



POLICY 6.14

4-A I recommend that the Board adopt the proposed revised Policy 6.14, entitled “Purchasing Department.”

[Contact: Mike Burke, Sharon Swan, PX 48214.]

Adoption

CONSENT ITEM

- The Board approved development of this revised Policy at the development reading on November 7, 2012. The following changes were requested:
 - define the Superintendent’s designee as the Chief Operating Officer and/or the Director of Purchasing in lines 257 and 258;
 - strike lines 290 and 291 as it is suggested that such authority is limited to General Counsel, not Superintendent;
 - strike “designee” from line 303;
 - strike “or his/her designee” from line 122 and 304; and
 - discuss Policy with the Office of the Inspector General and Construction Oversight Review Committee.

- This Policy has been revised to:
 - Update the policy to incorporate revisions to Florida Statutes and the State Board of Education Rules for Purchasing by School Boards. These revisions, among other things, include raising the threshold for purchases requiring competitive solicitation from \$25,000 to the amount established in State Board of Education Rule 6A-1.012(7) (currently \$50,000) and amending the time period from 10 to 30 days for when sealed bids, proposals, or replies received in response to a competitive solicitation become public information.
 - Add delegated authority for the Director of Purchasing in order to document the operational duties of this position.
 - Revise delegated authority as follows:
 - Clarifies the delegation of authority to staff to use the p-cards for certain purchases;

- Clarifies the delegation of authority to principals for purchases using school internal funds;
 - Provides the procedure pursuant to Chapter 120, Florida Statutes, for filing formal bid protests;
 - Revises the delegation of authority to the Superintendent or his/her designee (COO or Director of Purchasing) to \$500,000 for Invitations to Bid, Requests for Proposals, Invitations to Negotiate and certain purchases that are exempt from competitive solicitation. In the current Policy, the Superintendent has unlimited delegation of authority to approve purchases using Invitation to Bids and non-competed items and no authority for award of Requests for Proposals; and
 - Adds ability to purchase from School Academies.
- Expands the provision relating to suspension/debarment of vendors to clarify the process.
 - Clarify the option to use Environmentally Preferred Purchasing criteria in purchasing decisions.

POLICY 6.14

PURCHASING DEPARTMENT

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3 1. **Purpose**

4 The Purpose of this Purchasing Policy is to provide for a uniform and systematic
5 method for purchasing acquiring and procuring commodities, such as products,
6 supplies, materials, and equipment, and contractual services, including
7 Professional Services, in an efficient, cost-effective manner in accordance with and
8 as permitted by applicable federal and state laws, Florida State Board of Education
9 Rules, School Board Policies, and administrative rules, procedures, and guidelines
10 that promote transparency and accountability in the expenditure of public funds and
11 the use of public resources. The goal of this Policy is to assist School Board
12 members and School District of Palm Beach County employees in protecting the
13 integrity of the contract award and procurement process, inspiring public
14 confidence in the process used to acquire commodities and contractual services,
15 and promoting fair, open, and non-discriminatory competition in a manner that
16 protects the School District's assets and ensures that the School District receives
17 the maximum value and quality when expending public dollars for a public purpose.

18 2. **Applicability**

19 This Policy shall govern the purchase of commodities and contractual services for
20 the School Board through the use of a competitive solicitation, where required by
21 law or as determined to be in the best interest of the School District, and purchases
22 which are specifically exempted by law from competitive solicitation, when those
23 commodities and contractual services are purchased using School Board general
24 funds, grant proceeds, or internal account funds held by individual schools. In
25 addition, the procedures set forth in ~~this Policy, with the exception of Section 5~~
26 ~~below, Sections 4 and 8-12 below~~ shall apply to purchases made pursuant to
27 ~~Policies 7.051 and 7.10.~~

28 3. **Definitions**

- 29 a. "Competitive solicitation" shall be defined to include purchases made through
30 the issuance of an invitation to bid ("ITB"), or request for proposals ("RFP"), or
31 invitation to negotiate ("ITN").
- 32 b. "Cone of Silence" shall refer to the period of time between the posting of the
33 contents of a competitive solicitation and the posting of a Decision or Intended
34 Decision with regard to that competitive solicitation.
- 35 c. "Contract procurement process" has the same meaning as "contract
36 solicitation or award process" as used in section 120.57(3), Florida Statutes.

37 This phrase includes procurements by ITB, RFP, ITN, approval of a single
38 source procurement, or other solicitation documents as permitted by law.

39 d. "Decision or Intended Decision" as used in this Policy shall have the same
40 meaning as in Uniform Rule 28-110.002(2), Florida Administrative Code, and
41 shall mean:

42 i. the notice of posting of the contents of a solicitation, including addenda;

43 ii. a determination that a specified procurement can be made only from a
44 single source;

45 iii. rejection of a response or all responses to a solicitation; or

46 iv. intention to award a contract as indicated by a posted solicitation
47 tabulation or other written notice.

48 e. "Environmentally Preferable Purchasing" (EPP), often referred to as "green
49 purchasing" means commodities and services that have a lesser or reduced
50 effect or harm health and the environment when compared with competing
51 commodities or services that serve the same purpose. EPP may be used in
52 the selection and acquisition of commodities and contractual services. The
53 goal of EPP is to procure commodities and contractual services that most
54 effectively minimize waste and negative environmental impact by evaluating
55 criteria such as the vendor's method of manufacturing; use of recycled
56 content in products; use of less harmful and non-toxic materials and
57 processes; use of energy and water efficient products and processes; use of
58 fuel efficient vehicles and equipment; use of natural resource and landscaping
59 management; and use of renewable products, packaging, and delivery
60 practices; and reduces disposal cost.

61 f. In proceedings involving bid protests of a Decision or Intended Decision
62 arising out of the contract solicitation or award process, the terms "file" or
63 "filing" shall mean received by the Director of Purchasing during normal
64 business hours. Filing of a notice of protest or formal written protest petition is
65 permitted via regular US mail, hand delivery, electronic mail, or facsimile
66 transmission. A protestor who files a notice of protest or formal petition by
67 electronic mail or facsimile transmission represents that the original physically
68 signed document will be mailed to the Director of Purchasing immediately
69 upon submission of the notice of protest or formal petition via facsimile or
70 electronic mail. Any protestor who elects to file any document by electronic
71 mail or facsimile transmission shall be responsible for any delay, disruption, or
72 interruption of the signals and accepts the full risk that the document may not
73 be properly filed with the Director of Purchasing, as a result. The filing date for
74 a document transmitted by electronic mail or facsimile shall be the date the

- 75 Director of Purchasing receives the complete document. The bond, however,
76 cannot be transmitted via electronic mail or facsimile, but must be timely filed
77 with the Director of Purchasing as required by this Policy.
- 78 g. “Information technology” shall have the same meaning as set forth in sSection
79 282.0041(14), Florida Statutes.
- 80 h. “Invitation to bid” shall be defined as a written solicitation for competitive
81 sealed bids. The invitation to bid is used when the School Board or designee is
82 capable of specifically defining the scope of work for which a contractual
83 service is required and/or when the School Board or designee is capable of
84 establishing precise specifications defining the actual commodity or group of
85 commodities required. A written solicitation includes a solicitation that is
86 publicly posted.
- 87 i. “Invitation to negotiate” shall be defined as a written solicitation for competitive
88 sealed replies to select one or more vendors with which to commence
89 negotiations for the procurement of commodities or contractual services. The
90 invitation to negotiate is used when the School Board or designee determines
91 that negotiations may be necessary for it to receive the best value. A written
92 solicitation includes a solicitation that is publicly posted.
- 93 j. “Professional Services” shall be defined, for the purpose of procuring
94 commodities and non-construction related contractual services, to include,
95 without limitation, artistic services; academic program reviews; lectures by
96 individuals; auditing services not subject to sSection 218.391, Florida Statutes;
97 legal services, including attorney, paralegal, expert witness, court reporting,
98 appraisal, or mediator services; and health services involving examination,
99 diagnosis, treatment, prevention, medical consultation, or administration. For
100 the purposes of this Policy, Professional Services does not include those
101 services procured pursuant to section 287.055, Florida Statutes. **The term**
102 **“Professional Services,” as used in this Policy, does not include those services**
103 **procured pursuant to section 287.055, Florida Statutes.**
- 104 k. “Proposer” includes those vendors submitting bids, proposals, or replies to a
105 competitive solicitation.
- 106 l. “Request for proposals” shall be defined as a written solicitation for
107 competitive sealed proposals. The request for proposals is used when it is not
108 practicable for the School Board or designee to specifically define the scope of
109 work for which the commodity, group of commodities, or contractual service is
110 required; or the purchase is complex in nature and the School Board or
111 designee is requesting that a responsive, responsible vendor offers a solution
112 which will be evaluated by a set criteria set forth in the solicitation document.
113 A written solicitation includes a solicitation that is publicly posted.

114 4. **Delegation of Authority**

115 As set forth below, the School Board has delegated limited authority to the
116 Superintendent or his/her designee, the Director of Purchasing, Department Heads
117 or Directors, and School Principals relating to the purchase of the commodities and
118 contractual services for the School District in compliance with applicable federal
119 and state laws, Florida State Board of Education Rules, School Board Policies, and
120 administrative rules, procedures, and guidelines. In addition, the School Board has
121 delegated certain authority to the Superintendent, Director of Purchasing, and the
122 General Counsel or his/her designee with regard to handling matters relating to
123 Chapter 120, Florida Statutes.

