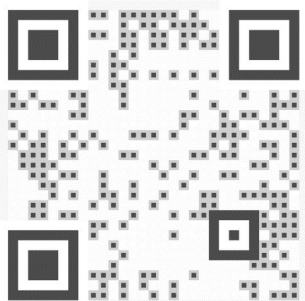

Strategic Plan Procurement Services

Projected Fiscal Years 2014-2019



Procurement Services

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Executive Summary

I am pleased to present the 2014—2019 Strategic Plan for the Marion County Board of County Commissioners Procurement Services Department. It reflects our continuing mission to provide goods and services as required by the County departments at the least overall cost to the taxpayers and to administer the procurement process in an open, fair, competitive manner and without conflict of interest, or other impropriety or appearance of impropriety.

As we continue the slow recovery from the severe recession, we must continue to examine what is working and what is not working in our procurement process; what we are likely to face in the future; and how our process may work more efficiently and transparently while maintaining the highest level of service.

Consistent with our vision, we must continue to look for opportunities to improve the entire procurement process by being more responsive to the changing needs of taxpayers, enhancing our partnerships with local government agencies and ensuring that all businesses compete fairly. Some key areas of focus will include:

- Expanding our efforts to include local businesses in the government procurement process
- Improving and enhancing our customer service to user departments as well as vendors, through training and focus groups as well as enhanced technology for better transparency and easier access to information.
- Modernizing and improving our tracking and reporting capabilities to better measure and improve our processes.

We must involve our stakeholders in optimizing our procurement process to meet customer needs, fulfill the public's expectations, and maintain a transparent and competitive process.

Sincerely,

Susan Olsen, Procurement Services Director



Strategic Planning Methodology

Planning Tools

Strategic planning for Procurement Services involves gathering current and projected data encompassing all Marion County departments we service as well as data on the local and regional business community both current and projected. This data will be used to determine the projected workload of the department as well as assisting in developing the methods to accommodate possible growth in Marion County over the next five years. The data will drive components of the goals as it pertains to workload. Processes and procedures will be addressed through data from the current business plan.

The strategic plan for Procurement Services will be a goal based plan for both short and long term goals utilizing SWOT analysis as a tool to determine the Strengths, Weaknesses, Opportunities and Threats as they pertain to procurement and its related functions.

Starting with the data, we will project the direction of growth in Marion County and determine the best methods of accommodating growth (if any) while attempting to maintain current staffing. The overarching goal being achieving the most cost effective, transparent and efficient method of meeting the needs of the departments through the procurement cycle which includes procurement methodology development, cost benefit analysis, procurement of goods and services, contract administration and the procurement accounting function.

Benchmarking data, specific to procurement will be utilized to assist in defining immediate, short term and long term goals for efficiencies in procedure.

The planning process will consist of:

- Defining the current status of market, core services, organization and management
- Performing a SWOT analysis
- Defining how the department fits into the long term vision for the County overall
- Outlining goals both short and long term
- Demonstrating strategies and risks for each goal.
- Defining outcomes of achieved goals.
- Detailing performance measures, benchmarks and financial management

Stakeholders

Included in this planning process will be various stakeholders including but not limited to the Procurement Department Assistant County Administrator, Finance, Internal Auditor, key Procurement Staff, external staff and vendor feedback.

Potential Constraints

Considering the fact that Procurement is an internal service department, workload is typically driven by the fluctuating needs of the various departments. Projecting growth or contraction of procurement workload will be based on the projections of each department measured against their individual percentage of overall work. Fluctuations in the market for both price and volume of available vendors impacts the planning process as well since this drives price and competition.





Current Situation

Mission

The mission of the Procurement Services Department is to provide goods and services of appropriate quality and quantity as required by the County departments in a timely manner, at the least overall cost to the taxpayers and to administer the procurement process in an open, fair, competitive manner and without conflict of interest, or other impropriety or appearance of impropriety.

History of the Marion County Procurement Services Department

Laws governing competition began back as early as the Roman Emperors and Medieval monarchs who used tariffs to stabilize prices or support local production. Modern competition law really began with the United States legislation of the [Sherman Act](#) of 1890 and the [Clayton Act](#) of 1914.

The first recorded procurement ordinance for Marion County appears to be from 1971 at which time the bid limits were set starting at \$1,000.00. Subsequent amendments to this ordinance were made in 1976, 1979, 1981, 1987 and finally in 1990 an ordinance establishing a uniform procurement code was created which allowed for the delegation of procurement duties by the County Administrator to a Purchasing Agent. This ordinance was the basis for our current Procurement Ordinance which has since been revised and expanded to include additional duties. The centralization of the procurement/accounting functions under Procurement Services has allowed for consistent processes across the board resulting in a more efficient workflow. Cross training of these Business Services Specialist positions allows for any one of these staff members to fill in for the other without a lag in workflow.

Over the last ten years, the Procurement Services Department has evolved from a mainly clerical function into a department intricately involved in the strategizing and implementation of the procurement of goods and services for Marion County. The Procurement Services Department is also tasked with the management of the hundreds of active contracts as well as overseeing the procurement card program and processing of requisitions and invoices.

Definition of Market

Procurement Services is an internal services department servicing mainly the various departments under the Board of County Commissioners. Procurement also serves the vendors doing business with the County as well as some various departments of other elected officials. The vendors rely on Procurement for a wide variety of services ranging from training to contract management and the accounting function which was recently added to the Procurement Services overall functions. Invoices for purchasing card payments as well as the invoices associated with a purchase order are now be reconciled and process through this department. Through the use of electronic approvals and imaging, the centralization of this process has resulted in a faster payment to the vendors as well as additional reporting capabilities for the user departments.

Core Services

Services to internal customers include procurement through various methods, contract administration, purchasing card administration, requisition/purchase order processing, invoice and purchasing card processing and change order processing as well as training. Each of these functions is delegated to the Procurement Services Department through the Marion County Procurement Ordinance and the Board of County Commissioners approval of the consolidation of the Accounting functions. Some functions of this department are mandated through the State of Florida statutes.

One of the goals of the Marion County Board of County Commissioners and the Procurement Department, with the support of the County Administrator, is to expand the vendor base of local businesses. A campaign was put into place to raise awareness to local vendors of the opportunities for doing business with Marion County. Through multiple local vendor training sessions, open house, the reverse trade show, and expedited registration for the local vendor directory, we are attempting to reach out to the business community to enable local vendors to do business with local government.

2013	
Process	Volume
Quotes	46
Bids	56
RFP/RFQ	58
Contracts (Non-Solicitation)	71
BE/PB/ST/SG/RFI	21
Purchase Orders	1,281
Purchasing Cards (Avg for year)	333
Change Orders	159
Local Business Registry (Avg for year)	252
Project Amendments	60
Contract Amendments	85
Purchasing Card Transactions	17,754
Average Transactions Per Purchase Card	72.17
Invoices	25,955
Requisition Input	1,359
Request for Payment	1,694

SWOT Analysis

Strengths <ul style="list-style-type: none">• Trained and certified key staff• Clear process of checks and balances• Ability to use technology efficiently• Established and growing vendor base• Strong staff and administrative support• Innovative	S	W	Weaknesses <ul style="list-style-type: none">• Limited staff• Time constraints in research• Limited opportunities for continued training
Opportunities <ul style="list-style-type: none">• Better value purchases• Pro-active procurement• Greater use of technology• Training of vendors to develop a more informed vendor base	O	T	Threats <ul style="list-style-type: none">• Budget constraints• May waste money through inappropriate purchases if processes are not closely monitored• Over burdened staff

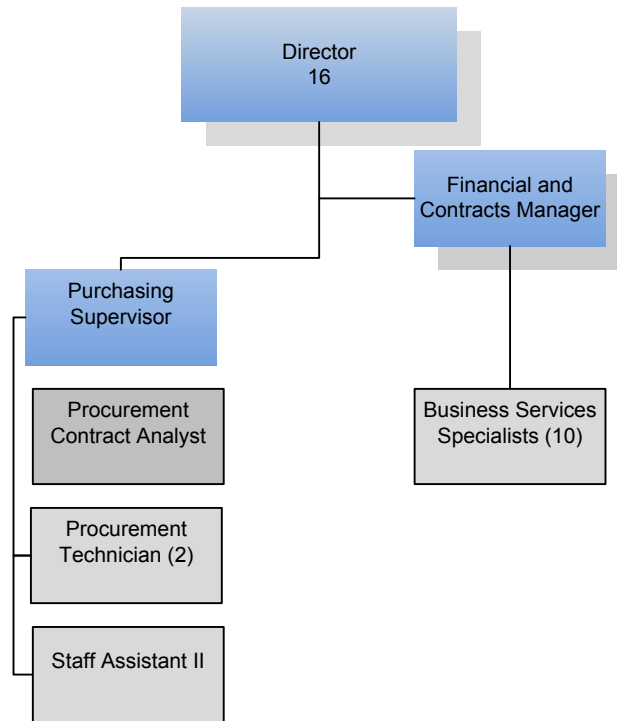
The five year strategic plan for the Procurement Department will be based on goals aimed at realizing the opportunities and minimizing threats and risks. We will use the SWOT analysis in developing the strategic plan through:

Exploring avenues for new initiatives

Making decisions about execution strategies for a new policy

Identifying possible areas for change in a policy or procedure

Procurement Services Department



Procurement Department Staff

Susan Olsen, CPPB, FCPA, FCPM, Director
Becky Jayne, MCAC, FCCM, Contract Officer
Carrie Hyde, Procurement and Contract Analyst
Christine Nagy, Procurement and Contract Analyst
Megan Brobst, Procurement Technician
Bryan Matus, Procurement Technician
Open Position, Staff Assistant II
April Chappell, Business Services Specialist
Kim Hersey, Business Services Specialist
Deon Compass, Business Services Specialist
Elaine Brakeman, Business Services Specialist
Lucille Artman, Business Services Specialist
Debbie Cole, Business Services Specialist
Kristina Ashby, Business Services Specialist
Marchelle Connell, Business Services Specialist
Jacqueline Grady, Business Services Specialist





Strategic Direction

Our Vision

To create and continually develop a Procurement Services department that functions efficiently and transparently while maintaining the highest professional and ethical standards and remaining flexible enough to cater to changing demands.

Our Mission

To provide goods and services of appropriate quality and quantity as required by the County departments in a timely manner, at the least overall cost to the taxpayers and to administer the procurement process in an open, fair, competitive manner and without conflict of interest, or other impropriety or appearance of impropriety.

Our Goals

To become a more pro-active service department by seeking out opportunities for saving money through combining the needs of multiple departments.

To utilize technology in order to accommodate increased work volume while maintaining current staffing levels.

To become a fully certified Purchasing Department with all technical staff becoming nationally certified.

To create an informed vendor base. With additional focus on growing local vendor participation.

To continuously review and update policies and procedures to accommodate changes in law and to promote efficiency and transparency

Our Values

Honesty and Integrity – Act in an accurate, professional, prompt, caring and respectful manner while safeguarding the assets of the taxpayers

Service – Strive to identify and meet the needs of each of our customers and stakeholders with “world class” service.

Teamwork – Work together to accomplish tasks and deliver prompt, accurate services.

Accountability and Flexibility – Through the process of checks and balances and the ability to adapt to change ensure that accountability is maintained.

Transparency — Ensuring transparency in all processes and procedures in order to maintain fiduciary trust.





Strategies by Goal

Goals	Strategy	Lead
<p>Goal 1</p> <p>To become a more pro-active service department by seeking out opportunities for saving money through combining the needs of multiple departments.</p>	<ul style="list-style-type: none"> • Holding Focus Group meetings with end users • Contract Management Software Reporting 	<ul style="list-style-type: none"> • Procurement Contract Analysts (PCA) • Procurement Tech
<p>Goal 2</p> <p>To utilize technology in order to accommodate increased work volume while offering more comprehensive reporting capabilities</p>	<ul style="list-style-type: none"> • Maximizing use of SharePoint Site • Central Reporting 	<ul style="list-style-type: none"> • Procurement Tech/BSS • Management
<p>Goal 3</p> <p>To become a fully certified Procurement Department with all technical staff becoming nationally certified.</p>	<ul style="list-style-type: none"> • Develop training plan for CPPB certification through NIGP • Develop accounts payable training plan 	<ul style="list-style-type: none"> • Procurement Tech/PCA • BSS
<p>Goal 4</p> <p>To create an informed vendor base. With additional focus on growing local vendor participation.</p>	<ul style="list-style-type: none"> • Continue to develop and refine vendor training sessions • Working in conjunction with local agencies and the PIO to develop and refine plans for local vendor outreach 	<ul style="list-style-type: none"> • PCA/BSS • PCA/BSS
<p>Goal 5</p> <p>To continuously review and update policies and procedures to accommodate changes in law and to promote efficiency and transparency and cost savings.</p>	<ul style="list-style-type: none"> • Perform Annual Countywide spend analysis • Revise Procurement Ordinance and Manual 	<ul style="list-style-type: none"> • Management/PCA • Management





Implementation

Implementation of the Procurement Strategic Plan is outlined in this section by goal and strategy. Each goal has separate strategies, expected outcomes and benchmarks required to achieve each goal. A starting point is identified for each strategy with a more detailed timeline for each outlining milestones is identified at the end of this section.

