

## Purchasing Policy

### Procurement of Commodities or Contractual Services

**(1) Application:** This policy shall apply solely to the acquisition of commodities or contractual services.

- a. "Commodity" means any of the various supplies, materials, goods, merchandise, food, equipment, information technology, and other personal property purchased, leased, or otherwise contracted for by the Authority.
- b. "Contractual service" means the rendering by a contractor of its time and effort rather than the furnishing of specific commodities. The term applies only to those services rendered by individuals and firms who are independent contractors, and such services may include, but are not limited to, evaluations; consultations; maintenance; accounting; security; management systems; management consulting; educational training programs; research and development studies or reports on the findings of consultants engaged thereunder; and professional, technical, and social services.
- c. "Contractual service" does not include professional services as defined in section 287.055, Florida Statutes; nor does it include the furnishing of labor or materials for the construction, renovation, repair, modification, or demolition of any facility, building, portion of building, utility, park, parking lot, or structure or other improvement to real property within the meaning of Chapter 255, Florida Statutes.
- d. The intent of this policy is to guide the Authority in the purchase of commodities or contractual services because the Authority is not regulated by section 287.057, Florida Statutes, as applicable to other governmental entities.
- e. This purchasing policy shall not preempt the requirements of any grant issued to the Authority pursuant to the Airport Improvement Program (AIP) Trust

Fund, Florida Department of Transportation (FDOT) Aviation Trust Fund, or other applicable grant.

- f. The requirements of this purchasing policy may be waived by the Authority Board for good cause.
- g. References in this policy to the Authority President CEO shall, when appropriate, include his or her designee.

**(2) Coordination.** All procurements for commodities or contractual services shall be processed with the assistance and coordination of the Purchasing Department in cooperation with other departments involved and with approval of the President CEO.

**(3) Goal:** All procurements shall be made to obtain the best value. Best value means the highest overall value based on objective factors, which include, but shall not be limited to, price, quality, design, workmanship, service and delivery.

**(4) Purchasing Thresholds:**

- a. Any purchase of commodities or services that exceed \$35,000 but does not exceed \$65,000 in value shall be made on the basis of the informal solicitation of a minimum of three quotations;
- b. Any purchase of commodities or services that exceed \$65,000 in value shall be publicly noticed and made on the basis of competitive sealed bids, competitive sealed proposals, or competitive sealed replies. All purchases above \$150,000 shall be approved by the Authority Board in public session.

**(5) Exemptions.** Notwithstanding the monetary purchasing thresholds set forth in paragraph 4, above, the Authority may award a contract for the procurement of commodities or contractual services without complying with the foregoing purchasing procedures under the following circumstances:

- a. The Authority President CEO, Senior Vice President /Finance & Administration, or Department's Vice President determines in writing that an immediate danger to the public health, safety, or welfare or other substantial loss to the Authority

requires emergency action. The Authority President CEO shall furnish copies of all written determinations relating to the emergency action to the affected department, to the Authority Senior Vice President/Finance & Administration, and to the Authority Board.

- b. The purchase is made by the Authority by "piggy-backing" on a cooperative commodity or service contract competitively awarded by another governmental agency or purchasing cooperative alliance. Procurement methods including the annual Florida Sheriffs Association Fleet and Tire contracts, State of Florida contracts and purchasing agreements, General Services Administration (GSA) Schedules, National Joint Purchasing Alliance (NJPA), Western States Contracting Alliance (WSCA) and other national contract alliances may be utilized as an exempt purchase.
- c. The commodities or contractual services are available only from a single source. If the contract amount exceeds \$150,000, prior approval of the purchase by the Authority Board shall be obtained.
- d. A state or federal agency awarding a grant for the purchase prescribes with whom the Authority must contract or if the rate of payment is established by a state or federal law.

- e. The contractual services and commodities relate to artistic services; auditing services; legal services; health services involving examination, diagnosis, treatment, prevention, medical consultation, or administration; prevention services related to mental health, including drug abuse prevention programs; services or commodities provided by governmental agencies; or continuing education events.
- f. The award or renewal of a contract for required maintenance and/or repair of equipment having a remaining life expectancy in excess of 15 years.

**(6) Bid-Splitting Prohibited.** The Authority shall not divide the procurement of commodities or contractual services so as to avoid the requirements of competitive procurement.

**(7) Contract Extensions.** Unless otherwise specified in the contract, the extension of a contract for contractual services shall be in writing for a period not to exceed 24 months and shall be subject to the same terms and conditions set forth in the initial contract. There shall be only one extension of a contract unless the failure to meet the criteria set forth in the contract for completion of the contract is due to events beyond the control of the contractor.

**(8) Waiver:** The Authority Board may waive requirements of this Policy for good cause.

**PASSED AND ADOPTED** this 18 day of March, 2020.

**SARASOTA MANATEE AIRPORT AUTHORITY**

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By: John Holder, **Chairman**

**ATTEST:**

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By: **Carlos M. Beruff, Secretary**