



Board of County Commissioners  
Office of Purchasing  
**Title: Purchases Exempt From Competition**

Effective Date: 10/28/98 Supersedes Date: 12/20/96

Procedure No: PP-110

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I. Purpose

The purpose of this procedure is for procuring goods and services which are exempt from the competitive bid requirements.

II. Scope

This procedure applies to all purchases that are exempt from the formal competitive bid and proposal requirements as follows:

- (1) Agreements between the Board of County Commissioners and non-profit organizations, the federal government, or other state or local governments, including the transfer, sale, or exchange of goods and/or services.
- (2) Purchases by the Clerk of the Circuit Court, Sheriff, Supervisor of Elections, Property Appraiser, State Attorney, Public Defender, Tax Collector, Escambia County Civil Service Board, Escambia County Human Relations Commission, and such other county entities as may be designated from time to time by the Board of County Commissioners.
- (3) Goods and/or services received by grant, gift or bequest.
- (4) Items defined below as a direct payment voucher.
- (5) Payroll and payroll related deductions.
- (6) Awarded bids by local, state, or national government agencies, government cooperative purchasing organizations or purchasing associations.
- (7) Purchases from the State of Florida or U.S. General Services Administration Contracts.



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III. Procedure

A. Direct Payment Voucher

Direct payment voucher is defined in Sec. 46-45 and excludes purchases less than \$1,000.00.

The user department/division shall utilize the Direct Payment Voucher to approve payment for the following exempt items, and submit directly to the accounting department:

1. Debt related expenses
2. Mileage Reimbursements
3. Towing, forensic services, witness expenses, storage expenses, copies of records, transcripts.
4. Child support payments
5. Housing assistance payments
6. Payments issued to constitutional officers
7. Indigent medical and burial payments
8. Instructor fees
9. Medical insurance refunds (personnel only)
10. Memberships (must be on approved membership list)
11. Outside Counsel
12. Other legal services, including paralegal services, expert witnesses and court reporters.
13. All types of taxes



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14. Assessments, fees, permits
15. Utility payments and deposits
16. Postage (U.S. Post Office only)
17. Pre-approved interview and/or moving expenses (personnel only)
18. Refunds on overpayment (i.e., tag & title fees, taxes, parking violations)
19. Risk Management claims settlements
20. Subscriptions to and legal advertisements in newspaper and periodicals
21. Tax deed application expenses
22. Tuition, lab fees, books, required course materials to approved schools (registration forms required).

**PROCUREMENT CARD PURCHASES PAYMENT VOUCHER**

Purchases less than \$2,500.00 (subject to the restriction that no purchase shall be artificially divided so as to constitute a purchase under \$2,500.00), and payments made through approved purchase card agreements. Purchases made with the VISA Purchasing Card are considered to be small purchases under Section 46-91 of the Procurement Code. See PP-140.



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23. Awarded bids by local, state, or national government agencies, government cooperative purchasing organizations or purchasing associations.
24. Purchases from the State of Florida or U.S. General Services Administration.

**Purchase Orders shall be issued to provide for payment for the following exempt items:**

1. Emergency purchases
2. Processed media: movies, slides, videos, and other from processor, producer or exclusive distributor.
3. Purchases from State of Florida term contracts
4. Purchases from GSA Contracts and other governmental entities' Invitations to Bid'.
5. Blanket purchase orders issued on an annual basis wherein the exact quantity of items or identification of specific items cannot be determined in advance.
6. Sole Source procurements
7. Items which have been approved for standardization, and a specific vendor has been delineated in the standardization process.
8. Maintenance Agreements (excluding those less than \$2,500.00)

**B. Awarded Bids by Local, State, or National Government Agencies, Government Cooperative Purchasing Organizations or Purchasing Associations and Purchases from the State of Florida or U.S. General Services Administration Contracts.**

The procedure also known as "piggybacking" is allowed and utilized for the procurement of goods and services without formal bid procedures via utilizing other public entity's award of an Invitation for Bid or Request for Proposal; for example, the sources mentioned above.



