



FLORIDA DEPARTMENT OF JUVENILE JUSTICE PROCEDURE

Title: Purchasing Procedures

Related Policy: FDJJ - 1675 (replaced FDJJ 6.05)

I. DEFINITIONS

Addendum - A document used to expand, change, or more fully explain the terms of an Invitation to Bid, Request for Proposal, or Invitations to Negotiate that is incorporated as part of the solicitation. This modification becomes a legal part of the solicitation it supplements.

Advance Payment - A payment mechanism where, under certain circumstances, the Department may make a portion of the funds available to a service provider prior to the delivery of services. Advanced payment(s) are made according to the Comptroller's Reference Guide for State Expenditures.

Agency - For purposes of this policy, Agency/DMS shall mean the Florida Department of Management Services.

Agency Term Contract - A term contract initiated by a formal solicitation, executed by the Department for use by all programs/locations of the Department. The use of this contract is mandatory.

Alternate Contract Source (ACS) - Approved contracts by DMS that are optional for any Agency to use. They are similar to State Term Contracts, where Agencies can procure purchases above Category Two (\$35,000.00) that do not have to be competitively solicited. Generally, the commodity or services offered on these contracts are lower than an agency can obtain in the open market with a quote. However, as a good business practice, since these are optional contracts, this does not preclude the agency from requesting quotes from a supplier on the ACS or one that is not.

Amendment - A document that makes substantial changes to the terms of an executed contract. Changes requiring amendment include, but are not limited to, adjustments in cost, services, time period, and method of payment. The amendment is incorporated as part of the original contract.

Approver - DJJ employee authorized to review and approve or deny purchases and the expenditure of state funds in requisitions of My Florida Market Place (MFMP).

Best Value - The highest overall value to the State based on objective factors that include, but are not limited to, price, quality, design and workmanship. Required when using a Request for Quote (RFQ) from a State Term Contract or an Alternate Contract Source.

Bidder - Person or entity submitting a response to a competitive solicitation.

Bidders Conference - A publicly noticed meeting held for the benefit of bidders, during which verbal answers are provided to questions raised during the conference. Required for Invitations to Negotiate (ITN).

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Bid Response - An offer extended to the Department in response to a competitive solicitation.

Bill to Address - In MFMP, the bill to address, will automatically default to the On Behalf Of (OBO) of the PO unless, the requester (OBO) manually selects an alternate bill to address. When a program office has moved, the new address must be placed in MFMP and the old address noted as "Do Not Use".

Blanket Purchase Order - A written electronic agreement that may encumber funds and prescribes the term and amount of money, which may be spent. It allows the Department to order specified commodities or contractual services on an as needed basis until the term has lapsed or the maximum dollar amount has been reached.

Bureau of Contracts & Contract Administration in the Office of Program Accountability - BPCA develops procurements, contract documents, and settlement agreements upon request from the appropriate Assistant Secretary's office; facilitates the procurement process; and provides technical assistance to Department staff with the procurement and contract processes and relevant documents. **(Any direct services to youth and/or program support services from outside vendors are procured by the Bureau of Procurement and Contract Administration within the Office of Program Accountability and are delivered through contracts for these services.)**

Calendar of Events - A document listing dates and times of all relevant events and deadlines for competitive solicitations.

Central Receivers - All commodity shipments shall be received through MyFloridaMarketPlace (MFMP) system.

Certified Minority Business Enterprise (CMBE) - A business, which has been certified by the Florida Office of Supplier Diversity, Department of Management Service as a certified minority business.

Commodity - Any supplies, materials, goods, merchandise, food, printing, equipment, information technology, and other tangible property, including a mobile home, trailer, or other portable structure with floor space of less than 5,000 square feet, purchased, leased, or otherwise contracted for by the Department.

Competitive Sealed Bid Responses - The process of receiving two or more sealed responses submitted by responsive bidders or offerors, for an amount in excess of \$35,000 (section 287.012(6), F.S.).

Competitive Solicitations - An Invitation to Bid, Request for Proposal, or Invitation to Negotiate issued for services and commodities of \$35,000 or greater.

Contract or Purchase Order - A written agreement, legally binding, between the Department and a vendor detailing the commodities and/or contractual services to be provided by the vendor.

Department/DJJ - For purposes of this policy Department/DJJ shall mean the Florida Department of Juvenile Justice.

Disallowed Purchases - State Agencies may purchase only items necessary to carry out statutory duties and should select such items on an economically and cost-effective basis, not to satisfy personal convenience or personal preference of individuals.

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Discretionary Purchase - A method of procurement for routine small purchases under \$2,499.99 and with at least one written quote attached to purchase requisition.

Electronic Posting - The posting of solicitations, agency decisions or intended decisions, or other matters relating to procurement on a centralized Internet website designated by DMS for this purpose. This includes the Vendor Bid System (VSB) and MyFloridaMarketPlace (MFMP).

Eligible User - Any person or entity authorized by the DMS, pursuant to rule, to purchase from state term contracts or to use the online procurement system.

Emergency Purchase - A purchase necessitated by a sudden turn of events (e.g. acts of God, riot, fires, floods, accidents, or any circumstances or cause beyond the control of the agency in the normal conduct of its business), where the delay incidental to competitive bidding or use of a state contract would be detrimental to the interests of the State. Emergency purchases require approval by the Purchasing Director or his/her designee or the Secretary or his/her designee.

Employee - Any employee in a Senior Management Service, Selected Exempt Service, Career Service, or Other Personnel Service (OPS) position with DJJ.

Encumbrance - A form of budget control to ensure that funds are available before a commitment is entered with a vendor.

EQuotes - This was established under the One Florida Initiative to increase diversity in the state's procurement. EQuotes are required for services and/or commodities through MyFloridaMarketPlace (MFMP) for purchases \$2,500.00 and above, but, not to exceed the \$35,000.00 threshold. EQuotes are not required for facility repairs.

Evaluation Team - If procured by an ITN or RFP, a group of at least three persons that collectively have experience and knowledge in the program areas and service requirements for which commodities or contractual services are sought. Evaluation team members are appointed by the Secretary or his/her designee, if procured by an ITN. All evaluation team members must complete a conflict of interest form.

Expenditure - The creation or incurring of a legal obligation to disburse funds.

