



Attached are the Notices of Intended Action, the repealed and amended rules. Changes from the current rules are indicated by ~~striking through~~ words to be deleted and underscoring words to be added.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida:

1. **REPEAL** School Board Rule 6Gx13- 3C-1.101, Purchase Requisitions–Routing;
2. **ADOPT** amended School Board Rules:  
  
6Gx13- 3C-1.091, Purchase Requisitions;  
6Gx13- 3C-1.111, Bidding Process-Competitive Bidding Requirements;  
6Gx13- 3F-1.021, Professional Services Contracts; and
3. **AUTHORIZE** the Superintendent to file the rules with The School Board of Miami-Dade County, Florida, effective May 18, 2005.

OSP:nm

## NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on April 13, 2005, its intention to repeal Board Rule 6Gx13- 3C-1.101, Purchase Requisitions--Routing, at its meeting of May 18, 2005.

**PURPOSE AND EFFECT:** To repeal School Board Rule and incorporate equivalent language into Rule 6Gx13- 3C-1.091, Purchase Requisitions, for clarity and consolidation.

**SUMMARY:** Board Rule 6Gx13- 3C-1.101, Purchase Requisitions--Routing, will be repealed in its entirety in order to incorporate equivalent language into School Board Rule 6Gx13- 3C-1.091.

**SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED:** 230.22(2) F.S.

**LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC:** Chapter 237.02 F.S.

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING OF May 18, 2005, which begins at 1:00 p.m., in the School Board Auditorium, 1450 N.E. Second Avenue, Miami, Florida 33132. Persons requesting such a hearing or who wish to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative as provided by Section 274.06 F.S., must do so in writing by May 9, 2005, to the Superintendent of Schools, Room 912, at the same address.

ANY PERSON WHO DECIDES TO APPEAL THE DECISION made by The School Board of Miami-Dade County, Florida, with respect to this action will need to ensure the preparation of a verbatim record of the proceedings, including the testimony and evidence upon which the appeal is to be based. (Section 286.0105, Florida Statute)

A COPY OF THE PROPOSED REPEALED RULE is available to the public for inspection and copying at cost in the Citizen Information Center, Room 158, 1450 N.E. Second Avenue, Miami, Florida 33132.

Originator: Mr. Joseph A. Gomez  
Supervisor: Mr. Martin A. Berkowitz  
Date: March 30, 2005

