

City of Ocoee
Administrative Procedures



Department Name: Finance/Purchasing

Pursuant to City Code: Chapter 21, Purchasing Policy

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ORDINANCE NO. 2017-021

AN ORDINANCE OF THE CITY OF OCOEE, FLORIDA, REPEALING CHAPTER 4 DESIGN BUILD CONTRACTS AND AMENDING CHAPTER 21 OF THE CODE OF ORDINANCES OF THE CITY OF OCOEE REGARDING THE CITY'S PURCHASING POLICY; AMENDING AND RESTATING EXEMPTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF OCOEE, FLORIDA AS FOLLOWS:

SECTION ONE. Authority. The City Commission of the City of Ocoee has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida and Chapter 166, Florida Statutes, and Section C-8E of the Charter of the City of Ocoee.

SECTION TWO. Amended and Restated City Purchasing Policy. Chapter 21 of the Code of Ordinances of the City of Ocoee, Florida, is hereby amended to read as follows:

CHAPTER 21

PURCHASING POLICY

SECTION 21.1 Definitions

- A. **“Commodity”** means any of the various supplies, materials, goods, merchandise, equipment, and other personal property.
- B. **“Invitation to Bid” (ITB)** refers to the formal solicitation of two or more competitive sealed bids. The ITB is used when the City is capable of specifically defining the scope of work for which a commodity, contractual service, or construction service is required or when the City is capable of establishing precise specifications defining the actual commodity, group of commodities, material, or equipment required.
- C. **“Contractor” or “Vendor”** means a party who contracts to sell commodities, construction services, or contractual services to the City.
- D. **“Construction Services”** means the provision of services rendered by individuals and firms to provide labor and materials for the construction, renovation, repair, modification, or demolition of any public infrastructure, building, portion of a building, earthwork, roads, utilities, park, parking lot, public works or other

improvement to real property, in a manner consistent with the construction industry licensure and procurement laws of the State of Florida.

- E. **“Contract”** means a written agreement or purchase order between the City and a vendor detailing the legal responsibilities of both parties in the offer and acceptance of a specific act, usually for the procurement of goods, services, or construction for money or other considerations.
- F. **“Contractual Services”** means only those services rendered by individuals and firms who are independent contractors, and such services may include, but are not limited to, evaluations; consultations; maintenance; accounting; security; management systems; management consultants; educational training programs; research and development studies or reports on the findings of consultants engaged thereunder; and professional, technical, and social services.
- G. **“Emergency Purchase”** means those purchases occurring when certain conditions might adversely affect the life, health, safety, and welfare of City employees or its citizens, or when City property or equipment are endangered, or when it is necessary to maintain or restore vital services, to address non-compliance with Florida Statutes or other regulatory laws and permits, or situations which may cause a major adverse financial impact to the City should immediate action not be taken.
- H. **“Government Contracts”** includes contracts by other governmental agencies to include any political subdivision of the State of Florida or the United States, Special Districts, or special co-operative contracts provided such contracts are the result of a competitive bidding process, of which the City is extended the same terms and conditions, including price, of the contract.
- I. **“Procurement”** means purchasing, renting, leasing, or otherwise acquiring any supplies, services, or construction; includes all functions that pertain to the acquisition of such items, including description of requirements, selection and solicitation of sources, preparation and award of contract, and all phases of contract administration.
- J. **“Professional Services”** means those services rendered by members of a recognized profession, supplied by a licensed or certified person, the performance of which is typically governed by State and Federal laws or professional practice standards.
- K. **“Purchasing Manual”** means the written purchasing procedures and practices which may be promulgated from time to time by the City Manager to implement and adhere to this Chapter.
- L. **“Purchase Requisition”** is a request for a PO to be issued and is required for all items that cannot be purchased using the City’s Purchasing Card.
- M. **“Purchase Order” (PO)** is a signed, numbered document authorizing an employee to purchase goods or services. PO’s are the result of the authorized Purchase Requisition.
- N. **“Purchasing Card”** means a Visa or Mastercard issued to designated employees to be used in compliance with this Chapter and the City’s Purchasing Card Policies and Procedures.

- O. **“Quotation” or “Quote”** is an informal written or verbal price proposal for a commodity or contractual service as stated by the vendor to be used to determine the correct price for purchase.
- P. **“Request for Proposals” (RFP)** refers to the formal solicitation of two or more competitive sealed proposals. The RFP is used when the City cannot specifically define the scope of work for which the contractual service, commodity, or construction is required. The City is requesting that a qualified respondent propose a commodity, contractual service, construction, material, or equipment to meet the specifications of the solicitation document. Each RFP requires a selection committee to score the evaluation criteria, which includes price.
- Q. **“Request for Qualifications” (RFQ)** refers to the formal solicitation of qualification statements for the procurement of professional services and other services requesting qualifications of firms only, and does not consider price in the ranking of firms. Each RFQ requires a selection committee to score the evaluation criteria.

SECTION 21.2 Establishing Purchasing Function

There is hereby established a Purchasing Function within the Finance Department of the City. The Purchasing Agent shall be a budgeted position and shall serve as the central procurement officer of the City.

SECTION 21.3 Authority

Subject to compliance with this Chapter and the City’s Purchasing Manual, the Purchasing Agent or designee is hereby granted authority to purchase or contract for all commodities and contractual services required by the City or other agencies under cooperative purchasing agreements.

SECTION 21.4 Procurement Thresholds

Pursuant to Section 166.241(2), Florida Statutes, the adopted budget must regulate expenditures of the municipality, and an officer of a municipal government may not expend or contract for expenditures in any fiscal year except pursuant to the adopted budget. Unless otherwise provided by Florida Law or other provisions of the Code or waived as provided in this Chapter, all purchases by the City of commodities, contractual services, and construction services shall be processed and approved in accordance with the following procurement thresholds:

Level	Dollar Threshold	Method of Solicitation	Authority to Approve
Level One	Individual Item and/or Total Purchase less than \$5,000.00	One Verbal Quote, City's Purchasing Card should be used when possible.	Department Director or Designee
Level Two	Individual Item and/or Total Purchase \$5,000.00 and over and less than \$10,000.00	Two Written Quotes	Department Director or Designee (Requires City Commission approval for capital items if amount exceeds budgeted amount or has been changed from original budget)
Level Three	Individual Item and/or Total Purchase \$10,000.00 and over and less than \$25,000.00	Three Written Quotes	Purchasing Agent (Requires City Commission approval for capital items if amount exceeds budgeted amount or has been changed from original budget)

Level Four	Individual Item and/or Total Purchase \$25,000.00 and over and less than \$50,000.00	Three Written Quotes	City Manager (Requires award or rejection by the City Commission if the purchase exceeds the original budgeted dollar amount, or has been changed from original budget)
Level Five	Individual Item And/or Total Purchase \$50,000.00 and over	Formal Solicitation	City Commission

SECTION 21.5 Exceptions to Procurement Thresholds

When it is determined to be in the best interest of the City, the procurement thresholds contained in Section 21.4 above may be waived on a case-by-case basis. The authority to waive the procurement thresholds is as follows:

- A. The Purchasing Agent may waive the minimum standards for any commodity or contractual service which is less than \$25,000.00 in value. In such case, the Purchasing Agent shall attach a written explanation for waiver to the purchase order.
- B. The City Manager may waive the minimum standards for any commodity or contractual service which is over \$25,000.00 and less than \$50,000.00 in value. In such case, the City Manager or designee shall file a written explanation for waiver with the Purchasing Agent.
- C. The City Commission may waive the minimum standards for any commodity or contractual service in excess of \$50,000.00.

SECTION 21.6 Emergency Purchases

- A. The Department Director may make Emergency Purchases in accordance to the Authority to Approve provisions of the Procurement Thresholds set forth in Section 21.4, and in accordance with emergency purchasing procedures set forth in the Purchasing Manual. A summary report of all emergency purchases shall be submitted to the City Manager on a monthly basis.

- B. Emergency purchases of \$50,000.00 or more will require that the City Manager or the Department Director inform the City Commission regarding the purchase and the nature of the emergency, by submitting a report, of all such emergency purchases at the next regularly scheduled City Commission meeting following the emergency.

