



Hillsborough County Aviation Authority  
Procurement Manual

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## **1 Introduction**

The Authority was created in 1945 and is an independent special district governed by the Hillsborough County Aviation Authority Act, Chapter 2022-252, Laws of Florida (Act). This Act provides that the Authority will have exclusive jurisdiction, control, supervision and management over all publicly-owned airports in Hillsborough County.

The mission of the Authority is “to be a major driver in the economic growth of the Tampa Bay Region. We will be leading-edge innovators to create global access and extraordinary customer experiences through our people and facilities to build prosperity for our stakeholders and the region.” The vision of the Authority is “to be a vibrant aviation gateway for Tampa Bay, providing access and economic opportunity for our stakeholders.”

The Procurement Department (Procurement) is authorized to provide centralized procurement support to all departments within the Authority and is responsible for ensuring the highest quality for the dollars spent on purchased goods and services and for assuring that the quality performance criteria contained within the contract is provided by the awarded companies during contract delivery. This assurance includes verifying that specifications and requirements as set forth in the contract are fulfilled and that the good or service is suitable for the intended purpose.

The Authority is committed to an open and transparent procurement process, full and open competition to the maximum extent practicable, compliance with all applicable procurement laws, rules and regulations, the highest standards of integrity and ethical conduct of its staff, and full participation in its contracting programs by Disadvantaged Business Enterprises (DBE), Woman/Minority Owned Business Enterprises (W/MBE) and Airport Concessions Disadvantaged Business Enterprises (ACDBE). This Procurement Manual (Manual) details the authority and practices of the procurement function and provides guidance to management and staff to ensure that the Authority is receiving the best “value” for each dollar spent.

Additional information concerning Procurement can be accessed from the Authority Intranet as well as the Tampa International Airport (Airport) website at [www.TampaAirport.com](http://www.TampaAirport.com) > Learn about TPA > Business & Community > Business Opportunities. The information provided includes links to Solicitations, Contracts, and Supplier Resources. An informal solicitation means a purchase of goods and services that range from \$15,000.01 to \$100,000. A formal solicitation means a purchase of goods and services that is in excess of \$100,000. Formal solicitations in excess of \$100,000 must be approved by the Authority’s Board of Directors (Board) and must be advertised or noticed. Additional information regarding informal and formal solicitations is provided in Sections 9 and 10 of this Manual.

Procurement has adopted the following mission and vision statements and list of guiding principles in support of the Authority mission and vision statements:

**Mission Statement:** “To create value for the Authority and the Tampa Bay Region with timely procurement and efficient management of goods and services, in a professional and transparent manner.”

Vision Statement: “To attain the highest level of accreditation, achievement, and recognition in public procurement for innovation, excellence, and customer service.”

The Guiding Principles by which Procurement operates are:

- Professional. We conduct ourselves in a professional manner, consistent with the highest standards of conduct.
- Partnerp. We operate by the principle that “none of us is as good as all of us”.<sup>1</sup>
- Transparent. We operate in a transparent way that promotes accountability and fiscal responsibility.
- Credible. We operate with honesty and integrity that instills confidence that we do what we say we will do.
- Efficient. We develop and execute innovative and creative measures that enhance productivity, improve operations and utilize our resources effectively.
- Customer Focused. We provide outstanding customer service by listening to our customers and acting upon their needs.

<sup>1</sup>. Ray Kroc, McDonalds Founder

## **2 Authority and Functions of Procurement**

### **2.1 Enabling Act**

The Authority was created in 1945 and is an independent special district governed by the Hillsborough County Aviation Authority Act, Chapter 2022-252, Laws of Florida, as amended (Enabling Act). The Enabling Act provides that the Authority will have exclusive jurisdiction, control, supervision and management over all publicly owned airports in Hillsborough County. This document is available in its entirety on the Airport website at [www.TampaAirport.com](http://www.TampaAirport.com) > At TPA > About TPA. The Enabling Act was amended by the Legislature of the State of Florida in 2014 in HB 1399 to increase the purchasing threshold approval of the Authority’s Board of Directors from \$30,000 to \$100,000.

### **2.2 Policies**

Key Policies that govern procurement activities are summarized in this Section. These documents are available in their entirety on the Procurement webpage on the Airport

website at <https://www.tampaairport.com/business/procurement/procurement-policies-procedures>.

2.2.1 P150, Code of Ethics and Ethics Program

Establishes a policy to protect the integrity of the Authority by providing a guide for proper conduct of Board members and employees of the Authority, including discipline for violations, and establishing a program for compliance with the Federal Sentencing Guidelines for Organizations and Florida's Whistle-blower's Act.

2.2.2 P151, Florida's Government-in-the-Sunshine Law

Establishes a policy to ensure compliance with Florida's Government-in-the-Sunshine Law. Florida Statute Section 286.011 requires that any meeting of a public body, or extension thereof, wherein official action is to be taken, is declared to be public and open, requiring reasonable notice and the taking of minutes.

2.2.3 P410, Procurement

Establishes a policy for the procurement of construction, improvements, repairs, or work of any nature, as well as equipment, materials, supplies, and services, excluding those covered under the Consultant's Competitive Negotiation Act (CCNA) as governed by Florida Statute Section 287.055. Establishes the procurement mechanism selection for securing goods and services, authorizes the Vice President of Procurement to carry out all procurement functions, defines "Competitive Selection Process", establishes purchasing thresholds, provides parameters for use of sole source, standardized, government contract, cooperative contract, and emergency purchases, addresses exceptions to the Competitive Selection Process including, but not limited to, negotiated contracts, explains the process for the development of professional services contracts, provides processes for use of change orders, construction change directives and amendments to contracts, and establishes a Cone of Silence to ensure the proper and fair evaluation of formal solicitations.

2.2.4 P411, Selection of Professional Services for CCNA

Establishes a policy for the selection of development related professional services firms, including design-build firms for professional services and the consulting engineer, pursuant to the CCNA.

2.2.5 P414, Suspension/Debarment of Contractors

Establishes a policy by which a contractor may be suspended or debarred from doing business with the Authority. Contractor is defined as a business, organization, person, individual or other legal entity that directly or indirectly (i.e., through an affiliate) submits a bid/proposal/response or is awarded a contract, purchase order (PO) or subcontract to supply goods or services, to perform construction, or to perform a concession for the Authority.

2.2.6 P512, Procurement Protests

Establishes a policy for a respondent to protest any Authority Competitive Selection Process. A Competitive Selection Process includes, but is not limited to, selections made pursuant to request for proposals, request for qualifications, invitation to bid, and the Consultants' Competitive Negotiation Act.

## **2.3 Standard Procedures**

Key Standard Procedures that govern procurement activities are summarized in this Section. These documents are available in their entirety on the Procurement webpage on the Airport website at <https://www.tampaairport.com/business/procurement/procurement-policies-procedures>.

