

PURCHASING POLICY

April 2008

Introduction

This Policy sets forth the requirements and restrictions that govern purchases of goods and services for the Orange County Library System (the "Library"). The intent of this Policy is to maximize the use of the Library's funds by employing prudent, time efficient, and professional acquisition and procurement practices to achieve the best possible value in meeting the Library's needs for goods and services. This Policy is designed to provide sound safeguards, yet allow appropriate decision-making flexibility for the Library's purchasing staff to function effectively in the public's interest. It is the Library's goal to extend honest, courteous and impartial treatment to all vendors.

Nature of Policy

This Policy controls the procurement of goods and services with Library funds. Purchases of goods and services for the Library shall be subject to the requirements and restrictions in this Policy.

Exclusions

This Policy does not apply to the following:

- A. Real property;
- B. Insurance;
- C. Dues and memberships in trade or professional organizations;
- D. Subscriptions for periodicals;
- E. Advertisements;
- F. Postage;
- G. Petty cash purchases;
- H. Utility services;
- I. Copyrighted materials, patented materials, art and artistic services;
- J. Employee benefits;
- K. Library materials, which are the responsibility of the Technical Services Department;
- L. Legal Services; (the selection of attorneys for consultation and other legal services is at the discretion of the CEO/Director);
- M. Fees and costs of job-related travel, seminars, registration and training; and
- N. Procurement, transfer, sale or exchange of goods or services between the Library and other governmental entities or nonprofit organizations.

Purchases of the items described above may be undertaken by such Library staff as the Library CEO/Director may designate from time to time.

Implementing Policy

The Facilities and Operations Manager, who is responsible for implementation of this Policy, shall promulgate procedures as may be necessary or useful.

Purchasing Agents

Certain staff positions are designated as Purchasing Agents with the authority to purchase goods and services up to the Approval Limits outlined below. In addition to these positions, other employees may be designated as Restricted Purchasing Agents. These Restricted Purchasing Agents have the authority to purchase specific goods and services up to the Approval Limit outlined below. Purchasing Agents and Restricted Purchasing Agents shall comply fully with the requirements and restrictions of this Policy.

Approval Limits

The following approval limits shall apply.

Approval Limits	
Up to \$500	Purchasing Clerk, Service Clerk, and Restricted Purchasing Agents
Up to \$10,000	Purchasing Manager and Service & Project Manager
Up to \$20,000	Facilities & Operations Manager
Up to \$70,000	Comptroller and Assistant Director
Up to \$100,000	CEO/Director
Over \$100,000	Library Board of Trustees

Quotes

Unless otherwise excluded in this Policy, two quotes or bids will be solicited for purchases over \$10,000 and three quotes or bids will be solicited for purchases over \$20,000.

Quotes shall not be required if the goods or services are provided by a vendor that is then under contract with the Library, so long as the procurement conforms to the terms of the contract.

The need for quotes or bids shall be applied to service contracts, blanket purchase orders, and similar arrangements based on projected annual purchases of the good or service, as determined by the Facilities & Operations Manager.

Sole-Source Purchases

Non-competitive purchases may be used to procure goods or services available from only one source, or when it is determined that competitive bidding is not feasible or not advantageous to the Library. The Library may purchase from a sole source supplier under the following circumstances:

- A. Product or service is available from only one source.
- B. Product or service is wanted for experimental trial or testing.
- C. Product is purchased for resale.
- D. Additional products and services are needed to complete an ongoing task, or to supplement an existing system.

- E. Product or service is purchased from, or a sale is made to, another unit of government.
- F. Item is a component or replacement part for which there is no commercially available substitute and which can be purchased only from the manufacturer or distributor.
- G. Compatibility is the overriding consideration for purchasing that specific item or service, or the purchase matches an existing product or service.
- H. Technical support agreements.
- I. Library has a compelling and valid interest in selecting a particular vendor.
- J. Proposed vendor is uniquely qualified to provide the product or service.

The justification for each sole-source purchase in excess of \$10,000 shall be documented in writing and approved by the Facilities & Operations Manager.