SECTION 21.7 Procedures and Practices

- A. The City Manager is hereby directed to establish a system, or amend the existing system, of uniform procurement procedures and practices to implement this Chapter. The purchasing procedures, as established by the City Manager above, are detailed as part of the Purchasing Manual.
- B. The adoption of a Purchasing Policy shall be made by City Ordinance.
- C. According to the City Charter, the Mayor and City Clerk shall execute all contracts. As set forth in Section 21.4, the purchase of commodities and contractual services with a value less than \$50,000.00 do not require City Commission approval. If a contract is required in connection with such a purchase, then following compliance with Section 21.4, Procurement Thresholds, the Mayor and City Clerk shall execute all such contracts.
- D. Violations: The following actions shall be considered Procurement Violations: Purchases made that are not in compliance with the Procurement Thresholds stated at Section 21.4; splitting a purchase or purchases to circumvent the Procurement Thresholds provided herein; purchases made from merchants that create a Conflict of Interest as this term is defined herein, (including but not limited to authorizing purchases from a company where the employee or the employee's relative has a financial interest); purchases from companies that are not City vendors; inadequate record keeping relating to purchases; and/or failure to properly document purchases.
- E. Conflict of Interest for City Officers and Employees engaged in the selection, award, and administration of City contracts, including contracts supported by a State or Federal award or funding, shall be governed by City Charter Chapter C-56, Personal Financial Interest; Section 3.01, Policy of the City; Section 4.01, Conflict of Interest, City Personnel Rules and Regulations; and Part III, Chapter 112, Florida Statutes, the Code of Ethics for Public Officers and Employees.
- F. Failure to comply with the Purchasing Ordinance or Purchasing Manual is a group I or group II offense as defined in the Personnel Rules and Regulations, and may result in removal of the employee's procurement privileges and other disciplinary actions, up to and including termination, as detailed in the Personnel Rules and Regulations.

G. Federal Grants: All procurements by Federal Grant recipients and sub-recipients shall comply with the provisions of 2 C.F.R. Section 200.317 – 326. All procurement transactions shall be conducted in a manner providing full and open competition consistent with the standards of 2 C.F.R. Section 200.317 – 326.

In the event of a conflict between the City’s Purchasing Policy, codified at Chapter 21 of the City’s Code of Ordinances, and Federal Code, the more restrictive rule shall prevail.

SECTION 21.8 Exemptions

A. The following commodities and contractual services are excluded from the competitive requirements of Section 21.4; however, the “Authority to Approve” provision of Section 21.4 is applicable to such procurements:

- (1) APPRAISAL SERVICES
- (2) CATERING/FOOD
- (3) COLLECTIVE BARGAINING AGREEMENTS
- (4) DUES
- (5) EMPLOYEE SCREENING SERVICES INCLUDING MEDICAL
- (6) ENTERTAINMENT
- (7) FINANCIAL SERVICES
- (8) FREELANCE SERVICES
- (9) LAND PURCHASES
- (10) LEGAL ADVERTISING
- (11) LEGAL SERVICES
- (12) POSTAGE/SHIPPING
- (13) TEMPORARY EMPLOYMENT CONTRACTS
- (14) TRAVEL/TRAINING
- (15) UTILITIES
- (16) VETERINARIAN SERVICES

B. Construction Management and construction program management (to the extent authorized by Section 255.103, Florida Statutes), architectural, engineering, landscape architectural, surveying and mapping services, design criteria professionals, or design-builder services shall be procured in accordance with the requirements of Florida’s Consultant’s Competitive Negotiation Act (CCNA) as set forth in Section 287.055, Florida Statutes, and are excluded from the competitive requirements of Section 21.4.

C. Professional Auditing Services shall be procured in accordance with the requirements of Section 218.391, Florida Statutes, and are excluded from the competitive requirements of Section 21.4. Section 218.391 is short-titled “Auditor Selection Procedures”.

D. Group Insurance for Employees and Public Officers shall be procured in accordance with the requirements of Section 112.08, Florida Statutes, and are excluded from the competitive requirements of Section 21.4. Chapter 112.08 is short-titled “Group insurance for public officers, employees, and certain volunteers; physical examinations.”

SECTION 21.9 Bid Protest Procedures

All Bid Protests shall be submitted to the Purchasing Agent in the following manner:

1. A Bidder **shall** file a written bid protest under this Article or be barred any relief; oral protests shall not be acknowledged.
2. A bid protest **shall** be limited to the following grounds: (a) issues arising from the procurement provisions of the Project Manual, its addenda, and other bidding documents; and/or (b) applicable federal, state, or local law. No bid protest may be based upon questions concerning the design documents (drawings and specifications). The Bidder shall clarify all questions concerning the design documents of the project prior to submitting its bid.
3. The content of the bid protest **shall** fully state the factual and legal grounds for the protest and the legal basis for the relief requested.
4. The bid protest **shall** be filed with the Purchasing Agent not later than five (5) calendar days after the posting of the notice of intent to award or recommendation of award by staff, whichever is earlier.
5. The Purchasing Agent, on behalf of the City, shall make a determination of the merits of the protest not later than five (5) business days after receipt of the protest. If the City denies the protest, the City may proceed with award of the contract unless enjoined by order of a court of competent jurisdiction.

SECTION THREE. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion hereto.

SECTION FOUR. Codification. It is the intention of the City Commission of the City that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the

City; and that sections of this ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "chapter," "section," "article," or such other appropriate word or phrase in order to accomplish such intentions; and regardless of whether such inclusion in the code is accomplished, sections of this ordinance may be renumbered or re-lettered and the correction of typographical errors which do not affect the intent maybe authorized by the City Manager, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION FIVE. Effective Date. This Ordinance shall become effective upon passage and adoption.

PASSED AND ADOPTED this 1st day of August, 2017.

APPROVED:

CITY OF OCOEE, FLORIDA

ATTEST:



Melanie Sibbitt, City Clerk

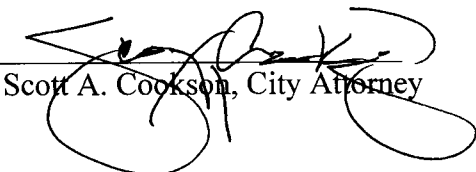


Rusty Johnson, Mayor

ADVERTISED July 20, 2017
READ FIRST TIME
June 18, 2017
READ SECOND TIME AND ADOPTED
August 1, 2017
UNDER AGENDA ITEM NO. 10

**FOR USE AND RELIANCE ONLY
BY THE CITY OF OCOEE,
APPROVED AS TO FORM AND
LEGALITY, THIS 1st day
of August, 2017**

SHUFFIELD, LOWMAN & WILSON, P.A.

BY: 

Scott A. Cookson, City Attorney



SECTION 2

PURPOSE

This Purchasing Manual sets forth the internal procedures of the City establishing proper procurement practices and, together with Chapter 21 of the City's Code of Ordinances, State of Florida Statutes, and Federal Code of Regulations, shall be considered the adopted procurement policy and procedures of the City.

These policies and procedures govern all purchases/procurements by all City personnel.

In the event there is a conflict between this manual and the City's Ordinances, City Ordinances prevail. In the event there is a conflict between this manual and any other City procedures, this manual prevails.

The City shall obtain commodities, contractual services, and construction services at the lowest possible cost without compromising quality.

Procurement activities shall be conducted in a manner such that vendors will value City business and make every effort to furnish commodities, contractual services, and construction services based on quality, service, price, and overall best value to the City while providing for fair and open competition and cultivating community trust in the City's practices.



SECTION 3

CONFLICTS OF INTEREST

Definition

Conflict of Interest for City Officers and Employees engaged in the selection, award, and administration of City contracts, including contracts supported by a State or Federal award or funding, shall be governed by City Charter Chapter C-56, Personal Financial Interest; Section 3.01, Policy of the City; Section 4.01, Conflict of Interest, City Personnel Rules and Regulations; and Part III, Chapter 112, Florida Statutes, the Code of Ethics for Public Officers and Employees.

Policy

No employee or public officer acting in their official capacity shall either directly or indirectly purchase, rent, lease, or participate in the selection, award, and administration of contracts for commodities, contractual services, or construction services for the City from any business entity of which the employee or the employee's relative has a financial interest.

Violations

The following actions shall be considered Procurement Violations: Purchases made that are not in compliance with the Procurement Thresholds stated at Section 21.4; splitting a purchase or purchases to circumvent the Procurement Thresholds provided herein; purchases made from merchants that create a Conflict of Interest as this term is defined herein, (including but not limited to authorizing purchases from a company where the employee or the employee's relative has a financial interest); purchases from companies that are not City vendors; inadequate record keeping relating to purchases; and/or failure to properly document purchases.

Failure to comply with the Purchasing Code or Purchasing Manual is a group I or group II offense as defined in the Personnel Rules and Regulations, and may result in removal of the employee's procurement privileges and other disciplinary actions, up to and including termination, as detailed in the Personnel Rules and Regulations.