The plan is aimed at keeping cost at a minimum and where possible, injecting added efficiency without any additional cost through the use of current technology. Where there may be cost associated with some of the strategies, these costs will be kept to a minimum with performance measures in place to calculate the return on investment through overall cost savings.

A detailed timeline with milestones is included at the end of this section. Each goal and its strategy are associated with a specific lead position but will include other staff as well as stakeholders especially in the planning stages of each goal.

Goal 1



To become a more pro-active service department by seeking out opportunities for saving money through combining the needs of multiple departments.

Strategy

Holding Focus Group meetings with end users

Project Statement

Hold regular meetings with end users to discuss annual needs and to develop procurement strategies

Background

Departments typically work independently in planning for annual services and commodities. By pro-actively discussing upcoming procurement needs we have the ability to plan solicitations to include the needs of multiple departments.

Expected Results

Elicit greater savings through combined quantities.

Action Plan/ Project Timeline

Fall 2014—Procurement Contract Analysts will set up meetings with end users prior to budgeting for each fiscal year.

Performance Measure

Increased combined solicitations measured by cost savings compared to prior solicitations and low to second low bid.

Constraints

Varied needs of departments could result in conflicts in specifications

Lead

Procurement Contract Analysts

Timeline Milestones

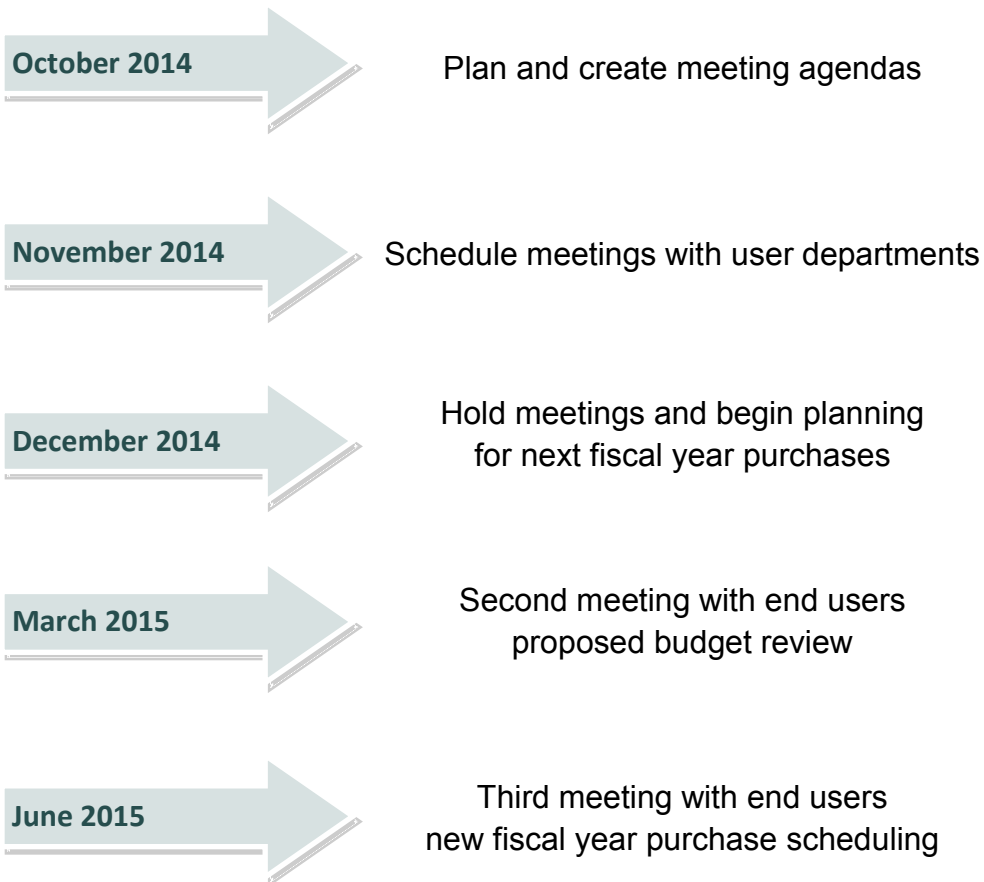


Goal 1

To become a more pro-active service department by seeking out opportunities for saving money through combining the needs of multiple departments

Strategy 1

Holding Focus Group meetings with end users



Goal 1



To become a more pro-active service department by seeking out opportunities for saving money through combining the needs of multiple departments.

Strategy

Contract Management Software Reporting

Project Statement

Developing specialized reports through the newly implemented Agriloft software in order to analyze purchasing trends throughout all departments.

Background

Procurement administers most contracts for all County departments. Currently, the contracts are tracked through a simple database that does not have strong reporting capabilities.

Expected Results

The Agriloft software has many customizable reports and has the ability to track in more detail, the overall needs of the county throughout the life of the contract. The reports should more easily show where there is an ability to combine purchases as well as for other departments to utilize existing contracts. This will allow some of the smaller end using departments and the PCS's to identify competitive purchase opportunities.

Action Plan/ Project Timeline

Expected implementation of Agriloft is **April 2014**. Currently data is being uploaded. Once complete, the Procurement Techs in conjunction with the PCA's will begin training the departments on its use and begin to develop customized reports.

Performance Measure

The solicitation log will measure savings throughout the fiscal year and this will be measured against the savings generated over the last five years. The Agriloft software capabilities for measuring savings is unknown at this time but it is anticipated that its reporting capabilities could add an additional tool for the measurement of cost savings.

Constraints

Competing priorities
Technical capabilities of staff with new software

Lead

Procurement Technicians

Timeline Milestones

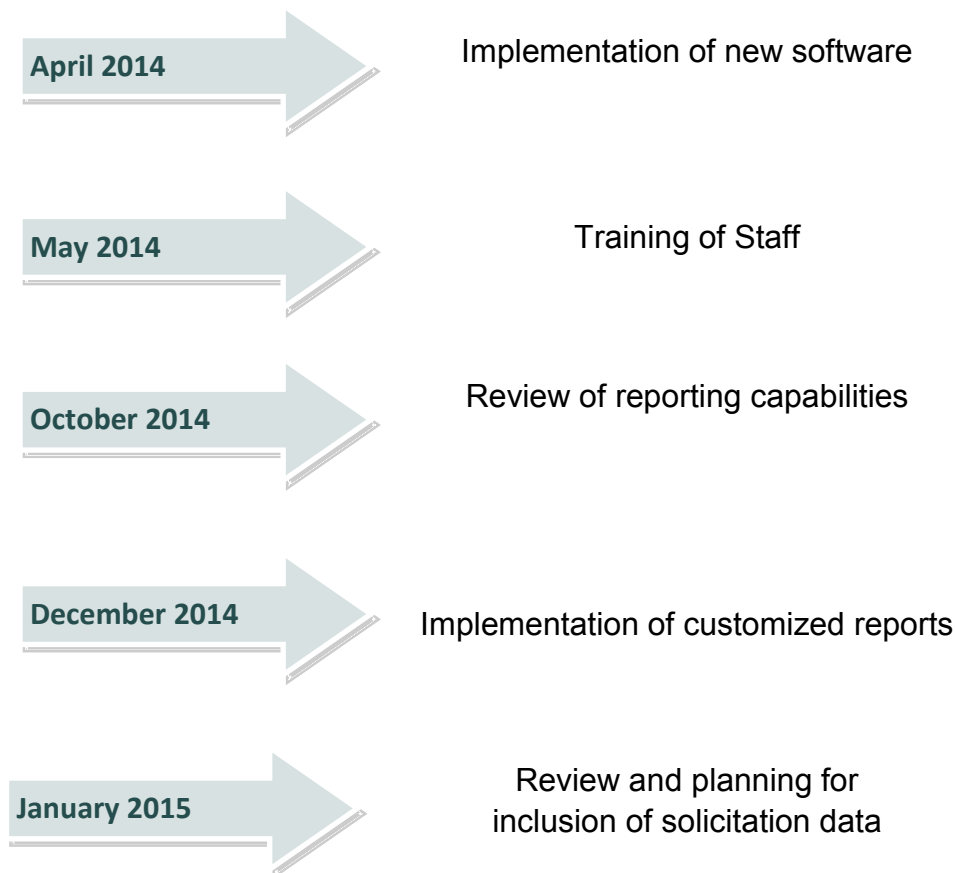


Goal 1

To become a more pro-active service department by seeking out opportunities for saving money through combining the needs of multiple departments

Strategy 2

Contract Management Software Reporting



Goal 2



To utilize technology in order to accommodate increased work volume while offering more comprehensive reporting capabilities

Strategy

Maximizing use of SharePoint Site

Project Statement

Working in cooperation with Information Technologies, review all libraries and databases in SharePoint to develop more efficient and comprehensive use of the site.

Background

Currently Procurement utilizes SharePoint for many processes such as the Expense Reports, Contract Library, the Solicitation Log to name a few. There are more wide-reaching tools in SharePoint that are yet to be tapped into.

Expected Results

A more organized and user friendly approach to the various functions. The site is utilized by many departments for looking up required information. The intention is to make it easy to find information as well as to possibly automate some processes such as workflow approval.

Action Plan/ Project Timeline

June 2015 is the projected end date as this allows sufficient time to acclimate to the new contract management software as well as the new Optiview/flow software in Finance. There may be crossover functions that need to be identified to eliminate redundancies.

Performance Measure

Customer service surveys will be used to measure ease of navigation and efficiencies can be measured through the reporting capabilities of the databases found in SharePoint as we have been using this as a measure through the last three years.

Constraints

Conflicting priorities
Time
Space limitations in SharePoint

Lead

Procurement Tech/BSS

Timeline Milestones



Goal 2

To utilize technology in order to accommodate increased work volume while maintaining current staffing levels.

Strategy 1

Maximizing use of SharePoint Site

April 2015

Review and Planning

June 2015

Testing

August 2015

Training

December 2015

Customer Service Survey

Procurement Services

Goal 2



To utilize technology in order to accommodate increased work volume while offering more comprehensive reporting capabilities

Strategy

Central Reporting

Project Statement

Implementation of a central reporting software or database to increase transparency and for use in tracking and developing statistics and production numbers and cost allocation, budgeting, benchmarking and planning.

Background

Currently, we gather information from multiple sources making reporting cumbersome and time consuming. Sharepoint, Finance Plus, ESP and various Excel databases are used for various functions within the department. When information such as transaction counts are required, transaction reports from ESP and Finance Plus as well as Sharepoint must be utilized and consolidated in order to get an overall accurate accounting. Crossover functions between the Accounting and Procurement functions will enable a better overall picture of spend throughout the county. A new position may need to be created as a full time function of review and reporting and cross over into spend analyses..

Expected Results

Consolidated databases should theoretically, have the ability to draw information from multiple sources and consolidate the information into customizable reports thereby eliminating manual consolidation of these reports.

Action Plan/ Project Timeline

Research into the availability and cost of this type of program will begin in March of 2015.

Performance Measure

Reporting capabilities within the software will be customizable and efficient. Performance of this program will be measured in time to process information.

Constraints

Learning curve for new technology as well as training of all end users. Cost may be prohibitive. Compatibility with current software may not exist. Staff time

Lead

Management

Procurement Services

Timeline Milestones



Goal 2

To utilize technology in order to accommodate increased work volume while offering more comprehensive reporting capabilities

Strategy 2

Central Reporting

March 2015

Research/Planning/Budgeting

June 2015

Procurement Process

October 2015

Position, if approved

December 2015

Training and Implementation

December 2016

Customer Service Survey

Procurement Services

Goal 3



To become a fully certified Procurement Department with all technical staff becoming nationally certified.

Strategy

Develop training plan for CPPB certification through NIGP

Project Statement

A training plan for the Procurement Contract Analysts and the Procurement Technicians will be developed to allow for certification through the National Institute of Government Purchasing (NIGP)

Background

NIGP offers courses both on-line and in class for professional development of procurement staff. This allows staff to become certified as a Professional Public Buyer. This certification is recognized throughout the United States as well as Canada and has strict educational requirements that must be fulfilled prior to applying to take the certification test.

Expected Results

Staff educated specifically in the field of procurement will be an asset to the County by utilizing the most transparent, efficient and cost effective methods of analyzing and implementing the procurement process.

Action Plan/ Project Timeline

Timeline varies per person depending on current education status. Typical timeline from beginning classes to applying for the test is approximately four years. A timeline specific to each staff member will be developed by October 2014.