Financial Consequences - All purchase orders for contractual services according to 258.058 (h) F.S. requires the agency to apply financial consequences to these orders.

Fiscal Year Ending/Beginning Deadlines - The state fiscal year begins on July 1st and runs through June 30th.

Fixed Capital Outlay (FCO) - Funds issued for the repairs and/or replacement of land, buildings, including fixtures, fixed equipment, and structures, including additions, replacements, major repairs and renovations.

Fixed Price - The method of payment used when the service or commodity can be quoted as a total cost with no variables.

FLAIR - The Florida Accounting Information Resource System serves as the statewide accounting system.

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GSA IT Schedule 70 and 84 - The information technology (IT) schedule number 70, allows agencies to procure IT products and services pursuant to Rule 60A-1.047, F.A.C. Schedule 84, allows agencies to procure security, facilities management, marine craft, and emergency disaster response products and services, pursuant to Rule 60A-1.047, F.A.C.

General Counsel - The Department's legal office.

Household Goods - Personal items and property used or to be used at the employee's dwelling.

Inspection - The close and critical examination of services and/or commodities delivered to the Department pursuant to issued purchase orders or contracts, for the purpose of determining that the quantity and quality ordered were received and acceptable.

Intent to Protest - A written notice informing the Department of a bidder's or respondent's intention to contest a competitive solicitation.

Invitation to Bid (ITB) - A competitive solicitation for sealed bids with the title, date and hours of the public bid opening designated, specifically defining the commodity or service required.

Invoice - Vendor's itemized document stating prices and quantities of services and/or commodities delivered, and sent to buyer for verification and payment.

Justification - All PRs must include a statement of justification as it relates to the items being purchased, as well as noting the benefit to the Department and to the State in the comment section. If specific statutory justification exists, list the statute by section number, for example, Chapter 287.057 Florida Statutes.

Method of Payment - The section of the purchase order that specifies payment either by P-Card or Warrant.

Minority and Women-Owned Business Enterprise (MWBE) - Any small business entity that is organized to engage in commercial transactions, is domiciled in Florida, and is at least 51 percent owned by minority persons, and whose management and daily operations are controlled by such person(s).

Moving Expenses - The cost of packing and shipping household goods or moving a mobile home. This is limited to state employees moving from one city to another and when it is in the best interest of the Department and/or State. Prior approval by Secretary or his/her designee is required.

MyFloridaMarketPlace (MFMP) - The State of Florida's official web-based purchasing system, designed to streamline interactions between vendors and state government entities that purchase services and commodities.

Negotiations - The process of seeking an agreement between the Department and a vendor (or several vendors), on the cost, levels and types of services and terms and conditions of a purchase between two parties. Negotiations are limited to Invitations to Negotiate and exceptional purchases. They also may be used for Requests for Quotes (RFQ). RFQs cannot be protested per 120 F.S.

Notice of Award - A written notice identifying the vendor(s) chosen by the Department HQ Purchasing Office.

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Notice of Intent to Award - Publicly posted notice for 72 hours on the Vendor Bid System identifying the vendor(s) that the Department intends to award the contract or purchase order.

Office of Supplier Diversity (OSD) - A division with the Department of Management Services, which oversees the state's Certified Minority Business Enterprise program.

On Behalf Of (OBO) - This is created to change the owner of the requisition.

Operating Capital Outlay (OCO) - All equipment, furniture, and other tangible personal property of a non-consumable nature, the value or cost of which is \$1,000 or more, (e.g. all hardbound books with a life expectancy of one year or more, the cost of which is \$250 or more). The Department's Director of Administration must approve all Operating Capital Outlay requests before a purchase can be processed. An approval of this request must be attached to your purchase requisition.

Perquisites - Those things, or the use thereof, or services of a kind, that confer on the employees receiving some benefit that is in the nature of additional compensation, or that reduce to some extent the normal personal expenses of the employee receiving them. The term includes, but is not limited to such things as quarters, subsistence, utilities, laundry services, medical services, use of state-owned vehicles for other than state purposes, and moving expenses.

Personal Preference - When selecting goods, services or a vendor, personal preference is not allowed. All purchases must be justifiable and show a benefit to the State.

Pride - The not-for-profit corporation authorized by Chapter 946, F.S., to lease and manage the correctional work programs of the Florida Department of Corrections, and to sell services and commodities.

Procurement - The act, through utilization of various methods, of obtaining contractual services and commodities for the Department.

Product - Any deliverable under a purchase order, which may include services, commodities, technology, or software.

Protest - A formal objection by any person or firm who has been adversely affected by a decision or intended decision concerning a competitive solicitation or by a notice of award. An official protest must be submitted in writing within the time frame prescribed by Chapter 120, F.S. RFQs are not subject to a protest per the same Statute.

Purchase Order (PO) - A written agreement created, processed and approved in MyFloridaMarketPlace (MFMP), formalizing a transaction between the Department and a vendor. The PO shall represent a legal contractual procurement from a vendor. The PO shall contain the quantity, description, and price of the commodity or contractual service; applicable terms regarding payment, discounts, date of performance, transportation and other pertinent information. POs are different from written agreements and shall be executed by the vendor/service provider and DJJ's Secretary or his/her designee.

Purchase Requisition (PR) - A request initiated and issued electronically through MFMP to procure services and/or commodities on behalf of the Department.

Purchasing Agent (PA) - An employee of the HQ Purchasing Office whose main responsibility is to review purchase requisitions for compliance to DJJ's policy and procedures, State Statute and Florida

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Administrative Codes to facilitate all public procurement processes. HQ Purchasing Office provides customer service to the program area requesters.

Purchasing Card (P-Card) - One of the State's authorized and approved methods of payment, utilized by state agencies for payment of services and/or commodities. All purchases made with a State Purchasing Card must be made in accordance with DJJ Policy and Procedure 1407.05 P-Card Purchases, and with Purchasing's policy and procedures.

Purchasing Card Audit - Performance of a review of completed purchasing card charges to ensure that proper procurement procedures were followed.

Purchasing Director - The individual within the Division of Administration, Bureau of General Services, Purchasing Office, and acting as the designee of the Secretary with the task of overseeing public procurement activities for commodities and/or services to a facility and the operations of facilities within the Department.

