve as the official clock for any hard copy bid ~~receipt~~documents. For electronic bids, the County's bid platform (~~Tyler Enterprise~~Bonfire, Demandstar, ~~Bidexpress,~~ direct email, etc.) time will govern. Any bid or document stamped beyond the proscribed hour, minute and zero seconds will be considered late.

F. Public Bid Opening. All timely received bids shall be publicly opened by the Purchasing Manager in the presence of one or more witnesses at the time and place stated in the invitation for bids. Unless obviously non-responsive, the total bid pricing will be announced. The ~~Purchasing~~Procurement Division shall retain the original bids on file and any remaining copies shall be sent to the Originating Department.

G. Bid Acceptance. Bids shall be accepted without alteration or correction, except as authorized in this manual. All bids must be signed either in ink or electronically.

H. Bid Review. The Originating Department is responsible for reviewing the bid responses and making a recommendation for award of the bid. Should the low bidder not be recommended, a reason must be stated in the written recommendation for award.

I. Verification and References. ~~Prior to award, the~~The ~~Purchasing~~Procurement Division shall reference ~~the lowest, responsive, responsible~~all initially responsive bidders against the State of Florida's lists of convicted and suspended vendors, as well as the U.S. Government's System for Award Management database, the State of Florida's various vendor databases, and the U.S. Department of Treasury Office of Foreign Assets Control's Sanctions List. The lowest, responsive, responsible bidder must be active in or exempt from the U.S. Department of Homeland Security's E-Verify system. Provided references shall be verified at the discretion and/or request of the Originating Department. Additional sources may also be reviewed to aid in determining if the bidder is responsible.

J. Correction, Cancellation or Withdrawal of Bids.

1. Correction of Bids.

a. Correction of Mathematical Errors Prior to Award. Errors in addition or multiplication of unit prices or in other mathematical calculations may be corrected by the ~~Director of the~~ Originating Department or ~~Purchasing~~Procurement

Manager prior to award. Bids shall be deemed to be amended to the corrected amount. In all cases of errors in mathematical computation, the unit prices shall not be changed.

b. Correction of Mathematical Errors after Award. Errors in addition or multiplication of unit prices or in other mathematical calculations identified after award may be corrected only with the approval of the Board, and any correction shall not exceed the amount of the next low bid.

2. Cancellation of Bids. Any time prior to the bid opening date and time, the ~~Purchasing~~Procurement Manager may cancel or postpone the bid opening, or cancel the invitation for bids in its entirety.

3. Amendment or Withdrawal of Bids.

a. Bid Amendments Prior to Opening. Any bidder may voluntarily withdraw or amend the bid at any time prior to the bid opening in person, by written notice received by the ~~Purchasing~~Procurement Manager prior to the bid opening, or via the electronic bidding platform. Amendments to hard copy bids, if accepted, shall be forwarded to the ~~Purchasing~~Procurement Division prior to bid opening, sealed and identified with the bid number.

b. Bid Amendments after Opening. After bid opening, bidders may not amend their bid. Bids shall remain in effect and binding upon the bidder for a period of sixty days, or such other time period specified in the bid documents.

c. Withdrawal of Bids. If, within 48 hours after Bids are opened, any bidder files a duly signed written notice with Owner and promptly thereafter demonstrates to the reasonable satisfaction of Owner that there was a material and substantial mistake in the preparation of its Bid, that bidder may withdraw its bid and bid security will be returned. Thereafter, if the work is rebid, that bidder may be disqualified from further bidding on the work.

d. Negotiation. If less than two responsive bids are received, the ~~Purchasing~~Procurement Division, on behalf of the Department, may negotiate on the best terms and conditions, prior to recommendation of award.

4.3 AWARD

A. Award Authority. A bid shall be awarded by written notice to the lowest responsible and responsive bidder. Awards not exceeding $~~35~~100,000 may be awarded by the ~~Purchasing~~Procurement Manager; awards not exceeding $~~75~~200,000 may be awarded by the County Administrator; and, awards exceeding $~~75~~200,000 shall be awarded by the Board. The Board is authorized to waive technicalities and irregularities and to reject any and all bids, or any portion of a bid. After an award is made, the ~~Purchasing~~Procurement Manager shall issue a purchase order or a "Notice of Award" as applicable. If, within 60 days after bids are opened, or

within such other time period specified in the bid documents, the bid of the lowest responsible and responsive bidder is withdrawn or not honored, the County may award the bid to the next lowest responsible and responsive bidder. After 60 days or such other time period specified in the bid documents, the Board may award to the next lowest responsible and responsive bidder only if the next lowest responsible and responsive bidder agrees, in writing, to extension of the bid price for the additional period of time. These processes may be repeated until an award is made to a responsible and responsive bidder.

B. Tie Bids. If two or more bidders are tied after review by the Originating Department, in accordance with section 287.087 of the Florida Statutes, preference shall be given to the bidder with a Drug Free Workplace Program. In cases where a tie still exists, ~~the Board shall~~ award shall be made to the bidder identified as the most responsible bidder based upon any other relevant factors. If a tie still exists, the winning bidder shall be determined in favor of the bidder whose final bid~~response~~ was received first (as indicated on the ~~Purchasing~~Procurement receipt time stamp and associated log, or electronic receipt, as applicable).

C. Price Adjustment. Where appropriate, contracts may be awarded with a provision for upward or downward price adjustments, provided such adjustments were part of the bid documents.

D. Cancellation after Award. The Board may cancel a bid award at any time prior to execution of the contract by all parties, including the County.

E. Bidders in Default to the County. The awarding authority may reject a bid if the contractor, vendor, or other service provider is in default on the payment of taxes, licenses, or other monies due the county.