SECTION 4

VENDORS

Definition

“Contractor” or “Vendor” is a party who contracts to sell commodities, contractual services, and construction services to the City.

Procedure

It is important to develop and maintain a relationship of mutuality and goodwill between the City and its suppliers. No contract that proves unsatisfactory to the vendor can be regarded as totally satisfactory to the City.

The City should always make a vendor aware of purchasing and payment procedures prior to a purchase. The vendor should contact Purchasing if there is any question or problem with these procedures. Likewise, the user department should contact Purchasing if there is an unsatisfactory condition existing with a vendor.

The City's preference is to deal with vendors who accept the terms and conditions of the City's Purchasing Policy and Procedures. However, it is understood that some mail-order companies and special orders will require advance or deposit payments.

The City's Vendor list is available through the requisition menu of the accounting software and is continually updated. The use of correct name and address of the vendor is the responsibility of the user department when submitting requisitions. The vendor's Standard Industry Commodity Code (SIC) is also available through the requisition menu.

The vendor must complete a vendor application and W-9 form if the vendor wishes to be included on the City's vendor list. A sample copy of the vendor application and w-9 Form is attached to this section and is also available online under the Finance Department section of the City's website. A purchase cannot be made with a vendor who is not currently on the City's vendor list. Vendor purchases made with a purchasing card are excluded from this requirement; for guidance in purchasing card usage see Section 13.

Paragraph (2)(a) of Section 287.133, Florida Statutes:

“A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list”.



SECTION 5 **QUOTATIONS**

Definition

“Quotations” is an informal written or verbal price proposal for a commodity or contractual service as stated by the vendor to be used to determine the correct price for purchase.

Procedure

- Level 1: One (1) verbal quote is required for purchases less than \$5,000.00. The City’s Purchasing Card should be used when possible, in compliance with Purchasing Card Procedures established in Section 13.
- Level 2: Two (2) Written Quotes are required from different vendors for purchases of \$5,000.00 or more and less than \$10,000.00.
- Level 3: Three (3) written quotes are required from different vendors for purchases of \$10,000.00 or more but less than \$25,000.00. The written quotes shall be sent to Purchasing prior to a purchase order being issued.
- Level 4: Three (3) written quotes are required from different vendors for purchases of \$25,000.00 or more but less than \$50,000.00. The written quotes shall be sent to Purchasing for the City Manager’s approval prior to a purchase order being issued.
- At the department’s discretion, written quotes may be obtained by using the attached *quote form*, available as a template in Word, and forwarding to Purchasing for posting on the City’s online bid service, which is the online quote and bid service the City utilizes for bid solicitations.

The above procedure may be waived at the appropriate level:

1) Sole Source Procurements:

- Less than \$25,000.00 may be made upon approval of the Purchasing Agent.
- \$25,000.00 and less than \$50,000.00 may be made upon approval of the City Manager.
- City Commission approval is required for all sole source procurements \$50,000.00 and over.

“Sole Source” procurements are proprietary and used when only one vendor is able to provide commodities, contractual services, or construction services of adequate quality or quantity that meet City’s requirements, or when compatibility with existing systems requires procurement from a single source. Note: A memo of explanation must be sent to the appropriate approval authority along with the requisition

- 2) “Single Source” procurements are preferred vendor procurements. Single source vendor status should be re-evaluated annually. Single source vendors are approved by the City Manager upon evaluation of written justification. Once approved, these vendors are placed on the approved list in Purchasing. Single source vendors should only be used when it is determined that it is in the best interest of the City, based upon price, location, past experience with the City, and other factors All requirements for competition shall be deemed satisfied and no further solicitation of quotes is

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necessary if a procurement is made pursuant to term contracts of the City or by other government contracts to include any political subdivision of the State of Florida or the United States, or special co-operative contracts provided such contracts are the result of a competitive bidding process, and approved for use by other government agencies. A copy of such contract must be attached to the purchase requisition and forwarded to Purchasing.

It is not the intent of this section to circumvent a competitive bidding process required by law or rule by using a sole source contract for commodities or services. Reference Section 838.22 (2), Florida Statutes.



SECTION 6 PURCHASE REQUISITION

Definition

“**Purchase Requisition**” is a request for a PO to be issued and is required for all items that cannot be purchased using the City’s Purchasing Card, refer to Section 13.

Policy

- The City utilizes an electronic requisition process; see the City’s Financial Operating Procedures, to initiate the purchase of most commodities, contractual services, and construction services.
- The mandatory use of the Purchase Requisition provides assurance to the Citizens that a complete review of a pending purchase occurred prior to the expenditure of public funds. The department should anticipate a maximum of five (5) working days to generate the Purchase Order once the properly completed and approved requisition has been received by Finance.
- A check request may be used in compliance with Section 16.

Procedure

The department shall complete a purchase requisition for the purchase of all commodities, contractual services, or construction services as stated in the Policy Section above. The completed requisition must contain sufficient information to identify the type, quantity, and cost of the goods or services being requested, including shipping charges. The following documentation must be attached:

- Quotes
- Contracts
- Evidence of approval to expend another Department’s budget
- Staff Report and Minutes
- Piggyback Contracts
- Insurance Certificates for construction or contractual services

The completed requisition shall be approved by the department director or designee, as listed in writing to the Finance department, and submitted to the Finance department for applicability and budgetary review, **(Computer/Software items must have the Support Services Department’s approval prior to processing)**. Upon verification by the Finance department, the requisition is reviewed by Purchasing for compliance with the City’s Purchasing Code. A Purchase Order is issued (refer to Section7) in compliance with Section 21.4 of the City’s Purchasing Code.

The requisition will be returned to the department within Five (5) business days if not completed correctly.



SECTION 7 PURCHASE ORDER

Definition

The Purchase Order is the legal document authorizing the purchase and subsequent payment for material, supplies, equipment, construction, repairs, and contractual services from a specified vendor. The Purchase Order is a signed, numbered document authorizing an employee to purchase goods or services. PO's are the result of the authorized requisition. The Purchase Order officially notifies the requesting department and the selected vendor that a particular commodity, contractual service, or construction service has been authorized for purchase and states the terms of said purchase. The Purchase Order is a valid document only when authorized by the Purchasing Agent, or designee.

Policy

The Purchase Order shall contain sufficient information to inform the vendor what quantity and unit price shall be accepted, where the products are to be delivered and any other specific requirements expected. The requesting department will submit the signed Receipt of Goods/Department Copy of the PO to Finance indicating that all terms of the Purchase Order have been met and authorizing payment of the related invoice. A check request shall be submitted in lieu of an invoice with the requisition for purchases from a vendor not accepting the City's purchase orders.

Procedure

The Purchase order is issued by Purchasing once the purchase requisition has been successfully processed. Upon approval by the Purchasing Agent, or designee, the Purchase Order is initiated for distribution and use as follows:

STEP 1: Original PO is sent directly to the vendor, initiating the purchase, unless the User department requests it to be returned to them. A copy is retained by Purchasing for the purchasing files. The user department receives a copy, which is used as the Receipt of Goods/Department Copy of the PO.

STEP 2: Commodities, contractual services, or construction services are received by the requesting department with a bill of lading or packing slip.

STEP 3: Vendors are required to send invoices to the Finance Department. **Invoices are required for all payments.** The user department signs the Receipt of Goods/department copy of the PO if the commodities, contractual services, construction services are satisfactory. The signed Receipt of Goods/department copy of the PO along with invoice, and check request if applicable, is returned to the Finance Department authorizing payment to the vendor.

If the invoice is less than the PO amount or exceeds the PO amount, the PO will need to be increased or decreased to match the invoice amount.

How to Amend a Purchase Order: The Department Director sends the request to Finance to amend the PO and indicates the purpose.

All Open Purchase Orders will be closed as of October 31 for the previous fiscal year.



Cancellation

A Purchase Order may be cancelled after issuance for the following reasons:

- Item unavailable - User Department writes VOID across the Receipt of Goods/department copy of the PO after receiving a notification from vendor indicating item unavailable.
- Item no longer needed - Requesting department director documents that commodities, contractual services, or construction services are no longer needed by returning the Receipt of Goods/department copy of the PO with VOID clearly marked on it with the reason for VOID stated. Purchasing VOIDS the Purchase Order. A copy of the voided Purchase Order is sent to the vendor via returned receipt or confirmed delivery.
- Failure of vendor to comply - Purchasing shall inform vendor by certified mail of deficiencies and City's intention to void Purchase Order. Vendor will be given a specific time frame by which to correct any problems. If criterion is not met, Purchase Order is voided. A copy of the voided purchase order is sent to the Vendor.
- Cancellation of the Purchase Order by the City Manager or designated representative - A copy of the voided purchase order is sent to the Vendor via certified mail.