Purchasing Office within HQ - Responsible for overseeing and implementing Department purchasing activities, including competitive procurement of commodities and/or services to a facility and the operations of facilities within the Department and selected contracted services as approved by the Director of the Office of Program Accountability. This section provides technical assistance and training to all programs within the Department.

Purchasing Threshold Categories - The categories related to specific dollar amounts established by section 287.017, F.S. are stated as:

- Category 1 - \$20,000.00 (\$0-\$19,999.99)
- Category 2 - \$35,000.00 (\$20,000.00- \$34,999.99)
- Category 3 - \$65,000.00 (\$35,000.00- \$64,999.99)
- Category 4 - \$195,000.00 (\$65,000.00- \$194,999.99)
- Category 5 - \$325,000.00 (\$195,000.00- \$324,999.99)

Quantity and Unit of Measure - Enter specific quantity by unit, e.g., 6 each, 1 dozen, 3 boxes, 5 reams, 3 gross, 2 packages, 10 M, 12 Months, etc.

Response - An offer extended to the Department in response to a competitive solicitation.

Request for Information (RFI) - A request for information from contractors to determine a scope of work or specification prior to issuing a solicitation for bids or proposals. The RFI does not imply a contract, purchase order, or solicitation will be issued.

Request for Proposal (RFP) - An agency shall use a request for proposals when the purposes and uses for which the commodity, group of commodities, or contractual service being sought can be specifically defined and the agency is capable of identifying necessary deliverables. Various combinations or versions of commodities or contractual services may be proposed by a responsive vendor to meet the specifications of the solicitation document.

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Request for Proposal Evaluation Sheet - A form prepared by the Department and included in the competitive Request for Proposal Solicitation for evaluating responses submitted for consideration. The evaluation sheet must identify the most important aspects of the Request for Proposal and contain a methodology for evaluating and comparing the responses.

Request for Quote (RFQ) - (This is required when a state term contract or alternate contract has multiple vendors and the purchase is above Category 1 - \$20,000 and higher). A written request for a quote issued by the Department, to determine whether a price, term, or condition is more favorable to the agency or eligible user than that provided in the state term contract. Request for quote does not constitute a decision or intended decision that is subject to protest under s. 120.57(3).

Requester - DJJ employee authorized to initiate purchase requisitions through MyFloridaMarketPlace (MFMP).

Respect - This is a nonprofit agency of the State of Florida Commission for purchases from the blind or other severely handicapped in accordance with sections 413.032 - 413.037 F.S.

Scope of Service (SOS) - Also known as a Scope of Work – SOW. This is a narrative attached to the solicitation document, contract, or purchase order, that details the services and/or commodities to be provided, specific eligibility requirement, concrete objectives that are to be accomplished, and any other requirements that affect how the services and/or commodities will be delivered as well as specifying any reports due and benchmarks for performance. All benchmarks or deliverables must be quantifiable and measurable.

Ship to Address - Goods or services will be delivered by default in MFMP to the On Behalf Of (OBO) office unless otherwise manually selected by the Requester.

Single Source Purchase - The purchase of a services and/or commodities that are available from only one source in accordance with section 287.057(5)(c), F.S.

Solicitation - A competitive request for bids, proposals, quotes, replies, or offers to provide services and/or commodities.

Sourcing Tool - The features within MyFloridaMarketPlace (MFMP) that allows all state agencies to advertise EQuotes and make purchases. It also provides automatic email notification to registered vendors of upcoming solicitation through the EQuote process.

State Term Contract (STC) - An indefinite quantity contract established by the Department of Management Services, Division of State Purchasing, and used by agencies and eligible users pursuant to section 287.056, F.S. If a vendor is on this contract, it is mandatory for State Agency's to use the awarded vendor.

Supplier and Vendor Location - Enter vendor from list of MFMP registered companies. If desired vendor is not MFMP registered, contact the HQ Purchasing Office for guidance. The Purchasing Director retains authority for final vendor selection.

Travel Expenses - The travel related costs incurred by a supplier fulfilling a contract or purchase order. These expenses must be authorized in the contract or purchase order.

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Unauthorized Purchase - Unauthorized purchases may result in the purchaser being held responsible for payment, return of the goods and/or subject to disciplinary action.

Vendor - A person or entity that contracts to sell services and/or commodities to the Department. Vendor must be registered in MFMP with a valid W-9 on file.

Vendor Bid System (VBS) - Used to advertise competitive solicitations and Single Sources above Category 2, that publicly post notices related to the solicitation, such as questions and answers, intended award. The Vendor Bid System notifies by one email of the competitive solicitation to vendors that have registered under the commodity code listed on the advertisement. Other than the initial notification to the vendors on VBS, they do not receive any future email notifications of postings.

II. STANDARDS/PROCEDURES

A. Purchasing Procedures:

In order to purchase services and/or commodities, you must take courses in MFMP in order to obtain a username and password. The courses can be found at:

http://www.dms.myflorida.com/business_operations/state_purchasing/myfloridamarketplace/mfmp_agency_customers/mfmp_university/agency_customer_training_registration/mfmp_u_online_training

Once completed go into the DJJ Forms Library and obtain the DJJ MFMP New User Form. Complete and have supervisor sign off. Make sure your supervisor provides the name of the person that you are going to be mirrored after (if you are replacing an individual). Submit to the DJJ MFMP Administrator in the HQ Purchasing Office.

1. **Creating a Purchase Requisition:** The procurement of all services and/or commodities except those Exception and Exempt Purchases, shall originate with a purchase requisition submitted through MFMP. The requisition includes:
 - i. Title: To include region, site location, vendor, warrant or P-Card, blanket or term and FY.
 - ii. On Behalf of: If you are creating for someone.
 - iii. PO Start Date.
 - iv. PO End Date.
 - v. Fiscal Year.
 - vi. PUI#.
 - vii. Encumber Funds: Check if vendor will be paid by a warrant (check). If payment is by P-Card, do not check.
 - viii. Requestor OLO: This generates automatically.
 - ix. Requestor Site Code.
 - x. P-Card Order.
 - xi. Line Item: The description of what you are actually purchasing. If you obtained a quote, make sure the two match.

