

Supplier Guide

Doing Business with Manatee County



*Manatee County, Florida
Board of County Commissioners
1112 Manatee Ave West
Bradenton, FL 34205
purchasing@mymanatee.org*

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FOREWORD

Thank you for your interest in doing business with Manatee County. On behalf of the entire Procurement Division, I would like to invite you to participate in opportunities to provide goods and services to Manatee County government. This manual is designed to provide helpful information and explain how to do business with the County.

The Procurement Division is responsible for the procurement of all commodities, services and construction for departments under the supervision of the Manatee County Board of County Commissioners.

Please note that those sections of local government that come under elected officials or elected boards such as the Manatee County Sheriff's Office, School Board, Clerk of the Circuit Court, as well as various cities and other offices that fall wholly or partially under State jurisdiction are separate from Manatee County Board of County Commissioners.

I encourage you to visit our webpage on the County website at <http://www.mymanatee.org/home/government/departments/financial-management/purchasing.html> and select the *Bids and Proposals* link. Here you can download documents and notices related to County bids or requests for proposals.

In addition, the Procurement webpage provides important links to the Manatee County Procurement Code, the Administrative Standards which govern procurement practices, information on procurement requirements, division contact information, and the link to register as a supplier.

Procurement staff are also available to assist you with any questions you may have. You may contact us at purchasing@mymanatee.org or by calling 941-749-3014.

On behalf of myself and all the procurement professionals in the Procurement Division, thank you for your interest in doing business with Manatee County. We are looking forward to working with you!

Sincerely,

Jacob Erickson

Jacob Erickson, MBA, CPPO, NIGP-CPP
Procurement Official

I. PURPOSE

The purpose of this Manual is to provide a general overview of the County procurement processes and to assist suppliers who are interested in doing business with the County.

II. BUSINESS HOURS AND LOCATION

Address:

Manatee County BCC
1112 Manatee Ave. West
Bradenton, FL 34205

Business Hours:

8:00AM - 4:30PM
Monday – Friday, excluding County holidays

III. PROCUREMENT MISSION, VISION AND VALUES

A. Procurement Mission

Our mission is to procure goods and services, through transparent and efficient strategies, that make Manatee County a premier place in which to live, work and play.

B. Procurement Vision

To attain the highest level of recognition in public procurement for process improvement, innovative approaches to sourcing and customer service excellence.

C. Procurement Values

RELIABILITY – we can be counted on to deliver on our commitments and promises (accountability).

TEAM WORK - we will work collaboratively with our customers to get the job done (civility).

INTEGRITY- we will strive to earn the trust of our customers by conducting business in a fair and open manner (ethics).

CUSTOMER SERVICE – we will be proactive in identifying and meeting our customer’s needs.

EFFICIENCY – we will incorporate effective and efficient processes to improve our level of service.

INNOVATION – We will embrace innovative thinking in all that we do.

IV. ORGANIZATIONAL STRUCTURE

The Procurement Division organizational structure includes administrative and procurement functions as illustrated below.

A. Operations - Administration and Support

This function provides administrative and clerical support to the Procurement Division which consists of the following activities:

1. Operational support for the Procurement Division.
2. Strategic planning.
3. Purchasing card program.
4. Records management and reporting.
5. Online supplier registration and database maintenance.
6. Standards/best practices analytics

B. Procurement Professional Staff

Procurement projects are assigned to buyers, procurement agents, team leaders and managers of Procurement. The procurement function includes:

1. Develop and approve purchase orders.
2. Direct purchasing.
3. Solicitation project planning and scheduling.
4. Market research and analysis.
5. Develop and issue solicitations.
6. Evaluate proposal and solicitation responses.
7. Contract negotiations.
8. Execute and issue required contractual documentation.
9. Supplier performance administration.

V. PROCUREMENT PROCEDURES

Specific requirements and procedures have been established in the form of law, Board policy, and administrative procedures which govern the purchase of all goods and services required and used by Manatee County. A link to the [Purchasing Administrative Standards & Procedures Manual](#) is available on the Procurement web page of the County website. This file may be downloaded, printed, or viewed.

