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41-100 INTRODUCTION

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

41-110 PURPOSE

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

41-120 SCOPE

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

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

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

These procedures include activities which:

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

41-130 ORGANIZATIONAL UNITS INVOLVED

- City Commission sets formal policy and approves line item purchases over $100,000, except those specifically exempted.
- Finance Department monitors and administers policies and procedures.

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

41-200 POLICY

The current policies of the City of Gainesville, pertaining to the procurement process, were adopted by the City Commission on April 22, 1996, which became effective May 6, 1996, and were amended October 25, 1999, December 11, 2006, January 21, 2016, and July 6, 2017.

41-210 PROCUREMENT POLICY

The procurement policies are comprised of thirteen (13) sections:

Section 1: Purpose

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

Section 2: Responsibilities of Procurement

The Procurement Divisions shall:

(a) assist all departments and divisions, including Charter Officers, in making purchases and sales of materials, equipment and services in accordance with policies established by the City Commission and the procedures established by the Managers
(b) provide support to enable all purchases to be made in an efficient and cost effective manner through the application of sound business practices
(c) establish procedures for documenting that purchases have been made in accordance with the City's Procurement Policy

Section 3: Functions of the City's Procurement Divisions

The Procurement Divisions shall, as applicable:

(a) provide customer support for the purchase, receipt, and delivery of materials, equipment and services to support operational requirements
(b) identify and maintain information about businesses that provide materials, equipment and services, including performance records, as applicable
(c) develop and maintain fair and impartial business relationships

(d) assist as needed with contract administration to ensure that businesses fulfill contractual requirements
(e) oversee the proper disposition of surplus materials and equipment

Section 4: Ethics in Public Procurement

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

Section 5: Definitions

(a) **Award.** A decision or outcome resulting from a solicitation.
(b) **City.** The operating and administrative departments of General Government, Gainesville Regional Utilities, and the Charter Officers of the City of Gainesville, Florida.
(c) **City Officials and Employees.** Public Officers, elected or appointed, including City Commissioners, Charter Officers, and Advisory Boards, and City employees, and agents of the City.
(d) **Competitive Situation.** Exists if at least two businesses submit responses to a solicitation in an effort to obtain an award and the receipt of quotations is without prior disclosure of a competitor's quotation; also, the receipt of quotation(s) by auction.
(e) **Cone of Silence.** The period of time during which there is prohibition on communication regarding a competitive solicitation.
(f) **Contractual Services.** Services performed for the City by persons not directly employed by the City including, but not limited to, professional services and the construction, and maintenance of City facilities.
(g) **Cooperative Purchasing.** Purchases made through a public agency contract which allows the use of the contract by other agencies under the same pricing and contract terms.
(h) **Emergency Purchase.** A purchase which is necessary due to unforeseen circumstances and that can negatively impact the operation of the City, or a purchase needed for a public safety emergency or where delay of a purchase subjects the City to additional costs or hardship.
(i) **Formal Solicitation.** A process conducted by a Procurement Division which sets forth the requirements of a purchase or sale and which is issued by Invitation to Bid, Request for Quotation, Request for Proposal or other procurement method.
(j) **Item.** A unit of materials, equipment, or contractual services; a quantity of the same units purchased at the same time; or, a combination of items which are

purchased together because the purchase of one item is required for the use of another.

(k) **Lobbying.** When a person seeks to influence or attempt to influence City Officials or employees with respect to a decision of the City, except as authorized by procurement procedures.

(l) **Lowest Responsive Bid.** The bid which offers the least cost and which conforms in all material respects to the requirements set forth in the bid documents.

(m) **Managers.** The City Manager and General Manager for Utilities as applicable, or their designee.

(n) **Non-competitive situation.** Exists when the product or service is being purchased from a Sole Source or Specified Source.

(o) **Professional Services.** Services which involve extended analysis, the exercise of discretion and independent judgment in their performance, and an advanced, specialized type of knowledge, expertise, or training customarily acquired either by a prolonged course of study or equivalent experience in the field.

(p) **Procurement Division.** The procurement organization of General Government or Gainesville Regional Utilities.

(q) **Sole Source.** The only available source through which goods, equipment or services may be purchased.

(r) **Specified Source.** A source selected without competitive bidding for justifiable reasons.

(s) **Standard Material.** Any items which are specified as in an approved material and stocked for use of City operations.

(t) **Surplus.** Materials and equipment that are no longer used, useable, useful, or cost-effective to maintain.

Section 6: Method of Source Selection

6.1 Competitive bidding will be used to ensure the greatest economic benefit to the City except as provided herein. The value of the award shall determine the bidding process as follows:

(a) Purchases with a value of $5,000 or less do not require a competitive process. The purchase should be made from a small or service-disabled veteran business when feasible. The use of a Purchasing Card is recommended.

(b) Purchases with a value between $5,000.01 and $50,000 are required to have three (3) written quotes, including one from a small or service-disabled veteran business, when feasible.

(c) Purchases with an anticipated cost exceeding $50,000 require a Formal Solicitation issued by the Procurement Division.

(d) Verbal quotations are permissible for petroleum products and emergency purchases.

6.2 Basis of award will be as designated in the solicitation.

6.3 A small or service-disabled veteran business, as certified by the City of Gainesville, will be given a preference of 5% of the total price not to exceed $25,000, when all of the

following apply:

(a) Purchase is anticipated to be greater than $50,000;

(b) Award is based on evaluation criteria other than to the lowest responsive and responsible bidder;

(c) The certified small or service-disabled veteran business being evaluated did not receive a Local Preference; and

(d) The preference is not prohibited by law.

6.4 In the case of tie bids with all factors being equal, preference shall be given to the business in the following order of priority: 1) business has a drug-free workplace program meeting the requirements of Florida Statutes; 2) business is located in the corporate limits of the City of Gainesville, if the solicitation is not subject to the Local Preference Ordinance; 3) business is located in Alachua County; 4) business is located in the State of Florida; 5) coin toss.

6.5 All bids may be rejected by the appropriate Charter Officer, or designee, when it is determined to be in the best interest of the City.