124 Any purchases not specifically delegated to the Superintendent or his/her
125 designee, the Purchasing Director, Department Heads or Directors, or School
126 Principals must be approved in advance by the School Board. No person, unless
127 specifically authorized to purchase commodities or contractual services under
128 School Board policies, may make any purchase or enter into any contract involving
129 the use of school or School District funds. Payment for any unauthorized purchase
130 may be the responsibility of the person placing the order.

131 a. **Department Heads or Directors**

132 i. Department Heads or Directors shall use bid-awarded vendors approved
133 by the School Board or designee, where available unless otherwise
134 approved by the Director of Purchasing. Department Heads or Directors
135 are encouraged to may purchase commodities or services from industry-
136 certified School District Career and Professional Academies where
137 available.

138 ii. Authority is delegated to the Department Head or Director of each
139 department to contract for:

140 A. contractual services, including Professional Services, in an amount
141 not to exceed two thousand five hundred dollars (\$2,500) per vendor
142 per fiscal year per department, and

143 B. commodities in an amount not to exceed one thousand dollars
144 (\$1,000) per vendor per day or for travel as authorized by Policy 6.01
145 when utilizing the School District issued Purchasing Card ("P-Card"),
146 with total monthly charges to the P-Card not exceeding the amount
147 authorized by the Superintendent or designee Director of
148 Purchasing. The Director of Purchasing may approve the issuance of
149 multiple P-Cards to certain departments, and, Department Heads or
150 Directors may delegate authority to use such additional P-Cards to
151 specific users within their departments up to the limits set forth
152 above.

153 iii. Department Heads or Directors may not divide the procurement of
154 commodities or contractual services so as to avoid the delegated
155 monetary threshold requirement.

156 b. **School Principals**

157 i. Principals shall use bid-awarded vendors approved by the School Board
158 or designee, where available unless otherwise approved by the Director
159 of Purchasing. Principals ~~are encouraged to~~ may purchase commodities
160 or services from ~~industry-certified~~ School District ~~Career and Professional~~
161 Academies where available.

162 ii. Authority is delegated to the Principal of each school center to contract
163 for:

164 A. contractual services, including Professional Services, in an amount
165 not to exceed two thousand five hundred dollars (\$2,500) per vendor
166 per fiscal year ~~per school~~;

167 B. commodities in an amount not to exceed one thousand dollars
168 (\$1,000) per vendor per day or for travel as authorized by Policy 6.01
169 when utilizing the School District issued P-Card, with total monthly
170 charges to the P-Card not exceeding the amount authorized by the
171 Superintendent or designee. The Director of Purchasing may
172 approve the issuance of multiple P-Cards to certain Principals, and
173 Principals may delegate authority to use such additional P-Cards to
174 specific users within their school centers up to the limits set forth
175 above;

176 C. In addition to the authority delegated above, the Principal shall also
177 have authority to purchase ~~additional~~ commodities and contractual
178 services which are to be paid from the internal funds of the school as
179 follows:

180 I. for commodities when the total amount purchased does not
181 exceed ten thousand dollars (\$10,000) ~~per vendor~~ per fiscal
182 year; and

183 II. for commodities and contractual services, without limitation ~~as to~~
184 the amount, for the following:

185 a. graduation supplies and yearbooks in accordance with
186 Policy 6.19;

187 b. class pictures;

- 188 c. class rings;
- 189 d. prom;
- 190 e. homecoming;
- 191 f. dances;
- 192 g. Project Graduation; and
- 193 h. fundraising projects and activities meeting the requirements
194 of Policy 2.16 (i.e. marathon fundraisers, student sales of
195 goods, etc.).

196 iii. In such cases where the School Board or designee has not approved a
197 vendor for the commodities or contractual services needed, the Principal
198 shall make purchases exceeding **two thousand five hundred dollars**
199 (\$2,500), to the extent authority has been delegated above, using
200 competitive quotes, **when practicable**, except for Professional Services,
201 **professional memberships**, educational services, and copyrighted
202 materials, as set forth in State Board of Education Rule 6A-1.012 or other
203 applicable laws. **The purchase** Quotes shall be based upon lowest price
204 quote or selection criteria developed by the Principal.

205 iv. Principals may not divide the procurement of commodities or contractual
206 service so as to avoid the delegated monetary threshold.

207 c. **Director of Purchasing**

208 i. The School Board designates the Purchasing Department as the School
209 District's official purchasing agent, and accordingly, authority is delegated
210 to the Director of Purchasing to:

211 A. determine the appropriate and most cost-effective purchasing
212 method of contract procurement, including competitive solicitations,
213 direct negotiations, and/or methods that allow the School District to
214 take advantage of value discounts and special pricing agreements,
215 where appropriate;

216 B. approve the evaluation criteria for procuring commodities and
217 contractual services, including any preference required or allowable
218 by law or School Board policy;

219 C. oversee the competitive solicitation process in collaboration with the
220 School District end-user to include receiving formal information
221 through Requests for Information when needed; creating the

- 222 competitive solicitation document; approving the specifications,
 223 terms, and conditions, which may include using Environmentally
 224 Preferable Purchasing methods when such methods are generally
 225 used throughout the industry for procuring the particular commodity
 226 or service for evaluating the product to determine if the product
 227 meets the District's needs, for educational purposes, or when it has
 228 been determined that EPP will allow the School Board to receive the
 229 maximum value over the life of the School Board's ownership and/or
 230 use of the product or service; selecting members of the evaluation
 231 committee/team; and receiving, opening, tabulating, and evaluating
 232 proposals, responses, bids, and replies in accordance with the
 233 provisions of this Policy;
- 234 D. receive and process any and all notices of protest and formal written
 235 protests for the purpose of determining whether the notices or written
 236 protests are timely and have a timely and properly posted bond;
 237 hold the informal resolution meeting as required by Chapter 120,
 238 Florida Statutes, dismiss any invalid bid protests as determined by
 239 the Office of General Counsel; and report any valid bid protests to
 240 the School Board at least quarterly;
- 241 E. approve and issue purchase orders for purchases made in
 242 accordance with this Policy;
- 243 F. track ITB, ITN, RFPs, and other Board-awarded contracts to ensure
 244 that the amount of funds encumbered by purchase orders released
 245 does not exceed the budgeted funds approved by the School Board;
- 246 G. oversee negotiations with vendors when appropriate;
- 247 H. oversee the P-Card Program;
- 248 I. provide purchasing oversight of the Supply and Redistribution
 249 Warehouse and Mailroom;
- 250 J. prepare and execute Certificates of Entitlements for the purpose of
 251 tax savings as required by section 212.086(6), Florida Statutes and
 252 Rule 12A-1.094, Florida Administrative Code; and
- 253 K. approve and issue purchase orders for Direct Material Purchases for
 254 the purpose of tax savings as allowed by section 212.086(6), Florida
 255 Statutes and Rule 12A-1.094, Florida Administrative Code.
- 256 d. **Superintendent/Designee**
- 257 i. Authority is delegated to the Superintendent or his/her designee (Chief

- 258 Operating Officer or Director of Purchasing only) to:
- 259 A. approve contracts for departments and schools for Professional
260 Services in an amount in excess of two thousand five hundred
261 dollars (\$2,500) and up to ten thousand dollars (\$10,000);
- 262 B. approve contracts for commodities and contractual services, not
263 including Professional Services, up to five hundred thousand dollars
264 (\$500,000) per vendor per fiscal year, except where specifically set
265 forth herein. A monthly report of such purchases must be provided to
266 the School Board.;
- 267 C. reject any or all proposals, responses, bids, or replies to any
268 competitive solicitation and re-compete or purchase the required
269 commodities or contractual services in any manner authorized by
270 this Ppolicy.; and
- 271 D. approve purchases of the following commodities and contractual
272 services without limitation as to the amount:
- 273 I. emergency purchases as defined in this Ppolicy;
- 274 II. regulated utilities or government-franchised services;
- 275 III. media advertisements (newspaper, radio, television, etc.);
- 276 IV. subscription services;
- 277 V. professional association fees or membership dues for
278 educational or non-profit organizations that serve the needs of
279 the School District;
- 280 VI. Florida Department of Law Enforcement for Level II screenings
281 of employees and vendors;
- 282 VII. travel expenditures and reimbursements in compliance with
283 Policy 6.01 and Chapter 112, Florida Statutes; and
- 284 VIII. postage.
- 285 ii. Authority is delegated to the Superintendent to handle matters relating to
286 Chapter 120, Florida Statutes, Administrative Proceedings, including
287 administrative hearings:
- 288 A. ruling on motions to extend the deadline for filing a formal written
289 protest or other petitions for administrative hearing;

290 B. ~~conducting or otherwise arrange for the conducting of informal~~
291 ~~proceedings:~~

292 BC. ~~referring~~ of formal written protests or other petitions for
293 ~~administrative hearings pursuant to sSection 120.57(3), Florida~~
294 ~~Statutes, to the Division of Administrative Hearings (DOAH):~~

295 CD. ~~entering~~ of orders determining whether a formal written protest, or
296 ~~other petition for administrative hearing is timely and appropriately~~
297 ~~filed or meets required pleading requirements:~~

298 DE. ~~entering~~ of final orders approving or rejecting administrative actions
299 ~~related to settlements, withdrawn petitions, voluntary case closures,~~
300 ~~and other undisputed procedural matters associated with the~~
301 ~~initiation or closure of administrative proceedings: and~~

302 EF. ~~executing~~ final orders following ~~School~~Governing Board action.

303 e. **General Counsel/Designee**

304 i. ~~Authority is delegated to the General Counsel or his/her designee for the~~
305 ~~following matters relating to Chapter 120, Florida Statutes, Administrative~~
306 ~~Proceedings, including administrative hearings:~~

307 A. ~~ruling on motions to extend the deadline for filing a formal written~~
308 ~~protest or other petitions for administrative hearing:~~

309 B. ~~conducting or otherwise arrange for the conducting of informal~~
310 ~~proceedings:~~

311 C. ~~referring of formal written protests or other petitions for administrative~~
312 ~~hearings pursuant to section 120.57(3), Florida Statutes, to the~~
313 ~~Division of Administrative Hearings (D.O.A.H.):~~

314 D. ~~entering of orders determining whether a formal written protest, or~~
315 ~~other petition for administrative hearing is timely and appropriately~~
316 ~~filed or meets required pleading requirements:~~

317 E. ~~entering of final orders approving or rejecting administrative actions~~
318 ~~related to settlements, withdrawn petitions, voluntary case closures,~~
319 ~~and other undisputed procedural matters associated with the~~
320 ~~initiation or closure of administrative proceedings: and~~

321 F. executing final orders following School Board action.

322 5. **Purchasing Methods.** The School Board or its designee shall purchase

323 commodities and contractual services as set forth below. Such purchases shall not
324 exceed the applicable appropriation in the School Board budget for each fiscal year
325 and the funds for such purchases shall not be otherwise encumbered.