VI. METHODS OF PROCUREMENT

The process of procurement is initiated by a request from a department or division of Manatee County for a specific commodity and/or service. There are several methods of procurement available:

- **Invitation to Quote (ITQ)** – This is an informal process in which written quotes are solicited from suppliers, most commonly used for the purchase of goods. Award is generally to the responsible, responsive supplier with the lowest price.

- **Request for Offers (RFO)** - This is an informal process for obtaining written offers, generally used for services. Due diligence review of the offers is conducted by Procurement. Responsive and responsible, offers are evaluated on multiple pre-established criteria, including price, by the designated department representative. Award is based on the offer that best meets the requirements of the RFO.
- **Request for Qualifications (RFQ)** – This is a formal process for obtaining written proposals. Due diligence review of the proposals is conducted by Procurement. Responsive and responsible, proposals are evaluated on multiple pre-established criteria by an evaluation committee. However, pricing is not requested or considered in the evaluation of responses; rather negotiated with the top-ranked proposer(s). Award is based on best value. This method is most commonly utilized for procurement of architect, engineering, landscape architect, mapping and surveying services under Florida Statute 287.055 (Consultants Competitive Negotiation Act).
- **Invitation for Bid (IFB)** – This is a formal sealed bid process. Due diligence review of the bids is conducted by Procurement. Award is generally made to the responsible, responsive bidder with the lowest price. Most commonly used for the procurement of goods and construction.
- **Request for Proposals (RFP)** – This is a formal process for obtaining written proposals. Due diligence review of the proposals is conducted by Procurement. Responsive and responsible, proposals are evaluated on multiple pre-established criteria including price by an evaluation committee. Limited negotiations may be conducted with the top ranked supplier regarding scope or price. Award is based on best value. This method is often used for the procurement of complex goods, services, and technology.
- **Invitation to Negotiate (ITN)** – This is a formal competitive negotiation process that is used when the Procurement Official deems it is in the County’s best interest to negotiate with one or more proposers to achieve best value. It is similar to the RFP process in which a short list of acceptable proposers is created. The primary difference between the RFP and ITN process is that the ITN process allows for negotiation of the agreement terms and conditions, as well as the requirements in the scope of work and price. These are collaborative negotiations which entail an exchange of ideas and methods concerning how to best deliver the commodity or service, and the likely outcome of this exchange is changes to either the original scope of work or to the proposer’s response. Two negotiation strategies are available in the ITN process; single and concurrent negotiations.
- **Sole Source** – Sole Source exists when only one supplier provides the item/service that meets the requirement (e.g., lack of competition or exclusive rights, proprietary technology, copyright or patent, or a supplier’s unique capability). In this instance the County will negotiate with the supplier to reach an acceptable agreement.
- **Single Source** – This is a procurement method used to acquire goods or services from one source because of standardization, warranty, safety considerations, compatibility or other factors though other competitive sources may be available. This procurement

method may also be used upon a determination that the likely, non-speculative cost of competitive solicitation process would exceed any potential savings and benefit to the County.

- **Cooperatives and Utilizing Other Government Agency Contracts**
Purchases in which the supplier will extend the pricing and terms of a contract entered into by another entity who has competitively awarded a contract that allows other entities to utilize the contract are allowed. Government contracts and cooperative contracts are used when terms, pricing and delivery of the goods or services are advantageous to the County. Government and cooperative contracts must comply with FL procurement law and County policies.
- **Emergency Purchases** - For purchases made due to an unexpected and urgent request where health and safety or the conservation of public resources is at risk, the competitive bidding procedures can be waived.

VII. PURCHASE TYPES / CATEGORIES

Value	Requirements
CATEGORY 1 \$0 - \$5,000	Purchase award is delegated to departments. Competition is not required, however cost reasonableness should be established
CATEGORY 2 \$5,000.01 - \$25,000	Notation of three published prices references or quotations
CATEGORY 3 \$25,000.01 - \$250,000	Three written price quotations by solicitation (informal process of RFO or ITQ)
CATEGORY 4 \$250,000.01 - \$1,000,000	Bids or Proposals (formal process of ITN, RFP, RFQ, or IFB) Above \$500,000 requires Commission approval
CATEGORY 5 Over \$1,000,000	Bids or Proposals (formal process of ITN, RFP, RFQ, or IFB). Requires Commission approval.

