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2 | **Sec. 155-4. Statements of Policy.**

3 | The following policy statements govern the procurement of all commodities, equipment and  
4 | services by the District:

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5 | (1) The District embraces diversity and is committed to ensuring, that the District's  
6 | vendors reflect the full diversity of the communities we serve.

Deleted: is committed to embracing diversity in contracting so

7 | (2) The District shall follow generally accepted public procurement practices, and to the  
8 | extent practicable and applicable, implement the legislative intent of Section 287.001,  
9 | Florida Statutes.

10 | (3) The District shall conduct contract negotiations in a manner that ensures that the  
11 | District receives fair value for its money, and that vendors and contractors receive fair  
12 | compensation for their commodities, equipment and services.

13 | (4) The District shall actively encourage the participation of certified Small Business  
14 | Enterprises in the procurement process in accordance with Chapter 40E-7, Part VI, Florida  
15 | Administrative Code, the "Small Business Enterprise Contracting Rule". The purpose of the  
16 | program is to spur economic development and support small businesses, including women-  
17 | owned and minority-owned businesses, to successfully encourage expansion in the  
18 | marketplace.

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19 | (5) District employees shall refrain from making representations or entering into any oral  
20 | agreements unless they have delegated procurement authority.

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21 | (6) District employees shall neither solicit nor accept privileges, benefits, gifts or  
22 | exemptions for themselves or for others and shall adhere to the Code of Ethics for Public  
23 | Officers and Employees Part III, Chapter 112, Florida Statutes.

Deleted: minority and woman business enterprises in the procurement process. The District will provide incentives to increase the participation of MBEs that are experiencing the effects of marketplace discrimination and have sought to do business in the District's relevant market area pursuant to Supplier Diversity & Outreach MBE Contracting Rule 40E-7.611, Florida Administrative Code.

24 | (7) District solicitations are valid as the basis of a contract for a period of one year from  
25 | the date of solicitation opening. After this period, new solicitations for the same  
26 | commodities, equipment or services must be issued.

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27 | (8) The dollar amount required for the procurement of particular commodities, equipment  
28 | or services from one source shall not be intentionally divided among two or more  
29 | procurements as a means of avoiding competition requirements.

(9) Pursuant to Rule 40E-7, Part II, Florida Administrative Code, the District's Governing Board may temporarily or permanently suspend contractors from doing business with the District whenever a contractor materially breaches its contract with the District. (Res. No. 2003-867, 8-13-2003; Res. No. 2004-1081, 10-13-2004; Res. No. 2006-820, 8-9-2006)

**Sec. 155-5. Competitive Procurements.**

(a) The following competition standards govern District procurements. Note that all dollar thresholds refer to the "total procurement amount," which is defined as the full amount of the individual transaction regardless of the cost of each item procured.

(b) Professional services are subject to the requirements of the Consultants' Competitive Negotiation Act (CCNA), Section 287.055, Florida Statutes. These requirements involve the services of architects, professional engineers, landscape architects and registered land surveyors and mappers. Threshold amounts are set under Section 287.017(1), Florida Statutes, and are subject to revision. The District will adhere to any revised threshold amounts.

(c) Agricultural leases of District land shall be administered in accordance with the procedures set forth under Chapter 140, District Policies and Procedures Code.

General Procurements

TABLE INSET:

<i>No Competition Required</i>	<i>Request for Quotes (RFQ)</i>	<i>Formal Competition</i>
< or = \$50,000.00 Verbal Quotes Highly Desirable	> \$50,000.00 to \$150,000.00 3 Written Quotes, including faxed	> \$150,000.00

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Construction Procurements

TABLE INSET:

<i>No Competition Required</i>	<i>Request for Quotes (RFQ)</i>	<i>Formal Competition</i>
< or = \$50,000.00 Verbal Quotes Highly Desirable	> \$50,000.00 to \$200,000.00 3 Written Quotes, including faxed	> \$200,000.00

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CCNA Procurements

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<i>No Competition Required</i>	<i>Formal Competition</i>
<a href="#">Professional Services involving Planning or Study activities &lt; or = \$25,000.00</a>	<a href="#">Professional Services involving Planning or Study activities &gt; \$25,000.00</a>
<a href="#">Professional Services when the construction cost is &lt; or = \$250,000.00</a>	<a href="#">Professional Services when the construction cost is &gt;\$250,000.00</a>

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Estimated project construction costs when professional services exceed the threshold amount

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Planning or study activities

Deleted: < or = \$1,000,000.00 .  
Continuing contracts--estimated project construction costs when professional services exceed the threshold amount

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Continuing Contracts

(Res. No. 2003-867, 8-13-2003; Res. No. 2004-1081, 10-13-2004; Res. No. 2006-820, 8-9-2006)

**Sec. 155-8. Transactions Requiring Governing Board Approval.**

- (a) Commodities in excess of the approved annual District budget by appropriation unit.
- (b) Single award to a single vendor for one or more of the same commodity or one or more pieces of equipment with a total combined value exceeding \$1,000,000.00 even if such commodities or equipment have been approved as part of the annual District budget.
- (c) Unbudgeted services, commodities or equipment funded from capital outlay savings in excess of the amounts specified in the table below.

1 (d) Transactions consisting of both commodities (or equipment) and services require  
 2 Governing Board approval if the services dollar amount exceeds the thresholds noted in the  
 3 table below, and/or thresholds relating to (a) or (b) above (commodities and/or equipment)  
 4 are exceeded.

5 (e) Agricultural Land Leases - refer to Chapter 140, District Policies, for administration.

6 (f) Dollar Thresholds by category as follows:

7 |  
 8 Table of Governing Board Thresholds

9 TABLE INSET:

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> \$150,000.00	> \$500,000.00	> \$500,000.00	> \$1,000,000.00
Services Procurements Including: • General Procurements	Construction Procurements (Services and Materials)	Emergency Procurements (Services, Commodities and/or Equipment)	Single vendor/single award of one or more of the same commodity or equipment
• CCNA Procurements	<a href="#">Construction Change Orders (Services and Materials)</a>		
• Exceptions to Competition			
• Special Procurements			
• <a href="#">Revenue Agreements except for cost reimbursement agreements with any Local, State or Federal Government agency to reimburse the District for expenditures made during emergencies.</a>			

11 (Res. No. 2003-867, 8-13-2003; Res. No. 2004-1081, 10-13-2004; Res. No. 2006-820,  
 12 8-9-2006)

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1 **Section 2.** Inclusion of the revised Sections of 155-4, 155-5, and 155-8 of this  
2 resolution in the District Policy Code is authorized and directed.

3 **Section 3.** If any section, subsection, subdivision, paragraph, sentence, clause or  
4 phrase of this resolution is for any reason held to be unconstitutional or invalid or ineffective  
5 by any court of competent jurisdiction, such decision shall not affect the validity or  
6 effectiveness of the remaining portions of this resolution.

7 **Section 4.** This resolution shall take effect immediately on adoption.

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9 **PASSED** and **ADOPTED** this \_\_\_ day of \_\_\_\_\_, 2007.

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**SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT, BY ITS GOVERNING BOARD**

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By:

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\_\_\_\_\_

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Chairman

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18 ATTEST

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21 District Clerk

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Approved as to form:

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BY: \_\_\_\_\_

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Office of Counsel