



Doing Business with the Orange County Board of County Commissioners

PURCHASING
AND CONTRACTS
DIVISION
400 E. South
Street,
2nd Floor
Orlando, FL
32801

Information for Vendors

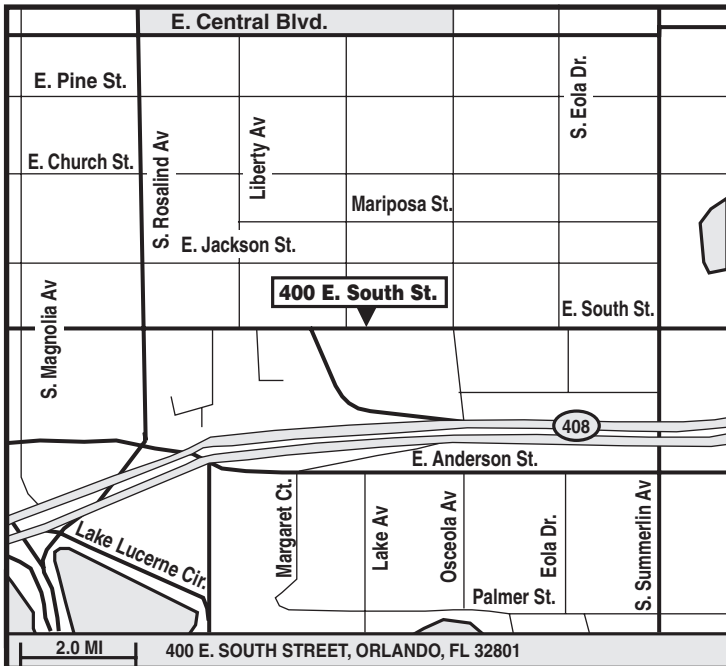
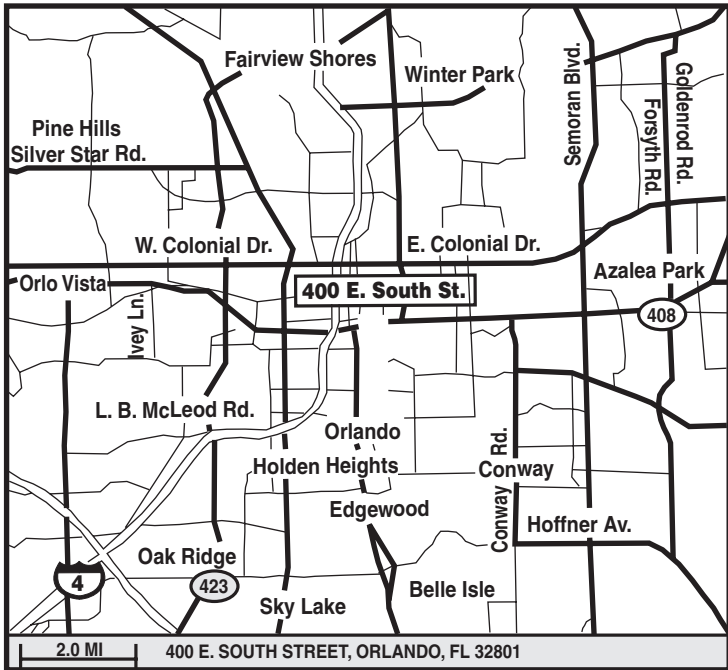


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PREFACE

Welcome vendors! Orange County is constantly seeking new sources to provide goods and services to support County operations. On behalf of all Orange County departments, all purchases are made or managed through the Purchasing and Contracts Division, Internal Operations Centre II (10C II) 400 E. South Street, 2nd Floor, Orlando, Florida, 32801.

VENDORS, PLEASE BE ADVISED THAT A PURCHASE ORDER OR CONTRACT ISSUED BY THE PURCHASING AND CONTRACTS DIVISION IS REQUIRED PRIOR TO THE PROVISION OF ANY GOODS AND/OR SERVICES. IF YOU PROVIDE GOODS AND/OR SERVICES FOR THE COUNTY WITHOUT A PURCHASE ORDER OR CONTRACT, YOU DO SO AT YOUR OWN RISK AND HAVE NO ASSURANCE OF PAYMENT.

