



Policies and Procedures

SECTION: Finance	POLICY # FIN 04	PAGE 1 of 16
TITLE: Procurement Policy	EFFECTIVE DATE: 11.01.2024	
SUPERCEDES: FIN 05 Procurement Policy		Dated: 3.18.21

DISTRIBUTION: CareerSource North Central Florida (CSNCFL) Staff and Service Providers

Applicable to: ☒ WIOA ☒ WTP ☒ WP ☒ TAA ☒ SNAP ☒ RESEA ☒
Discretionary Grants

Background:

CareerSource NCFL (CSNCFL) procurements and purchases are intended to comply with the requirements of the Workforce Innovation and Opportunity Act (WIOA), the implementing regulations within 2 CFR 200: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (referred to as the Uniform Guidance), Florida Statutes, and *Florida Commerce's Prior Approval Administrative Policy for Regional Workforce Boards effective June 10, 2015*. For a given procurement, if there is an option to lease or purchase goods, an assessment will be made to determine which option would be practical, economical, and in the best interest of CSNCFL. The assessment may also include the impact of the lease or purchase on the CSNCFL budget for the current program year, obsolescence, maintenance, and presumptive salvage value.

PURPOSE:

To guide the procurement and purchase of goods and services needed to support the activities and grants administered by CSNCFL and its subgrant recipients ensuring that procurement actions are conducted in accordance with federal grant requirements in an open manner resulting in competitive pricing, proper management and oversight controls, fiscal accountability, efficiency, and the prevention of waste, fraud and abuse.



APPLICATION

This policy applies to all Dual County Consortium Workforce Development Council (DCCWDC), North Central Florida Workforce Development Board (NCFWDB), CSNCFL, and CSNCFL sub-grant recipient purchases made with federal grant funds. Governmental sub-grant recipients such as, but not limited to, the public education system, state agencies, counties and cities may follow their own procurement guidelines.

POLICY

It shall be the policy of CSNCFL to follow the requirements of Florida Commerce policies and 2 CFR 200 as it may be modified in the procurement of goods and services for CSNCFL in accordance with the more restrictive guidance. In general, all goods and services shall be procured using a method of procurement described in 2 CFR 200.320. CSNCFL shall competitively procure all goods and services. The extent of competition shall be consistent with the dollar thresholds established in 2 CFR 200 as they may be amended from time to time by the FAR.¹ Breaking down an aggregate purchase into smaller units, to bring the cost below a purchasing threshold is prohibited. All procurement decisions shall be documented as appropriate to the type of procurement.

- A. Following an acceptable method of procurement, the Executive Director or his/her designee is authorized to initiate and approve:
1. The purchase of any individual good or service necessary for the day to day operations of CSNCFL up to **\$50,000**.
 2. The entry into contracts with employers for On-the-Job Training, Customized Training and Incumbent Worker Training opportunities where the contract does not exceed \$50,000 per program year. Incumbent worker contracts and customized training contracts shall be approved by the One Stop Dislocated Worker Committee prior to entry into the contracts.
 3. The entry into non-financial agreements to carry out the purposes of the grants such as contracts with public, not-for-profit and for-profit entities which have agreed to serve as host worksites for WIOA work experience (internship) or WTP community work experience or for summer youth work experience participants.
 4. The entry into non-financial master agreements with educational institutions approved by the CSNCFL governing boards to be added to the Eligible Training Provider List.

¹ Adjustments to the thresholds for micro procurements, quotes and publicly advertised procurements are made periodically to the Federal Acquisition Regulations (FAR) to address inflation per 41 U.S.C. 1908 and see 2 CFR 200.88. The FAR thresholds are applicable to the 2 CFR 200 thresholds for the different methods of procurement.



B. Following an acceptable method of procurement the CSNCFL governing boards shall approve:

1. Any single good or service which exceeds \$50,000.
2. The purchase of goods and services necessary to provide the programs and services funded to implement the grants awarded to CSNCFL.
3. The selection of the CSNCFL monitors and audit firm.