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- xii. Supplier: (Vendor you are purchasing from).
- xiii. Vendor Location: Is a selected field (be sure they have a valid W9 on file). If the vendor does not have a valid W9, you cannot process the requisition until they have updated their registration in MFMP. ** On Pride Orders- make sure that the vendor address matches up with the quote (as they have several locations).**
- xiv. Commodity Code: This is a selected field. (Rule of thumb, numbers that begin with a 7 or higher are service related codes. Commodity Codes can be found on MFMP's website.)
- xv. State Contract Identification: Is determined by your method of procurement. A - for State Term Contract, C - Alternate Contract Source, H - Agency Solicitation. Click on the drop-down box and locate the contract number as it relates to your purchase. This can be verified through Department of Management Services, State Purchasing website at: http://www.dms.myflorida.com/business_operations/state_purchasing/state_contracts_and_agreements With exception of Agency solicitations.
- xvi. Buyer Code: Not Required.
- xvii. Method of Procurement: This is a selected field.
- xviii. Terms and Conditions: Bypass.
- xix. MyGreenFlorida Content: Bypass.
- xx. Recycled Content: Bypass.
- xxi. Vendor Designation: Bypass.
- xxii. Bill to: Defaults to how the requester is registered and set up in MFMP.
- xxiii. P-Card Order: Bypass.
- xxiv. Advance Payment Indicator: Check this if the vendor requires advance payment, which requires DFS prior approval if above Category 2 (\$35,000.00).
- xxv. Encumbered Number: Bypass.
- xxvi. Encumbrance Line Number: Bypass.
- xxvii. Contract Encumbrance Number: Bypass.
- xxviii. Contract Encumbrance Line Number: Bypass.
- xxix. Available Balance Override Indicator: Bypass.
- xxx. Account Code: Automatically Populates.
- xxxi. Organization Code: Automatically populates.
- xxxii. Expansion Option: Obtain from your budget liaison.
- xxxiii. All other accounting functions below will be based on your expansion option you inserted.
- xxxiv. Ship To: Automatically defaults to the requester's profile in MFMP (If you are ordering for another location, you need to manually insert the ship to address).

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- xxxv. Comment Section: Provide justification of your purchases as to the benefit of the State (you can obtain examples from HQ Purchasing Office).
- xxxvi. Attachments: This is where you would provide the quotes obtained. We ask that you do not group as one attachment. Name file as quote 1 and vendor name, quote 2 etc. Redact confidential information.
- xxxvii. Review your work and then submit. If you do not hit submit, it will leave in your queue as composing.

2. Exceptions and Exempt Purchase:

- i. Exceptional: Any purchase of services and/or commodities exempted by law or rule from the requirements for competitive solicitation, including but not limited to, purchases from single source; purchases upon receipt of less than two respective bids, proposals or replies. Purchases made by another State agency from a contract procured pursuant to section 287.057 (1), (2), or (3), F.S. by another state agency; and without advertisement in the manner required by section 287.1042 (3) (b), F.S.
- ii. Exempt Purchase: The following services and commodities are not subject to the competitive-solicitation requirements:
 - 1) Artistic services. As used in this subsection, the term “artistic services” does not include advertising or typesetting. As used in this subparagraph, the term “advertising” means the making of a representation in any form in connection with a trade, business, craft, or profession in order to promote the supply of commodities or services by the person promoting the commodities or contractual services.
 - 2) Academic program reviews if the fee for such services does not exceed \$50,000.00 pursuant to F.S. 287.057(3)(e) 2.
 - 3) Lectures by individuals.
 - 4) Legal services, including attorney, paralegal, expert witness, appraisal, or mediator services.
 - 5) Health services involving examination, diagnosis, treatment, prevention, medical consultation, or administration. The term also includes, but is not limited to, substance abuse and mental health services involving examination, diagnosis, treatment, prevention, or medical consultation if such services are offered to eligible individuals participating in a specific program that qualifies multiple providers and uses a standard payment methodology. Reimbursement of administrative costs for providers of services purchased in this manner are also exempt. For purposes of this subparagraph, the term “providers” means health professionals and health facilities, or organizations that deliver or arrange for the delivery of health services.
 - 6) Services provided to persons with mental or physical disabilities by not-for-profit corporations that have obtained exemptions under F.S. 501(c)(3) of the United States Internal Revenue Code or when such services are governed by Office of Management and Budget Circular A-122. However, in acquiring such services, the agency shall consider the ability of the vendor, past performance, willingness to meet time requirements, and price.

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- 7) Medicaid services delivered to an eligible Medicaid recipient unless the agency is directed otherwise in law.
- 8) Family placement services.
- 9) Prevention services related to mental health, including drug abuse prevention programs, child abuse prevention programs, and shelters for runaways, operated by not-for-profit corporations. However, in acquiring such services, the agency shall consider the ability of the vendor, past performance, willingness to meet time requirements, and price.
- 10) Training and education services provided to injured employees pursuant to F.S. 440.491(6).
- 11) Contracts entered into pursuant to F.S. 337.11.
- 12) Services or commodities provided by governmental entities.
- 13) Statewide public service announcement programs provided by a Florida statewide nonprofit corporation under F.S. 501(c)(6) of the Internal Revenue Code which have a guaranteed documented match of at least \$3 to \$1.

3. **Confidential Information Attachments:**

Before uploading attachments to MyFloridaMarketPlace, you must redact all confidential information, including but not limited to, all social security numbers, all health information protected by HIPAA and addresses for law enforcement officers, judges, and other protected classes. If confidential information is not properly redacted, you may be in violation of state and/or federal laws.

- i. PRs for contractual services such as janitorial services, equipment, maintenance, yard or grounds maintenance, etc. shall contain a scope of service (SOS) for the services to be provided, a contract term and a payment schedule (i.e., to be paid monthly in arrears).
- ii. PRs for any type of medical services may include a SOS approved by the Department's Medical Director. The Florida Single Audit Act (FSAA) checklist must be included with all PR's using object code starting with 7,8, or 9, is providing a contractual service and is demonstrating the provider is a sub recipient of state or federal or a combination of project funds.