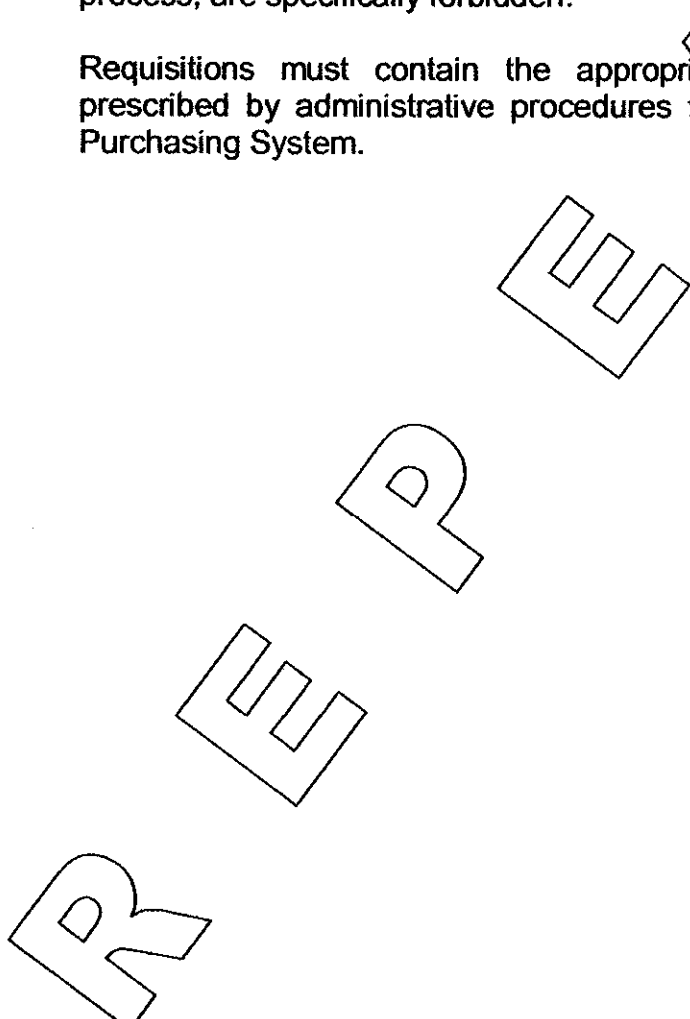
Non-salaried Expenditures

**PURCHASE REQUISITIONS--ROUTING**

Good purchasing procedure requires that the schools, departments, and agencies of the Miami-Dade County school system initiate a purchase requisition, properly executed and approved by the head of such school, department, or agency.

Split requisitions, to bypass the approval requirements and/or the bidding process, are specifically forbidden.

Requisitions must contain the appropriate authorized approvals as prescribed by administrative procedures for the MSAF Budget Finance Purchasing System.



Specific Authority: 230.22(2) F.S.  
Law Implemented, Interpreted, or Made Specific: 237.02 F.S.

History THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA  
Repromulgated: 12-11-74  
Amended: 8-19-87; 1-20-88; 12-6-89; 1-9-91; 9-8-93  
Technical Change: 5-1-98

## NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on April 13, 2005, its intention to amend Board Rule 6Gx13- 3C-1.091, Purchase Requisitions, at its meeting of May 18, 2005.

**PURPOSE AND EFFECT:** The amendment to the School Board Rule will incorporate equivalent language from the proposed repealed Board Rule 6Gx13- 3C-1.101, Purchase Requisitions-Routing, and will revise the requirement for purchase requisitions to comply with established procedures of the Procurement Credit Card Program, and to permit purchases by schools when a requisition is not economically sound.

**SUMMARY:** The rule as amended sets forth administrative requirements for requisitions and increases the minimum threshold amount to \$3,000 for small purchases.

**SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED:** 1001.41(1)(2); 1001.42(22); 1001.43(10) F.S.

**LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC:** 287.057 F.S.; 6A-1.012(8) FAC.

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING OF May 18, 2005, which begins at 1:00 p.m., in the School Board Auditorium, 1450 N.E. Second Avenue, Miami, Florida 33132. Persons requesting such a hearing or who wish to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative as provided by Section 120.541(1), F.S., must do so in writing by May 9, 2005, to the Superintendent of Schools, Room 912, at the same address.

ANY PERSON WHO DECIDES TO APPEAL THE DECISION made by The School Board of Miami-Dade County, Florida, with respect to this action will need to ensure the preparation of a verbatim record of the proceedings, including the testimony and evidence upon which the appeal is to be based. (Section 286.0105, Florida Statute)

A COPY OF THE PROPOSED AMENDED RULE is available to the public for inspection and copying at cost in the Citizen Information Center, Room 158, 1450 N.E. Second Avenue, Miami, Florida 33132.

Originator: Mr. Joseph A. Gomez  
Supervisor: Mr. Martin A. Berkowitz  
Date: March 30, 2005

Non-salaried Expenditures**PURCHASE REQUISITIONS**

Good purchasing procedures require that schools, departments, and agencies of the Miami-Dade County school system initiate a purchase requisition, properly executed, which will contain authorized signatures and approvals of the originating administrator, ~~and principal, or~~ department or agency head, for the purchase of any and all items desired, except where small purchases, transactions not in excess of ~~750.00~~ \$3,000 per requisition, and market difficulties, make the cost of some purchases in this manner economically unsound. In those instances, administrative directives or operating manuals may be issued, when deemed necessary, containing the procedures to economically perform the purchasing function within the controls required and authority provided by Florida Statute, Florida Board of Education Administrative Rules and School Board Rules.

Split requisitions, to bypass the approval requirements and/or the bidding process, are specifically forbidden.

Requisitions must contain the appropriate authorized approvals as prescribed by administrative procedures for the MSAF Budget Finance Purchasing System.