326 a. **Competitive Solicitation.** The School Board or its authorized designee may
327 approve contracts resulting from competitive solicitations where required by
328 law or when in the best interest of the School District. Such contracts in excess
329 of five hundred thousand dollars (\$500,000) per vendor per fiscal year must be
330 submitted to the School Board for approval.

331 i. **Request for Proposals (RFP).** Except as authorized by law or rule,
332 proposals shall be requested from three (3) or more sources for
333 commodities and contractual services exceeding the amount established
334 in [Rule 6A-1.012\(7\), Florida Administrative Code](#). The contract may not
335 be divided so as to avoid this monetary threshold. In awarding to a
336 Proposer pursuant to a Request for Proposals, the School Board or its
337 authorized designee may award to one or more responsive, responsible
338 Proposers in accordance with the selection criteria published in the
339 Request for Proposals.

340 ii. **Invitation to Bid (ITB).** Except as authorized by law or rule, ITBs or
341 reverse auctioning bids shall be requested from three (3) or more sources
342 for commodities and contractual services when requisitioning any item or
343 group of similar items exceeding the amount established in [Rule 6A-](#)
344 1.012(7), [Florida Administrative Code](#). The contract may not be divided so
345 as to avoid this monetary threshold. In acceptance of responses to ITBs
346 or bids through reverse auctioning, the School Board or its authorized
347 designee shall accept the lowest bid from a responsive and responsible
348 bidder meeting all specifications, terms, and conditions published in the
349 ITB. In the alternative, the School Board or its authorized designee may
350 award to the responsive, responsible bidder offering the lowest cost as
351 the primary awardee and the next responsive, responsible bidder offering
352 the next lowest cost as an alternate awardee(s) meeting all specifications,
353 terms, and conditions. Nothing herein is meant to prevent multiple
354 awards to the responsive and responsible bidders when such multiple
355 awards are clearly stated in the bid solicitation documents.

356 iii. **Invitation to Negotiate (ITN).** When procurement for commodities and
357 contractual services exceeding the amount established in [Rule 6A-](#)
358 1.012(7), [Florida Administrative Code](#), is not practicable by an ITB or an
359 RFP, the Superintendent or his/her designee may solicit competitive
360 sealed replies to determine the best method for achieving specific goals
361 or solving a particular problem and select one or more vendors with which
362 the School Board's authorized designee may negotiate a contract in order
363 to receive the best value based upon objective factors that may include,

- 364 but are not limited to, price, quality, design, and workmanship.
- 365 b. **Alternate Source Contracting.** The School Board or its designee may
366 purchase commodities or contractual services from contracts that have been
367 awarded by another governmental agency, by a group of governmental
368 agencies, or as a participant of a group of governmental agencies as allowed
369 by law and when in the best interest of the School District. Such contracts in
370 excess of five hundred thousand dollars (\$500,000) per fiscal year must be
371 submitted to the School Board for approval.
- 372 i. **Department of Management Services.** As required by sSection
373 1001.42(12)(j), Florida Statutes, the School Board or its authorized
374 designee shall receive and give consideration to the prices available to it
375 under rules of the Department of Management Services, Division of
376 Purchasing. The School Board or its designee may use prices established
377 by the Division of Purchasing through its state purchasing agreement
378 price schedule under the same conditions for use imposed on state
379 agencies;.
- 380 ii. **Other Agency or Ggroup of Agencies.** The School Board or its
381 authorized designee may make purchases at or below the specified
382 prices from contracts awarded by other city or county governmental
383 agencies, other district school boards, community colleges, federal
384 agencies, public or governmental agencies of any state, state university
385 systems, or from cooperative, interlocal, or pooled bid agreements, when
386 the Proposer will permit purchases by the School Board at the same
387 terms, conditions, and prices (or below such prices) awarded in such
388 contract, and such purchases are to the economic advantage of the
389 School Board-.
- 390 iii. **Pool Purchases.** The School Board or its authorized designee may
391 purchase school buses, equipment, and related contractual needs and
392 supplies through the pool-purchase provisions of section 1006.27, Florida
393 Statutes; and.
- 394 iv. **Purchasing Consortium.** The School Board shall enter into interlocal
395 agreements as provided in section 163.01, Florida Statutes, to establish
396 school district consortium and maximize purchasing power for
397 commodities and contractual services. A consortium may be nationwide,
398 statewide, or regional, as appropriate to achieve the lowest cost. The
399 Director of Purchasing shall provide the School Board with a monthly
400 report of any purchases made through a Purchasing Consortium;.
- 401 c. **Direct Negotiation**
- 402 i. The School Board or its authorized designee may approve contracts

403 using direct negotiations where allowed by law and when in the best
404 interest of the School District. ~~An Invitation to Negotiate (ITN) may be~~
405 ~~used to determine the vendor or vendors with which to begin negotiations.~~
406 Such contracts in excess of five hundred thousand dollars (\$500,000) ~~per~~
407 ~~vendor~~ per fiscal year ~~shall be adequately documented to ensure the~~
408 ~~proposed contract is in the best interest of the School District and~~ must be
409 submitted to the School Board for approval, with the exception of
410 emergency purchases which will be ratified as indicated herein and
411 regulated utilities or government-franchised services.

412 A. **Finding of No Acceptable Firm Proposal or Less than Two**
413 **Responsive Proposals.** Where competitive solicitations have been
414 requested in the manner prescribed by this Policy, and the School
415 Board, through the Director of Purchasing, makes a specific finding
416 in writing that:

417 I. no valid or acceptable firm proposal has been received within
418 the prescribed time, the Director of Purchasing may enter into
419 negotiations with suppliers of such commodities and contractual
420 services; or

421 II. if less than two responsive proposals for commodity or
422 contractual services ~~were~~are received, the Director of
423 Purchasing, may negotiate on the best terms and conditions or
424 decide to reject all proposals. The Director of Purchasing shall
425 document the reasons that negotiating terms and conditions
426 with a particular Proposer is in the best interest of the School
427 District in lieu of re-soliciting proposals.

428 ii. **Competitive Solicitation Waived or Not Required.** As provided in State
429 Board of Education Rule 6A-1.012, Florida Administrative Code; section
430 1010.04(4)(a), Florida Statutes; or other laws, in addition to the methods
431 described above, the School Board or its authorized designee may
432 purchase commodities and contractual services without
433 soliciting ~~requesting competitive proposals, bids, or replies from~~ three or
434 more sources, as set forth below:

435 A. **Less than the amount established in ~~Rule 6A-1.012(7), Florida~~**
436 **Administrative Code of Funds Expended.** For purchases where
437 less than the amount established in ~~Rule 6A-1.012(7), Florida~~
438 ~~Administrative Code~~ of Funds will be expended, the School Board,
439 the Superintendent or his/her designee, Department Heads or
440 Directors, and/or School Principals may make and/or approve
441 purchases of the commodities and contractual services in
442 compliance with applicable federal and state laws; Florida Board of

443 Education Rules; School Board Policies; administrative rules,
444 procedures, and guidelines; and this Policy.

445 Competitive quotes shall be requested from three (3) or more
446 sources for commodities and contractual services when
447 requisitioning any item or group of similar items exceeding two
448 thousand five hundred dollars (\$2,500) except as exempted by State
449 Board of Education Rule 6A-1.012, [Florida Administrative Code](#) or
450 other applicable laws.

451 B. **Information Technology.** The School Board, when acquiring,
452 whether by purchase, lease, lease with option to purchase, rental or
453 otherwise, information technology, as defined in section
454 282.0041(14), Florida Statutes, may make any acquisition through
455 the competitive solicitation process as described herein or by direct
456 negotiation and contract with a vendor or supplier, as best fits the
457 needs of the School District as determined by the Director of
458 Purchasing. The Director of Purchasing shall document in writing the
459 reasoning for concluding that direct negotiation instead of
460 competitive solicitation is in the best interest of the School District.

461 C. **Risk Management.** The School Board may, except as otherwise
462 required by law [statute, utilize the competitive solicitation process or](#)
463 enter into direct negotiations and contract with a vendor or supplier
464 that best meets the needs of the School District when acquiring
465 insurance, entering risk management programs, or contracting with
466 third party administrators. An exception to this option is for [The](#)
467 [purchase of](#) employee group insurance that must be competitively
468 selected in accordance with section 112.08, Florida Statutes.