Performance Measure

Once the timeline is developed, each staff member will be responsible for developing their class schedule over the period of years it will take to reach the goal of applying for the certification test. Measurement of grades and class outcome will determine success throughout the process with the final testing determining the pass or fail on the certification.

Constraints

Budget constraints may hinder the ability of staff to take necessary classes in the time frame allotted.

Lead

PCA/PT

Timeline Milestones

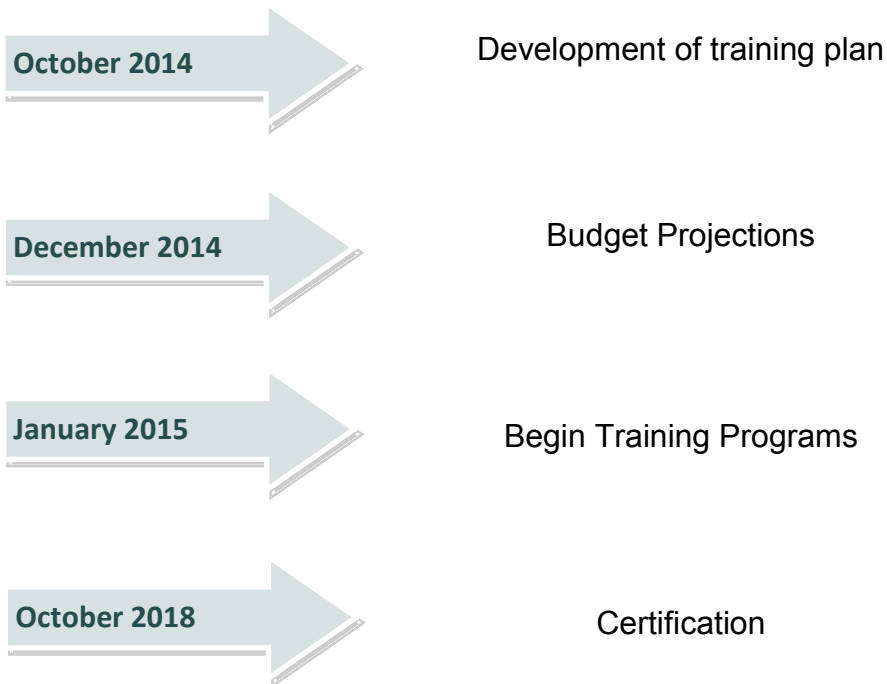


Goal 3

To become a fully certified Procurement Department with all technical staff becoming nationally certified.

Strategy 1

Develop training plan for CPPB certification through NIGP



Goal 3



To become a fully certified Procurement Department with all technical staff becoming nationally certified.

Strategy

Develop accounts payable training plan

Project Statement

A training plan for the Business Services Specialists will be developed for training specific to accounts payable as well as customer service.

Background

The procurement accounting function works closely with vendors as well as the various county departments. Their main functions are to process invoices, payment and travel requests as well as procurement card transactions. In addition, they track expenditures by account for a real time record of budgeted totals. Business Services Specialists also work closely with the Procurement Contract Analysts and Techs to monitor contract pricing and purchasing thresholds. Consistent training in accounting functions as well as customer service is essential for continued efficiencies.

Expected Results

Staff with the ability to analyze and process multiple transaction types over all funding accounts utilizing the most efficient accounting practices and ensuring essential checks and balances are in place.

Action Plan/ Project Timeline

Timeline varies per person depending on current education status. Working in conjunction with Human Resources, a job specific training program will be developed with classes specific to this function. A timeline specific to each staff member will be developed by October 2014.

Performance Measure

Performance will be based on overall grading of classes. Measurements of efficiency gained may be tracked through production records and measured against current production and future improvements.

Constraints

Budget constraints may hinder the ability of staff to take necessary classes in the time frame allotted.

Lead

Business Services Specialists

Timeline Milestones

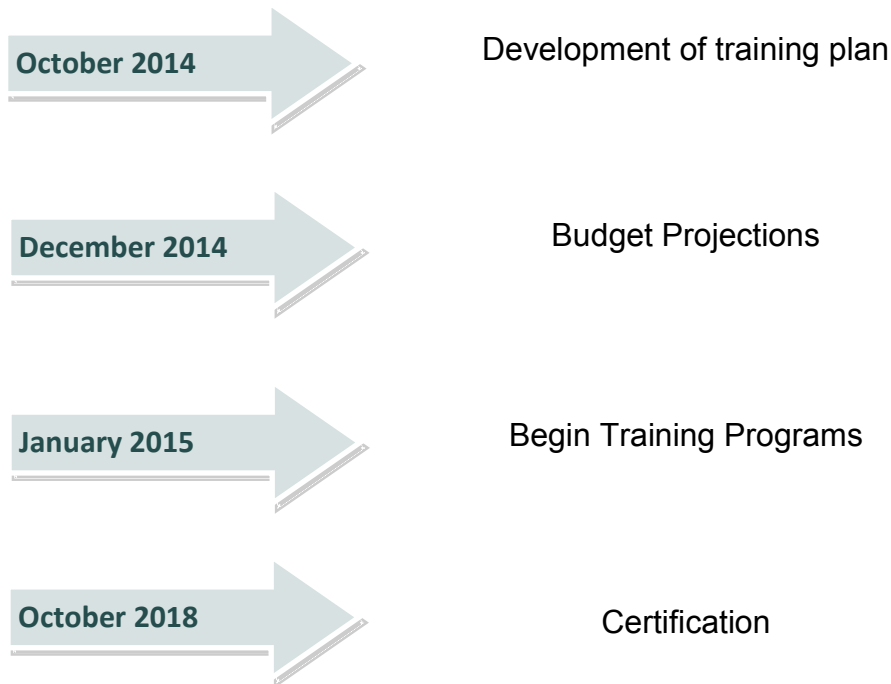


Goal 3

To become a fully certified Procurement Department with all technical staff becoming nationally certified.

Strategy 2

Develop accounts payable training plan



Goal 4



To create an informed vendor base. With additional focus on growing local vendor participation.

Strategy

Continue to develop and refine vendor training sessions

Project Statement

Enhancement of current training sessions and various forms of vendor outreach will increase transparency and competition. Specialized training sessions geared toward local vendors that will go beyond doing business with Marion County, such as doing business with the State of Florida will increase local participation in government contracts bringing more dollars to Marion County.

Background

Vendor training sessions on doing business with the County are currently held at various times throughout the year. In addition, Procurement Services has held open house and participated in the annual Reverse Trade Show in an effort to educate vendors and potential vendors on doing business with a local government agency. Enhancement of these forms of vendor outreach may include specialized training sessions.

Expected Results

Continued training and outreach to vendors increases competition and allows for a more transparent process as vendors are trained in doing business with a government agency.

Action Plan/ Project Timeline

A training plan, including enhanced specialized sessions for local vendors, including but not limited to, doing business with the county, invoicing, submitting proposals, etc. is in progress. A training schedule for the upcoming year will be completed by July of 2014.

Performance Measure

Measurement of success will be made through vendor surveys of specific training sessions as well as overall surveys. In addition, measurement of increased response to solicitations will demonstrate the success of training and outreach.

Constraints

Reaching vendors and motivating them to attend training is the most challenging constraint.

Lead

PCA/BSS/PT

Timeline Milestones

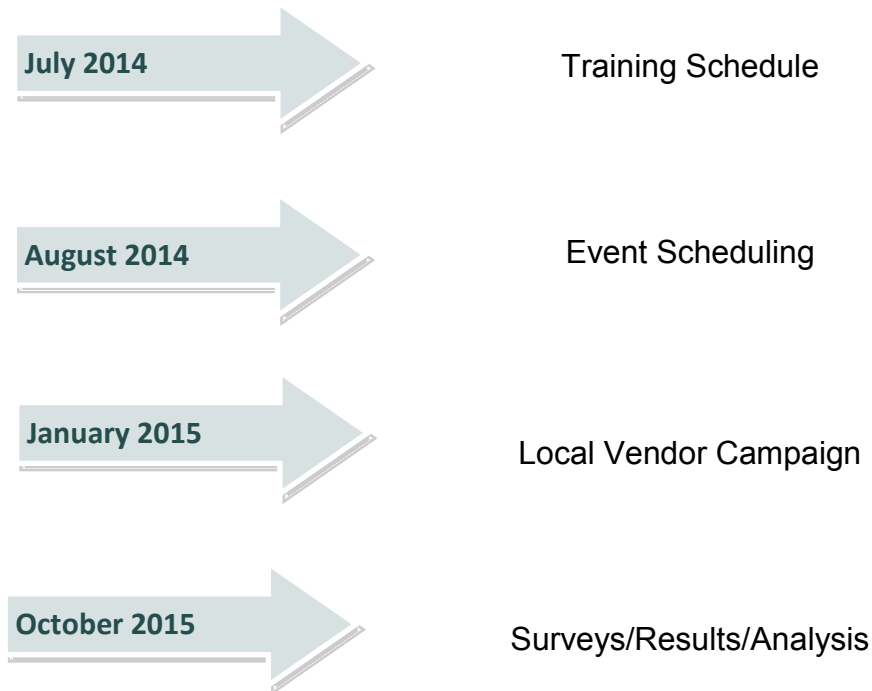


Goal 4

To create an informed vendor base. With additional focus on growing local vendor participation.

Strategy 1

Continue to develop and refine vendor training sessions



Goal 4



To create an informed vendor base. With additional focus on growing local vendor participation.

Strategy

Working in conjunction with local agencies and PIO to develop and refine plans for local vendor outreach

Project Statement

Work with local agencies such as the CEP and the SBDC (Small Business Development Center) as well as other local government agencies such as the City of Ocala, and the county PIO to generate interest in doing business with the County. Partnering with other outside agencies increases awareness of opportunities for local businesses.

Background

The County has had success in partnering with various agencies in training sessions and other programs such as the reverse trade show and open house training. Further developing these relationships with local agencies can increase the participation of local businesses in the procurement process.

Expected Results

Increase in local vendor directory participation. Increase in local vendor participation in quote and bid opportunities.

Action Plan/ Project Timeline

June 2014—This is presently an on-going initiative that will be enhanced and expanded through additional training and programs in conjunction with local agencies.

Performance Measure

Measuring local vendor participation in the local vendor directory as well as through survey results and solicitation participation.

Constraints

Perceptions tied to doing business with a government agency has always been the biggest obstacle to garnering interest in doing business with the County.

Lead

PCA's/PT's

Procurement Services

Timeline Milestones

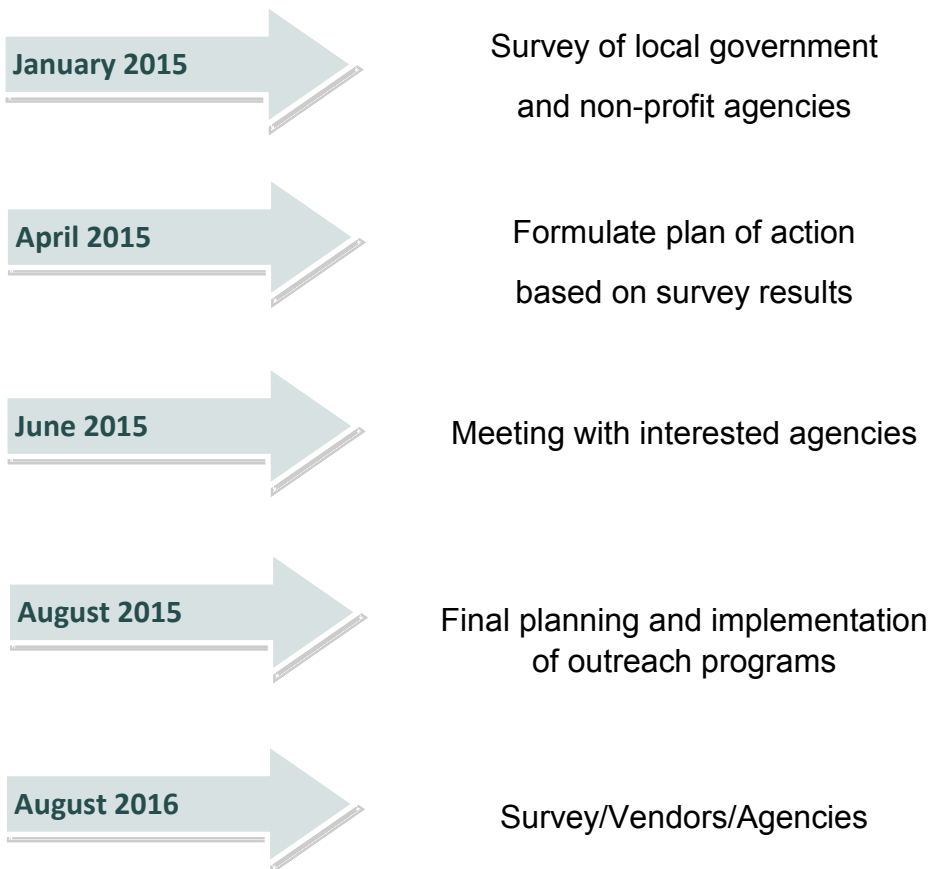


Goal 4

To create an informed vendor base. With additional focus on growing local vendor participation.

