

**CHILDREN'S TRUST OF ALACHUA COUNTY
RESOLUTION 2021-19**

REVISIONS TO BOARD POLICY CHAPTER 6 - PROCUREMENT

WHEREAS, the Children's Trust of Alachua County (CTAC) has established a Governance Committee to review the policies of the CTAC; and

WHEREAS, the CTAC has adopted procurement policies; and

WHEREAS, the Governance Committee has reviewed the procurement policies and recommended revisions certain revisions;

NOW THEREFORE, be it ordained by the Board of the Children's Trust of Alachua County, in the State of Florida, that CTAC Board Policy Chapter 6, "Procurement", be amended as follows:

SECTION 1: **AMENDMENT** "6.50 Source Selection" of the Children's Trust of Alachua County Board Policies is hereby *amended* as follows:

AMENDMENT

6.50 Source Selection

- A. **Informal Bids.** The informal bidding process applies to all goods and services, except for the purchases of Direct Community Services. The following procedure shall govern in all purchases up to and including \$50,000.00.
1. In the case of purchases of a value not greater than \$5,000 the Executive Director, or designee, shall be authorized to make such purchases on the basis of one telephone or written quotation.
 2. In the case of purchases of a value greater than \$5,000 but less than \$25,000 the Executive Director, or designee, shall be authorized to make such purchases on the basis of two telephone or written quotations.
 3. In the case of purchases of a value greater than \$25,000, but not more than \$50,000.00, the Executive Director, or designee shall be authorized to make such purchases on the basis of three written quotations, whenever possible. If three quotes are not possible, the requisition shall include documentation as to why three quotes were not able to be obtained.
 4. Splitting a transaction into smaller dollar amounts, delaying, staggering purchases, and using multiple staff members to purchase the same or related items to avoid the competitive bid process are serious policy violations. Employees responsible for violating transaction(s) may be subject to disciplinary action up to and including termination.
- B. **Competitive Sealed Bids.**

1. When required. All contracts for purchases in excess of \$50,000.00 shall be awarded on the basis sealed competitive bidding except as otherwise provided in this policy.
2. Invitation to bid—Generally. An invitation to bid shall be issued and shall include bid specifications and all contractual terms and conditions applicable to the procurement.
3. Notice. Adequate public notice of the invitation to bid shall be given a reasonable time prior to the date set forth therein for the opening of bids. Such notice shall involve publication in a newspaper of general circulation a reasonable time prior to bid opening.
4. Opening bids. Bids shall be opened at a noticed public meeting in the presence of the Clerk of the Trust, a representative from the Trust, and one or more witnesses at the time and place designated in the invitation to bid. The amount of each bid, and such other relevant information as may be specified by regulation, together with the name of each bidder, shall be recorded; the record and each bid shall be open to public inspection.
5. Evaluation of bids. Bids shall be unconditionally accepted without alteration or correction, except as authorized in this Code. Bids shall be evaluated based on the requirements set forth in the invitation to bid, which may involve criteria to determine acceptability such as inspection, testing, quality, workmanship, delivery, and suitability for a particular purpose. Those criteria that will affect the bid price and be considered in evaluation for award shall be objectively measured, such as discounts, transportation costs, and total or life cycle costs. No criteria may be used in bid evaluation that are not set forth in the invitation to bid.
6. Bid award. Bids will be awarded to the lowest responsive and responsible bidder.
7. In the evaluation of the bids, all factors in the bidding process being equal, both as to dollar amount and ability to perform, priority will be given first to businesses enterprises headquartered in Alachua County, and secondly, businesses certifying as a drug-free workplace.

C. Competitive Sealed Proposals

1. **Conditions for use.** When the Trust determines that the use of competitive sealed bidding is either not practicable or not advantageous to the Trust, a contract for materials, supplies, services, construction, and equipment may be entered into by the use of competitive sealed proposals. ~~Except as otherwise stated in this policy, contracts for Direct Community Services shall be entered into by the use of a competitive sealed proposal.~~ Some of the considerations as to where this method may be utilized include, but are not limited to, the following:
 - a. Whether or not to utilize a fixed-price or cost-type contract under the circumstances.
 - b. Whether quality, availability, or capability is overriding in relation to price in procurement of services, technical goods, research and

