



COLLEGE of CENTRAL FLORIDA

POLICY MANUAL

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| Title: PROCUREMENT | Number: 5.12 | Page: 1 of 6 |
| See Procedures: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | | |
| Legal Authority: Florida Statutes 287, 120.53, 1001.64, 1010.02 FAC: 6A-14.0734 | Board Adoption/Revision Approval Dates: 9/3/80, 2/1/84, 6/10/87, 2/13/91, 1/29/92, 12/16/92, 8/27/97, 9/26/00, 10/22/02, 5/24/05, 9/25/07, 12/7/10, 1/22/13 | |

The President, or the President’s designee, is authorized to approve purchases, approve construction change orders, and execute contracts on behalf of the District Board of Trustees for the lease, acquisition of commodities and services which do not exceed the dollar amount of the mandatory thresholds established by State Board of Education Rules. Such purchases shall not exceed the financial constraints of the budget for the year impacted by the expenditure(s).

The purchase of commodities and services whose costs exceed the State Board of Education mandatory bid threshold must be approved by the District Board of Trustees after complying with all applicable bid requirements prescribed by State Board of Education Rules and Florida Statutes.

The President, or the President’s designee, shall establish the procedures for the procurement of goods and services in accordance with the laws, rules and policies established by Florida Statutes, the State Board of Education, and the District Board of Trustees.

Except in the instances declared to be emergency by the President and approved by the State (exceptions may occur in accordance with Florida Statutes), bids and quotes for goods shall be competitive and shall be awarded equitably and economically.

1. Designee. The responsibility for procurement for the College has been delegated by the District Board of Trustees to the President, the Chief Financial Officer, and the Director of Purchasing.
2. Approval of Procurement. The College’s methods of procurement may include, but not be limited to, petty cash, contracts, purchase orders and procurement cards. The President, or the President’s designee, will be responsible for establishing procedures for procurement. No obligation shall be incurred, nor any expenditure made against the College budget, without the written approval of the President or the President’s designee.

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Any procurement by an employee without prior approval of the President or the President's designee will be considered a personal liability and will not obligate the District Board of Trustees for payment.

Prior to procurement, the President, or the President's designee, shall be made aware of and shall approve all requests. Items exceeding \$19,999 must be solicited in accordance with appropriate laws, rules and policies.

The Board further authorizes the President, or the President's designee, to approve procurement of goods and services not requiring bidding in accordance with Florida Board of Education Rule 6A-14.0734.

3. Purchasing Categories; Threshold Amounts.

a. Whenever feasible, vendors within and outside of the College district will be notified and afforded the opportunity to do business with the College. The following price information and approvals must be obtained for purchases in the amounts indicated. Limits are based on the Category Thresholds outlined in Florida Statute 287.017 as of this writing.

1. CATEGORY ONE: \$20,000
2. CATEGORY TWO: \$35,000
3. CATEGORY THREE: \$65,000
4. CATEGORY FOUR: \$195,000
5. CATEGORY FIVE: \$325,000

b. Up to \$19,999 – A catalog or verbal price, approved by the President or the President's designee.

c. \$20,000 through \$64,999 (Category One and Category Two) – Solicitation of two written quotations. Recommendation for awards shall be approved or rejected by the President or the President's designee.

d. \$65,000 through \$194,999 (Category Three) – Solicitation of competitive offers as defined by Section 6A-14.0734, Florida Administrative Code, from at least three sources. Recommendations for awards shall be approved or rejected by the President or the President's designee.

e. \$195,000 through \$324,999 (Category Four) – Solicitation of competitive sealed bids as defined by Section 6A-14.0734, Florida Administrative Code, from at least three sources. Recommendations for awards shall be approved or rejected by the Board of Trustees.