469 D. **Educational Services/Copyrighted Materials.** The School Board or
470 its authorized designee may purchase educational services and any
471 type of copyrighted materials including, [without limitation,](#) educational
472 tests, textbooks, printed instructional materials, computer software,
473 films, filmstrips, videotapes, dvds, disc or tape recordings, digital
474 recordings, or similar audio-visual materials, ~~and for~~ library and
475 reference books, and printed library cards where such materials are
476 purchased directly from the producer or publisher, the owner of the
477 copyright, an exclusive agent within the state, a governmental
478 agency, or a recognized educational institution.

479 E. **PRIDE/RESPECT.** The School Board or its authorized designee may
480 purchase commodities and contractual services from PRIDE (Prison
481 Rehabilitative Industries and Diversified Enterprises, Inc.) or
482 RESPECT (Florida's preferential purchasing program for individuals

- 483 with disabilities), as authorized by Florida Statutes.
- 484 F. **Regulated Utilities.** The School Board or its authorized designee
485 may contract for regulated utilities or government-franchise services.
- 486 G. **Grant or Law.** The School Board or its authorized designee may
487 enter into a contract where state or federal law, a grant, or state or
488 federal agency contract prescribes with whom the School Board
489 must contract or if the rate of payment is established during the
490 annual appropriation process.
- 491 H. **Professional Services.** The School Board or its authorized
492 designee may purchase Professional Services as set forth herein.
- 493 I. **Sole Source.** When School District's Director of Purchasing believes
494 that commodities or contractual services are available only from a
495 single source, the Director of Purchasing shall electronically or
496 otherwise publicly post a description of the commodities or
497 contractual services sought for a period of at least **seven (7)**
498 business days. The description must include a request that
499 prospective vendors provide information regarding their ability to
500 supply the commodities or contractual services described. If it is
501 determined in writing by the Director of Purchasing, after reviewing
502 any information received from prospective vendors, that the
503 commodities or contractual services are available only from a single
504 source, the Director of Purchasing shall provide notice of the
505 Decision or Intended Decision to enter a single source contract in the
506 manner specified in section 120.57(3), Florida Statutes, and may
507 negotiate on the best terms and conditions with the single source
508 vendor.
- 509 J. **Emergency Purchases.** The School Board or its designee may
510 dispense with requirements for competitive solicitations for the
511 emergency purchase of commodities or contractual services when
512 the Superintendent determines in writing that an immediate danger to
513 the public health, safety, or welfare or other substantial loss to the
514 school district requires emergency action. After the Superintendent
515 makes such a written determination, the Director of Purchasing may
516 proceed with the procurement of commodities or contractual services
517 necessitated by the immediate danger, without requesting
518 competitive solicitations. However, such an emergency purchase
519 shall be made by obtaining pricing information from at least two
520 prospective vendors, which must be retained in the contract file,
521 unless the Superintendent determines in writing that the time
522 required to obtain pricing information will increase the immediate

523 danger to the public health, safety, or welfare or other substantial
524 loss to the school district. The Superintendent shall seek ratification
525 of this purchase by the School Board at the next regularly scheduled
526 business meeting.

527 K. **Food Service.** In compliance with Rule 5P-1.003, Florida
528 Administrative Code and Policy 6.17, the School Board may exempt
529 food products, except milk, from the bid requirements of Rule 6A-
530 1.012, Florida Administrative Code. Milk may be exempt under the
531 following conditions:

532 I. the Superintendent or designee has made a finding that no valid
533 or acceptable firm bid has been received within the prescribed
534 time; or

535 II. the Superintendent or designee has made a finding that an
536 emergency situation exists and may enter into negotiations with
537 suppliers of milk and shall have the authority to execute
538 contracts under whatever terms and conditions as the
539 Superintendent or designee determines to be in the best interest
540 of the school system.

541 L. **Maintenance/Service/Warranty.** The School Board or its designee
542 may award contracts for maintenance and/or service contracts, on
543 various types of technical equipment, that are offered and/or supplied
544 only by the original manufacturer or its representative, or that are
545 required to maintain the integrity of the manufacturer's warranty, or
546 that are part of the manufacturer's rental/lease/lease purchase
547 agreement terms and conditions.

548 6. **Online and Electronic Procurement and Notice**

549 a. **On-line Solicitations.** The Director of Purchasing may utilize a third-party on-
550 line system to post solicitations, including addenda; **descriptions of**
551 **commodities or contractual services believed to be available only from a single**
552 **source;** and notices of Decisions or Intended Decisions, and to receive
553 responses, bids, and replies from Proposers.

554 b. **Purchasing Card.** The Superintendent or his/her designee may utilize
555 procurement cards, to purchase commodities and contractual services as
556 deemed to be in the best interest of the District and consistent with School
557 Board Policy. Selected staff will be eligible to use a P-Card upon approval by
558 the Superintendent/ **or his/her** designee of the prospective user's signed
559 Purchasing Card Application (PBSD 2076) and Cardholder Acceptance
560 Guidelines and Contract (PBSD 2077), which contain the appropriate-use
561 standards and procedures. Pursuant to PBSD 2077, each user shall

562 acknowledge, by signing the Application and Acceptance Guidelines and
563 Contract, that the user must reimburse the District for any misuse of the
564 purchasing card and that a violation of those standards and procedures will be
565 cause for discipline up to and including termination.

566 7. **Advance Payments.** To ensure adequate protection to the School District that
567 goods and contractual services will be provided, advanced payment for goods and
568 contractual services is discouraged. With adequate safeguards, however, to
569 ensure that the commodities or contractual services will be provided, the School
570 Board may approve advance payments for contracts requiring School Board
571 approval; the Superintendent or his/her designee may approve advance payments
572 for contracts requiring his/her approval; and the Director of Purchasing may
573 approve advance payments for all other contracts: **as follows:**

574 a. for maintenance agreements, software license agreements, subscriptions,
575 contracts to reserve space, and certain other commodities, when advance
576 payment will result in a savings to the School District equal to or greater than
577 the amount the School District would earn by investing the funds and paying in
578 arrears, or where those items are essential to the operation of the School
579 District and are available only if advance payment is made; or

580 b. in accordance with Policy 6.01 regarding certain employee travel expenses.

581 8. **Integrity of the Award Process**

582 a. From the time the ITB, RFP, ITN, or other competitive solicitation is posted and
583 the time a Decision or Intended Decision is posted, potential Proposers and
584 employees, representatives, partners, director, officers, or other individuals
585 acting on behalf of the Proposer, shall be prohibited from lobbying any School
586 District employee, Member of the School Board, Member of a School District
587 Advisory Committee that may evaluate the awarded contract, or person
588 selected to evaluate or recommend selection of the awarded Proposer.
589 Lobbying in violation of this Policy or the School Board's Lobbying Policy
590 during the Cone of Silence shall result in rejection/disqualification of the
591 Proposer from award of a contract arising out of the ITB, RFP, ITN, or other
592 competitive solicitation. Further, in order to protect the integrity of the award
593 process, all questions regarding the ITN, RFP, ITB, or other competitive
594 solicitation must be directed to the Purchasing Department staff who will
595 respond in writing and post such response **for to ensure that** all vendors **to**
596 receive the same information during the Cone of Silence.

597 b. After the Decision or Intended Decision is posted, any persons including
598 Proposers, or those acting on behalf of the Proposers, may discuss with any
599 Board Member the merits of any ITB, RFP, ITN, or other competitive
600 solicitation on which School Board action may be taken. Members of the

601 School Board shall disclose any ex-parte communications in accordance with
602 section 286.0115, Florida Statutes. Such disclosure shall be made before or
603 during the public meeting at which time a vote will be taken on the award of a
604 contract.

605 c. Sealed bids, proposals, or replies received in response to a competitive
606 solicitation are exempt from section 119.07(1), Florida Statutes and section
607 24(a), Article I of the State Constitution until such time as the School Board or
608 authorized designee provides notice of a Decision or Intended Decision or until
609 thirty (30) days after opening the bids, proposals, or final replies, whichever is
610 earlier.

611 d. Any portion of a meeting at which a negotiation with a Proposer is conducted
612 pursuant to a competitive solicitation, at which a Proposer makes an oral
613 presentation as part of a competitive solicitation, or at which a Proposer
614 answers questions as part of a competitive solicitation is exempt from section
615 286.011, Florida Statutes, and section 24(b), Art. I of the State Constitution.
616 Any portion of an evaluation committee meeting at which negotiation
617 strategies are discussed is exempt from section 286.011, Florida Statutes, and
618 section 24(b), Art. I of the State Constitution. A complete recording shall be
619 made of any portion of an exempt meeting. No portion of the exempt meeting
620 may be held off the record.

621 9. **Protests Arising from the Contract Solicitation or Award Process.** This section
622 implements section 120.57(3), Florida Statutes and Fla. Admin. Code Chapter 28-
623 110, Florida Administrative Code.

624 a. **School District's Notice of Decision or Intended Decision.** Pursuant to
625 section 120.57(3), Florida Statutes, the Director of Purchasing shall post
626 notice of a Decision or Intended Decision concerning a solicitation or contract
627 award arising out of the contract solicitation or award process by electronic
628 posting. "Electronic posting" or "electronically post" means the noticing of
629 solicitations, agency decisions or intended decisions, or other matters relating
630 to procurement on a centralized Internet website designated for this purpose.
631 This notice shall contain the following statement: "Failure to file a protest within
632 the time prescribed in section 120.57(3), Florida Statutes, or failure to post a
633 bond or other security required by law within the time allowed for filing a bond
634 shall constitute a waiver of proceedings under Chapter 120, Florida Statutes."

