Office of Superintendent of Schools
Board Meeting of October 14, 2026

September 30, 2026

Office of the General Counsel
Walter J. Harvey, General Counsel

SUBJECT: **FINAL READING: PROPOSED AMENDMENTS TO SCHOOL BOARD POLICIES 6320, *PURCHASING*, AND 6332, *PROFESSIONAL SERVICES CONTRACTS FOR INSURANCE OR RISK MANAGEMENT PROGRAMS***

COMMITTEE: **FISCAL ACCOUNTABILITY AND GOVERNMENT RELATIONS**

LINK TO STRATEGIC PLAN: **EFFECTIVE & SUSTAINABLE OPERATIONAL PRACTICES**

Consistent with the Board's responsibility to review and update policies, and pursuant to Board action, authorization is requested to amend Policies 6320, *Purchasing*, and 6332, *Professional Services Contracts for Insurance or Risk Management Programs*. These policies are proposed for amendment pursuant to July 2026 Item H-4, "Review of School Board Policies and Administrative Procedures Governing Procurement Evaluation Committees and Recommendation Processes," proffered by Board Member Daniel Espino, which directed the Superintendent to, among other things, propose revisions to Policy 6320, *Purchasing*, and any other active procurement-related board policies and administrative procedures, to promote the use of objective, measurable, and clearly defined evaluation criteria whenever practical.

In accordance with this item, Policy 6320 would be amended to require the Superintendent to develop administrative procedures that ensure consistency in evaluation methodologies, scoring practices, weighting of evaluation criteria, and committee documentation, and that strengthen transparency, accountability, public confidence, operational excellence, and the Board's ability to exercise effective governance over the approval of District contracts. The administrative procedures must ensure the appropriate use of subjective evaluation criteria, requiring written justifications for subjective evaluations when appropriate and require RFP and ITN solicitations to specify scoring methodologies, ranking procedures, and any voting requirements specific to the bid, including voting by consensus. The procedures must also require agenda items recommending bid awards to be supported by memoranda providing a reasonable summary of the evaluation criteria, assigned weights, proposer scores, and committee rankings; describing the selection committee's actions and, when necessary, the rationale supporting a recommendation; providing a concise explanation of the basis for the recommended award; and identifying the full membership of all committees convened to evaluate and recommend the award. Corresponding procedural changes have been made to applicable Procurement Management Services manuals. Policy 6332 would separately be amended to incorporate these requirements by reference and to require procedures governing health insurance and flexible benefit RFPs and ITNs to have multiple stages of scoring for core benefit plans. Under the amended policy, when fewer than three (3) responsive proposals are received, a single round of formal scoring may be utilized. Consensus votes during any scoring phase for these RFPs and ITNs would be prohibited.

The Notice of Intended Action was published in the Miami Herald on September 14, 2026, and posted in various places for public information and mailed to various organizations representing persons affected by the adopted and amended Board policies and individuals requesting notification. The time to request a hearing or protest the adoption and amendment of these policies has elapsed.

These amendments were drafted in collaboration with, and reviewed by the Superintendent, Cabinet, and District staff. The Notice of Intended Action and policies with strikethroughs and underlines are attached.

RECOMMENDED:

That The School Board of Miami-Dade County, Florida, amend School Board Policies 6320, *Purchasing*, and 6332, *Professional Services Contracts for Insurance or Risk Management Programs,* and authorize the Superintendent to file the policies with The School Board of Miami-Dade County, Florida, to be effective October 14, 2026.

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NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on September 9, 2026, its intention to amend School Board Policies 6320, *Purchasing*, and 6332, *Professional Services Contracts for Insurance or Risk Management Programs*, at its meeting of October 14, 2026.

PURPOSE AND EFFECT: School Board Policies 6320, *Purchasing*, and 6332, *Professional Services Contracts for Insurance or Risk Management Programs*, are proposed for amendment pursuant to Board action to revise policies and procedures to promote the use of objective, measurable, and clearly defined evaluation criteria whenever practical.

SUMMARY: Policies 6320, *Purchasing*, and 6332, *Professional Services Contracts for Insurance or Risk Management Programs*, are proposed for amendment to require that administrative procedures be developed ensuring consistency in evaluation methodologies, scoring practices, weighting of evaluation criteria, and committee documentation. The administrative procedures developed for all RFPs and ITNs under Policy 6320 would ensure the appropriate use of subjective evaluation criteria and require RFP and ITN solicitations to specify scoring methodologies, ranking procedures, and any voting requirements specific to the bid, including voting by consensus. The procedures would also require agenda items recommending bid awards to be supported by memoranda providing a reasonable summary of the evaluation criteria, assigned weights, proposer scores, and committee rankings; describing the selection committee's actions and, when necessary, the rationale supporting a recommendation; providing a concise explanation of the basis for the recommended award; and identifying the full membership of all committees convened to evaluate and recommend the award. Policy 6332 would incorporate these requirements by reference and require procedures governing health insurance and flexible benefit RFPs and ITNs to have multiple stages of scoring for core benefit plans. When fewer than three (3) responsive proposals are received, a single round of formal scoring may be utilized. Consensus votes during any scoring phase for these RFPs and ITNs would be prohibited.

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: Fla. Stat. ss. 1001.41(1)–(2), (5); 1001.42(12); 1010.04(2).

LAWS IMPLEMENTED INTERPRETED OR MADE SPECIFIC: Fla. Stat. ss. 110.1228; 1001.43(2), 1010.04; Fla. Admin. Code rr. 6A-1.012, 60A-1.002.

IF REQUESTED, A HEARING WILL BE HELD DURING SCHOOL BOARD MEETING OF October 14, 2026, 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 in Section 120.54(1), F.S., must do so in writing by October 6, 2026, to the Superintendent, 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)

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

Book	Policy Manual
Section	October 14, 2026 – Final Reading
Title	PURCHASING
Code	6320
Status	Final Reading

6320 - **PURCHASING**

All procurement of supplies, materials, equipment, and services paid for using School Board funds shall be the responsibility of the procurement department under the general supervision of the Chief Procurement Officer and shall be made in accordance with all applicable State laws, Florida State Board of Education Rules, School Board policies, and administrative procedures.

No person may make any purchase with Board funds unless authorized to do so by Board policy, administrative directives, or manuals approved by the Superintendent. For all purchases using Board funds, the following purchasing thresholds have been established by the Board:

A. Tier I: $0 to $2,499

B. Tier II: $2,500 to $49,999

C. Tier III: $50,000 and above

Requirements for purchases based on these purchasing thresholds are provided in Section III, below.

The department designated for making purchases with Board funds is the Board's Procurement Management Services Department. All agreements must be executed by an individual with valid signing authority.

Payment for any unauthorized purchase(s) may be the responsibility of the person who made the purchase(s).

I. Definitions

A. ***Certified Business Enterprises***, and specific types of such enterprises, as defined in Board Policy 6320.02.

B. ***Commodity Code*** – A system of words, numbers, or both, designed to identify and list goods and services by classes and subclasses.

C. ***Competitive Solicitation*** - Purchasing made through the issuance of an invitation to bid, request for proposals, and invitation to negotiate.

D. ***Construction Services*** - All labor, services, and materials provided in connection with the construction, alterations, repair, demolition, reconstruction, or any other improvements to real property.