6.6 Competitive bids are not required for the following:

(a) Items, as defined in Section 5, not exceeding $5,000.

(b) Non-competitive situations such as a Sole Source or Specified Source.

(c) Purchases made under state, federal or other public agency agreements or cooperative contracts.

(d) Utility services when the subject utility is the only available source of such service.

(e) Professional services whose cost does not exceed $50,000, except as required by State law.

(f) Legal services not exceeding $100,000. The City Attorney may specify the qualifications of a firm for legal services in connection with litigation involving the City.

(g) Work performed under Continuing Contracts, as defined by Florida Statutes, for professional services of indefinite duration. Continuing Contracts shall be reviewed for appropriateness with regard to the quality of the service and the competitiveness of the cost. Such review shall be the responsibility of the appropriate Manager and shall be conducted not less than every five years.

(h) Emergency Purchases, at the discretion of the Managers, when urgent situations do not allow sufficient time to obtain competitive bids.

Section 7: Purchases Requiring City Commission Approval

7.1 Every purchase of an Item of materials, equipment, services, and extensions to existing contracts with a value greater than $100,000 shall require approval by the City Commission, except for the following:

(1) Any adjustment to a contract or purchase order previously approved by the City Commission which does not increase the cost more than ten (10%) percent of the

previously approved amount.

(2) Purchases of fuels used in operating plants and equipment or for the delivery of customer services, including petroleum products and fuel oil for generation; coal meeting environmental requirements at the lowest delivered price per BTU available and the transportation thereof; and natural gas and liquefied petroleum gas at the lowest delivered price per BTU available and the transportation thereof; also natural gas rebates.

(3) Purchases of materials, equipment or services used for the operation and maintenance of utility plants, distribution and collection facilities, substations, lift stations, gate stations, and purchases of standard materials.

(4) Purchases for the repair and maintenance of system-wide computer software and hardware.

(5) Purchases for or related to the expansion, operation or maintenance of the fiber optic of other telecommunication systems and contracts for telecommunication access, transport, and other services.

(6) Purchases for maintenance of fleet equipment and used vehicles.

(7) Materials, equipment or services purchased under public agency cooperative purchasing contracts, agreements or consortiums.

(8) Utility services when the subject utility is the only available source of such service.

(9) Emergency purchases as defined in this policy.

(10) Purchases and contracts for construction projects when the cost of the construction project does not exceed $300,000.

7.2 Reports shall be made to the City Commission of any purchase of materials, equipment or services greater than $100,000 for which City Commission approval has not been obtained.

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

Section 8: Small and Service-Disabled Veteran Business Programs

The City shall take affirmative steps to seek out, identify, and work with Small and Service-Disabled Veteran Business Enterprises in accordance with programs and procedures developed by the Procurement Divisions and the Office of Equal Opportunity. As part of these programs, the Procurement Divisions may waive competitive bidding requirements for the first time order with a Small and Service-Disabled Veteran Business Enterprise in an amount not greater than $20,000 in order to fairly assess the capabilities of the business to perform in accordance with required standards. The programs and procedures may also include sheltered market opportunities for Small and Service-Disabled Business Enterprises when appropriate.

Section 9: Prohibition of Lobbying in Procurement Matters

Except as expressly set forth in Section 10, during the Cone of Silence, as defined herein, no person may lobby City Officials or employees in a particular procurement process, except the designated Procurement Division representative. Violation of this provision shall result in disqualification of the party on whose behalf the lobbying occurred.

Section 10: Remedies/Appeals

Any actual bidder who is aggrieved in connection with a solicitation or award of a contract shall comply with the administrative procedures for a bid protest established by the appropriate Procurement Divisions.

Section 11: Sale of Surplus Items

(a) The sale of surplus items such as obsolete or unusable equipment and materials, or the sale of by-products of utilities operations or improvements on real property (such as timber or hay) shall be at the discretion of the Managers. The sale shall be by method selected by the Procurement Division as appropriate to reach prospective buyers.

(b) Surplus items that have a current value greater than $10,000 shall be sold by a competitive process. Surplus items with a current value of $10,000 or less may be sold on a first come basis at the discretion of the Manager or designee.

(c) If the items cannot be sold as is, surplus may be sold through a scrap contract, or properly disposed of if no other options exist. The surplus items may be given away to avoid the cost of disposal, giving preference to governmental agencies or non-profit organizations.

(d) Surplus items with a current value greater than $50,000 require approval by the City Commission prior to the sale.

(e) All items shall be sold for cash, payable by certified check, wire transfer, or other means acceptable to the Accounting Division.

Section 12: Donations of Property

The Managers may authorize the donation of surplus items whose value does not exceed $10,000 to a governmental agency after making a determination that such donation is in furtherance of governmental objectives.

Section 13: Loans, Sales, or Rentals to Other Entities

The Managers may, at their discretion, lend, sell or lease materials, supplies, or tools to non-City entities at no cost or at cost plus overheads. All loans, sales or rentals shall be in accordance with the following criteria when: a) an emergency or unusual conditions dictate the need for such sale, rental or loan; b) a community service would be served and the good or service is in sufficient supply that the sale, rental or loan would not impair service to customers or citizens; or c) an agreement entered into by the City requires such assistance.

41-220 PROCEDURES

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

41-230 COMPETITIVE BIDDING

Before any purchase of commodities or services is made, the Procurement (centralized or decentralized) shall attempt to obtain at least three (3) responsive quotes/bids from suppliers for the designated commodities or services, including one from a certified small and/or service-disabled veteran business, when feasible, except in those instances defined in 41-450.

41-240 PROFESSIONAL SERVICE CONTRACTS

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

- Provide the opportunity for competition among qualified firms if the cost of the services is estimated to exceed $50,000.

- Follow the Consultants Competitive Negotiation Act (CCNA), F.S. 287.055, when the professional service is provided by an engineer, architect, landscape architect or land surveyor and the basic construction cost for the project is expected to exceed the threshold amount provided in Florida Statutes Section 287.017 Category Five or for a planning or study activity when the fee exceeds the threshold amount provided in Category Two.

- Provide reasonable assurance of compliance with all relevant laws, regulations, and policies.