Prior to visiting any County department/division to demonstrate a product or service, a vendor must receive clearance from the Purchasing and Contracts Division.

The principal objective of the Purchasing and Contracts Division is to buy the right quality, in the right quantity, at the right time, in the right place, and for the right price. All purchases, except sole source and emergency requirements, are made through a competitive system of formal and informal solicitation, which directs purchases to the lowest responsible bidder or proposer who meets the specifications, terms and conditions.

This pamphlet contains the information you need in order to sell goods and/or services to Orange County. If you require additional information, please call 407-836-5635.

This guide is not intended, and should not be relied upon, to be a complete statement of all legal requirements applicable to County Contracts. Both the County and bidders must at all times be guided by the applicable requirements of law not withstanding anything contained in this guide.

Johnny M. Richardson, CPPO, CFCM
Manager, Purchasing and Contracts Division

HOW CAN I RECEIVE COPIES OF SOLICITATIONS?

Bidders List: If you wish to receive copies of solicitations, you should visit our website at: orangecountyfl.net or you may visit the address listed below:

Orange County Purchasing and Contracts
P.O. Box 1393
400 E. South Street
Orlando, Florida 32802-1393

OR: call us at 407-836-5635,
fax 407- 836-5899.

To be placed in our bidder's database, you must obtain a copy of the bidder's application for completion and submission to the above address.

You will then be placed on the Bidders List for the commodity area(s) you have indicated. Vendors are encouraged to regularly check the means described below to ensure that you are aware of all solicitations in which you may be interested.

Vendor Registration System: Purchasing has implemented an on-line vendor registration program that **provides email notification** to registered vendors for projects that fall under the commodities they select. You may access this program at the following URL: <https://www.onetgov.net/VRS/Search.asp> or you may go to the following URL: <http://www.orangecountyfl.net/cms/default.htm> and select **Services Online** and follow the prompts to the Vendor Registration System. Please note that having done business with the County in the past does not automatically register you in the system.

Public Notice/Advertisement: The Purchasing and Contracts Division publishes a general notice in the Orlando Sentinel.

Posting: Notices of all formal bids are posted on the bulletin board outside the offices of the Purchasing and Contracts Division.

Some plans and specifications require a non-refundable payment in the form of a check or money order.

IFB/RFP Hotline: The Purchasing and Contracts Division maintains a Bid/RFP Telephone Hotline at 407-836-0011, which is a recorded announcement and listing of all bids and request for proposals currently in process. Please call this line if you are interested in bidding on any of our requirements.

Internet: The Purchasing and Contracts Division maintains a listing of all bids and requests for proposals currently in progress on the County's Internet home page at <http://www.orangecountyfl.net>.

Pre-Bid Conferences: The County conducts pre-bid conferences on many construction projects and specialized services. These meetings offer contractors and vendors the opportunity to meet County personnel for a firsthand presentation of the project. You are encouraged to review the project manual and drawings prior to the conference in order to discuss, question and comment on bid conditions, specifications, and the project schedule. Questions or

comments which necessitate an interpretation or modification of plans, specifications or contract documents will be responded to in writing in the form of an addendum issued to all potential bidders.

WHAT ARE THE CONTRACTING PROCEDURES?

The following contracting methods are used by the County to acquire products, services and equipment:

- A. **Small Purchases (Up to \$1,500):** Purchases under \$1,500 are bought on the open market with or without competition. However, every attempt is made to secure such purchases from certified M/WBE vendors.

- B. **Informal Quotes and Bids (Greater than \$1,500 - *\$34,000):** Purchases from \$1,000 to \$34,000 are procured via a minimum of three telephone quotes or written quotes from selected vendors, one of which shall be a certified M/WBE vendor, if available. Vendors should take particular care when quoting prices to assure accuracy. Telephone quotes should be provided the same day requested, if possible. A written quote for purchases between \$1,500 and \$34,000 is solicited by issuance of a Request for Quote (RFQ) form to a minimum of three vendors selected from the Vendor Bid List. The “Request for Quote” form details items being purchased and County specifications. Vendors should return the completed “Request for Quote” form within the designated time period. Buyers and Purchasing Agents review quotes and select the lowest responsible quoter.