4. **Blanket Purchase Order:** Blanket POs must be identified as such, and must include:

- i. If the line item is pertaining to a blanket purchase, the description should start off a "blanket" purchase order for (describe). Authorized buyers must be listed on this line item, and state previous PO number if replacing one.
- ii. All other fields will be completed like a regular purchase requisition.
- iii. Blanket POs function similarly to an open account. They are particularly useful for frequently needed supply items, like food, paper, ribbons, or copier toner and developer, and frequently needed services, like equipment repair, advertising, courier service, interpreting or translation.
- iv. Establishing Blanket POs improves efficiency by reducing paperwork (fewer PR's) and improves effectiveness by speeding delivery, since the user will have authority to order

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directly for releases against the blanket order without going through the approval process or the HQ Purchasing Office.

- v. All Blanket POs must include the appropriate amount of quotes based on the total projected expenditure within the fiscal year for the commodity or service required.
- vi. To obtain a Blanket PO, submit a properly completed PR through MFMP Office, just as for any other purchase.

5. **Cancelling Purchase Orders:** To cancel a PO, create a Cancel Requisition E-Form (CLEF), in MyFloridaMarketPlace (MFMP). Purchase orders that have already been received on, cannot be cancelled through MFMP.

6. **Change Orders:** To request a change to a PO, which will increase or decrease the original total dollar amount of that order, it must be processed through the same approval channels as the original PR. The comment section of the PR must show any increase or decrease in the total dollar amount of the PO, along with a justification for the change must be stated in the comment section of what the change is reflecting, such as, line item, quantity, amount. Also, the request to change the order must have a written justification in the comment section as to the benefit to the Department and to the State for this requested change. Changes that cause an order to exceed the category thresholds may require that a competitive solicitation be issued by HQ Purchasing if the amount is \$35,000 and over.

** Change orders will not be used to make new purchases. New orders require a new PR.

** Change orders are also used when changing the name of the original person that created the PR.

7. **Emergency Purchase:** There are two (2) types of emergency purchases.

- i. If a natural disaster occurs, or the potential of such an occurrence, the Governor may issue a State of Emergency Executive Order. Once the Executive Order has been issued, the Department's Purchasing Director or designee may send an email to DJJ's executive leadership team, providing direction, giving authority to make the necessary purchases from the damage of this disaster.
- ii. Facility Emergency: For maintenance and/or major repairs costing over \$1,000.00 a work order shall be created, along with an email to the project manager assigned to your region located in HQ – Facilities Services Office.

8. **Key Dates:**

- a) **Fiscal Year Ending/Beginning Dates:** The fiscal year begins on July 1st and runs through the calendar year ending June 30th.
- b) **Fiscal Year Ending Deadline Dates:** The Purchasing Director will issue an end of the fiscal year email sometime in February outlining the process to close out the fiscal year as it relates to issuing blanket purchase orders for the upcoming new fiscal year and PRs for the current fiscal year.
- c) **Late Processing:** Purchase requisitions received after the deadline dates established in the year end close out procedure email as mentioned above, may result in the loss of funds or interruption in service agreements or equipment leases.

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9. **Shipment Delivered:** Before signing the carrier's delivery receipt, make sure the delivery address is your address, the number of cartons, and other items on the receipt are correct, and the cartons do not show damage. If the shipment is short or appears damaged, note that on the delivery receipt, sign it, and ask the deliverer to sign. Keep a copy of the delivery receipt.
 - i. If the item(s) are different from that which was ordered and is unacceptable, the requester should immediately call the Vendor;
 - ii. Damaged shipments - Immediately report damages (visible or concealed), to the Vendor including the PO number, carrier name, copy of the carrier's bill of lading, and a description of the extent of damage. A copy of the written notification shall be submitted to the HQ Finance & Accounting with your invoice within five (5) business days.
10. **Urgent Purchases:** Sometimes it is urgent that a purchase be made for commodities/services to be delivered/performed within a week or less. If the required commodities/services would cost less than \$2,499.99 or less, and is not otherwise disallowed, the Requester may procure using the P-Card, provided his/her supervisor has authorized such and it is allowable pursuant to DJJ Policy and Procedure 1407.05. If the P-Card is used for such, email the HQ Purchasing director and request approval, so that you can attach the email to your P-Card receipt for auditing documentation as to why a purchase requisition was not created before purchase.
11. **Authorized Approvers to a Purchase Requisition:** The electronic approval signature in MFMP acts as the constituting approval for the PR/PO. The basic approval flow consists of the regions purchasing agent, HQ- Purchasing Agent, F &A, and as a final approver the HQ Purchasing Director or his/her designee. Depending on the dollar amount and commodity code could result in additional approvers in MFMP. HQ Purchasing has no affiliation with the amount of time it may sit in one's queue awaiting approval. It is recommended that if one of these individuals will be out to delegate their MFMP queue so that these PRs do not get held up.
12. **Federal Grant Approvals:** If a purchase is federally funded by a grant, the grant number shall be manually inputted into the accounting area and the documentation of the grant attached to the purchase requisition.
13. **Fixed Capital Outlay (FCO):** All proposed expenditures relating to fixed capital outlay (FCO) shall be reviewed and approved by the Director of Administration and the HQ Budget Office and approvals attached to the PR.
14. **Nonconforming Request for Purchase Requisition:** The Purchasing Director is authorized to deny any PR that does not meet the conditions required by agency procedures or State/Federal regulations governing the specific purchase.
15. **Operating Capital Outlay (OCO):** All requests for purchase of items classified as Operating Capital Outlay (unit price \$1,000 or more, useful life one (1) year or more and hard covered books \$250 or more), must be obtained from your program area Budget Liaison. For HQ, approval must be obtained by the Director of Administration for OCO purchases. Total system upgrades or the adding of new components should be paid from OCO appropriations. However, upgrades, repairs or replacements of individual components may be made from expense appropriations if the cost of the item is less than \$1,000. Cost to restore a functional unit to its original condition may be paid from expense appropriations. The replacement of a functional unit originally purchased from an OCO appropriation must be replaced using OCO funds.

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16. Competitive Solicitations:

Chapter 287, Part I, F.S. requires that purchases **over \$35,000** be made through a competitive solicitation. It is unlawful (s.287.057 (10) F.S.) to divide a purchase into smaller purchases in order to avoid this requirement. The Purchasing Director or their designee are the only DJJ staff approved to solicit, receive, and award competitive solicitations for services and/or commodities.

