
PROCEDURE

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Policy Name: Large Procurement
Policy Number: PR-903
Reviewed Date: 1/14/13, 6/17/16, 3/1/17, 3/22/19
Revision #/Date: (7)/ 9-12-2011 (Originally part of PR-901)
Effective Date: 12/15/2008

Applicable to: All BFP Family of Agencies (FOA) Staff and Contractors

SUBJECT: Procurement of Commodities or Contractual Services over \$250,000.00

PURPOSE: This operating procedure provides guidance for an efficient and effective commodity and/or service procurement program. Products and/or services must be purchased as economically and expeditiously as possible, consistent with good purchasing practices. As stewards of public funds, employees who are authorized to procure services must develop clear, concise conditions and specifications; keep competition fair and open; and remain free from obligations to subrecipient/vendors.

PROCEDURE:

Scope

Brevard Family Partnership (BFP) procures commodities and/or services that are responsive to the needs of the children and families in care and the overall agency business needs. Procurement of these items is in accordance with state and federal laws, and Department of Children and Families contract requirements and BFP policies and procedures as applicable.

BFP plans and coordinates purchases to ensure that quality products and/or services are obtained in a timely manner from responsible agencies on a competitive basis. BFP recognizes that fair and open competition is a basic tenet of public procurement and that competition reduces the appearance and opportunity for favoritism and inspires public confidence.

All procurements must be allowable and necessary for BFP operations. BFP avoids purchasing unnecessary or duplicative commodities or services.

Reference

BFP Policies/Procedures: AP-432, GOV-201, GOV-202, GOV-203, PR-901, PR-902, PR-904, PR-905 and RQ-505
2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
Department of Children & Families Contract with BFP
Florida Statutes: 403.7065, 946

Definitions

Administrative Services: Goods and/or services that are incurred for common or joint objectives and cannot be readily identified with a particular objective for a child or family being served by BFP.

Applicant/Bidder: A contractor (individual or company) which provides information to BFP to be selected to fulfill a procurement.

Child and Family Services: Goods or services that are incurred for a specific purpose or to meet a specific objective identified for a child or family being served by BFP.

Commodity/Good/Product: A tangible article of trade or commerce; a product as distinguished from a service.

Contract: A written agreement between BFP and a subrecipient or subrecipient/vendor for the doing or not doing of something specified which is enforceable by law.

Cost Analysis: The process of examining each element of the estimated or actual cost of a contract performance to determine the probable cost to the subrecipient/vendor.

Large Procurement: Any procurement greater than the Small Purchase Threshold.

Micro-Purchase: The purchase of goods or services which does not exceed \$10,000.00.

Price Analysis: The process of deciding if the asking price for a good or service is fair and reasonable, without using the specific cost and profit calculations of the subrecipient/vendor used in arriving at the price.

Service: The performance of any duties or work for another; helpful or professional activity.

Small Procurement: Any procurement of equal or lesser value of the Small Purchase Threshold.

Small Purchase Threshold: Any procurement in the amount of \$249,999.99 or less.

Subrecipient and/or Vendor: An individual or organization that sells goods or services. Formally defined in PR-902.

General Consideration for Procurements

All provisions of procedure number PR-901: Procurements of Commodities or Services – General, are applicable to procurements of \$250,000.00 or more; i.e. Large Procurements.

Procurements over \$250,000 (Large Procurements)

All procurement of commodities or contractual services which have a value of \$250,000 or more must be bid competitively unless they fall under the exemptions listed in PR 905. All competitive solicitations **require a cost or price analysis** and shall be used as a measurable objective for

award evaluation. Procurements awarded in this category are reviewed for re-procurement as deemed necessary by the CEO but no later than 60 months from the date of each award unless otherwise stipulated by contract.

Written Solicitations:

The process of developing solicitations will include a detailed analysis of the contractual subject; the purpose, needs, priorities, specifications and conditions for delivering the service; and be in line with all applicable laws, rules and operating procedures.