*Limit subject to annual adjustment

C. Formal Sealed Bids and Requests for Proposals (Over \$34,000): All purchases exceeding \$34,000 are acquired through this process, with the exception of sole source and emergency procurements. Sealed bids are solicited through the issuance of Invitation for Bids (IFBs).

Bid Packages are prepared with specifications and conditions including items bid, units and total quantity required, instructions for bidding, delivery information, and any special requirements for bidding. Assigned dates for advertising and for bid opening are also included.

The Purchasing and Contracts Division awards contracts to the lowest responsive and responsible bidder.

D. Requests for Proposals (RFP): Requests for Proposals are often used for purchases of professional services (architect-engineer), specialized services, or equipment of a highly technical nature. In addition to price, award is made on the basis of evaluating several criteria, including experience, qualifications, M/WBE participation, past performance, and other factors. RFPs are designed to select the best proposal based on the criteria stipulated in the RFP. Rather than detailed specifications, which are contained in Formal Sealed Bids, the RFP generally includes a series of objectives and scope of work to be accomplished.

HOW DO I COMPETE FOR COUNTY CONTRACTS?

Solicitations: Upon learning of an upcoming solicitation, you may obtain a bid form by writing, visiting or calling the Purchasing and Contracts Division. A bid may also be obtained on the Internet at www.orangecountyfl.net. Obtaining solicitations via the Internet has proved to be extremely popular with the business community. When you request your bid form, ask for it by Title and Bid Number —this information appears in all advertisements, solicitations, and notices. Solicitations are RFQs, IFBs, and RFPs.

The solicitation generally contains the specifications and/or scope of work for the commodity or services being purchased and the terms and conditions governing the bid.

Once you have completed the bid form, check for errors, and make sure that all required signatures and attachments (i.e., bid security, product information, etc.) are included. Then, seal the bid in an envelope with your company's name, Bid Number, Title, and Bid Opening Date on the outside of the envelope.

Be sure that your bid reaches the Purchasing and Contracts Division before the time and date specified on the form. Late bids will not be accepted and are not grounds for protest.

All bids are opened in public, read aloud in the specified Bid Opening Room and are available for public inspection ten (10) days after opening or upon recommendation of award, whichever occurs first. To arrange for an inspection of bid results, contact the Purchasing and Contracts Division.

Direct all questions regarding the bid form to the Purchasing and Contracts Division. You may not contact any other County department once the solicitation has been issued, or you will be in violation of the County's lobbying ordinance.

Telephone Quotations: With informal quotation situations, the Purchasing and Contracts Division obtains quotes by telephone. Such telephone quotes have the same integrity as written quotes, and the lowest responsive and responsible quoter will receive the award.

Specifications: Specifications are detailed descriptions of the intended purchase, establishing the minimum acceptable standards. They are included in the solicitations. If you have any questions, concerns, or objections regarding specifications, contact the person indicated in the solicitation. Inquiries of this nature should be in writing and must be received by the date specified in the solicitation or prior to the opening of bids or proposals. Responses will be made in writing in the form of an addendum issued to all potential bidders.

The specifications for some items require a Brand Name or Equal. If you cannot supply the indicated brand name, you may offer a product that is "equal to" or "better than" the brand name quality set forth in the bid proposal. You will be assured of fair competition with other vendors.

IMPORTANT: Please contact us, before bid opening, if you feel our bid has any requirements which lessen open competition.

Bid Bonds: If bid security is required, it will be specifically stated in the Instructions to Bidders contained in the bid documents. Such security is required by ordinance on construction contracts exceeding \$100,000.

Deposits are held until the contract is awarded, at which time all deposits other than that of the awardee are released. The awardee's deposit is released when the contract is executed by the County -- unless the bid proposal stipulates that the deposit will be held throughout the term of the contract.