Specific Authority: ~~230.22(2); 230.23(22)~~ 1001.41(1)(2); 1001.42(22); 1001.43(10) F.S.  
Law Implemented, Interpreted, or Made Specific: ~~237.02~~ 287.057 F.S.; 6A-1.012(8) FAC

History THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA  
Repromulgated: 12-11-74  
Technical Change: 5-1-98  
Amended: 8-19-87; 1-10-90; 8-21-02

## NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on April 13, 2005, its intention to amend Board Rule 6Gx13- 3C-1.111, Bidding Process--Competitive Bidding Requirements, at its meeting of May 18, 2005.

**PURPOSE AND EFFECT:** The amendment to the School Board Rule will incorporate equivalent language regarding the bidding process, proposed to be deleted from Board Rule 6Gx13-3F-1.021, Professional Services Contracts, as established by Florida Statutes and State Board of Education, and incorporate a revised definition of a formal bid, to include a solicitation that is electronically posted.

**SUMMARY:** The rule sets forth procedures for formal bids, proposed to be deleted from Board Rule 6Gx13-3F-1.021, and quotations.

**SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED:** 1001.41(1)(2); 1001.42(22); 1001.43(10) F.S.

**LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC:** 287.057 F.S; 6A-1.012 FAC.

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING OF May 18, 2005, which begins at 1:00 p.m., in the School Board Auditorium, 1450 N.E. Second Avenue, Miami, Florida 33132. Persons requesting such a hearing or who wish to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative as provided by Section 120.541(1), F.S., must do so in writing by May 9, 2005, to the Superintendent of Schools, Room 912, at the same address.

ANY PERSON WHO DECIDES TO APPEAL THE DECISION made by The School Board of Miami-Dade County, Florida, with respect to this action will need to ensure the preparation of a verbatim record of the proceedings, including the testimony and evidence upon which the appeal is to be based. (Section 286.0105, Florida Statutes)

A COPY OF THE PROPOSED AMENDED RULE is available to the public for inspection and copying at cost in the Citizen Information Center, Room 158, 1450 N.E. Second Avenue, Miami, Florida 33132.

Originator: Mr. Joseph A. Gomez  
Supervisor: Mr. Martin A. Berkowitz  
Date: March 30, 2005

Non-salaried Expenditures**BIDDING PROCESS--COMPETITIVE BIDDING REQUIREMENTS**

## I. Formal Written Bids

"Formal Bid" means a written solicitation for competitive sealed bids. The invitation to bid is used when the agency is capable of specifically defining the scope of work for which a contractual service is required or when the agency is capable of establishing precise specifications defining the actual commodity or group of commodities required. A written solicitation includes a solicitation that is electronically posted.

The major consideration given to bid evaluations is lowest price meeting specifications.

When the determination is made that a bid is appropriate, the performance specifications and standards requirements shall be spelled out in detail and shall be furnished to Procurement Management. After review, Procurement Management shall issue the invitation for bids, including all general and special conditions, and evaluate the bids submitted. The requirements for solicitation and review of bids by the Procurement Contract Review Committee (PCRC) shall be followed in all cases. Board approval shall be sought when the contract is recommended for award.

For each purchase of more than \$25,000, bids shall be requested from three or more sources. Notices of bids shall be sent to all vendors on the active vendor mailing list for that category of goods or services. This list shall include all minority/women vendors identified with the School Board for that particular category of goods or services, as well as organizations involved in assisting M/WBE firms by posting and disseminating information regarding available contracts. Notices of bids shall be advertised in one or more major, local newspapers at least seven days prior to the bid opening date. This shall include, as necessary, major newspapers having circulation representative of the various relevant minority classifications. Tabulations of current bids shall be retained in bid files and shall be available for reference. Standard bid forms used shall be as approved by the Superintendent of Schools and the Board Attorney.

## II. Written, Telephone, or Electronic Quotations

For each purchase of ~~less than~~ less \$25,000 or less and over the minimum quotation threshold established by Procurement Management, staff shall obtain written, telephone, or electronic quotations from three or more sources. If possible, vendors contacted shall be rotated and shall include M/WBE vendor participation. If only one of those sources respond with prices, two additional sources, if available, may be contacted for pricing, including, if possible, an M/WBE vendor. If no additional prices are obtained from those sources, the award shall be made to the lowest and best price quotation. If all three of the vendors ~~first~~ first contacted for prices respond with valid price quotations, the award shall be made to the lowest price quotation meeting specifications with no additional requests from other vendors required.

