

**THE SCHOOL BOARD OF
ALACHUA COUNTY**

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1 PURCHASING

2 **General**

3 The Board authorizes the Superintendent, school principals, and other staff
4 members who are responsible for budget administration to initiate requisitions for
5 purchases of materials, equipment, and services within approved budget limitations.
6 Any proposed expenditure in excess of the minimum requiring competitive bids
7 under State Board Rule shall be submitted to the Board for approval. The Board
8 shall not knowingly approve unauthorized expenditures. The following provisions
9 shall govern purchasing and bidding other than for capital projects, which are
10 addressed in Board policy.

11 **Procurement Procedures**

12 A. All procurement of supplies, materials, equipment, and services that
13 are paid for:

14 1. from the District budget, or

15 2. from school internal funds when the purchase is subject to the
16 formal bid or request for quotation procedures described below
17 shall be the responsibility of the purchasing department, unless
18 otherwise directed by the Superintendent.

19 B. The purchasing department shall develop bid, quotation, purchase
20 order, and contract forms to implement this policy.

21 **Authorization to Execute Purchase Orders and Contracts**

22 The Superintendent and the purchasing director shall be authorized to sign
23 purchase orders and contracts. The Superintendent may delegate signature
24 authority in writing as needed to other staff members.

25 **Requisitions**

26 Each purchase shall be based upon a requisition originating from the principal or
27 District department head. Each requisition shall be properly financed, budgeted,
28 and encumbered prior to issuing a purchase order. Purchases of goods or services
29 shall not precede a requisition or purchase order, except in the event of an
30 emergency as described below. The payment of an unauthorized purchase shall be
31 the sole responsibility of the person placing the order. In the event of an emergency,
32 the purchasing director or designee may authorize a purchase without requisition;
33 provided, however, any emergency purchase shall be followed immediately with a
34 requisition.

1 **Emergency Purchases**

2 Emergency purchases may be requested and implemented as the emergency
3 requires based on the Superintendent or the purchasing director's approval.
4 "Emergency" means a situation that endangers the health, safety, or welfare of
5 students, staff, or the public, or jeopardizes a project. All emergency purchases in
6 excess of the minimum requiring formal quotations shall be summarized and
7 presented to the Superintendent who shall submit the matter to the Board for
8 ratification. The Board minutes shall show the need to initiate emergency
9 purchasing procedures and that regular purchasing procedures would cause a delay
10 and be contrary to the public interest.

11 **Requirements for Competitive Bids**

12 Sealed bids shall be requested for any purchase of supplies, materials, equipment,
13 and services, the cost of which ~~exceeds the amount specified in F.A.C. 6A-~~
14 ~~1.012(6)~~equals or exceeds \$25,000 as allowed in State Board Rule (6A-1.102(7),
15 except as authorized by F.A.C. 6A-1.012 and the food service department food and
16 non-food purchase plan described herein. In order to promote efficiency and
17 economy in the operation of the District, any item or group of similar items, the cost
18 of which is estimated to exceed the amount specified in ~~F.A.C. 6A-1.012(6)~~above
19 during the fiscal year, shall be subject to the bid requirements as described herein.
20 Subject to provisions of law, the Superintendent may receive and give consideration
21 to the prices available to the District through the use of the program for on-line
22 procurement of commodities and contractual services as referenced in Florida law.

23 Sealed bids shall be received in the purchasing office at the time and date
24 designated in the invitation for bid. Bids received after the designated time shall not
25 be accepted or considered. All bids shall be opened publicly in the presence of at
26 least two (2) Board employees. The purchasing director or designee shall read aloud
27 the name of the bidder and the bid amount and shall make recommendations to the
28 Superintendent who shall make a recommendation to the Board regarding award of
29 the bid. The purchasing director or designee and another Board employee shall sign
30 the bid tabulation.

31 Award shall be made to the lowest responsive and responsible bidder. For a bidder
32 to be considered responsive, its bid must comply in all material respects with the
33 requirements of the District's bid document. For a bidder to be considered
34 responsible, it must have the capability to fulfill the contract requirements,
35 including the necessary experience, integrity, reliability, capacity, facilities,
36 equipment, and credit that will assure good faith performance. The Board reserves
37 the right to reject any or all bids.

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1 Any award recommendation other than for the lowest and best bid meeting the
2 specifications shall be accompanied by a written statement signed by the purchasing
3 director or designee giving the reasons and justification for such action.

4 **Bid Withdrawal**

5 A bidder may withdraw a bid before the designated time for opening bids by
6 submitting a written report to the Purchasing Agent. A bidder shall not be permitted
7 to withdraw a bid for any reason after the designated time for opening bids, unless
8 mutually agreed upon by both parties.