- Rate competing firms on explicit criteria directly relevant to the work to be accomplished, clearly documenting the method and results of such ratings.

41-241 Design-Build Professional Services

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

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

- No fewer than three (3) firms shall be qualified and selected as most-qualified based upon qualifications, availability and past work of the firms;

- Criteria and standards for evaluation of the responses must be developed, based on price, technical aspects, and design aspects, and weighted for the project;

- Criteria must be established prior to the solicitation of competitive proposals from the qualified design-build firms and evaluation of the responses;

- The City shall consult, from time to time, with the retained design criteria professional concerning:

  - evaluation of responses
  - supervision of the project
  - approval by the City of detailed working drawings of the project;

- The City shall have the design criteria professional evaluate the compliance of the project construction with the design criteria package.

- In case of a declared public emergency, negotiations may be authorized with the best qualified firm available at that time.

- If outside professionals are utilized to prepare the design criteria package, their selection must be in accordance with the CCNA. Such design criteria professional is then not eligible to render services under the design-build contract.

41-242 Research Projects

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

- The research is being provided by a university's engineering department which does not normally provide engineering services for the general convenience of the public or for profit.

- The information requested is typically collected from sources such as scientific journals rather than provided by a registered professional engineer.

- The study results in an improved understanding of a biological, chemical or geological process rather than the design of an engineered structure.

41-250 DEBARRED AND SUSPENDED BIDDERS; BREACH OF CONTRACT

This policy relates to and provides for:

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

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

41-300 OVERVIEW

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

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

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

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

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

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

The Purchase Order serves to accomplish the following:

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

In summary, as the Purchase Order authorizes the expenditure of City funds, and defines the terms and conditions, it is essential that all City Commission policies and procedures are properly followed to minimize the risk to the City. The following procedures identify the specifics of the procurement process and are applicable to both Purchase Orders and any related Contracts. For simplicity, in these procedures, the term Purchase Order is used to reflect all types of encumbrance documents.

THE BID PROCESS

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

41-410 Receipt And Screening Of Purchase Request

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

- Will review for completeness, accuracy and compliance with the Procurement Policy and Procedures.

- Will consult with the Local Small Business Procurement Program Coordinator to identify any barriers that may exist that would inhibit Small Business participation.

41-411 Locating Potential Vendors

City procedures require an attempt be made to obtain and document at least three responsive quotations including one from a certified small and/or service-disabled veteran business, if it exists, for all item purchases over $5,000 but $50,000 or less.

- A bid list sufficient to generate an adequate quantity of responses should be prepared using, (but not limited to) the following available resources:

  - telephone directories
  - Local Small Business Procurement Program Directory
  - ordering department personnel
  - Thomas Register
  - McRae's Blue Book
  - product catalogs
  - trade journals
  - professional associations
  - trade shows, exhibits, conventions
  - sales representatives
  - city, state and local Minority Business Enterprise (MBE) listings
  - state and federal procurement contracts
    other public entities
    internet

- Contact the Local Small Business Procurement Program Director to obtain list of available vendors.

- Prepare a quote or bid list.

- Conduct phone survey to determine interest level, and to seek new potential sources if low response is anticipated.

41-420 MAKING THE SOLICITATION

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

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

41-421 Determining the Acquisition Method

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

(a) Purchases with a value of $5,000 or less do not require a competitive process. The purchase should be made from a small or service-disabled veteran business, when feasible. The use of a Purchasing Card is recommended.
(b) Purchases with a value between $5,000.01 and $50,000 are required to have three (3) written quotes, including one from a small or service-disabled veteran business, when feasible.
(c) Purchases with an anticipated cost exceeding $50,000 require a Formal Solicitation issued by the Procurement Division.
(d) Verbal quotations are permissible for petroleum products and emergency purchases.

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

- Take into account the following factors:
  - what commodity/service is needed?
  - how detailed are the specifications?
  - what is the estimated cost?
  - is competitive bidding required?
  - how quickly is the commodity/service needed?
  - how knowledgeable is the ordering department regarding the commodity/service being purchased?

- Select the acquisition method based on answers to the above questions utilizing one of the following methods:
  - verbal quotations
  - written quotations

- formal bids
- Request for Proposal (RFP)
- Request for Qualifications (RFQ)
- Invitation to Negotiate
- Multi-step sealed bidding
- Non-competitive situation

41-422 Acquisition Methods

Verbal quotations
Verbal quotations may be solicited when the following conditions occur:

- purchase does not exceed $5,000
- purchase of petroleum products
- when time constraints do not allow for written quotations (emergency orders)

- Record all verbal quotations on the Phone Quote Worksheet as a permanent record of quoting activity.

Written quotations
The required method for all purchases over $5,000 (single line item or cumulative total, including annual total). Specific types of written bids are defined below. The type used is determined for each request.

Request for Quotation
This method solicits written quotes by telephoning, mailing, emailing or faxing a Request for Quotation.

Formal Bid
The method for all purchases in excess of $50,000. A process of bidding, conducted by Procurement Division, which sets forth the requirements of a purchase or sale and which is issued by Invitation to Bid, Request for Qualification, Request for Proposal, or Invitation to Negotiate.

Invitation to Bid
This is done by sealed bid, is the standard method used, and is usually preferred for purchases over $50,000. The Invitation to Bid is accompanied by terms and conditions, detailed specifications, bid forms, survey forms, and other documents as needed. Once bids are received and opened, no changes in scope or price are allowed.

Request for Proposal (RFP)
This is similar to an Invitation to Bid, but is more complex and is generally used for services or when soliciting vendor's ideas or when award is based on criteria other than price. This method requires the vendor to provide a detailed proposal in response to the

Request for Proposal, which is more general in nature, and usually results in a contractual agreement. This method allows for negotiation with the best evaluated proposer in the scope of services, price and delivery whereas the sealed bid method allows no substantive changes.

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

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

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

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

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

Multi-Step Sealed Bidding
This method is a two-phase process consisting of a technical first phase composed of one or more steps in which bidders submit unpriced technical offers to be evaluated by the City and a second phase in which those bidders whose technical offers are determined to be acceptable during the first phase have their price bids considered. It is designed to obtain the benefits of competitive sealed bidding by award of a contract to the lowest responsive, responsible bidder, and at the same time obtain the benefits of the competitive sealed

proposals procedure through the solicitation of technical offers and the conduct of discussions to evaluate and determine the acceptability of technical offers.