### **2.3.1 S150.01, Standards of Ethical Conduct**

Establishes a procedure to assist Authority employees in complying with ethics laws and the Authority ethics policy, promulgates additional standards of ethical conduct employees must follow, and designates an ethics coordinator.

### **2.3.2 S150.02, Ethics and Compliance Program and Investigations**

Establishes an ethics and compliance program to comply with the Federal Sentencing Guidelines for Organizations and Florida Whistle-Blower's Act as well as procedures to prevent, detect, report, and investigate suspected wrongdoing.

### **2.3.3 S410.01, Procurement Authority**

Establishes procurement authority and delegates approval authority for requisitions to the requesting department, approval and signatory authority to the Vice President of Procurement for POs and non-Board awarded contracts and ancillary documents \$100,000 and less, and approval and signatory authority to the Board for contracts in excess of \$100,000, with the exception of legal services procured pursuant to Policy P500, Legal Services.

### **2.3.4 S410.04, Request for Qualifications and Proposals and Invitation to Negotiate Solicitations**

Establishes procedures for the competitive procurement of goods and services utilizing the Request for Qualifications (RFQ), Request for Proposals (RFP), or Invitation to Negotiate (ITN) solicitation processes, provides the process for the evaluation of responses, the structure of and guidelines for the technical evaluation committee, technical evaluation ranking guidelines, and includes a sample letter to technical evaluation committee members and technical evaluation committee agreement.

### **2.3.5 S410.10, Invitation to Bid, Reverse Auction, Invitation to Quote and Small Purchases**

Establishes procedures for the competitive procurement of goods and services utilizing an Invitation to Bid (ITB), Reverse Auction (RA), Invitation to Quote (ITQ) or small purchase process.

### **2.3.6 S410.11, Government and Cooperative Contracts and Sole Source Purchases**



Establishes procedures for the purchase of equipment, supplies, materials, software, and services utilizing government and cooperative contracts and sole source purchases.

2.3.7 S410.12, Materials Management

Establishes a procedure for the management and disposition of inventory.

2.3.8 S410.13, Contract Negotiations

Establishes the process for negotiating contracts resulting from sole source purchases, RFQs, and RFPs.

2.3.9 S410.14, Advertisement or Due Public Notice

Establishes procedures for the placement of advertisements and due public notices in compliance with the Enabling Act and Chapter 50, Florida Statutes.

2.3.10 S410.15, Change Orders and Amendments

Establishes a procedure for approving modifications to contract documents that change the terms and/or conditions of the awarded contract.

2.3.11 S410.19, Owner Direct Purchase Program

Establishes the process for enabling the Authority to directly purchase equipment, materials, and supplies that are budgeted and included in projects pursuant to Section 212.08(6), Florida Statutes and Rule 12A-1.094, F.A.C.

2.3.12 S410.20, Standardization Program

Establishes a program for the standardization of products, specifications, and services.

2.3.13 S410.21, Request for Proposals for External Audit Purposes

Establishes procedures for the competitive procurement of external audit services utilizing an RFP solicitation process.

2.3.14 S410.22, Evaluation of Unsolicited Offers

Establishes procedures for evaluating unsolicited offers presented for the Authority's consideration.

2.3.15 S410.23, Attic Stock Program

Establishes a process for designating and retaining Attic Stock held in storage by Materials Management.

2.3.16 S410.25, Purchasing Cards

Establishes procedures for the utilization of Authority purchasing cards (PCards).

2.3.17 S410.26, Request for Information

Establishes procedures for utilizing a Request for Information (RFI).

2.3.18 S410.27, Resolicitation Effort

Establishes procedures for soliciting a previously awarded contract or soliciting a qualified company list to add additional qualified companies.

2.3.19 S410.40, Sustainable Procurement Program

Establishes procedures for the purchase of environmentally preferable products and services.

2.3.20 S410.41, Proof of Concept for Technology Procurement

Establishes procedures for a Proof of Concept (POC) program for testing or trial use of Information Technology Services (ITS) related hardware, software, or related professional services.

2.3.21 S470.02, Contract Development

Ensures consistency in the development of all Authority contracts.

2.3.22 S470.03, Contract Administration

Defines the roles and responsibilities for administering contracts from award through closeout.

**2.4 2000 Model Procurement Code for State and Local Governments**

The 2000 Model Procurement Code was approved by the policymaking body of the American Bar Association (ABA), its House of Delegates, on July 11, 2000, and represents official ABA policy in this area of the law. It provides: (1) the statutory principles and policy guidance for managing and controlling the procurement of supplies, services, and construction for public purposes; (2) administrative and judicial remedies for the resolution of controversies relating to public contracts; and (3) a set of ethical standards governing public and private participants in the procurement process.

The Authority Policies and Standard Procedures demonstrate that Authority procurement processes comply with the 2000 Model Procurement Code to the extent that the Authority can comply based on the Authority Enabling Act (see Section 2.1 above) and other governing law.

**2.5 Procurement Functions**

2.5.1 Structure

Procurement is a centralized unit organized into three functions: Administration and Support, Capital and Non-Capital Procurement, and Materials Management.

(1) Administration and Support

This function provides administrative and clerical support to Procurement which encompasses the following activities:

(a) Board agenda process

- (b) Procurement helpline including assisting suppliers with registering in the Authority's financial resource system, Oracle (Supplier Portal)
- (c) PCard program management and day-to-day administration
- (d) ePayables enrollment
- (e) Advertisements and Legal Notices (Newspaper)

(2) Capital and Non-Capital Procurement

Procurement activities are assigned to procurement agents (PAs) and managers. Examples of procurement function activities are:

- (a) Development and approval of POs
- (b) Direct purchases
- (c) Solicitation project planning and scheduling
- (d) Market research and analysis
- (e) Formal and informal solicitation development and issuance
- (f) Solicitation evaluation process facilitation
- (g) Identification of government and cooperative contracts that meet Florida Statute requirements
- (h) Contract negotiations
- (i) Development of documents for Board selection and/or award process
- (j) Execution and issuance of all required contractual documentation not executed by the Board
- (k) Contract administration including amendments, change orders, interpretation of terms and conditions, extensions, early termination, contractor performance and disputes
- (l) Strategic planning process

(3) Materials Management

The materials management function includes the following inventory management and surplus property disposition activities:

- (a) Analyze and forecast inventory usage
- (b) Manage inventory and storage space
- (c) Order inventory
- (d) Receive, inspect, store, issue and deliver inventory and project related items
- (e) Transfer, receive and track asset tagged items and project attic stock
- (f) Perform daily cycle counts
- (g) Manage the min-max inventory levels
- (h) Pick up and deliver special orders
- (i) Transport hazardous materials
- (j) Order fuel and process the fuel report
- (k) Ensure the security and physical control of inventory
- (l) Receive and transfer assets to and from departments
- (m) Sale of surplus property through public auction and other approved means

- (n) Disposition of Authority property including inventory, asset tagged items, project related attic stock, and any other non-consumable items

### 2.5.2 Operation and Locations

Functions	Hours of Operation (Monday – Friday)	Physical Address
Procurement and Administration	8:00 a.m. – 4:30 p.m.	Tampa International Airport SkyCenter One 5411 SkyCenter Drive 4th Floor Tampa, FL 33607
Materials Management	6:30 a.m. – 5:00 p.m.	Central Warehouse (WR1) Tampa International Airport 5008 North Westshore Blvd. Tampa, FL 33614

## 3 Procurement Staff

### 3.1 Staff Qualifications

Management and professional staff must meet education, experience and certification requirements as listed in each job description. Job descriptions are reviewed and updated annually.