635 b. **Notice of Protest.** In a contract procurement process, any person who is
636 adversely affected by the agency Decision or Intended Decision and intends to
637 protest the Decision or Intended Decision, shall file a notice of protest in
638 writing with the Director of Purchasing within seventy-two (72) hours after the
639 posting of the notice of Decision or Intended Decision. With respect to a
640 protest of the terms, conditions, and specifications contained in a solicitation,

641 including any provisions governing the methods for ranking bids, proposals, or
642 replies, awarding contracts, reserving rights of further negotiation, or modifying
643 or amending any contract, the notice of protest shall be filed in writing within
644 seventy-two (72) hours after the posting of the solicitation.

645 i. A notice of protest should not be filed before the **seventy-two (72)** hour
646 period begins. The **seventy-two (72)** hour period begins upon posting of
647 the Decision or Intended Decision.

648 ii. The notice of protest must be actually received by the Purchasing
649 Department before the **seventy-two (72)** hour period expires. The 72-hour
650 period excludes Saturdays, Sundays, and holidays when the School
651 District administrative office is closed. The 72-hour period is not extended
652 by service of the notice of protest by mail. Failure to timely file a notice of
653 protest shall constitute a waiver of proceedings under this **s**Section and
654 section 120.57(3), Florida Statutes.

655 iii. The notice of protest shall identify the procurement by number and title or
656 any other language that will clearly enable the School District to identify it;
657 and it shall state that the person intends to protest the decision.

658 c. **Formal Written Protest.** The protestor shall file a formal written protest within
659 ten (10) days after the date the notice of protest is filed. Failure to timely file
660 the formal written protest shall constitute a waiver of proceedings under this
661 Policy and section 120.57(3), Florida Statutes. The **ten (10)** day period for filing
662 the petition is not extended by service of the petition by mail.

663 i. The formal written protest shall be a petition that:

664 A. states with particularity the facts and law upon which the protest is
665 based;

666 B. contains all the information specified in F.A.C. Rule 28-106.201(2),
667 **Florida Administrative Code** and Rule 28-106.301(2), **Florida**
668 **Administrative Code**;

669 C. is substantially in the form of petition set forth in F.A.C. Rule 28-
670 110.004(2), **Florida Administrative Code**, naming "The School Board
671 of Palm Beach County, Florida" as the Respondent; and

672 D. should include a request for a hearing involving disputed issues of
673 material fact; or, if the relevant facts are not in dispute, the petition
674 should so allege and request a hearing not involving disputed issues
675 of material fact.

676 ii. Pursuant to F.A.C. Rule 28-110.004(1), **Florida Administrative Code**, if the

677 formal written protest is filed in proper form within the **seventy-two (72)**
678 hour period for filing a notice of protest, the formal written protest will also
679 constitute the notice of protest, and all time limits applicable to a notice of
680 protest are waived and the time limits relative to formal written protests
681 shall apply.

682 iii. **Posting the Bond.** The party protesting the bid specification or
683 recommended award shall be required to post a bond in a form consistent
684 with Rule 28-110.005(2), Florida Administrative Code and timely submit
685 that bond to the School District Purchasing Department.

686 iv. **Bond: Commodities (Other than Lease of Space) and Contractual**
687 **Services (Including Professional Services and Insurance).** Any
688 person who files an action protesting a Decision or Intended Decision
689 pertaining to a solicitation or contract award shall post with the Director of
690 Purchasing, at the time of filing the formal written protest, a bond secured
691 by an acceptable surety company in Florida, payable to "The School
692 Board of Palm Beach County, Florida" in an amount equal to one percent
693 (1%) of the School District's estimate of the dollar value of the proposed
694 contract.

695 A. The School District shall provide the estimated contract amount to
696 the protestor within seventy-two (72) hours (excluding Saturdays,
697 Sundays, and holidays when the School District administrative office
698 is closed) after the filing of the notice of protest. The estimated
699 contract amount is not subject to protest under this Policy or section
700 120.57(3), Florida Statutes. This information may be provided as part
701 of the Decision or Intended Decision documents. In lieu of a bond,
702 the Director of Purchasing may accept a cashier's check, official
703 bank check, or money order in the amount of the bond.

704 B. The bond shall be conditioned upon the payment of all costs and
705 charges which may be adjudged against the protestor in the
706 administrative hearing in which the action is brought and in any
707 subsequent appellate court proceeding.

708 C. If, after completion of the administrative hearing process and any
709 appellate court proceedings, the School Board prevails, it shall be
710 entitled to recover all costs and charges which are included in the
711 final order or judgment, excluding attorney's fees. Upon payment of
712 such costs and charges by the person protesting the Decision or
713 Intended Decision or contract award, the bond, cashier's check,
714 official bank check, or money order shall be returned to the protestor.
715 If, after the completion of the administrative hearing process and any
716 appellate court proceedings, the protestor prevails, the protestor may

717 recover from the School Board the costs and charges which are
718 included in the final order or judgment, excluding attorney's fees.

719 v. **Bond: Construction Purchasing.** Bonds related to cConstruction
720 purchasing are separately governed by Policy 7.10, and protestors
721 regarding competitive procurement related to educational facilities shall
722 be required to post a bond in the amount specified in section 255.0516,
723 Florida Statutes, which also governs recovery of fees and costs including
724 attorney's fees. With respect to a protest of the terms, conditions, and
725 specifications contained in a solicitation, protestors shall post a bond in
726 the amount of one percent (1%) of the School District's estimate of the
727 dollar value of the proposed contract or \$5,000, whichever is greater.

728 d. **Staying the Procurement Process.** Upon timely receipt of the formal written
729 protest petition, the solicitation or contract award process shall be stopped
730 until the subject of the protest is resolved by final agency action, unless the
731 Superintendent sets forth in writing particular facts and circumstances which
732 require the continuance of the solicitation or contract award process without
733 delay in order to avoid an immediate and serious danger to the public health,
734 safety, or welfare.

735 e. **Informal Resolution Meeting.** The Director of Purchasing shall provide an
736 opportunity to resolve the protest by mutual agreement between the parties
737 within seven (7) days (excluding Saturdays, Sundays, and holidays when the
738 School District administrative offices are closed) of receipt of the formal written
739 protest. All affected parties shall be notified of the notice of protest.

740 i. **Hearing.** If the protest is not resolved by mutual agreement within seven
741 (7) days (excluding Saturdays, Sundays, and holidays when the School
742 District administrative offices are closed) after receipt of the formal written
743 protest; and

744 Aii. if there is no disputed issue of material fact, an informal proceeding
745 shall be conducted pursuant to section 120.57(2), Florida Statutes
746 and applicable Board Policies, and may be conducted before an
747 impartial hearing officer who is a member in good standing of The
748 Florida Bar; or

749 Biii. if there is a disputed issue of material fact, in accordance with
750 section 120.569, Florida Statutes, the protest shall be referred within
751 fifteen (15) days after the Director of Purchasing receives the Formal
752 Written Protest to the Division Department of Administrative Hearings
753 (DOAH) for a formal hearing under section 120.57(1), Florida
754 Statutes.

755 ii.iv. As stated in section 120.57(3)(f), Florida Statutes, the burden of proof

- 756 shall rest with the party protesting the proposed agency action.
- 757 A. In any bid-protest proceeding contesting an intended agency action
758 to reject all bids, proposals, or replies, the standard of review shall
759 be whether the School Board's intended action is illegal, arbitrary,
760 dishonest, or fraudulent.
- 761 B. In competitive-procurement protests other than those contesting an
762 intended agency action to reject all bids, proposals, or replies, the
763 hearing officer or administrative law judge will conduct a de novo
764 proceeding to determine whether the School Board's proposed
765 action is contrary to the governing statutes, the School Board's
766 Policies, or the solicitation documents. The standard of proof for such
767 proceedings shall be whether the proposed agency action was
768 clearly erroneous, contrary to competition, arbitrary, or capricious.

769 10. **Authority to Debar or Suspend**

- 770 a. The School Board may suspend a vendor who fails to fulfill any of its duties in
771 a contract. The School Board may reinstate any such vendor when it is
772 satisfied that further instances of default will not occur.
- 773 b. The School Board shall have the authority to debar a vendor for cause from
774 consideration or award of future contracts or subcontracts. The debarment
775 shall be for a period commensurate with the seriousness of the causes,
776 generally not to exceed three (3) years. When the offense is willful or blatant,
777 a longer term of debarment may be imposed, up to an indefinite period. This
778 sanction shall be imposed only when it is in the best interest of the School
779 District and for protection of the public, and not for punishment.
- 780 c. Good cause for Debarment or Suspension include the following:
- 781 i. conviction or civil judgment for commission of a fraud or a criminal
782 offense as an incident to obtaining, attempting to obtain, performing, or
783 making a claim upon any public entity contract or subcontract, or a
784 contract funded in whole or in part with public funds;
- 785 ii. conviction or civil judgment for commission of a fraud or a criminal
786 offense as an incident to obtaining, attempting to obtain, performing, or
787 making a claim upon any private contractor subcontract;
- 788 iii. conviction or civil judgment under state or federal statutes of
789 embezzlement, theft, forgery, bribery, collusion, racketeering, public entity
790 crimes, dishonest services, falsification or destruction of records,
791 receiving stolen property, or any other offense indicating a lack of
792 business integrity or business honesty;