E. ***Cooperative Purchasing*** - Action taken when two (2) or more entities combine their requirements to obtain advantages of volume purchases including administrative savings and other benefits. Cooperative procurement efforts may result in contracts that other entities may "piggyback".

F. ***Exceptional Purchases*** – Any purchase of commodities or contractual services excepted by law or rule from the requirements for competitive solicitation, including, but not limited to, purchases from a single source or any other purchase exempted under F.A.C. 6A-1.012.

G. ***Invitation to Bid*** - A written solicitation for competitive sealed bids used when the Board is capable of specifically defining the scope of work for which a contractual service is required or when the Board is capable of establishing precise specifications defining the actual commodity or group of commodities required.

A written solicitation includes a solicitation that is publicly posted.

H. ***Invitation to Negotiate*** - a written solicitation for competitive sealed replies to select one (1) or more vendors with which to negotiate for the procurement of commodities or contractual services used when the Board determines that negotiations may be necessary to receive the best value.

A written solicitation includes a solicitation that is publicly posted.

I. ***Originating Department*** - The department requesting informal and/or formal solicitations. This department is responsible for the product and/or services sought, monitoring vendor performance, and retaining all of its agreement(s).

J. ***Purchasing Cards (P-Cards) and Travel Cards*** – Payment methods by which School District requisitioners purchase directly from a vendor using a credit card in accordance with Policy 6424. A pre-established spending limit is generally established for each card issued.

K. ***Procurement Authority*** - Documentation establishing that a purchase requisition, P-Card or travel card purchase, fund reservation, or draft contract adheres to the competitive bidding process or meets criteria for an exemption in this policy.

L. ***Proposer*** - Vendors submitting bids or responses to a competitive solicitation.

M. ***Request for Information*** – A written or electronically posted request made by the District to vendors for information concerning commodities or contractual services. Responses to these requests are not offers and may not be accepted by the District to form a binding contract. This is a procurement practice used to obtain comments, feedback, or reactions from potential suppliers (contractors) prior to issuing a solicitation. Generally, price is not required. Feedback may include best practices, industry standards, technology issues, etc.

N. ***Request for Proposals*** - A written solicitation for competitive sealed proposals. These requests are used when it is not practicable for the Board to specifically define the scope of work for which the commodity, group of commodities, or contractual service is required and when the Board is requesting that a responsible vendor propose a commodity, group of commodities, or contractual service to meet the specifications of the solicitation document.

A written solicitation includes a solicitation that is publicly posted.

O. ***Revenue-Generating Agreements*** – Agreements for which no Board funds or internal school funds will be expended, but which are reasonably expected to result in funds being raised. These agreements include, but are not limited to, donation agreements, licensing agreements, and cooperative agreements that will result in either the Board or a public or private entity generating revenue.

P. ***State Appropriated Funds*** - Funds appropriated in the Florida General Appropriations Act, excluding Federal funds. This does not include general obligation bond funds for capital construction or funds raised through local capital outlay millage.

Q. ***Unauthorized Purchase*** - An agreement, commitment, or order for goods or services, construction, or changes to existing contracts, by any person who does not have an approved purchase order, fund reservation, and/or P-Card or travel card approval, and includes (1)

purchases made without the required competitive bidding, (2) purchases made in advance of an approved purchase order, fund reservation, and/or P-Card or travel card approval, and (3) changes under existing contracts made by a person who does not have delegated procurement authority.

R. ***Vendor File*** - Accumulated record of a vendor maintained by Procurement Management Services, including information on the vendor's relationship with the Board, application for inclusion on the bidder's list, record of performance under contracts, and correspondence.

II. Purchase Approval and Competitive Bidding Process Requirements

The Superintendent shall be responsible for the procurement of supplies, materials, equipment, and services paid for using Board funds. Schools and departments of the District under the Board's jurisdiction shall purchase their materials or commodities through Procurement Management Services, the Board's official purchasing department. All purchases shall comply with law, rules, regulations, and Board policies. The Superintendent may approve or reject purchase requisitions when the total amount does not exceed the Tier III threshold, as set forth in Section III., below. Purchases equal to or exceeding the Tier III purchasing threshold shall be approved by the Board, except for those delineated below:

A. Where the purchasing agent for any public agency is authorized by law to make purchases for the benefit of other governmental agencies within the county, the Board shall have the option to purchase under the current contracts as established for these public agencies at or below the stated unit price, if the purchase is economically advantageous to the Board and the items purchased conform to the standards and specifications prescribed by the Superintendent.

B. As required by F.S. 1001.42(12)(j), the Board shall receive and consider available prices according to the rules of the Department of Management Services, Division of Purchasing. The Board may use prices established by the Division of Purchasing through its State purchasing agreement price schedule. If Board policy provides for purchasing under this State purchasing program, the conditions for use shall be those imposed on State agencies.

C. In lieu of requesting competitive solicitations from three (3) or more sources, the Board may make purchases at or below the specified prices from contracts competitively solicited and awarded by other city or county governmental agencies, other school boards, community colleges, Federal agencies, the public or governmental agencies of any state, or from State university system cooperative bid agreements, when the proposer awarded a contract by another entity permits

purchases by a school board on the same terms, conditions, and prices (or below such prices) awarded in the contract, and the purchases are economically advantageous to the Board.

D. The requirement for requesting competitive solicitations for commodities or contractual services from three (3) or more sources is waived pursuant to F.S. 1010.04(4)(a), for:

1. the purchase by the Board of professional services which shall include artistic services; academic program reviews; lectures by individuals; auditing services not subject to F.S. 218.391; legal services, including attorney, paralegal, expert witness, court reporting, appraisal or mediator services; and health services involving examination, diagnosis, treatment, prevention, medical consultation or administration; procurements which render competitive bidding impractical; and

2. the purchase by the Board of educational services and copyrighted materials including educational tests, textbooks, printed instructional materials, computer software, films, filmstrips, videotapes, DVDs, disc or tape recordings, digital recordings, or similar audio-visual materials, and for library and reference books, and printed library cards where these materials are purchased directly from the producer or publisher, the owner of the copyright, an exclusive agent with the State, a governmental agency or a recognized educational institution; provided, however, that purchases for computer applications and software purchases that are not content-based (i.e., contain intellectual content for student instruction) and are equal to or exceed $5,000,000 per contract must be formally competitively bid.

E. Additional exemptions authorized under certain conditions:

The requirements for requesting competitive solicitations and making purchases for commodities and contractual services are waived pursuant to F.S. 1010.04(4)(a), when the following conditions have been met by the Board:

1. competitive solicitations have been requested in the manner prescribed by F.A.C. 6A-1.012; and

2. the Board has made a finding that no valid or acceptable firm proposal has been received within the prescribed time.

When such a finding has been officially made, the Board may enter into negotiations with suppliers of such commodities and contractual services and shall have the authority to execute contracts with such

vendors under whatever terms and conditions the Board determines are in its best interests.

If fewer than two (2) responsive proposals for commodity or contractual services are received, the Board may negotiate the best terms and conditions or decide to reject all proposals. The Board shall document the reasons that negotiating terms and conditions with the sole proposer is in the best interest of the District in lieu of soliciting new proposals.