9 **Identical Low Bids**

10 When identical low bids are received from an out-of-county vendor and a local
11 vendor, the local vendor shall be recommended for award. The term "local vendor"
12 means a vendor who has an established business presence in the District indicated
13 by the following:

- 14 A. has a physical business location within the District for at least six (6)
15 months immediately prior to issuance of the competitive solicitation;
- 16 B. provides customer access at the business location;
- 17 C. holds any required business license through a jurisdiction in the
18 District; and
- 19 D. employs one (1) full-time or two (2) part-time employees in the District,
20 or if the business has no employees, is at least fifty percent (50%)
21 owned by one (1) or more persons whose primary residence(s) is located
22 within the District.

23 When two (2) or more local vendors present tie low bids on the same items, the
24 company receiving the larger dollar award of the total bid shall be recommended for
25 tie items.

26 In the event two (2) or more local vendors present exact tie low bids and the dollar
27 award is not a criterion, the successful bidder shall be selected by applying the
28 following criteria in order:

- 29 A. certified minority business enterprise (MBE) by the State of Florida
30 Office of Supplier Diversity;
- 31 B. drug-free workplace program in accordance with Florida law;
- 32 C. by lot or other method the Board may select.

1 When two out-of-county vendors submit identical low bids, the criteria noted above
2 shall be used to determine the successful bidder.

3 **Formal Quotations**

4 Formal quotations shall be solicited from at least three (3) sources by the
5 purchasing department, except as authorized by F.A.C. 6A-1.012 and the food
6 service department food and non-food purchase plan described herein, prior to
7 issuing a purchase order for materials, equipment, or services, the price of which
8 equals or exceeds fifty percent (50%) of the competitive bid threshold established by
9 ~~F.A.C. 6A-1.012(6)~~[above](#).

10 Award shall be made on the basis of the lowest and best quote that meets the
11 specifications, with consideration being given to the specific quality of the product or
12 service, conformity to the specifications, suitability to school needs, delivery terms,
13 and past performance of the vendor.

14 **Other Competitive Solicitation Procedures**

15 The purchasing agent shall be authorized to use other competitive solicitation
16 procedures, such as request for proposals or invitation to negotiate, when such
17 procedures will return the best value to the District, in terms of objective factors
18 that include, but are not limited to, price, quality, design, workmanship, and past
19 performance.

20 Bids and quotations shall be made available for public inspection on the posting
21 date or ten (10) days after opening, whichever is earlier. Copies may be obtained
22 subsequent to such date. The fee for photocopying shall be in accordance with
23 Board policy. Original bids and quotations and the transmittal envelopes shall not
24 be removed from the purchasing office.

25 **Development of and Adherence to Specifications**

26 Competitive bids and quotations shall include clear, complete, and unambiguous
27 specifications. Such specifications shall foster fair and open competition and be
28 conducive to securing the most economical price for the highest quality product that
29 best meets the needs of the educational program. In order to promote efficiency and
30 economy in the operation of the District, items and services commonly used in
31 schools and departments shall be standardized wherever possible. Preferential
32 bidding is not permitted. Schools and departments that request and/or use the
33 products shall assist the purchasing department in the preparation of specifications
34 and the evaluation of bids or quotations received.

1 **Purchase of Food and Non-Food Items for the Food Service Department**

2 The Superintendent or designee shall develop and prescribe a competitive
3 procurement plan for purchasing food and non-food supply items for the school food
4 service program.

5 The plan shall contain procedures to ensure conformity with the Federal Food, Drug,
6 and Cosmetic Act, the Federal Meat Inspection Act, and the Meat Inspection Law of
7 Florida.

8 The plan shall provide for various types of selection procedures as alternatives to the
9 bidding requirements prescribed herein. Bidding requirements specified in this
10 policy shall be waived if they conflict or are inconsistent with the plan. All purchases
11 of milk shall comply with F.A.C. 6A-7.042(2)(i)2.

12 Purchases of equipment and professional services shall be excluded from the plan
13 and shall be subject to the purchasing procedures described herein.

14 **Cooperative Purchasing**

15 The Board recognizes the advantages of volume buying. The Board encourages the
16 purchasing department to seek savings that may accrue to the District through
17 cooperative purchase of supplies, equipment, materials, and services with other
18 governing units. Such cooperative purchases shall be made in accordance with State
19 law, the policies of this Board, and sound business judgment.

20 **Acquisition of Professional or Educational Services**

21 The Superintendent is authorized to contract for professional or educational services
22 to complete projects or activities authorized or approved by the Board.

23 Selection of an architect, professional engineer, landscape architect, or land
24 surveyor to perform professional services for a Board project shall be in accordance
25 with Board Policy 6330, *Acquisition of Professional Architectural, Engineering,*
26 *Landscape Architectural, or Land Surveying Services.*

27 Contracts or commitments exceeding limits established by Florida statutes or the
28 State Board of Education rule for educational services or professional services shall
29 be approved by the Board prior to execution.