- 793 iv. conviction or civil judgment for violation of state or federal antitrust
794 statutes arising out of the submission of offers, bids, or proposals;
- 795 v. violation of the School Board's Lobbying Policy;
- 796 vi. conviction or civil judgment for violating any federal or state immigration,
797 minimum wage, or any other applicable employment related law;
- 798 vii. violation of contract provisions, as set forth below, of a character which is
799 regarded by the Director of Purchasing to be so serious as to justify
800 debarment action:
- 801 A. failure without good cause to perform in accordance with the terms
802 or specifications of the contract, or within the time limit provided in
803 the contract; or
- 804 B. a record of failure to perform or of unsatisfactory performance in
805 accordance with the terms of one or more contracts; provided that
806 failure to perform or unsatisfactory performance caused by acts
807 beyond the control of the awarded Proposer or vendor doing
808 business with the School District shall not be considered to be a
809 basis for debarment;
- 810 viii. filing a lawsuit against the School Board which a court of competent
811 jurisdiction determines to be frivolous or in bad faith;
- 812 ix. any and all causes for Suspension or Revocation listed in State
813 Requirements for Educational Facilities 4.1(1)(g);
- 814 x. providing anything of value, including but not limited to, a gift, loan,
815 reward, promise of future employment, favor or service to any School
816 District employee, Board member, or member of the evaluation committee
817 for the purpose of influencing the award of a contract or the purchase of
818 items from the vendor; and
- 819 xi. any other cause the Director of Purchasing determines to be so serious
820 and compelling as to affect responsibility as a Palm Beach County
821 Schools awarded Proposer or vendor doing business with the School
822 District, including debarment by another governmental entity for any
823 cause.
- 824 d. Decision. The Superintendent may make a recommendation to the School
825 Board to debar or suspend. The School Board shall approve, reject, or modify
826 this recommendation at a public meeting.
- 827 e. Notice of Decision. A notice of the action taken by the School Board under this

828 Section Paragraph shall be mailed or otherwise furnished immediately to the
829 debarred or suspended person/company and any other party intervening. This
830 notice shall include the following:

831 i. the reasons for the action taken; and

832 ii. the length of time of the debarment.

833 f. Any vendor who is debarred or suspended shall have the right to file a petition
834 for Administrative Hearing pursuant to sections 120.569 and 120.57, Florida
835 Statutes.

836 11. Beneficial Interest Form and Affidavit. Vendors wishing to do business with the
837 School Board must execute PBSD 1997. At all times during the performance of the
838 contract for goods or contractual services, the vendor shall ensure that the
839 information disclosed on such form is current and correct.

840 12. Administrative Procedures

841 Wherever this Policy mentions procedures to be established or implemented by the
842 Superintendent, certain internal operational procedures and guidelines may be set
843 forth in manuals where appropriate. Other more formal procedures when
844 sufficiently developed and solidified, should be recommended to the School Board,
845 where appropriate, for adoption as Policy.

846 13. ~~Delegation of Authority.—As set forth below, the School Board has delegated authority to the Superintendent or~~
847 ~~his/her designee to be responsible for the purchase of the commodities and contractual services for the District~~
848 ~~in compliance with Florida Statutes, State Board of Education Rules, and Board Policy. The Board has also~~
849 ~~delegated limited purchasing authority to Department heads and school principals, as set forth below. Any~~
850 ~~purchases not delegated to department heads, principals, or the Superintendent/designee, must be approved~~
851 ~~in advance by the School Board.~~

852 a. ~~Department Heads.—Authority is vested in the Director of each department to contract for~~
853 ~~contractual services in an amount not to exceed two thousand five hundred dollars (\$2,500).~~
854 ~~(Other purchases of contractual services and all purchases of commodities are subject to~~
855 ~~subsection (1)(c) below.)~~

856 b. ~~School Principals~~

857 i. ~~Authority is vested in the Principal of each school center to contract for contractual services~~
858 ~~in an amount not to exceed two thousand five hundred dollars (\$2,500). (Other purchases of~~
859 ~~contractual services are subject to subsection (1)(c) below.)~~

860 ii. ~~Principals may also approve purchases of commodities which are to be paid from the~~
861 ~~internal funds of the school when the total amount of each purchase does not exceed fifteen~~
862 ~~thousand dollars (\$15,000). (Other purchases of goods are subject to subsection (1)(c)~~
863 ~~below.)~~

864 e. ~~Superintendent/Designee~~

865 i. ~~Authority is vested in the Superintendent or his/her designee to approve consultant~~
866 ~~agreements between two thousand five hundred dollars (\$2,500) and ten thousand dollars~~
867 ~~(\$10,000). However, when the contract amount will exceed \$10,000 for any one fiscal year~~
868 ~~utilizing budgeted funds, the consultant agreement must be approved by the School Board~~
869

- 874 prior to services being provided.
- 875
- 876 ii. ~~Apart from the consultant agreements mentioned in paragraph (1)(c)(i), above, (for which~~
877 ~~the threshold is \$10,000), authority is also vested in the Superintendent or his/her designee~~
878 ~~to:~~
- 879
- 880 A. ~~authorize purchases and award contracts for commodities or contractual services not~~
881 ~~exceeding fifteen thousand dollars (\$15,000);~~
- 882 B. ~~approve or reject purchase requisitions and authorize purchase of commodities and~~
883 ~~contractual services, without regard to dollar amount, when the method used is an~~
884 ~~Invitation to Bid or competitive quotes and the award is based upon lowest bid or~~
885 ~~quote from a responsive and responsible bidder meeting specifications (provided that,~~
886 ~~for purchases in this subparagraph B, prior approval of the Superintendent or Chief~~
887 ~~Operating Officer is required, and a quarterly report of such purchases over \$15,000~~
888 ~~must be provided to the Board); or~~
- 889 C. ~~approve, and award contracts for, exceptional purchases without limitation as to dollar~~
890 ~~amount (apart from any dollar limitation specified in the exemption itself, such as in~~
891 ~~paragraph (2)(c)(v) below). "Exceptional purchases" refers to any purchase of~~
892 ~~commodities or contractual services excepted by law or rule, such as State Board of~~
893 ~~Education Rule 6A-1.012, from the requirements for competitive solicitation.~~
- 894
- 895 14. ~~**Maximum Value.** Pursuant to Fla. Stat. § 1001.51(11)(i), the Superintendent of Schools or his/her~~
896 ~~designee shall, insofar as possible, propose standards and specifications. He or she shall see that the~~
897 ~~purchase or contract conforms to those standards and specifications, and shall take such other steps as~~
898 ~~are necessary to see that the maximum value is being received for any money expended. Insofar as~~
899 ~~practicable, all purchases shall be based on requisitions, and the Superintendent/designee shall certify~~
900 ~~that funds to cover the expenditures under the requisitions are authorized by the budget and have not~~
901 ~~been encumbered.~~
- 902
- 903 a. ~~**Competitive Quotes.** Competitive quotes shall be requested from three (3) or more sources for~~
904 ~~commodities and contractual services when requisitioning any item or group of similar items~~
905 ~~exceeding ten thousand dollars (\$10,000) except as exempted by State Board of Education Rule~~
906 ~~6A-1.012 or other applicable laws.~~
- 907
- 908 b. ~~**Bids/Proposals.** Bids/proposals shall be requested from three (3) or more sources for~~
909 ~~commodities and contractual services when requisitioning any item or group of similar items~~
910 ~~exceeding twenty-five thousand dollars (\$25,000) or as otherwise set by the threshold amount in~~
911 ~~Fla. Stat. § 287.017 for Category Two, except as exempt by State Board of Education Rule 6A-~~
912 ~~1.012 or other applicable laws. However, for the purchase of items covered under the Federal~~
913 ~~Assistance Programs, the threshold shall be ten thousand dollars (\$10,000) or as otherwise~~
914 ~~required under federal regulations.~~
- 915
- 916 i. ~~In acceptance of bids, the School Board (or the Superintendent/designee, for purchases~~
917 ~~delegated to him or her) shall accept the lowest bid from a responsive and responsible~~
918 ~~bidder.~~
- 919
- 920 ii. ~~However, the School Board (and the Superintendent/designee, for purchases delegated to~~
921 ~~him or her) shall have the authority to reject any or all bids and request new bids.~~
- 922
- 923 e. ~~**Other Options.** As provided in State Board of Education Rule 6A-1.012 or other laws, in addition~~
924 ~~to the methods described in subsections (2)(a) and (b), the Board (or the~~
925 ~~Superintendent/designee, for purchases delegated by Section (1)):~~
- 926
- 927 i. ~~shall have the option to purchase under the current contracts as may be established for any~~
928 ~~state agency whose purchasing agents are authorized to make purchases for the benefit of~~
929 ~~other government agencies within the county, at the prices stated therein (piggybacking), if~~
930 ~~such purchase is to the economic advantage of the School Board, subject to conformance~~
931 ~~of the items of purchase to the standards and specifications prescribed by the~~
932 ~~Superintendent or his/her designee;~~