F. Commodities or contractual services available from a single source may be exempted from the competitive solicitation requirements. When the Board believes that commodities or contractual services are available only from a single source, the Board shall electronically or otherwise publicly post a description of the commodities or contractual services for a period of at least fifteen (15) business days or the applicable number of days defined in statute, whichever is longer. The description must include a request that prospective vendors provide information regarding their ability to supply the commodities or contractual services described. If it is determined in writing by the Board, after reviewing any information received from prospective vendors, that the commodities or contractual services are available only from a single source, the Board shall provide notice of its intended decision to enter a single source contract in the manner specified in F.S. 120.57(3) and may negotiate the best terms and conditions with the single source vendor.

G. A contract for commodities or contractual services may be awarded without competitive solicitations if State or Federal law, a grant, or a State or Federal agency contract prescribes with whom the Board must contract or if the rate of payment is established during the appropriations process.

H. A contract for regulated utilities or government-franchised services may be awarded without competitive solicitations.

I. Except as otherwise required by statute, the Board, when purchasing insurance, entering risk management programs, or contracting with third party administrators, may use the competitive solicitation process or direct negotiations and contract.

J. The Board may dispense with requirements for competitive solicitations for the emergency purchase of commodities or contractual services when the Superintendent determines in writing that an immediate danger to the public health, safety, or welfare or other substantial loss to the School District requires emergency action, pursuant to F.A.C. 6A-1.012(12)(e). After the Superintendent makes this written determination, the Board may procure commodities or contractual

services necessitated by the immediate danger without requesting competitive solicitations. However, such an emergency purchase shall be made by obtaining pricing information from at least two (2) prospective vendors, which must be retained in the contract file, unless the Superintendent determines in writing that the time required to obtain pricing information will increase the immediate danger to the public health, safety, or welfare or other substantial loss to the District.

K. When an emergency arises, circumstances contributing to the emergency shall be communicated to the proper department, which in turn will notify Procurement Management, requesting the emergency purchase. All emergency purchases must be made in accordance with this policy, F.A.C. 6A-1.012, and District procedures governing such purchases.

   A requisition for an emergency purchase shall be accompanied by the appropriate Emergency Purchase Request Form, explaining the circumstances creating the emergency and clarifying that immediate action is required to protect the Board's interests. Emergency purchases are divided into two (2) categories as follows:

   1. Emergency Purchase Request Form B (FM-3739): estimated expenditures less than the Tier III purchasing threshold require all signatures listed on the form.

   2. Emergency Purchase Request Form A (FM-2333): estimated expenditures exceeding the Tier III purchasing threshold require all signatures listed on form and shall be reported to the Board.

   When emergency purchases are made and approved by the Superintendent or the Superintendent’s designated representative, the Superintendent will report all such emergency purchases to the Board via the Monthly Exemptions Report.

L. Competitive bidding is waived for purchases of maintenance and/or service contracts, on various types of technical equipment, that are offered and/or supplied only by the original manufacturer or its representative, or that are required to maintain the integrity of the manufacturer's warranty, or that are part of the manufacturer's rental/lease/lease purchase agreements terms and conditions.

M. Non-Purchase Order Invoice Funds Reservation Purchases/Check Requests are purchases for goods and services, expenditures, fund transfers, etc., that are not appropriate for normal competitive purchasing procedures. Periodically, these purchases shall be reviewed by procurement staff to ensure compliance with this policy. Only the expenditures listed below will be authorized and processed as Non-Purchase Order Invoice Funds Reservation/Check Requests Purchases.

Non-Purchase Order Invoice Funds Reservation/Check Requests purchases require the same financial authorization and approval process as purchase requisitions and shopping carts. Those purchases for goods and services, expenditures, fund transfers, etc., that are authorized for Non-Purchase Order Invoice Funds Reservation/Check Requests Purchases are limited to include various types of fund advances, services, reimbursements and purchases, and/or payment for goods and services, which are not appropriate for normal competitive purchasing procedures:

1. additional services where a professional service contract is not required or there is no bid in place (polygraph, transcribing, etc.)

2. employee related admission/registration fees to workshops and conferences that are not expensed to out-of-county travel (all out-of-county travel must be entered through and approved by the travel system process in accordance with Policy 6550)

3. association fees, professional association dues, academy certification requirements and District membership to organizations

4. internal distribution of funds to school athletic programs, vending machine commissions, diplomas, and savings programs

5. District rental/lease of facilities

6. all utility service, connection charges, and fees

7. graduation program fees (non-employees, union charges, etc.), including facility rental, equipment requirements, foliage rental, non-employees, and union charges

8. tickets, and admissions to parks, registration fees for competitions, and hotel accommodations, not done through a travel agency

9. groceries and supplies for educational use in alternative programs or academic requirements

10. media advertising (newspaper, radio, television, brochures, pamphlets, etc.)

11. grant authorized workshop reimbursements including refreshments

12. petty cash replenishment

13. postage requisitions

14. toll charges for authorized District departments

15. travel reimbursement for non-employees

N. Contracts for legal services by the General Counsel for the Board for attorneys retained, contracted, and supervised by the General Counsel, and for contracted third party claims administration. Although such contracts and services are exempt from competitive solicitation and do not require prior Board authorization, the anticipated expenditures for such contracts must be within the Board-approved budget for these expenses, and the General Counsel shall provide quarterly reports to the Board delineating all contracts for legal services provided by outside counsel which exceed or are anticipated to equal to or exceed $50,000.

O. Contracts for nonpublic school placements and other services/goods for which selection procedures are provided by State statute, State Board rule, or other Board policy.

P. Procurement Management Services staff will provide the Board a monthly written expenditure report of purchases made using the exemptions above and that equal to or exceed $50,000.00. The report shall include date of purchase, vendor, amount, funding source, evidence of electronic noticing, and purchasing authority.

Q. The Board shall have the authority to reject any or all proposals submitted in response to any competitive solicitation and to request new proposals or purchase the required commodities or contractual services in any other manner authorized by this section.

As much as practicable, all purchases shall be based on contracts, P-Card systems, electronic procurements, or purchase orders.

R. The Board, when acquiring, whether by purchase, lease, lease with option to purchase, rental or otherwise, information technology, as defined in F.S. 282.0041, may make acquisitions through the competitive solicitation process or by direct negotiation and contract with a vendor or supplier, as fits the needs of the District as determined by the Board.

S. The Superintendent may be authorized to purchase commodities or contractual services where the total amount does not exceed an amount prescribed by the Board and does not exceed the applicable appropriation in the District budget. The Superintendent may also be authorized to purchase commodities or is exempt by statute or Florida Administrative Code, or contractual services under Department of Management Services State term contracts. The Superintendent may

authorize designated staff to perform these purchasing tasks.

T. In accordance with State law and Policy 6327, *Public-Private Partnerships, Unsolicited Proposals, Competitive Solicitations, and Direct Negotiations Regarding Board-Owned Property and Resources*, the Superintendent may submit proposed public-private partnership agreements for qualifying projects, including those resulting from unsolicited proposals, to the Board for consideration. The Superintendent and Board shall evaluate and consider all proposed public-private partnership agreements according to the guidelines in F.S. 255.065 and Policy 6327.

III. Competitive Bidding Requirements

All purchases shall be carried out using good purchasing practices. Such practices include, but are not limited to, the receipt of written/dated quotations. This section outlines specific requirements for each method of procurement, in accordance with Federal and State laws and State Board rules.

The following requirements apply to all District procurements based on the applicable purchasing threshold:

Tier I ($0 to $2,499) – shall obtain one (1) written/dated quotation with an expiration date.

Tier II ($2,500 to $49,999) – shall obtain three (3) written, or electronic, and dated quotation(s), which may be completed using a Request for Quotes templates.