Strategy 2

Working in conjunction with local agencies to develop and refine plans for local vendor outreach



Goal 5



To continuously review and update policies and procedures to accommodate changes in law and to promote efficiency, transparency and cost savings

Strategy

Perform Annual Countywide Spend Analysis

Project Statement

The ability to review and analyze the spending patterns of the various departments will allow for strategic planning of future spend across multiple departments

Background

Currently, with the exception of the ESP system for procurement cards, we do not have the ability to analyze spend by commodity. Even in the ESP system commodity codes are very broad. Implementation of a comprehensive commodity code system such as the one offered by the National Institute of Government Purchasing (NIGP) would open up the ability to perform intensive spend analysis countywide.

Expected Results

"Spend analysis" is a tool that provides knowledge about who are the buyers, who are the suppliers, how much is being spent for what goods and services, and where are the opportunities to leverage buying power. Private sector companies are using spend analysis as a foundation for employing a strategic approach to procurement. Our goal in spend analysis is to identify areas where savings may be found by taking an enterprise-wide approach to purchasing goods and services. This may require a new position as a cross over with a central reporting position (Business Services Analyst)

Action Plan/ Project Timeline

Preliminary costs estimates and needs analysis in conjunction with NIGP could begin in June of 2016

Performance Measure

Savings achieved through comparison of historical spend

Constraints

Cost to implement, staff time to implement and once implemented, to perform ongoing analysis.

Lead

Management /New Position

Timeline

Milestones

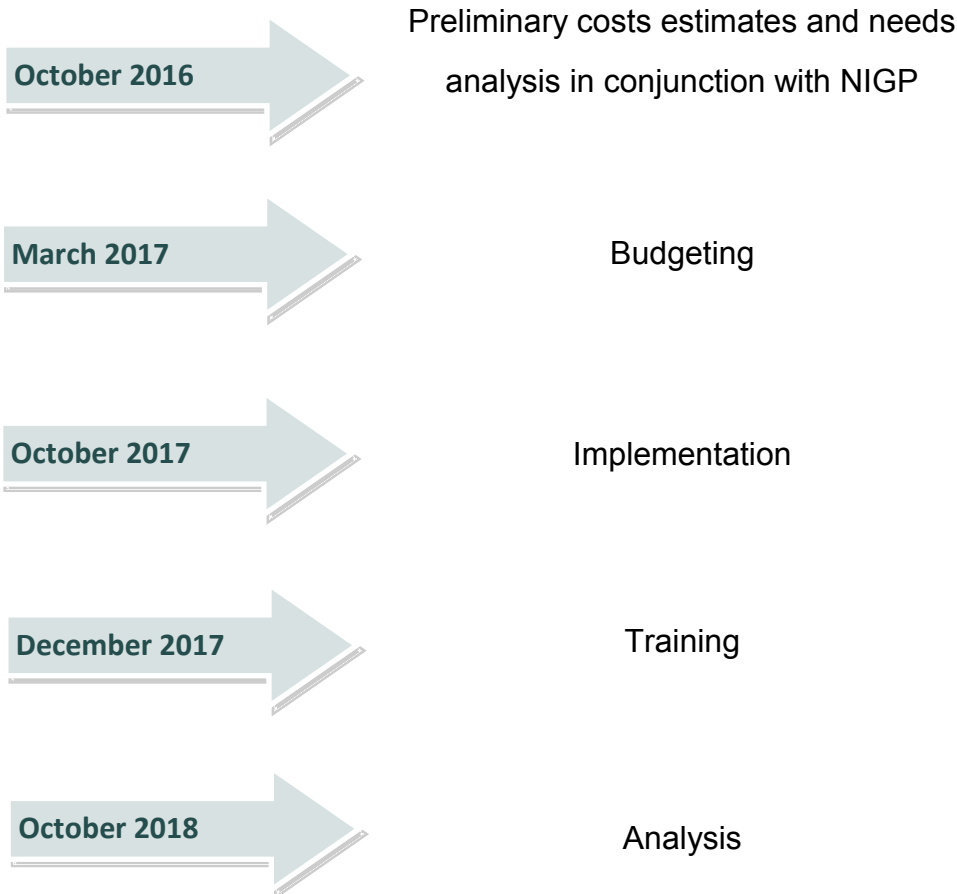


Goal 5

To continuously review and update policies and procedures to accommodate changes in law and to promote efficiency and transparency and cost savings.

Strategy 1

Perform Annual Countywide spend analysis



Goal 5



To continuously review and update policies and procedures to accommodate changes in law and to promote efficiency, transparency and cost savings.

Strategy

Revise Procurement Ordinance and Manual

Project Statement

Review and revise the current procurement ordinance and manual every three years to maintain efficiency and transparency within the procurement process

Background

It is recommended to address and revise a procurement ordinance every three years. The current ordinance has not been updated since 2011. A plan and schedule to continuously review and allow for revision to the ordinance and manual every three years will ensure Marion County maintains the most up to date procurement process in line with the most current state and federal laws as well as best practices.

Expected Results

A schedule for review and revision to ensure the most up to date ordinance and manual for the procurement process

Action Plan/ Project Timeline

A review and revision schedule will be developed this fiscal year (2014)

Performance Measure

Comparison to the Model Procurement Code as adopted by the National Institute of Government Purchasing (NIGP)

Constraints

Staff time

Lead

Director with input from staff and user departments

Timeline

Milestones

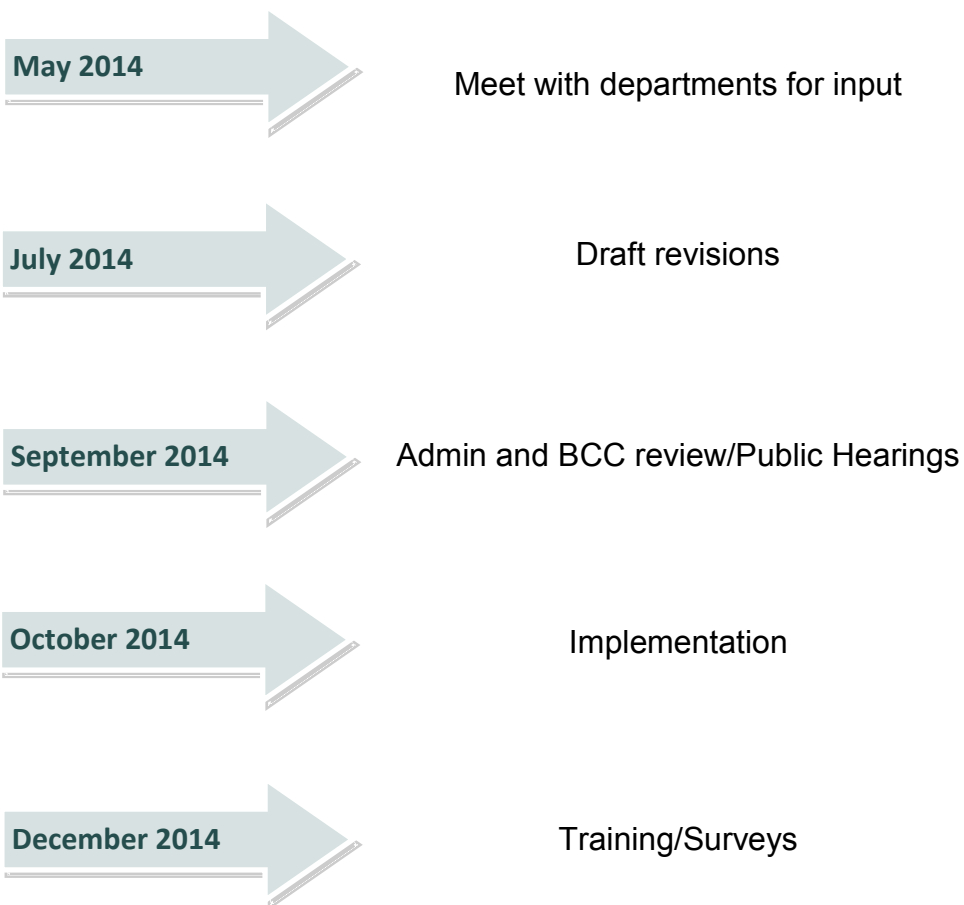


Goal 5

To continuously review and update policies and procedures to accommodate changes in law and to promote efficiency and transparency and cost savings.

Strategy 2

Revise Procurement Ordinance and Manual





Financial Projection, Performance Measures

The Procurement Services Department is a “staff driven” department, meaning that the bulk of the budget is based on personnel costs. The operating budget for this department comprises only 4% of the entire budget for this department. The remaining 96% of the budget is personnel costs. Based on past business plans in comparison with other like organizations, our operating costs are very low. We achieve this through the continuously reviewing our processes and procedures to stay as efficient as possible.

We are projecting out five years of stable operating costs with a request for an additional position in 2016 . This position would handle the ongoing spend analysis and central business reporting tasks outlined in this strategic plan. The projections on the following page, as obtained from GovMax, do not reflect this position request and will not, unless approved by Administration and subsequently the Board of County Commissioners.

The ability to remain stable in the operating costs is due to the ongoing effort to utilize technology, share resources and reduce paper. We have been successful in reducing postage as well by utilizing email and faxing for contracts and purchase orders.

Procurement Services does not typically budget for capital projects nor do we take in revenue, therefore our projections are limited to personnel and operating costs.

Expenditure Line Item Budget Report grouped by Organizational Unit, Division

Marion County Board of County Commissioners

Fiscal Year 2015

Account Code	Account Description	FY 2013 Actual	FY 2014 Adopted	FY 2014 Amended	FY 2015 Budget	FY 2016 Budget	FY 2017 Budget	FY 2018 Budget	FY 2019 Budget
170 Administrative Services									
17040 Procurement Services									
2530 Procurement Services									
512101	Regular Salaries & Wages	552,567	541,466	550,635	540,323	540,323	540,323	540,323	540,323
521101	FICA Taxes	39,244	41,426	42,127	41,338	41,338	41,338	41,338	41,338
522101	Retirement Contributions	30,910	37,633	37,936	37,554	37,554	37,554	37,554	37,554
523101	Health Insurance	87,678	116,128	116,128	116,128	116,128	116,128	116,128	116,128
523401	Life, AD&D, LTD	3,712	3,788	3,819	3,776	3,776	3,776	3,776	3,776
524101	Worker's Compensation	3,709	2,504	2,524	2,499	2,499	2,499	2,499	2,499
534101	Contract Serv - Other - Misc	0	100	100	750	750	750	750	750
540101	Travel & Per Diem	377	500	500	1,000	1,000	1,000	1,000	1,000
541101	Communications Services	618	2,000	2,000	1,500	1,500	1,500	1,500	1,500
542201	Postage & Freight	0	2,000	2,000	2,000	2,000	2,000	2,000	2,000
544101	Rentals & Leases - Equipment	5,570	6,300	6,300	4,500	4,500	4,500	4,500	4,500
545101	Insurance - Premiums	3,228	2,254	2,254	2,254	2,254	2,254	2,254	2,254
546257	Repairs/Maint - Fleet Management	0	0	0	100	100	100	100	100
547101	Printing & Binding	223	200	200	200	200	200	200	200
549125	Other Current Charges - Disputes	121	0	0	0	0	0	0	0
549201	Advertising - Legal	2,063	3,300	3,300	3,300	3,300	3,300	3,300	3,300
551101	Office Supplies	6,564	7,000	7,000	7,000	7,000	7,000	7,000	7,000
552101	Gasoline, Oil & Lubricants	0	0	0	250	250	250	250	250
552106	Computer Software	4,422	2,380	2,380	2,500	2,500	2,500	2,500	2,500
552108	Operating Supplies	501	1,000	1,000	1,000	1,000	1,000	1,000	1,000
552116	Operating Supplies - Computer Hardware	2,104	1,550	1,550	850	850	850	850	850
554201	Dues & Memberships	705	970	970	900	900	900	900	900
555501	Training & Education	650	1,000	1,000	3,000	3,000	3,000	3,000	3,000
	2530 Procurement Services	744,966	773,499	783,723	772,722	772,722	772,722	772,722	772,722
	17040 Procurement Services	744,966	773,499	783,723	772,722	772,722	772,722	772,722	772,722
	170 Administrative Services	744,966	773,499	783,723	772,722	772,722	772,722	772,722	772,722
	Report Total	744,966	773,499	783,723	772,722	772,722	772,722	772,722	772,722