Certification requirements may include professional designations, including but not limited to, Certified Public Procurement Officer (CPPO), Certified Professional Public Buyer (CPPB), and National Institute of Government Purchasing – Certified Procurement Professional (NIGP-CPP).

### 3.2 Recertification Requirements

In order to maintain active certifications, staff must annually attend NIGP, Florida Association of Public Procurement Officials, Inc. (FAPPO), the Airport Purchasing Group (APG), and Institute of Supply Management (ISM) sponsored professional development training programs that are directly related to procurement and supply management. These training programs focus on procurement philosophies, methods and processes and are designed to continually improve staff skills and Procurement’s operation.

### 3.3 Professional Organization Participation

Procurement is a member of NIGP, both the national organization and local chapter, FAPPO, APG, and the Tampa Bay Area Purchasing Cooperative. Additionally, Procurement may be represented by individual staff membership with the National Procurement Institute (NPI)

and the Institute of Supply Management (ISM). Procurement staff attend organizational meetings and conferences, serve on committees, and serve as elected officers.

#### **4 Procurement Responsibilities**

Procurement processes govern all actions where money is either being spent (expense) or received (revenue). The appropriate procurement threshold for ongoing purchases of similar products or services is determined by estimating a three-year total spend.

##### **4.1 Procurement Thresholds**

Procurement thresholds are briefly described in this Section. For detailed information regarding procurement processes associated with each threshold, review Sections 8, 9, and 10 of this Manual. Purchases shall not be artificially divided to avoid the requirements set forth in Policy P410 or applicable law.

###### **4.1.1 \$15,000 and Less**

- (1) This threshold is referred to as Small Purchases.
- (2) These are one-time purchases that may be made directly by user departments utilizing a PCard or by entering and approving a requisition.

###### **4.1.2 \$15,000.01 to \$100,000**

- (1) This threshold is referred to as Informal Solicitations.
- (2) Purchases in this threshold are primarily one-time purchases. For recurring purchases, Procurement will research the good/service and supplier to determine the frequency of previous purchases for the same good/service, how the good/service was previously procured, and the total amount of payment for the same good/service to the supplier to determine if a term contract is warranted.

###### **4.1.3 \$100,000.01 and higher**

- (1) This threshold is referred to as Formal Solicitations.
- (2) Consecutive purchases that exceed \$100,000 must be procured with a Competitive Solicitation Process and are required to be advertised. Departments are responsible for notifying Procurement of goods/services that have been or will be consecutively purchased that may exceed the \$100,000 threshold based on anticipated needs.
- (3) Formal Solicitations exceeding \$100,000 are required to be approved by the Board.

## **4.2 Delegated Procurement Authority**

Procurement is a centralized activity. An exception is the PCard program, which delegates to user departments the ability to directly perform small purchases of goods and services, and to pay for other Authority business-related purchases such as Authority-approved travel and professional organization memberships. These purchases must be a one-time purchase, \$15,000 or less (unless otherwise approved by Procurement), and within the purchaser's or department's set PCard limits. A requisition and PO are not required for PCard purchases. The purchaser's PCard expenses report is routed electronically through the purchaser's department approval process. Procurement conducts regular reviews of the PCard program, testing for irregular and inappropriate purchases. Additionally, the PCard program is formally audited on an annual basis. Refer to Section 7 of this Manual for details regarding the PCard program.

## **4.3 Contracts**

4.3.1 Departments are responsible for forwarding all contract documents that obligate the Authority to purchase goods and services to Procurement for processing.

4.3.2 Procurement:

- (1) Reviews the contract and submits it to Legal Affairs for review and approval.
- (2) Coordinates revisions to the contract and facilitates contract negotiations with the supplier as applicable.
- (3) Obtains full execution of the contract.

## **4.4 Requisitioning**

All non-emergency purchases, except purchases made utilizing PCards, must have an approved requisition. Departments enter and approve requisitions in Oracle with funding codes and attach quote(s), if available, which authorizes Procurement to process the PO and purchase the goods and services.

## **4.5 Ordering**

A supplier must receive a PO or PCard number from the Authority prior to any purchase for it to be considered Authority-approved.

4.5.1 Requisitions

Prior to ordering goods and services, the requesting department creates and approves a requisition. Procurement receives the approved requisition. The assigned PA reviews the requisition and identifies potential suppliers to ensure that the goods and services will be of the quality required for their intended use at the lowest possible cost. The PA processes the PO. A copy of the approved PO is electronically emailed to the supplier.

#### 4.5.2 PCard

A PCard may be used in lieu of a PO number with appropriate department approval as detailed in Standard Procedure S410.25, Purchasing Cards. If a purchase exceeds \$15,000, a PA may modify existing or set up unique procurement cards for that expenditure (utilizing ghost card or declining balance accounts). The PA may also make the purchase on their PCard for the requestor with the appropriate department approval. Materials Management may use their PCard to purchase Central Warehouse inventory.

### 4.6 Receiving

4.6.1 Goods are received and visually inspected for defects at WR1 to identify non-conforming items prior to distribution. Discrepancies are documented, and the items are returned to the suppliers and tracked for resolution.

4.6.2 Conforming goods are received into Oracle and delivered to the requesting department by Materials Management. The requesting department verifies that the goods are fit for the intended use.

4.6.3 Conforming inventory items are received into Oracle and issued to the assigned warehouse location.

4.6.4 Services are received by the requesting department by approving the respective invoices in Oracle. Invoices for services are verified electronically through the department's approval processes.

### 4.7 Supplier Relationship Management (SRM)

4.7.1 Departments are responsible for designating a central point of contact to manage contracts (Contract Managers) and selecting critical contracts for the SRM program.

4.7.2 Procurement facilitates ongoing feedback sessions for SRM contracts and provides technology tools for Contract Managers to ensure successful contracts, add value for the Authority, and minimize performance issues.

## 5 Reporting, Processes and Notifications

### 5.1 Procurement 12-Month Solicitation Schedule Report

5.1.1 Lists active and projected informal and formal solicitations for a twelve (12) month period and is located in a Procurement shared Box folder.