VIII. EPAYABLES

Manatee County offers a credit card payment process (ePayables) through Bank of America. This process benefits suppliers and the County by reducing paper, providing faster payment turn-around time and reducing trips to the bank. Manatee County does not charge vendors to participate in the program; however, there may be a charge by the company that processes your credit card transactions. For more information, visit the Manatee County Clerk of the Circuit Court website at <http://www.manateeclerk.com/Departments/Finance/AccountsPayable.aspx>.

IX. DISADVANTAGED BUSINESS ENTERPRISES

The State of Florida, **Office of Supplier Diversity** provides the certification process and the database for identifying certified MBE/WBE firms. This service may be directly accessed at: www.osd.dms.state.fl.us

The Office of Supplier Diversity is located in Tallahassee, Florida. If you have any questions regarding this State service, please contact their office at (850) 487-0915, or email to: osdhelp@dms.myflorida.com.

The Office of Supplier Diversity's function is to improve business and economic opportunities and provide a one-stop resource for Florida's minority, women, and service-disabled veteran business enterprises. The office provides business development guidance, technical assistance, and connections to their strategic partners.

X. MANATEE COUNTY VENDOR REGISTRATION

Suppliers are encouraged to register to do business with Manatee County using the on-line "Vendor Registration" webpage on www.mymanatee.org/vendor. Your cooperation in registering your business with Manatee County will enhance our opportunities to identify sources for goods and services and identify local businesses. This information is used for sourcing and increases the opportunity to promote competition. *NOTE: Registering your business with the County does not guarantee any work.* To register as a vendor with Manatee County, go to the County website at <https://www.mymanatee.org>, click on 'Business', select 'Do Business With Us-Register as a Vendor', then click on the 'Vendor Registration Form' link.

XI. VIEWING BIDS & PROPOSALS

To view Manatee County's informal and formal solicitations, go to the County website at <https://www.mymanatee.org>, click on 'Business' and select 'Do Business With Us-Bids & Proposals'. The Bids & Proposals page provides the option of reviewing active, opened or all solicitations for Manatee County. Search for solicitations by typing in keywords in the Search Filter field or you can scroll through the various solicitations.

Find the solicitation of interest, click on the solicitation number under the 'Reference Number' column to access documents related to the solicitation. The 'Solicitation Details' page will display allowing you to download the bid document and any addenda, plans or other documentation related to that solicitation. There is no fee for downloading or viewing solicitation documents on the County website.

After clicking on the document link to download or view, a 'File Download' window will appear on the screen either as a pop-up box or a message. Select the appropriate action

you wish to take, either 'Save' or 'Open'. Once the document opens, you may save it to your computer or continue to view the document on your screen.

Notices of intent to award, notices of award, bid tabulations and evaluation committee meetings are also available for download on the Procurement Division webpage.

XII. ETHICS

This information on Ethics has been prepared as a resource to advise County suppliers regarding their ethical obligations and what they can expect from Procurement employees and other employees engaged in the procurement process (collectively referred to as Employees).

This is a reference guide and not an exhaustive compilation of all criminal, civil and ethical laws and rules covering County procurements. Any person who believes that there has been unfairness, favoritism or impropriety in any solicitation should inform the assigned Procurement Professional or the Procurement Official.

A. Corruption

Procurement professionals who become aware of any corrupt activity have a duty to the profession and to their employing organizations to alert their senior management. Public procurement does not tolerate bribery or corruption in any form. Forms include, but are not limited to:

- (1) Bribery - the offering, promising, giving, authorizing or accepting of any undue financial or other advantage to, by or for any persons associated with the procurement process, or for anyone else in order to obtain or retain a business or other improper advantage.
- (2) Extortion or Solicitation - demanding of a bribe, whether or not coupled with a threat, if the demand is refused. Procurement professionals will oppose any attempt of extortion or solicitation.
- (3) Trading in Influence - the offering or solicitation of an undue advantage in order to exert an improper, real, or supposed influence.
- (4) Laundering - the proceeds of the corrupt practices mentioned above is the concealing or disguising the illegitimate origin, source, location, disposition, movement or ownership of property and/or money, knowing that such is the proceeds of crime.
- (5) Nepotism - the use of authority or influence to show favoritism to relatives or friends without merit.