4.4 ~~ADDITIONAL REQUIREMENTS FOR CONSTRUCTION AND PUBLIC WORKS CONTRACTS~~BCC AWARD PROCEDURE

~~A. Bid Package Preparation. A complete packet of all bid documents including the original specifications and standardized terms and conditions shall be provided by the Originating Department to the County Attorney for approval. A copy of the bid documents indicating approval by the County Attorney shall be forwarded to the Purchasing Division for final review.~~

~~B. Public Notice. Bids will be advertised as set forth in Florida Statute 255.0525(2) and Indian River County Code paragraph 105.04.~~

A. Recommendation for Award.

1. Recommendation of award must be submitted to the Procurement Division no less than fifteen days prior to the proposed commission meeting to facilitate both preparation of the agenda and public notice of the recommendation for a period of more than five days, ensuring no bidder's right to protest is subverted. The ~~Purchasing~~Procurement Division will review the Originating Department's recommendation for Award and prepare an agenda item for submission to the Board.

~~Recommendation of award must be submitted to the Purchasing Division no less than seven days prior to the proposed commission meeting to facilitate both preparation of the agenda and public notice of the recommendation for a period of more than five days, ensuring no bidder's right to protest is subverted.~~ Should the Originating Department prefer to prepare an Agenda Item due to complexity of the bid, notice of recommendation of award must be provided to the Procurement Division at least 10 days prior to the anticipated commission meeting, and the ~~item~~staff report shall be routed through the ~~Purchasing~~Procurement Division ~~prior to finalization~~as part of the formal agenda workflow.

2. If a proposed or sample contract is included in the agenda item, the Originating Department is responsible for routing the proposed contract through the office of the County Attorney. The written recommendation should only request permission for the Board Chairman to execute the contract if the proposed or sample contract is included with the agenda item. A contract must be executed by the other party prior to submission to the Board Chairman to sign.

3. If a proposed or sample contract is not included in the agenda item, it shall be the Originating Department's responsibility at a later date, to prepare an agenda item requesting execution by the Board Chairman, to route the agenda item for required approvals, and to present the item at a Board meeting. A contract must be executed by the other party prior to submission to the Board Chairman to sign. A copy of the agenda item materials and the executed contract shall be provided to the ~~Purchasing~~Procurement Division for its records.

B. Notice of Award. Upon Board approval, the ~~Purchasing~~Procurement Division shall send a notice of award to the successful bidder and request submittal of two copies of the contract approved by the Board (if applicable), any required certificate(s) of insurance and bond(s).

C. Certificates of Insurance/Bond(s). Upon receipt of certificate(s) of insurance, bond(s), and contracts executed by the contractor, the ~~Purchasing~~Procurement Division shall submit the certificate(s) of insurance to the County Risk Manager for approval and the bond(s) to the County Attorney for approval. After approval of the bond(s), the ~~Purchasing~~Procurement Division or the contractor shall record the bond(s) in the public records, if appropriate, and send copies of the bond(s), certificate(s) of insurance and the original executed contracts to the Originating Department. The Originating Department shall be responsible for proper routing and submission of the contracts for the Board Chairman's signature.

D. Public Construction or Payment and Performance Bonds.

1. Public Construction Bond Required on any Construction Contracts Equal to or in Excess of $~~100~~200,000. A public construction bond shall be required on any construction or public works contract for a project costing $~~100~~200,000, or more. Such bond shall be provided by a surety company authorized to do business in the State of Florida. An alternative form of security may be provided in the form of cash, a money

order, a certified check, a cashier's check, an irrevocable letter of credit, or other form of security permitted by Florida Statute 255.05(7), in a form acceptable to the County Attorney and the County Budget Director. Payment and Performance Bonds may be used in place of Public Construction Bond.

2. Bond Must be Delivered Prior to Issuing Contract Document. If required, a public construction bond or other form of security shall be delivered to the County prior to execution of the contract. All public construction bonds shall be recorded with the Clerk of the Court by the ~~Purchasing~~Procurement Division or the contractor prior to commencement of the project.

3. Waiver of Bonding. The awarding authority may waive the requirement for payment and performance bonds and the cost of said bonds shall be deducted from the contract price.

E. Executed Contract. The Originating Department shall be responsible for returning a fully executed original contract to the vendor and shall prepare and send a notice to proceed to the contractor when appropriate. An electronic copy of the fully-executed agreement shall also be provided to the ~~Purchasing~~Procurement Division and the ~~Finance~~Comptroller.

F. Default by Contractor. All contracts for construction services shall contain a clause providing for termination upon default of the contractor and providing that in such cases the surety company shall bear responsibility for the completion of the contract, or if no surety company has provided a performance bond, the County may claim the alternative security and use such funds for the completion of the contract.

G. Termination for Convenience. All construction contracts shall contain clauses providing for the termination of the contract for convenience of the County, and shall prescribe methods by which the contractor may calculate the cost of work already performed and termination settlement costs.

H. Indemnification. All construction contracts shall provide that the contractor (or other appropriate party) shall indemnify and hold harmless the County, and its Commissioners and employees, from liabilities, damages, losses and costs, including, but not limited to, reasonable attorney's fees, to the extent caused by the negligence, recklessness, or intentional wrongful misconduct of the contractor (or other appropriate party) and persons employed or utilized by the contractor (or other appropriate party) in the performance of the construction contract.

4.5 WORK ORDERS/AUTHORIZATIONS

A. Work Orders/Authorizations ~~for~~ under continuing services agreements~~, excluding those awarded in accordance with 287.055, Florida Statute (CCNA),~~ previously approved by the Board may be executed by the County Administrator, if within his defined authorization limits and if not prohibited within the agreement. A copy of the executed work order/authorization must be submitted to ~~Finance~~the Comptroller by the department~~, or through the Contracts module in Tyler ERP~~.

B. If not prohibited within the agreement, minor work authorizations under $~~35~~100,000 may be entered through a Purchase Order requisition referencing the contract number. No Work Order number will be assigned and payment will be made by standard PO procedures, rather than contractual payments. Only work that will be completed prior to the conclusion of the current fiscal year is eligible to be authorized by Purchase Order, and Purchase Orders will not be used in place of work orders/authorizations exceeding $~~35~~100,000.