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- f. \$325,000 and above (Category Five and above) – Solicitation of competitive sealed bids as defined by Section 6A-14.0734, Florida Administrative Code, from at least three sources. Recommendations for awards shall be approved or rejected by the Board of Trustees.
- g. The College’s obligations in regard to the solicitation of competitive offers are subject to the exceptions listed in Section 6A-14.0734.
- h. Bids – Solicitation of competitive offers will be made by the President or the President’s designees. The solicitations will be created and obtained in accordance with Section 6A-14.0734, Florida Administrative Code, which states:
 - a. Colleges shall, as the circumstances require, publicly solicit the submittal of competitive offers from at least three (3) sources, when purchasing services or commodities exceeding the amount as specified in Section 287.017, Florida Statutes, for Category Three. Solicitations of competitive offers are defined as:
 - 1. “Competitive Sealed Bids” or “Competitive Sealed Proposals” or “Competitive Sealed Replies” means the process of receiving competitive offers transmitted by secured electronic means or written bids, proposals, or replies.
 - 2. “Competitive Solicitations” or “Solicitations” means an invitation to bid, a request for proposal, request for quote, or an invitation to negotiate.

The District Board of Trustees may adopt smaller amounts beyond which to require the solicitation of competitive offers. The College President or the President’s designee reserves the right to reject any or all offers submitted in response to the College’s solicitation, and/or solicit new offers as deemed in the College’s best interest. When accepting responsive offers to the College’s solicitations, the College shall accept the lowest or best responsive offer. If other than the lowest or best offer meeting specifications is accepted, the College shall maintain a public record of the justification. Recommendation for awards not exceeding the Category Five threshold as specified in Section 287.017, Florida Statutes, may be approved or rejected by the President or the President’s designee if such authority is delegated in policy adopted by the District Board of Trustees. Recommendation for awards exceeding the Category Five threshold as specified in Section 287.017, Florida Statutes, shall be approved or rejected by the District Board of Trustees.

- b. Exceptions to the requirement to solicit competitive offers are:
 - (a) Educational tests, textbooks, instructional materials and equipment, films, filmstrips, video tapes, disc or tape recordings or similar audio-visual materials, graphic and computer based instructional software.

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- (b) Library books, reference books, periodicals, and other library materials and supplies.
 - (c) Purchases at the unit or contract prices established through competitive solicitations by any unit of government established by law or non-profit buying cooperatives.
 - (d) Food.
 - (e) Services or commodities available only from a single or sole source.
 - (f) Professional services, including, but not limited to, artistic services, instructional services, health services, academic program reviews, lectures by individuals, attorneys, legal services, auditors, and management consultants.
 - (g) Information technology resources defined as all forms of technology used to create, process, store, transmit, exchange, and use information in various forms of voice, video, and data, and shall also include the personnel costs and contracts that provide direct information technology support consistent with each individual College's information technology plan.
 - (h) Single source procurements for purposes of economy or efficiency in standardization of materials or equipment.
 - (i) Items for resale.
- c. The College President, or the President's designee, may waive solicitation requirements in emergencies when there is an imminent threat to students, employees, or public safety or in cases when necessary to prevent damage to the facilities caused by an unexpected circumstance in accordance with rules established by the District Board of Trustees.
 - d. When the District Board of Trustees solicits the submittal of competitive offers and only one responsive offer is submitted, the College may purchase such products or service under the best terms it can negotiate.
4. Financial Interests. The College shall not enter into a contractual relationship for the purchase, rent, or lease of any realty, goods or services with any member of the District Board of Trustees, the President, or any employee specifically delegated responsibility for procurement (see paragraph 1), nor from any business entity of which the trustee, president, or employee of the trustee's, president's or employee's spouse or child is an officer, partner, director, or proprietor or in which the trustee, president or employee of the trustee's, president's or employee's spouse or child or any combination of them has a material interest.

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5. Bids. The President, or the President's designee, shall establish procedures for bidding and bid appeals.
6. Non-College Procurement. Procurement may only be made for legitimate College purposes regardless of funding source. Any procurement for personal use or for the benefit of non-College organizations is prohibited.
7. Auxiliary Services. The College's auxiliary services, such as the bookstore, are operated as contracted services, approved by the District Board of Trustees.