PURCHASE ORDER SECTIONS

- (1) The purchase order number.
- (2) Name and address of vendor to whom the purchase order is directed.
- (3) The address where purchased commodities are to be delivered or where contractual services or construction services are to be performed. Place special delivery instructions in this section.
- (4) Date Purchase Order issued.
- (5) Vendor's performance date. Date items to be received or services performed.
- (6) Method of shipment, if applicable.
- (7) Where/when the title of the goods become City property.
- (8) Time frame for payment of goods/services once accepted by the City.
- (9) Assigned by the computer for electronic requisitions. N/A for manual requisitions.
- (10) Numeric identification assigned to the vendor by the City.
- (11) Vendor's telephone number.
- (12) Vendor's facsimile number.
- (13) The number of items to be purchased.
- (14) The type of unit to be purchased such as each, dozen, pound, ton, yard, job, etc.
- (15) A concise description of the commodities to be purchased or contractual services or construction services to be performed including, but not limited to, model number, color, function, special equipment to be included, etc.
- (16) Cost per type of unit described in #14.
- (17) The total is the quantity (#13) times the unit price (#16) of item(s) to be purchased.
- (18) Total of all money to be expended in this purchase.
- (19) The departmental account number where funds for the purchase are encumbered.
- (20) This instruction is important for vendors to follow. All invoices for purchase orders should be sent directly to Accounts Payable.
- (21) Special Instructions to the Vendor.
- (22) Approval by Purchasing Agent or designee of the City, authorizing the purchase of the commodities, contractual services-, or construction services.

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CITY OF OCOEE
150 N LAKESHORE DR
OCOOE FL 34761-2223

PURCHASE ORDER: 1424304 ①

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***** **VENDOR** *****
WAL-MART COMMUNITY
PO BOX 530933
DEPT 87
ATLANTA GA 30353-0933

***** **DELIVER TO** *****
CITY EMPLOYEE WILL PICKUP W/
PROPER PAPERWORK AND I.D.
POLICE DEPARTMENT

Order# ④ 11.03.2016	Date By ⑤ 11.04.2016	Ship Via ⑥ dest	FOH ⑦ dest	Terms ⑧ NET	Customer No. W005	By VANTHONY
------------------------	-------------------------	--------------------	---------------	----------------	----------------------	----------------

Requisition No. PD001356 ⑨	Vendor No. 21800-1 ⑩	Vendor Phone ⑪ (407)877-6900	Vendor Fax ⑫	Vendor Contact HOMER TORENCE (MANAGER)
-------------------------------	-------------------------	---------------------------------	-----------------	---

No.	Quantity	U/M	Description	Unit Price	Extended	GLL Amount
1 ⑬	1.00	EA ⑭	Gift card for Prize for Poker Tournament ⑮	500.0000 ⑯	500.00 ⑰	114-521-00-8400
2	1.00	EA	Gift card prize for Poker Tournament	250.0000	250.00	114-521-00-8400
** TOTAL **					750.00 ⑱	

VENDOR INSTRUCTIONS: ⑳

- MAIL INVOICES TO: CITY OF OCOEE
ATTN: ACCOUNTS PAYABLE
150 N LAKESHORE DRIVE
OCOOE, FL 34761-2258
- INVOICES AND PACKAGES MUST BEAR THE P.O. NO. ABOVE.
- PURCHASES MAY NOT EXCEED THE TOTAL AMOUNT OF THIS ORDER WITHOUT PRIOR APPROVAL BY THE PURCHASING DEPT.
- ACCEPTANCE OF THIS ORDER INCLUDES ACCEPTANCE OF ALL TERMS, PRICES, DELIVERY INSTRUCTIONS, SPECIFICATIONS AND CONDITIONS.
- STATE TAX EXEMPT #85-8013779974C-0 EIN #89-8018764
- IF YOU HAVE QUESTIONS, PLEASE CALL 407-905-3100 X1523.

SPECIAL INSTRUCTIONS: ㉑

POKER RUN: 11/09/16

[Signature]
Purchasing Agent ㉒



SECTION 8 **BLANKET PURCHASE ORDER**

Definition

A Purchase Order issued to a particular vendor with a time frame and monetary limit up to the Department Director's approval authority for Level One Purchases, for **general recurring miscellaneous items needed on a day- to- day basis by the department**. A Blanket PO is not issued for quantifiable items.

Procedure

The purchase requisition submitted by the department to Finance must clearly indicate the request is for a blanket purchase order. The blanket purchase order shall be issued for a specified amount, contain a description of the types of items which can be purchased, and state an expiration date. Invoices to be paid on the blanket purchase order must indicate the purchase order number on them. **It is the responsibility of the user department to monitor all expenses against the blanket purchase order to ensure the limit is not exceeded.**

Purchase requisitions are submitted to Finance for processing. The purchase order is then prepared in conformance with the procedures in Section 7.

Payments on Blanket Purchase Orders are authorized by the department director or designee by approving **each** invoice for commodities or contractual services and submitting to the Finance Department for payment.



SECTION 9

EMERGENCY PURCHASES

Definition

“Emergency Purchase” means those purchases occurring when certain conditions might adversely affect the **life, health, safety, and welfare** of City employees or its citizens, when City property or equipment are endangered, when it is necessary to maintain or restore vital services, to address non-compliance with Florida Statutes or other regulatory laws and permits, or in situations which may cause a major adverse financial impact to the City should immediate action not be taken.

Authorized User

Any department director upon concurrence of the City Manager.

Procedure

At any time a department director determines an emergency exists requiring an immediate procurement of a commodity, contractual service, or construction service, the department director shall inform the City Manager and obtain verbal approval of the purchase.

By the end of the next working day, the department director shall send a memorandum or e-mail to the City Manager explaining in detail the emergency that existed, the description of the commodity or contractual service that was needed and the estimated cost of the goods or services that were needed. A copy of the purchase requisition appropriately completed for the purchase described must be attached to the memorandum or email. The requisition should clearly state “emergency purchase” in the lines of the PO. A summary report of all emergency purchases shall be submitted to the City Manager on a monthly basis by Purchasing.

The City Manager shall confirm the emergency purchase in writing and direct Purchasing to process an **emergency** purchase order for the commodity or contractual service.

The distribution of the emergency purchase order shall be the same as any other purchase order and authorization to pay shall be the same as any purchase order.

For any emergency purchase exceeding \$50,000.00, the Department Director is required to submit an agenda item at the next regularly scheduled City Commission meeting for approval of the emergency purchase by the City Commission. The agenda item must include the nature of the emergency and all purchases related to the emergency.



SECTION 10 **PURCHASE ORDERS FOR NATURAL DISASTERS**
AND DECLARED EMERGENCIES

Definition

A Purchase Order written to a vendor with a monetary limit and fiscal year time frame for the types of commodities, contractual services, and construction services that the City would most likely use in the event of a natural disaster and/or declared emergency. The Procurement Thresholds of the Purchasing Code and Purchasing Procedures are waived for this type of purchase. **This type of PO is only used when the purchasing card is not accepted.**

During natural disasters, financial systems may not be available making it impossible to use Pcards or other electronic forms of payment. Therefore, it is highly recommended purchase orders be generated for anticipated purchases.

Authorized User

All departments shall coordinate any purchases made during a natural disaster with the City's EOC. Departments must use the City's existing Debris Removal and Monitoring Contracts, see Purchasing Code 21.7 G. Federal Grants.

Procedure

A purchase order for a natural disaster is used in the following manner:

- Ahead of an impending natural, or immediately thereafter, all departments must complete natural disaster purchase orders for those products or services anticipated to be needed to recover from the disaster.
- Purchasing will compile a list of all such purchase orders and, along with copies of those P.O.'s, organize them into departmental folders. Those folders will be provided to the City's Emergency Operations Center (EOC) for reference.
- In the event of a disaster necessitating purchases, each department will coordinate those purchases through the EOC.
- Invoices for purchase made against a natural disaster P.O. must be clearly marked with the name of the disaster as assigned by the Federal Emergency management Association (FEMA) and the Purchase Order Number



SECTION 11 **RECEIVING GOODS OR SERVICES**

Definition

The method by which the City accepts goods or services and initiates payment to the vendor.

Authorized User

All City employees authorized by their department director to accept deliveries of commodities or contractual services.

Policy

The receipt of goods/department copy of the PO will be utilized to ensure that the vendor has complied with **all** terms of the purchasing agreement **prior** to payment.

Payment will not be initiated until this requirement is met.