Tier III ($50,000 and above) – shall utilize the Invitation to Bid, Invitation to Negotiate, or the Request for Proposal template(s).

Additionally, revenue-generating agreements that equal to or exceed $100,000, and any other revenue-generating agreements the Superintendent determines will have a substantial impact on the District or community, or on student and employee health, safety, and welfare, must be recommended to the Board for approval.

A. <u>Invitation to Bid (ITB)</u>

An Invitation to Bid may be used when the Board is capable of specifically defining the scope of work for which a contractual service is required or when the Board is capable of establishing precise specifications defining the actual commodity or group of commodities required.

The following process shall be followed for an ITB:

1. For contracts estimated to exceed the Tier III threshold annually:

    a. In accordance with Board Policy 6320.02, the Goal Setting Committee (GSC) shall review the summary scope of work to determine incentives to be applied under the supervision of Procurement Management Services for vendors certified by the District's Business Access department (Business Access).

    b. The ITB shall be advertised to solicit maximum vendor participation. To enhance Certified Business Enterprise participation, advertisements may be published and announced in major publications that serve minority communities; however, they shall be posted electronically. A link to advertisements and notices shall be placed on the District's website accessible through a direct link from the homepage.

    All advertisements and public notices published on a website as provided in F.S. Chapter 50 must be in a searchable form and indicate the date on which the advertisement or public notice first appeared on the website. A public bid advertisement hosted on the District website must include a method to accept electronic bids.

2. The ITB shall include an implementation schedule consisting of the following:

    a. GSC meetings;

    b. mailing/posting date;

    c. pre-proposal conference (if required);

    d. opening date and time documented by bid opening minutes;

    e. evaluation and tabulation of bid;

    f. recommendation of award process to the Board; and

    g. award notification is provided to all awarded bidder(s).

3. The Board may accept the proposal of the lowest responsive, responsible proposer. Alternatively, the Board may award contracts to the lowest responsive, responsible bidder as the primary awardee of a contract and to the next lowest responsive, responsible bidder(s) as alternate awardee(s) from whom commodities or contractual services would be purchased should the primary awardee becomes unable to provide all of the commodities or contractual services required by the Board during the term of the contract. Multiple awards to the lowest responsive and responsible bidders are permitted when multiple awards are clearly allowed by the bid solicitation documents. Also, awards shall be made to preapproved vendor(s), where price is not an evaluation factor and bidders are responsive to other factors noted within the solicitation document.

4. When a bid is deemed appropriate, the performance specifications and standard requirements shall be stated in detail and shall be furnished to Procurement Management Services by the originating department. After review, Procurement Management Services shall issue the ITBs, including all general and special conditions, and evaluate the bids submitted. The requirements for solicitation and review of bids by the GSC shall be followed in all cases. Board approval is required for contracts recommended for award.

5. For each purchase that exceeds the Tier III threshold, bids shall be noticed publicly to ensure open competition. A link to advertisements and notices shall be placed on the District's website accessible through a direct link from the homepage. Additional emails may be sent to all vendors on the active vendor mailing list(s) per commodity code(s). This list shall include all Certified Business Enterprise vendors, identified by the Board in accordance with Policy 6320.02, for that particular category of goods or services, as well as organizations involved in assisting Certified Business Enterprises. Notices of bids shall be advertised in one (1) or more major local newspapers or electronically posted at least seven (7) days prior to the bid opening date. This may include, as necessary, major newspapers having circulation representative of the various relevant minority classifications or electronic posting. Tabulations of current bids shall be retained in bid files and shall be available for reference. Standard bid forms used shall be those reviewed and approved by the General Counsel's office. All advertisements and public notices published on a website as provided in F.S. Chapter 50 must be in a searchable form and indicate the date on which the advertisement or public notice first appeared on the website. A public bid advertisement

hosted on the District website must include a method to accept electronic bids.

6. Any additional evaluation criteria, such as small or micro-business enterprise, minority and/or veteran preferences that are referenced in the solicitation document shall be reviewed and evaluated.

B. Request for Proposals (RFP)

The Board may award contracts to one (1) or more responsive, responsible proposers in accordance with the selection criteria published in the request for proposal. The Board is not required to request proposals for purchases made from contracts of the Department of Management Services.

The RFP shall be used when it is not practicable for the Board to specifically define the scope of work for which the commodity, group of commodities, or contractual service is required and when the Board is requesting that a responsible vendor propose a commodity, group of commodities, or contractual service to meet the specifications of the solicitation document.

In accepting responses to RFPs, the Board may award contracts to one or more responsive, responsible proposers in accordance with the selection criteria published in the RFP.

The following process shall be followed for an RFP:

1. For contracts estimated to exceed the Tier III threshold annually:

    a. In accordance with Board Policy 6320.02, the GSC shall review the summary scope of work to determine incentives to be applied under the supervision of Procurement Management Services for vendors certified by Business Access.

    b. RFPs shall be noticed publicly to ensure open competition. A link to advertisements and notices shall be placed on the District's website accessible through a direct link from the homepage.

    Additional emails may be sent to all vendors on the active vendor mailing list(s) per commodity code(s). This list shall include all Certified Business Enterprises identified by the Board in accordance with Policy 6320.02, for that particular category of goods or services, as well as

organizations involved in assisting Certified Business Enterprises. Notices of bids shall be advertised in one (1) or more major local newspapers or electronically posted at least seven (7) days prior to the bid opening date. This may include, as necessary, major newspapers having circulation representative of the various relevant minority classifications or electronic posting. Tabulations of current bids shall be retained in bid files and shall be available for reference. Standard bid forms used shall be those reviewed and approved by the Office of the General Counsel for the Board. All advertisements and public notices published on a website as provided in F.S. Chapter 50 must be in a searchable form and indicate the date on which the advertisement or public notice first appeared on the website. A public solicitation advertisement hosted on the District website must include a method to accept electronic solicitations.

The RFP shall be advertised to solicit maximum vendor participation. To enhance Certified Business Enterprise participation, advertisements may be published and announced in major publications that serve minority communities and shall be posted electronically.

2. The RFP shall include an implementation schedule consisting of the following:

   a. GSC meetings;

   b. mailing/posting date;

   c. pre-proposal conference (if required);

   d. opening date and time documented by bid opening minutes;

   e. oral presentations (if required);

   f. recommendation of award process and to the Board; and

   g. award notification is provided to all awarded bidder(s).

3. The evaluation criteria shall include, but are not limited to:

   a. technical qualifications and conformance to the proposal requirements experience;

b. past performance;

c. price considerations;

d. Certified Business Enterprise participation; and

e. other instructions specific to RFP.

C. Invitation to Negotiate

The Invitation to Negotiate (ITN) shall be used as a written solicitation for competitive sealed replies to select one or more vendors with which to commence negotiations for the procurement of commodities or contractual services. This method is used when the Board determines that negotiations may be necessary to receive the best value. The following non-exhaustive criteria may be used to determine if an ITN is the best procurement methodology:

1. The District cannot accurately and completely define the scope of work for the contract, which often occurs for acquisitions of rapidly changing technology, outsourcing, or complex services;

2. The goods or services can be provided in several different ways, any of which could be acceptable, which occurs for acquisition of emerging technologies or complex services;

3. Contractor qualifications and the quality of the goods or services to be delivered can be considered more important than the contract price;

4. The responses may contain innovative solutions that differ from what the District may have requested, and this process allows for those types of alternatives to be considered; and

5. The responses may contain a different level of goods or services than that requested, requiring the negotiation to reduce price or services to match.