C. CSNCFL governing boards' approval may be obtained through:

1. Identification of items in the CSNCFL budget presented for governing boards' approval at a scheduled and publicly noticed meeting, or
2. Submission of specific goods or services for approval of the governing boards at a scheduled and publicly noticed meeting, or
3. Approval of a grant application or acceptance of a grant award containing a description of programs, goods and/or services that must be purchased in order to implement the grant.

D. The use of vendor lists

Where many entities can provide the same or similar goods or services, or where no one entity can provide sufficient amounts of a good or service, following an acceptable method of procurement and compliance with applicable publication requirements, based upon the responses received CSNCFL may establish a vendor list of all interested responsive providers. CSNCFL may select from the vendor list on a rotating basis, a ranked basis or based upon the entity that can best meet CSNCFL's needs as determined in the sole discretion of the CSNCFL Executive Director.

E. The signatory on all contracts and agreements shall be the Executive Director

F. All single item purchases of \$5,000 or more with a useful life of one-year, and outreach/informational items in excess of \$5,000 in total for the program year shall require Florida Commerce's approval prior to purchase in accordance with Florida Commerce's Prior Approval Administrative Policy for Regional Workforce Boards effective June 10, 2015 as revised.

G. Items considered "unallowable costs" under the Uniform Guidance 2 CFR 200.420 – 2 CFR 200. 475 may not be procured. In general, CSNCFL shall follow Contract and Other Signatory Powers (*allowable and unallowable costs and signatories*) approved by the CSNCFL governing boards at the Dual County Workforce Development Council on August 27th, 2020.

H. CSNCFL shall take affirmative steps to assure that minority businesses and women's business enterprises are used above the micro purchase level when possible by:



1. Including minority and women's businesses on solicitation lists
 2. Soliciting minority and women's businesses when such firms are potential bidders
 3. Dividing total contract requirements where economically feasible to enable more minority participation
- I. CSNCFL shall not purchase goods or services from any entity that is debarred or suspended from participation in federal assistance programs. or who is guilty of a Public Entity Crime in accordance with the Florida Statutes.
- J. Conflicts of interest in procurement are prohibited, except that purchases of training and program services from individuals represented on the CSNCFL governing boards or a CSNCFL employee is allowable if approved by a 2/3 vote of the governing boards and if greater than \$25,000 with written approval from CareerSource Florida. Purchases of goods or services other than training or program services for participants from a CSNCFL Board member or employee are prohibited. In addition, board members with a conflict of interest shall complete a State Conflict of Interest Form 8B.
- K. Where discounts or credits are available CSNCFL shall take advantage of the discounts or credits offered.

PROCEDURE

CSNCFL, one-stop staff and its sub-recipients charged with the procurement of goods and services shall adhere to the requirements and steps associated with the different types of procurements described below which when followed ensures fiscal accountability, efficiency, prevents fraud, waste, and abuse. All procurements shall be documented and shall include the following information: the purpose of the purchase, the method of procurement, the cost, and the justification of need or benefit to the grant.

A. METHODS OF PROCUREMENT

There are five methods for procuring goods and services and all procurements must be accomplished using one of these methods. To determine which method of procurement is applicable, the individual or department should estimate the total number of units of a good or a service that will be needed over the course of a program year and so indicate on the first purchase requisition for that good or service each year. Where a department under estimates the annual cost of a good or service they shall move to the next tier of procurement in the immediately subsequent year. As indicated in the Policy splitting an aggregate purchase into smaller units, to bring the cost below a purchasing threshold is prohibited.