Insurance:

The County may require insurance for a project based on the nature of the goods and services. The following language is typical of the County's requirements for insurance.

A. Before execution of a contract by the County and commencement of the operations and/or services to be provided, and during the duration of the contract, the vendor will file with the County current certificates of all required insurance on forms acceptable to the County, with the certificate holder listed as Orange County Board of County Commissioners, which will include the following provisions:

1. All insurance policies will be issued by companies authorized to do business under the laws of the state of Florida and acceptable to the County.
2. The certificates will clearly indicate that the vendor has obtained insurance of the type, amount and classification as required for strict compliance with this insurance section.

3. No material change or cancellation of the insurance will be effective without 30 days prior written notice to the County.

B. The vendor will require and ensure that each of its subcontractors providing services hereunder (if any) procures and maintains, until the completion of services, insurance of the types and to the limits specified herein.

C. Coverages Required:

1. Workers' Compensation - The vendor will provide coverage for its employees with statutory workers' compensation limits, and no less than \$100,000.00 for Employers' Liability. Said coverage will include a waiver of subrogation in favor of the County and its agents, employees and officials.

2. Commercial General Liability - The vendor will provide coverage for all operations including, but not limited to, Contractual, Products and Completed Operations, and Personal Injury. The limits will be not less than \$500,000.00, per occurrence, Combined single Limits (CSL) or its equivalent. The General Aggregate limit will either apply separately to this contract or will be at least twice the required occurrence limit.

3. Business Automobile Liability - The vendor will provide coverage for all owned, non-owned and hired vehicles with limits of not less than \$500,000.00, per occurrence, Combined Single Limits (CSL) or its equivalent.

4. Professional Liability (Errors and Omissions) or Medical Malpractice, as applicable - The vendor will provide coverage for all claims arising out of the services

performed with the limits not less than \$500,000.00, per claim. The aggregate limit will either apply separately to this contract or will be at least twice the required per claim limit.

5. The County shall be specifically included as an additional insured on the general liability policy.

D. All such insurance required of the vendor shall be primary to, and not contribute with any insurance or self-insurance maintained by the County.

F. Compliance with these insurance requirements shall not relieve or limit the vendor's liabilities and obligations under this contract. Failure of the County to demand such certificate or other evidence of full compliance with these insurance requirements or failure of the County to identify a deficiency from evidence provided will not be construed as a waiver of the vendor's obligation to maintain such insurance.

Samples and Testing: Please note that the Purchasing and Contracts Division may require samples and an inspection of plant facilities prior to, or after an award of contract.

Addenda and Changes in the Bid Proposal: During the course of a formal written bid procedure, changes may take place affecting the terms and conditions or the specifications of the bid. In these instances, a written addendum will be available on the Internet for vendors who have received bid documents. Addenda may also be mailed upon specific request. These changes become an integral part of the bid and must be signed and returned with your bid proposal.

Errors in Bidding: Your bid is your firm offer to enter into contract with the County. However, if you discover that you have made an honest mistake in your bid, which you can substantiate with documentary evidence, you must notify the Manager of Purchasing and Contracts, in writing, before an award is made. The Manager of Purchasing and Contracts then has the discretion to release you from your bid.

Bid Withdrawal: All bids submitted must be firm for the minimum of time stipulated in the bid document. No bidder may withdraw a bid within this time, unless an error is discovered and handled as stated above. Bids may be withdrawn, by an authorized representative of your firm, prior to bid opening. Withdrawal of a bid after the bid opening may subject the bidder to forfeiture of his/her bid security.

HOW ARE AWARDS MADE?

Lowest Responsive and Responsible Bidder: After bids are read and tabulated, they are analyzed to determine the lowest responsive and responsible bid. Although the time varies, analysis and award is generally completed within forty-five (45) days.

Award Recommendations: Bid tabulations showing bid results and recommended award are posted outside the offices of the Purchasing and Contracts Division for a period of five (5) working days.

Rejection of Bids: Whenever it is in the County's best interest, the Manager of Purchasing and Contracts reserves the right to reject any and all bids.

