
	ADMINISTRATIVE PROCEDURE MANUAL		
	SECTION TITLE	NUMBER	PAGE
	SPECIFICATIONS FOR COMPETITIVE BIDDING	05-0301	1 OF 4
	BASED ON BOARD OF TRUSTEES' RULE AND TITLE	DATE REVISED	
6Hx7-5.1 Purchasing	February 23, 2022		

Purpose

The purpose of this procedure is to define the dollar limits for formal purchase procedures and outline the processes for writing purchase specifications.

Procedure

- A. The purchase of goods or services in excess of the Category Three-dollar amount specified in section 287.017 Florida Statutes (currently \$65,000) must follow formal purchase procedures as set forth in SBE Rule 6A-14.0734 (1), College Board Rule 6Hx7-5.1 and Florida Statutes 1010.04, 668.001 and 668.50 (for electronic bidding solicitations).
1. The College employee that initiates a purchase is responsible for determining the specifications and requirements, which includes the responsibility for defining the requirements in sufficient detail to permit competitive bidding and ready identification by prospective bidders, as well as for receipt inspection and payment purposes. College employees may not divide a purchase of commodities or contractual services in multiple parts so as to avoid formal purchasing procedures. The user, with the assistance of the commodity-designated Purchasing Agent, will develop detailed specifications prior to input of on-line department requisitions. Each purchase requirement shall be analyzed for functional and physical limitations and also as to the appropriate method of purchase required (i.e., competitive bidding or non-competitive bidding). (See APM 05-0302 for non-competitive bidding criteria.)
 2. The purpose of the competitive solicitation process is to protect the public from collusive contracts, favoritism, fraud, extravagance and imprudence in the expenditure of public monies and to secure the best values at the lowest possible expense to the public. A request to make a purchase of goods or services \$7,500 or above whereby there is only one vendor capable of providing a good or service must be made using the PeopleSoft Sole/Single Source Justification Request form ("Form"). Any Sole/Single Source Justification Request exceeding \$65,000 will be publicly posted on FSCJ's website prior to the initiation of the FSCJ approval process. See APM 05-0302 for further details regarding the Sole/Single Source Form process.
 3. Plans, drawings, specifications or purchase descriptions for procurement shall state only the actual minimum needs, current and foreseeable, of the College and describe the supplies and services in a manner which will encourage maximum competition by allowing "or equivalents", where possible. The College will eliminate, insofar as possible, (other than the Florida Preference Florida Statutes 287.084, and Preference for Florida Printing 283.35) any restrictive features which might limit acceptable offers to one supplier's products or the products of a relatively few suppliers or items which, in the user's professional opinion, must be purchased as an exact brand and model. After receiving all required approvals of the Form, requestors shall enter a purchase requisition and include the approved Form's sequence number and attach associated documentation. See APM 05-0302 for additional details.

	ADMINISTRATIVE PROCEDURE MANUAL		
	SECTION TITLE	NUMBER	PAGE
	SPECIFICATIONS FOR COMPETITIVE BIDDING	05-0301	2 OF 4
	BASED ON BOARD OF TRUSTEES' RULE AND TITLE	DATE REVISED	
6Hx7-5.1 Purchasing	February 23, 2022		

4. Items to be procured shall be described by reference to the applicable specifications or by a description containing the necessary requirements. Referenced specifications and standards shall be tailored in their application. Tailoring excludes those sections, paragraphs or sentences of particular manufacturers' commercial specifications and standards not required for a specific procurement so that each solicitation document states only the minimum requirements of the College. Purchase specifications may be in the form of, but not necessarily limited to, federal specifications or industry specifications.

5. Pursuant to Section 1010.04, Florida Statutes, before purchasing nonacademic commodities and contractual services, greater than Category III, as specified in Section 287.017, Florida Statutes (currently \$65,000), the College purchasing department will review the purchasing agreements and state term contracts available under Section 287.056, Florida Statutes, to determine whether it is in the College economic advantage to use the agreements and contracts.


a. The College purchasing department will ensure all formal solicitations greater than Category III for the purchase of nonacademic commodities and contractual services includes a statement that "the State of Florida purchasing agreements and state term contracts available under Section 287.056, Florida Statutes, have been reviewed".

