

# Leon County Research and Development Authority

## Policy No. 11-3

Title: Purchasing Policy  
Date Adopted: May 10, 2011  
Date Revised: April 6, 2017  
Effective Date: April 6, 2017

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### 1. PURPOSE

The purpose of Policy No. 11-3, “Purchasing Policy” is to provide guidelines for the purchases of goods and/or services made by or on behalf of the Leon County Research and Development Authority (hereinafter referred to as the “Authority”). Purchases not explicitly covered in these guidelines are to be approved in advance by the Board of Governors (hereinafter referred to as the “Board”).

### 2. SCOPE

This policy applies to:

- a. The Executive Director and other authorized employees of the Authority, as well as individuals or organizations contracted to do business and make purchases on behalf of the Authority; all of whom are defined as “agents”.
- b. The Board.

### 3. PURCHASING CATEGORIES

#### a. Construction of Facilities for Lease to the State

The construction of facilities in connection with the lease of space to executive agencies, departments or other political subdivisions of the State shall be competitively bid in accordance with the requirements of state law, including Section 255.2501, Florida Statutes.

**b. Procurement of Professional Audit Services**

The procurement of professional auditing service as required in Section 218.39, Florida Statutes, shall be procured in compliance with the requirements of Section 218.291, Florida Statutes.

**c. Emergency Purchases**

In the event of an accident or emergency that threatens the safety, financial viability or a substantial loss to the Authority, as determined to exist by the agent and the Chair of the Board, in their reasonable discretion, purchases in any amount may be made by the agent without compliance with the guidelines described above. In making purchases in such an emergency situation, the agent shall, in his or her reasonable discretion, obtain the highest quality goods and services at the lowest cost. Any purchase made pursuant to this paragraph shall be immediately reported in writing to the Board.

**d. Sole Sources**

In the event the Board makes a written determination that a particular good or service, or aggregate thereof, is only available from a single source, such item(s) may be purchased from such source without further compliance with section 3 herein.

**e. Board Contract Approval Only**

The following contracts, or acquisitions of goods or services, require contracts and acquisitions authorized and approved by the Board without further compliance with section 3 herein:

- i. Goods and services acquired through participation in a cooperative purchasing agreement with one or more public entities or pursuant to Chapters 255 and 287 Florida Statutes; or
- ii. Purchases pursuant to grant requirements;
- iii. A project where the contractor or builder has been selected by the Authority's tenant and use of such contractor or builder is a condition of the tenancy if:
  - 1) The estimated costs of construction are reviewed by an architect, if appropriate, selected by the tenant or its agent and such architect certified in writing that such costs are competitive in the market place; and
  - 2) The tenant or contractor or builder is legally obligated for the complete and total repayment of any debt incurred by the Authority in connection with such a project.

- iv. Budgeted grants awarded by the Authority where grantee is determined by an independent panel of judges following a formal selection process;
- v. Insurance procured in accordance with a Broker Agreement with the Authority;
- vi. Changes, amendments or change orders to existing contracts that cumulatively do not exceed 25% of the original contracted value.

**f. All Other Purchases: Dollar Value Categories**

All other purchases shall be based on the dollar value of the purchase. The dollar value of a purchase will be based on the actual or estimated fixed cost of the goods or services for the full term of the agreement. The cost of renewal and option periods is not included in the total dollar value of the purchase if renewal and option periods are at the option of the Authority, or by mutual agreement of the parties. Purchases shall not be split into multiple smaller purchases for the purposes of meeting lower dollar value category purchase requirements. All purchase amounts must be provided for within the annual budget approved by the Board for the current or next fiscal year (where the purchase falls within the next fiscal year); if not, then approval of the Board must be granted prior to procurement.

**i. Not a fixed dollar amount**

Purchases of goods or services not based on a fixed dollar amount, such as commission based or fee for service based on a rate schedule shall be procured as follows:

- 1) General Counsel and Real Estate Broker Services, not based on a fixed dollar amount, shall be competitively procured in accordance with section 3.f.ii.(4) below regardless of the expected dollar value of the services.
- 2) All other goods and services procured, not based on a fixed dollar amount and where the amount cannot be reasonably estimated, shall be procured in accordance with the direction provided by the Board.

**ii. Fixed dollar amount**

**1) Purchases: \$2,500 or Less—Agent Discretion**

For the purchase of goods or services that cost \$2,500 or less, the agent shall, in his or her reasonable discretion, obtain the best quality goods or services at the lowest total cost.

The Executive Director is authorized to execute all contracts required for purchases pursuant to this paragraph.