- development, or testing services.
- c. Whether the initial installation needs to be evaluated, together with subsequent maintenance and service capabilities and what priority should be given these requirements in terms of the best interest of the ~~county~~CTAC.
 - d. Whether the market place will respond more favorably to a solicitation permitting not only a range of alternate proposals, but also permitting evaluation and discussion by the Trust with responders before making the award.
 - e. Whether a performance specification is deemed more appropriate than a technical specification, thus taking advantage of vendor expertise and allowing the purchase of standard items available in the market place as opposed to custom-designed.
2. **Solicitation.** Proposals shall be solicited through a request for proposals (RFP), a request for qualifications (RFQ), or an Invitation to Negotiate (ITN).
 3. **Release of Solicitation.** For every competitive sealed proposal, The Trust shall approve the minimum qualifications, the scope of services, the evaluation criteria, and the evaluation team for each competitive procurement opportunity. The Executive Director or their designee will notify, via email, all board members of the release of the solicitation and of the start of the Cone of Silence.
 4. **Public notice.** Adequate public notice of the request for proposals shall be given in the same manner as provided in Section 6.50 (B)(3) for competitive sealed bidding.
 5. **Evaluation criteria.** The request for proposals shall state the relative importance of price and other evaluation factors. The other factors may include the following:
 - a. Price.
 - b. Program Design.
 - c. Quality of goods/services. Such a justification must be verifiable.
 - d. Availability to deliver the goods/services within the required delivery time or service period.
 - e. After sale services, including availability of parts/supplies.
 - f. Previous records of performance and service.
 - g. Ability of bidder to render satisfactory service in this instance.
 - h. Financial stability of the bidder.
 - i. Payment terms.
 - j. Warranty offered.
 - k. Ability to provide samples.

This list is not meant to be comprehensive. The Trust may develop other

evaluation factors as deemed necessary.

6. **Review.** Proposals are independently reviewed and scored by a team of reviewers that may include Trust staff, experts in the field and trained volunteers. Using a standard rating tool, reviewers assess the soundness and completeness of each proposal as well as the vendor's capacity to effectively deliver what is proposed.
7. **Discussion.** Following each reviewer's individual rating, the review team meets in a publicly noticed debriefing meeting to discuss each proposal and assigns a consensus team score, including explanatory comments. Applicants may attend the debriefing meeting as observers. The highest-ranking proposal score does not assure a funding recommendation.
8. **Interview/site visit.** At the Trust's discretion, publicly noticed interviews and/or site visits may be conducted at either the vendor's site or The Trust's offices. Members of the public may attend interviews and/or site visits as observers. The interview/site visit review team may include Trust staff, experts in the field and trained volunteers. Reviewers come to consensus on interview/site visit observations using a standard rating tool and provide input to staff recommendations.
9. **Staff recommendations.** Taking into consideration the above review process results, the Executive Director of The Trust develops a recommendation. When considering Direct Community Services, consideration is also given to factors such as alignment with The Trust's priority investment areas, effective and economical distribution of funding across Alachua County and/or in underserved geographic areas/populations in Alachua County (if applicable), minimizing duplication of efforts, and reasonable program cost for the services and outcomes proposed. Based on consideration of all of the above factors, a recommendation is made to the Board.
10. **Board review and award.** Executive Director recommendations are reviewed and considered by the board at a publicly noticed meeting. Applicants are encouraged to attend these meetings. Board approval of the recommendations will allow the contract negotiation process to begin, in an amount not to exceed the board's approved award. Negotiation may include reframing the proposed services, and adjusting the total allocation, budget or any other changes necessary to comply with the requirements of the solicitation and resulting contract. Any future amendments, extensions or modifications to the contract that would exceed the board's approved award amount or the approved contracting period require further board approval.
11. **Small Provider Agencies.** The Trust may set aside a certain percentage of funds available through a formal competitive procurement opportunity for Direct Community Services for small agencies. The percentage of funds set aside will be determined at by the Trust and included in the release of solicitation documents. The total amount of final awards to small agencies does not have to equal the amount set aside by the Trust in the solicitation

documents.

D. **Sole Source.** A contract may be awarded for a supply, service, material, or equipment without competition when the Executive Director certifies in writing that there is only one source for the required material, supply, service, equipment, or construction item. When over \$50,000.00, such contract shall not be awarded until the same has been approved by the Trust.

E. **Emergency Purchases.**

1. During a state of emergency declared by either the Governor, the County, or the City of Gainesville, the requirements of this Section shall be waived for purchases made pursuant to authority provided in this Section of this Policy.
2. Notwithstanding any other provision of this chapter, the Executive Director may make or authorize others to make emergency purchases when there exists a threat to public health, welfare, or safety under emergency conditions which shall be considered to mean those situations where the operation of the Trust would be seriously impaired if immediate action were not taken. The following procedures shall govern:
 - a. Staff shall make the Executive Director aware of the emergency condition. The Finance and Administration Manager shall obtain the best possible purchase price for the item or service to be purchased by the quickest possible means. Where feasible, an attempt shall be made to obtain three telephone quotes.
 - b. A requisition shall be prepared by the Finance and Administration Manager and a purchase order shall be transmitted to the vendor.
 - c. All emergency purchases shall be accompanied by a written determination of the basis for the emergency which shall be signed by the Finance and Administration Manager and shall be included in the purchase file.
3. In addition to the above requirements any emergency purchase shall also have the following approvals, which apply to all contracts and purchase orders, emergency or otherwise:
 - a. In the case of purchases less than \$50,000.00, the Executive Director or designee, and
 - b. In the case of all purchases over \$50,000.00, the chairman of the Trust.