4.6 CHANGE ORDERS

A. Applicability. Modifications may be made to an executed contract, which do not substantially alter the character of the work contracted, and which do not vary substantially from the original specifications as to constitute a new undertaking. Such changes must be reasonably viewed as being in fulfillment of the original scope of the contract and must be clearly directed to the achievement of a more satisfactory result or to the elimination of work not necessary.

B. ~~Purchasing~~Procurement Manager Authority. The ~~Purchasing~~Procurement Manager is authorized to approve change orders to contracts executed under the ~~Purchasing~~Procurement Manager's authority, provided the criteria in paragraph A above are met, and the total value of the contract does not exceed $~~35~~100,000.

C. County Administrator Authority. The County Administrator is authorized to approve and authorize change orders which fit the criteria in paragraph A, above, ~~where the net modification in the contract amount does not exceed $5,000, unless~~ if the contract was initially awarded solely under the ~~Purchasing~~Procurement Manager or County Administrator's authority ~~($75,000 threshold)~~ and the total value of the contract still does not exceed $~~75~~200,000. A copy of the executed change order must be submitted to ~~Finance~~the Comptroller.

D. All other change orders must be formally approved by the Board.

E. Change orders shall not be artificially distributed or divided to avoid the requirement to present the approval to the Board.

4.7 DIRECT PURCHASE

A. In compliance with F.S. 212.08(6) and FAC Rule 12A-1.094, the County may utilize owner direct purchase of materials for ~~Public Works~~ projects to reduce project cost through the elimination of sales tax.

5. COMPETITIVE SELECTION – RFP/RFQ

5.1 REQUEST FOR PROPOSAL (RFP)

If it is not practical or advantageous to procure any specific commodity or service by competitive sealed bidding, a request for proposals may be used.

A. RFP Process. An RFP is characterized by a description of the desired objective and a statement of evaluation criteria. It must include a clear description of the need for the goods or services being procured. RFPs may include a request for price, to be considered in accordance with the evaluation criteria. Except as modified by applicable law or this manual, RFPs shall be advertised, received, opened and processed, and shall be corrected, withdrawn and cancelled, in the same manner as bids discussed in section 4, with the exception of the announcement of pricing.

1. Evaluation Criteria. The RFP shall state the evaluation criteria and the relative importance of each evaluation criterion, including price, if applicable. Only criteria set forth in the request may be used to evaluate the proposals submitted.

2. Selection Committee ("Committee"). After the RFP has been issued, a Committee shall be appointed by the County Administrator. The Committee shall be comprised of not less than three members, with at least one member outside the originating division. A majority of members shall constitute a quorum.

3. Review of Proposals. The Committee shall review all proposals submitted in response to the RFP, and shall make a recommendation for award, based upon the evaluation criteria.

4. Non-Public Proceedings of the Committee. If the Committee (a) meets to discuss negotiation strategies, or (b) meets with a proposer for the purpose of hearing a presentation, conducting discussions and asking questions, or conducting negotiations, such meetings may, at the election of the County, be held in private; provided, however, that a complete recording shall be made of any non-public portion of the meetings, and no portion of the non-public meetings shall be held "off the record." The recording of the non-public portion of the meetings shall be considered a public record, under chapter 119, Florida Statutes, which is exempt from production to the public until such time as the County provides notice of an intended decision, or until 30 days after opening of the proposals, whichever occurs earlier.

5. Negotiation of Proposals. The County may negotiate with any proposer(s) to revise, value engineer, etc. any proposal, provided the revisions do not amount to a

substantial and material change to the proposal, and provided that such revisions do not unfairly affect other proposers.

6. Award of Proposals. The committee's recommendation shall be presented to the Procurement Manager (up to $100,000), the County Administrator (up to $200,000) or the Board (up to and in excess of $200,000) for approval~~Board~~, for approval~~, which may include a request for authorization to negotiate, or recommendation of award~~, after public notice of the final ranking and recommendation of award has been made at least seven days prior~~ to the proposed Board meeting~~. If the BCC agenda is not prepared by the ~~Purchasing~~Procurement Division, a copy of the agenda item and all supporting documentation shall be provided to the ~~Purchasing~~Procurement Division prior to submission to the Board. The award shall be made to the most responsive and responsible proposer whose proposal is determined to be the most advantageous to the County, based upon the evaluation criteria.

5.2 REQUEST FOR QUALIFICATIONS (RFQ)

Certain professional services are required by the Consultants' Competitive Negotiation Act (CCNA, Florida Statute 287.055) to be procured by the use of a Request for Qualifications (RFQ). An RFQ may also be used to procure professional services not covered by the Consultants' Competitive Negotiation Act.

A. RFQ Process. An RFQ is characterized by an invitation to professionals to submit a summary of their qualifications to perform a general or specific job or service. It must include a clear description of the need for the goods or services being procured. If the RFQ is subject to the Consultants' Competitive Negotiation Act, the County shall ~~select no less than three professionals for discussions and, if requested by the County, for presentations~~comply with the Consultants' Competitive Negotiation Act, to the extent applicable. After a final ranking is established by the committee~~staff recommendation and approval by the Board~~, the County shall enter into negotiations for a contract with the most qualified professional(s). ~~RFQs shall be governed by the Consultants' Competitive Negotiation Act, to the extent applicable.~~ Except as modified by applicable law or this manual, RFQs shall be advertised, received, opened and processed, and shall be corrected, withdrawn and cancelled, in the same manner as bids discussed in Section 4. Ten-year litigation history shall be requested as part of the RFQ submittal.

