



**VENDOR GUIDE
TO THE
BIDDING & PURCHASING
PROCESS
OF THE
CITY OF
POMPAÑO BEACH**

*This publication is prepared as
a public service by*

Pompano Beach City Commissioners

Finance & Administrative Services
Department

General Services Department

Purchasing Division

An equal opportunity employer and provider of
services

TABLE OF CONTENTS

Preface iii

RECEIVING BIDS

Bidders List.....1
Changes in Vendor Information.....1
Voluntary Small Business Enterprise
 Program 1-2
Solicitation of Bids and Quotations2
Qualification of Bidders2
How to Obtain Bids if You
 Are Not on the Mailing List.....3

TYPES OF PURCHASES

Formal Bids and Contracts4
One-Time Contracts4
Open Purchase Orders4
Construction Contracting.....4
Professional Service Contracting..... 4-5
Service Contracts5
Informal Quotations & Contracts5
Telephone Quotations5

SPECIAL REQUIREMENTS OF SOME BIDS

Pre-Bid Conference.....6
Surety - Bid and Performance6
Bid Deposit.....7
Performance & Payment Bond.....7
Insurance7
Addendum/Changes in the Bid7

HOW TO BID

Contents of Solicitations8
Adherence to Specifications8
Bidding Prompt Payment
Discounts8
Public Entity Crimes.....9
Drug Free Workplace9
Submitting the Bid9

HOW ARE AWARDS MADE?

Acceptable Bids10
Using Division's Concurrence10
Awards10
Tie Bids 10-11
Bid Rejection 11

VENDOR'S RESPONSIBILITY

AFTER AWARD

Contract performance12
Non-Performing Vendors.....12
Change Orders and
Modifications12

BUYING OF SURPLUS

PROPERTY.....13

SAFETY STANDARDS 14-15

INVOICES AND PAYMENT

PROCEDURES 16-17

HELPFUL HINTS..... 18-19

ORGANIZATION & TELEPHONE

NUMBERS.....20

NON-BINDING NATURE

OF BOOKLET

P R E F A C E

If you sell a commodity or service, you may find a market in the City of Pompano Beach. The Purchasing Divisions contracts for more than \$30 million in goods, services and construction each year.

Since the principal objective of the Purchasing Division is the acquisition of quality goods and services at the lowest cost meeting specifications, we are constantly looking for new sources of supply. The City Commissioners of the City of Pompano Beach welcome your participation in these efforts.

It is easy to do business with the City of Pompano Beach. All purchases are made through a comprehensive system of specifications and competitive bidding which assures that contracts go to the lowest bidders who comply with specifications, terms and conditions and have the capacity to deliver. This booklet has been prepared to acquaint you with information you need to enable your firm to compete for City of Pompano Beach Contracts.

The information set forth in this booklet is a generic guide. There may be specific questions relating to the commodity or service provided by your firm that are not answered. If this is true, please do not hesitate to call or write:

**CITY OF POMPANO BEACH
PURCHASING DIVISION
1190 N.E. 3RD AVENUE, BUILDING C
POMPANO BEACH, FLORIDA 33060
(954) 786-4098**

RECEIVING BIDS

Bidders List. The Purchasing Division maintains a bid mailing list for most products and services purchased by the City. If you wish to be included in a "Bid List" for products and services you sell, you must contact:

City of Pompano Beach
Purchasing Division
1190 N.E. 3rd Avenue
Building C
Pompano Beach, Florida 33060
(954) 786-4098

You will be asked to complete a Vendor Registration form that will be used to place the name of your firm on the automated Bidders List.

Changes in Vendor Information. It is the responsibility of each vendor to keep the Purchasing Division informed of changes that should be made to your vendor information. Obvious changes include change of address, telephone numbers, fax numbers and commodity/service changes. Changes in vendor information on file with the Purchasing Division can only be accomplished by contacting the Purchasing Division.

Voluntary Small Business Enterprise Program. The Pompano Beach City Commission has established a voluntary Small Business Enterprise (SBE) Program to encourage and foster the participation of Small Business Enterprises in the central procurement activities of the City.