Shortlist of Proposals/Award Recommendations: The Procurement Committee evaluates proposals and submits the results to the Board of County Commissioners for approval. Upon approval of the shortlist, the County enters into negotiation with the top ranked firm.

Also, a single proposal may be submitted to the Board for contract approval based on the evaluations of the Procurement Committee. Contract negotiation with this firm may be initiated upon Board approval.

Local Preference: The Board of County Commissioners may give a preference to Orange County vendors in the event that bids are equal, or when a bidder is located in a County which has a local preference law. No other local preference is given. A County vendor is defined as a firm with a principle place of business within Orange County.

M/WBE Program: Orange County is committed to achieving Minority and Women Business Enterprise (M/WBE) and Equal Employment Opportunity goals. For certain types of contracts, the County includes requirements for M/WBE preference and participation. For further information regarding the County's M/WBE program, contact the Business Development Division at 407- 836-7317.

When M/WBE compliance is applicable, the specific requirements are included in the solicitation.

Right to Protest: Any actual or prospective bidder or proposer who is allegedly aggrieved in connection with a pending award may protest to the Manager of Purchasing and Contracts. A due process procedure will be followed to resolve any protest. Copies of the protest procedures are available in the Purchasing and Contracts Division office.

For information on lobbying and blackout periods for IFBs and RFPs please refer to the following website:
<http://www.orangecountyfl.net/emdocs/govern/lobbyist/lobbyingord.pdf>

AFTER AWARD - WHAT THEN?

Notice of Award: If the County has determined that you are the lowest responsive and responsible bidder, a purchase order may be issued. In the alternative, you may be sent a letter notifying you of the County's intent to award you a contract. This letter will also advise you if there are any requirements necessary for you to complete prior to contract execution.

If the County has selected you to provide professional services covered by the Competitive Consultant Negotiation Act (CCNA) you will be sent a letter notifying you of the selection and authorization for County staff to enter into contract negotiations with you.

Delivery: An official County purchase order or contract is your authorization to commence delivery. Acceptance of delivery is conditioned upon inspection and approval by the receiving department/division to verify that you have fully complied with the terms of the contract.

Vendor Default: Vendors who fail to provide goods and/or services in accordance with the terms and conditions of their contract will be held in default. The County will hold such vendors liable for all extra costs incurred in the procurement of the goods and/or services from another vendor. Such default is also subject to suspension from doing business with the County for up to two (2) years. A second default may result in permanent debarment of a vendor.

Change Orders and Modifications: Occasionally, after a contract has been awarded, changes occur in either price or performance. If the contract provides for modifications, it is done by a written change order or contract amendment, which is sent to the vendor.

Please note that the contract will specifically state the circumstances under which changes are allowed.

Vendor Payment: Invoices should be sent directly to the department/division at the address specified on the purchase order. Questions regarding payments can best be answered by the County's Finance Department – 407-836-5715.

Invoices must contain proper quantities, units, and total prices as stated in the contract. No payments will be issued prior to receipt and acceptance of commodities and services by authorized County representatives.

The County's computerized purchase system encumbers funds simultaneously as the order is input. The purchase order is mailed the same day and is ready to process for payment immediately upon receipt and acceptance of goods and services. The County processes most invoices for payment within thirty (30) days, and expedites payments where additional discounts for prompt payment are offered.

Tax Exempt Status

The County is exempt from Florida State Sales Tax. Upon request, the County will provide a copy of its Tax Exemption Certificate. Any such taxes included on an invoice to the County will be deducted and the remaining amount will be paid.

WEBSITE INFORMATION

In addition to solicitation and Board awards, our term/continuing contracts are available on our website. This information includes the effective dates of the contract, specification, and current prices.

GIFTS AND GRATUITIES

County policy prohibits acceptance of gifts at any time. Employees must not become obligated to any supplier and shall not participate in any County transaction from which they will benefit directly or indirectly.

HOW DO I CONTACT PURCHASING?

All Orange County purchases are made by the Purchasing and Contracts Division, 400 E. South Street, 2nd Floor, Orlando, Florida 32801. Our telephone number is 407-836-5635, and our fax number is 407-836-5899. See page 3.