ITNs shall follow the process noted above for RFPs.

D. Evaluation Committee Meetings for RFPs and ITNs Only

1. The committee shall consist of at least: two (2) individuals from the originating bureau; two (2) individuals from outside the requesting bureau; one (1) individual from Business Access; and one (1) individual from Procurement Management Services (non-voting). Additional members may be appointed at the discretion of the Chief Procurement Officer.

2. These meetings are subject to F.S. Chapter 286 except for meetings in which the vendors will be making oral presentations and answering questions as part of the solicitation process which shall be closed to the public in accordance with F.S. 286.0113(2)(b)(1).

3. When committees are established to evaluate an RFP or ITN, the Procurement Management Services staff will conduct the meetings, and ensure that: 1) minutes are recorded, and 2) proper documentation and records of committee actions are maintained.

4. The Superintendent shall develop administrative procedures that promote the use of objective, measurable, and clearly defined evaluation criteria whenever practical, and that strengthen transparency, accountability, public confidence, operational excellence, and the Board's ability to exercise effective governance over the approval of District contracts. These procedures must, at a minimum:

    a. ensure consistency in evaluation methodologies, scoring practices, weighting of evaluation criteria, and committee documentation, avoiding statistical scoring outliers by applying consistent, mathematical scoring frameworks whenever feasible; Revised

    b. ensure the appropriate use of subjective evaluation criteria, requiring written justifications for subjective evaluations when appropriate;

    c. require RFP and ITN solicitations to specify scoring methodologies, ranking procedures, and any voting requirements specific to the bid, including voting by consensus; Revised

    d. require agenda items recommending bid awards to be supported by memoranda that:

        i. provide a reasonable summary of the evaluation criteria, assigned weights, proposer scores, and committee rankings

        ii. describe the selection committee's actions and, when necessary, the rationale supporting a recommendation;

iii. provide a concise explanation of the basis for the recommended award; and

iv. identify the full membership of all committees convened to evaluate and recommend the award. Revised

5. The evaluation committee's written recommendation must include the following for inclusion in the master bid file within Procurement Management Services:

    a. clear objective of the RFP or ITN;

    b. identification of the committee members;

    c. committee meeting dates and brief synopsis of the general discussion;

    d. dates of any or all oral presentations;

    e. name and location of the offeror(s);

    f. evaluation criteria;

    g. explanation of the basis for selection;

    h. recommendation of acceptance of the offeror(s) proposal; and

    i. committee member votes or tabulation results.

6. When the committee evaluation process is complete, the Superintendent will forward the recommendations to the Board for approval before any contract is issued.

E. Written or Electronic Quotations (Request for Quotes)

Where vendors are selected through the formal competitive solicitation process, if the District issues a request for quotes for contractual services for any contract with twenty-five (25) approved vendors or fewer, the District must issue a request for quotes to all vendors approved to provide such contractual services. For any contract with more than twenty-five (25) approved vendors, the District must issue a request for quotes to at least twenty-five (25) of the vendors approved to provide such contractual services. Use of a request for quotes does not constitute a decision or intended decision that is subject to protest under F.S. 120.57(3).

For each purchase within the Tier III threshold, staff shall obtain

written, telephone, or electronic quotations from three (3) or more sources. If possible, vendors contacted shall include businesses certified by Business Access. If only one (1) of the three (3) contacted sources respond with prices, two (2) additional sources, if available, may be contacted for pricing, including, if possible, businesses certified by Business Access. If no additional prices are obtained from those sources, the award shall be made to the vendor who submitted the lowest and best price quotation. If all three (3) of the vendors first contacted for prices respond with valid price quotations, the award shall be made to the vendor who submitted the lowest price quotation meeting the bid specifications, with no additional requests from other vendors required.

Quotations obtained shall be electronically attached to or included with the purchase order by written notations or electronic reference indicating quotation prices and sources, or certification by signature. The requisition shall be approved for purchase as authorized by the Superintendent. All internal fund purchases shall comply with Policy 6610.

F. Exceptional Purchases

All exceptional purchases must be made in accordance with Section II., above, and electronically posted in the manner prescribed by F.S. 120.57. All such purchases equal to or exceeding $50,000 must be included in the Monthly Exemptions Report.

G. Development of Specifications, Determination of Quantities, and Standardization of Supplies and Equipment

1. To achieve both quality control and the price advantages of quantity purchasing, the administration shall:

    a. establish specifications for goods and services as needed;

    b. identify several existing, commercially available "standard brands" that meet the specifications acceptable as examples; and

    c. invite vendors to bid on the standard brands identified or their equivalent.

2. All bid quantities and specifications shall be transmitted to Procurement Management Services by the originating department in writing. The originating department shall also certify to Procurement Management Services in writing that the specifications for an existing bid (to be rebid) are still appropriate before the bid is issued. Specifications originated by Procurement

Management Services shall follow similar certification procedures.

3. All increases to quantities specified in an existing term bid requiring a supplemental bid award shall be requested in writing by the originating department, countersigned by an administrator reporting directly to the Superintendent, and identifying the reason why the increase in quantities was unavoidable. If an adequate reason cannot be identified, then the corrective action to be taken by the originating department to prevent a future underestimate of quantities shall be described. A similar procedure will be followed for term bids originated by Procurement Management Services.

4. All changes to specifications for an existing bid (to be rebid) or similar bid shall be identified in writing, including the reason for the change, by the originating department or Procurement Management Services if it is the originator.

5. The Chief Procurement Officer of Procurement Management Services shall identify specifications which appear to limit the bidding process to a single vendor. If the Chief Procurement Officer has identified such a set of specifications, the originating department shall be required to justify in writing the specifications which appear to favor a single vendor. This documentation shall be countersigned by an administrator reporting directly to the Superintendent.

H. Federal Grants/Funds

Procurement of all supplies, materials, equipment, and services paid for from Federal funds or District matching funds shall be made in accordance with Board Policy 6320.07 and all applicable Federal, State, and local statutes and/or regulations, the terms and conditions of the Federal grant, Board policies, and administrative procedures.

The Superintendent shall have and use a procurement and contract administration system in accordance with the requirements of 2 C.F.R. 200.317-200.326 for the administration and management of Federal grants and Federally-funded programs. The District shall maintain oversight that requires contractors to perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. Except as otherwise noted, procurement transactions shall conform to the provisions of this policy.

The District shall take affirmative steps, in accordance with Federal regulations, to assure that firms certified pursuant to Board Policy 6320.02, and applicable labor surplus area firms, are used when possible.

The District shall comply with any limitations or exclusions set forth as cost principles in 2 C.F.R. Part 200 or in the terms and conditions of the Federal award.

I. Purchase Requisitions

District schools and departments shall initiate a properly executed purchase requisition, containing authorized approvals of the originating administrator, principal, or department head, for the purchase of any and all items, except where small purchases, transactions equal to or exceeding the Tier I purchasing threshold per requisition, and market difficulties make purchasing in this manner economically unsound. In those instances, District procedures to economically perform the purchasing function must be followed.

Split requisitions to bypass the procurement approval requirements and/or the bidding process are prohibited.