Quotations obtained shall be attached to the purchase order by and/or written notations or electronic reference recorded on a worksheet indicating prices and sources thereof, and certification of same by signature, electronic signature, or



facsimile. The requisition shall be approved for purchase as authorized by the Superintendent of Schools.

- III. Schools making internal fund purchases will adhere to policies as outlined in School Board Rule 6Gx13- 3D-1.021, Internal Fund/School Activities - Specific Procedures, the Internal Funds Manual.

Specific Authority: 1001.41(1)(2); 1001.42(22); 1001.43(10) F.S.  
Law Implemented, Interpreted or Made Specific: 287.057 F.S.; 6A-1.012 FAC

History THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA  
Repromulgated: 12-11-74  
Amended: 9-21-83; 8-19-87; 12-6-89; 1-9-91; 9-8-93; 8-20-03

## **NOTICE OF INTENDED ACTION**

**THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA**, announced on April 13, 2005, its intention to amend Board Rule 6Gx13- 3F-1.021, Professional Services Contracts, at its meeting of May 18, 2005.

**PURPOSE AND EFFECT:** The revision to the Board Rule will revise the threshold for Request for Proposals as established by Florida Statutes and State Board of Education rules, revise the evaluation criteria, and revise the composition of the Professional Services Contract Committee.

**SUMMARY:** The rule as amended will revise the threshold for Request for Proposals as established by Florida Statutes and State Board of Education rules.

**SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED:** 1001.41(1)(2); 1001.42(22); 1001.43(10) F.S.

**LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC:** 287.057 F.S.; 6A-1.012 FAC.

**IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING OF May 18, 2005**, which begins at 1:00 p.m., in the School Board Auditorium, 1450 N.E. Second Avenue, Miami, Florida 33132. Persons requesting such a hearing or who wish to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative as provided by Section 120.541(1), F.S., must do so in writing by May 9, 2005, to the Superintendent of Schools, Room 912, at the same address.

**ANY PERSON WHO DECIDES TO APPEAL THE DECISION** made by The School Board of Miami-Dade County, Florida, with respect to this action will need to ensure the preparation of a verbatim record of the proceedings, including the testimony and evidence upon which the appeal is to be based. (Section 286.0105, Florida Statutes)

**A COPY OF THE PROPOSED AMENDED RULE** is available to the public for inspection and copying at cost in the Citizen Information Center, Room 158, 1450 N.E. Second Avenue, Miami, Florida 33132.

**Originator:** Mr. Joseph A. Gomez  
**Supervisor:** Mr. Martin A. Berkowitz  
**Date:** March 30, 2005

Contracts and Documents**REQUEST FOR PROPOSALS AND PROFESSIONAL SERVICES CONTRACTS****DEFINITION**

For purposes of this rule, Professional Service is any type of personal service to the Miami-Dade County Public Schools which requires as a condition precedent to the rendering of such service: A. The obtaining of a license or other legal authorization; or B. Work which can only be performed by one who has achieved a high level of training and proficiency in the work to be performed.

~~The determination of whether to issue a bid or Request For Proposal (RFP) shall be made by the bureau or office in charge of the department requesting the services. This shall be done in consultation with the appropriate procurement representative.~~

~~The following procedures shall be applied when contracting for professional services:~~

**REQUEST FOR BIDS**

~~Bids shall be used when services are uniform in specifications, and the measurable criteria used for evaluation are objective in nature. The major consideration given to bid evaluations is lowest price meeting specifications.~~

~~When the determination is made that a bid is appropriate, the performance specifications and standards requirements shall be spelled out in detail and shall be furnished to the Bureau of Procurement and Materials Management. After review, the Bureau shall issue the request for bids, including all general and special conditions, and evaluate the bids submitted. The requirements for solicitation and review of bids by the Procurement Contract Review Committee (PCRC) shall be followed in all cases. Board approval shall be sought when the contract is recommended for award.~~