B. Purchase Description - Full purchase description setting forth the essential physical and functional characteristics of the materials or services required.

1. As many of the following characteristics should be included as are necessary to express the minimum requirements of the College and should be utilized in preparing purchase description:

- a. Common nomenclature (i.e. computer)
- b. Kind of material (i.e., type, grade, alternatives, etc.)
- c. Electrical data (if any)
- d. Dimensions, size or capacity (stated in minimum/maximum parameters)
- e. Principles of operation
- f. Restrictive environmental conditions
- g. Intended use
- h. Equipment with which the item is to be used
- i. Any other pertinent information that further describes the item, material or services
- j. Brand name or equal purchase description

2. A "brand name or equal" description should set forth those minimum salient, physical, functional or other characteristics of the specified items which are essential to the user. Descriptions should not over-specify or use exact dimensions except when necessary and to define the minimum/maximum parameters acceptable. This description should include the complete common generic identification of the item as well as the manufacturer's applicable model, make or catalog number. A minimum of two brand names should be specified where possible to foster competition and improve relations with the business community by permitting fair and impartial

	ADMINISTRATIVE PROCEDURE MANUAL		
	SECTION TITLE	NUMBER	PAGE
	SPECIFICATIONS FOR COMPETITIVE BIDDING	05-0301	3 OF 4
	BASED ON BOARD OF TRUSTEES' RULE AND TITLE	DATE REVISED	
6Hx7-5.1 Purchasing	February 23, 2022		

transactions. It is important to note that the primary purpose of inserting the manufacturer's item brand name is to establish a level of quality against which any offered alternate item will be measured. Bids on alternate items shall not be rejected because of minor differences in design, construction or features which do not affect the suitability of the products for their intended use. Use of distributor catalog numbers without identification to manufacturer's part numbers will be used only as a last resort.

3. The Purchasing Department will use the following “equivalent” special condition when soliciting bids for equipment on a competitive basis:

NOTE

Requisitioners should be mindful that in the case of using federal and industry specifications or full purchase description specifications, the College may need to have to test and inspect samples submitted, as appropriate. The College may have to obtain these services from a testing laboratory or be willing to accept certification of conformance to bid specifications from the supplier.

SPECIAL CONDITIONS FOR COLLEGE BID

6.02 ** Equivalentents **

The models shown are meant to demonstrate the type (item or equipment) required, and the functional limits listed are to be considered as minimal unless changed by addendum to the bid. Bid evaluation will be made strictly from the minimal specifications. However, vendors wishing to offer items having less functional capabilities and/or limits that are less than the minimal limits specified or beyond maximum limits otherwise specified, should submit recommended changes to stated specifications, as set forth in the "brand name or equal" paragraph in the solicitation general conditions, to the Executive Director of Purchasing or the Associate Vice President for Administrative Services for evaluation purposes not later than seven (7) to fourteen (14) calendar days (number of days vary) prior to the public bid opening. Each particular specification change being recommended must be identified and submitted along with the detailed manufacturers' descriptive literature for the recommended item. An addendum will be issued to all known bidders prior to the public bid opening reflecting approved recommended changes to be added to the specifications.

NOTE: Bid only one model in the space provided on the price sheet. Bidders offering more than one manufacturer's model may be grounds for considering the bid non-responsive.



ADMINISTRATIVE PROCEDURE MANUAL

SECTION TITLE	NUMBER	PAGE
SPECIFICATIONS FOR COMPETITIVE BIDDING	05-0301	4 OF 4
BASED ON BOARD OF TRUSTEES' RULE AND TITLE	DATE REVISED	
6Hx7-5.1 Purchasing	February 23, 2022	

REFERENCES: F.S. 283.35, 287.017, 287.056, 287.057(9), 287.084, 668.001, 668.50, 1001.64, 1001.65, 1010.04, SBE Rule 6A-14.0734(1)

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