Requisitions must contain the appropriate authorized approvals as prescribed by administrative procedures for the SAP system, as well as documented procurement authority. Fully approved requisitions will be reviewed and approved by Procurement staff to ensure proper application of this policy and will be converted to approved purchase orders for release to the vendors.

J. Unauthorized Purchases

Unauthorized purchases, as defined in Section I., above, are not binding on the District. Payment for any unauthorized purchase may be the responsibility of the employee who made the purchase. Additional disciplinary action may be taken against the responsible employee.

For each suspected incident of an unauthorized purchase, Procurement staff will notify the employee(s) involved and request appropriate documentation to authorize or cancel the purchase and to ensure future compliance with this policy.

K. Protests

A bidder who wishes to file a bid protest must file a notice of protest and follow procedures prescribed by F.S. 120.57(3) and Board Policy 0133, *Quasi-Judicial Proceedings*, for resolution.

1. Definitions

a. "Decision or intended decision" means:

1. The contents of a solicitation, including addenda (specifications);

2. A determination that a specified procurement can be made only from a single source;

3. Rejection of a response or all responses to a solicitation; or

4. Intention to award a contract as indicated by a posted notice of intended action.

b. "Filed" means that a document has been physically received and time/date stamped by the clerk of the Board within the time required by F.S. 120.57(3).

2. Notice of Decision

Notice of the decision or intended decision to award a bid shall be given by electronic posting of the solicitation, notice of decision, or notice of intended action as indicated on the solicitation documents and/or the District's website. The notice shall contain the following statement: "Failure to file a protest within the time prescribed in F.S. 120.57(3), or failure to post the bond or other security required by law within the time allowed for filing a bond shall constitute a waiver of proceedings under F.S. Chapter 120."

3. Protest of Specifications or Bid Award

Any person who is adversely affected by the specifications contained in an Invitation to Bid (ITB), Request for Proposal (RFP), or Invitation to Negotiate (ITN), or by a decision or intended decision, as defined above, may file a written notice of protests with the Clerk of the Board. The notice must be filed in accordance with F.A.C. 28-110.003 and Board Policy 0133, *Quasi-Judicial Proceedings*, and within seventy-two (72) hours after the electronic posting of the specifications or decision or intended decision, as applicable. The formal written protest shall be filed in accordance with F.A.C. 28.110.004 and within ten (10) calendar days after the date the notice of protest is filed. The formal written protest shall state with particularity the facts and law upon which the protest is based. The protesting bidder shall also be required to post a bond consistent with this policy. Failure to file a notice of protest, formal written protest, or bond within the time prescribed shall constitute a waiver of proceedings to challenge the contents of the specifications or decision or intended decision, as applicable under F.S. Chapter 120 and this

policy. Saturdays, Sundays, and State holidays shall be excluded in the computation of the seventy-two (72) hour time period under this paragraph.

The time periods under this paragraph are not extended if service is by mail.

Upon receipt, the Board Clerk shall forward a copy of any notice of protest to the Board. After the notice of protest is filed, the Clerk shall notify the Board upon receipt of a formal written protest and shall also notify the Board if no formal written protest is submitted after the statutory time period for filing a formal written protest has elapsed.

4. Cone of Silence

The cone of silence applies to all competitive solicitations and is governed by Policy 6325, *Cone of Silence*, which provides that the cone of silence shall terminate when the Superintendent: (a) recommends an award or approves a contract; (b) rejects all bids or responses; or (c) takes any other action that ends the solicitation and review process. When a written notice of protest is filed with the Board Clerk, or an agenda item recommending a bid award has been withdrawn, the cone of silence shall be reinstated until one of these events occurs.

5. Resolving Protests

Bid protests shall be resolved in accordance with the procedures set forth in this policy, Policy 0133, *Quasi-Judicial Proceedings*, the requirements of F.S. 120.57(3), and applicable Florida Administrative Code rules.

Formal written protests will be reviewed by the District's Office of Procurement Management Services, which will offer the protesting bidder the opportunity to meet and discuss the merits of the protest within seven (7) days, excluding Saturdays, Sundays, and State holidays, after receipt of the formal written protest and bond. If the protest is not resolved, the matter may be referred for proceedings, pursuant to F.S. 120.569 and 120.57. Petitions for hearings on protests pursuant to F.S. 120.569 and 120.57 must be filed in accordance with Board Policy 0133, Quasi-Judicial Proceedings. Additionally, the requirements contained in F.A.C. Chapter 28-110, apply to the notice of protest, formal written protest, and bond under this policy.

The Board Clerk will inform the Board of the final resolution of

any formal written protest, regardless of whether the resolution involved a formal administrative hearing. If the resolution involved a formal administrative hearing, the Board will be informed of the results in accordance with Policy 0133, *Quasi-Judicial Proceedings*.

L. Posting the Bond

A protesting party shall post a bond in a form consistent with F.A.C. Rule 28-110.005(2).

1. Bond: Commodities (Other than Lease of Space) and Contractual Services (Including Professional Services and Insurance) – Pursuant to F.S. 287.042(2)(c), any person who files an action protesting a decision or intended decision pertaining to a solicitation or contract award shall post with the Board, at the time of filing the formal written protest, a bond secured by an acceptable surety company in Florida, payable to The School Board of Miami-Dade County, Florida, in an amount equal to one percent (1%) of the District's estimate of the dollar value of the proposed contract.

    a. The District shall provide the estimated contract amount to the protestor within seventy-two (72) hours (excluding Saturdays, Sundays, and holidays when the District administrative office is closed) after the Notice of Protest is filed. The estimated contract amount is not subject to protest under this policy or F.S. 120.57(3). In lieu of a bond, the Board may accept a cashier's check or money order in the amount of the bond.

    b. The bond shall be conditioned upon the payment of all costs and charges which may be levied against the protestor in the administrative hearing in which the action is brought and in any subsequent appellate court proceeding.

    c. Pursuant to F.S. 287.042(2)(c), if, the Board prevails in the administrative hearing process and any appellate court proceedings, it shall be entitled to recover all costs and charges which are included in the final order or judgment, excluding attorneys' fees. Upon payment of such costs and charges by the protestor, the bond, cashier's check, or money order shall be returned to the protestor. If the protestor prevails, the protestor may recover from the Board the costs and charges which are included in the final order or judgment, excluding attorneys' fees.

2. Bond: Competitive Bids for Lease of Space -- Pursuant to F.S. 255.25(3)(d), any person who files an action protesting a decision or intended decision pertaining to a competitive bid for space to be leased by the Board shall post with the Board, at the time of filing the formal written protest, a bond payable to the Board in an amount equal to one percent (1%) of the estimated total rental of the basic lease period or $5,000, whichever is greater. The bond shall be conditioned upon the payment of all costs which may be levied against the protestor in the administrative hearing in which the action is brought and in any subsequent appellate court proceeding. If the Board prevails in the administrative hearing process and any appellate court proceedings, it shall recover all costs and charges, which are included in the final order or judgment, excluding attorneys' fees. Upon payment of such costs and charges by the protestor, the bond shall be returned to the protestor. If the protestor prevails, the bond shall be returned to the protestor, and s/he may recover from the Board the costs and charges which are included in the final order or judgment, excluding attorneys' fees.

3. Bond: Construction Purchasing – Construction purchasing is separately governed by Board policy, and persons protesting competitive procurement related to educational facilities shall be required to post a bond in the amount specified in F.S. 255.0516, which also governs recovery of fees and costs including attorneys' fees.