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

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

- must obtain a copy of all elements of the bid award:
  - Invitation to Bid
  - Bid Record
  - Awarded Bid Response(s)
  - Notification of award
    - Vendor name
    - Commodities/services awarded
    - Award price
  - Complete, executed Contract

41-423 Information Disclosed In The Solicitation

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

- Include the required information which may consist of, but is not limited to, the following:

  - Detailed scope of services
  - Technical specifications and descriptions
  - Required delivery date/performance time
  - Quantity
  - Evaluation criteria and method
  - Point of delivery
  - Mode of transportation (if important)
  - Date, time, place of quotation or bid submittal
  - Special conditions such as insurance, bonding
  - Special price information, such as quantity ranges and dates to which prices are firm
  - Disclosure of all permits or fees required by the City for construction projects

- Pre-bid conference
- Examination of site
- City's contact person *****
- Term of contract
- Terms and conditions to be included in a contract

***** The procurement representative is the City's contact responsible for coordinating all solicitation information including, specification clarification, collecting and answering vendor questions in writing and distributing addenda.

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

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

41-424 Prohibition of lobbying in procurement matters

Except as expressly set forth in Resolution 170116, Section 9, during the Cone of Silence as defined herein no person may lobby, on behalf of a competing party in a particular procurement process, City Officials or employees, except the Procurement Division or the procurement designated staff contact person. Violation of this provision shall result in disqualification of the party on whose behalf the lobbying occurred.

Cone of Silence period means the period between the issue date which allows for immediate submittals to the City of Gainesville Procurement Division in response to an invitation to bid, or a request for proposal, or qualifications, or information, or an invitation to negotiate, as applicable, and the time that City Officials or the Procurement Division, or City Department awards the contract.

Lobbying means when a person seeks to influence or attempt to influence City Officials or employees with respect to a decision of the City, except as authorized by procurement procedures.

41-425 Distribution Of Written Solicitation

The Procurement representative uploads the solicitation to Demandstar for bidder notification. This includes entering the department supplied list of supplemental bidders and local small and/or service-disabled veteran businesses, if any.

41-430 BID CONTROL PROCEDURES

This section addresses steps followed prior to the Bid Call.

41-431 Pre-Bid Discussion With Vendor

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

- Advise prospective suppliers to direct all questions or clarifications to the contact person, defined above, indicated in the Bid documents *.

- Furnish any information given to one prospective supplier to all potential suppliers on the bid list to eliminate the possibility of giving an unfair advantage to any one supplier, which would necessitate rejection of all bids.

- Immediately furnish all bidders the information in the form of a written addendum to the bid.

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

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

41-432 Submission And Control Of Sealed Bid

Control of the Sealed Bid is essential.

- Instruct all bidders to submit all bids in sealed envelopes with the following clearly identified on the outside of the envelope:

  - Vendor name
  - Name of item or service for which bid is submitted (Bid Title)
  - Due date (month, day, year)
  - Time due (hour/a.m. or p.m.)

- Time and date stamp each bid as it is received.

41-433 Modification Of Bids Before Bid Call

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

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

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

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

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

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

41-434 Withdrawal Of Bids Before Bid Call

Withdrawal is permitted any time prior to the bid opening.

- Instruct bidder that withdrawal must be submitted in written form. Verbal instructions must be confirmed and received prior to bid call.

- Time/date stamp the written notification and file with original bid.

- Maintain original bid and withdrawal until after bid award. Then return original bid, unopened, and maintain withdrawal letter on file with other bid documents.

41-435 Retraction Of Bid Withdrawal

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

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

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

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

41-440 BID OPENINGS

The Procurement Division representative handling the bid, assisted by at least one other Procurement Division employee, conducts the bid opening to record the bid responses.

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

41-441 Public Disclosure

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

41-442 Telephone Responses To Written Bids

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

41-443 Late Bids

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

- To determine whether to accept or to reject late bids, take into account the following:

- Bid was misplaced in Procurement Division files and error was not observed until the bid opening had started, or later.

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

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

- Allow bid mistakes to be corrected in the following situations:

  - Minor Informalities - matters of form rather than substance evident from the bid document or insignificant mistakes that can be waived or corrected without prejudice to other bidders; that is, the effect on price, quantity, quality, delivery, or contractual conditions is negligible. Examples include, but are not limited to, the failure of the bidder to:
    - return the number of signed bids required by the Invitation to Bid
    - sign the bid, but only if the unsigned bid is accompanied by other material indicating the bidder's intent to be bound; or
    - acknowledge receipt of an addendum to the Invitation to Bid, but only if: 1) it is clear from the bid that the bidder received the addendum and intended to be bound by its terms; or, 2) the addendum involved had a negligible effect on price, quantity, quality or delivery.

  - Mistakes Where Intended Correct Bid is Evident - if the mistake and the intended correct bid are clearly evident on the face of the bid document, the bid shall be corrected to the intended correct bid and may not be withdrawn. Examples of mistakes that may be clearly evident on the face of the bid document are typographical errors, errors in extending unit prices (unit prices will prevail) transposition errors, and arithmetical errors.

  - Mistakes Where Intended Correct Bid is Not Evident. A bidder may be permitted to withdraw a low bid if:
    - a mistake is clearly evident on the face of the bid document but the intended correct bid is not similarly evident; or
    - the bidder submits proof of evidentiary value which clearly and convincingly demonstrates that a mistake was made.
    - failure of the withdrawal notice to arrive on time was not the fault of the bidder. (Use criteria in 41-443.)

- Consult the City Attorney's office whenever doubt may occur as to the legality of the decision under the Florida law or City Policies.

41-445 Alternate Bids Or Proposal

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

- Alternate bids or proposals not specifically provided for in the bid specifications shall be rejected. However, if a bidder clearly indicates a base bid, it shall be considered for award as though it were the only bid or proposal submitted by the bidder.