Government Contracts

To obtain the benefits of volume purchases or reduce administrative expenses when procuring similar goods or services, the Library may utilize a process commonly known as “piggybacking”. When “piggybacking” off of another government’s contract (State of Florida, Federal Government, Orange County, City of Orlando for example), the Library forgoes its normal quote process and instead adopts the prices in another governmental entity’s contract with a vendor. The Library may also utilize the selection process of another local government and negotiate a contract with the vendor selected by that government. The term of the Library’s contract with a vendor selected in this way is independent of the other government’s contract term.

Construction Projects and Professional Services

The procurement of construction projects and the selection process for professional services shall comply with the applicable Florida Statutes. Specifically, construction projects with a total estimated construction cost in excess of \$200,000 and electrical projects with a total estimated cost of \$50,000 or greater shall be subject to competitive award as outlined in Florida Statutes Section 255.20, unless an exception therein applies. Purchases of services subject to the Consultants Competitive Negotiation Act or “CCNA” (Section 287.057 of Florida Statutes) shall comply with that law.

Acceptance/Rejection of Quotes/Bids

The Library reserves the right to accept the lowest or best bid or quote, to waive any and all informalities or irregularities in any bid, and to reject any and all bids received.

Emergency Purchases

When there is evidence of imminent or existing danger to persons or property, emergency purchases may be authorized by the CEO/Director, Assistant Director, Comptroller, or Facilities and Operations Manager in excess of the Approval Limits outlined above. The CEO/Director shall document the reason for the emergency purchases in writing and inform the Library Board of Trustees at their next regularly scheduled Board meeting.

Minority/Women Owned Business Enterprises

The Library will send bid or quote solicitations for goods or services, which are expected to exceed \$50,000, to the City of Orlando and Orange County M/WBE offices. These offices will be responsible for distributing the Library's bid or quote information to qualified M/WBE vendors.

Contract Terms and Renewals

Initial contract terms vary depending on the nature of the product or service, the Library's needs, and the circumstances surrounding the purchase. However, the Library generally awards multi-year contracts with periods for renewal at the Library's option. Once all renewal periods outlined in the contract have expired, the Library shall have the option of renewing for additional terms provided a fair price can be negotiated and the Library has concluded the product or service is good. Library Board of Trustees approval shall be required if the initial contract amount exceeds the CEO/Director's Approval Limit. Renewal of contracts shall not require Board approval.

Credit Cards

The Library will issue credit cards to some of the Purchasing Agents and Restricted Purchasing Agents. These cards are to be held in the Facilities and Operations Department, except when signed out by the individual for a specific purchase. Purchases made with the card must conform with this Policy, particularly with regard to the Approval Limits and quote requirements. Credit card holders are responsible for returning the card and receipts promptly and are personally responsible for any misuse of their credit card.

Written Comptroller approval is required to issue a credit card to an individual and to increase a card limit. Individual's being issued a card must complete a Cardholder Agreement (Appendix A).

An individual's charges shall be approved on the monthly statements by a higher level position.

Appendix A

Orange County Library System Credit Card Holder Agreement

I have read the Library Purchasing Policy and agree to abide by the procedures contained therein. I acknowledge that the use of this card for any purpose other than Library approved business expenses is prohibited and will be grounds for disciplinary action, up to and including termination. In addition, I must reimburse the Library for such charges.

I agree to surrender the credit card upon retirement, termination, or upon request of an authorized representative of the Library. I understand that use of the credit card after privileges are withdrawn is prohibited.

If the card is lost or stolen, I will immediately notify the issuing bank by telephone. I will confirm the telephone notification by mail or facsimile to the issuing bank with a copy to the Facilities and Operations Manager. I understand that failure to promptly notify the issuing bank of the theft, loss, or misplacement of the credit card may make me responsible for any fraudulent use of the card.

I hereby authorize the Library to deduct from my wages or from any other amounts payable to me, an amount equal to the total charges for improper or unauthorized purchases with the credit card even if I am no longer employed by the Library. Also, if the Library initiates legal proceedings to recover amounts owed by me for unauthorized/improper purchases, I agree to pay court costs, reasonable attorney fees and other expenses incurred by the Library in such proceedings assuming the Library prevails in such legal action.

Card Limit: _____

Purchase Limit: _____

Name: _____

Signature: _____

Comptroller: _____

Date: _____

cc: Cardholder
Purchasing Manager
Human Resources