4. Staying the Procurement Process – Upon receipt of a timely filed formal written protest, and posting of the bond, the solicitation or contract award process shall be stayed until the protest is resolved by final agency action, unless the Board sets forth, in writing, particular facts and circumstances which require the continuance of the solicitation or contract award process in order to avoid an immediate and serious danger to the public health, safety, or welfare.

M. Receiving and Opening of Bids

The Superintendent, or an administrator designated by the Superintendent, shall designate the time and place for receiving and opening of bids.

1. Except for construction solicitations, bids are to be submitted to Procurement Management Services or electronically up to the time and on the date specified in the bid documents. Bids received after the date and hour specified in the bid documents will not be considered.

2. At least two (2) Procurement Management Services staff will be assigned to facilitate the public bid opening.

3. All bids will be recorded at the time they are received, showing the bid number, bid title, and the names of the bidders submitting bid forms. Notification of timely receipt shall be confirmed by the bid opening minutes and submitted to the Board at the next regularly scheduled Board meeting.

The above guidelines for receiving bids do not apply to the awarding of bids at Board meetings.

N. The Recording or Tabulation of Purchasing Bids

The names of bidders, the prices submitted, and such other pertinent data, will be electronically available or entered on a tabulation sheet by Procurement Management Services. This information shall be available as set forth in F.S. 119.07.

O. Rejection of Bids

The right to reject any and all bids is reserved by the Board and such reservation shall be indicated in all advertising and invitations. When bids are rejected and the project or requirement is not abandoned, new bids may be issued. Bids which contain any alterations or erasures may be rejected. Bids will be rejected for good and sufficient cause, such as faulty specifications, excessive cost, and abandonment of the requirements, insufficient funds, or other irregularities. Bids may be rejected for failure by the bidder to comply with any requirement stated in the bid document, the bid proposal form, or any attachments which become part of the bid.

P. Irregular or Deviating Bids

In the event that Procurement Management Services wishes to make a recommendation of an award of a bid to a bidder who has deviated from specifications, or in which there is any irregularity, the report recommending such an award should contain in detail: the manner in which the bid deviates from the specifications or is irregular, the reasons for the recommendation of the award, and approval by the General Counsel for the Board.

Q. Award Recommendation

Notice of Intended Action will be posted on the District's website for Procurement bids no later than the Friday preceding the week when the award is scheduled to be made by the Board or Superintendent.

R. Official Award Date

Awards become official when made, unless otherwise specified in the award recommendation.

S. Contract Renewals

The Board shall have the authority to award bids and reject any or all bids. The Superintendent shall have the authority to exercise, in subsequent years, any renewal options included in a bid solicitation, provided terms and conditions are authorized under Florida law, favorable to the District, and subject to the availability of funds.

T. Legal Basis for Procedures

The procedures for the purchase of commodities and services, and construction of facilities for the District shall comply with the Florida statutes and the Florida Administrative Code.

U. Bidding

It is the policy of the Board that the Superintendent shall be responsible for estimating needs for items in common use and making quantity purchases. All items, or group of related items that cost in excess of the amount defined in F.A.C. 6A-1.012(6), shall be purchased based on competitive bids, except as otherwise authorized by Florida statutes and/or Florida Administrative Code.

V. Identical Prices/Points--Priorities for Award

When identical prices/points are received from two (2) or more vendors/firms and all other factors are equal, priority for award shall be given to vendors/firms in the following sequence:

1. A business that certifies that it has implemented a drug-free workplace program shall be given preference in accordance with the provisions of F.S. 287.087;

2. Local vendors as defined by Board Policy 6320.05;

3. Certified service-disabled Veteran businesses;

4. Certified Minority/Women Business Enterprise vendors;

5. Miami-Dade County SBE/Micro/Minority/Women Business Enterprises;

6. Broward, Palm Beach or Monroe County SBE/Micro/Minority/Women Business Enterprises;

7. Broward, Palm Beach or Monroe County vendors, other than the SBE/Micro/Minority/Women Business Enterprises;

8. Florida vendors who are SBE/Micro/Minority/Women Business Enterprises;

9. Florida vendors, other than a Minority/Women Business Enterprises;

10. Minority/Women Business Enterprises, who, because of lower prices, receive a larger dollar award for other items; and

11. SBE/Micro/non-Minority/Women Business Enterprises who, because of lower prices, receive a larger dollar award for other items.

In accordance with F.S. 255.0991, local preference shall not be applied to competitive solicitations for construction services paid for with any State-appropriated funds. The solicitation documents for construction services in this event must disclose that no local preference consideration will be applied. Additionally, local preference shall not be applied to public works projects, as defined in F.S. 255.0992.

If application of the above criteria does not indicate a priority for award or cannot be applied by law, District administration shall determine if the award is capable of being split, and, if the vendors will agree to split the award. If the award cannot be split, or the vendors do not agree to split the award, the award will be decided by the toss of a coin. The toss of a coin shall be held publicly, with the tie low bid vendors invited to be present as witnesses and participants. The Chief Procurement Officer or a staff member from the Office of Procurement Management will preside over the coin toss and a member from Internal Audits will observe.

W. Suspension or Default by Vendor

Board Policy 6320.04, *Contractor Discipline*, governs debarment, suspension, and other disciplinary action that may be taken by the Board against contractors that violate law and Board policies.

Contractors may be suspended and/or debarred from doing business with the Board or otherwise disciplined. Suspension and debarment are serious sanctions that may only be imposed when it is in the best interest of the Board and to protect the public.

The Superintendent is authorized to develop and implement disciplinary procedures that comply with State and Federal laws, ordinances, codes, regulations, and Policy 6320.04.

X. Bid or Contract Close-Out Period

Procurement staff and the originating department shall notify the vendor of the termination of the bid or contract services, within a reasonable time, requesting any pending reports, documents, data or property generated using District funds during the contract period or invoices to be submitted.

Y. Signatures of Superintendent and Designees on Contracts

The Board authorizes the use of signatures of the Superintendent and his/her designees on behalf of the Board on all contracts, agreements, and documents where a signature of the Chair is not required by law or State Board of Education rules. All contracts, agreements, and documents must be based upon approvals previously adopted and spread upon the minutes of the Board, unless exempted by Board policy. Each contract shall demonstrate its procurement authority.

Z. Purchasing Cards (P-Cards) and Travel Cards

Purchasing cards and travel cards must be used in accordance with this policy and Policy 6424, and their usage will be subject to review and approval pursuant to that policy. When a required quote under the applicable purchasing threshold is not obtainable, a receipt or invoice must be submitted.

AA. Purchasing Principles

Employees shall be guided by the following principles and standards adopted by the National Institute of Governmental Purchasing (NIGP):

1. Accountability: taking ownership and being responsible to stakeholders for our actions, essential to preserve the public trust and protect the public interest.

2. Ethics: acting in a manner true to these values, essential to preserve the public's trust.

3. Impartiality: unbiased decision-making and action, essential to ensure fairness for the public good.

4. Professionalism: upholding high standards of job performance and ethical behavior, essential to balance diverse public interests.

5. Service: obligation to assist stakeholders, essential to support the public good.

6. Transparency: easily accessible and understandable policies and processes, essential to demonstrate responsible use of public funds.

Ethics training on ethical standards that are no lower than those prescribed by the State shall be provided to all employees involved in procurement activities for the Board.