Goals	Performance Measures	Benchmarks
<p>1</p> <p>To become a more pro-active service department by seeking out opportunities for saving money through combining the needs of multiple departments.</p>	<ul style="list-style-type: none"> ◆ Increased combined solicitations measured by cost savings compared to prior solicitations and low to second low bid. ◆ The solicitation log will measure savings throughout the fiscal year and this will be measured against the savings generated over the last five years . 	<p>Historical data/Efficiency</p>
<p>2</p> <p>To utilize technology in order to accommodate increased work volume while offering more comprehensive reporting capabilities</p>	<ul style="list-style-type: none"> ◆ Customer service surveys will be used to measure ease of navigation and efficiencies can be measured through the reporting capabilities of the databases found in SharePoint ◆ Reporting capabilities within the software will customizable and efficient. Performance of this program will be measured in time to process information. 	<p>Past surveys/Outcome</p> <p>Historical data/Workload</p>
<p>3</p> <p>To become a fully certified Procurement Department with all technical staff becoming nationally certified.</p>	<ul style="list-style-type: none"> ◆ Measurement of grades and class outcome will determine success throughout the process with the final testing determining the pass or fail on the certification. ◆ Measurements of efficiency gained may be tracked through production records and measured against current production and future improvements. 	<p>Historical Data/Efficiency</p>
<p>4</p> <p>To create an informed vendor base. With additional focus on growing local vendor participation.</p>	<ul style="list-style-type: none"> ◆ Vendor surveys as well as overall surveys. Measurement of increased response to solicitations will demonstrate the success of training and outreach. ◆ Measuring local vendor participation in the local vendor directory as well as through survey results and solicitation participation. 	<p>Surveys/Outcome</p> <p>Historical Data/Efficiency</p>
<p>5</p> <p>To continuously review and update policies and procedures to accommodate changes in law and to promote efficiency and transparency and cost savings.</p>	<ul style="list-style-type: none"> ◆ Savings achieved through comparison of historical spend ◆ Comparison to the Model Procurement Code as adopted by the National Institute of Government Purchasing (NIGP) 	<p>Historical Date/Outcome</p> <p>Model Standards/Outcome</p>



Consider doing business with Marion County
If you have ever thought about doing business with your local government, now is the time. The Marion County Board of County Commissioners is dedicated to engaging the local business community in the various bid and quote opportunities available. Find out more by calling 352-671-8444.



Scan this QR code with a smart phone to visit the Marion County Procurement Services website.

Local Business Directory Application

Marion County Procurement Services



PROCUREMENT CONTACTS

Contact Procurement Services staff directly by phone at 352-671-8444 or email at purchasing@marioncountyfl.org.

Susan Olsen (Director)

Becky Jayne (Contract Officer)

Carrie Hyde and Christine Nagy
(Procurement Contract Analysts)

Megan Brobst and Bryan Matus
(Procurement Technicians)

Marion County Procurement Services
2631 SE Third St.
Ocala, FL 34471

Phone: 352-671-8444

Fax: 352-671-8451

Email: purchasing@marioncountyfl.org

www.marioncountyfl.org/procurement.htm



Please provide the information requested below and email your completed form to purchasing@marioncountyfl.org or fax it to 352-671-8451. This application must be renewed every two years.

Company name:

Address:

Length of time at this address:

Phone:

Fax:

Email:

Owner/officer:

Federal employer ID:

Signature of owner or officer:

Date:

*By signing this application, you are stating that the information provided above is true and accurate and your firm meets the local vendor ordinance requirements.**

***Local Vendor Definition -** a Marion County person, firm, or corporation which: (1) has its headquarters, manufacturing facilities or locally owned franchise located in, or having a street address within, the legal boundaries of Marion County for at least one year immediately prior to the issuance of the request for quotation or formal bid solicitation (post office boxes do not qualify as a business address); (2) 30 percent or more of its full-time employees have primary residences located within the legal boundaries of Marion County; and (3) the owner or principal officer of such local business maintains a primary residence within the legal boundaries of Marion County.

Check all of the commodities or services your business offers:

- | | | |
|--|---|---|
| <input type="checkbox"/> A/C repairs | <input type="checkbox"/> File systems | <input type="checkbox"/> Playground equipment |
| <input type="checkbox"/> Air compressor | <input type="checkbox"/> Financial services | <input type="checkbox"/> Plant/nursery sales |
| <input type="checkbox"/> Alarm services | <input type="checkbox"/> Fire equipment sales | <input type="checkbox"/> Plumbing services |
| <input type="checkbox"/> Appliance | <input type="checkbox"/> Fire equipment testing | <input type="checkbox"/> Postage machines |
| <input type="checkbox"/> Architect services | <input type="checkbox"/> Fire sprinklers services | <input type="checkbox"/> Printing services |
| <input type="checkbox"/> Asbestos abatement | <input type="checkbox"/> Flooring services | <input type="checkbox"/> Promotional supplies |
| <input type="checkbox"/> Asphalt repairs | <input type="checkbox"/> Food services | <input type="checkbox"/> Radio communication |
| <input type="checkbox"/> Auctioneering | <input type="checkbox"/> Fuel-oil-lubricants | <input type="checkbox"/> Radio and TV ads |
| <input type="checkbox"/> Auto part sales | <input type="checkbox"/> Furniture repairs | <input type="checkbox"/> Recycling equipment |
| <input type="checkbox"/> Awards/trophies | <input type="checkbox"/> Furniture sales | <input type="checkbox"/> Road construction |
| <input type="checkbox"/> Background checks | <input type="checkbox"/> Garage door repairs | <input type="checkbox"/> Rock-sand-granite |
| <input type="checkbox"/> Batteries | <input type="checkbox"/> Glass and mirror sales | <input type="checkbox"/> Roofing services |
| <input type="checkbox"/> Blueprints | <input type="checkbox"/> Grading of roads | <input type="checkbox"/> Septic services |
| <input type="checkbox"/> Book sales | <input type="checkbox"/> Hydraulic repairs | <input type="checkbox"/> Shipping services |
| <input type="checkbox"/> Beverages | <input type="checkbox"/> Ice sales | <input type="checkbox"/> Shoes/boot sales |
| <input type="checkbox"/> Brick supplies | <input type="checkbox"/> Industrial supplies | <input type="checkbox"/> Signage |
| <input type="checkbox"/> Building construction | <input type="checkbox"/> Insurance services | <input type="checkbox"/> Sod-fertilizer-seeds |
| <input type="checkbox"/> Building supplies | <input type="checkbox"/> Internet and cable | <input type="checkbox"/> Sports equipment |
| <input type="checkbox"/> Carpet cleaning | <input type="checkbox"/> Junk/litter removal | <input type="checkbox"/> Street sweeping |
| <input type="checkbox"/> Chemical sales | <input type="checkbox"/> Land clearing | <input type="checkbox"/> Surveying services |
| <input type="checkbox"/> Cell phones | <input type="checkbox"/> Large equipment repairs | <input type="checkbox"/> Temporary labor |
| <input type="checkbox"/> Cleaning services | <input type="checkbox"/> Landscaping services | <input type="checkbox"/> Tire sales/disposal |
| <input type="checkbox"/> Computer | <input type="checkbox"/> Lawn equipment repairs | <input type="checkbox"/> Title company |
| <input type="checkbox"/> Concrete services | <input type="checkbox"/> Lawn maintenance | <input type="checkbox"/> Tool sales/repairs |
| <input type="checkbox"/> Consulting services | <input type="checkbox"/> Lighting supplies | <input type="checkbox"/> Towing services |
| <input type="checkbox"/> Copiers | <input type="checkbox"/> Locksmith services | <input type="checkbox"/> Traffic control supplies |
| <input type="checkbox"/> Debt collection | <input type="checkbox"/> Lumber sales | <input type="checkbox"/> Traffic striping |
| <input type="checkbox"/> Document shred | <input type="checkbox"/> Equipment rental | <input type="checkbox"/> Trailer sales |
| <input type="checkbox"/> Drug rehab | <input type="checkbox"/> Mailing services | <input type="checkbox"/> Tree trimming |
| <input type="checkbox"/> Dumpster services | <input type="checkbox"/> Medical supplies | <input type="checkbox"/> Trucking/excavating |
| <input type="checkbox"/> Electrical repairs | <input type="checkbox"/> Metal fabrication | <input type="checkbox"/> Uniforms |
| <input type="checkbox"/> Elevator services | <input type="checkbox"/> Moving services | <input type="checkbox"/> Upholstery cleaning |
| <input type="checkbox"/> Embroidery | <input type="checkbox"/> Music equipment sales | <input type="checkbox"/> Utility services |
| <input type="checkbox"/> Endangered species | <input type="checkbox"/> Office machine repairs | <input type="checkbox"/> Vending services |
| <input type="checkbox"/> Engineering | <input type="checkbox"/> Office supplies | <input type="checkbox"/> Video taping |
| <input type="checkbox"/> Engraving | <input type="checkbox"/> Outdoor advertising | <input type="checkbox"/> Water testing |
| <input type="checkbox"/> Environmental assessments | <input type="checkbox"/> Painting and supplies | <input type="checkbox"/> Welding services |
| <input type="checkbox"/> Fencing services | <input type="checkbox"/> Paper products | <input type="checkbox"/> Well/pump repairs |
| | <input type="checkbox"/> Paving services | |
| | <input type="checkbox"/> Pest/termite control | |

List any additional commodities or services.

Sign up to attend **FREE** vendor orientation/training sessions held throughout the year.
Call for additional information.



ARTICLE VII. - PROCUREMENT CODE ^[11]

⁽¹¹⁾ **Editor's note**— Ord. No. 11-52, § 1, adopted Sept. 20, 2011, amended Art. VII in its entirety to read as herein set out. Former Art. VII, §§ 2-232—2-253, pertained to similar subject matter and derived from: Ord. No. 03-21, §§ 1—22, adopted Oct. 21, 2003; Ord. No. 04-23, § 1, adopted Nov. 2, 2004; and Ord. No. 09-20, § 1, adopted July 21, 2009.

[Sec. 2-232. - Purpose.](#)

[Sec. 2-233. - Definitions.](#)

[Sec. 2-234. - Applicability.](#)

[Sec. 2-235. - Exemptions.](#)

[Sec. 2-236. - Central procurement system.](#)

[Sec. 2-237. - Procurement of goods or services.](#)

[Sec. 2-238. - Conflict of interest.](#)

[Sec. 2-239. - Purchasing card.](#)

[Sec. 2-240. - Authority of county administrator or his or her designee.](#)

[Sec. 2-241. - Prohibition of lobbying in procurement matters.](#)

[Sec. 2-242. - Delegation of authority.](#)

[Sec. 2-243. - Procurement manual.](#)

[Sec. 2-244. - Competitive sealed bid process.](#)

[Sec. 2-245. - Protested solicitations and awards.](#)

[Sec. 2-246. - Small procurements.](#)

[Sec. 2-247. - Procurement under federal or state procedures.](#)

[Sec. 2-248. - Suspension and debarment.](#)

[Sec. 2-249. - Miscellaneous provisions.](#)

[Sec. 2-250. - Change orders.](#)

[Sec. 2-251. - Direct purchases.](#)

[Sec. 2-252. - County employees.](#)

[Sec. 2-253. - Local business program.](#)

Sec. 2-232. - Purpose.

The purpose and intent of this article is:

- (1) To clarify the law governing the County of Marion's procurement system.
- (2) To ensure the fair, equitable, and uniform treatment of all persons who deal with the procurement system of this county.
- (3) To foster effective broad based competition within the free enterprise system in procurement activities.
- (4) To establish a procurement services department under the management supervision of the county administrator. The county administrator may delegate such authority as he/she deems applicable, to the procurement services director, or others to facilitate the day-to-day operations of the procurement services department.

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(Ord. No. 11-52, § 1, 9-20-11)

Sec. 2-233. - Definitions.

Addendum means additional directions or modifications during the county procurement process to a solicitation which is issued as a separate advisory document after issuance of such solicitation by the procurement services director or their designee.

Administration consists of the county administrator and the assistant county administrators who are appointed by the board of county commissioners and shall serve as the administrative head of the county and shall be responsible for the administration of all departments of the county government which the board of county commissioners has authority to control pursuant to the general laws of Florida, or other applicable legislation.

Amendment means the method of changing the terms, conditions, or requirements of a contract or agreement beyond what is specifically provided for in that contract or agreement. All amendments shall be approved with equal dignity and formality as the original contract signed by the individuals holding the positions of the original signatories; provided however, that any amendment which causes a contract expenditure to exceed original amount, shall be approved by the board of county commissioners.

Black out period means the period between the time the authorization for invitation for bid or the request for proposal, or qualifications, or information, or the invitation to negotiate, as applicable, are received at the Marion County Procurement Services Department, or given verbally by direction of the board or administration, and the time the board awards the contract.