The definition of a SBE, for the purpose of the City's voluntary program, is taken from the State of Florida Statute 288.703(1). As of the date of publication of this booklet, a small business means an independently owned and operated business concern that employs 200 or fewer permanent full-time employees and that, together with its affiliates, has a net worth of not more than \$5 million or any firm based in Florida which has a Small Business Administration 8(a) certification. As applicable to sole proprietorships, the \$5 million net worth requirement shall include both personal and business investments. If the State of Florida, Broward County, or other agency has certified your company as a SBE, you should indicate this on your Vendor Registration form and submit a copy of your certification paperwork with your Registration form.

WHAT HAVING YOUR NAME ON A BID LIST MEANS

Solicitation of Bids and Quotations. After the name of your firm is placed on a Bid List, you will receive solicitations for Bids, Proposals, or Letters of Interest each time a formal solicitation (for an amount of \$15,000 or more) is made and you will be given the opportunity to receive a Request for Quotation (for solicitations of \$5,000 or more but less than \$15,000.)

Qualification of Bidders. Qualifications of vendors are not reviewed before placement on a mailing list, and placement on a mailing list does not mean that the Purchasing Division considers your firm to be a "responsible bidder." The Purchasing Division reviews responsibility on an individual bid-by-bid basis, as defined in the General Conditions section of the bid.

HOW TO OBTAIN BIDS IF YOU ARE NOT ON
THE MAILING LIST

Publication of Bid Solicitations. You may learn of a Bid, Request for Proposal or Letter of Interest request from the legal advertisement in the Sun-Sentinel, from Trade Associations, or other publications. If you become aware of a Bid in any manner other than receiving an actual solicitation or Bid Notice, you may obtain a copy of the solicitation by writing, visiting, or calling the City of Pompano Beach Purchasing Division, 1190 N.E. 3rd Avenue, Building C, Pompano Beach, Florida, 33060, telephone (954) 786-4098, or fax (954) 786-4168. When you request a solicitation, ask for it by Solicitation Number, Title and Opening Date; this information appears in all advertisements, solicitations and notices.

*No formal published advertisements are made for Quotation Requests. However, these solicitations are automatically mailed to a reasonable number of Vendors on our Bidders List.

TYPES OF PURCHASES

Formal Bids and Contracts. The Invitation for Bid is a formal procurement method (normally for purchases \$15,000 or more) using legal advertising and a formal official opening of bids, open to the public, at a prescribed time and date. Contracts resulting from the bid process may be of several types:

One Time Contracts (firm or fixed price). These are awarded for a specified quantity of goods or services according to the terms of the contract; delivery may be in one or several shipments.

Open Purchase Orders. These are awarded for anticipated amounts during a certain period, usually one year, with an option to renew for an additional one-year period. The contracts are binding for the full time period regardless of quantity.

Construction Contracting. Bids and contracts generally follow the format and framework described in this guide. They do have additional requirements for Bid surety, bonding, wage rates, etc. The Bid documents, including blueprints and specifications are available for a reasonable fee from the Purchasing Division.

Professional Service Contracting. The City publicly advertises all requirements for professional services.

The contracts for these services are awarded following prescribed procedures as outlined in Florida State Statute 287.055 with the ultimate selection based on the best interest of the City and maximum value received.

Service Contracts. The City contracts for services such as maintenance of equipment, janitorial, etc., on either Invitation for Bids or Request for Proposals (RFP.) Award of these contracts can use factors including but not limited to, the price quoted, experience of the firm, management ability and other factors in accordance with formulas provided for in the Bid or RFP.

Informal Quotations and Contracts. The informal quotation process (normally purchases of \$5,000 or more but less than \$15,000) may result in a Purchase Order for commodities and services. Informal written quotations are solicited in the same manner as written bids without the formalities of a public bid opening or advertising.

Telephone Quotations. In some situations, using agencies of the City are authorized to obtain quotations by telephone. You may be assured that such telephone quotations have the same integrity as written bids and that the lowest responsive and responsible bidder will receive the award.

***SPECIAL REQUIREMENTS
OF SOME BIDS***

Many bids are for specialized products or services and contain requirements designed to meet specific needs. Listed below are some of the more common special requirements.