5.1.2 Reviewed by Procurement staff and updated weekly.

- 5.1.3 Upon final review the Procurement Business Office Manager or designee emails the updated report to the Leadership Group every Friday.

## **5.2 Planned Procurement Opportunities Report**

- 5.2.1 Lists formal competitive solicitations that are active or are projected to be advertised in the next twelve (12) months and are posted as a link on the Procurement webpage on the Airport website at [www.TampaAirport.com](http://www.TampaAirport.com) > Business & Community > Business Opportunities for public access.
- 5.2.2 Drafted approximately one (1) week prior to the next scheduled Board meeting and provided to the Procurement management staff for review and approval prior to posting.
- 5.2.3 Includes a description of the solicitation, important dates, and Procurement contact information.
- 5.2.4 Finalized and posted on the Authority website on the first day of each month.

## **5.3 Active and Planned Formal Procurement Monthly Update Report**

- 5.3.1 Lists formal solicitations that are active or are scheduled to be advertised in the next thirty (30) days.
- 5.3.2 Included in the Authority Staff Report and provided to Board Members prior to each Board meeting.
- 5.3.3 Drafted approximately two (2) weeks prior to the next scheduled Board meeting and provided to Procurement management staff for review and approval prior to posting.
- 5.3.4 Includes a description of the solicitation, the advertising, response due and selection dates, and a reminder that the cone of silence is in effect for the listed solicitations.
- 5.3.5 Finalized, printed, and delivered to the Board Secretary by noon on Tuesday prior to the Board meeting for distribution to the Board.

## **5.4 Notification of Newly Advertised Solicitations**

A notification is e-mailed to Board members within twenty-four (24) hours from the day the formal solicitation is advertised. The notice informs the Board that the Cone of Silence is in effect for the named formal solicitation.

## **5.5 Notification of Newly Received Responses**

A notification is e-mailed to Board members within twenty-four (24) hours of the response due date for a formal solicitation. The notification includes the date responses were due, the



solicitation title, a list of the responding companies, and a reminder that the Cone of Silence is in effect for the solicitation.

#### **5.6 Notification of Cancelled Solicitation**

Upon canceling an active formal solicitation, the board is emailed a notification. This cancellation also terminates the Cone of Silence requirement for the solicitation.

#### **5.7 Notice of Intent to Select**

A notification is posted on the Authority website approximately twenty-one (21) Authority business days before the scheduled Board meeting. This notification begins the protest period for the solicitation.

#### **5.8 Notice of Intent to Award**

A notification is posted on the Authority website approximately twenty-one (21) Authority business days before the scheduled Board meeting. This notification begins the protest period for the solicitation, except for CCNA which begins with the Notice of Intent to Select.

#### **5.9 Notice of Intent to Select and Award**

A notification is posted on the Authority website approximately twenty-one (21) Authority business days before the scheduled Board meeting. This notification begins the protest period for the solicitation. (Non-Capital solicitations)

#### **5.10 Notice of Award**

A notification is posted on the Authority website within twenty-four (24) hours of the award approval by the Board. This notification also terminates the protest period and the Cone of Silence requirement for the solicitation.

### **6 Document and Process Standardization**

#### **6.1 Solicitation and Contract Documents**

Procurement maintains standard solicitation and contract documents used in the procurement process. Legal Affairs reviews and approves standard documents and standard document revisions. The Vice President of Procurement approves revisions to standard document language prior to forwarding to Legal Affairs for final review and approval.

##### **6.1.1 Standard Solicitation and Purchase Process Documents**

A standard process checklist is followed for each type of solicitation and purchase process listed in this subsection. The checklist specifies standard documents for each solicitation process that includes letters, notices, powerpoint presentations, forms, and e-mail formats. Any changes to the process, checklists, and other standard documents must be submitted to the Vice President of Procurement for review and approval. Specifications used in solicitations are issued in a standard format, electronically filed, and reviewed and updated to reflect changing internal requirements and processes, as applicable, for subsequent solicitations.

- (1) Standard Solicitations
  - (a) Invitation to Quote (ITQ)
  - (b) Invitation to Bid (ITB)
  - (c) Reverse Auction (RA)
  - (d) Request for Information (RFI)
  - (e) Request for Proposals (RFP)
  - (f) Request for Qualifications (RFQ)
  - (g) Invitation to Negotiate (ITN)
  
- (2) Purchase Processes
  - (a) Emergency
  - (b) Sole Source
  - (c) Government and Cooperative Contracts
  - (d) Standardization

#### 6.1.2 Standard Contract Documents

Contract templates include standard terms and conditions and business terms that are specific to each contract type listed below. The business terms are inserted in the contract template and reviewed and approved by the Vice President of Procurement and Legal Affairs. Any changes to the contract template must be submitted to the Vice President of Procurement and Legal Affairs for review and approval. Specifications used in contracts are issued in a standard format, electronically filed, and reviewed and updated to reflect changing internal requirements and processes, as applicable, for subsequent contracts.

- Professional Services and Non-Professional Services
- Goods
- Software and Implementation
- Management Services
- Design-Build Services
- Design-Bid-Build Services
- Design Professional Services
- Construction Services
- Maintenance Services
- Concessions

## 6.2 Standard Processes

Additional processes that may be included in the procurement process are summarized below.

### 6.2.1 Value Analysis

Procurement may use the Value Analysis process to analyze existing, new and alternative products to: determine functionality, suitability, and cost differences; identify new sources of supply when preparing to issue a solicitation; identify a good or service with best performance for the customer at the best cost for the Authority; identify and eliminate features that add no true value to the customer or the end product but incur cost to the process of manufacturing or provision of the service; verify new identified potential supplier costs, qualities, technologies, timeliness, dependability, and service best meet the Authority needs; and determine pricing structure based on amount of goods purchased. The steps include information gathering, sourcing and cost analysis, and testing, evaluation and presentation.

### **6.2.2 Spend Analysis**

A Spend Analysis may be performed to aggregate, classify, and leverage spend data for the purpose of gaining visibility into cost reduction, performance improvement, and contract compliance opportunities. It is part of an overall spend management and visibility process that includes the analysis, award, and monitoring of corporate spend. Additionally, it is the first and last step of the strategic sourcing process that drives total value. One use of a Spend Analysis is to identify the low value items that consume the largest percentage of the PA's time. Procurement looks for ways to automate processes to expedite the acquisition of these items so there is minimal or no human intervention required from Procurement. To find savings opportunities, Procurement establishes the spending background of the Authority and then looks at the spend data in more detail, breaking it down into refined categories. Steps include obtaining, converting, checking, classifying, validating and analyzing data.