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

41-450 OTHER PUBLIC AGENCY COMPETITIVE BID

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

- These opportunities are available when a contract is awarded based on sealed, competitive bidding performed by another entity (State Agency, Public Agency Cooperative Procurement, Other Municipality, etc.).

- An award may be to one or more vendors for specifically stated products. The Competitive Bid is accompanied by terms and conditions, detailed specifications, bid forms, survey forms, and other documents as needed.

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

Note:
All purchases with a value greater than $100,000 unless specifically excluded by policy (See 41-210, Section 7.1) require prior approval by the City Commission.

41-460 COMPETITIVE BIDDING NOT REQUIRED

Competitive bids are not required for the following:

(a) Items, as defined in Section 5, not exceeding $5,000.
(b) Non-competitive situations such as a Sole Source or Specified Source.
(c) Purchases made under state, federal or other public agency agreements or cooperative contracts.
(d) Utility services when the subject utility is the only available source of such service.
(e) Professional services whose cost does not exceed $50,000, except as required by State law.
(f) Legal services not exceeding $100,000. The City Attorney may specify the qualifications of a firm for legal services in connection with litigation involving the City.
(g) Work performed under Continuing Contracts, as defined by Florida Statutes, for professional services of indefinite duration. Continuing Contracts shall be reviewed for appropriateness with regard to the quality of the service and the competitiveness of the cost. Such review shall be the responsibility of the appropriate Manager and shall be conducted not less than every five years.
(h) Emergency Purchases, at the discretion of the Managers, when urgent situations do not allow sufficient time to obtain competitive bids.

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

- If the materials, equipment or contractual services are purchased under a non-competitive situation, as stated above, the requesting department must complete and submit a Method of Source Selection form.

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

Note:
All purchases greater than $100,000 unless specifically excluded by policy (See 41-210, Section 7.1) require prior approval by the City Commission.

- Review for completeness of information and pricing.

- Process Purchase Order

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

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

41-500 BID EVALUATION AND AWARD

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

41-510 BID EVALUATION

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

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

41-520 GENERAL CRITERIA FOR AWARD

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

41-521 Responsiveness

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

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

41-522 Responsibility

These criteria consider the bidder's capability to perform:

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

41-523 Price

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

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

41-524 Other Evaluative Factors

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

41-525 Decision

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

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

- Discuss the preliminary selection.

- Make final selection.

41-530 TIE BIDS

On occasion, bids equal in all respects are received.

When this occurs:

- Select the vendor by applying the following criteria in order:*
  - Drug-free work place
  - located within Gainesville, if not subject to the Local Preference Ordinance
  - located within Alachua County
  - located within Florida
  - coin toss

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

41-540 ONLY ONE BID RECEIVED

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

- Inquire of those who did not bid to determine the reason for lack of response.

- Determine whether to accept or reject the bid.

  - Accept the bid if any or all of the following conditions exist:

    - Time is crucial
    - Cost is reasonable
    - Scope should not or cannot be revised
    - It is determined to be in City's best interests

  - Reject the bid if any or all of the following conditions exist:

    - Time is not crucial
    - Cost is unreasonable
    - Scope can be revised to afford more competition
    - New vendors have been identified who are able to bid
    - It is determined to be in City's best interests

Note:
If less than two responsive bids, proposals, or replies for commodity or contractual services purchases are received, the City may negotiate on the best terms and conditions. The Department shall document the reasons that such action is in the best interest of the City in lieu of resoliciting competitive sealed bids, proposals, or replies and shall forward to the Procurement Manager the collected documentation with a written request to negotiate. The Procurement Manager or designee shall make a determination to

whether or not resoliciting competitive sealed bids, proposals, or replies are warranted. (Reference State Statute 287.057(5)).

41-550 NO BIDS

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

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

If decision is made to rebid:

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

41-560 REJECTION OF BIDS

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

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

41-570 OBTAINING CITY COMMISSION APPROVAL FOR PURCHASES

This process is required for all purchases exceeding $100,000 unless specifically excluded by policy (See 41-210, Section 7.1).

Reports shall be made to the City Commission of any purchase of materials, equipment or services greater than $100,000 for which prior approval has not been obtained.

- *Extensions to existing contracts costing in excess of $100,000 shall require the approval of the City Commission.*

- *Contracts or purchase orders for construction projects, or professional services associated with construction projects, which do not exceed $300,000 shall require no prior approval of the City Commission.*

The purpose of this procedure is to:

- Establish and communicate a consistent and acceptable method of submitting agenda items for purchase of goods or services to the City Commission, and

- Define the responsibilities of both Procurement and the Ordering Department in this process.

41-571 Preparing the Agenda Item

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

Prepare bid tabulation and other supporting documents for attachment to the agenda item. If tabulation includes total points rather than specific scores, i.e., RFP total points, provide complete evaluation backup, showing prices bid for informational purposes.

41-580 BID PROTESTS

41-581 Filing the Protest

Any actual or prospective bidder or proposer, who could reasonably be expected to obtain the materials, equipment or services if its protest is granted, may file a protest in writing to General Government Procurement, addressed to the attention of the Procurement Manager. This is for all solicitations or awards, regardless of means – centralized procurement or decentralized procurement.

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

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

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

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

Procurement is open for business to the general public. Notification is defined as fax, mail, or e-mail.

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

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

41-582 Format of the Protest

Protests shall:

1. Be legible

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

   Contain facts clearly supporting the proposition that the protester has reasonable likelihood of obtaining the material, equipment or services if the protest is successful.

3. State clearly the protester's required adjustment or remedy.

4. Include a Power of Attorney and/or Corporate Seal which verifies that the protester has legal authority to act on behalf of his/her company, corporation or recognized legal entity.

5. State the date that the protester became aware of the alleged aggrieved incident.

6. If the protest involves a specification or specific language contained in the solicitation document, specifically identify the specification or language upon which the protest is predicated and why and how such is allegedly improper.

7. Include all relevant information which the alleged aggrieved party feels is pertinent to the protest.

8. Include a sworn statement that the protester is acting alone and not in concert with any other party for any other reason but direct financial interest.