Procedure

A. For receiving commodities in packages:

1. Examine the package carefully to see if visible damage to the package is present. If visible damage is present, **DO NOT OPEN** the package and **DO NOT ACCEPT DELIVERY**. If already accepted for delivery, notify your department director so that arrangements can be made to return to vendor. Note: All items shipped to City Hall shall be signed for by either the Receptionist or Purchasing. If package is not marked, it will be opened to identify the user department. The user department will be notified the package has been received. The department is responsible for picking up the package and verifying the contents.
2. If no visible damage is seen on the outside of package, look for a packing slip either attached to outside of box or inside of box. Compare packing slip with purchase order as well as contents of package to determine whether all items and quantities listed are there and are in good condition. If items are not there or are damaged, notify department director and make arrangements to ship back to vendor either in whole or part. If acceptable, authorize the receipt of goods/department copy of the PO and give to department director for approval and initiation of payment by Finance Department.
3. Inspection of commodities should be done at time of receipt and the receipt of goods/department copy of the PO forwarded to the Finance Department within two (2) working days.

B. For receiving contractual services:

1. Review agreement with vendor for contractual service to be performed prior to their arrival. Prior to acceptance of such contractual service, be satisfied that they have successfully completed the task.

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2. If you are satisfied that the contractual service has been performed satisfactorily, notify your department director so that initiation of payment can be made.
3. Inspection of contractual services should be done at time of completion and the receipt of goods/department copy of the PO sent to the Finance Department within two (2) working days.

C. Steps for completing the Receipt of Goods/Department copy of the PO:

1. Once the contents of the package(s) are verified or the contractual service has been performed, the receiver must sign under "Received By" line on the receipt of goods/department copy of the PO, and enter the "Date Received". The receipt of goods/department copy of the PO must be forwarded to the Department Director or designee for approval.
2. The Department Director or designee must indicate the "Department" and sign under the "Approved for Payment" section of the receipt of goods/department copy of the PO. The receipt of goods/department copy of the PO, along with any packing slip or invoice, is then forwarded to the Finance Department for payment processing.



SECTION 12 **PARTIAL PAYMENTS - PURCHASE ORDER**

Definition

Authorization to pay vendors a portion of their balance due for commodities, contractual services, and construction services because of partial shipment, back orders, terms of contracts, etc.

Authorized User

Department Director or designee

Application

This method is used when the terms of the agreement with a vendor require partial payments as follows:

- When orders are substantial and some items are back ordered.
- When the department director determines the vendor has delivered enough of the stipulated commodities, contractual services, or construction services and has a written request from the vendor to justify the partial payment.
- Partial Payments are also made on Blanket Purchase Orders.
- Deposits on contracted services for special/specific events as required in the contract.
- City Manager's signature is required for advanced payment prior to receiving goods or services.

NO payment will be made without an invoice.

Procedure

Invoices must be approved by the Department Director and **clearly** marked "Partial" next to the Purchase Order number. An approved **copy** of the receipt of goods/department copy of the PO must accompany all invoices for partial payment and clearly indicate which items have been received.



SECTION 13

PURCHASING CARD

Definition

“Purchasing Card” is a Visa/Mastercard issued to designated employees to be used in compliance with this Chapter and the Purchasing Card Policies and Procedures.

Procedure

Purchasing Card procurements are made in accordance with the *Purchasing Card Policies and Procedures Manual*.

Policy

The Purchasing Card may be used in lieu of the Requisition as defined in the Purchasing Card policy.



SECTION 14

FORMAL/SEALED SOLICITATION METHODS

Definition

An invitation to bid or a request for proposal/qualifications refers to the process of securing two or more competitive sealed bids or proposals submitted by responsive, responsible, and qualified bidders or offerors. The formal/sealed bid process is required for commodities or, contractual services which are anticipated to cost \$50,000.00 or more.

Solicitations do not guarantee an award for business. Contracts for commodities or contractual services will not be awarded until/unless budget authority has been granted at the appropriate level.

Advertising Requirements

Per Section 255.0525, Florida Statutes, the solicitation of competitive bids or proposals for any city construction project that is projected to cost more than \$200,000.00 shall be competitively bid and advertised at least once 21 days prior to bid opening if the project is estimated between \$200,000.00 and \$500,000.00, and advertised at least once 30 days prior to bid opening if the project is estimated to be over \$500,000.00. Refer to Section 15, Other Government Contracts, for more details on satisfying this requirement.

Bonding & Insurance Requirements

Bid Security: Bids for construction or other services that require a bid security, must be accompanied by a Cashier's/Certified Check or company check upon an incorporated bank or trust company, or a Bid Bond in an amount equal to five percent (5%) of the amount of the bid, or other set amount if the bid is not quantifiable. A combination of any of the former is not acceptable. Cash will not be accepted as Bid Security. The bid security is submitted as a guarantee that the respondent, if awarded the Contract, will after written notice of such award, enter into a written Contract with the City and as a guarantee that the respondent will not withdraw its bid for a period of ninety (90) days after the scheduled closing time for the receipt of bids, in accordance with the accepted bid and bid documents. Please note that all checks will be deposited.

If the project is estimated at less than \$100,000, then in lieu of providing a bid bond, the Respondent may provide documentation that their business has been active with the Secretary of the State of Florida for a minimum of three (3) years. Respondent warrants by virtue of bidding the prices in his bid response will be good for an evaluation period of ninety (90) days, from the date of bid opening, and may be extended as determined by the User Department and Purchasing.

Performance and Payment Bond: Section 255.05, Florida Statutes, any contract for the construction of a public building or public work projected to cost more than \$200,000.00 shall be required to furnish a Performance and Payment Bond or substitute an irrevocable letter of credit for same. The City's requirement for performance and payment bonds or irrevocable letters of credit is \$200,000.00, even if using other Government contracts.

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Insurance: The City's standard insurance requirements are required for ALL construction and service contracts.

"Invitation to Bid" (ITB)

ITB refers to the formal solicitation of two or more competitive sealed bids. The ITB is used when the City is capable of specifically defining the scope of work for which a commodity, contractual service, or construction service is required or when the City is capable of establishing precise specifications defining the actual commodity, group of commodities, material, or equipment required.

"Request for Proposal" (RFP)

RFP refers to the formal solicitation of two or more competitive sealed proposals. The RFP is used when the City cannot specifically define the scope of work for which the contractual service, commodity, or construction is required. The City is requesting that a qualified respondent propose a commodity, contractual service, construction, material, or equipment to meet the specifications of the solicitation document. Each RFP requires an evaluation committee to score the proposal based on specific evaluation criteria with price and other factors considered. Members of the evaluation committee will be required to sign a Conflict of Interest statement per Purchasing Code 21.7E.

Note:

Construction Management and construction program management (to the extent authorized by Section 255.103, Florida Statutes), architectural, engineering, landscape architectural, surveying and mapping services, design criteria professionals, or design-builder services shall be procured in accordance with the requirements of Florida's Consultant's Competitive Negotiation Act (CCNA) as set forth in Section 287.055, Florida Statutes.

In addition to the methodology described in the CCNA for competitive selection, the City may solicit design-builder services using the request for proposal method.

"Request for Qualifications" (RFQ)

RFQ refers to the formal solicitation of qualification statements for the procurement of professional services and other services requesting qualifications of firms. Each RFQ requires an evaluation committee to score the qualification statements based on specific evaluation criteria regarding the firm's qualifications only. Members of the evaluation committee are required to sign a Conflict of Interest statement per Purchasing Code 21.7E.

Federal Grants

Federal Grants: All procurements by Federal Grant recipients and sub-recipients shall comply with the provisions of 2 C.F.R. Section 200.317 – 326. All procurement transactions shall be conducted in a manner providing full and open competition consistent with the standards of 2 C.F.R. Section 200.317 – 326. In the event of a conflict between the City's Purchasing Policy, codified at Chapter 21 of the City's Code of Ordinances, and Federal Code, the more restrictive rule shall prevail.



Online Bid Service

The City currently utilizes an online bid service for the posting and distribution of informal and formal bids. The solicitations are posted online and are available by accessing the City's website. Prospective bidders are able to gain faster access to the City's bid documents and addenda by using the City's online bid service. If the bidder subscribes to the City's online bid service, they will be notified of the City's bid opportunities as well as other member governmental agency bid opportunities.