SECTION 2: **AMENDMENT** “6.80 Special Programs” of the Children's Trust of Alachua County Board Policies is hereby *amended* as follows:

AMENDMENT

6.80 Special Programs

A. ~~Unsolicited Proposals~~

1. ~~**Conditions for use.** Requests for funding submitted by an Agency based solely upon the requester's initiative, and not in response to a formal solicitation or procurement process of The Trust, will be considered for funding on a case-by-case basis following the processes described in this Policy. Unsolicited proposals are anticipated to be rare occurrences.~~
2. ~~**Review.** The Executive Director or designee will review The Trust's contract and fiscal files to determine if there are existing contracts from the same agency and gather any history of previous funding from The Trust.~~
3. ~~**Evaluation.** The Executive Director or designee will consider whether the proposal meets the stated goals and objectives stated by the Trust, whether the services fill a community need, and whether the costs are commensurate with the outcomes proposed by the Agency. The Executive Director may consider other criteria in making a recommendation for funding so long as the criteria is explicitly stated in the recommendation.~~
4. ~~**Recommendation.** Agencies not recommended for funding shall be notified in writing by the Executive Director. Agencies recommended for funding shall be presented to the Board for approval.~~
5. ~~**Contracts.** Agencies awarded funding under this provision shall be contacted in accordance with the policies stated in Section 6.70.~~

B. A. Matching / Leveraged Funds

1. **Conditions for use.** A proposal for match funding may be received by The Children's Trust either when:
 - a. The initial funding proposal is offered to the provider from the primary funding source; or
 - b. After the primary funding source has confirmed the award.
2. **Review.** The Executive Director or designee will review the application for documentation verifying that:
 - a. Match funding is required by the primary funding source.
 - b. Applicant brings new funds to Alachua County (i.e., not simply replacing an existing match or matching local dollars that already exist in the community).
 - c. Applicant provides recurring, sustainable and ongoing resources versus a one-time only match.
3. **Evaluation.** The Executive Director or designee will consider whether the proposal meets the stated goals and objectives stated by the Trust, whether the services fill a community need, and whether the costs are commensurate with the outcomes proposed by the Agency. The Executive Director may consider other criteria in making a recommendation for funding so long as the criteria is explicitly stated in the recommendation.
4. **Recommendation.** Agencies not recommended for funding shall be notified in writing by the Executive Director. Agencies recommended for funding shall be presented to the Board for approval.
5. **Contracts.** Agencies awarded funding under this provision shall be contacted in accordance with the policies stated in Section 6.70.

C. B. Sponsorships

1. **Conditions for use.** Children’s Trust of Alachua County (CTAC) wishes to support local agencies by providing sponsorships for events and activities supporting children and their families. Funds for this special category are limited and denial of any request shall in no way be construed as a reflection on the project submitted or the agency involved.
2. **Review.** The Executive Director or designee will review the application and documentation.
 - a. Submit a letter on the organization’s official letterhead signed by an authorized signer, at a minimum of sixty (60) days, but no more than one-hundred and eighty (180) days in advance of the planned activity.
 - b. Briefly describe the planned event and its relationship to the mission and goals of the CTAC.
 - c. Include information about the purpose/goals of the event, the estimated impact and number of citizens or community members reached.
3. **Evaluation.** The Executive Director or designee will consider whether the proposal meets the goals and objectives stated by the Trust, whether the event activities address a community need, and whether the costs are commensurate with the impact and reach proposed by the Agency. The Executive Director may consider other criteria in making a recommendation for funding so long as the criteria is explicitly stated in the recommendation.
4. **Recommendation.** Agencies not recommended for funding shall be notified in writing by the Executive Director. ~~Agencies recommended for funding shall be presented to the Board for approval.~~ Agencies recommended for funding will be reported to the Board each month on the Consent Agenda.
5. **Payment.** If approved by the Executive Director, the request and backup are provided to the CTAC Finance Department for processing. Checks are mailed to the organization.

PASSED AND ADOPTED BY THE CHILDREN'S TRUST OF ALACHUA COUNTY BOARD _____.

| | AYE | NAY | ABSENT | NOT VOTING |
|------------------------|------------|------------|---------------|-------------------|
| Lee Pinkoson | _____ | _____ | _____ | _____ |
| Dr. Maggie Labarta | _____ | _____ | _____ | _____ |
| Tina Certain | _____ | _____ | _____ | _____ |
| Dr. Karen Cole-Smith | _____ | _____ | _____ | _____ |
| Ken Cornell | _____ | _____ | _____ | _____ |
| Dr. Nancy Hardt | _____ | _____ | _____ | _____ |
| Dr. Carlee Simon | _____ | _____ | _____ | _____ |
| Dr. Patricia Snyder | _____ | _____ | _____ | _____ |
| Cheryl Twombly | _____ | _____ | _____ | _____ |
| Susanne Wilson Bullard | _____ | _____ | _____ | _____ |

Presiding Officer

Attest

 Lee Pinkoson, Chairman,
 Children's Trust of Alachua County

 Tina Certain, Treasurer,
 Children's Trust of Alachua County