9. Be accompanied by a protest bond of an amount equal to one percent of the value of the solicitation but in no case less than $500.00 nor greater than $5,000.00.

This bond shall be by a U.S. postal service money order, certified cashiers or bank check payable to the City of Gainesville. Failure to post such bond within three business days after the filing of the protest shall result in the protest being dismissed by the Procurement Manager or his or her designee. The bond shall be forfeited at the conclusion of the protest proceedings if the administrative official making the final decision determines that the protest was filed for a frivolous or improper purpose, including but not limited to the purpose of harassing, causing unnecessary delay, or causing needless cost for the City or other parties.

When a bidder's response is a single amount then the protest bond amount would be 1% of that amount. However, if the bid response contains multiple items that will be multiplied and/or added together to determine the low bid, then use the "Estimated Project Amount" from the Bid Request Form to calculate the percentage. If the department did not provide an estimate on the Bid Request Form, request their budget amount and use that number. The Procurement Manager may allow the amount to be lowered if it may cause difficulty for a small business. However, the amount must be no less than the $500 minimum.

For purposes of this subsection:

(a) "Improper purpose" means participation in a bid protest proceeding primarily to harass or to cause unnecessary delay or for frivolous purposes or to needlessly increase the cost of litigation, licensing, or securing the approval of an activity.

(b) "Frivolous" means lacking a legal basis or legal merit, not serious, not reasonable purposeful.

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

41-583 Process to Protest Award

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

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

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

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

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

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

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

B. A bidder or proposer who has exhausted the procedures in 2A above may appeal the decision of the City Manager, or other Charter Officer as

applicable, to the City Commission or designee, which appeal shall be scheduled by the Charter Officer involved. The appeal must be filed with the Procurement Manager within three (3) business days of receipt of the Charter Officers' decision. It is the responsibility such protester to make copies of the record available for each City Commissioner or the City Commission's designee, if applicable, at least seven (7) business days in advance of any scheduled hearing.

The appeal shall:

1. Be legible

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

   Contain facts clearly supporting the proposition that the protester has reasonable likelihood of obtaining the work if the appeal is successful.

3. State clearly the protester's required adjustment or remedy.

4. Address those areas or matters in the Charter Officers' decision which the protester/appellant believes:

   i. Are not based on substantial competent evidence in the record, by reference to the record;

   ii. Are materially inconsistent with applicable City policies, practice or procedures, by reference to such inconsistencies;

   iii. Do not conform with the essential requirements of law, with specific reference to the matter involved and the specific law or legal principle violated.

C. The City Commission or designee shall review the decision of the Charter Officer, the record before the Charter Officer, and written or oral argument of the parties involved in the appeal. No new evidence shall be considered and the City Commission may only reverse or modify the decision of the Charter Officer upon a determination that his/her decision was not based on substantial

competent evidence or that his/her reasoning or application of the policies, procedures and law was fundamentally flawed. The decision of the City Commission or designee shall constitute final action and shall be issued within 15 days of the close of the hearing.

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

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

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

41-584 Protests of Projects Funded Under Federal Grant Programs

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

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

41-600 PURCHASE ORDER ISSUANCE

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

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

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

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

41-610 ISSUING THE PURCHASE ORDER

- Electronically input the Purchase Order document as applicable to the purchase type (with or without a contract).
  - Construction purchase orders are encumbered for the full contract amount and will include 5% (established standard) retainage.

- All purchase orders require a detailed description (text) including, but not limited to, bid or quote number and date, contract reference (including other Public Agency, i.e. State Contract), City Commission approval date, etc.

- See Purchase Order specific processes for detailed electronic input instructions.

- Once electronically submitted print Purchase Order. The Terms and Conditions must be printed on the reverse side of each page of the purchase order.
  - Stapling the Terms and Conditions to the purchase order is unacceptable.

- Purchase Order must be signed and dated by the Procurement Manager, Department Head or designee as the *Authorized Signature.*

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

41-620 CONSTRUCTION

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

- Building Inspections – permitting, contractor licensing, certification or registration, etc.
- Facilities Management – oversees City facilities. Construction projects (renovations or new construction) are classified as a capital project and must be pre-approved by Budget and Property Control. Construction projects range in term and price:
- A small build or renovation project that can be completed within a few days and have a one-time pay when the project is complete.
- A large dollar major build or renovation that can span over several weeks, months or even years with draw-down payments throughout the project term.

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

41-621 Construction Purchase Order

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

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

41-622 Payments

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

- Application and Certificate for Payment
  - Payments and work completed to date
- Work Completed worksheet
  - Detail of project construction that represent this payment
- Prompt Payment Certification (also known as Subcontractor Release of Lien)

- Indication that subcontractors are paid for services rendered to date

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

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

41-623 Retainage

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

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

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

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

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

41-630 EQUIPMENT RENTAL

41-631 Heavy Equipment

Heavy equipment can include, but is not limited to carts (i.e. utility or golf type), trencher, backhoe, office building, on-site storage, etc. Equipment rentals $5,000 or greater over the life of the rental period requires competitive bidding. See Section 41-400 for detailed bidding instructions.

41-632 Heavy Equipment Rental Calculation Form

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

The elements required to complete the form include:

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

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

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

If the total for the rental period is $100,000 or greater prior approval by the City Commission is required.

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

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

41-633 Heavy Equipment Rental Purchase Order

- Electronically input the Purchase Order document.
    - Purchase Orders are encumbered for the current fiscal year, in whole or prorated for the remaining period.

- All purchase orders require a detailed description (text) including, but not limited to, bid or quote number and date, contract reference (including other Public Agency, i.e. State Contract), City Commission approval date, etc. The following is an example of a three year utility cart rental:

  U-MAX MEDIUM DUTY I GAS UTILITY CART
  - 357 CC 4 STROKE GAS ENGINE
  - 800 POUND PAYLOAD CAPACITY
  - 1300 POUND TOW CAPACITY
  - 4 WHEEL MECHANICAL DRUM BRAKES
  - DC POWER OUTLET
  - HEADLIGHTS AND TAIL LIGHTS

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

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

  PURCHASES MADE AGAINST THIS PURCHASE ORDER NOT TO EXCEED GRAND TOTAL

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

  SHOULD FUNDS FOR SUBSEQUENT FISCAL YEARS OF THREE YEAR AGREEMENT ARE:
  FY 2005/2006 $4,320.00
  FY 2006/2007 $4,320.00
  FY 2007/2008 $1,440.00

- See Purchase Order specific processes for detailed electronic input instructions.