### **6.2.3 Qualified Products List Process**

Procurement encourages suppliers to submit new and innovative products. Products that are evaluated and assigned satisfactory ratings will be added to the Authority Qualified Products List (QPL), and the product specifications will be utilized in the development of a solicitation. Suppliers complete a Product Evaluation Request and submit samples, which are examined by Procurement for compliance with specifications. The user department performs field tests, reviews product information, and rates the product. Procurement notifies supplier of acceptance. If accepted the product is added to the QPL.

### **6.2.4 Lease vs Purchase Process**

Lease vs Purchase Process is one of the elements in determining "best value." The process includes trade-in and disposal considerations and life cycle cost (LCC) comparisons. The purpose of the process is to determine if leasing equipment allows the Authority to leverage its budget more effectively; however, in some situations, leasing may be more costly than the purchase of equipment when LLCs are compared.

### **6.2.5 Market Trend Analysis**

A Market Trend Analysis may be performed to analyze prices and trends in the competitive marketplace. The purpose of the analysis is to compare the availability of goods and offered prices with market alternatives and to establish the reasonableness of offered prices.

## **7 Purchasing Cards**

All non-travel related PCard purchases must be in accordance with Standard Procedure S410.25, Purchasing Cards, which details Cardholder requirements, liability, spending controls, account closure process, lost or stolen PCard reporting process, PCard security and storage, sales tax, and reconciliation and approval of charges. Requests to increase PCard limits must be submitted to Procurement. Travel-related PCard purchases are governed by Standard Procedure S412.01, Travel, Business Development, and Working Meals Expenses, which details the reconciliation and reporting of travel and business development expenses.

### **7.1 General Information**

7.1.1 Procurement administers the PCard program, issues PCards, provides user PCard training and performs periodic reviews of PCard purchases to identify potential procedural non-compliance.

#### 7.1.2 Departments

- (1) Vice Presidents/Directors identify users and set user limits.
- (2) Users complete mandatory PCard training prior to receiving a PCard and annually thereafter.
- (3) Users verify and submit purchases in Oracle iExpense.
- (4) User supervisors are responsible for approving PCard transactions via approval of the user's iExpense report.

### **7.2 How to Obtain a PCard**

To obtain a PCard, the Authority employee must:

- 7.2.1 Complete the Purchasing Card Request/Change Form FS-120 with the approval and signature of the responsible director or vice president as necessary and return the fully executed form to the PCard Program Manager.
- 7.2.2 Complete mandatory PCard training provided by the PCard Program Manager before taking possession of the PCard.
- 7.2.3 Sign the Purchasing Card Program PCardholder Agreement Form FS-121.

## **8 Small Purchases**

A small purchase means a purchase that does not exceed \$15,000.

### **8.1 Monitoring of Purchases**

Small purchases are monitored to identify goods and services that are purchased by user departments on a regular basis from the same or multiple suppliers. A Spend Analysis is performed to analyze the current, past, and forecasted expenditures by type of good, service, or commodity code to determine what was purchased, when it was purchased, where it was purchased, how many suppliers were used to purchase, how much was spent with each supplier, and how much was paid for the good or service. This data is used to determine, based on the total expenditure for each type of good or service, if it would be advantageous to issue a solicitation or identify a state or cooperative contract that can provide the goods or services at the same or reduced cost utilizing a Contract Purchase Agreement or Blanket Purchase Agreement.

### **8.2 Process**

Small purchases may be directly purchased by departments utilizing a PCard or by entering and approving a requisition.

#### **8.2.1 Department**

- (1) Performs its own due diligence to obtain the best price for the goods and/or services or may request assistance from Procurement.
- (2) Enters and approves a requisition or charges the purchase to a PCard.

#### **8.2.2 Procurement receives an approved requisition and:**

- (1) Verifies that the requested good is not available in inventory, if applicable.
- (2) Determines if the requested good or service is available on an existing contract.
- (3) Issues a PO.

## **9 Informal Solicitations Process**

Purchases from \$15,000.01 to \$100,000 are informal solicitations that are primarily purchased by an approved requisition that begins the ITQ process.

### **9.1 Purchase of Goods**

#### **9.1.1 Requesting department:**

- (1) May contact and/or research a potential supplier to determine if the supplier has the ability to and interest in providing the desired goods. *NOTE:* The requesting department may not negotiate price with a potential supplier. All negotiations must be facilitated by Procurement.
- (2) Submits a Request for Informal Solicitation to the Procurement Agent.

#### 9.1.2 The PA:

- (1) Determines if an internal or cooperative contract already exists for the goods.
- (2) If an internal or cooperative contract exists:
  - (a) Reviews the contract information with the requesting department to ensure that the goods meet the intended purpose.
  - (b) Analyzes the cost of the goods in the contract against market and current pricing.
- (3) If an internal or cooperative contract does not exist:
  - (a) Meets with the requesting department to determine minimum qualifications and a solicitation schedule.
  - (b) Develops the document as outlined in Section 9.4, Document Development, of this Manual which includes minimum qualifications that a respondent must meet to be determined responsive and responsible, specifications or a scope of work, a schedule that lists the response deadlines, and important dates, response information that must be provided and submitted by the scheduled deadline, a contract or PO terms and conditions, as applicable, and other informational documents. If the ITQ includes a contract that requires execution by the supplier and the Authority, the ITQ documents and contract are submitted to Legal Affairs for review and approval.
  - (c) Identifies at least three potential suppliers.
  - (d) Processes the ITQ in the e-procurement system:
    - i. Inputs all ITQ information and requirements in the e-procurement system.
    - ii. Publishes the ITQ, which automatically emails notifications to the invited suppliers, including all suppliers with the NIGP code associated with the ITQ.
    - iii. Receives quotes by the due date.
    - iv. Evaluate quotes for compliance with minimum qualifications and solicitation-specific specifications and determine the lowest responsive and responsible supplier.
    - v. Meets with the requesting department to review quotes and evaluation results.
    - vi. Obtains supplier contract execution, if applicable, and submits the contract to the Vice President of Procurement for execution.
    - vii. Issues a PO or contract purchase agreement, as applicable.

## 9.2 Purchase of Services

Services valued at less than \$100,000 may be purchased through contract negotiation, known as a Services Request, without obtaining three written quotes only upon the approval by the Vice President of Procurement. If not approved, or if the requesting department has not requested a specific supplier, the purchase will follow the process listed in 9.1, Purchase of Goods, above. If approved, the purchase will follow the process below.

### 9.2.1 Requesting department:

- (1) Provides information on the project background and the scope of work and submits to the PA for review.
- (2) May contact and/or research a potential supplier(s) to determine if the supplier has the ability to and interest in providing the services. *NOTE:* The requesting department may not negotiate price with a potential supplier. All negotiations must be facilitated by Procurement.
- (3) Enters and approves a requisition and provides the name of the potential supplier in the Note to Buyer field of the requisition.
- (4) Revises requisition as necessary from resulting negotiations.