B. Employee Conduct

Public service is a public trust. That means placing professional and job-related responsibilities before personal gain and individual interest. Employees may not:

- (1) Engage in or give the appearance of engaging in, dishonest or unethical actions.
- (2) Show favoritism. Actions and decisions must be based on merit in accordance with established laws, rules, regulations, policies, and procedures.
- (3) Accept a gift of any kind, regardless of the value, under circumstances in which it

could be reasonably inferred that the gift was intended (or could be reasonably expected) to influence the performance of official duties or serve as a reward for any official action. Examples include cash, goods, meals, travel, sporting event tickets, entertainment, loans, services, or anything else of value.

- (4) Directly or indirectly purchase, rent, or lease any realty, goods, or services for the Authority from any business entity of which they or their spouse or child is an officer or has a material interest.

Employees have an obligation to report known or suspected wrongdoing. If a supplier knows or suspects that another supplier or an Employee is involved in questionable activity, the supplier should inform the Procurement Official.

XIII. WHAT THE COUNTY EXPECTS FROM SUPPLIERS

To do business with the County, suppliers must respect and not undermine the procurement process. The County expects suppliers to perform fully, timely, and honestly in accordance with the terms of their contracts and to demonstrate responsibility through a history of successful and honest performance.

XIV. CONSIDERATION OF BECOMING A SUPPLIER

Procurement is required to conduct due diligence to determine whether the supplier has the requisite experience, capacity, licensing/certification and other requirements of the solicitation to provide the goods or services and is current on obligations, including performance of current contract requirements (a responsible supplier).

Additionally, Procurement is required to conduct due diligence to determine whether the supplier submitted all required information and documentation (a responsive supplier). Before engaging in the County procurement process, a supplier should take a hard look at its firm's business integrity as well as its capability of fully meeting the demands of the requested work.

XV. SUBMITTING A BID OR PROPOSAL RESPONSE

Efforts by a supplier, or by another entity such as a lobbyist acting on behalf of a supplier, to gain an advantage by inhibiting competition or exploiting business and political relationships are prohibited. Examples of those prohibited activities are as follows:

A. Undercutting the Competitive Process

Suppliers are expected to independently and honestly prepare and submit bid and proposal responses based upon their own costs and operations. By this mechanism, the Authority obtains the most advantageous price or best value available among firms doing business in that market.

- (1) Do not 'cooperate' or share pricing information with competitors when preparing bid

or proposal responses. Activity where competitors agree on the prices to be submitted, is known as collusive bidding, price fixing or bid-rigging and is illegal.

- (2) Do not submit artificially high or low pricing to make a competitor's price look more reasonable. This is known as "complementary bidding" and is also illegal.
- (3) Do not submit bid or proposal responses that are deceptively attractive with an expectation that after winning the contract the supplier will receive additional costs or inflate profits through change orders or that the supplier will have a competitive advantage in the award of related contracts.
- (4) Do not manipulate unit cost awards by selectively underpricing certain line item costs or engage in unbalanced pricing with the expectation that quantities will change after award.

B. Offering Gifts

Do not offer a gift of any kind to an Employee to directly or indirectly influence the drafting of solicitation requirements, evaluations, awards, or payment. Such an offer is categorized as a bribe. The Employee must report bribery attempts. In addition to being a crime, bribery will result in debarment/suspension of the supplier. The definition of a gift is very broad and includes anything that has value. If an Employee suggests or demands a gift from a supplier for providing any service, consideration, or advantage, immediately report this to the Procurement Official.

C. Job Offers

Should a supplier determine that an Employee or an immediate member of their family would make a perfect addition to its firm, make sure that the Employee is not involved in any capacity with any solicitation that benefits the supplier before discussing a job offer, or even the prospect of a job. Otherwise, an attempt to discuss employment may be considered an attempt to improperly influence the solicitation process.