- Once electronically approved print Purchase Order. The Terms and Conditions must be printed on the reverse side of each page of the purchase order.
  - Stapling the Terms and Conditions to the purchase order is unacceptable.

- Purchase Order must be signed and dated by the Procurement Manager, Department Head or designee as the *Authorized Signature.*

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

Note: It is the Department's responsibility to input a new Purchase Order at the beginning of each fiscal year through the rental period.

41-640 BLANKET PURCHASE ORDERS

Blanket purchase orders will only be issued for items for which a fixed unit cost cannot be established or identified and the item cannot be purchased with the procurement card. In such instances, a Blanket Purchase Order will be issued based on estimated usage and/or quantity for a specific period of time (not to exceed the Fiscal Year; October 1st to September 30th). Blanket Orders may be issued against existing Federal, State, City or other public agency competitive bid contracts; against bids; for non-competitive situations; or when no line item purchase will exceed $5,000 during the duration of the blanket purchase order.

The procedure is as follows:

- Bid and evaluate items or services in accordance with City procedures.

- Purchase Order detailed description should include, at a minimum, the following language:

  - Detailed description of items (or categories)
    - Flu Vaccine
    - Automotive Parts
    - Film and Film Developing
  - No single line item purchase to exceed $5,000
  - Bid information (State Contract or Bid number)
  - This Purchase Order for the period of October 1, XXXX through September 30, XXXX.
    - Blanket Purchase Orders can only be established for the current Fiscal Year

- Print Purchase Order. The Terms and Conditions must be printed on the reverse side of each page of the purchase order.
  - Stapling the Terms and Conditions to the purchase order is unacceptable.

- Purchase Order must be signed and dated by the Department Head or designee as the *Authorized Signature.*

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

41-641 Ordering against Blanket Orders

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

- Contact vendor and purchase items as needed referencing Blanket Purchase Order number.

- After goods are received, complete appropriate electronic payment document and forward to Accounts Payable.

41-650 FLEET PURCHASES

- "Ship to" address is always the Fleet Department no matter which department has ordered the equipment.

- The payment is processed by the Fleet Manager.

41-660 EMERGENCY PURCHASES

An emergency purchase is any purchase which is necessary due to unforeseen circumstances and that can negatively impact the operation of the City, or a purchase needed for a public safety emergency or where delay of a purchase subjects the City to additional costs or hardship.

41-661 Initiating the Emergency Request

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

- Complete the Method of Source Selection form, including at least two price quotes if feasible, and submit for approvals as stated therein..

41-662 Ordering the Purchase

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

- Award verbal Purchase Order to low responsive/responsible bidder meeting specified requirements in the documents.

- Initiate and print purchase order. The Terms and Conditions must be printed on the reverse side of each page of the purchase order.

    - Stapling the Terms and Conditions to the purchase order is unacceptable.

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

- If total cost is over $100,000, advise the City Commission of emergency purchase.

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

41-700 SUPPLEMENTAL PROCEDURES

41-710 PURCHASE ORDER MODIFICATIONS

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

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

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

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

41-711 Preparing the Purchase Order Modification

- Check original bid and/or contract to determine if the change is allowed and follow any specific requirements for modifications.

- Determine if City Commission approval is required (increase of greater than 10% over the previous approval amount or the modification increases the total line item amount to exceed $100,000).

    - Prepare agenda item if City Commission approval is required.

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

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

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

41-720 SMALL AND SERVICE-DISABLED VETERAN BUSINESS PROGRAM

The Small and Service-Disabled Veteran Business Program as set forth in Resolution No. 970214 applies to all applicable procurement transactions (centralized or decentralized) by any and all City departments reporting to the City Manager.

- See Small and Service-Disabled Veteran Business Program Policies and Procedures, Chapter 42-000, for specific program details.

- As part of these programs, the Procurement Divisions may waive competitive bidding requirements for the first time order with a Small Business Enterprise in an amount not greater than $20,000 in order to fairly assess their capabilities to perform in accordance with required standards.

41-730 SURPLUS PROPERTY DECLARATION & STORAGE

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

41-731 Declaration of Surplus

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

When an item is declared surplus:

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

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

- Department to submit the Property Transfer Form, along with the surplus equipment, to the Surplus Clerk in the Streets Division.

- Deliver surplus at such times as the Surplus area is open for business.

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

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

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

- Department to send a work order with your charge number to Facilities Management requesting assistance to move surplus. A ten (10) day advance notice is requested so all planning can be completed.

  - Outside moving contractor will be hired at a 4-hour minimum charge.

  - User Department billed for moving cost through interdepartmental billing.

- Verify all appropriate information, and sign Property Transfer Form as receiving Custodian.

- Assign a lot number and mark on the bottom of the Property Transfer Form (lot number consists of the current auction number, the unique item number and the appropriate fund).

NOTE: If it is fleet equipment:

- Verify description of vehicle (year, make, model, VIN no., etc.) and obtain the current mileage.

- Collect all keys and store.

- Check to make sure no equipment is left in vehicle (radio, etc.).

- Send tag, with vehicle number indicated, to Property Control Specialist.

- Distribute copies of Property Transfer Form as follows:
  1st - Property Control Specialist
  2nd - Retained by Department/Division
  3rd - Surplus Custodian
  4th - Fleet Manager (if applicable)

- Adjust Financial Control Records.

41-732 <u>After Receipt of Goods From User Departments</u>:

- Tag/mark each item indicating the assigned lot number.
- Store in appropriate designated locations.
- Add item to Surplus inventory lists. Inventory lists are to include the following information:

  - Lot Number
  - City I.D. Number (Decal)
  - Fund Code (General Government, GRU, etc.)