B. Evaluation Criteria. The qualifications of each firm responding to an RFQ subject to the Consultants' Competitive Negotiations Act shall be determined in accordance with the criteria set forth in the Act, including, without limitation, the professional ability of personnel; whether the firm is a certified minority business enterprise; past performance; willingness to meet time and budget requirements; location; recent, current and projected workloads; and the volume of work previously awarded to each firm by the County, with the object of effecting an equitable distribution of contracts among qualified firms, provided such distribution does not violate the principle of selection of the most highly qualified firms. The qualifications of each firm responding to an RFQ which is not subject to the Consultants' Competitive Negotiations Act shall be determined in accordance with the criteria set forth in the RFQ.

C. Selection Committee ("Committee"). A Committee shall be appointed by the County Administrator after the RFQ has been issued. The Committee shall be comprised of not less than three members, with at least one member outside the originating division. A majority of members shall constitute a quorum.

D. Review of Qualifications. The Committee shall review the submittals of all firms responding to the RFQ. If the RFQ is subject to the Consultants' Competitive Negotiations Act, the Committee shall select at least three firms (short list) for further discussions.

E. Non-Public Proceedings of the Committee. If the Committee (a) meets to discuss negotiation strategies, or (b) meets with any firm responding to the RFQ for the purpose of hearing a presentation, discussions and asking questions, or negotiations, such meetings may, at the election of the County, be held in private; provided, however, that a complete recording shall be made of any non-public portion of the meetings, and no portion of the non-public meetings shall be held "off the record." The recording of the non-public portion of the meetings shall be considered a public record, under chapter 119, Florida Statutes, which is exempt from production to the public until such time as the County provides notice of an intended decision, or until 30 days after opening of the proposals, whichever occurs earlier.

F. Ranking of Firms. The Committee, after any discussions with and/or presentations by each short listed firm, shall vote on the final ranking. The ranking of firms shall indicate the Committee's determination of the firms that are most highly qualified to perform the required services.

~~G. Ranking Reported to the Board. The Committee's ranking of the firms shall be submitted to the Board through the County Administrator by the Originating Department, ensuring public notice of the final ranking has been made at least seven days prior to the proposed Board meeting. Upon final ranking and selection by the Board, the Originating Department shall proceed with negotiations; provided, however, that if the estimated value of the services is $50,000 or less, the Purchasing Manager, in consultation with the Originating Department, may determine final ranking and selection, and if the estimated value of the services is $75,000 or less, the County Administrator, in consultation with the Originating Department, may determine final ranking and selection,~~

~~H.~~G. Negotiations. The Originating Department shall effect negotiat~~e~~ions with the firms in the order and manner set forth in the Consultants Competitive Negotiation Act, which generally requires that the Originating Department first negotiate with the most qualified firm. If negotiations are not successful, the Originating Department shall formally terminate negotiations with the most qualified firm, and shall commence negotiations with the second most qualified firm. If negotiations are not successful, the Originating Department shall formally terminate negotiations with the second most qualified firm, and shall commence negotiations with the third most qualified firm. If the County is unable to negotiate a satisfactory contract with any of the selected firms, the County may select additional firms responding to the RFQ in the order of their competence and qualification and continue negotiations in the same manner until an agreement is reached.

~~I.~~H. Award of Contract. At the conclusion of successful negotiations, a contract, approved by the County Attorney, shall be submitted to the ~~Purchasing~~Procurement Manager (up to $~~35~~100,000), the County Administrator (up to $~~75~~200,000) or the Board (up to and in excess of $~~75~~200,000) for approval, after a minimum seven day public notice of recommendation of award. A copy of the executed contract shall be transmitted to the ~~Purchasing~~Procurement Division for the permanent file.

5.3 RANKING OF FIRMS IN RFP AND RFQ PROCESS

The ranking of firms in an RFP or RFQ process shall be done in the following manner, unless otherwise specified within the RFP or RFQ: (a) the RFP or RFQ solicitation documents shall list the evaluation criteria and assign a maximum number of points available for each criterion. The total maximum number of points available for all criteria shall be 100, (b) each member of the Committee shall evaluate each firm by assigning a number of points for each criterion and then totaling the number of points for all criteria, and (c) ~~each Committee member shall then rank the firms on the basis of the total number of points received for all criteria, with the firm receiving the most points being ranked # 1, and~~ (d) the ~~rankings~~ total number of points received by each firm from all Committee members shall then be totaled and divided by the number of committee members, to produce an average ~~ranking~~score. The firm receiving the ~~lowest average ranking (ie., closest to # 1)~~highest average score shall be ranked the # 1 firm, and the process repeated until all firms have been ranked according to their average ~~ranking~~score. In the event of a tie, the ranking of the tied firms shall be determined ~~by a comparison of the total number of points received by each firm for all criteria from all committee members. The firm with the highest number of points will be awarded the higher ranking position~~through consensus scoring, following discussion by the Committee. After the initial ranking is established, t~~T~~he Committee may discuss the scores and their reasons behind them, and each member may modify their ranking of firms or scores accordingly.

If a single responsive proposal is received, the committee is not required to assess scores based on the evaluation criteria.

After interviews in a CCNA~~n~~ RFQ process (or in an RFP or non-CCNA RFQ process, if interviews are held), and based upon information learned during the interviews, each Committee member will rank the firms in order of preference and a consolidated final committee ranking established.

The evaluation process shall continue until the Committee declares the rankings final.

The committee may recommend rejection of all responses, if it determines they are not sufficient to meet the County's needs.

The awarding authority may reject a proposal or SOQ if the consultant, vendor, or other service provider is in default on the payment of taxes, licenses, or other monies due the county.

5.4 PROPOSALS FOR PUBLIC-PRIVATE PARTNERSHIP (P3) or Unsolicited Bids

In accordance with F.S. 255.065, the County may solicit or accept proposals for public–private partnerships to effectuate the private funding of a County facility or project. Solicited proposals shall be submitted in the format dictated in the solicitation. Unsolicited proposals may be submitted electronically to purchasing@indianriver.gov, noting "unsolicited proposal per F.S. 255.065" in the subject; or by delivery of a hard copy or other electronic method (thumb drive, CD, etc.) submitted in a sealed envelope to the ~~Purchasing~~Procurement Division, with the same title notation clearly indicated on the outside of the envelope. No initial application fee is required, however, the County reserves the right to request one in accordance with F.S. 255.065(3)(a)3.