- a. **Competitive Requirements:** The program office will need to provide the following to the HQ Purchasing Director prior to release of a solicitation:
 - i. Value of commodities or estimated project cost;
 - ii. Detailed specifications/scope of work including special condition and deliverables, etc.;
 - iii. Contact information;
 - iv. Contract Manager contact information.
- b. **Invitations to Bid (ITB):** Is the required method to solicit services and commodities as required in F.S. 287.057. Vendors will be solicited by the issuance of a written Invitation to Bid. Award will be made to the responsive bidder offering the lowest price. Bidder qualifications and products/services will be compared to requirements of the ITB, but not to each other. An Invitation to Bid is indicated for acquisitions involving at least some of the following:
 - i. Standard, off-the-shelf, products are known to meet the need;
 - ii. Filling an immediate one-time need, or fulfilling a long-term requirement with repetitive deliveries of same or similar products/services;
 - iii. The agency desires to fulfill the requirements at the lowest possible price consistent with at least meeting its minimum standards.
- c. **Request for Proposal (RFP):** When the agency is able to specify the commodities or services to be purchased, or the qualifications or efforts required of potential vendors, Requests for Proposals will be issued. A Request for Proposal is indicated for acquisitions involving at least some of the following:
 - i. Requirements include non-standard products/services, with some flexibility in what is ultimately purchased;
 - ii. There are believed to be more than two or three vendors who can submit a satisfactory offer;
 - iii. The agency seeks to balance price and quality to achieve the best value;
 - iv. Signature of the Attestation of Independence of and No Conflict of Interest in the Entity Evaluated and Selected, by all parties involved in the development, evaluation, and approval of criteria and the selection of the vendor.

A request for proposal must be accompanied by a memorandum explaining why it should be used instead of an ITB. Request for Proposals must specify the criteria, including but not limited to, price, which will be used to determine the award and must indicate the relative weight of these criteria. Examples of criteria, which may be considered in addition to price, are the

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vendor's proposed method of achieving the agency's stated goals, past experience, present available resources, schedule, work samples, and staff resumes, etc. Also, if the agency contemplates renewal of the commodities or contractual services contract, that fact must be stated in the request for proposals. The proposal shall include the price for each year for which the contract may be renewed. Evaluation of proposals shall include consideration of the total cost for each year as submitted by the vendor.

The contract shall be awarded to the responsible and responsive vendor, whose proposal is determined in writing to be the most advantageous to the State, taking into consideration, the price and other criteria set forth in the request for proposals. The contract file shall contain documentation supporting the basis on which the award is made.

- d. **Advertising:** All competitive solicitations must be advertised on the Vendor Bid System (VBS) on the Internet site of State Purchasing for no less than ten (10) calendar days, unless the Department or other agency determines, in writing, that a shorter period of time is necessary to avoid harming the interests of the state.
- e. **Time Frames:** The HQ Purchasing Office will normally allow 60 calendar days from the time competitive solicitations are issued until the actual bid award. Less time may lead to fewer responses.
- f. **Evaluations of Responses:** Bids will be evaluated by the HQ Purchasing Office, and the General Counsel's Office and others depending on the service or commodity to be procured. A committee of at least three employees who have experience and knowledge in the program areas and service requirements will evaluate proposals. All evaluation team members, regardless of the type of solicitation that was issued, must complete a conflict of interest form.

Sealed bids, proposals, or replies received by an agency pursuant to a competitive solicitation are exempt from s. 119.07(1) and s. 24(a), Article I of the State Constitution until such time as the agency provides notice of an intended decision or until 30 days after opening the bids, proposals, or final replies, whichever is earlier.

Negotiation is usually carried on by teams representing each organizational entity, which will have some responsibility for working with the outcome. Teams generally include members with differing focuses or areas of expertise, authority and responsibility such as, business perspective (e.g. purchasing, finance), outcome/performance perspective (e.g., operating bureau, division or program representative), technical perspective (e.g., information technology), and legal perspective (the purchasing officer often represents this in the day-to-day work).

Negotiation teams should have a chairperson, probably the purchasing officer, who assures organized progress. Team members need to understand their roles, and meet/communicate to evaluate and plan. Others with needed expertise can be available "on call" or between sessions, but need not necessarily participate.

Team members must include persons who can speak authoritatively for the end user organization and any other agency decision-makers; that is, they must include the appropriate senior managers and/or persons who have the "ear" and confidence of those senior managers.

- g. **Posting of Awards:** Notice of intended award of all solicitations will be posted on the Vendor Bid System at http://vbs.dms.state.fl.us/vbs/main_menu for seventy-two (72) hours excluding weekends and State observed holidays following the bid opening and/or determination of award

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to provide adversely affected parties an opportunity to protest the intended award. A purchase order will not be issued until this requirement has been met.

17. Quotes Required:

- a. All purchases up to **\$2,499.99** require one quote. All quotes should be on the vendor's letter head or the Department's official phone quote form, found in the DJJ Forms Library.
- b. All purchases **in excess of \$2,500.00** but **not more than \$34,999.99** require an EQuote be created in MFMP. Building repairs require two paper quotes.
- c. If you receive one response from the EQuote, you may use the vendor who responded. If you receive no responses to the EQuote, you must obtain two paper quotes of which one should be from a minority vendor.

18. Solicitations or EQuotes: Because of familiarity with local circumstances and vendors, the requester is encouraged to obtain quotes, particularly when the purchase includes services to be performed locally. The individual seeking the quote should stress to the vendor(s) that an order is not being placed and that no goods should be shipped or services provided unless a purchase order is issued. Regardless of who solicits quotes, identical information must be provided to each vendor and quotes received must be for the same items, services, terms and conditions in order to ensure an equitable comparison of prices. Quotes where the vendor has not specified a specific expiration date are only good for 30 days. If quote has expired, requester will be required to obtain a new quote. Quote shall be within 30 days. If obtaining a quote from a vendor on the STC or ACS, the quote is required to identify the state contract number on the quote.