Capital improvement project means any public improvement which the county undertakes including the construction or reconstruction in whole or in part of any building, road, highway, street improvements, plant, structure, or facility necessary in carrying out the functions of the county government.

Change order means a written order amending a purchase order to correct errors, omissions, or discrepancies in it, to cover acceptable cost over-runs and freight costs, to incorporate requirements to expand or reduce the scope of goods or services ordered, or to direct other changes in the contract execution to meet unforeseen field, emergency, climatic, regulatory, or market conditions.

Competitive bidding means two (2) or more bids or proposals submitted for the same item or services by responsible bidders.

Consultant's Competitive Negotiation Act (CCNA) means the official name for F.S. § 287.055, relating to the procurement of architectural, engineering, landscape architecture, and registered land surveying services. These services shall be procured by letters of interest and qualifications, and competitive selection and negotiation.

Contract means a deliberate verbal or written agreement between two (2) or more competent parties to perform or not perform a specific act or acts. Any type of agreement regardless of what it is called for the procurement or disposal of supplies, services or construction.

Contractor means any person or firm having a contract with the county.

Cooperative purchasing means a procurement conducted by or on behalf of more than one public procurement unit.

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Debarment means the exclusion for cause of a vendor or contractor from bidding and/or doing business with the county.

Emergency purchases means those procurements which shall be exempted from the mandatory bid requirements of this article in the event of an emergency, because the circumstances of the delay incident in complying with such requirements would be detrimental to the health, safety and welfare of the citizens of the county; such emergencies shall include, but are not limited to, war, declared or undeclared; insurrection; hurricane; flood; tornadoes or any other form of disaster or unforeseen circumstances threatening destruction of life or damage to property. This exemption shall be in effect through any such circumstances, including the clean up and repair to property period following such an event.

Employee means an individual of a governmental body of the county government under the control of the board of county commissioners who is drawing a salary or wages from the board.

Fixed assets means assets of a long-term character, which are intended to continue to be held or used generally for more than one fiscal year, such as land, buildings, improvements other than buildings, machinery and equipment.

Inventory means a detailed list showing quantities, descriptions and values of property and, frequently, units of measure and unit prices.

Invitation to bid means the solicitation document used for competitive sealed bidding for the purchase of goods and/or services; all documents, whether attached or incorporated by reference, utilized for soliciting bids.

Invitation to negotiate means a written solicitation for competitive sealed replies to select one or more vendors with which to commence negotiations for the procurement of commodities or contractual services. The invitation to negotiate is used when the agency determines that negotiations may be necessary for the county to receive the best value. A written solicitation includes a solicitation that is electronically posted.

Lobbying means the attempt to influence the thinking of county elected officials or county staff for or against a specific cause related to a solicitation for goods or services, in person, by mail, by facsimile, by telephone, by electronic mail, or by any other means of communication.

Local business program means a program wherein local businesses, may register with Marion County procurement services for notification of solicitation opportunities for purchases and to be notified of opportunities for targeted procurement training.

Local government means any county or municipality.

Local vendor means a Marion County person, firm, or corporation which:

- (1) Has its headquarters, manufacturing facilities, or locally owned franchise located in, or having a street address within, the legal boundaries of Marion County for at least one year immediately prior to the issuance of the request for quotation or formal bid solicitation (post office boxes do not qualify as a business address); and
- (2) Thirty (30) percent or more of its full-time employees have primary residences located within the legal boundaries of Marion County; and

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(3) The owner or principal officer of such local vendor maintains a primary residence within the legal boundaries of Marion County.

Open purchase order means a purchase order whereby a vendor provides to the county supplies, services, or construction work on demand or on a prescribed schedule which shall not exceed a period of twelve (12) consecutive months. An open purchase order may be used as a release and encumbrance document to authorize the county to order on an as-needed basis a predetermined amount of supplies, services, or construction work from an open end contract.

Posting means the act whereby the county places, in a designated location, a listing which indicates the vendor or vendors that county staff is recommending receive the award of an invitation for bid or request for proposal. It is also public notice of any official action by the county in matters relating to this article, including suspension or debarment.

Principal officer means any officer of a corporation with authority to execute contracts and documents on behalf of the corporation.

Procurement means buying, purchasing, renting, leasing, or otherwise acquiring any supplies, services or construction. It also includes all functions that pertain to the obtaining of any supply, services, or construction, including description of requirements, selection and solicitation of sources, preparation and award of contract, and all phases of contract administration.

Procurement services director means the person holding the position as head of the procurement services department.

Professional services means any narrow discipline wherein a known practitioner has through education and experience developed expert advisory and programming skills as a vocation; any service performed primarily by vocational personnel which requires the analysis or certification of a professional before the services are acceptable to the user of the service; or any other advisory, study, or programming activity where the procurement services director determines that the level of skills and/or creativity or the potential or known practitioner warrant procurement in lieu of competitive bid or quotation process.

Proposal means an executed formal document submitted to the county stating the goods and/or services offered to satisfy the need as requested in the request for proposal.

Purchase order means a document which authorizes the delivery of specific merchandise or the rendering of certain services and the making of a charge for them.

Purchasing card means a card issued to designated county employees with the authorization of the department head and the procurement services director or their designee, which authorizes the user to purchase specific goods or services as set forth in the policies and procedures for the purchasing card.

Quotation means any oral or written informal offer by a vendor to the county to furnish specific goods and/or services at a stated price.

Request for information means a formal written request, or an informal written, oral, or electronic media, request, or a combination of formal and informal requests, for soliciting information to obtain recommendations from suppliers for a procurement that cannot be described in sufficient detail to prepare a solicitation.

Request for proposal (RFP) means a solicitation of the responses for good and/or service for which the

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scope of work, specifications or contractual terms and conditions cannot reasonably be closely defined. Evaluation of a proposal is based on prior established criteria which may include, but may or may not be totally limited to price.

Request for qualifications (RFQ) means a solicitation of responses from vendors whereby vendors are invited to submit a summary of their particular qualifications and to state their interest in performing a specific job or service for the county. From such submissions, the county selection committee determines which of such vendors shall be short-listed, interviewed, and recommended to the board of county commissioners for permission to negotiate for scope of work and fees.

Responsible bidder means an individual or business which has submitted a bid, offer, proposal, quotation, or response which, as determined by the county, has the capability in all respects to perform fully the contract requirements and the experience, integrity, reliability and capacity, facilities, equipment and credit which give reasonable assurance of good faith and performance. The county may also consider and give weight to the bidder's previous conduct and performance under previous contracts with the county and other agencies (including, but not limited to delinquency), and determine the quality of the bidder's previous work. County staff may, after bid opening, request additional information from the bidder concerning his ability to perform; and the bidder may voluntarily, after opening, provide additional or corrective information concerning his responsibility as bidder.

Responsive bid means a bid or proposal which conforms in all material respects to the invitation to bid or request for proposals.

Responsive bidder means an individual or business which has submitted a bid, offer, proposal, quotation or response which, as determined by the county, conforms in all material respects to the solicitation which may include but is not limited to pricing, surety, insurance, specifications of the goods or services requested or any other matter, unequivocally stated in the invitation for bids as a determinant of responsiveness. A lack of conformity in these matters which is nonsubstantive in nature may be considered a technicality or irregularity which may be waived by the county; provided, however, that failure of a bidder or proposer to certify the firm has a drug-free workplace in accordance with F.S. § 287.087, shall result in rejection of the bid or proposal as nonresponsive.

Selection committee means the committee approved by the county administrator to review offers and responses to requests for proposals (RFP) and requests for qualifications (RFQ) in accordance with the policies and procedures of the procurement services department, and when required, in accordance with the State of Florida Competitive Consultants Negotiation Act (CCNA). A selection committee shall not have a predominant amount of staff from one department. A supervisor and subordinate may not serve on a selection committee together.

Sole source means the only existing source of the only items which meets the needs of the using department as determined by a reasonably through analysis of the marketplace and upon approval of the board of county commissioners.

The county means Marion County, a political subdivision of the State of Florida, or any of its authorized representatives pursuant to ordinance, resolution, or administrative code.

(Ord. No. 11-52, § 1, 9-20-11)

Sec. 2-234. - Applicability.

This article shall apply to every procurement except as otherwise stated herein, of the Marion County

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Board of County Commissioners or any governmental body, unit or department under the control or supervision of said board acting in any capacity, irrespective of the source of funds involved.

(Ord. No. 11-52, § 1, 9-20-11)

Sec. 2-235. - Exemptions.

This article shall not apply to:

- (1) Procurement contracts between the board of county commissioners and nonprofit organizations, other governments, or other public entities.
- (2) Procurement of dues and memberships in trade or professional organizations; subscription for periodicals; real property; books (maps, pamphlets and similar material); works of art for public display; pharmaceutical products; medically related professional services; real estate broker; room or board for social service clients; funeral related services; water, sewer, electrical, cable television, or other utility services; payroll, personnel, full- or part-time, whether in the classified service or not; medical services for indigents qualified by the department of community services; and performances, shows or other cultural events.
- (3) Procurements made from petty cash accounts.
- (4) Any procurement under State of Florida purchasing agreements and contracts.
- (5) Procurements of goods and services as part of the process of apprehending persons suspected of violating the law.
- (6) Books, periodicals and other published materials not available by competitive pricing.
- (7) Services of attorneys and other legally related services, rather, contracts for attorney services and other legal services shall be secured by negotiation of the county attorney as approved by the board of county commissioners.
- (8) Appraisers, and expert witnesses for condemnation matters, and similar services. Contracts for these services shall be negotiated by the county attorney.

(Ord. No. 11-52, § 1, 9-20-11)

Sec. 2-236. - Central procurement system.

(a) There is hereby established a central procurement system which consists of a procurement services department supervised by a procurement services director and specified staff members of the department and deemed appropriate and budgeted for by the county administrator and approved by the board of county commissioners. All procurements for goods and services for the county, except those goods and services excluded from the application of this article, shall be effected through the central procurement system.

(b) The county is authorized to procure goods and services of every description and nature necessary to the operation of county government under this article.

(Ord. No. 11-52, § 1, 9-20-11)

Sec. 2-237. - Procurement of goods or services.

No procurement of goods or services of twenty-five thousand dollars (\$25,000.00) or more shall be made unless upon competitive sealed bids received in the manner hereinafter prescribed, except in at least one of the following circumstances:

(1) When it is determined in accordance with procedures adopted by the county administrator and set out in the Marion County Procurement Manual that the use of competitive sealed bidding is either not practicable or not advantageous to the county, a contract may be entered into by any of the following:

- a. Competitive sealed proposals;
- b. Consultant's Competitive Negotiation Act (CCNA);
- c. Request for qualification;
- d. Request for proposal;
- e. Sole source procurement;
- f. Invitation to negotiate.

(2) The county administrator or his designee shall have the authority, subject to the approval of the board of county commissioners, to cooperate with other federal, state and local governments or federal, state or local public entities in the development and use of mutually cooperative purchasing contracts. Such contracts, irrespective of the sponsoring entity, as they pertain to the county, shall be awarded by the board of county commissioners.

(3) The county administrator or his designee shall have the authority, subject to the approval of the board of county commissioners, to utilize contracts of other federal, state or local governments or other public entities to procure goods and services, if the vending contractor extends the terms and conditions of the contract to the county, and the contract has been awarded through procedures substantially equivalent to the requirements of this article, provided that authorization to purchase under said contract is in conformance with the monetary limitations for purchases as contained in this article.

(4) A contract may be awarded for goods or services without competitive bids when the county administrator or his designee determines in writing that there is only one source for the required item and approval is granted by the board of county commissioners. Upon approval by the board of county commissioners, this will be identified as sole source procurement.

(5) Where the county administrator or his/her designee finds it to be in the best interest of the county, it may declare the existence of an emergency procurement condition, and, based thereon, suspend any or all of the provisions of this article and authorize an emergency procurement; provided that such emergency procurement shall be made with such competition as is practicable under the circumstance. When an emergency procurement is authorized, the factual basis for the emergency and for the selection of the particular contractor shall be documented in an agenda item and ratified by the board of county commissioners at a regularly scheduled meeting.

(6) In the procurement of professional, architectural, engineering, landscape architectural or land surveying services, the county shall comply with the provisions of F.S. § 287.055, Consultants

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Competitive Negotiation Act (CCNA), as may be amended from time to time, and the Marion County Procurement Manual.