Type	Description
Micro Purchases	The purchase of goods or services, where the aggregate cost does not exceed \$10,000 (as adjusted from time to time by the FAR see footnote1). Micro purchases may be awarded <u>without soliciting competitive quotes</u> if CSNCFL considers the price to be reasonable.
<p>Small Business Purchases</p> <p>Procurement by Sealed Bids Following Formal</p>	<p>The purchase of goods or services that exceed the micro-purchase threshold and do not exceed the Simplified Acquisition Purchase (SAP) threshold, which is the purchase of goods and services that cost between \$10,001.00 and \$250,000. <u>Small business purchases require a written price or rate quote from at least 2 qualified sources.</u> The written quotes must be attached to the purchase requisition or the procurement file for that item. Quotes shall be valid for two (2) years. If the lowest priced item quoted is not selected, written justification shall be included in the procurement file. A response from a qualified entity of “no quote” may only be considered if responses have been solicited from at least 3 entities qualified to <u>provide the goods or services and only one (1) quote is received.</u></p> <p>This is the preferred method of procurement and is used for purchases in excess of \$250,001.00 when: 1) The requirements can be described, are finite and specific with no unknowns or</p>
Public Advertisement	contingencies and no discussion required with the bidders 2) The award will be to the lowest responsive fixed price bidder, taking into account discounts, transportation costs, and life cycle costs 3) The responsive bidder has the technical and financial capability to perform, 4) There are two or more bidders that can satisfy the requirements willing and able to compete for the contract 5) There is enough time to issue the invitation for bids, conduct a public bid opening, and award a firm fixed-price contract to the lowest responsive and responsible bidder. If only 1 written bid is received after solicitation from an adequate number of sources the bid shall be justified in accordance with sole source criteria.

Type	Description
Procurements from \$0 – over \$250,000 Using an Existing Procurement	<p>CSNCFL may also procure goods and services by relying on pricing using the:</p> <ul style="list-style-type: none"> • Florida Department of Management Services State Term Contracts and Agreements, • Information Technology Enterprise Agreements, • GSA Cooperative Purchasing Program, • Other local governmental procurements not more than 3 years old • Other regional board procurements not more than 3 years old.
Procurement by Request for Proposals Following Formal Public Advertisement	<p>The purchase of goods or services in excess of \$250,001.00 by the submission of proposals following a publicly advertised solicitation. This method is used when: 1) purchases will be based on qualifications or criteria which are not finite 2) using technical evaluation criteria that are published with the solicitation and 3) where price is only one of a number of elements considered 4) following the receipt of at least 2 responsive bids. Contracts are generally cost reimbursement but may be unit priced if the procurement meets the requirements for unit pricing. If only 1 written proposal is received after solicitation from an adequate number of sources the single proposal shall be justified in accordance with sole source criteria.</p>
Sole Source Procurement	<p>The purchase of goods or services by conducting a noncompetitive procurement through solicitation of proposals from only one source. This is allowed only when:</p> <ul style="list-style-type: none"> • The item/service is available only from one source. <ul style="list-style-type: none"> • The public exigency or emergency for the required goods or services will not permit a delay resulting from competitive solicitation such as a natural disaster, hurricane, earthquake, volcano, or riot. Poor planning or time constraints are not to be considered a factor if the award recipient has not sought competitive bids in a timely manner.

	<ul style="list-style-type: none"> • The <u>Federal awarding agency</u> or <u>pass-through entity</u> expressly authorizes noncompetitive proposals in response to a written request from the <u>non-Federal entity</u>; or • Competition is determined inadequate after solicitation from a number of sources. • The selection of youth service providers for WIOA youth programs if the CSNCFL governing boards determines there is an insufficient number of eligible training providers of youth activities in the local area, pursuant to a policy adopted by the governing board in accordance with 20 CFR 681.400(a)(3). <p>All sole source procurements must be justified in accordance with Exhibit A</p>
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B. DOCUMENTING THE PROCUREMENT

Documents required to be maintained are listed for each type of procurement. The Department or staff person initiating the procurement shall maintain the documents by scanning them into the “Finance” Drive on the CSNCFL network or the Atlas system as appropriate.

Type of Purchase	Required Documentation
Micro Purchase	1) The approved Purchase Requisition, in an amount of \$10,000 or less with the quantity, price, justification of need
	2) Verification that the entity is not on the federal debarment or suspension list, and
	3) Related party documentation as applicable
Small Business Purchase	1) Two (2) written quotes. Published prices downloaded from the internet, formal written price quotes or emailed price quotes
	2) The list of entities from which quotes were requested
	3) A Purchase Requisition in an amount of between \$10,001 not to exceed \$250,000, with the quantity, price, justification of need
	4) Verification the entity is not on the federal debarment or suspension list.
	5) A copy of the NCFLWDB and Council minutes indicating approval for any single item purchased for \$50,000 or more.