- 933 ii. ~~may, in lieu of requesting bids from three (3) or more sources, make purchases at the unit~~
934 ~~prices in contracts awarded by other city or county governmental agencies, school boards,~~
935 ~~community colleges, or state university system cooperative agreements, when the~~
936 ~~bidder/awardee of those contracts will permit purchases by the School Board at the same~~
937 ~~terms, conditions, and unit prices awarded in such agency contract, and such purchases~~
938 ~~would be to the economic advantage of the Board;~~
- 939 iii. ~~may, without requesting bids, purchase school buses, equipment, and related contractual~~
940 ~~needs and supplies through the pool purchase provisions of Fla. Stat. § 1006.27;~~
- 941 iv. ~~shall receive and give consideration to the prices available to it under state contracts,~~
942 ~~pursuant to the rules of the Department of Management Services, State Division of~~
943 ~~Purchasing state contracts and may purchase from these contracts without requesting bids;~~
- 944 v. ~~may use prices established by the State Division of Purchasing through its state negotiated~~
945 ~~price schedule (SNAPS) (or similar successor State program), provided such use will be~~
946 ~~limited to \$150,000 (or the prescribed limit of similar successor State program);~~
- 947 vi. ~~may waive the requirements for competitive quotes or requesting bids for the purchase of~~
948 ~~professional or educational services, educational tests, textbooks, printed instructional~~
949 ~~materials, computer software, films, filmstrips, videotapes, disc or tape recordings, or similar~~
950 ~~audio-visual materials, and for library and reference books, and printed library cards where~~
951 ~~such materials are purchased directly from the producer or publisher, the owner of the~~
952 ~~copyright, an exclusive agent within the state, a governmental agency or a recognized~~
953 ~~educational institution;~~
- 954 vii. ~~may enter into negotiations with suppliers of commodities and contractual services and~~
955 ~~execute contracts under terms and conditions as determined to be in the best interests of~~
956 ~~the school system, when bids have been requested in the manner prescribed and no valid~~
957 ~~or acceptable firm bid has been received within the prescribed time;~~
- 958 viii. ~~may, except as otherwise required by statute, enter into direct negotiations and contract with~~
959 ~~a vendor or supplier that best meets the needs of the School District when acquiring~~
960 ~~insurance, entering risk management programs, or contracting with third party~~
961 ~~administrators. An exception to this option is for employee group insurance that must be~~
962 ~~competitively selected;~~
- 963 ix. ~~may, when acquiring information technology resources pursuant to SBER 6A 1.012(10) by~~
964 ~~purchase, lease, lease with option to purchase, rental or otherwise, make the technology~~
965 ~~acquisition either through competitive bids or by direct negotiation with a vendor or supplier,~~
966 ~~as best fits the needs of the District as determined by the Board; or~~
- 967 x. ~~may purchase commodities and contractual services available only from a single source if it~~
968 ~~is determined that such commodities or services are available only from a single source and~~
969 ~~such determination is documented pursuant to Fla. Stat. § 287.057(5)(e).~~

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971 d. ~~Online and Electronic Procurement~~

- 972 i. ~~The Superintendent or his/her designee will receive and give consideration to the prices~~
973 ~~available through the use of the program for online procurement of commodities and~~
974 ~~contractual services under the rules of the Department of Management Services, Division of~~
975 ~~Purchasing, as well as other opportunities for online procurement as may be available, such~~
976 ~~as reverse auctioning.~~
- 977 ii. ~~The Superintendent or his/her designee may utilize any appropriate electronic methods,~~
978 ~~such as procurement cards, to purchase commodities and contractual services as deemed~~
979 ~~to be in the best interest of the District and consistent with the other parts of this Policy.~~
980 ~~Selected staff will be eligible to use a District purchasing card upon approval by the~~
981 ~~Superintendent/designee of the prospective user's signed Purchasing Card Application~~
982 ~~(PBSD 2076) and Cardholder Acceptance Guidelines and Contract (PBSD 2077), which~~
983 ~~contain the appropriate use standards and procedures. Pursuant to form PBSD 2077, each~~
984 ~~user shall acknowledge, by signing the Application and Acceptance Guidelines and~~
985 ~~Contract, that the user must reimburse the District for any misuse of the purchasing card~~
986 ~~and that a violation of those standards and procedures will be cause for discipline up to and~~
987 ~~including termination.~~
- 988 iii. ~~The Superintendent shall develop procedures for any online and electronic purchasing~~
989 ~~methods utilized. Such procedures may be disseminated through a Bulletin and a summary~~
990 ~~of the standards and guidelines should be included in a future revision of this Policy.~~
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- e. ~~Advance Payments. With adequate safeguards to ensure that the commodities or contractual services will be provided, the Board, or the Superintendent/designee pursuant to the Board's delegation of authority in Section (1) above, may make advance payments:~~
 - i. ~~pursuant to Fla. Stat. § 216.181(16)(b) under certain contracts with other governmental agencies or not for profit corporations;~~
 - ii. ~~consistent with Fla. Stat. § 215.422(14) for maintenance agreements, software license agreements, subscriptions, contracts to reserve space, and certain other commodities, when advance payment will result in a savings to the District equal to or greater than the amount the District would earn by investing the funds and paying in arrears, or where those items are essential to the operation of the District and are available only if advance payment is made; or~~
 - iii. ~~in accordance with Policy 6.01 regarding certain employee travel expenses.~~

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15. ~~Integrity of the Award Process~~

- a. ~~Once the bid or RFP is released, no bidder or individuals acting on behalf of the bidder or offeror shall lobby District personnel or School Board members. Lobbying School Board members or District personnel will result in rejection/disqualification of said bids or RFPs. For purposes of this Policy, "lobbying" is defined as any action taken by an individual, firm, association, joint venture, partnership, syndicate, corporation and all other groups who seek to influence the governmental decision of a Board member or District personnel after the release of the bid or RFP and prior to time that an award recommendation is posted.~~
- b. ~~After the award is posted, any persons including bidders, or those acting on behalf of the bidders may discuss with any Board Member the merits of any bid or RFP on which Board action may be taken. Board members shall disclose any ex-parte communications in accordance with Fla. Stat § 286.0115. Such disclosure shall be made before or during the public meeting at which time a vote will be taken on the award of a contract. This will allow persons who may have opinions contrary to those expressed during any ex-parte communications to have a reasonable opportunity to respond to those communications.~~

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16. ~~Protests Arising from the Contract Solicitation or Award Process.~~ This section implements Fla. Stat. § 120.57(3) and Fla. Admin. Code Chapter 28-110.

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a. ~~Definitions~~

- i. ~~As used in this Section, the term "decision or intended decision" includes, pursuant to F.A.C. Rule 28-110.002(2):~~
 - A. ~~the notice of posting of the contents of an ITB or an RFP or other specifications, including addenda;~~
 - B. ~~a determination that a specified procurement can be made only from a single source;~~
 - C. ~~the approval of procurement by negotiation;~~
 - D. ~~the rejection of a bid or proposal, or all bids or proposals, or a request to approve a single source or negotiation; or~~
 - E. ~~the intention to award a contract as indicated by a posted bid or proposal tabulation or other written notice.~~
- ii. ~~As used in this Section, the term "contract procurement process" has the same meaning as "contract bidding process" as used in Fla. Stat. § 120.57(3). This phrase includes procurements by invitation to bid (ITB), request for proposal (RFP), single source approval, and negotiation approval.~~

- b. ~~District's Notice of Decision or Intended Decision.~~ Pursuant to Fla. Stat. § 120.57(3), the District shall provide notice of a decision or intended decision concerning a solicitation, contract award, or exceptional purchase by electronic posting. This notice shall contain the following statement: "Failure to file a protest within the time prescribed in section 120.57(3), Florida

1051 Statutes, shall constitute a waiver of proceedings under chapter 120, Florida Statutes."
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1053 e. ~~Notice of Protest.~~ In a contract procurement process, any person who is adversely affected by
1054 the agency decision or intended decision and intends to protest the decision or intended decision,
1055 must file a notice of protest in writing within seventy-two (72) hours after the posting of the notice
1056 of decision or intended decision. With respect to a protest of the terms, conditions, and
1057 specifications contained in a solicitation, including any provisions governing the methods for
1058 ranking bids, proposals, or replies, awarding contracts, reserving rights of further negotiation, or
1059 modifying or amending any contract, the notice of protest shall be filed in writing within seventy-
1060 two (72) hours after the posting of the solicitation.

1061 i. All notices of protest shall be directed to the Director of Purchasing.

1062 ii. A notice of protest should not be filed before the 72-hour period begins. The 72-hour period
1063 begins upon receipt of a copy of the ITB or RFP; when notice of a single source approval or
1064 disapproval or negotiation approval or disapproval is posted, or otherwise received if not
1065 posted; when a bid or proposal tabulation is posted; or when notice is otherwise received if
1066 not posted.

1067 iii. The notice of protest must be actually received by the Purchasing Department before the
1068 72-hour period expires. The 72-hour period excludes Saturdays, Sundays, and holidays
1069 when the District administrative office is closed. The 72-hour period is not extended by
1070 service of the notice of protest by mail. Failure to timely file a notice of protest shall
1071 constitute a waiver of proceedings under this Section and Fla. Stat. § 120.57(3).

1072 iv. The notice of protest shall identify the procurement by number and title or any other
1073 language that will clearly enable the District to identify it; and it shall state that the person
1074 intends to protest the decision.
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1077 d. ~~Formal Written Protest.~~ The protestor shall file a formal written protest within ten (10) days after
1078 the date the notice of protest is filed. Failure to timely file the formal written protest shall constitute
1079 a waiver of proceedings under this Section and Fla. Stat. § 120.57(3). The 10-day period for filing
1080 the petition is not extended by service of the petition by mail.

1081 i. The formal written protest shall be a petition that:

1082 A. states with particularity the facts and law upon which the protest is based;

1083 B. contains all the information specified in F.A.C. Rule 28-106.201(2);

1084 C. is substantially in the form of petition set forth in F.A.C. Rule 28-110.004(2), naming
1085 "The School Board of Palm Beach County, Florida" as the Respondent; and

1086 D. should include a request for a hearing involving disputed issues of material fact; or, if
1087 the relevant facts are not in dispute, the petition should so allege and request a
1088 hearing not involving disputed issues of material fact.