D. Sensitive and Protected Information

Unlike private industry, firms competing for County business are not permitted to obtain a competitive advantage by learning more about a solicitation or contract than what is available to all other potential bidders/proposers prior to the advertisement of the solicitation. Questions and inquiries from suppliers regarding a solicitation may be presented at any Information Conferences held for the solicitation and/or requested via email at purchasing@mymanatee.org or to the email address of the Procurement Representative identified in the solicitation. Responses to all questions and inquiries will be published via an addendum and posted on the County's website for download.

Suppliers are cautioned not to circumvent this process by asking County employees, consultants, or other contractors to provide information to which your firm is not entitled. Note that information relating to the bid or proposal response contents are not available until 30 days after the due date for submission of responses or a Notice of Intent to award is made, whichever occurs first. Trade secret information, as defined in Florida Statute 119, that is identified and segregated per the instructions in the solicitation is exempt

from public records.

XVI. WORK UNDER CONTRACT

A supplier's ethical obligations do not end upon award of a contract. Gifts and job offers may not be offered to improperly influence Employees to approve work, materials, or payments under the terms of a contract. Suppliers are required to perform fully in accordance with the terms of the contract. Where progress payments are sought, or payments are made on a budgetary or cost reimbursement basis, a supplier's business records must truthfully support its claims for payment.

A. Product Substitution

The unauthorized delivery of goods or services that do not meet the contractual requirements, and for which the supplier charges as if contractual specifications had been met, is known as "product substitution." Product substitution is a violation of the contract and can be considered fraud. The following acts are considered product substitution: (i) Providing inferior quality or substandard raw materials and finished products; (ii) Substituting generic or foreign-made products when particular brand names or domestically produced products (Buy American) are required in the contract specifications; (iii) Submitting for compliance testing, samples or items that are not representative of actual production materials or products; (iv) Substituting used or refurbished products without authorization.

B. Premature Progress Payments

Certain long-term contracts permit payments to be made as construction or other performance progresses. These "progress payments" are generally payable upon proof that costs have been incurred or milestones in the contract have been reached. A supplier's falsification of labor or material costs, or a misrepresentation of progress reached, to obtain faster payments, is illegal.

C. Improper Claims for Cost Reimbursement

When a supplier enters into a contract for an amount based upon its actual costs, the supplier must maintain an accounting system that accurately categorizes its costs so that only costs that are reasonable, allowable, and allocable to the work are claimed for reimbursement.

D. Proper Control and Accounting. (non-fixed fee contracts)

The supplier is required to have appropriate internal controls to monitor its costs, schedule, assets and general operations. The supplier needs to maintain reliable records to ensure that actions pertaining to the contract, inventory, expenses, and other reportable items are accurately, completely, and fairly recorded and reported.

XVII. SANCTIONS FOR MISCONDUCT

A wide range of criminal, civil, administrative, and contractual sanctions are available to address procurement fraud or misconduct. These include, but are not limited to, filing of state and federal criminal charges, civil contract remedies including damages, assessment of liquidated damages, voiding or rescinding a contract, finding a supplier non-responsible, suspension, and debarment.

XVIII. SUSPENSION/DEBARMENT

The Procurement Official is authorized to suspend a person or entity from consideration of award of contracts if the Procurement Official has adequate documented evidence to demonstrate the person or entity has engaged in any activity which is grounds for suspension or debarment.

XIX. SUPPLIER PERFORMANCE

The County monitors supplier's execution of the performance criteria during the term of the contract to assure that the supplier meets all contract specifications including performance, deliverables, delivery, costs, and schedule requirements. Procurement issues periodic inquiries to the requesting departments for feedback on supplier performance and makes entry into the applicable supplier record in the County database which may be reviewed and considered as part of the due diligence review and evaluation of a supplier for future awards.

XX. SOLICITATION ADVERTISEMENTS

All documents issued pursuant to sealed competitive formal solicitations (RFPs, RFQs, IFBs) are distributed electronically and available for download at no charge at www.mymanatee.org, click on 'Business' and select 'Bids & Proposals'. Documents may be viewed and downloaded for printing using Adobe Reader® software. Additionally, the County advertises informal solicitations (ITQs and RFOs) on the Bids & Proposals' webpage.