- (7) Competitive proposals shall be solicited through a request for proposals.
- (8) Adequate public notice of the procurement procedure shall be given in the same manner as provided for in the competitive sealed bid process.
- (9) The procurement procedures shall state the relative importance of price and other evaluation criteria.
- (10) A presubmittal meeting may be held where the procurement procedure shall be publicly discussed with all attending respondents. Discussion shall include questions from respondents on any issues considered germane to the requirements or project. The date and time of the presubmittal meeting shall be included in the advertised notice of the procurement procedure.
- (11) Award shall be made to the responsible offer or whose proposal is determined in writing to be most advantageous to the county taking into consideration price and the evaluation criteria set forth in the procurement procedure. A summary of the basis on which the award is to be made shall be included in the official contract file and presented to the board of county commissioners.
- (12) Any certified public accountant for auditing services required by F.S. § 11.45 as may be amended from time to time, shall be selected in accordance with the provisions of that statute. Any selection of a certified public accountant for any other purpose shall be done by any procedure designed to select the best firm at the least cost to the county.
- (13) The county administrator or his or her designee may, under his or her own authority, waive the bid procedures for general services administration (GSA) contracts is allowed or permitted by federal law, rules or regulations. The county may thus procure directly from such a GSA contract or similar state contract when it is in the best interest of the county.
- (14) When procurement of repairs, services, or equipment are requested for continuance of essential operations or are necessary to maintain public health and safety, such situation shall be deemed a valid emergency and such procurements may be approved by the county administrator. A report of the action and circumstances shall be included in the board minutes of a regularly scheduled meeting held within thirty (30) days of the emergency.
- (15) The board of county commissioners may choose to waive the competitive solicitation process if it is deemed to be in the best interest of the county or for standardization of a commodity.

(Ord. No. 11-52, § 1, 9-20-11)

Sec. 2-238. - Conflict of interest.

In addition to the prohibitions set out in F.S. Ch. 112, pt. III, neither the county administrator, the procurement services director, nor any member of his/her staff shall be financially interested or have any personal beneficial interest, directly or indirectly, in any purchase or contract of any supplies, materials, equipment, or services used by or furnished for the county. The county administrator, the procurement services director and every member of his staff are prohibited from accepting or receiving from any person, firm or corporation to which any purchase or contract may be awarded any money, rebate, gift or anything of value or any promise, obligation or contract for future reward of compensation.

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(Ord. No. 11-52, § 1, 9-20-11)

Sec. 2-239. - Purchasing card.

- (a) The purpose of the purchasing card program is to:
- (1) Provide an efficient method of purchasing and paying for goods and services not exceeding the limit of the card.
 - (2) Ensure purchasing card purchases are in accordance with the county's Code, policies and procedures.
 - (3) Ensure that the county bears no legal liability from inappropriate use of purchasing cards.
 - (4) Provide for disciplinary action if the purchasing cards are misused.
- (b) The policies and procedures as detailed in the procurement manual are minimum standards for departments. Departments may establish additional controls if necessary with approval of county administration.

(Ord. No. 11-52, § 1, 9-20-11)

Sec. 2-240. - Authority of county administrator or his or her designee.

Unless otherwise provided for in this article, the procurement of all goods and services shall be under the supervision and management of the county administrator or his or her designee. It shall be the duty, responsibility, and authority of the county administrator or his or her designee to:

- (1) Supervise the procurement of all goods and services except as otherwise provided for herein, required by the board of county commissioners and departments and agencies under its control, and for which payment is made from funds of the county.
- (2) In conjunction with using agencies, prepare and enforce standard specifications which shall apply to all goods and services purchased for the use of the county.
- (3) Maintain current files, or contract with a qualified agency for maintenance of current files, for sources of supply for goods and services required by the county.
- (4) Perform other related duties as may be assigned by the board of county commissioners.
- (5) Sign, duly issued purchase orders or assign said responsibility to a designee.
- (6) Take all reasonable steps to insure that the specifications for an item to be procured are developed to permit competition among businesses whenever practicable.
- (7) Oversee the procedures for the disposal of county property which becomes surplus to the county's needs.
- (8) Maintain a system of accountability and numbering of all contracts for purchase of goods and services under the jurisdiction of the board of county commissioners whether exempt from the procurement system or not.
- (9) Recommend the rejection of all bids as may be in the best interest of the county where

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competitive sealed bids have been required for the procurement of goods and services and such rejection of bids is approved by the board of county commissioners.

(Ord. No. 11-52, § 1, 9-20-11)

Sec. 2-241. - Prohibition of lobbying in procurement matters.

Except as expressly set forth in subsection 2-245(11), during the black out period which is, the period between the time the authorization for invitation for bid or the request for proposal, or qualifications, or information, or the invitation to negotiate, as applicable, are received at the county procurement services department, or given verbally by director of the board or administration, and the time the board awards the contract. No proposer, no lobbyist, principal, or other person may lobby, on behalf of a competing party in a particular procurement matter, either any member of the board, or any county employee other than the procurement services department staff. Violation of this provision may result in disqualification of violating party.

(Ord. No. 11-52, § 1, 9-20-11)

Sec. 2-242. - Delegation of authority.

Subject to the approval of the county administrator, the procurement services director may delegate in writing, his or her authority in whole or in part to designees within his or her department or other county departments.

(Ord. No. 11-52, § 1, 9-20-11)

Sec. 2-243. - Procurement manual.

(a) After adoption of this article, the procurement services director shall prepare the Marion County Procurement Manual ("procurement manual") which shall be administratively adopted and which may be administratively changed as circumstances require, in order to implement this article.

(b) The guidelines for the procurement of goods and services contained in the procurement manual shall be consistent with the procedures established under this article. Such guidelines may establish the designation of the responsibility of administration of contracts, prequalification of bidders, bidding procedures, administration of bid procedures and conferences, bid opening procedures, procedures for the correction or withdrawal of bid, procedures for sealed proposal solicitation, proposal procedures, contract award procedures, protest procedures, administration of contract awards, contract disputes, small procurement procedures, contract execution procedures, bonding requirements, insurance requirements, purchase order procedures, payment procedures, and such other matters as may be required to establish a sound procedure for the procurement of goods and services under this article and applicable Florida law.

(c) The procedure for the recording and accounting of inventory and disposal of tangible personal property shall be addressed in and governed by the fixed asset manual.

(Ord. No. 11-52, § 1, 9-20-11)

Sec. 2-244. - Competitive sealed bid process.

(a) All procurements requiring the receipt of competitive bids under this article shall be upon invitation for bids. Invitations for bids shall be issued and shall include procurement specifications, bid evaluation

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criteria, and all principal terms and conditions applicable to the procurement. The bid evaluation criteria that will affect the bid price and/or be considered in evaluation for the award shall generally be objectively measurable. Such evaluation may include, but is not limited to, conformance to specifications, discounts, transportation costs, and total or life cycle costs. No criteria may be used in the bid evaluations that are not set forth in the bid package document or any subsequent addendum.

(b) Notices inviting sealed competitive bids shall be published at least once in a newspaper of general circulation in the county, and in the form of electronic notification through a third party notification vendor. Electronic notification is based on the recipient's specific request and application to the county's approved notification vendor. There shall be an interval of at least five (5) calendar days between the date of the public notice and the bid opening. The notice shall include the procurement description, and place where bid documents containing procurement specifications are available, and specify the date, time and location at which bids will be opened.

(c) Bids must be received not later than the call for any such bid, at a formal bid opening, to be considered for award. Bids shall be opened publicly in the presence of the county administrator or his or her designee, and other interested parties at the time and place designated in the public notice referred to in subsection (b) hereof. The amount of each bid, together with the name of each bidder, shall be read aloud and maintained in the procurement services department's bid file, which shall be open to public inspection upon recommendation of award from the user department to the procurement services department. The receipt, opening, and award of bids, shall be in accordance with the procurement manual, pursuant to section 2-243 of this article.

(d) Information in a bid which concerns the responsibility of the bidder shall not necessarily be considered conclusive at the time of the bid opening, except when the invitation for bids unequivocally states that the bid shall not be considered responsive unless the particular information is provided by a vendor in his bid proposal. When such information has not been so declared as a determinant of responsiveness of the bid, the county administrator or his or her designee may, within reason after bid opening, request additional information of the bidder concerning his responsibility to perform.

(e) To maintain the integrity of the competitive sealed bid process, to assure fairness, and to avoid delays or poor contract performance, the following provisions shall govern the correction of information submitted in a bid when that information is a determinant of the responsiveness of the bid:

(1) No bidder shall be permitted to correct a bid mistake after bid opening that would cause such bidder to have the low bid, except for the correction of errors in extension of unit prices in the bids (multiplication, division, addition, or subtraction). In such cases, the unit price bid shall not be changed.

(2) Notwithstanding the foregoing, the board of county commissioners reserves the right to cancel any awards or contracts based on bid mistakes, after a written determination of the mistake by the county administrator or his or her designee.

(f) A bidder may withdraw his bid at any time prior to the bid opening date and time set forth in the public notice referred to in subsection (b) hereof. Bids may not be withdrawn after said time except when the request for withdrawal has been submitted in writing to the county administrator or his or her designee, said request clearly states the reasons for withdrawal, and the county administrator or his designee approves the withdrawal.

(g) Contracts resulting from the competitive sealed bid process shall be awarded with reasonable promptness by the board of county commissioners by written notice to the lowest responsible and

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responsive bidder, unless the basis of award in a bid document has explicitly established other criteria. In the award process, the board of county commissioners reserves the right to reject any and all bids for any reason including, but not limited to, nonresponsiveness of bid(s), unavailability of adequate funding, unreasonable price in bid(s), nonresponsibility of bidder(s), or a change in the requirements since the issuance of an invitation for bid, or where the board of county commissioners determines the public interest requires such rejection.

(h) If a low bid is received by a responsive responsible bidder who is not a local vendor, and the second low bidder is a local vendor submitting a responsive responsible bid within ten (10) percent of the low bid, both the low bidder and the second low bidder will have the opportunity to present a best and final offer (bid off). The best and final offer will be submitted in a sealed envelope by a date and time set forth by the procurement services department. The lowest responsive responsible bidder of the best and final offer (bid off) will be recommended for award of the bid. Vendors shall affirm in writing their compliance as a local vendor at the time of submitting their bid or proposal. A vendor who knowingly misrepresents the local vendor status of its firm in a proposal or bid will lose the privilege to claim local vendor status for a period of one year. The procurement services director, at their discretion, may also recommend that the firm be referred for debarment in accordance with section 2-248 of the Procurement Code of Marion County.

(i) In cases of tie bids (monetary as well as all award criteria identified) of two (2) or more responsible and responsive bidders subject to such award, the award shall be made to the bidder doing business from a location within the county. If there is more than one bidder so situated, the award shall be made based on a coin toss by the county administrator or his or her designee before at least three (3) witnesses.

(j) In the event all bids for a construction project exceed available budgeted funds, the board of county commissioners may authorize negotiation of the bid price with the lowest responsive and responsible bidder in order to bring the bid within the amount of available funds, or reject all bids and authorize re-advertisement, as the board deems appropriate.

(k) In the event the lowest responsible and responsive bidder defaults on the contract awarded through the competitive sealed bid process, the board of county commissioners may award the contract to the next lowest responsible and responsive bidder. When awarding a contract to the next lowest bidder due to default of the lowest bidder, the board of county commissioners shall reserve the right to seize the bid bond of the lowest bidder for failure to faithfully perform under the terms of the bid specifications.

(l) When bonding is required, bonding requirements shall be stated in the bid documents. For construction projects which are estimated at two hundred thousand dollars (\$200,000.00) or above, a bid bond in the amount of five (5) percent shall be required of the vendor. Upon award of a bid for construction projects that are two hundred thousand dollars (\$200,000.00) or above, a performance and payment bond, in an amount equal to the total bid price will be required of the vendor. This requirement shall not preclude a user department from requesting bonds for projects under two hundred thousand dollars (\$200,000.00).

(Ord. No. 11-52, § 1, 9-20-11)

Sec. 2-245. - Protested solicitations and awards.

After posting of recommendation of award on the procurement services department designated location, any actual or prospective bidder or proposer who is aggrieved in connection with the pending

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award or other element of the process leading to the award of a contract, may protest to the procurement services director or his or her designee.

(1) The protest must be submitted within three (3) business days after posting of the recommendation of award at the location where bids or proposals are submitted. The protest must be in writing and must identify the protester and the solicitation and shall include a factual summary of the basis of the protest. Such protest is considered filed when it is received by the procurement services department with the protest bond in the appropriate amount.

(2) Any bidder who files an action protesting a bid solicitation, a bid rejection, or an award pursuant to this section shall post with the procurement services department at the time of filing, protest bond payable to the Marion County Board of County Commissioners. This written request to convene a formal protest must 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 five hundred dollars (\$500.00), nor greater than five thousand dollars (\$5,000.00). This bond shall be by a U.S. Postal Service money order, certified cashiers or bank check payable to the Marion County Board of County Commissioners. Failure to post such bond within three (3) business days after the procurement services director or designee's determination shall result in the protest being dismissed by the procurement services director or his or her designee.