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1090 ii. Pursuant to F.A.C. Rule 28-110.004(1), if the formal written protest is filed in proper form
1091 within the 72-hour period for filing a notice of protest, the formal written protest will also
1092 constitute the notice of protest, and all time limits applicable to a notice of protest are waived
1093 and the time limits relative to formal written protests shall apply.
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1097 e. ~~Posting the Bond.~~ The protesting party shall be required to post a bond in a form consistent
1098 with F.A.C. Rule 28-110.005(2). A notice of decision or intended decision shall contain this
1099 statement: "Failure to file a protest within the time prescribed in Section 120.57(3), Florida
1100 Statutes, or failure to post the bond or other security required by law within the time allowed for
1101 filing a bond shall constitute a waiver of proceedings under Chapter 120, Florida Statutes."

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1103 i. ~~Bond: Commodities (Other than Lease of Space) and Contractual Services (Including~~
1104 ~~Professional Services and Insurance).~~ Pursuant to Fla. Stat. § 287.042(2)(c), any
1105 person who files an action protesting a decision or intended decision pertaining to a
1106 solicitation or contract award shall post with the Board, at the time of filing the formal written
1107 protest, a bond secured by an acceptable surety company in Florida, payable to The School
1108 Board of Palm Beach County in an amount equal to one percent (1%) of the District's
1109 estimate of the dollar value of the proposed contract.

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- A. ~~The District shall provide the estimated contract amount to the protestor within seventy-two (72) hours (excluding Saturdays, Sundays, and holidays when the District administrative office is closed) after the filing of the notice of protest. The estimated contract amount is not subject to protest under this Policy or Fla. Stat. s. 120.57(3). In lieu of a bond, the Board may accept a cashier's check, official bank check, or money order in the amount of the bond.~~
 - B. ~~The bond shall be conditioned upon the payment of all costs and charges which may be adjudged against the protestor in the administrative hearing in which the action is brought and in any subsequent appellate court proceeding.~~
 - C. ~~Pursuant to Fla. Stat. § 287.042(2)(c), if, after completion of the administrative hearing process and any appellate court proceedings the Board prevails, it shall be entitled to recover all costs and charges which are included in the final order or judgment, excluding attorney's fees. Upon payment of such costs and charges by the person protesting the decision or intended decision or contract award, the bond, cashier's check, official bank check, or money order shall be returned to the protestor. If, after the completion of the administrative hearing process and any appellate court proceedings, the protestor prevails, the protestor may recover from the Board the costs and charges which are included in the final order or judgment, excluding attorney's fees.~~
- ii. ~~**Bond: Competitive Bids for Lease of Space.** Pursuant to Fla. Stat. § 255.25(3)(e), any person who files an action protesting a decision or intended decision pertaining to a competitive bid for space to be leased by the Board shall post with the Board, at the time of filing the formal written protest, a bond payable to The School Board of Palm Beach County in an amount equal to 1 percent of the estimated total rental of the basic lease period or \$5,000, whichever is greater, which bond shall be conditioned upon the payment of all costs which may be adjudged against him or her in the administrative hearing in which the action is brought and in any subsequent appellate court proceeding. If the Board prevails after completion of the administrative hearing process and any appellate court proceedings, it shall recover all costs and charges which are included in the final order or judgment, excluding attorney's fees. Upon payment of such costs and charges by the person protesting the award, the bond shall be returned to him or her. If the person protesting the award prevails, the bond shall be returned to that person and he or she shall recover from the Board the costs and charges which are included in the final order or judgment, excluding attorney's fees.~~
- iii. ~~**Bond: Construction Purchasing.** Construction purchasing is separately governed by Policy 7.10, and protestors regarding competitive procurement related to educational facilities shall be required to post a bond in the amount specified in Fla. Stat. § 255.0516, which also governs recovery of fees and costs including attorney's fees.~~
- f. ~~**Staying the Procurement Process.** Upon timely receipt of the formal written protest petition, the solicitation or contract award process shall be stopped until the subject of the protest is resolved by final agency action, unless the School Board sets forth in writing particular facts and circumstances which require the continuance of the solicitation or contract award process without delay in order to avoid an immediate and serious danger to the public health, safety, or welfare.~~
 - g. ~~**Informal Resolution.** The Director of Purchasing shall provide an opportunity to resolve the protest by mutual agreement between the parties within seven (7) days (excluding Saturdays, Sundays, and holidays when the District administrative office closed) of receipt of the formal written protest. All affected parties shall be notified of the notice of protest.~~
 - h. ~~**Hearing.** If the protest is not resolved informally under subsection (4)(g), the aggrieved party may file a formal written request for an administrative hearing (if such request was not already included in the formal written protest). All procedures as delineated in Fla. Stat. § 120.57(3)(d) (f) and F.A.C. Chapter 28-110 shall be followed.~~
 - i. ~~If there is no disputed issue of material fact, an informal proceeding shall be conducted pursuant to Fla. Stat. § 120.57(2) and applicable Board Policies and may be conducted~~

- 1169 before an impartial hearing officer who is a member in good standing of The Florida Bar.
1170 ii. ~~If there is a disputed issue of material fact, the Board will refer the protest to DOAH for a~~
1171 ~~formal hearing under Fla. Stat. § 120.57(1).~~
1172 iii. ~~As stated in Fla. Stat. § 120.57(3)(f), the burden of proof shall rest with the party protesting~~
1173 ~~the proposed agency action.~~
1174
1175 A. ~~In any bid protest proceeding contesting an intended agency action to reject all bids,~~
1176 ~~proposals, or replies, the standard of review shall be whether the agency's intended~~
1177 ~~action is illegal, arbitrary, dishonest, or fraudulent.~~
1178 B. ~~In competitive procurement protests other than those contesting an intended agency~~
1179 ~~action to reject all bids, proposals, or replies, the hearing officer or administrative law~~
1180 ~~judge will conduct a de novo proceeding to determine whether the Board's proposed~~
1181 ~~action is contrary to the governing statutes, the Board's Policies, or the solicitation~~
1182 ~~specifications. The standard of proof for such proceedings shall be whether the~~
1183 ~~proposed agency action was clearly erroneous, contrary to competition, arbitrary, or~~
1184 ~~capricious.~~
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1186 iv. ~~Valid bid protests, as determined by the Office of the Chief Counsel, shall be reported to the~~
1187 ~~Board at least quarterly.~~
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1189 17. ~~**Debarment.** Pursuant to Fla. Stat. §§ 1001.32(2) and 1001.41(1), and similar to § 287.042(1)(b), the~~
1190 ~~Board shall have the authority to debar a person/company for cause from consideration or award of~~
1191 ~~future contracts. The debarment shall be for a period commensurate with the seriousness of the causes,~~
1192 ~~generally not to exceed three (3) years. When the offense is willful or blatant, a longer term of debarment~~
1193 ~~may be imposed, up to an indefinite period.~~
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1195 18. ~~**Emergency Purchases.** Requests for emergency purchases, as defined in Fla. Stat. § 287.057(5)(a),~~
1196 ~~require the signatures of the initiating administrator and his/her Area/Assistant/Associate Superintendent~~
1197 ~~or Division Head, and approval by the Superintendent or designee(s). Emergency purchases over~~
1198 ~~twenty five thousand dollars (\$25,000) will be reported to the Board at its next business meeting. The~~
1199 ~~vendor and purchase order number will be assigned by the Purchasing Department.~~
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1201 19. ~~**Tracking**~~

- 1202 a. ~~The Director of Purchasing is responsible for tracking of bids/RFPs and other Board awarded~~
1203 ~~contracts to ensure that the amount of purchase orders released does not exceed the budgeted~~
1204 ~~funds approved by the Board.~~
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1206 b. ~~Additionally, purchases of various goods and services made under State Board of Education Rule~~
1207 ~~6A-1.012(4) (State Contracts) and those made by contracts awarded under Rule 6A-1.012(3)~~
1208 ~~(Piggy-Back Bids) shall be tracked and reported to the Board on a quarterly basis.~~
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1210 ~~Definitions. Unless otherwise defined herein, the procurement terms used in this Policy have the meanings set forth~~
1211 ~~in Fla. Stat. § 287.012 where the context allows.~~
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1215 STATUTORY AUTHORITY: Fla. Stat. §§ 1001.41(2); 1001.42 (26)(22) 1001.43(2)
1216 LAWS IMPLEMENTED: Fla. Stat. §§ 119.07(3)(m); 120.57(3); 255.0516;
1217 255.25(3)(d)(c); 286.0115; 287.017(1)(b); 287.042(2)(c); 287.057(5)(a), (5)(c);
1218 1001.32(2); 1001.41(1), (4), (5); 1001.42(10)(i), (j); 1001.51(11)(i); 1006.27; 1010.04;
1219 1011.06
1220 STATE BOARD OF EDUCATION RULE SUPPLEMENTED: Fla. Admin. Code Rule
1221 6A-1.012
1222 ADMINISTRATIVE PROCEDURE ACT RULES SUPPLEMENTED: Fla. Admin.
1223 Code Chapter 28-110

1224 PROCUREMENT GUIDELINES FOR FEDERAL ASSISTANCE PROGRAMS: OMB
1225 Circular A-102; 7 C.F.R. §3016; 7 C.F.R. § 210.21; 7 C.F.R. § 220.16; 7 C.F.R. §
1226 215.14a; 7 C.F.R. § 225.17
1227 HISTORY: 3323, 9340.0, 2/18/72; 12/19/73; 4/6/83; 12/11/91; 11/21/95; 6/3/98; 9/22/99;
1228 5/17/00; 5/24/2004; 12/19/2012

Legal Signoff:

The Legal Department has reviewed proposed Policy 6.14 and finds it legally sufficient for adoption by the Board.

Attorney

Date