	6) Related party documentation as appropriate
Sealed Bids	1) The Ad. A copy or screen shot of the Notice posted on the CSNCFL website and a copy of the ad published in the newspaper in each county, of general circulation for three (3) consecutive days whenever a formal bid/proposal is released.
	2) The distribution list for the sealed bids
	3) The written specifications
	4) Executive Director or CSNCFL governing boards' minutes evidencing approval as appropriate to procure the goods or services
	5) The date, time and location for the opening and reading of the bids <u>at least 10 business days from the time of the release of the RFP.</u>
	6) The sign-in sheet for the opening of the bids
	7) A minimum of the two (2) written bids in response to the procurement
	8) Related party documentation as appropriate
	9) Purchases made based upon state term contracts, procurements made by other governments or workforce boards shall include the contract number, year and title shall on the documents maintained for the procurement file.
	10) Minutes of governing boards or Executive Director Approval.
	11) PO or contract evidencing the selection of lowest price responsive bidder.
	12) Verification the entity is not on the federal debarment or suspension list.
Publicly Advertised Request for Proposals (RFP)	1) The Ad. A copy or screen shot of the Notice posted on the CSNCFL website and a copy of the ad published in the newspaper in each county, of general circulation, for three (3) consecutive days
	2) The distribution list for the RFPs
	3) The RFP including the written specifications and any special requirements
	4) The evaluation criteria which should minimally consider <ul style="list-style-type: none"> a) financial capacity

	<ul style="list-style-type: none"> b) reasonableness of cost c) ability to meet grant objectives/performance d) past performance e) experience
	5) Executive Director or CSNCFL governing boards' minutes evidencing approval as appropriate to procure the goods or services
	6) The due date and time frame for receipt of all proposals which must be a minimum of 10 business days from the time of the release of the RFP.
	7) Proposal response stamped date received or electronic submission
	8) Any pre-award survey conducted
	9) Staff Responsiveness Review Sheets
	10) Review Committee Meeting Attendance /Sign-in Sheets or Minutes
	11) Review Committee Signed Evaluation Forms
	12) The recommendation to the governing boards
	13) The minutes of the meeting of the governing board where purchase <u>was approved or Executive Director approval</u>
	14) Verification the entity is not on the federal debarment or suspension list.

Type of Purchase	Required Documentation
Sole Source Procurement	A brief description of the project, the amount to be designated for the sole source procurement, the purpose of the contract and an itemized budget for the contract amount.
	An explanation of why a noncompetitive procurement is required
	<p>For items or services available only from one source:</p> <ol style="list-style-type: none"> 1) The uniqueness of the items or services (e.g., compatibility or patent issues) 2) How CSNCFL determined that the item or service is only available from one source (e.g., market survey results, independent agency research, patented or proprietary system) 3) Explanation of need for contractor's expertise linked to the current project (e.g., knowledge of project management, responsiveness, experience of contractor personnel, and/or prior work on earlier phases of project). 4) Additional information that supports the decision to use sole source
	<p>If the public exigency or emergency will not permit a delay resulting from competitive solicitation:</p> <ol style="list-style-type: none"> 1) a description of the public exigency or emergency 2) The need for the contract and period of performance 3) The impact on project if deadline/dates are not met 4) the time it would take an alternate contractor to reach the same required level of competence (equate to dollar amounts, if desired). 5) Additional information that supports the determination of emergency or exigency
	<p>If competition is determined inadequate after solicitation of a number of sources:</p> <ol style="list-style-type: none"> 1) A copy or screen shot of the Legal notice posted on the CSNCFL website and the ad published in the newspaper in each county, of general circulation, for three (3) consecutive

		<p>days evidencing that a competitive procurement was attempted.</p> <p>2) The results of a market survey to determine competition availability; if no survey is conducted, an explanation of why not</p> <p>3) The history of the failed procurements</p> <p>4) Additional information that would support the decision that competition was inadequate.</p> <p>5) <u>A statement that this action/choice is in the best interest of the agency.</u></p> <p>6) <u>Completion of sole source justification form.</u></p>
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C. THE PURCHASE REQUISITION

1. The purchase of goods and services shall be documented by a purchase requisition.
2. Purchase Requisitions originate with the individual or department requesting the good or service.
3. Purchase Requisitions should contain a description and quantity of the goods or services to be purchased and the reason for the request. Purchases must be justified in terms of the need to support the grant programs.