Recommendation to the Board for approval and ranking of a qualifying P3 project must include a Public Private Partnership Legal and Financial Analysis worksheet.

The County may accept and consider other unsolicited bids or proposals, and will ensure opportunity for other entities to also submit is offered.

6. SUMMARY OF PROCUREMENT

The following is a summary of the above procurement requirements.

A. Less than $~~3~~10,~~50~~00. Quotes are not required; blanket purchase orders are permitted; emergency purchase orders are permitted; sole source procurement permitted; sole brand procurement permitted; annual term contracts permitted; cooperative ~~purchasing~~ procurement (piggyback) permitted; Bid/RFP/RFQ permitted, but not required. The ~~Purchasing~~Procurement Manager, County Administrator and the Board have authority to approve procurements less than $~~3,500~~10,000.

B. From $~~3,500~~10,000 to $~~35~~100,000. Three (3) quotes required to be attached to the requisition; blanket purchase orders are permitted; emergency purchase orders are permitted; sole source procurement permitted; sole brand procurement permitted; annual term contracts permitted; cooperative procurement~~purchasing~~ (piggyback) permitted; Bid/RFP/RFQ are permitted, but not required. The ~~Purchasing~~Procurement Manager, County Administrator and the Board have authority to approve procurements from $~~3,500~~10,000 to $~~35~~100,000.

D. From $~~35~~100,000 to $~~75~~200,000. Emergency purchase orders permitted; sole source procurement permitted; sole brand procurement permitted; annual term contracts permitted; cooperative procurement~~purchasing~~ (piggyback) permitted; Bid/RFP/RFQ are required, unless waived by County Administrator or Board, or required by applicable law. The County Administrator and the Board have authority to approve procurements from $~~35~~100,000 to $~~75~~200,000, and the ~~Purchasing~~Procurement Manager has authority to authorize purchases associated with an eligible Cooperative or Piggyback agreement. Bid security required for bids over $~~35~~100,000.

F. Over $~~75~~200,000. The Board must approve all procurements not associated with an existing local agreement or eligible Cooperative or Piggyback agreement; Bid/RFP/RFQ required, unless waived by the Board, if allowed by applicable law. Bid security is required. Emergency procurement approved in the interim by the County Administrator requires Board ratification.

G. Construction Projects Over $~~100~~200,000. Public construction bond required for construction contracts.

7. PROTEST PROCEDURE

7.1 RESOLUTION OF PROTESTS

Any ~~actual or prospective bidder or proposer~~interested party who is aggrieved in connection with a competitive selection process may protest to the ~~Purchasing~~Procurement Manager. The protest shall be submitted to the ~~Purchasing~~Procurement Manager in writing within five (5) calendar days after the bidder or proposer knows or should have known of the facts giving rise to the protest.

A. Decision. The ~~Purchasing~~Procurement Manager shall promptly investigate the basis of the protest and, after consultation with the Originating Department, the Office of the County Attorney and any other person or entity deemed necessary by the ~~Purchasing~~Procurement Manager, shall issue a decision in writing. A copy of the decision shall be furnished immediately to the protestor and any other party determined by the ~~Purchasing~~Procurement Manager to be directly affected by the decision. The decision shall:

1. State the decision and the basis for the decision, and

2. Set forth the protestor's right to administrative review.

B. Administrative Review. If the protestor disagrees with the decision of the ~~Purchasing~~Procurement Manager, the protestor may appeal the decision. Appeal will be presented to the Board, or to the County Administrator, if within his $~~75~~200,000 approval authority or other circumstance that would not necessitate consideration of solicitation by the Board. Written notice of such appeal shall be submitted by the protestor to the ~~Purchasing~~Procurement Manager within three (3) business days of receipt of the ~~Purchasing~~Procurement Manager's decision. The Board shall consider the appeal with reasonable promptness, and may address the appeal at the same time that it considers the Bid/RFP/RFQ award.

C. Stay of Procurements During Protests. In the event of a timely protest, the County shall not award the contract until the administrative appeal is resolved as set forth in paragraphs A and B above, unless the County Administrator or the Board determines that the award must be made without delay in order to protect the substantial interests of the County.

8. EXCESS/SURPLUS ASSET DISPOSITION

The ~~Purchasing~~Procurement Division shall maintain an electronic list, accessible to all County employees, of excess assets and other items in working condition that may be usable to another department. This list shall be periodically submitted to the Board for approval to declare the assets surplus and to remove the assets from inventory.

Once declared surplus by the Board, the ~~Purchasing~~Procurement Division shall transfer or sell the assets through any method consistent with the laws of Florida or applicable County policies.

The Capital Asset Policy is managed by the ~~Finance Department~~Comptroller and approved by the County Administrator and can be referenced along with this section.

9. PURCHASING CARD PROGRAM

The Purchasing Card Program is administered by the Director of the Office of Management & Budget and is designed to improve efficiency in processing small dollar purchases from any vendor that accepts the credit card. This program allows cardholders to purchase approved commodities and services directly from vendors. Each purchasing card is issued to a named individual, and Indian River County is clearly shown on the card as the governmental buyer of the goods/services.

9.1 AUTHORIZATION

The purchasing card system simplifies the procurement/disbursement process. Procurement responsibility is delegated to the ordering department enabling an authorized cardholder to place an order directly with the vendor.