Pre-Bid Conference. Pre-Bid conferences are designed to give you, the Vendor, the opportunity to meet the Purchasing Agents and ultimate users as well as examine and discuss specifications, bid conditions, and delivery/completion information. The majority of these pre-bid conferences are mandatory. If a firm fails to appear at this type conference, the firm is prevented from entering a bid on the particular requirement.

Surety - Bid and Performance. Bid surety is designed to assure that Bids are presented in good faith and unconditionally may not be unilaterally withdrawn. Performance surety assures that a contract will be faithfully performed.

Surety is recognized as a possible impediment in your bidding, and is not required on the majority of purchases made by the City. If surety is required, the specific conditions contained in the solicitation will indicate the kind and amount of security. **If a Bid surety is required with the Bid, the Bid will not be accepted without it.**

Bid Deposit. Cash, Money Order, a Bid Bond executed by a Surety company, Cashier's Check or bank draft of any national or state bank, or unconditional Letter of Credit may be required to be submitted with your Bid as Bid Surety. **A PERSONAL CHECK OR A COMPANY CHECK OF A BIDDER SHALL NOT BE DEEMED A VALID BID SURETY.**

Performance and Payment Bond. Bond shall be issued by a Surety Company authorized to do business as surety in the State of Florida, which has a Resident Agent in the State of Florida. Performance and Payment Bonds are required on all construction contracts issued by the City valued at \$25,000 or greater.

Insurance. Whenever a Quotation or Bid requires you to provide insurance, the recommended vendor must provide this insurance to the City before starting work on the project. It will be necessary for you to furnish coverage as may be required and in addition must name the City of Pompano Beach as an additional insured. Samples of insurance requirements are normally furnished with the initial solicitation.

Addenda/Changes in the Bid. During the course of a formal written bid procedure, changes may take place affecting the terms or conditions or specifications of the bid. If any addenda are issued to a Bid, the City will attempt to notify all known prospective bidders. However, it shall be the responsibility of each Bidder, before submitting a bid, to contact the City Purchasing Office to determine if addenda were issued and to make such addenda a part of their Bid proposal.

HOW TO BID

Contents of Solicitations. The Bid form contains the specifications for the commodity or service being purchased, the terms and conditions governing the bid, and will become the actual contract if your firm is awarded the bid.

Adherence to Specifications. Manufacturer's names, trade names, brand information and/or catalog numbers listed in a specification are for information and establishment of a quality level desired, and are not intended to limit competition. You may offer any brand that meets or exceeds the specification for any item. If Bids are based on equivalent products, indicate on the Bid form the manufacturer's name and catalog number of the equivalent proposed. You should submit with your Bid complete descriptive literature and/or specifications. You should also explain in detail the reason(s) why and how the proposed equivalent will meet the specifications and not be considered an exception and submit adequate proof to substantiate this claim. The City of Pompano Beach reserves the right to be the sole judge of what is equal and acceptable. Bids that do not comply with these requirements are subject to rejection. If you fail to identify a substitute, it will be assumed that you are bidding on, and will be required to, furnish goods identical to the bid standard.

Bidding Prompt Payment Discounts. You may offer a cash discount for prompt payment; however, such discounts will not be considered in determining the lowest net cost for bid evaluation purposes. Your Bid should reflect any unit price discount to be considered in the bid evaluation.

Public Entity Crimes. The State of Florida Statutes, Section 287.133, requires political subdivisions and the State to refrain from doing business with firms convicted of public entity crimes. The specific conditions are contained in each solicitation issued by the City.

Drug Free Workplace. The City desires to conduct business with vendors who affirm to having or planning to put in place a Drug Free Workplace program. The specific conditions are contained in each solicitation issued by the City.

Submitting the Bid. Once you have completed the Bid and acknowledgment form which **must** be signed, seal the document(s) in the envelope provided and fill in your firm's name and address and return the bid to the City. Be sure that your bid reaches the City of Pompano Beach Purchasing Division, 1190 N.E. 3rd Avenue, Building C, Pompano Beach, Florida, 33060, before the time and date specified on the form - **no Bids are accepted after that time.**

All Bids are opened at the indicated time and date in public and read aloud in the Purchasing Division offices. Purchasing personnel may answer questions at the Bid opening and following the opening. Bids will be available for inspection ten (10) calendar days following the public opening.