- The solicitation will invite agencies to submit responses to the BFP corporate office by a specified date and time. Any responses received after this may be disqualified.
- The solicitation may include an invitation to submit a response that is addressed to specific agencies if a specialized accreditation, license or service is sought.
- BFP staff may actively seek responses to solicitations. To encourage agency participation, telephone contacts may follow invitations solicited by mail or advertisement, whenever practicable.
- When appropriate, the solicitation may include provisions to allow other CBC organizations to take advantage of the negotiated rates.
- BFP reserves the right to reject any or all responses and this reservation will be indicated in all advertising and invitations. The right to waive minor irregularities in an otherwise valid bid will be reserved.
- Any opportunity for respondents to ask questions will be outlined in the solicitation. Respondents may be asked to submit a letter of intent to apply so additional information could be distributed, might be required to attend a solicitation conference, or may be allowed to ask questions within a specified period of time so that responses can be posted for all applicants to review. The type of solicitation and the timeframe for responses will determine which method will be used.
- It should be noted that the lowest bid will not necessarily be the one selected, cost and service effectiveness are to be the main considerations in the selection process.

Types of Solicitations:

BFP will use three types of competitive procedures to ensure fair and open competition: The Request for Qualifications (RFQ), the Request For Proposal (RFP), and the Invitation To Negotiate (ITN).

- Request for Qualifications – The RFQ is a written request asking potential child & family service subrecipient/vendor to submit statements of qualification. The primary purpose of the RFQ is the following:
 1. To determine if the agency meets any applicable licensing standards.



2. Provides services that meet the Council on Accreditation standards or have a plan to meet them within a reasonable time.
3. Has an ongoing process to measure quality outcomes and consumer satisfaction.
4. Offers services that respect cultural differences.
5. Meets applicable licensing/insurance requirements.

All service subrecipient/vendor that wish to join the subrecipient/vendor network and pursue a contractual relationship for child and family programs or services with BFP will be asked to complete an RFQ. This request is intended to identify and pre-qualify subrecipient/vendor that can offer a continuum of services for children and families in Brevard County. In addition to the narrative addressing the above requirements, agencies are asked to submit an additional list of attachments including the following:

1. Certifications
2. Organization Chart
3. Incorporation, licensing, and accreditation documents.
4. Insurance records showing coverages.
5. Financial reports to include a balance sheet and income statement (or equivalent documents) for the past three operational years.
6. Price list for goods/services to be provided.

The BFP Contracts and Compliance Manager or other designated staff reviews the documents and materials submitted and notify the service subrecipient/vendor within 30 business days if their qualifications have been preliminary accepted.

If a decision is made that the applicant did not submit adequate information as required, BFP will contact the potential subrecipient/vendor in writing to inform them there is missing information and grant 15 business days from the date of notification for them to submit additional data. If no additional information is submitted and/or BFP does not certify that the subrecipient/vendor meets the minimum qualifications to become a member of the subrecipient/vendor network, the BFP Contracts and Compliance Manager or other designated staff will inform the applicant of this decision in writing and provide an opportunity for the failed applicant to file a formal written protest with the BFP Compliance Officer within 5 business days of the date of notification. Date of notification will be defined as the date on the letter of notification. Reference the Appeals Procedure below.

- Request for Proposal - The RFP is a written solicitation for subrecipient/vendor to competitively submit proposals on a specific commodity or service needed by BFP. An RFP allows prospective subrecipient/vendor to propose methods for accomplishing the work in addition to the price. As a result, factors other than price such as experience, organizational

capacity, and work methodology may be considered in the selection of subrecipient/vendor. The purpose of the RFP is to determine if the agency has the experience and resources to deliver the type of services required by BFP.

- Invitation to Negotiate - The ITN is a written solicitation for competitive procurement that will be used when BFP is seeking to identify new and creative solutions to existing service needs. An ITN allows BFP to consider alternative solutions to its needs during the procurement process, to identify a potential subrecipient/vendor, to prepare a budget, and negotiate a price for implementing the service.