**REQUEST FOR PROPOSALS**

The Request For Proposal shall be used when seeking to contract for professional services, and when it is not practicable for the agency to specifically define the scope of work for which the commodity, group of commodities, or contractual service is required and when the agency is requesting that a responsible vendor proposed a commodity, group of commodities, or contractual service to meet the specifications of the solicitation document. A written solicitation includes a solicitation that is

~~electronically posted for goods when: A. The services and/or goods are of specific or unusual nature; B. The services and/or goods may vary depending on the provider; and C. When the quality and cost of the services and/or goods are of prime consideration. Services to be obtained by a Request For Proposal are generally subjective in nature. Goods of an unusual nature may require a Request for Proposal but are not considered subjective in nature.~~

The following process shall be followed for the Request For Proposal:

A. If the cost of the contract is estimated to be more than \$25,000 ~~\$50,000 or above annually:~~

~~1. Board approval shall be obtained prior to the issuance of the Request For Proposal. The Board agenda item shall specify the services or goods to be furnished, the selection process, and the estimated cost of the contract. The implementation schedule shall be developed by the Bureau of Procurement and Materials Management. Additionally, the Procurement Contract Review Committee should ensure that provisions for the use of the Minority/Women Business Enterprises (M/WBEs) are included. The Board shall be provided with a copy of each proposed Request For Proposal at the time authorization to issue the RFP is sought.~~

~~1. 2.~~ The evaluation selection committee shall be specified in the Request For Proposal. The committee shall consist of at least: (1) Two individuals from the originating bureau/office, however, not more than one of these individuals can be from the requesting department; (2) Two individuals from outside the bureau/office; and (3) One individual from the Division of Business Development and Assistance, and (4) one individual from Procurement Management Services (non-voting). Additional members may be appointed at the discretion of the Superintendent of Schools or his/her designee. The committee shall to the extent possible, be ethnically and gender representative.

~~3. The Board shall approve the composition of the selection committee prior to mailing the Request For Proposal.~~

~~2. 4.~~ The Procurement Contract Review Committee shall review the Request For Proposal to determine minority participation in the project, prior to the item being placed on the School Board agenda issuing the Request For Proposals.

3. 5. The Request For Proposal shall be advertised to solicit maximum vendor participation. To enhance Minority/Women Business Enterprise (M/WBE) participation, it is recommended that all advertisements be published and announced in major ethnic publications and organizations, as outlined in applicable School Board Rules, specifically, ~~6Gx13-3G-1.03, Administrative Procedures for M/WBE Participation In Construction Contracting, and 6Gx13-3G-1.04, Administrative Procedures For M/WBE Participation In Procurement Contracting.~~

4. 6. Board approval of recommendations by the evaluation committee shall be obtained sought after the evaluation selection process is completed and but prior to the issuance of the contract.

~~B. If the contract is estimated to cost more than \$10,000 but less than \$50,000 annually:~~

~~1. Board approval is not required prior to the issuance of the Request For Proposal (RFP). Additionally, the Procurement Contract Review Committee (PCRC) should ensure that provisions for the use of Minority/Women Business Enterprises (M/WBEs) are included.~~

~~2. A selection committee shall be approved by the Superintendent, and specified in the Request For Proposal (RFP). The committee shall consist of at least three individuals from the requesting bureau or office, however, not more than one of these individuals can be from the requesting department. The committee's composition should be consistent with the Board's policy.~~

~~3. The Procurement Contract Review Committee shall review the minority participation levels of the Request For Proposal (RFP).~~

~~4. Advertisement of the Request For Proposal (RFP) shall be made with a view toward obtaining maximum vendor response. Advertisements should be published and announced in major ethnic publications and organizations, as outlined in applicable School Board Rules, specifically, 6Gx13-3G-1.03, Administrative Procedures For M/WBE Participation In Construction Contracting, and 6Gx13-3G-1.04, Administrative Procedures For M/WBE Participation In Procurement Contracting.~~

~~5. Board approval of recommendations by the selection committee shall be obtained prior to the issuance of a contract.~~

B. C. If the contract is estimated to cost between ~~\$6,000 and \$10,000~~ less than \$25,000 annually:

1. There must be evidence that at least three vendors were contacted in writing, and if possible, at least one of these vendors shall be a Minority/Women Business Enterprise.
2. If only one potential vendor is known, an advertisement shall be placed in an appropriate publication that is widely distributed. If no responses are received, the contract can be developed with the one known vendor, in accordance with other established procedures.