Authorized User

Department Directors initiate the process to advertise for ITBs, RFPs and RFQs once the City Commission approves funding by inclusion in the fiscal year budget or by special approval not included in the budget, (i.e. Finance Director approval). Department Directors will notify Purchasing of the timeline at the beginning of each fiscal year for all items estimated to cost \$50,000.00 or more, or would require a formal solicitation, by completing the attached *bid schedule form*. **Failure to schedule or follow the timeline could result in delays in advertising the formal solicitation.**

Policy

The ITB/RFP/RFQ process is used to ensure a competitive situation with equality, ensuring the citizens of the community the best possible price at the best possible quality on all major purchases. All formal solicitations will be issued by Purchasing.

Procedure

The user department shall prepare the bid specifications with review by Purchasing. If staff is unable to prepare the specifications due to the level of expertise required, the City Manager may authorize assistance from an outside source. Firms that assist in the preparation of the specifications are ineligible to bid on the project.

Purchasing will prepare all ITB/RFP/RFQ packages for distribution to prospective bidders. Purchasing will coordinate with the City Attorney to develop a contract, if required, for inclusion in the bid package. Purchasing will coordinate advertisement with the City Clerk, and bid opening and award dates with the user department director. All ITB's, RFP's, and RFQ's will be sent to the user department director for approval before advertising. The entire bid package must be complete before advertising. The evaluation form for all RFP's or RFQ's shall be completed before advertising.

ALL bids/proposals will be received in the Finance Department and shall be marked with the date and time of receipt by Purchasing. Purchasing shall conduct the bid openings and the user department's director or designee shall be present at all bid openings. Purchasing shall distribute the RFP/RFQ packages to the selection committee within seven (7) working days after the closing date of the RFP/RFQ. All selection committee meetings are noticed on at least one of the following: the City's bulletin board at City Hall, the City's website, Online Bid Service, or OGTV, as they are public meetings and subject to the Sunshine Law.

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It shall be the responsibility of Purchasing and user Department Director to review all bids/proposals and to make sure of the vendor's conformance to the bid/proposal requirements. Purchasing and user department director shall make a recommendation to the City Commission to award the bid/proposal within the timeframe specified in the solicitation document. Failure to award the bid/proposal within the stipulated timeframe will result in all bids/proposals being rejected and the need to re-solicit.

Purchasing shall prepare the Notice of Intent to Award/Staff Recommendation on the City's Online Bid Service. If awarded, Purchasing shall send the Notice of Award to the successful bidder/proposer along with the contract to be signed and bond and/or insurance requirements. After the contract is signed, bonds and insurance received, and bonds recorded with Orange County, Purchasing shall send the Notice to Proceed to the Contractor and shall post the award notice on the City's Online Bid Service. A purchase order shall be issued upon receipt of a requisition from the user department.

Public Records

Pursuant to Section 119.071, Florida Statutes, sealed bids or proposals received by the City pursuant to invitations to bid or request for proposals are not subject to inspection, examination, or copying until such time as the City provides notice of a decision or intended decision or within 30 days after bid or proposal opening, whichever is earlier. The 30-day period does not include the date of the notice or opening. When the invitation to bid or request for proposal requires the bid or proposal to be placed in two separately sealed envelopes to be submitted simultaneously and not opened on the same date, the 30-day period begins the day after the opening of the second envelope.

Bid Protest Procedures

All Bid Protests shall be submitted to the Purchasing Agent in the following manner:

- 1. A Bidder shall file a written bid protest under this Article or be barred any relief; oral protests shall not be acknowledged.
- 2. A bid protest shall be limited to the following grounds: (a) issues arising from the procurement provisions of the Project Manual, its addenda, and other bidding documents; and/or (b) applicable federal, state, or local law. No bid protest may be based upon questions concerning the design documents (drawings and specifications). The Bidder shall clarify all questions concerning the design documents of the project prior to submitting its bid.
- 3. The content of the bid protest shall fully state the factual and legal grounds for the protest and the legal basis for the relief requested.
- 4. The bid protest shall be filed with the Purchasing Agent not later than five (5) calendar days after the posting of the notice of intent to award or recommendation of award by staff, whichever is earlier.
- 5. The Purchasing Agent, on behalf of the City, shall make a determination of the merits of the protest not later than five (5) business days after receipt of the protest. If the City denies the protest, the City may proceed with award of the contract unless enjoined by order of a court of competent jurisdiction.

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No Bid

When no submittals are received for either a competitive sealed bid or proposal, the Department Director or designee shall either re-bid, cancel the proposed procurement, or proceed with procurement pursuant to Chapter 21.5. of the City's Purchasing Code.

Single Bid

If only one response is received, the Department Director shall make the decision whether to open the response or poll the other plan-holders, before canceling the bid and returning the unopened response. If a decision is made to cancel the bid, the unopened response will be returned to the bidder. Depending on the results of the poll of the other plan-holders, the bid documents may be amended to allow for competitive bidding, and re-bid. If the decision is made to open the response, the City Manager or City Commission, depending on approval levels, will make the decision to award or reject the response, in the best interest of the City.



SECTION 15

CONTRACTS

Definition

A contract means a written agreement or purchase order between the City and a vendor detailing the legal responsibilities of both parties in the offer and acceptance of a specific act, usually for the procurement of goods, services, or construction for money or other considerations. A contract shall be used for a commodity, contractual service, construction service and/or where the Purchasing Agent or designee determines that the terms and conditions are complex or incremental or in any other way require a contract. All contracts must be reviewed by Purchasing. Purchasing will forward to the City Attorney for review when applicable. All contracts less than \$50,000 must be approved by the City Manager prior to the Mayor signing using the attached signature page. All contracts of \$50,000 or more must be approved by the City Commission and City Attorney prior to the Mayor signing using the attached standard City signature page.

Pursuant to the City Charter and Chapter 21.7(c) of the Code of Ordinances, "all contracts shall be executed by the Mayor and City Clerk". After compliance with the Procurement Thresholds in 21.4, the contracts must be signed by the Mayor after City Manager's approval or City Commission approval as applicable, and not the user department director or designee.

Term Contracts

Term contracts are required for cumulative, not individual, purchases of \$50,000.00 and over made throughout a fiscal year for the same commodity or service. Term contracts are usually multi-year contracts resulting from a formal competitive sealed bid or proposal. However, term contracts can be developed for purchases less than \$50,000.00 if it is determined to be in the best interest of the City.

Procedure

Purchasing and user department director shall work with the City Attorney to prepare the document detailing the specific terms and conditions of the purchase.

Upon the approval of the contract by the City Commission and the proper execution of the document, copies of the contract are distributed as follows:

- one original to vendor
- one original to City Clerk
- one copy for purchasing files
- one copy to the user department

Other Government Contracts (Piggybacking)

In many instances the item(s) to be bid have already been bid by other governmental agencies to include any political subdivision of the State of Florida or the United States, or special co-operative

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contracts provided such contracts are the result of a competitive bidding process and all terms and conditions are the same. Purchasing and user department director shall review pertinent contract prices currently in force for items to be bid. The department director may recommend to the Purchasing Agent, City Manager or City Commission, whichever is applicable per Section 21.4 Procurement Thresholds, awarding the purchase based upon the other government contract.

Section 255.05, Florida Statutes, any contract for the construction of a public building or public work projected to cost more than \$200,000.00 shall be required to furnish a Performance and Payment Bond or substitute an irrevocable letter of credit for same. The City's requirement for performance and payment bonds or irrevocable letters of credit is \$200,000.00, even if using other Government Contracts. The City's standard insurance requirements are required for ALL construction and service contracts.

Change Orders

A Change Order is a written alteration that is issued to modify or amend a contract or purchase order. A bilateral (agreed to by all parties) or unilateral (government orders a contract change without the consent of the contractor) request that directs the contractor to make changes to the contracted scope of work or specifications. In reference to construction contracts, it relates primarily to changes caused by unanticipated conditions encountered during construction not covered by the drawings, plans, or specifications of the project.

The user department completes the appropriate attached Change Order form according to the amount of the change order. The City Manager or City Commission must approve all change orders upon recommendation by the Department Director, according to their approval authority and accordance with the City's Change Order Forms. Field Supervisors/Managers cannot authorize change orders in the field.



SECTION 16

CHECK REQUEST

A check request is used for purchases of limited goods or services, which do not meet the requirements of a Purchase Order or Purchasing Card, or where the Payee does not accept either a PO or Purchasing Card. These purchases are usually one-time in nature such as a refund or reimbursement, membership dues, awards, subscriptions. If the payee will accept the City issued Purchasing Card that is the preferred method of payment, up to the Purchasing Card Threshold. A Check Request can also be used for a vendor required a deposit for a large purchase when an invoice has not yet been issued, in this case a PO is required and must accompany the Check Request, and must comply with Section 12 Partial Payment Procedures.

Procedure

All data on the Check Request Form should be completely filled out.