### 9.2.2 The PA:

- (1) Completes the Services Procurement template in the eProcurement system, routes for review and approval, and processes the approved requisition.
- (2) Determines if an existing contract or cooperative contract exists with the potential supplier for the services.
  - (a) If a contract does exist:
    - i. Review the contract scope of work, pricing, and supplier(s) with the requesting department.
    - ii. Contact the potential supplier to determine if the supplier can provide all services listed in the scope of work.
    - iii. Upon department concurrence, process the contract through Legal Affairs.
  - (b) If a contract does not exist:
    - i. Meets with the department to review and revise the scope of work and draft contract terms and conditions, if applicable.
    - ii. Contact the potential supplier requested by the department to confirm that the supplier can provide all services listed in the scope of work.
    - iii. Oversees and conducts negotiations with the supplier.
    - iv. Submits the contract, if applicable, to Legal Affairs for review and approval.

- v. Obtains supplier contract execution, if applicable, and submits the contract to the Vice President of Procurement for execution.
- vi. Issues a PO or contract purchase agreement, as applicable.

### **9.3 Minimum Qualifications**

Minimum qualifications are established as a basis for determining the eligibility of each response to an ITQ. A response must meet the minimum qualifications in order to be considered responsive. A response may be considered non-responsive and may not be considered unless sufficient documentation is provided to determine whether the respondent meets the minimum qualifications. Additionally, a response may be considered non-responsible and may not be considered if the respondent is unable to meet the applicable required insurance coverage and limits, bonding amount, Business Diversity prescribed goal, license requirements, or any other minimum qualification.

#### **9.3.1 General qualifications**

General qualifications have been established by Procurement and are included as applicable in each ITQ. Examples of these qualifications include demonstrating that the awarded respondent: will register with the Florida Department of State, Division of Corporations, to do business in the State of Florida; will register in the Supplier Portal; is not on the Florida Department of Management Services Convicted Vendors List; has attended the mandatory pre-solicitation conference, if applicable; will provide the required insurance coverage and limits; and can meet the DBE, WMBE or ACDBE established goal, if applicable.

#### **9.3.2 Project specific qualifications**

Project specific qualifications may include years or type of experience, functionality of the goods, and licensing required to provide the goods and/or services. All project specific qualifications are approved by the Vice President of Procurement.

### **9.4 Document Development**

9.4.1 Requestor provides a draft project background and specifications or scope of work to the PA.

9.4.2 The PA:

- (1) Reviews, approves and modifies the specifications and scope of work to ensure that:
  - (a) The minimum qualifications are written to allow open competition, emphasize functional or performance criteria, and limit, when practical, design or physical descriptions to those meeting the need or suitable for the intended purpose.
  - (b) Available standard commercial products are used, and unique requirements are avoided when practical.



- (c) Performance criteria clearly identify how the acceptance of work performed will be determined.
  - (d) The requesting department's duties in terms of identifying and documenting unacceptable performance, as applicable, are included.
  - (e) The consequences of unacceptable performance, as applicable, are clearly defined.
- (2) Coordinates with the requesting department, key stakeholders and technical experts to complete the solicitation document development process including the response format and contract, as applicable.
  - (3) Submits the solicitation document to Legal Affairs for review and approval and coordinates all document changes with the requesting department.

### **9.5 Advertisement Requirements**

Informal solicitations do not require a formal advertisement. A courtesy notification of the active solicitation may be e-mailed to the selected suppliers through the e-procurement system or emailed to the selected suppliers. Additional suppliers may be identified by the requesting department or PA and contacted to participate in the ITQ process.

### **9.6 Authority Rights**

Standard language is included in the ITQ that allows the Authority to reject any or all responses; to waive minor irregularities in the ITQ process or in the responses thereto; to postpone or cancel the ITQ process; to negotiate, select or procure parts of services; to change or modify the ITQ schedule at any time; to reject a response from the lowest responsible, responsive respondent whose response amount is higher than the Authority approved budget or estimated project cost; and to negotiate a contract/PO with another respondent if a contract/PO cannot be negotiated with the respondent with the lowest quote or if the respondent with the lowest quote does not meet the performance requirements in the ITQ or resulting contract/PO. The issuance of an ITQ is not a commitment on the part of the Authority to award a contract/PO.

### **9.7 Award of Contract/Purchase Order and Notice to Proceed**

The Vice President of Procurement approves and signs all contracts and POs resulting from an ITQ. The requesting department issues a Notice to Proceed only upon the supplier's receipt of the approved, fully executed contract or PO.

## **10 Formal Solicitation Process**

Purchases in excess of \$100,000 are formal solicitations. The Vice President of Procurement determines the type of formal solicitation process that will be used based on the technical or complex nature of the goods or services to be procured, the availability of government or cooperative contracts, and the availability of qualified suppliers. Some of the criteria that determine the type of formal solicitation are listed below.

Criteria	ITB	RA	RFP	RFQ	ITN
Award Based solely on Price	Yes	Yes	No	No	No
Award Based on Evaluation Criteria including Price	No	No	Yes	Maybe	Yes
Specifications/Scope of Services Clearly Defined	Yes	Yes	Maybe	No	No
Professional Services	Maybe	Maybe	Yes	Yes	Yes
Price Negotiations Necessary	No	No	No	Yes	Maybe
Scope of Services Negotiations Necessary	No	No	Maybe	Yes	Yes
Negotiate Other Contract Provisions	No	No	Yes	Yes	Yes
Consultant Competitive Negotiation Act (CCNA) Service	No	No	No	Yes	No

### 10.1 Cone of Silence

To ensure a proper and fair evaluation of responses to solicitations, the Authority has established a cone of silence applicable to all competitive selection processes, including RFPs, RFQs, ITNs, ITBs, and RAs. The cone of silence is designed to protect the integrity of the procurement process by shielding it from undue influences. The cone of silence will be imposed on all competitive selection processes beginning on the date the solicitation documents are posted on the Authority website and ending with the Board's selection for RFQs and Board award for RFPs, ITNs, ITBs, and RAs.

10.1.1 The cone of silence prohibits any communications regarding a solicitation between:

- (1) A potential respondent (which includes vendors, service providers, bidders, proposers, lobbyists and consultants) and their representative(s) and Authority staff or Authority consultants engaged to assist the Authority on a specific RFP, RFQ, ITN, ITB, or RA, except for communications with the Authority's procurement agent or other supporting procurement staff responsible for administering the procurement, provided the communication is strictly limited to procedural matters of the Competitive Selection Process.
- (2) A potential respondent and their representative(s) and a Board member.
- (3) A potential respondent and their representative(s) and any member of the technical evaluation committee or negotiation team.