**2) Purchases: \$2,501 to \$10,000—Written Quotes, Executive Director Approval**

For the purchase of goods or services that cost more than \$2,500, up to and including \$10,000, the agent shall obtain written quotes, from at least three different vendors, for the cost of providing the relevant goods and services. The Executive Director shall, in his or her reasonable discretion, obtain the best quality goods or services at the lowest total cost. The Executive Director has the right, to reject all quotes submitted for a specific purchase pursuant to this paragraph. The Executive Director has the right to accept fewer than three quotes where, in his or her reasonable discretion, legitimate attempts have been made to receive additional quotes, additional vendors are not willing or able to provide a quote(s), and the quote(s) received are reasonable. The Executive Director is authorized to execute all contracts required for purchases pursuant to this paragraph.

**3) Purchases: \$10,001 to \$50,000—Informal Bids, Board Approval**

For the purchase of goods or services that cost more than \$10,000 and up to and including \$50,000, the agent shall endeavor to obtain informal bids, from at least three different vendors, for the cost of providing the relevant goods and services. Informal bids do not require a public notice of intent or formal request for proposal, although specifications for the goods or services to be provided shall be clearly defined, and provided to all solicited bidders. The agent shall solicit informal bids from the vendors that, in the agent's reasonable discretion, will provide the highest quality goods and services at the lowest cost. The Board shall authorize the purchase from the vendor that the Board, in its sound discretion, believes will provide the highest quality goods and services at the lowest cost. The Board has the right, in its sole discretion, to reject all informal bids submitted for a specific purchase pursuant to this paragraph. The Board has the right to accept fewer than three informal bids where, in its judgment, it is in the Authority's best interest to do so. Only the Chair of the Board is authorized to execute contracts required for purchases pursuant to this paragraph.

**4) Purchases: More than \$50,000—Formal RFP Process, Board Approval**

The purchase of goods or services that cost more than \$50,000 shall require prior approval of the Board. Except as otherwise specified in section 3 herein, the Board shall obtain such purchases through competitive procurement. The agent shall draft the

appropriate notice of intent to procure the goods or services, and draft the formal request for proposals which shall contain specifications of the specific goods or service to be purchased, as well as the selection process and criteria to be used for the procurement. The notice of intent and request for proposals shall be approved by the Board. The notice of intent shall then be published in a local newspaper of general circulation approved for legal publication at least once, and posted on the Authority's website at least 20 days before proposals are due. The agent shall endeavor to obtain proposals from at least three different vendors. The Board shall award the contract to the vendor, which the Board, in its reasonable discretion, best meets the criteria contained in the procurement. The Board has the right, in its sole discretion, to reject all proposals submitted for a specific purchase pursuant to this paragraph. The Board has the right to accept fewer than three proposals where, in its judgement, it is in the Authority's best interest to do so. Only the Chair of the Board is authorized to execute contracts required for purchases pursuant this paragraph.

#### **4. Preferences: Local Business, and Disadvantaged Businesses Enterprises**

The Authority shall develop policies and procedures for supporting local and disadvantage business enterprises in its procurement practices.

#### **5. Contracts**

##### **a. Contract Execution**

The Contracts for purchases of goods and services shall only be executed by the Chair of the Board, unless otherwise authorized herein. In accordance with the Authority Bylaws, the Vice Chair may execute contracts if the Chair so designates in specific cases. The Executive Director may authorize and execute the extension and/or renewal of any contact, provided the cost does not change, or the cost was changed in accordance with the existing contract provisions.

##### **b. Term, Extensions/Renewals**

Without prior approval of the Board, the contact term shall be for no more than one year. Contracts may provide for up to two additional one-year extensions. The contracts and performance of vendors retained by the Authority shall be re-procured at least every three years, unless otherwise directed by the Board.

##### **c. Equal Opportunity Provisions**

Each contract or agreement for the purchase of goods or services shall include the following Equal Opportunity provision: "During the performance of this Agreement, the

(vendor) (contractor) (service provider) (other) agrees not to discriminate against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, or national origin.”

**d. Purchases without a contract**

This policy does not preclude the purchase of goods or services without a contract. Contracts are required for purchases where the goods or services will be provided over a future period of time greater than 60 days. One-time purchases of goods or services to be provided within a 60-day future period of time, or on a month-to-month basis, may not require a contract. The Executive Director shall exercise his or her reasonable discretion in the need for a contract for the purchase of goods or services.

**6. Standards of Conduct**

Agents, in the conduct of purchasing of goods and services on behalf of the Authority, shall comply with all applicable Section 112.313, Florida Statutes. No agent shall participate in the conduct of purchasing goods or services where the agent has a conflict of interest, or receives any personal benefit from the purchase of goods or services. The agent shall not accept any gifts or any other form of inducement that would influence the decision of the agent in the conduct of the purchasing goods or services on behalf of the Authority.

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This Purchasing Policy Number 11-3 was adopted by the Leon County Research and Development Authority Board of Governors on May 10, 2011 and revised on April 6, 2017.

Approved  Date 4/6/17  
Anne Longman, Chair  
Board of Governors