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Purchasing Agents shall have all piggyback procurements pre-approved by the Purchasing Manager prior to performing the following due diligence, to assure that piggybacking for the purchase in question will be appropriate.

The following documentation shall be included in the due diligence for piggybacking:

1. A full copy of the Invitation for Bid, the vendor's price sheet, vendor's signature, allowance for piggybacking by other entity, notification for award, date of purchase order or contract, and expiration date.
2. Quotation from vendor, offering to honor the same prices under the same terms and conditions as indicated in the Invitation for Bid.

IV. Award

Award shall be made in accordance with express authority as indicated in the Delegation of Signature Authority, Procedure No. PP-020. Since the procurements described in this procedure are exempt from the bid requirements, it is not a requirement that these procurements be placed on Committee or Board agenda.

V. Limitations

Only purchases may be piggybacked; sale or trade-ins shall be sold separately. Should the piggybacked bid have a line item(s) for trade-in of used equipment, this line item(s) cannot be piggybacked.

VI. Example

A public entity issued an Invitation for Bid for a Motor-Grader. Line item number 2 provided for a trade-in of a 10 year old motor-grader. Award was made by the public entity to an equipment dealer for both line items. Item number 1 (purchase of a motor grader) is a piggyback item, but item number 2 (trade-in of used motor-grader) is not a piggyback item.



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**SOLE SOURCE**

**PURPOSE**

To provide a mechanism for the procurement of goods and services which are a sole source.

**DEFINITION**

Sole source items must meet both of the following criteria:

1. It is the only item that will produce the desired results (or fulfill the specific need)
2. The item is available from only one source of supply

Purchases of supplies, equipment and contractual services from a sole source are exempted from competitive requirements upon approval of the Purchasing Manager. Said approval shall be formally authorized utilizing a Sole Source Purchase Data Sheet, Form #F0170.

The request for Sole Source purchase shall set forth the purpose and need, in addition to why the item is the only one that will produce the desired results (or fulfill the specific need).

The user department/division and/or the Purchasing Agent shall attempt to locate competition (alternate sources of supply).

Compatibility to existing equipment shall be an acceptable justification for waiver of bidding requirements, provided the item is only available from one source of supply.

The Office of Purchasing shall keep a Sole Source Log, Form #F0160 which logs all sole source purchases, includes the vendor name, the amount, item description, justification, and the purchase order number.

**PROCEDURE**

The user department/division shall submit to the Office of Purchasing a completed Sole Source Purchase Data Sheet, Form #F0170, indicating the requisition number, which has previously been input into the computer in accordance with Policies and Procedures.

The Office of Purchasing shall review and approve or disapprove, in writing, sole source designation after a good faith effort is made to find other available sources.



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When the Purchasing Manager determines that a sole source exists for the required goods and/or services, staff shall conduct negotiations, as appropriate, as to price, delivery, and terms.

Approved requests shall be processed and the log and files updated by the Purchasing Agent.

The user department/division shall be informed as to any requests which are disapproved, and the procurement shall be made in accordance with standard procedures.

**AWARD**

Award of sole source procurements shall be made in accordance with express authority as delegated.

NOTE: See "Purchases Exempt from Competition", See PP-110 for additional information.

**EXAMPLE**

XYZ, Inc. would be considered a sole source for parts for a County owned XYZ computer due to our computer system being standardized to XYZ type, any other type of parts utilized would scramble the system and invalidate the warranty, and, the parts are only available directly from the manufacturer.

Road Operations has submitted a requisition for 'chrome muffler bearings' for installation in all County vehicles. This item was recently invented and brought to market by WWW Manufacturing, Inc. These bearings increase the performance of vehicles by 100%. No other company has anything of this type in production, and purchases of these bearings can only be made directly from the manufacturer.