

## **LIBERTY COUNTY, FLORIDA**

### **PURCHASING POLICY**

These procurement policies establish procedures and guidelines that shall be used relative to the purchase or procurement of materials and services. All procurement shall be accomplished in compliance with applicable state and federal law.

#### **SECTION 1. APPLICABILITY**

The purchasing rules and regulations adopted by the Liberty County Board of County Commissioners shall be designed consistent with the policies established for procurement of goods and services. Rules, regulations, and procedures shall be adopted and may be amended from time to time by Board of County Commissioners. As such, all procurement activities shall be accomplished in a manner consistent with county policy.

##### **A. AUTHORITY/APPROVALS**

Bids for materials or services shall be awarded to the qualified and responsive bidder who submits the net lowest responsive bid meeting all the purchasing policies of the County. Qualified bidders shall be determined based on the following criteria:

1. Ability to deliver the product or perform the contract in a timely manner and consistent with County requirements.
2. Experience and past performance.
3. Acceptance warranty/guarantee of future maintenance and service.
4. Possession of current licenses and certifications (when applicable).

##### **B. PROCUREMENT**

Procurement shall be made by the following methods, as described below:

#### **PURCHASING AND SIGNATURE AUTHORITY**

The following officials are authorized to purchase materials and services up to the dollar amounts specified below without prior Board of County Commission approval. All other purchases must have prior Board approval:

Chairman	\$25,000.00
Vice-Chairman	\$25,000.00
County Clerk	\$25,000.00
Department Heads	\$25,000.00

DEPARTMENT HEADS are defined as follows:

- 1) Road Superintendent
- 2) EMS Director
- 3) Transit Director
- 4) Emergency Management Director
- 5) County Extension Agent
- 6) Solid Waste Department Director
- 7) Housing Coordinator
- 8) Recreation Director
- 9) Maintenance Director

#### **PURCHASING THRESHOLDS**

The following purchasing thresholds and procedures are established to govern the purchasing of commodities, equipment, and services.

Orders up to \$2,500	No quotes are required. Best practices should be used to ensure a competitive price.
\$2,501 - \$5,000	Verbal Quotes: At least three (3) verbal quotes must be obtained for purchase. If securing three verbal quotes is not possible or practicable, written justification shall be documented.
\$5,001 - \$25,000	Written Quotes: At least three (3) written quotes must be obtained for purchase. If securing three written quotes is not possible or practicable, written justification shall be documented.
Over \$25,000	Formal Competitive Bidding required.

## **FORMAL COMPETITIVE BIDDING PROCEDURES**

### **1) \$25000.00 and more**

All purchases for commodities or services anticipated to exceed \$25000.00 in cost shall be subject to formal competitive bidding. Purchases subject to formal competitive bidding shall be awarded exclusively by the Board of County Commissioners.

### **2) Competitive Bidding Process**

- (a) Public invitation to bid advertisement in a local newspaper at least ten (10) calendar days prior to bid opening date.
- (b) Invitation to bid shall include a general description of the items or services being requested and any other special or unique aspects of the County's requirement.
- (c) Bid submittals shall be sealed and properly identified with a bid number, date and time of bid opening, and addressed to the Clerk of Court, County Courthouse, P.O. Box 399, Bristol, Florida 32321.
- (d) Bids shall be opened and read aloud at the date, time, and location identified in the public invitation to bid announcement. Under no circumstances shall a bid be accepted which arrives after the time and date advertised. All bid proposals shall be duly noted as received and tabulated by the Clerk of Court or Clerk's designee.
- (e) The Board of County Commissioners may reject any and all bids, or negotiate with the low bidder when it is in the best interest of the County to do so. The Board may also waive irregularities in any or all formal bids.
- (f) The Chairman of the Board when authorized by a majority vote of the Board of County Commissioner is authorized to execute contracts.

## **C. BUDGET AMOUNTS**

All purchases or contracts for services must be certified as to availability of funds by the Clerk of the Court prior to award. The Board of County Commissioners may waive this requirement when in its judgment the best interests of the public will be served by so doing.

## **D. AWARD CONSIDERATIONS**

As numerous Liberty County vendors offer products and services utilized by County Government operations, departments are encouraged to contact local vendors in their solicitation of commodities and contractual services. The County, through its authorized agent shall consider all costs (initial and future) when determining the best and lowest bid. Items such as long distance phone calls, travel time, availability of product or service (e.g. delivery time), and down time shall be considered prior to recommendation for award.



**E. PROCUREMENT OF PROFESSIONAL SERVICES**

- 1) Procurement of professional architectural, engineering, landscape, architectural, or land surveying services shall be secured consistent with the Consultants Competitive Negotiation Act (F.S. 287.055), as may be amended from time to time.
- 2) Appraisal, auditing and accounting, financial, outside legal, medical and all other professional consulting services, exclusive legal, medical and all other professional consulting services, exclusive of (1), shall be secured at the discretion of the Board of County Commissioners in the best interest of Liberty County and in accordance with applicable state requirements.
- 3) Planning and/or administration services associated with the use of federal grant funds shall be secured in accordance with applicable state and federal requirements.