(3) If the person or firm protesting the award prevails, the bond shall be returned to the protestor; however, if, after completion of a formal protest hearing in which the county prevails, the bond shall be forfeited to the county. The entire amount of the bond also shall be forfeited if the protest committee determines that a 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 county or other parties.

(4) Stay of procurement during protest. Notwithstanding anything contained herein to the contrary, in the event of a timely protest, the procurement services director or designee shall stay the award of the contract, unless the county administrator, with the advice of the county attorney, and after consultation with the using department, makes a determination that the award of the contract without delay is necessary to protect substantial interests of the county government.

(5) The procurement services director or designee, shall have the authority to review and attempt to resolve the protest informally.

(6) If the protest has not been informally resolved by the procurement services director or his or her designee and the protestor wishes to pursue the protest, the protestor shall be required to request that a formal protest hearing be convened before a protest committee comprised of the county administrator, the procurement service director (in a nonvoting capacity), and the using department director and/or assistant county administrator of the using department and assistant county administrator of the procurement services department. This request shall be made in writing to the procurement services director or his or her designee within three (3) business days of issuance of the procurement services director or designee's determination. The protest hearing shall be held within ten (10) business days of the receipt of such request.

(7) The protest shall state the particular grounds on which it is based and may include such additional written or physical evidence, objects, statements, affidavits, and arguments which the protestor deems relevant to the issues raised. Any grounds not stated shall be deemed to have been waived by the protestor. In the proceeding, the protestor or its representative may make an

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oral presentation, of such evidence and arguments. At any time the committee members may also make whatever inquiries of the parties and their witnesses that may be pertinent to a determination of the protest.

(8) At the conclusion of the evidence submitted by the protestor, the protest committee shall announce a decision and shall prepare a written decision and recommendation which shall be filed with the board of county commissioners within fourteen (14) working days after the hearing.

(9) After the filing, the protest committee's decision and recommendation shall then be presented for action at the next regularly scheduled meeting of the board of county commissioners. At this time, protestors shall be allowed to present evidence and testimony to the board of county commissioners. At the conclusion of such testimony by the parties involved, the board shall by majority vote accept or reject the decision and recommendation of the protest committee.

(10) The determination of the board of county commissioners shall be the final and conclusive decision by the county regarding a bid protest. Any appeal by a protestor shall be by certiorari to the Fifth Judicial Circuit Court.

(11) Violation of lobbying section. No bidder may engage in any effort, either directly or indirectly, to influence the actions of the board with respect to a pending award of a contract for which a solicitation was issued except as set forth in this section. Any bidder engaging in a protest to the board as allowed under this section shall comply strictly with the requirements and restrictions of this section. Any attempt by any bidder to communicate with any board member, directly or indirectly, whether in person or through agents, employees, or lobbyists, or otherwise to influence the vote of any board member, in connection with any pending award of a contract for which an solicitation has been issued, in any manner not strictly in compliance with the requirements and restrictions of this section shall be deemed in violation of the black out period restrictions of section 2-241. The board of county commissioners may disqualify a bid or proposal in connection with a procurement matter where the county commissioners or a member of the pertinent procurement committee has been lobbied in violation of the black out period restrictions.

(Ord. No. 11-52, § 1, 9-20-11)

Sec. 2-246. - Small procurements.

Any procurement of less than twenty-five thousand dollars (\$25,000.00) may be made on the open market without formal bidding. Such procurement, when practicable, shall utilize informal competitive procurement procedures, utilizing a competitive oral or written request for quotations for goods and services. Awards shall be made to the vendor providing the most value to the county. Procurements shall not be artificially divided so as to constitute a procurement of less than twenty-five thousand dollars (\$25,000.00).

(1) The following are the guidelines to be used for formal and informal quoting:

a. \$1,000.00 or below—Purchase through purchase order or purchasing card as per purchasing card guidelines and procedures manual.

b. \$1,000.01 to \$2,500.00—Department shall request two (2) or more phone quotes from vendors. With written documentation as to vendor name and price quoted, receive approval of department director or county administrator authorized designee by purchase order or purchasing card.

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c. \$2,500.01 to \$5,000.00—Department shall request three (3) or more written quotes and receive approval of department director or county administrator authorized designee by purchase order or purchasing card. Departments shall follow the local business program process in notifying vendors of all quote opportunities.

d. \$5,000.01 to \$24,999.99—Department shall request, in writing, that the procurement services department solicit written quotes from vendors using county vendor files and the local business program files. Department shall issue a requisition and receive approval from department head and assistant county administrator chief or their county administrator authorized designee.

e. All purchases five thousand dollars (\$5,000.00) and over shall be approved by department director or their designee, finance and procurement.

f. All purchases twenty-five thousand dollars (\$25,000.00) and over shall be approved by the department director or their authorized designee, the county administrator or assistant county administrator or their authorized designee, finance and procurement.

g. All purchases fifty thousand dollars (\$50,000.00) and over shall be approved by the department director or their authorized designee, the county administrator or assistant county administrator or their authorized designee, finance, procurement and the board of county commissioners at a regularly scheduled meeting under the procurement services department agenda.

(Ord. No. 11-52, § 1, 9-20-11)

Sec. 2-247. - Procurement under federal or state procedures.

When a procurement involves the expenditure of federal or state assistance or contract funds, federal or state laws and regulations which are mandatory and applicable shall be complied with, the provisions of this article notwithstanding. The county administrator or his designee shall include contract provisions giving the contractor notice of these requirements and, where appropriate, include in those contract provisions the requirements that the contractor give a similar notice to all his subcontractors.

(Ord. No. 11-52, § 1, 9-20-11)

Sec. 2-248. - Suspension and debarment.

(a) *Suspension.* After consultation with the county attorney, the procurement services director is authorized to suspend a vendor from consideration for award of contracts if there is probable cause to believe that the vendor has engaged in any activity which might lead to debarment pursuant to subsection (c) below. The suspension shall be for a period not to exceed three (3) months, and the procurement services director shall immediately inform the board at the next available regular session and provide notice to the affected vendor.

(b) *Debarment.* After reasonable notice and an opportunity for the suspended vendor to be heard, the board shall either debar such vendor or terminate the suspension. The debarment should be for a period of not more than three (3) years.

(c) *Grounds for debarment include:*

(1) Entry of a plea of guilty, or no contest, or nolo contendere to or conviction of a criminal offense

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as an incident to obtaining or attempting to obtain public or private contract or subcontract, or in the performance of such contract or subcontract or;

(2) Entry of a plea of guilty, no contest, or nolo contendere to or conviction under state or federal statutes of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, or any other offense indicating a lack of business integrity or business honesty or;

(3) Entry of a plea of guilty, no contest, or nolo contendere to or conviction under state or federal antitrust statutes arising out of the submission of bids or proposals or;

(4) Violation of contract provisions, as set forth below, the character which is regarded by the board to be so serious as to justify debarment action:

a. Deliberate failure without good cause to perform in accordance with the specifications or within the time limit provided in the contract; or

b. A past record of failure to perform or of unsatisfactory performance in accordance with the terms of one or more contracts.

(5) Having been adjudicated guilty of any violation of the Marion County Building Department Licensing Division or the State of Florida Construction Industry Licensing Board within the past twelve-month period prior to the time of bid submittal or;

(6) Having been adjudicated guilty by the Marion County Code Enforcement Board or the department of environmental protection of any violation of an environmental ordinance within the past six-month period at the time of bid submittal; and

(7) Any other cause the board of county commissioners determines to be so serious and compelling as to affect responsibility as a county vendor, including debarment by another governmental entity.

(d) *Notice of decision.* The county administrator or board chairman shall issue a written notice to the vendor of the decision to debar or suspend. The final decision shall state the reasons for the action taken and inform the debarred or suspended person involved of his/her rights concerning judicial review by certiorari appeal to the Fifth Judicial Circuit Court. The written decision shall be mailed or otherwise furnished immediately to the debarred or suspended vendor.

(Ord. No. 11-52, § 1, 9-20-11)

Sec. 2-249. - Miscellaneous provisions.

(a) In all cases of procurement brought before the board of county commissioners, whether by bids, sealed proposals, competitive negotiations or otherwise, the board of county commissioners reserves the right to reject any and all bids, sealed proposals or negotiations, and cancel the procurement as they may deem in the best interest of the county.

(b) In all procurements or procurement contracts, including those to be executed by the chairman of the board of county commissioners, such contracts shall include a provision that payments by the county shall be made under the county's established procedure for payment following receipt of invoice.

(c) In all procurements in which there is a requirement for insurance and/or surety bond, the vendor shall provide such insurance requirements and bond requirements in the form and in the amount

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acceptable to the county, prior to the effective date of the procurement contract, or sooner if so stated in the bid specifications. All insurance and surety requirements shall be approved by the county's risk management department.

(Ord. No. 11-52, § 1, 9-20-11)

Sec. 2-250. - Change orders.

If it is found that a change order is required to correct errors, omissions, or discrepancies, or to direct other changes to meet unforeseen field, emergency, climatic, regulatory, or market conditions relating to board-approved contracts, the following shall apply:

(1) Any change orders to purchase orders that do not contain any contingency amount, must be submitted to the procurement services department in writing on the county change order form. A written change order must be submitted to the procurement services department if an addition or deletion to the contract price is requested, or if there is a change in the scope of services or number of contract days for completion. The change order must be executed by the authorized departmental representative, county's project manager or county engineer or their designee (if applicable), the finance department, the procurement services department and the using department's assistant county administrator. The procurement services department will place the requested change order on the agenda for the next available regularly scheduled board meeting if applicable.

a. For building construction projects; if the change order is an increase or exceeds a cumulative total of ten (10) percent of the contract price or a cumulative cost exceeding one hundred thousand dollars (\$100,000.00), or there is a change in the scope of services not due to unforeseen conditions, the board of county commissioners must approve and the chairman must execute the change order. The procurement services department will place the request for change order on their agenda for approval at the next available regularly scheduled board meeting.

b. For road construction projects the following limits apply to increases:

\$0—\$249,999.99	20% contingency allowance
\$250,000.00 & above	10% contingency allowance

Change orders for road projects that extend beyond these contingencies must be approved by the board and executed by the chairman. The procurement services department will place the request for change order on their agenda for approval at the next available regularly scheduled board meeting.

(2) All change orders must be in writing and include the additional scope of work, the amount of the change order, any additional days added to the contract and the new total of the contract.

(3) Upon full execution of the written change order, a change order for pricing change must be entered into the electronic purchasing system by the using department.

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(4) If direct purchasing is being utilized in connection to a construction project, a deduct change order to the contractor in the amount of the direct purchase, shall be made through the electronic requisition system. A written change order shall not be required.

(5) If the project is unable to proceed without the approval of a change order, the county administrator has the authority to approve the change order and bring it before the board at the next regularly scheduled meeting with documented explanation of the condition.

(Ord. No. 11-52, § 1, 9-20-11)

Sec. 2-251. - Direct purchases.

(a) The county may elect to purchase materials and equipment included in any contractor's bid for a portion of the work directly from the supplier of such materials or equipment in order to achieve sales tax savings. Such materials and equipment are referred to herein as "direct purchase materials". The contractor shall submit to owner a list, of materials and equipment appropriate for consideration by owner as direct purchase materials.

(b) If owner elects to purchase any direct purchase materials, the contractor shall promptly furnish to owner, at least seven (7) days prior to the date such direct purchase materials must be ordered, a written cost estimate to purchase the approved direct purchase materials.

(c) Upon owner's receipt of the estimate and supporting materials, owner will review the same and, if approved, issue a purchase order directly to the supplier of the applicable direct purchase material, with delivery F.O.B. project site.

(Ord. No. 11-52, § 1, 9-20-11)

Sec. 2-252. - County employees.

The procurement system shall not be utilized by county employees to purchase goods or services for personal use.

(Ord. No. 11-52, § 1, 9-20-11)

Sec. 2-253. - Local business program.

(a) The purpose and intent of this section is to provide the maximum opportunity for increased participation of local businesses in the county's procurement system.

(b) Once a local business application has been approved by the procurement services department they will be included by commodity in a database of local businesses. Departments obtaining quotes through the decentralized quoting process will be required to notify any vendors matching the commodity or service on the local business database, of any items requiring written quotes. Quotes and formal solicitations required to go through the procurement services department, five thousand dollars (\$5,000.00) and over, will also follow the notification process to local business vendors. Applications will be renewed bi-annually by vendors to verify that all requirements as stated in the definition of local business are met.

(c) A vendor who misrepresents the local business status of its firm in an application or solicitation submitted to the county may lose the privilege to claim local small business for a period of one year. The procurement services director, at their discretion, may also recommend that the firm be referred for

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debarment in accordance with section 2-248 of the Procurement Code of Marion County.

(Ord. No. 11-52, § 1, 9-20-11)

⁽¹¹⁾ **Cross reference**— Financial affairs, § 2-16 et seq. (Back)