Ex: Advertisement – Needed for employer outreach

Ex: Pens – Needed for supplies in the one-stop resource room.

4. Purchase Requisitions cannot be changed by the Finance Department once submitted. Any change to a Purchase Requisition requires the same approvals and signatures as the original Purchase Requisition.
5. Purchase Requisitions must include the funding stream(s) to be charged for the good or service, the fund/account number and, if applicable, the state contract number and expiration date. This also applies to purchases which will be cost allocated within or among funding streams. The Finance Department can assist with this information
6. Purchase Orders must be accompanied by Purchase Requisitions. A Purchase Order sent to a vendor or supplier constitutes a legal offer to buy a product or service and should not be done without the required Purchase Requisition approvals in advance of the submission of a Purchase Order.

Good or Service	Responsible Staff
Office supplies and furniture under \$4,999	The Purchase Requisition is submitted to the Support Specialist. For items needed by the career center the manager submits the request to the Support Specialist.
	The approved Purchase Requisition is forwarded to the Support Specialist in the Finance Department who orders the goods or service using an acceptable method of procurement.
Office supplies and furniture of \$5,000 or over	The Purchase Requisition is submitted to the Executive Director for approval.
	Upon Executive Director approval, the goods or services may be purchased by the staff person designated to complete the purchase in accordance with an acceptable method of procurement.
Copy machines, toner, hardware, software, fax machines, and other technology-based goods or services	The Purchase Requisition is submitted to the individual designated by the CSNCFL CEO.
	The approved Purchase Requisition is forwarded to the Systems Administrator for purchase in accordance with an acceptable method of procurement.
Credit Card Purchases	The purchase requisition is submitted for approval in advance of the purchase to the CEO up to the limit of their cards. The purchase must be made and documented in accordance with an acceptable method of procurement
	Credit card purchases may be made by Card Holders up to the limit of their Credit Card. Requests for purchases in excess of Card limits must be approved in advance by the Executive Director.

D. ORDERING AND RECEIPT OF PURCHASED GOODS AND SERVICES

In general, an employee other than the employee who requested the good or service must receive the good or service, verify the count, sign and date the packing slip.

Staff Person Title	Task
Director of Finance	Director of Finance Reviews the goods and services received (description, unit price, quantity) to the purchase requisition using the packing slip and if there are discrepancies follows up with the vendor.
Director of Finance	Vendor statements shall be analyzed monthly to ensure that all credits have been recorded by CSNCFL and the vendor.
Support Specialist	Discrepancies in ordered merchandise (short delivery/returned items) must be recorded on the packing slip and forwarded to the Support Specialist for follow-up with the vendor.
Support Specialist	Copies of the purchase requisitions, purchase orders, and packing slips must be compared by the Finance Department to ensure that duplicate invoices are not paid.

E. APPEAL PROCESS

CSNCFL maintains an appeal process for anyone wishing to appeal or protest an award, which can be obtained from the Executive Office.

F. COST / PRICE ANALYSIS

1. A price analysis is a comparison of the price quoted by the offeror using
 - 1) prices paid for other contracts for the same or similar materials or services
 - 2) pre-bid estimates
 - 3) a review of trade publications for comparability
 - 4) a comparison of prices quoted by other respondents to the solicitation (except in the case of a sole source contract); and
 - 5) any other comparison available to CSNCFL. The purpose is to determine that the price quoted is reasonable.
2. A Cost Analysis is an analysis of the individual elements of costs as stated in the



proposer's/contractor's proposed budget to determine that the costs are necessary and reasonable.

3. A cost / price analysis shall be performed in connection with every procurement that is not a micro purchase including contract modifications.
4. Where lease and purchase options are available lease vs. purchase analysis shall be conducted to determine the most economical approach to a purchase. The analysis should include a comparison of forecasted costs for an outright purchase and a leasing arrangement. If a determination is made to enter into a lease/purchase, a

certain part of the lease cost (dollars) must apply toward the purchase price of the equipment. In addition, CSNCFL shall ensure that at a predetermined time, the equipment under lease is either: 1) purchased under the terms of the lease, or 2) returned to the lessor and action is taken to cancel the lease.