Information Required:

- Requestor's Name and Department
- Date Check Request is needed by
- Purpose for the Check Request
- Amount to be paid
- General Ledger Account Number
- Payee name and address
- Department Director Authorization
- Specific handling instruction if necessary

All check requests must have supporting documents such as; order forms, registration forms, invoices, contracts, receipts, etc. when submitted to the Finance Department. Incomplete or inaccurate forms will be returned for correction and resubmission. All check requests need to have the backup document that is to be mailed with the check attached. All checks will be mailed directly from the Accounts Payable Department.



SECTION 17

PETTY CASH

Definition

A method of purchasing incidental items when a vendor will not accept purchasing cards or purchase orders and the cost totals less than \$100.00.

Authorized User

Department Director or designee. The user department director shall authorize the *petty cash voucher*.

Procedure

The Finance Department shall be the sole source of cash funding. When a petty cash purchase is deemed to be necessary, the Department Director or designated representative shall authorize the City employee to make the purchase by approving the petty cash voucher not to exceed \$100.00. Any amount over \$100.00 will require a check request as defined in the Purchasing Manual (per Section 16). The voucher must be reviewed by Finance for budgetary and purchasing applicability prior to cash being given to an employee. The employee receiving the money and making the purchase must sign the petty cash voucher.

General Comments

The petty cash system is designed to fund items such as tolls and parking fees. The petty cash system is not designed to bypass the purchase order process.



SECTION 18

SURPLUS PROPERTY

Definition

Surplus Property means any supplies, vehicles, equipment, or other City property no longer having any useful function to the City. This includes obsolete supplies or equipment, scrap materials, and non-expendable supplies that have completed their useful life cycle and those items turned over to Purchasing for disposition.

Procedure

Purchasing coordinates the periodic surplus auction. A detailed listing of all items, not just capital items, to be declared surplus by the City Commission must be sent to Purchasing in advance of tagging and transporting items to the City's contracted auctioneer service. A surplus vehicle transfer to another department requires City Manager's approval. Items to be traded-in toward another purchase require separate City Commission action by the user department. The City Commission shall be the final authority on disposition of all City surplus property.

The Police Department must follow Florida Statute Section 705 before transferring any unclaimed, lost/found, or abandoned property to the City for disposal.



SECTION 19

SAMPLE FORMS

Form	Page
1. Vendor Application/W9	38
2. Quote Request	40
3. Bid Schedule Form	41
4. Change Order Form – City Manager	43
5. Change Order Form – City Commission	48
6. City Signature Page for Contracts less than \$50,000	53
7. City Signature Page for Contracts \$50,000 and over	54
8. Check Request	55
9. Petty Cash Form	56



VENDOR/BID LIST APPLICATION

The City of Ocoee (City) requires the following information for our vendor/bid list. Please complete the following vendor application in its entirety, along with the attached W-9 form. Return to the Finance Department to ensure placement on the City's vendor/bid list or to the requesting department to ensure placement of a pending order. Note: It is the vendor's responsibility to keep your account current with the City, please notify the City of any subsequent changes to the information furnished below. Your company is subject to removal from the City's active vendor/bid list if the City does not utilize your company's services within three (3) years.

Notice: The City of Ocoee requires all vendors to have an approved procurement instrument (i.e., purchase order, contract, term contract, blanket purchase agreement, City purchasing card, etc.) in place prior to providing goods or services. Entering into contracts verbally or without appropriate authorization is prohibited. Any vendor who delivers services or goods to the City without a proper contract is doing so entirely at their own risk. The City does not pay for goods or services that were provided without the benefit of an approved procurement instrument.

Name of Business _____ Phone # _____

Address _____ Fax # _____

_____ E-Mail _____

Remit to Address _____

(if different) _____

Contact _____

City of Ocoee Occupation License # _____

(Required only for Vendors located within Ocoee City Limits)

Do you accept Purchase Orders for Invoicing? Yes or No

Do you accept VISA® cards? Yes or No ---If yes, what is your Merchant Category Code (MCC Code)? _____ (This code is assigned by your Visa® Processing Company)

Are you a member of Demandstar by Onvia®? Yes or No

What City Department will be utilizing your Commodities/Services *(if known)* _____

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Commodities and/or Services Provided _____

Note: The City of Ocoee utilizes Demandstar by Onvia® for automatic bid and quote notifications. Membership is not required to register as a vendor with the City of Ocoee. Nor is it a requirement to bid on commodities and services for the City. However, membership is a requirement to receive bid and/or quote solicitations from the City. We encourage you to learn more about the Demandstar service by calling toll-free 1-800-331-5537, or visiting www.demandstar.com/supplier. There is a fee for this service. Please visit the City's Bid/Vendor page at www.ocoee.org for more information. Thank you for your interest in doing business with the City of Ocoee.

W-9
 Form (Rev. October 2014)
 Department of the Treasury
 Internal Revenue Service

Request for Taxpayer Identification Number and Certification
 Go to www.irs.gov/FormW9 for instructions and the latest information.

Give Form to the requester. Do not send to the IRS.

1 Name (see shown on your income tax return). Name is required on this line, do not leave this line blank.

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

4 Exemption codes apply only to certain entities, not individuals, see instructions on page 3.

5 Address number, street, and apt. or suite no. (see instructions).

6 City, state, and ZIP code

7 List account number(s) here (optional)

8 Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)
 Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Part II Certification
 Under penalties of perjury, I certify that:

- The name shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

General Instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here Signature of U.S. person Date

Form 1099-DIV (dividends, including those from stocks or mutual funds)



QUOTE REQUEST

Quote Information

Date _____

Quote Name _____

Quote Number FQ-_____

Quote Description _____

Commodity Code _____

or Description _____

Fiscal Year 2017

Quote Due Date _____

Due Time _____

Emergency no yes, explain: _____

Est. Shipping Date _____

Shipping Information Same as Contact Information or

Additional Description _____

Contact Information

Contact _____

Address _____

Phone _____ Fax _____ Email _____



BID SCHEDULE FORM

Please complete the top portion of this form and return to Purchasing for processing. The following information is required for all Commodities and Services, and Construction estimated to cost \$50,000 or more:

Commodity or Service: _____

Estimated Cost: _____

Authorization for Purchase: _____ CIP _____ BUDGET _____ OTHER (explain)

Date Commodity/Service needed: _____ *please note the estimated time period is 90 days for bid & up to 120 days for RFP/RFO, comprised of: 2 weeks for preparation, additional week for advertisement, additional 30 days for solicitation, additional 3-6 weeks for evaluation, reference checks, and City Manager or City Commission approval and contract preparation.*

Failure to schedule or follow the timeline could result in delays in advertising the formal solicitation.

Department Director's Signature _____

Please attach specifications to this form and forward to Purchasing.

FOR PURCHASING USE ONLY

Specifications/Scope of Work attached: _____yes _____no

City of Ocoee
Administrative Procedures



Date Received from Department: _____

Date of Legal Advertisement: _____

Bid Opening Date: _____

(21-30 days depending on dollar amount of project)

Commission Approval Date: _____

(Need Award Recommendation from Dept. CC approval must be within 90/120 days of bid opening date)

Notice of Award Date: _____

(NOA issued after CC approval, allow 10 days for return of signed contract and bonds/insurance)

Contract or PO Date: _____

(Signed by City after Contractor signs. Dept processes requisition)

Notice to Proceed Date: _____

(Purchasing will prepare the NTP after discussion with the user department. Start date determined by Dept. after discussion with Contractor)

Notes: Notice to Proceed can be sent to Contractor by Purchasing or can be delivered to Contractor at the Pre-construction meeting after discussion with the user department (City signs NTP only after recorded bonds/proper insurance is received).



CITY OF OCOEE
150 North Lakeshore Drive
Ocoee, Florida 34761

This Change Order can be authorized by the City Manager
(Less than \$50,000 and up to the budgeted amount of the project)

Project Name _____

CHANGE ORDER NO. ____

DATE: _____ PURCHASE ORDER: _____

The following changes are hereby made to the CONTRACT DOCUMENTS.