1 **Multi-Year Purchase Agreements**

2 No obligation shall be created by contract, purchase order, maintenance agreement,
3 lease-purchase agreement, lease agreement, or other instrument that exceeds a
4 period of twelve (12) months that does not contain a termination clause. The
5 Superintendent shall develop and prescribe a uniform termination clause that shall
6 be incorporated in and made a part of any multi-year obligation agreement or
7 contract.

8 **Miscellaneous**

9 Each consultant hired by the Board for an amount greater than \$5,000, excluding
10 consultant services paid for by grants, shall be reported to the Board and entered
11 into the official minutes at a regular Board meeting.

12 Purchases equal to or exceeding fifty percent (50%) of the competitive bid threshold
13 established in F.A.C. 6A-1.012(6) that are processed by the purchasing department
14 shall be reported to the Board and entered into the official minutes at a regular
15 Board meeting.

16 The purchasing agent shall develop purchasing procedures that describe the
17 processes necessary to implement the intent of this policy.

18 Any Board employee who has purchasing authority shall adhere to the Code of
19 Ethics of the Florida Association of Public Purchasing Officers, Inc.

20 The Superintendent may direct the purchasing department to develop procedures or
21 contracts to provide for internet purchases.

22 F.S. 1001.41, 1001.43, 1010.04
23 F.A.C. 6A-1.012, 6A-1.085, 6A-1.087

24 | [Adopted 7/17/07](#)

25 | [Revised _____](#)

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1 D. Saturdays, Sundays, and legal holidays shall be excluded in the
2 computation of the seventy-two (72) hour time periods provided for
3 above.

4 Upon receipt of the formal written protest the Board shall stop the solicitation or
5 award process until the subject of the protest is resolved by final Board action,
6 unless the Superintendent sets forth in writing particular facts and circumstances
7 which require that the process continue without delay in order to avoid an
8 immediate and serious danger to the public health, safety, or welfare.

9 The Board, on its own initiative or upon the request of a protestor, shall provide an
10 opportunity to resolve the subject of a protest by mutual agreement between the
11 parties within seven (7) days, excluding Saturdays, Sundays, and legal holidays,
12 after receipt of a formal written protest.

13 A. If not so resolved and if there is no disputed issue of material fact, an
14 informal proceeding shall be conducted pursuant to F.S. 120.57(2)
15 before a member of the Board who shall recommend final action to the
16 Board.

17 B. If not so resolved and if there is a disputed issue of material fact, the
18 Board shall refer the protest to the Division of Administrative Hearings
19 for proceedings under F.S. 120.57(1).

20 Filing shall be effective upon actual receipt in the office of the purchasing
21 department or facilities department.

22 F.S. 120.57

23 | [Adopted 7/17/07](#)

24 | [Revised](#)

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1 The specifications for construction bids may not be written to limit any purchase of
2 systems or materials to a specific brand or a single course of supply, unless the
3 Board, after consideration of all available alternative materials and systems,
4 determines that the specifications of a sole material or system is justifiable.

5 All bid requests shall include a notification to bidders that failure to file a bid protest
6 within the time and in the manner prescribed by Florida statutes and Policy **6320**,
7 Purchasing, shall constitute a waiver of any further right to protest such bid award.

8 **Bonds**

9 Bids for construction, remodeling, and renovation of District facilities must be
10 accompanied by a bid security meeting the following requirements, for bids
11 \$200,000 or greater:

12 A. Bid security shall be a certified check, cashier's check, Treasurer's
13 check, bank draft, or bid bond acceptable to the Board in a form
14 and manner that is acceptable to the Board.

15 B. Should the accepted bidder refuse to enter into the contract or fail to
16 furnish performance and materials and payment bonds, the amount
17 of the bid security may be forfeited to the District.

18 For construction projects costing \$200,000 or more, the accepted bidder must
19 deliver performance and payment bonds equal to the contract price, no later than
20 the date of execution of the contract or the first request for payment under the
21 contract, whichever is first. Bonds must be issued by surety companies admitted to
22 do business in the State of Florida and listed in the Federal Register of the U.S.
23 Department of Treasury for Surety Companies Acceptable on Federal Bonds.

24 In order to encourage participation in construction, remodeling, and renovation
25 projects by small, woman owned, and minority owned businesses, no bid security or
26 performance or payment bond shall be required for bids in an amount less than
27 \$200,000.00.

28 F.S. 255.05, 1001.43, 1010.04, 1010.07, 1013.45, 1013.46, 1013.47, 1010.48

29 F.A.C. 6A-1.012, 6-2.001

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31 Adopted 7/17/07

32 Revised _____

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