- Serial Number and Model
- Description
- Make
- Date Received at Surplus
- Group Code
- Remarks
- Mileage (Vehicle Log)

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

--Date Re-Issued
--Buyer Number
--Sale Price

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

41-740 DISPOSAL OF SURPLUS

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

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

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

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

41-741 Transfer to Other City Department

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

- As needed, the Surplus Clerk will circulate a list of available (useable) items to all City Departments.

- User Departments may inspect surplus items on at such times as the Surplus area is open for business.

NOTE: If transfer is within the Fund:

- Initiate Property Transfer Form

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

- Send a work order with your charge number to Facilities Management requesting assistance to move surplus. A ten (10) day advance notice is requested so all planning can be completed.

  - Outside moving contractor will be hired at a 4-hour minimum charge.

  - User Department billed for moving cost through interdepartmental billing.

- Sign form as receiving Department.

- Surplus Clerk will distribute Property Transfer Form.

- Surplus Clerk to add transaction to the Surplus Property Listing.

- Property Control Specialist to adjust financial control records as appropriate.

NOTE: If transfer is between funds:

- Contact appropriate Property Control Specialist (General Government), Box 14, (ext. 5794), Utilities, Box A105 (ext. 1332), for approval and estimated value.

- Property Control Specialist to establish value and initiate billing document, if applicable. Items with a book value or market value less than $500 are transferred at no cost.

- Initiate Property Transfer Form.

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

- Outside moving contractor must be hired by requesting department.
- Sign form as receiving Department.
- Surplus Clerk to distribute Property Transfer Form.
- Property Control Specialist to add transaction to the Surplus Property Listing.
- Property Control Specialist to adjust financial control records as appropriate.

NOTE: If transfer is Primary Fleet item:

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

If transfer is stolen/abandoned property:

- Contact General Government Property Control Specialist for approval.
- Property Control Specialist will establish Fair Market Value.
- User Department to follow steps as outlined above - If transfer is within the Fund.

41-742 Disposal by Sealed Competitive Bids

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

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

- Follow steps as outlined in 41-731.
- Develop specifications and send to Procurement.
- Prepare Invitation to Bid documents, send to potential bidders directly and advertise in appropriate newspapers/journals.
- Coordinate inspections by potential bidders as required.

- Open bids at designated place and time.
- Award bid to highest responsive and responsible bidder.
- Within two (2) working days after bid is awarded, payment is processed through Billing and Collection Division.
- Copy of bid receipt payment is forwarded to Property Control Specialist and Operations Division.
- Arrange for pick-up of item(s) with bidder.
- Complete Property Transfer Form and distribute.
- Adjust financial control records as appropriate.

41-743 Donation of Surplus Property to other Public Agency

The Procurement Policies allow the City Manager or designee to authorize and approve the donation to any governmental agency of obsolete or unusable surplus items whose value does not exceed $10,000 after making a determination that such donation is in furtherance of governmental objectives. If the governmental agency is willing to pay for the items, the proceeds will be placed in the appropriate fund. Once the formal request is received:

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

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

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

41-744 Disposal by Public Auction

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

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

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

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

When necessary, (at least once a year):

- Prepare Specification for Auction Bid or a Request for Proposal to select auctioneer.
- Send out an Invitation to Bid or a Request for Proposal to select potential auctioneers; specifications are to include estimated list of surplus available. Detailed specifications available at Procurement Division.
- Select auctioneer based on lowest percentage commission bid or predetermined criteria as stated in the Request for Proposal and award contract.
- Prepare final item list for auctioneer. Refer to Section 41-732 for in- formation required on lists.
- Vehicle titles prepared for processing.
- Prepare for auction following the specifications as outlined in Auction Contract.
    - Assistance may be required from Streets Division and Parks Division for set-up and clean-up of the auction.
    - Assistance may be required from Fleet Management for primary equipment.
- Conduct auction following specifications as outlined in Auction Contract.
- Monitor the auction process to make sure contract specifications are in compliance.
- Assure proper financial records are maintained throughout the auction process.

- Listed below are responsibilities/ functions which need to be addressed during the auction process. In most cases, the responsible party should be addressed in the Auction Contract.

  - Secure Public Works Compound for auction
  - Prepare site for auction
  - Provide adequate parking facilities
  - Monitor and assist with parking
  - Provide restroom facilities
  - Advertise auction
  - Auction brochure
  - Provide concessions
  - Maintain fleet in running condition
  - Detail fleet
  - Set up/display auction items
  - List of auction items for general public
  - Buyers terms and conditions
  - Registration of buyers
  - Conduct auction (simultaneous auctions shall be conducted if the volume deems necessary by the City)
  - Auction transactions computerized (format to meet City requirements)
  - Collect all payments including sales tax
  - Issue Bill of Sale (three-part paper)
  - Process vehicle titles through tag agency
  - Buyers pick up of property
  - Verify and release property
  - Clean up of auction site

- Upon completion of the auction, a printout of all sales receipts along with auction totals are furnished to the City's Property Control Specialist.

- Within ten (10) days after auction, furnish complete tally and sales receipts for all items to Property Control Specialist. Also, deliver check for entire amount, less percent- age due auctioneer, to Property Control Specialist.

- Deliver check to Billing and Collection Division.

- Adjust and reconcile all City financial asset records and distribute revenue among appropriate Departments.

*NOTE**:** Contractor/Auctioneer fee is based on a fixed percentage price for provision of the services requested. No other charges, buyer premiums or commissions will be assessed by*

the contractor to the City or to the buyers. The check received from the Auctioneer will be net of agreed-upon fees.

41-800 MISCELLANEOUS PROCEDURES

41-810 CITY-WIDE CONTRACTS

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

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

41-820 THIS SECTION INTENTIONALLY LEFT BLANK

41-830 PROCUREMENT CARDS

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

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

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

41-840 SUPPLIER PERFORMANCE PROGRAM

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

41-841 Supplier Evaluation Reports

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

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

  Supplier Evaluation Report form is available through the intranet.

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

- Suppliers receive a score based on the percentage of points received out of the total possible points.

- Supplier evaluation reports are completed by the ordering department upon completion of the purchase.

- Procurement maintains Supplier Evaluation Reports for use by ordering departments.

- Suppliers' scores may be used in the evaluation of bids.