***HOW ARE
AWARDS MADE?***

Acceptable Bids. After bids are read and tabulated, the Purchasing Division staff analyzes them to determine the lowest responsive and responsible bid that meets specifications. **To be responsive, a Bidder must complete all applicable portions of the Bid as instructed. Omission of signature or any crucial part will result in automatic Bid disqualification.** In addition, all bids must meet the minimum acceptable quality level as stated in the specifications. Failure to meet the specifications will also result in disqualification of the Bid; however, additional money will not be spent to obtain a quality level in excess of that specified.

Using Division's Concurrence. The using division will also provide input into the Purchasing Agent's recommendation and must provide a concurrence. Although the time varies, analysis and award is normally completed within ninety (90) days (you will be notified in rare instances of exceptions.)

Awards. In most instances, the Pompano Beach City Commission makes awards of \$25,000 or more. The General Services Director shall make awards of less than \$25,000 with the concurrence of the City Manager.

Tie Bids. In the event that two or more Bids are tied, the tie may be broken and the successful Vendor selected by the following criteria presented in order of importance and consideration:

1. Quality of the items or services bid, if such quality is ascertainable.

2. Delivery time if provided in the Bid by the vendors.
3. Vendor having a drug-free workplace program for employees.
4. Location of the Vendor within the city limits of Pompano Beach.
5. Preference for purchase from a vendor rather than a manufacturer.

Bid Rejection. Whenever it is in the City's best interest, the City reserves the right to reject any and all Bids.

**VENDOR'S
RESPONSIBILITIES
AFTER AWARD**

Contract Performance. After your firm has been awarded a contract, the acceptance of your delivery is conditional upon inspection by the receiving agency and their certification that you have fully complied with the terms of the contract. This includes, but is not limited to, on-time delivery of the exact items described in the Purchase Order.

Non-Performing Vendors. In order to guarantee the contract price and ensure delivery of needed products and services, the City reserves a contractual right to cancel the contract of non-performing vendors. If a vendor fails to deliver in accordance with the terms and conditions, etc., the non-performing Vendor can be debarred from doing business with the City for up to three (3) years, along with any legal action deemed appropriate.

**CHANGE ORDERS
AND MODIFICATIONS**

Occasionally, after a contract has been awarded, changes occur in either price or performance. If the contract provides for modifications, it is done by a written **Change Order** that is sent to the Vendor.

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

***BUYING OF
SURPLUS PROPERTY***

Cars, trucks and a variety of other types of miscellaneous equipment used by the City will be sold to the public either by Sealed Bid or Public Auction.

Prospective buyers are encouraged to have their names placed on appropriate mailing list so that they will automatically be notified when items in which they are interested become available.

For further information, contact:

Purchasing Division
City of Pompano Beach
1190 N.E. 3rd Avenue
Building C
Pompano Beach, Florida 33060
(954) 786-4098

SAFETY STANDARDS

Unless otherwise stipulated in the solicitation, all manufactured items and fabricated assemblies shall comply with applicable requirements of **Occupational Safety and Health Act** and any standards thereunder. In compliance with **Chapter 442, Florida Statutes**, a Material Safety Data Sheet (MSDS) must accompany any toxic substance listed in the **Florida Substance List** delivered to the City. The **MSDS** must include the following information:

- (a) The chemical name and the common name of the toxic substance.
- (b) The hazards or other risks in the use of the toxic substance, including:
 - 1. The potential for fire, explosion, corrosivity, and reactivity;
 - 2. The known acute health effects and chronic health effects of risks from exposure to the toxic substance, including the medical conditions which are generally recognized as being aggravated by exposure to the toxic substance; and
 - 3. The primary routes of entry and symptoms of overexposure.

- (c) The proper precautions, handling practices, necessary personal protective equipment, and other safety precautions in the use of or exposure to the toxic substances, including appropriate emergency treatment in case of overexposure.
- (d) The emergency procedures for spills, fire, disposal, and first aid.
- (e) A description of the known specific potential health risks posed by the toxic substance, which description is written in lay terms and is intended to alert any person who reads this information.
- (f) The year and month, if available, that the information was compiled and the name, address, and emergency telephone number of the manufacturer responsible for preparing the information.