10.1.2 Unless specifically provided otherwise in the applicable solicitation document, in addition to the exceptions set forth above, the cone of silence does not apply to:

- (1) Communications with Legal Affairs.
- (2) Oral communications at the pre-proposal or pre-bid conference.
- (3) Oral communications during publicly noticed technical evaluation committee meetings that are specifically for presentations, demonstrations, or interviews.
- (4) Oral communications during publicly noticed negotiation meetings.
- (5) Oral communications during any duly noticed Board meeting.
- (6) Communications relating to protests made in accordance with the Authority's Procurement protest policy.

10.1.3 Notice of the cone of silence requirements will be included in all Competitive Selection Process solicitation documents. The notice should include the name and phone number of the Authority's procurement agent to whom communications regarding procedural matters of the Competitive Selection Process can be made. The notice should also include a statement that any violation of the cone of silence by a respondent and their representative(s) will render voidable their response as well as any resulting contract awarded to them.

10.1.4 At the beginning of every month, the CEO will provide the Board members with a list of active procurements and the anticipated advertisement dates for procurements to be advertised during the subsequent month so that the Board members know when the corresponding cone of silence goes into effect. Also, within one business day after any submission response due date, the CEO will provide the Board members with the names of the respondents.

10.1.5 Any person who knows of a violation of the cone of silence should immediately report such violation to Legal Affairs.

## **10.2 Document Development**

10.2.1 Requestor provides the project background and specifications or scope of work to the PA.

10.2.2 The PA:

- (1) Reviews, approves and modifies the specifications and scope of work to ensure that:
  - (a) The minimum qualifications are written in a manner to allow open competition and emphasize functional or performance criteria and limit, when practical, design

- or physical descriptions to those meeting the need or those suitable for the intended purpose.
- (b) Available standard commercial products are used, and unique requirements are avoided when practical.
  - (c) Performance criteria clearly identify how the acceptance of work performed will be determined.
  - (d) The requesting department's duties in terms of identifying and documenting unacceptable performance, as applicable, are included.
  - (e) The consequences of unacceptable performance, as applicable, are clearly defined.
- (2) Coordinates with the requesting department, key stakeholders, and technical experts to complete the solicitation document development process, including the development of evaluation criteria, response format, and contract.
- (3) Submits the solicitation document to Legal Affairs for review and approval and coordinates all document changes with the requesting department.

### **10.3 Advertisement Requirements**

The Procurement Department (Procurement) is responsible for all solicitation notices (Solicitation Notices) and solicitation advertisements (Solicitation Ads) and the advertisement of due public notices (Public Notices) for the Hillsborough County Aviation Authority (Authority).

Solicitation Notices will be posted on the e-Procurement portal on the Authority website. Solicitation Ads will be placed in at least two newspapers in general circulation in Hillsborough County, Florida. Solicitation Ads will be published once a week for two consecutive weeks, at least six calendar days apart. Additional advertising locations such as periodicals and other entity websites may be utilized, as applicable.

Public Notices will be placed on the Authority website "Public Notices" page and advertised once in at least one newspaper meeting the criteria set forth above. Public Notices for competitive solicitations previously advertised do not need to be re-advertised in the newspaper. Non-Solicitation Public Notices will be posted on the Authority website by the responsible department.

### **10.4 Florida's Government-in-the-Sunshine Law**

Technical evaluation committees which meet to evaluate and rank responses to RFPs, RFQs, and ITNs on behalf of the Board are engaging in formal actions and such actions will take place in public in accordance with Florida's Government-in-the-Sunshine Law. The law requires that when two or more technical evaluation committee members meet to discuss responses that have been submitted to a solicitation, whether by phone or in person, the meeting must be publicly noticed and open to the public and minutes must be taken.

### **10.5 Receipt of Responses**

The PA:

- (1) Receives and opens the responses on the date and time specified in the ITB, RA, RFP, RFQ or ITN document.
- (2) Coordinates the recording of respondent information on the solicitation spreadsheet and the bid tabulation form if the response is for an ITB.
- (3) Performs due diligence as specified in 10.7.1(1) below to cure minimum qualification requirements that are curable.
- (4) Returns any response received after the deadline stated in the solicitation document to the respondent unopened

## **10.6 Minimum Qualifications**

Minimum qualifications are established as a basis for determining the eligibility of each response to an ITB, RA, RFP, RFQ or ITN. General qualifications have been established by Procurement and are included, as applicable in each ITB, RA, RFP, RFQ and ITN. Project specific qualifications may include years or type of experience, functionality of the goods, minimum service levels, and licensing or certifications. All project specific qualifications must be approved by the Vice President of Procurement. A response must meet the minimum qualifications in order to be considered responsive. A response may be considered non-responsive and not be evaluated unless sufficient documentation is provided to determine whether the respondent meets the minimum qualifications. Additionally, a response may be considered non-responsible and not be evaluated if the respondent is unable to meet the applicable required insurance coverage and limits, bonding amount, Business Diversity prescribed goal, license requirements or any other minimum qualification.

### **10.6.1 Non-Responsive**

Non-responsive means the response to a solicitation does not conform to the mandatory or essential requirements contained in the solicitation. The following factors, as applicable, will be considered in determining if the respondent is responsive:

- (1) Failure to provide a bond or cashier's check.
- (2) Failure to submit a Bid Schedule.
- (3) Failure to provide a Scrutinized Company Certification.
- (4) Failure to meet Business Diversity required goals.
- (5) Is listed on the Florida Department of Management Services Convicted Vendors List.
- (6) Is listed on the Federal Convicted Vendor List or SAM List.
- (7) Is listed on the Florida Department of Transportation Contractor Suspension List or the Authority's debarment list.
- (8) Failure to attend a mandatory pre-solicitation conference.

- (9) Failure to comply with the instructions for submitting a response as set forth in the solicitation.
- (10) Failure to meet any requirements listed in the Solicitation or taking exception to listed requirements as identified in the solicitation.

#### 10.6.2 Non-Responsible

Non-responsible means the respondent to a solicitation does not have the ability or capability to fully perform the requirements of the solicitation or does not possess the integrity and reliability to assure contractual performance. The following factors will be considered in determining if the respondent is responsible:

- (1) Cannot provide documentation of sufficient experience to provide the goods and/or services.
- (2) Does not have the necessary equipment or staff required to provide the goods and/or services.
- (3) Is determined by the Authority to have a conflict of interest that will prevent the respondent from performing the requirements of the solicitation.
- (4) Respondent's record of performance and integrity (ex. If Respondent has been delinquent or unfaithful on any contract with the Authority).
- (5) Does not have the necessary equipment, required staff, financial stability, or the perceived ability to satisfactorily provide the goods and/or services as identified in the solicitation.