Complaints alleging discrimination against any commercial enterprise doing business with the Board must be filed and will be investigated and addressed in accordance with Board Policy 6465.

IV. Maintenance of Procurement Records

The District shall maintain records sufficient to detail the history of all procurements, in accordance with the applicable retention period provided in the Records Retention Schedule of the Florida Department of State, Bureau of Archives and Records Management, or in 2 C.F.R., Part 200 as applicable to Federal grant funds, whichever is longer. These records will include, but are not necessarily limited to, the following: rationale for the method of procurement, selection of contract type, contractor selection, or rejection, and the basis for the contract price (including a cost or price analysis if applicable).

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Legal References:

F.S. 50.0311, 119.07, 120.569, 120.57, 255.0516, 255.0518, 255.065
F.S. 255.099, 255.0991, 255.25(3)(d), 282.0041(20), 286.0113(2)(b)(1)
F.S. 287.012, 287.017, 287.042(2)(c), 287.056, 595.404, 1001.41(1)(2)
F.S. 1001.42(12)(j), 1001.43(10), 1006.27, 1010.04
F.A.C. 6A-1.012
F.A.C. 5P-2.002
F.A.C. Ch. 28-110
F.A.C. Ch. 28-106
2 C.F.R. 200.317-.326
2 C.F.R. 200.520
Appendix II to 2 C.F.R., Part 200

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Section	October 14, 2026 – Final Reading
Title	PROFESSIONAL SERVICES CONTRACTS FOR INSURANCE OR RISK MANAGEMENT PROGRAMS
Code	6332
Status	Final Reading

6332 - **PROFESSIONAL SERVICES CONTRACTS FOR INSURANCE OR RISK MANAGEMENT PROGRAMS**

A Request for Proposal (RFP), Intent to Negotiate (ITN), or Intent to Bid (ITB) may be used when seeking to contract for insurance or risk management professional services.

A. If the cost of the contract is estimated to cost more than $50,000 annually, the following process shall be followed:

    1. The Superintendent shall appoint an ad hoc insurance committee which will include broad-based representation of various administrative offices of the School Board, and, to the extent possible, some external risk managers, to review property and casualty competitive solicitations not related to collective bargaining. This review will include detailed criteria for business development and assistance.

    2. The Superintendent shall establish a benefits selection committee to review all health insurance and flexible benefit solicitations related to collective bargaining as defined in all union contracts, as well as, the Managerial Exempt Personnel Employee Manual and the Confidential Exempt Employee Manual. The benefits selection committee shall consist of staff, including but not limited to, Chief of Staff, Deputy Superintendent, School Operations, Chief Financial Officer, Chief Human Capital Officer, Chief Budget Officer, Risk and Benefits Officer, Chief Maintenance and Operations Officer, Assistant Superintendent, Office of Labor Relations, Assistant Superintendent, Office of Community Partnerships, Education & Business Access~~Office of Education and Economic Access~~, or their designees and to the extent

possible, an external benefits manager. The benefits selection committee shall also include a member from each bargaining unit and each meet and confer organization. Each member of the committee shall have an individual vote in the selection process. An individual from the Office of Procurement Management Services shall serve as a non-voting committee member. Each individual member on the benefits selection committee, as well as the organization each member represents, must comply with the cone of silence in accordance with Policy 6325, *Cone of Silence.*

3. If the contract involves health insurance and flexible benefits related to collective bargaining and is estimated to exceed $50,000 annually, the Board will then be presented with the final draft specifications, and Board approval shall be sought prior to the issuance of the competitive solicitation. The agenda item shall specify the services required and major points in the selection process.

4. The Board's Office of Procurement Management Services will release the specifications and receive responses, which will be opened at scheduled bid-opening dates.

5. The competitive solicitations shall be advertised to solicit a wide variety of vendor participation~~. T~~ and to enhance ~~Minority/Women~~Certified Business Enterprise ~~(M/WBE)~~ participation~~, advertisements may be published and announced in media outlets that serve minority communities (and risk management trade journals as the need arises)~~.

6. The ad hoc insurance committee or the benefits selection committee will review responses, ~~when necessary~~ interview proposers when necessary, and make recommendations to the Superintendent, prior to Board action on the award.

7. The Goal Setting Committee (GSC), as established in Board Policy 6320.02, *Certified Business Enterprise Programs,* shall review the solicitations to determine Certified Business Enterprise participation in the proposal.

B. If the contract is estimated to cost under $50,000 annually, then the following process shall be followed:

1. The Board's Office of Procurement Management Services will review draft specifications relating to insurance or risk management programs. This review will include detailed criteria for ~~small and minority business development~~Certified Business Enterprise participation.

2. The Board's Office of Procurement Management Services will release the specifications and receive competitive solicitation responses, which will be opened at scheduled bid-opening dates.

3. The competitive solicitation responses shall be advertised to solicit greater vendor participation~~. T~~ and to enhance ~~Minority/ Women~~Certified Business Enterprise ~~(M/WBE)~~ participation~~, advertisements may be published and announced in media outlets that serve the minority community (and risk management trade journals as the need arises)~~.

C. Except for selection of insurance benefits~~,~~ that is subject to collective bargaining, the Board may use either competitive solicitation or direct negotiation of contract when purchasing insurance, entering risk management programs, or contracting with third-party administrators.

D. Implementation Schedule

Each competitive solicitation conducted pursuant to this policy shall comply with Policy 6320 and associated procedures and include a list of specific evaluation criteria which shall serve as the basis for the insurance committee or benefits selection committee to select the vendor. Although the criteria will vary depending upon the nature of the proposal, the proposal should include the following:

1. Goal Setting Meeting
2. general information
3. experience of firm
4. personnel
5. price
6. ~~Diversity~~ Certified Business Enterprise Program requirements
7. small business development requirements
8. administrative specifications
9. references
10. instructions

E. Evaluation Procedures for Health Insurance and Flexible Benefit Solicitations

Procedures governing health insurance and flexible benefit RFPs and ITNs must require multiple stages of scoring for core benefit plans. When fewer than three (3) responsive proposals are received, a single round of formal scoring may be utilized. Consensus votes during any scoring phase are prohibited.

F. No Conflict of Interest

1. Participants of ~~the ad hoc insurance committee and the benefits selection committee~~all committees convened pursuant to this policy must recuse themselves from the selection process if they have a conflict under applicable School Board policies (see Policies 1129. 3129, and 4129). Recusal is specifically required if any of the following circumstances apply:

    a. Participant, or the company or business they represent, has any specific interest or ownership in the vendor.

    b. Participant, or the company or business they represent, receives commission, fees, remuneration from, or derives some benefit from vendor or lobbyist representing the vendor in any way.

    c. Participant, or the company or business they represent, is otherwise not able to exercise impartiality in selecting or not selecting a specific vendor.

    d. Participant or the organization they represent offers a competing product or service to M-DCPS employees.

2. Board employees who are participants of the ad hoc insurance committee or the benefits selection committee must adhere to the provisions of policies governing conflict of interest.

3. Self Reporting

    All participants of the ad hoc committee or benefits selection committee, upon meeting to review specific responses, shall certify in writing that they will abide by the requirements of this policy and that they will self-report any relationship that may create a potential conflict of interest, other violations of this policy, or other applicable policies. In the event that a participant cannot determine whether a conflict requires recusal from participation, final determination will be made by the Superintendent.

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