When the purchase authorization is requested by the supplier at the point of sale, the purchasing card system validates the transaction against preset limits established by the employee's department and approved by the Purchasing Card Administrator. All transactions are approved or declined (electronically) based on the purchasing card authorization criteria established. The authorization criteria may be adjusted periodically as needed and may include, but are not limited to, the following:

A. Number of transactions allowed per day.

B. Number of transactions allowed per month.

C. Single purchase limit ($1,000 is standard, not to exceed $1,500 – capital items may not be purchased on credit cards).

D. Monthly spending limit (not to exceed $2,500.00, or $5,000 for travel P-Cards).

E. Approved merchant category codes.

The authorization process occurs through the electronic system that supports the purchasing card processing services under the agreement established between Indian River County and the financial services provider.

9.2 RESPONSIBILITIES

The following is a summation of the responsibilities of the individuals and organizations involved in the purchasing card system:

A. Cardholder

1. Hold and secure purchasing cards.
2. Order materials and services.
3. Inform vendor of tax-exempt status prior to processing sale transaction.
4. Obtain all sales receipts and forward to the Department Purchasing Card Representative (if assigned) or Department Director or designee for authorizing approval.
5. Identify disputed charges.

B. Department Purchasing Card Representative (or cardholder, if Department Purchasing Card Representative is not designated).

1. Review charges ~~daily~~ and sign authorizing the charges.
2. Assign and/or verify the appropriateness of account numbers.
3. Assist department cardholders with disputed items.
4. Obtain signature from Department Head.
5. Forward all charge receipts and necessary documentation to ~~Finance~~ the Comptroller daily. Ensure that all receipts for a given month are forwarded to ~~Finance~~the Comptroller no later than five working days after month end.
6. Collect cards from cardholders that end or transfer employment and notify the Purchasing Card Administrator.
7. Notify the Purchasing Card Administrator of terminated employees immediately.

C. Department Head or his/her designee.

1. Request purchasing cards for designated employees.
2. Set departmental and cardholder spending limits within established guidelines.
3. Designate Department Purchasing Card Representatives.
4. Review and sign charge receipts.

D. Purchasing Card Administrator

1. Approve requests for purchasing cards submitted by Department Head.
2. Coordinate issuance and cancellation of cards.
3. Coordinate program policy issues.
4. Participate in ongoing program reviews.
5. Participate in resolving billing disputes.
6. Coordinate and maintain internal controls.
7. Maintain procedures and cardholder guides/manuals.
8. Conduct periodic operational and compliance audits.
9. Authorize temporary increases to limits, to include blanket increases during emergencies/disasters

E. ~~Finance~~Comptroller

1. Receive approved charge receipts from all cardholders.

2. Confirm that all charges are authorized by Department Head or his/her designee.
3. Reconcile consolidated statement, and notify departments and Purchasing Card Administrator when approved charge receipts are not received.
4. Pay all monthly charges from consolidated statement.
5. Process accounting data.
6. File and store statements, receipts, etc.
7. Upon request, provide weekly or monthly statements to the Department Head or his/her designee.
8. Report failure of departments to promptly turn in receipts to the Purchasing Card Administrator, as well as any other violations of the Purchasing Card Policy.

F. ~~Purchasing~~Procurement Division

1. Pursue supplier discount opportunities
2. Evaluate purchasing card feedback from suppliers and cardholders.
3. Provide training to all new cardholders and refresher training classes as needed.

9.3 PROCEDURES

A. Assignment and Control of the Purchasing Card

1. Requests for and issuance of purchasing cards

a. Purchasing cards will be issued to individual employees, County Officers, and elected officials who frequently purchase goods/services in single purchase amounts of less than $1,500.00.

b. The purchasing card will have the employee's name and employee ID# issued by the County, the County's name, the County's tax exemption number, and the expiration date. No credit records, social security numbers, etc., of the cardholder will be maintained.

c. All requests for purchasing cards must be made by the Department Head by using the Purchasing Card Request/Certification/Receipt form submitted to the Budget Office.

d. All requests for new cardholders or for changes to current cardholders will be made by updating the top portion of the approved Purchasing Card Request/Certification/ Receipt form, and submitting it to the Purchasing Card Administrator after it has been signed by the Department Head.

e. When the Purchasing Card Administrator receives a purchasing card from the issuing card company for a cardholder, the cardholder will be required to personally take receipt of the card and sign the Purchasing Card Acceptance and Cardholder Agreement. The ~~Purchasing~~Procurement Division will provide training and a copy of the Purchasing Card Procedures Guide to the cardholder.

f. The Purchasing Card Administrator will notify the requesting department and the ~~Finance Office~~Comptroller upon the issuance of all purchasing cards.

2. Lost or Stolen Purchasing Cards

a. If a purchasing card is lost or stolen, the cardholder or department representative must immediately notify the financial service provider and the Purchasing Card Administrator.

b. The cardholder will be responsible for reporting all information necessary to reduce the liability to the County for a lost or stolen card.

3. Termination or Transfer of Cardholder

a. When a cardholder ends employment, leaves office, or is transferred to another department, the Department Head (as applicable) must notify the Purchasing Card Administrator immediately, collect the purchasing card, cut it in half, and submit the card to the Purchasing Card Administrator.

b. If the department is unable to collect the purchasing card when an employee terminates, the Department Head must immediately notify the Purchasing Card Administrator. The Purchasing Card Administrator will ensure that the card is cancelled.

B. Limitation on Use of Purchasing Cards

1. Cardholder Use Only. Except as authorized in the travel policy, t~~T~~he purchasing card may be used only by the cardholder whose name is embossed on the card. No other person is authorized to use or maintain a record of the card. Any individual discovered to be using another person's issued card is subject to disciplinary action, up to and including termination.

2. County Purchases Only. The purchasing card is to be used for County-authorized purchases only. The purchasing card cannot be used for any personal use. Any such use will require immediate reimbursement and may result in disciplinary action, which may include dismissal.