**** Best Purchasing practice is for requester to review participants in the EQuote created in MFMP and reach out to those participants that have not yet responded as to why.****

19. Exceptions to Bid Requirements:

- a. The following types of purchases do not require competitive solicitations:
 - i. Purchases of less than **\$2,499.99**;
 - ii. Purchases made from a state term contract, alternate contract source, or an agency contract previously established by DJJ; exception to this rule is that if several suppliers are on a state term contract and the dollar amount will be \$20,000.00 or more, an RFQ through an EQuote is required from at least 2 suppliers. This is per F.A.C. 60A- 1.043;
 - iii. Purchases made from a state or local government agency or the Federal Government;
 - iv. Regulated utilities and communications lines;
 - v. Purchases of services and/or commodities from a single source vendor;
 - vi. Purchases of goods or services made under the emergency procedure (see 6.h);
 - vii. Legal services (quotes may be obtained for comparison);
 - viii. Health services (quotes may be obtained for comparison);
 - ix. Artistic services;
 - x. Auditing services;

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- xi. Contractual services provided to disabled persons by non-profit organizations;
 - xii. Memberships allowed by Florida Statute or approved by the Department Secretary or his/her designee.
 - xiii. Commodities used in medical procedures, if part of the medical service, and provided at the same time, e.g., an artificial hip installed during surgery.

20. **Changing Specifications of Competitive Solicitations:** The HQ Purchasing Office will develop specifications from the information provided by the requester. The completeness of the information will be a factor in determining how rapidly the solicitation can be completed as well as providing assurance that the requester will actually receive the items/services desired. Before the solicitation is placed in the VBS, the HQ Purchasing Office will send a copy to the requester. It is critically important that the solicitation be reviewed by the requester immediately so that if changes are necessary, the HQ Purchasing Office can be notified, eliminating an extended delay in the solicitation process. Once solicitations have been issued, all changes shall be accomplished through the HQ Purchasing Office.

21. **Non-Competitive “Sole Source” Purchases:** Occasionally, special requirements can be met only with a service or commodity, which is available from one vendor, with no known competitors capable of satisfying the requirements. This situation must be documented by the requester and documentation (memorandum) submitted with the PR. In order to demonstrate that a commodity or service ought to be purchased on a “sole source” non-competitive basis, it is not sufficient merely to indicate how it differs from others in the marketplace. The differences must be shown to be **necessary** to the requester’s purpose as well as **unique**.

If the price of a “sole source” commodity or service is **over \$34,999.99**, the requester shall complete PUR Form 7776 and submit the completed form to the Purchasing Director, who then post on the Vendor Bid System at http://vbs.dms.state.fl.us/vbs/main_menu for seven (7) business days, with a further seventy-two (72) hours posting of our Intent to Award on PUR 7778.

22. **Purchases from Prison Industries (Pride) and Rehabilitation Facilities (Respect):** Florida Statutes permit Prison Rehabilitative Industries and Diversified Enterprises (PRIDE) and Rehabilitative Enterprises Services and Products (RESPECT) to certify the availability of their products/services for sale to state agencies. Lists of such certified products/services are maintained on the Pride and Respect web sites and these products must be purchased from these vendors. The Purchasing Office will ensure that the statutory requirements governing such purchases are met. Products offered by PRIDE but not “certified” may be purchased from PRIDE without competition from commercial sources, **with the exception of printing**. PRIDE will compete with commercial printers in accordance with section 8.a. and 8.b. In the event that both PRIDE and RESPECT offer the same product or service, purchases will be made from RESPECT. PRIDE and RESPECT both maintain web sites linked to the State Purchasing site at:

http://dms.myflorida.com/business_operations/state_purchasing/vendor_information/state_contracts_agreements_and_price_lists/pride

http://dms.myflorida.com/business_operations/state_purchasing/vendor_information/state_contracts_agreements_and_price_lists/respect

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23. Special Purchasing Requirements:

1. **State Own Building Maintenance, Repair and Renovations:** The following items govern building renovations (reference 60H FAC and 255 F.S.):
 - a. A work order is required for any maintenance or repairs costing \$1,000 or more or requiring a permit shall be submitted to Facility Services and approved prior to a purchase requisition being submitted. A copy of the approved work order and supplemental documents shall be attached to the PR. The documents to include are: quotes, contractor's business license and liability insurance, and the executed routing sheet.
 - EQuotes are not required for facility repairs.
 - For facility repairs it is required that paper quotes on the vendor's letter head be provided. For facility repairs, it is required the vendor visit the site to provide an accurate quote.
 - For repairs costing under \$2,499.99. One paper quote is required, repairs costing between \$2,500.00 and \$34,499.99 require two paper quotes. For repairs that are over \$34,999.99 contact Facility Services directly.
 - b. Emergency Work Orders:
 - If the requested repair qualifies as an emergency, indicate on the work order and the email that the request is an emergency, with justification.
 - For a work order to be classified as an emergency, it must be approved as an emergency by the Regional Director or his/her designee and Facility Services.
 - If the work order is approved as an emergency, and is below \$34,999.99 only one quote is required and the work may begin as soon as the approval is given.
 - c. The Architect Supervisor or his/her designee shall approve all work orders for repair with a cost of over \$1,000 or work that requires a permit.

24. **Copiers and Mailing Machines:** All copying or mailing equipment shall be acquired by the issuance of a PO. The standard procedures for issuing POs will apply to these purchases as well as specific requirements for copying or mailing equipment detailed in this section.

1. For purposes of this policy, copying and printing are defined as follows:
 - a. **Acquisition of Copiers or Mailing Machines:** These acquisitions can be either a new installation or a replacement of, or addition to an existing copier or mailing machine. All copiers or mailing machine, whether a new installation or an upgrade, will be acquired from the state copier or mailing machine contract (see the section on State Contracts) unless specific justification is provided which identifies unique capabilities not included in the equipment on contract. Copiers or mailing machines can be leased (term PO) or purchased.
 - b. **Contract Start and End Date:** These dates will generally differ from the date on the PO. The reason for this is that the start date of the copier lease shall be the date of installation and completion of staff training by the selected vendor. The end date of the lease will depend upon the length of the lease, 24, 36, 48, or 60 months. Immediately after installation and training the

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Requester shall process a change order to modify the PO end date and change the start date/end date term of the lease only, not the PO start date, in each line item of the PR where applicable as well as add the serial number of the copier or mailing machine to the PO. At the time, the installation and training is complete for the copier or mailing machine, the designated personnel in the facility will have the supplier's installer fill out the Department's Leased Equipment Acceptance Form that is in the Forms Library. One copy is given to the installer and one copy is attached to the change PR.