Process to Issue Solicitation:

Child and Family Services

The BFP Executive Team is responsible for recommending the type of solicitation to be used in procurement of child and family goods or services in accordance with the needs of the organization. Once a need has been identified, the initiating BFP Executive Team will initiate the procurement process by completing the BFP Solicitation Approval Form. The completed form will be forwarded to the BFP Contracts and Compliance Manager who will then draft the solicitation document, schedule procurement activities, assemble the procurement file, post key actions and decisions, and direct other activities to ensure that the procurement meets all agency policies and service requirements. The procurement file will be maintained as outlined in the Procurement Documentation section in procedure PR-901: Procurement of Commodities or Services - General.

Confirmation of the funding source and availability of funds must be approved in writing by the Senior Executive of Administration prior to issuance of any solicitation by means of the BFP Solicitation Approval Form. Solicitations will be posted in accordance with BFP public records policy.

To ensure the promotion of open and competitive procurement, at a minimum all solicitations will be posted on the BFP website. Solicitations for Large Procurements may be advertised in business journals servicing applicable subrecipient/vendor of services.

Administrative Services

The BFP Executive Team is responsible for recommending the type of solicitation to be used in procurement of administrative goods or services in accordance with the needs of the organization. Once a need has been identified, one or more of the above noted parties will initiate the procurement process by completing the BFP Solicitation Approval Form.

For administrative goods or services to be procured for audit, banking, financial, facility or IT needs, the completed BFP Solicitation Approval Form, which must also be approved by the CEO, will be forwarded to the Chief Financial Officer who will then have drafted the solicitation document, schedule procurement activities, assemble the procurement file, post key actions and decisions, and direct other activities to ensure that the procurement meets all agency policies and service requirements. The procurement file will be maintained as outlined in the Procurement Documentation section below.

For all other administrative goods or services, the completed BFP Solicitation Approval Form will be forwarded to the Contracts and Compliance Manager who will then draft the solicitation

document, schedule procurement activities, assemble the procurement file, post key actions and decisions, and direct other activities to ensure that the procurement meets all agency policies and service requirements. The procurement file will be maintained as outlined in procedure PR-901: Procurements of Commodities or Services – General.

Confirmation of the funding source and availability of funds must be approved in writing by the Chief Financial Officer prior to issuance of any solicitation by means of the BFP Solicitation Approval Form. Solicitations will be posted in accordance with BFP public records policy.

To ensure the promotion of open and competitive procurement, at a minimum all solicitations will be posted on the BFP website. Preferably, all solicitations for Large Procurements will also be advertised in newspapers or business journals servicing applicable subrecipient/vendor of services.

Evaluation of Solicitations:

For both Child and Family and Administrative commodities and/or services, an evaluation team is organized to review all responses for compliance with the specifications as well as to determine whether the responsive bidders met or exceeded the requirements. Evaluation teams have at least “three” members and may include procurement staff, program staff, community representatives, and/or available individuals with expertise. All team members sign a Conflict of Interest form certifying they have no financial or other interest in the Applicant being reviewed and that they may not accept gratuities, favors, or anything of monetary value from any Applicant being reviewed.

Members of the evaluation team individually score the applications according to the criteria set forth in the solicitation and an assigned staff member tabulates the results. The team considers all relevant factors in determining “best value”. It should be noted that the lowest bid will not necessarily be the one selected, but, rather, cost and service effectiveness are to be the main considerations in the selection process.

Recommendations for awards will be reviewed and approved by the CEO as outlined in policy GOV-201: Signatory Authority. Award decisions are posted on the BFP website.

BY DIRECTOR OF THE CHIEF EXECUTIVE OFFICER:



PHILIP J. SCARPELLI
Chief Executive Officer
Brevard Family Partnership Family of Agencies

APPROVAL DATE: 1/31/2020