G. ETHICAL CONSIDERATIONS IN PROCUREMENT

1. Any individual or the entity they represent that assists in the development of specifications for invitations for bids or requests for proposals are excluded from competing for those procurements.
2. In general, care shall be taken to avoid restrictions to competition in the releasing of bids and RFP's. Such actions include, but are not limited to, the following:
 - a) Unreasonable requirements in order to qualify to do business.
 - b) Unnecessary experience and excessive bonding.
 - c) Noncompetitive pricing practices between organizations or between affiliated companies.
 - d) Noncompetitive consultant retainer contracts.
 - e) Organizational conflicts of interest.
 - f) The specification of a brand name or the description of a good or service in a manner, which unreasonably restricts possible offerors.
 - g) Overly restrictive specifications.
 - h) Arbitrary actions in the procurement process.
3. CSNCFL has adopted a code of conduct related to the conduct of procurements, which is contained in CSNCFL Policy # ADM 02. CSNCFL governing boards and staff must comply with the code of conduct.
4. Employees and proposer's/bidders must disclose the name of any officer, director or



agency who is also 1) a CSNCFL governing board member 2) an employee of CSNCFL 3) has an interest in the proposer's/bidder's business or any of its branches. Such disclosure must be submitted in writing, addressed to the CSNCFL Executive Director, no later than the proposal/bid deadline.

5. Governing board members, current service providers, and prospective offerors who submit or intend to submit a bid or proposal for goods or services may not sit on any review committee considering or evaluating or voting on the award.
6. During the procurement process, proposers/bidders including entities representing the proposers/bidders, are prohibited from contacting CSNCFL governing boards' members. Where such inappropriate contact occurs, it shall be referred to the CSNCFL governing boards, the individual contacted may not participate in the procurement review process and must disclose the contact to the full governing boards prior to the vote on that procurement.
7. The acceptance or payment of gratuities, kickbacks, the provision of confidential procurement information not made available to the general public and improper communications in connection with the procurement of goods and services are prohibited.

VI. EXCEPTIONS

Exceptions to this policy, except as provided in this policy or any part thereof, must be approved by the Executive Director or his/her designee.

VII. REFERENCES

CSNCFL Policy # ADM 02 Code of Conduct Procedures

CSNCFL Policy # ADM 06 Debarment, Suspension, and Public Entity Crime

Forms 2 CFR 200.318, 319, 320, 323

DEO Final Guidance 11-069 – AWI Final Guidance on Prior Approval Procedures, dated October 2011 amended in 2015.

AWI Memorandum Contract Requirements, dated 05/29/2001.

2 CFR 200.318, .319, .320 and .323.



IX. LOCATOR WORDS

Purchasing Procedures, Purchase Order (PO), Purchase Requisition, Procurement, Sole Source, Request for Proposal (RFP), Intent to Negotiate (ITN), Solicitation, Award, Bid, Credit Card, Price Comparison, 29 CFR.

II. DEFINITIONS

Aggregate - The estimated total number of units of a good or a service that will be needed over the course of a program year.

Award - Notice of the acceptance and approval to contract with an entity based upon the submitted bid, response to an RFP, ITN or RFQ.

Bid - A response to a formal invitation to submit a price for a good or a service.

Contractor - (sometimes referred to as a vendor) means a legal entity that enters into a "contract under an award" with a "recipient," or with a "sub-recipient," under which the entity is providing the recipient or sub-recipient with goods or services ancillary to the award. As a general rule identical types of goods made available to the mass market or services that are not designed, modified, or adapted to meet the particular needs of a recipient or sub-recipient are considered to be provided by Contractors (vendors).

Credit Card - A reference to the CSNCFL corporate credit card.

ITN – Invitation to negotiate, a type of request for proposals, sometimes referred to as an RFI, or request for information.

Price Comparison - The collection of prices for the same or similar good or service.

Proposal - A response to an RFP.

Purchase Requisition/Order - Is an authorization for the Finance Department to purchase or, if required, procure the good or service requested. The purchase order is a contract between the seller and buyer that details pricing, delivery and the products or merchandise.

OFFICIAL SIGNATURE

Phyllis Marty

Chief Executive Officer