3. Dollar Limitations

a. The Department Head (as applicable) approving the assignment of a purchasing card will set two limits for each cardholder; a single purchase limit and a 30-day limit. The maximum limits shall be $1,500.00 for a single purchase and $2,500.00 during the 30-day billing cycle ($5,000 during the 30-day billing cycle for the department Travel p-card). A Department Head may set limits lower than this if necessary. Requests for spending limit changes must be initialed and authorized by

the Department Head (as applicable) and submitted to the Purchasing Card Administrator. Elected officials and County Officers shall be entitled to the maximum amounts set forth in this policy as it may be amended from time to time.

b. A purchase may include multiple items, but the total cannot exceed the cardholder's single-purchase limit. Payment for purchases shall not be split to stay within the single purchase limit.

4. Other Conditions

a. Sales taxes (including tourist taxes in the State of Florida) may not be charged by the vendor (with the exception of out-of-state travel). If requested, provide the vendor with the County's sales tax exemption certificate.

b. If an item is not immediately available, no back ordering is allowed.

5. Prohibited Uses of Purchasing Cards

a. Vendors that will accept Purchase Orders

b. Gasoline or oil for County vehicles only (unless cardholder is approved for travel expenses)

c. Vehicle repairs or similar services

d. Travel expenses, unless cardholder is approved by the Purchasing Card Administrator for travel expenses.

e. Training expenditures requiring a travel authorization form, unless cardholder is approved by the Purchasing Card Administrator for travel expenses.

f. Cash advances

g. Inventory stock items

h. Food/Restaurants, unless the cardholder is specifically approved for this use by the Purchasing Card Administrator

i. Capital or attractive Items ~~($1,000 or more)~~

j. When department annual needs for like items/services or purchases from the same vendor exceed $1,500.00 annually.

k. Any additional goods/services specifically restricted by the ~~Purchasing~~Procurement Division or the department.

l. Telephone calls

m. Personal items

n. Invoices for previously purchased/ordered/received goods and/or services

o. Any services requiring licensure with the State/Building Division and/or liability insurance as required by the Administrative Policy.

p. Registration for courses, ~~including online courses,~~ unless a travel voucher is submitted with receipt through Budget.

6. Travel and Registration Expenses

a. Some cardholders may receive approval from the Purchasing Card Administrator to charge travel related expense to their purchasing cards.

b. Expenses for registration, hotel rooms (lodging) and related parking and resort fees, car rentals and airfare are allowed for such cardholders.

c. All travel related expenses must be for official County business and must be made in accordance with Section 112.061, Florida Statutes.

d. All cardholders must follow County policies on travel expense in addition to the Purchasing Card Policy. (e.g., completing Travel Approval Prior to Trip Form before making any charges on the Purchasing Card).

e. With the exception of each Department's dedicated Travel P-card, only travel expenses for the cardholder are authorized. Charges shall not be made for any other employees or travelers other than the cardholder. Cardholders may only allow another employee to utilize their issued travel P-card for the purpose of booking travel or class or conference registration.

f. One checked bag is allowable.

g. All out of state travel must be preapproved by the County Administrator, per the Travel Policy.

h. The departmental travel P-cards will have a limit of $5,000 per month, and may only be used for the purpose of hotel reservations.

i. Purchasing Cards may be used to pay for hotel parking (if charged separately from the room).

j. Registration for conferences and in person or online courses may be charged to the P-card.

7. Food and Beverage

a. As related to travel, meals and tips may not be charged on the P-Card.

b. If prior approval by the County Administrator or designee to purchase food and beverage for an event is granted, any gratuity shall not exceed 20%.

C. Procedures for Making and Paying for Purchases

1. Online and Telephone Orders

a. The cardholder shall ensure a copy of the receipt is obtained. Packing slips are not sufficient documentation.

b. Receipts should identify the merchandise purchased. If the merchandise is not sufficiently identified on the order confirmation or receipt provided by the merchant, the cardholder should describe the merchandise sufficiently enough for the Department Director to determine that the purchase was for County purposes.

c. The receipt will be forwarded to ~~Finance~~ the Comptroller with the proper authorization signatures on a daily basis, and **no later than ~~five~~ three business days after the purchase**.

2. Missing Documentation

Where supporting documentation is missing, the cardholder must contact the vendor and request a duplicate receipt. If the cardholder is unable to obtain documentation, a description of the purchase must be attached. Continued incidents of missing documentation may result in the cancellation of the employee's purchasing card and/or disciplinary action.

3. Payment and Invoice Procedures

a. The purchasing card company will provide one consolidated statement for all cardholders to ~~Finance~~the Comptroller. This Statement of Account will list all transactions processed during the previous 30 days.

b. ~~Finance~~The Comptroller will review the statement and receipts, noting any errors and notifying the departments of any discrepancies. The department will determine whether to dispute the item in question. If the item is disputed, follow the procedures below. All items must be resolved within five (5) working days of notification by the Comptroller~~Finance~~.

D. Disputes. If items purchased with the purchasing card are defective, the cardholder must return the item(s) to the vendor for replacement or credit. If the service paid for with a purchasing card is faulty, the vendor must be notified and asked to correct the situation or provide a credit. If the vendor refuses to replace or correct the faulty item or service, the purchase will be considered in dispute.

E. Review of Purchases by Departments

1. Because of their knowledge of the job responsibilities and requirements, Department Heads or designees are required to review each purchasing card expenditure (item purchased, amount and vendor) to ensure the goods/services were necessary and for official use.

2. When the Department Head is not satisfied that the purchase was necessary and for official use, the cardholder must provide either a credit voucher proving the item(s) were returned for credit or a personal check for the full amount of the purchase. Checks must be sent to the Comptroller~~Finance~~ with an explanation and account number to credit. A copy of the check and explanation must be forwarded to the Purchasing Card Administrator.

3. Serious or repeated misuse of the purchasing card will result in the revocation of the card. Employees incorrectly using their purchasing card will be disciplined by the Department Head/ manager as necessary.