**F. BID BONDS**

1. All bids submitted to Liberty County, Florida for construction, improvement, remodeling or repair of public projects, in excess of the amount of \$25,000, shall be accompanied by a bid guaranty in the form of a bid bond in the amount of Five (5%) percent of the bid made payable to the Board of County Commissioners of Liberty County, Florida.
2. A bid submitted to Liberty County, Florida for construction, improvement, remodeling or repair of public projects without being accompanied by a bid bond in the amount of Five (5%) percent of the bid will not be considered as meeting the bid requirements and will not be acceptable to Liberty County and will not be considered for the award of the contract.
3. Prior to the commencement of construction and after award of the bid to the successful bidder or contract, and after receipt of the contract by the successful bidder or contract, the successful bidder or contractor shall return the executed contract to the Board of County Commissioners of Liberty County, Florida within ten (10) days accompanied by a performance bond and payment bond equal to 100% of the amount of the contact price made payable to the Board of County Commissioners of Liberty County, Florida. The Board of County Commissioners of Liberty County, Florida shall have the option of withdrawing the award of the bid if this paragraph is not complied with in all respects.

**G. ATTORNEYS-IN-FACT**

Attorneys-in-fact who sign bid bonds or public construction bonds must file with each bond certified and effective dated copy of their power of attorney.

**H. INSURANCE REQUIREMENTS**

All public construction projects shall require the contractor to secure all insurance requirements in the bid documents and specifically name the county as "additionally insured" on the certificate(s). Insurance requirements shall be set by the Board of County Commissioners and may vary depending on the scope of work. However, they shall never be less than the minimum amounts prescribed by law.

**I. PUBLIC ENTITY CRIME STATEMENT**

Where applicable, contractors and vendors shall be required to submit a Public Entity Crime Statement pursuant to F.S. 287.133.

**J. PUBLIC INSPECTION**

All bid proposals, written quotations, and any associated documents shall be made available to the general public for inspection at any time following the bid opening date and time or deadline.

**K. TIE BIDS**

Whenever two or more bids which are equal with respect to price, quality, and service, other considerations as follows may be used for award consideration:

1. Ability to deliver the product or perform the contract in a timely manner and consistent with county requirements.
2. Experience and past performances.
3. Acceptable warranty/guarantee of future maintenance and service.
4. Possession of current licenses and certifications (when applicable).
5. Compliance with the provisions of the Drug-Free Workplace Act (F.S. 287.087)
6. Other equitable measures, as determined by the County.

**L. NOTICE OF FEDERAL POLICY REQUIREMENTS**

If any contract or purchase of services is being funded in whole or part by assistance from any federal grants, the contract is subject to one or more applicable federal public policy requirement such as:

1. Equal employment opportunity;
2. Affirmative action;
3. Fair labor standards;
4. Energy conservation;
5. Environmental protection; and/or
6. Other similar socio-economic programs.

The County shall include in the contract all appropriate provisions giving the contractor notice of these requirements. Where applicable, the County shall include in the contract provisions the requirement that the contractor give a similar notice to all its subcontractors.

**M. PROTEST**

Any person, company or corporation adversely affected by the decision or intended decision to award shall file a written notice of protest within seventy-two (72) hours after the announcement of bid tabulation and file a formal written protest within ten (10) days after the date of notice of protest was filed. Failure to file notice of protest or failure to file a formal written protest shall constitute a waiver of proceedings. The formal protest shall state with particularity the facts and law upon which the protest is based. All notices of protests shall be filed with the Clerk of Courts.

No notice of protest or formal protest is considered filed until it is formally received in the Clerk of Courts Office within the times specified above.

Within fourteen (14) days following the formal written protest, the County Attorney shall provide an opportunity to resolve the protest by mutual agreement. Any proposed settlement and final decision must be formally approved by the Board of County Commissioners.

## **SECTION II. COMPETITIVE BIDDING WAIVED**

Formal and informal competitive bidding procedures shall be waived when any of the following circumstances exist:

1. When, due to the nature of the service or type of product required, there is no known competition in the market place.
2. When the product is being procured directly from the manufacturer and/or standardization is determined necessary.
3. When purchases are made under the State of Florida or Federal G.S.A contracts
4. When purchases are made utilizing contracts or agreements made by other governmental agencies.
5. When, due to the nature of the product (e.g. fuels and lubricants) no stable pricing market exists, the Board may, by separate resolution, authorize departments to accept short-term bids or negotiate with suppliers for the best pricing.

Adopted by and Approved by the Liberty County Board of County Commissioners during regular session on the 4 day of April 2024.

  
Hannah Causseaux, Chairman

  
County Attorney

  
Clerk of Court