C. D. The Request For Proposals shall include an implementation schedule consisting of the following: ~~for contracts estimated to exceed \$10,000:~~

~~Recommendation to the Superintendent  
Procurement Contract Review Committee  
Board Review (only for contracts estimated to cost  
\$50,000 or above)  
Mailing/Posting Date or Delivery Instructions  
Pre-Proposal Conference (if required)  
Opening Date and Time  
Evaluation Criteria  
Interview Schedule (if required)  
Award Process~~

D. E. The evaluation criteria which shall serve as the basis for recommendations by the evaluation selection committee shall include, but are is not limited to:

~~General Information~~ Conformance to the Proposal Requirements  
~~Experience of the Firm~~  
~~Personnel Assigned to the Engagement~~ Past Performance  
~~Price~~  
~~Equal Employment Opportunity Declarations~~  
~~M/WBE Participation~~  
~~Administrative Specifications~~  
~~Other Instructions~~

**E. F. Evaluation Selection Committee Meetings**

1. When committees are established to evaluate bids or a Request For Proposals, the originating department (Chairperson) will conduct the meetings, and ensure that: (1) minutes are recorded; and (2) proper documentation and records of committee actions are maintained. A copy of the minutes shall be forwarded to the ~~Bureau of Procurement and Materials Management~~ Services for inclusion in the master bid file.
2. Subsequent to required oral interviews, and discussions, the evaluation committee will evaluate ~~conduct an evaluation of the proposers/bidders and prepare a recommendation.~~ The written recommendation, ~~signed by all committee members;~~ and all other pertinent documentation shall be forwarded by the Chair of the evaluation committee to the Bureau of Procurement and Materials Management Services.
3. The evaluation committee's written recommendation must include the following for inclusion in the Master file within the ~~Bureau of Procurement and Materials Management Services~~:  
Services:

Clear Objective of the Request For Proposal  
 Identification of the Committee Members  
 Dates of Committee Meetings and a Brief Synopsis of the General Discussion  
 Dates of the Oral Interviews, if any  
 Name and Location of the Offerors  
 The Evaluation Criteria  
 An Explanation for the Basis of Selection  
 Recommendation of Acceptance of the Offeror(s)  
 Proposal  
 Votes of Committee Members

**E. G. The following exclusions to this rule apply:**

1. Contracts for legal services by the School Board Attorney and the attorneys supervised by the School Board Attorney, contracted third-party claims administration, nonpublic school placements and other services/goods for which selection procedures are provided by State Statute, State Board Rule or other School Board Rule.
2. The Professional Services Contract Committee shall be comprised of a representative ~~of School Operations;~~

Financial Affairs, Education, Facilities Management, from Senior Staff, two representatives from Business Operations, two representatives from Education and Curriculum, and non-voting representatives, Bureau of from Procurement and Materials Management Services, Office of School Board School Attorney, and Management and Compliance Audits, shall meet to consider requests for further exceptions to this rule. Such exceptions may be granted in the case of sole sources, contractors having specific expertise or as otherwise determined by the committee: to be in the best interest of the School Board. Exceptions recommended by the committee will be submitted to the School Board for approval for contracts with an annual estimated cost of more than \$25,000.

In instances where the contract is estimated to cost less than \$25,000, but more than the threshold established for quotations, and an exception for the procedure outlined in Section B above is sought, the contract does not have to be submitted to the Board for approval if the Committee has granted an exception pursuant to this Rule.

The School Board may make further exceptions to this rule on a case by case basis.

Specific Authority: 230.22(2); 230.23(17) 1001.41(1)(2); 1001.42(22); 1001.43(10) F.S.  
 Law Implemented, Interpreted, or Made Specific: 230.23(10)(1); 230.23005(2);  
230.33(12)(i) 287.057 F.S.;  
 6A-1.012 FAC

History

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA

New: 9-7-88

Amended: 12-6-89; 1-9-91; 12-19-91; 12-16-92; 12-8-93; 12-11-96; 8-25-99