25. **Information Technology Goods and Services:** All PR for purchase of data processing equipment or services that ties into the Agency's network requires an approved Information Resource Request Form (IRR). This form can be found on the DJJ Forms Library. These forms are to be reviewed and approved by the Office of Information Technology. Approved form shall be attached to the purchase requisition.
26. **Memberships:** Memberships can only be purchased for organizational entities, not for individuals, unless the organization accepts only individual memberships. Membership must serve a statutory purpose. Prepayment may be required, and if so, the requester must specify prepayment on the PR. Membership forms and open record forms must be completed and approved by the Secretary or designee. The approved form(s) shall be attached to the PR. The required membership and Open Records requirement of the organization forms can also be found on the DJJ Form Library in Purchasing.
27. **Certified Minority Vendor Utilization:** A minority business enterprise (MBE) is defined as a firm so certified by the Office of Supplier Diversity (OSD) in the Department of Management Services. It is the policy of the Agency to promote the use of minority vendors at every opportunity. Minority vendors should be utilized for as many purchases as possible.

Persons outside the HQ Purchasing Office who are soliciting quotes should attempt to solicit quotes from a certified minority business enterprises (CMBEs) or minority business enterprises (MBEs). The OSD maintains a useful web site at:

http://dms.myflorida.com/other_programs/office_of_supplier_diversity_osd/.

Please contact all known minority vendors in your local area for needed services and/or commodities before contacting non-minorities. In the event you experience difficulty in locating a minority vendor, please contact the HQ Purchasing Office for assistance.

The HQ Purchasing Office will include certified MBEs in all possible competitive solicitation opportunities. The HQ Purchasing Office will review the purchase requisition to see if a capable, qualified, small business enterprise can provide the requesting services and/or commodities. As a result, a small business may be substituted for a vendor selected by the requester.

28. **Moving Expenses State Employee:** The Agency may pre-pay moving expenses for an employee provided the move is in the best interest of the State and approved by the Secretary or his/her designee and Bureau Chief of Human Resources FDJJ Policy 1002.24.

A minimum of three (3) written quotes and the approved prerequisite must be submitted along with the PR. State Employee Moves cannot be paid with a State Purchasing Card/. It must be paid with a warrant. The State allows for unpacking charges and additional insurance as long as the amount has been approved by the Secretary or his/her designee) and if the best interest of the State is mentioned in that approval.

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29. **Advance Payments:** Most purchases entail payment only after the receipt of commodities or the performance of services. However, there are numerous instances where payment must be furnished to the vendor in advance. Examples include some of the following: Service or maintenance agreements, publications or periodicals, membership dues, application licenses, or registration fees, etc. Also, Comptroller's Memo No. 2, 1998-99 authorizes prepayment of annual advance payments may be made under s. 215.422(14), F.S., and Rule69I-40.120(3), F.A.C., in accordance with the following:

Advance payment may be made for maintenance agreements, software license agreements, and subscriptions that meet one of the following criteria:

- a) Advance payment will result in a savings to the State that is equal to or greater than the amount the State would earn by investing the funds and paying in arrears.
- b) The goods or services are essential to the operation of a state agency and are available only if advance payment is made.
- c) Prior approval of the Bureau of Auditing is not required for advance payments made for **maintenance agreements, software license agreements, and subscriptions** that are equal to or less than the threshold of Category Two as defined in s.287.017, F.S., and meets one of the above criteria. Requests for advance payment approval must include information indicating that the payment meets one of the above criteria and that the agency has complied with applicable procurement requirements.

III. RESPONSIBILITY AND DUTIES:

A. **Principles, Responsibilities, and Standards of Conduct:** The purpose of the procurement function is to assure the availability of those required resources not provided by employees, and to achieve the best value for the State of Florida. The Department has established a central HQ Purchasing Office within the Bureau of General Services, which adheres to the following principles:

1. **Economy:** Obtaining maximum value for the dollars expended.
2. **Efficiency:** Achieving maximum output with minimum resources and time.
3. **Effective Services:** Getting agency users what they need when they need it.
4. **Fairness:** Offering fair, competitive opportunities to the maximum number of contractors and suppliers.
5. **Legality and Ethics:** Strict adherence to the requirements of law, unaffected by personal gain or personal relationships.

B. **Responsibilities:** It is the policy of the Department to provide procurement services, which are responsive to the needs of the programs, and facilities they support. These purchasing responsibilities will be accomplished within the framework of State and Federal laws, Florida Administrative Code, Department of Financial Services Reference Guide for State Expenditures, and Department policies. Program personnel should assist in obtaining prices for purchases up to \$34,999.99. Purchases of \$35,000.00 or more require a competitive solicitation. All competitive solicitations are the **sole**

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responsibility of the HQ Purchasing Office. These competitive solicitations only apply to commodities and/or services to a facility and the operation of facilities within the Department.

Note: Any direct services to youth and/or program services from outside vendors are procured by the Bureau of Procurement and Contract Administration within the Office of Program Accountability and are delivered through a contract for these services.

It is the responsibility of the HQ Purchasing Office staff to:

1. Develop, maintain, and disseminate uniform Department policies, procedures, and guidelines governing procurement activities.
2. Provide technical assistance, training, and administrative guidance to departmental personnel.
3. Monitor the implementation of policies and procedures.
4. Develop standard forms and processes for the purchase of commodities and contractual services as it relates to issuance of a purchase order.
5. Prepare monthly/quarterly reports relative to the Department's services and commodities procurement activities.
6. Serve as the liaison with the Department of Management Services in matters relative to procurement.
7. Assist in budget preparation by providing cost information and commodity availability.
8. Develop and issue competitive solicitations and issuance of Department purchase order.
9. Conduct special studies and projects relative to procurement.
10. Administer procurement transactions. It will be the responsibility of the requesting program to provide specifications for the services and/or commodities needed, to monitor requirements, stock levels, and contract expiration or renewal dates, and timely issue or purchase requisitions.