At its sole discretion, the County may also utilize a third-party provider, BidSync, to distribute advertisement notices. Visit the BidSync website at <https://www.bidsync.com/> for more information regarding this service and any associated fees for participation.

Solicitations and all related documents are available for public inspection at the Manatee County Administration Building, 1112 Manatee Avenue West, Suite 803, Bradenton, FL 34205, between the hours of 9:00 A.M. and 4:00 P.M., Monday through Friday, excluding County holidays. Call (941) 749-3014 to schedule an appointment.

As a courtesy, Manatee County provides notification via email to the Manatee County Chamber of Commerce and the Manasota Black Chamber of Commerce when solicitations are advertised, for distribution to their members.

XXI. INSURANCE

Suppliers who provide a goods and services that are delivered/performed by the supplier on County property are required to submit proof of insurance coverage on a standard ACORD form. This includes services such as construction, repairs, maintenance, consulting, training, delivery and installation. The amount and type of insurance coverage required is relative to the extent of the risk inherent to each contract. Therefore, the types and amounts are specific to each solicitation. However, at a minimum, the County generally requires General Liability and Auto Liability insurances of at least \$1,000,000 per occurrence, Employer's Liability insurance of at least \$100,000 per accident and \$500,000 disease per employee, and Workers' Compensation insurance per Statutory requirements. The County must be listed as an additional insured for certain types of liability insurances.

XXII. BONDING AND SURETY

A. Bid Bond

A bid bond is submitted at the time of submitting a response to provides financial assurance that the bid/proposal has been submitted in good faith and that the supplier intends to enter into a contract at the price bid. If a bidder does not accept the award, the bid bond is forfeited. Bid Bonds are returned to all bidders/proposers upon award and final execution of any resulting agreement.

B. Performance and Payment Bond

Performance and payment bonds are provided by the awarded supplier(s) prior to commencement of the contracted work. A performance bond protects the County against financial loss should the supplier default or fail to complete work according to the terms and conditions of the contract. A payment bond ensures payment for all the supplier's suppliers and subcontractors who assist in the performance of the contract work up to the bond limit. These bonds are generally used for technical and complex services contracts such as management services and construction. Performance and Payment Bonds must remain in effect until full completion of all contract requirements.

Florida Statute, Section 255.05 requires a payment and performance bond in the sum of the contract amount for all public construction contracts exceeding \$200,000.

XXIII. PROTEST POLICY

Any actual bidder, proposer, or contractor who is aggrieved in connection with the notice of intent to award of a contract with a value greater than \$250,000 where such grievance is asserted to be the result of a violation of the requirements of the Manatee County Procurement Code or any applicable provision of law by the officers, agents, or employees of the County, may file a protest to the Procurement Official.

Protest must be in writing and delivered via email at purchasing@mymanatee.org or by hand delivery to the Procurement Division at 1112 Manatee Avenue West, Suite 803, Bradenton, FL 34205 by 5:00 p.m. on the fifth business day following the date of posting of the Notice of Intent to Award on the County website. There is no stay of the procurement process during a protest. The Procurement Official shall have the authority to settle and resolve a protest concerning the intended award of a contract.

For additional information regarding the County protest process, visit the Procurement Division webpage on the County website.

XXIV. LOBBYING PROHIBITION

After the issuance of any solicitation or during renegotiations, prospective Proposers, or their agents, representatives or persons acting on behalf of such Proposer, shall not contact, communicate with or discuss any matter relating in any way to the solicitation with any officer, agent or employee of Manatee County other than the Procurement Official or designee. This prohibition includes copying such persons on written communication, including email correspondence. This requirement begins at the time of advertisement of the RFP and ends upon final execution of the contract or at the time the solicitation is cancelled or the renegotiation efforts are terminated. The prohibition does not apply to presentations made to the evaluation committee or at a County Commission meeting where the Commission is considering approval of a proposed contract. Violators of this prohibition will be subject to sanctions as provided in the Manatee County Code of Ordinances Section 2-26-31 and 2-26-32. Sanctions may include (a) written warning; (b) termination of contracts; and (c) debarment or suspension.

XXV. CONTACT

For more information, contact the Manatee County Financial Management Department, Procurement Division at 941-749-3014 or via email at purchasing@mymanatee.org.

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