***INVOICE AND
PAYMENT
PROCEDURES***

The Accounting Division is responsible to ensure that all legal and procedural requirements have been met before authorizing payments to Vendors. In order to facilitate the timely processing of payments to Vendors, the Accounting Division must have the proper invoice:

Proper Invoice

The Florida Prompt Payment Act provides that the City may set forth the requirements for an invoice to be a proper invoice. The requirements of a proper invoice shall be set forth in the agreement or contract governing the purchase, however, in addition, no invoice submitted by a vendor shall be considered a proper invoice unless the invoice is an original invoice, is delivered to the City in accordance with the purchase order, and sets forth the following additional information:

- (a) The invoice shall set forth the City purchase order number, and the invoice shall correlate to the City purchase order number under which the purchase was made; and
- (b) The invoice shall set forth the name of the business organization that is recited in the City purchase order; and
- (c) The invoice shall contain the date of preparation; and
- (d) The invoice shall contain an invoice number to facilitate identification of invoice; and

- (e) The invoice shall contain the vendor's federal identification number; and
- (f) The invoice shall contain a description of the goods or services or property provided to the City; and
- (g) The invoice shall contain the delivery terms set within the City purchase order; and
- (h) The invoice shall contain the location and date of delivery of the goods or services or property to the City; and
- (i) The invoice shall contain the quantity of the goods or services or property provided to the City; and
- (j) The invoice shall contain the unit price of the goods or services or property provided to the City; and
- (k) The invoice shall contain the extended total price of the goods or services or property provided to the City; and
- (l) The invoice shall contain applicable prompt payment discounts.

The Accounting Division must also have authorization from the Division purchasing the goods or services to pay the amount invoiced. **Mail all original invoices to:**

City of Pompano Beach
Accounting Division
P.O. Drawer 1300
Pompano Beach, Florida 33061-1300

Inquiries regarding payment of invoices can be made of the Accounting Supervisor at (954) 786-4686.

HELPFUL HINTS

Selling to the City of Pompano Beach is not as difficult as you may envision. Some helpful hints to a business interested in selling include:

An authorized member of your firm must sign all solicitation forms.

Bid Deposits/Bonds (if required) must accompany the Bid.

Group Awards - all items within the group must be bid to be considered for award.

Support literature must accompany Bid documents.

Addenda must accompany the Bid submittal.

Items quoted must be delivered with no substitution unless prior approval has been given.

Read the Bid solicitation closely to understand what the requirement is and how it is to be answered.

Ask questions of the Purchasing Division to clear up any doubt.

Respond to every solicitation even if it is a "No Bid" response. This tells the City that you do not care to bid at this time but would like to continue receiving solicitations.

Failure to respond may result in your name being removed from the City Bid List.

Shall/Will or Must - mandatory; expresses a requirement binding on the vendor/bidder.

Should or May - non-mandatory provisions.

Equivalent - Items offered must be equivalent as to function, basic design type and quality of material, method of construction and any required dimensions.

Addenda to Bid. The City reserves the right to amend any Bid before the Bid opening date. Only written addenda will be binding. If, upon review, material errors in specifications are found, contact the Purchasing Division immediately, before the Bid opening date. This will allow for review and subsequent clarification on the part of the City.

***ORGANIZATION
AND
TELEPHONE NUMBERS***

General Services Department
Purchasing Division
1190 N.E. 3rd Avenue
Building C
Pompano Beach, Florida 33060

Area Code (954)

General Services Director	786-4098
Purchasing Supervisor	786-4098
Purchasing Agent	786-4098
Buyer	786-4098
Office Assistant II	786-4098
Fax	786-4168

General Services Department
Central Stores
1190 N.E. 3rd Avenue
Building C
Pompano Beach, Florida 33060

Chief Material Handling Specialist	786-5501
Fax	786-4019

City of Pompano Beach
Web Site

www.mypompanobeach.org

***NON-BINDING NATURE OF
THIS BOOKLET***

This booklet is designed solely to provide a general summary of information to those wishing to do procurement business with the City of Pompano Beach.

As such, it is not binding in either a legal or regulatory sense.

The procurement activity of the City of Pompano Beach is performed in accordance with the applicable laws, the City of Pompano Beach Code of Ordinances and the General Services Policies and Procedures, and other applicable rules and regulations which govern, the information in this booklet notwithstanding.