4. To help the departments in their reviews, management reports will be available from the Purchasing Card Administrator or the Comptroller~~Finance~~.

F. Abuse/Violations

1. Participation in the Indian River County Purchasing Card Program is a convenience that carries responsibilities along with it. Although the card is issued in a cardholder's name, it is County property and should be used with good judgement. Improper use of the card can be considered misappropriation of County funds which may result in disciplinary action, up to and including termination. Cardholders are expected to comply with internal control procedures in order to protect County assets. This includes keeping receipts, providing the receipts to the Comptroller~~Finance~~ within three business days, resolving discrepancies and following proper card security measures.

2. The Department Purchasing Card Representatives and Department Heads should notify the Purchasing Card Administrator if a cardholder abuses the program or violates the procedures.

3. The Purchasing Card Administrator will conduct operational and compliance audits to determine if the program is being abused or procedures are being violated.

4. Misuse of the Purchasing Card may result in disciplinary or other appropriate action, to include possible criminal charges. In instances where violations, abuse or misuse of the Purchasing Card rise to level of a serious violation, the issue will be reported to the supervisor, and disciplinary action, up to and including dismissal, may result, in accordance with County policy.

5. Abuse, misuse, and violations include, but are not necessarily limited to the following:

a. Use of card for unauthorized or prohibited items/services (See 9.3.B.5).

b. Multiple transactions to circumvent ~~Purchasing~~Procurement procedures.

c. Failure to provide proper documentation, receipts, invoices, etc. within five business days.

d. Purchase of Capital Outlay items.

e. Purchase from vendors which create a conflict of interest.

f. Personal charges.

g. Allowing another person to use the card.

h. Failure to report a lost or stolen card in a timely manner.

6. Unless the offense is egregious, t~~T~~he following steps will generally be taken to address misuse/abuse/violations:

a. First Offense: Cardholder and ~~supervisor~~ Director will be notified verbally of the violation, and Director will provide verbal counseling and document it in writing~~.~~

b. Second Offense: ~~Cardholder will receive written notice of violation through his or her supervisor.~~Purchasing Card will be suspended for a period to be determined by their Director and the PCard Administrator, and additional disciplinary action may be taken by the department.

c. Third Offense: Purchasing Card privilege will be revoked and additional disciplinary action may be taken by the department.

10. SPECIAL PURCHASE CATEGORIES

~~9.4~~10.1 INFORMATION TECHNOLOGY PROCUREMENT PROCESS

The following procedures are necessary to maximize consistency, cost efficiencies and life cycle management of the IT-related equipment (telephones, computers, servers, copiers, printers, scanners, software, etc.), and apply regardless of funding source.

Departments shall not place orders for any item of hardware, related accessory, or software. Requests for all such purchases shall be made to the IT department through a help desk ticket. This restriction excludes new or replacement carrying cases and protective devices, such as screen protectors.

If a purchase is required, the IT department will obtain necessary quotes or prices for the item, determining the best value to the County, and either enter a requisition on behalf of the department, or use an existing department blanket PO, if appropriate. When the Purchase Order has been issued or identified, the IT Department will place the order, with the items shipped to the attention of IT. On arrival, the items will be installed, and the invoice entered by IT, and the help desk ticket closed.

Any item being installed on, or connected or plugged into the County's computer or telephone network must be requested on a help desk ticket, to ensure compatibility and compliance with security protocols.

To comply with Governmental Accounting Standards Board Requirements, any software request, even at no cost, must have the associated terms and conditions, and the end-user license agreement attached.

10.2 PROTECTION OF SECURITY INFORMATION

The County is enabled in Chapter 119, Florida Statute to withhold certain confidential security information exempt from public disclosure. This protected information includes security and fire safety plans, structural building and facility plans, public safety broadband network, critical infrastructure, and cybersecurity.

Care should be taken to identify any written correspondence, including emails, requisitions, purchase orders, and solicitations that contain protected security information. It is recommended that the email subject, solicitation title, and requisition general description related to this protected information begin with the word "EXEMPT". This will facilitate redaction when a public records request is received, and also serve as a reminder that the information should be protected.

As it relates to solicitations, prior to issue, all plans will require review by Telecommunications, IT, and Utilities to ensure any location of water lines, security features, telecommunication or fiber lines, or other security information is properly protected. If exempt information is identified in the plans, the entire planset will be flagged as "Confidential" and only released to prime contractors who first execute a County-provided non-disclosure agreement.

10.3 VEHICLE PROCUREMENT AND MANAGEMENT PROCESS

To ensure consistency in Fleet Management and consumable part supply, the purchase of any motorized vehicle requires the approval of the Fleet Manager. The Procurement Division will coordinate with the Fleet Manager to ensure the vehicle manufacturer is appropriate. Every requisition for purchase of a motorized vehicle must include the standard note relating to Tag and Title Paperwork.

With the exception of Emergency Services Department vehicles, all requisitions for the purchase of motorized vehicles must indicate Fleet Management as the ship to address.

When a new vehicle is received, the appropriate Fleet Manager will check in the vehicle, assign an asset number and fleet number, and notify Risk Management, who will add the vehicle to the insurance policy. Once the vehicle is insured, the Procurement Division will request and obtain the tag and title for the vehicle.

The repair of any vehicle at an off site facility must be pre-authorized by the Fleet Manager, or paid to the dealer directly by the owning department. Fleet Management is not liable for the cost of repairs not authorized by the Fleet Manager.

Recall notices will be provided only to Fleet Managers, who will determine appropriate actions.

~~10.~~11. Appendices

Forms, databases, checklists and guidelines are frequently updated, and may be found at: F://annual contracts and purchasing docs.

The documents listed on the index are housed in the subfolder "Purchasing Manual and appendices" or by clicking the hyperlinks in the index.

The current index of appendices may also be found at the following hyperlink:

Appendices Index (updates to appendices are pending final draft of updated manual)