Original CONTRACT PRICE	<u>\$0.00</u>
Current CONTRACT PRICE ADJUSTED by previous CHANGE ORDERS	<u>\$0.00</u>
Net Increase (Decrease) Resulting from this CHANGE ORDER	<u>\$0.00</u>
The current CONTRACT PRICE including this CHANGE ORDER	<u>\$0.00</u>

City of Ocoee
Administrative Procedures



Original CONTRACT COMPLETION DATE: [original contract date]

Current CONTRACT COMPLETION DATE adjusted by previous
CHANGE ORDERS [current contract date]

Net Increase Resulting from this CHANGE ORDER [number] days

Current CONTRACT COMPLETION DATE including this
CHANGE ORDER [new contract date]

CHANGES ORDERED:

- I. REQUIRED CHANGES
- II. JUSTIFICATION
- III. NARRATIVE OF NEGOTIATIONS
- IV. PAYMENT
- V. APPROVAL AND CHANGE AUTHORIZATION

The original project and funding allocation was established by issuance of a CITY purchase order, subject to the terms and conditions contained in the CITY's solicitation, Project Manual, Drawings, Specifications, and/or the CONTRACTOR's service and price proposal, which collectively form the terms of an agreement between the CITY and the CONTRACTOR for the performance of the Work. This proposed change to the agreement requires approval by the City Manager under the CITY's Purchasing Rules and Regulations and is consistent with any action by the City Commission to award the Work to the CONTRACTOR. It is expressly understood and agreed that the approval of the Change Order shall have no effect on the original agreement other than matters expressly provided herein.

CONTRACTOR acknowledges, by its execution and acceptance of this Change Order, that the adjustments in contract price and time shown hereon constitute full and complete compensation and satisfaction for all costs and modifications of performance time incurred by the CONTRACTOR as a result

City of Ocoee
Administrative Procedures



of this Change Order. No other claim for increased costs of performance or modifications of time will be granted by the CITY for the Work covered by this Change Order. The CONTRACTOR hereby waives and releases any further claims for cost or time against the CITY arising from or relating to the matters or Work set forth or contemplated by this Change Order.

RECOMMENDED BY:

ACCEPTED BY:

CITY OF OCOEE, FLORIDA

[contractor name]

By: _____
Signature

By: _____
Signature

Date: _____

Date: _____

Title: _____

Title: _____

APPROVED BY:

CITY OF OCOEE, FLORIDA

By: _____
, Department Director

Date: _____

City of Ocoee
Administrative Procedures



By: _____
, Director of Finance

Date: _____

By: _____
, City Manager

Date: _____

By: _____
, Mayor

Date: _____

Attest: _____

, City Clerk

FOR USE AND RELIANCE ONLY BY THE
CITY OF OCOEE, APPROVED AS TO FORM
AND LEGALITY THIS _____ DAY OF
_____, 20__

APPROVED BY THE CITY OF OCOEE
COMMISSION IN A MEETING HELD ON
_____, 20__ UNDER
AGENDA ITEM NO. _____.

By: _____
City Attorney



TABLE 1
Modified Bid Item Quantities & New Bid Items

Item No.	Description	Units	Unit Price	Original Quantity	Revised Quantity	Original Total Price	Revised Total Price	Difference in Price
Subtotal Changes in Bid Quantities								
Subtotal New Pay Items								
Net Change in Contract Price								



CITY OF OCOEE
150 North Lakeshore Drive
Ocoee, Florida 34761

This Change Order Requires Action by the City Commission
(\$50,000 or more OR is over the budgeted amount)

Project Name _____

CHANGE ORDER NO. _____

DATE: _____

PURCHASE ORDER: _____

The following changes are hereby made to the CONTRACT DOCUMENTS.

Original CONTRACT PRICE \$0.00

Current CONTRACT PRICE ADJUSTED by previous CHANGE ORDERS \$0.00

Net Increase (Decrease) Resulting from this CHANGE ORDER \$0.00

City of Ocoee
Administrative Procedures



The current CONTRACT PRICE including this CHANGE ORDER \$0.00

Original CONTRACT COMPLETION DATE: [original contract date]

Current CONTRACT COMPLETION DATE adjusted by previous
CHANGE ORDERS [current contract date]

Net Increase Resulting from this CHANGE ORDER [number] days

Current CONTRACT COMPLETION DATE including this
CHANGE ORDER [new contract date]

CHANGES ORDERED:

- I. REQUIRED CHANGES
- II. JUSTIFICATION
- III. NARRATIVE OF NEGOTIATIONS
- IV. PAYMENT
- V. APPROVAL AND CHANGE AUTHORIZATION

The original project and funding allocation was established by issuance of a CITY purchase order, subject to the terms and conditions contained in the CITY's solicitation, Project Manual, Drawings, Specifications, and/or the CONTRACTOR's service and price proposal, which collectively form the terms of an agreement between the CITY and the CONTRACTOR for the performance of the Work. This proposed change to the agreement requires approval by the City Commission under the CITY's Purchasing Rules and Regulations and is consistent with any prior action by the City Commission to award the Work to the CONTRACTOR. It is expressly understood and agreed that the approval of the

City of Ocoee
Administrative Procedures



Change Order shall have no effect on the original agreement other than matters expressly provided herein.

CONTRACTOR acknowledges, by its execution and acceptance of this Change Order, that the adjustments in contract price and time shown hereon constitute full and complete compensation and satisfaction for all costs and modifications of performance time incurred by the CONTRACTOR as a result of this Change Order. No other claim for increased costs of performance or modifications of time will be granted by the CITY for the Work covered by this Change Order. The CONTRACTOR hereby waives and releases any further claims for cost or time against the CITY arising from or relating to the matters or Work set forth or contemplated by this Change Order.

RECOMMENDED BY: Department Director

ACCEPTED BY:

CITY OF OCOEE, FLORIDA

[contractor name]

By: _____
Signature

By: _____
Signature

Date: _____

Date: _____

Title: _____

Title: _____

APPROVED BY:

CITY OF OCOEE, FLORIDA

City of Ocoee
Administrative Procedures



By: _____
, Mayor

Date: _____

Attest: _____

, City Clerk

FOR USE AND RELIANCE ONLY BY THE
CITY OF OCOEE, APPROVED AS TO FORM
AND LEGALITY THIS _____ DAY OF _____,
_____, 20__

APPROVED BY THE CITY OF OCOEE
COMMISSION IN A MEETING HELD ON
_____, 20__ UNDER
AGENDA ITEM NO. _____.

By: _____
City Attorney

SAMPLE



TABLE 1
Modified Bid Item Quantities & New Bid Items

Item No.	Description	Inits	Unit Price	Original Quantity	Revised Quantity	Original Total Price	Revised Total Price	Difference in Price
Subtotal Changes in Bid Quantities								
Subtotal New Pay Items								
Net Change in Contract Price								



**CITY OF OCOEE SIGNATURE PAGE
FOR COMMODITIES/SERVICES UNDER \$50,000
(Identify Commodity/Services): _____
(Vendor Name): _____**

**APPROVED:
CITY OF OCOEE, FLORIDA**

Robert Frank, City Manager

ATTEST:

Melanie Sibbitt, City Clerk

Rusty Johnson, Mayor

DATE: _____

(SEAL)

Pursuant to City of Ocoee Ordinance No. _____, Section 21.7.

Purchase Order No. _____ or

**City Purchasing Card _____
Department Name**



**CITY OF OCOEE SIGNATURE PAGE
FOR _____**

ATTEST:

Melanie Sibbitt, City Clerk

(SEAL)

APPROVED:

CITY OF OCOEE, FLORIDA

Rusty Johnson, Mayor

DATE: _____

FOR USE AND RELIANCE ONLY BY
THE CITY OF OCOEE, FLORIDA
APPROVED AS TO FORM AND LEGALITY
this ____ day of _____, 2019

APPROVED BY THE OCOEE CITY
COMMISSION AT A MEETING HELD
ON _____, 2019
UNDER AGENDA ITEM NO. _____.

SHUFFIELD, LOWMAN & WILSON, P.A.

BY: _____
Scott A. Cookson, City Attorney



CITY OF OCOEE CHECK REQUEST

Requestor: _____

Date: _____

Department: _____ Date Needed: _____

Purpose of Request: _____

Amount of Check: _____

Account Number: _____

Pay to the Order Of (Name): _____

Address: _____

Department Director Approval _____

Finance Department Approval: _____

Mark Appropriate Box with an X:

Please Mail

Please mail with correspondence (EXTRA COPY ATTACHED)

Please return to: _____



Petty Cash Voucher

Date:	(1)	
Description of Item/Service Purchased (2)	Amount (3)	
Charged to Account: (4)	Total: (5)	
Received by:	(6)	
Approved by Department Director	(7)	Funds Availability:

PETTY CASH VOUCHER SECTIONS

- (1) Date of transaction.
- (2) Description of item or service.
- (3) Amount of described item.
- (4) Budgetary account number item is to be charged to and Finance Department approval.
- (5) Total of all purchases made using funds on this Petty Cash Slip.
- (6) Employee who received the petty cash funds.
- (7) Employee who approved the transaction (Department Director or designee).