### 10.7 Response Evaluation

#### 10.7.1 Curing Irregularities and Mistakes in Responses

- (1) Due Diligence
  - (a) General Requirements

The PA is responsible for performing due diligence to verify the general minimum qualifications listed in the solicitation. A standard checklist for each type of procurement has been established to define which items can or cannot be cured. Items that can be cured have a stated cure period. If information is not sufficiently provided or if there is a mistake in the information and the requirement has a stated cure period, the PA notifies the respondent of the missing or incorrect information and of the allotted period of time allowed to cure the requirement. If the requirement does not allow for a cure period, the PA meets with the Vice President of Procurement to verify that the response is non-responsive and/or non-responsible and will not be considered. The information is reviewed with

Legal Affairs for concurrence. Upon concurrence, for RFPs, RFQs and ITNs, the information is provided to the technical evaluation committee (Committee) at the scheduled review meeting and, upon concurrence, the copies of the responses are turned into the PA and are not evaluated. The PA notifies the respondent in writing that the response is non-responsive or non-responsible and will not be considered. For ITBs and RAs, the information is provided to the requesting department and, upon concurrence, the PA notifies the respondent in writing that the response is non-responsive or non-responsible and will not be considered.

(b) Project Specific Requirements

The PA is responsible for verifying references and providing the information to the requesting department for ITBs and to the Committee for RFPs, RFQs and ITNs. If information required for the project specific requirements is missing or is incorrect or if the reference verification results in determining that the respondent does not have the required experience, the results are discussed with the Vice President of Procurement to verify that the response is non-responsive or non-responsible. The information is reviewed with Legal Affairs for concurrence. Upon concurrence, for RFPs, RFQs and ITNs, the information is provided to the Committee at the scheduled review meeting and, upon concurrence, the copies of the responses are turned into the PA and are not evaluated. The PA notifies the respondent in writing that the response is non-responsive or non-responsible and will not be considered. For ITBs and RAs, the information is provided to the requesting department and, upon concurrence, the PA notifies the respondent in writing that the response is non-responsive and/or non-responsible and will not be considered.

(2) Pricing

If an irregularity or mistake is identified in the pricing provided in the ITB, RA, RFP or ITN response, the PA presents the information to the Vice President of Procurement. If it is determined that the irregularity or mistake is material, such as not providing pricing as part of the solicitation response, the response is determined non-responsive and is not considered. If it is determined to be minor in nature and does not materially prejudice the other responses, the response is considered. The information is reviewed with Legal Affairs for concurrence and the discrepancy and resolution are documented and placed in the file.

(3) Clarification

If the Committee identifies portions of the RFP, RFQ, ITB, RA, or ITN response that require clarification, the items of clarification may be included as questions and provided to the respondent by the PA for response at the scheduled interview, demonstration, or presentation or by e-mail if no interview, demonstration or presentation is scheduled. All responses will be treated equally with regard to this item.

## 10.7.2 Evaluation Process

- (1) ITB and RA Response
  - (a) The PA coordinates the review of the responses with the requesting department.
  - (b) The PA verifies the respondent's information, including references and any known past performance, with the Authority to determine if the respondent meets the minimum qualifications established in the solicitation and has the ability to perform the services and/or provide the goods. Such verification is a condition of awarding a contract/PO.
  
- (2) RFP, RFQ and ITN Response
  - (a) The PA coordinates the evaluation of responses with the Committee as described in Section 10.11, Technical Evaluation Committees (RFP, RFQ and ITN).
  - (b) Responses are evaluated based on established evaluation criteria and assigned maximum point values to determine which response best meets the requirements and overall goals of the Authority. A detailed scoring process is provided in Section 10.12, Technical Evaluation Ranking Guidelines (RFP, RFQ and ITN).
  - (c) Interviews, demonstrations, or presentations may be scheduled as part of the evaluation process.
  - (d) Verification of the respondent's information including references and any known past performance with the Authority is used to determine if the respondent meets the minimum qualifications established in the solicitation and has the ability to perform the services and/or provide the goods as outlined in the scope of work is evaluated and scored by the Committee.
  - (e) Pricing or cost is evaluated as detailed in Subsection 10.12.4 (1)(b) and (c) below.

### **10.8 Best Value (RFP and ITN)**

Best value is determined in an RFP or ITN process only when the evaluation of the goods and/or services are based on a combination of functionality/performance, quality, experience, time, and cost considerations over the useful life of the acquired good or service.

### **10.9 Short Listing (RFP, ITN, and RFQ)**

When short listing is recommended, the PA meets with the Vice President of Procurement after the initial technical evaluation is completed and prior to the interviews, presentations or demonstrations. The Vice President of Procurement will approve the responses that will be included in the short list based on the following guidelines:

10.9.1 A short list will include, at a minimum, the highest three ranked responses.

10.9.2 The following will be used to determine whether responses ranked fourth and below will be included in the short list:



- (1) The score associated with the lower end of the Good to Adequate range for the interview, demonstration or presentation evaluation category will be added to the score of the respondent that is, at that time, ranked third.
- (2) The maximum score assigned to the interview, demonstration or presentation evaluation category will be added to responses ranked fourth and below.
- (3) Responses which were ranked fourth and below prior to the above calculations whose score is now equal to or exceeds the score of the third ranked response will be included in the short list.

10.9.3 A respondent may decline participation in this process. Only short listed respondents will continue in the evaluation process for the solicitation.

*NOTE:* The guidelines detailed above assume that one contract will be awarded as a result of the RFP or RFQ. If multiple contracts will be awarded, the number of short listed responses will be determined by using a similar process.

#### **10.10 Best and Final Offer (RFP)**

A Best and Final Offer (BAFO) process may be utilized in an RFP process only if additional information or modified terms are necessary in order for the Committee to complete its evaluation and scoring. The BAFO may include an opportunity to clarify information and eliminate unacceptable conditions contained in the original responses and provide additional value including modifications to pricing. A BAFO will not be used solely to reduce the dollar amount proposed in the Cost Proposal of the response form. If a BAFO is requested, all short listed respondents or, if the short list process is not used, all qualified respondents will be provided an opportunity to submit a modified response. If utilized, only one BAFO will be requested. The information received from the BAFO will be used by the Committee to re-evaluate and re-rank each response.

#### **10.11 Technical Evaluation Committees (RFP, ITN, and RFQ)**

Committees evaluate and rank responses to solicitations for review by the Board and are composed as referenced in S410.04 Request for Qualifications and Proposals and Invitation to Negotiate Solicitation.

#### **10.12 Technical Evaluation Ranking Guidelines (RFP, ITN and RFQ)**

Detailed guidelines are provided in Standard Procedure S410.04, Request for Qualifications and Proposals, and Invitation to Negotiate Solicitations.

#### **10.13 Authority Rights**

Standard language is included in the solicitation that allows the Authority to reject any or all responses; to waive minor irregularities in the solicitation process or in the responses thereto; to re-advertise the solicitation; to postpone or cancel the solicitation process; to negotiate, select or procure parts of services; to change or modify the solicitation schedule

at any time; to negotiate a contract with another respondent if a contract cannot be negotiated with the selected respondent, to reject a response from a qualified respondent whose cost proposal is higher than the Authority approved budget or estimated project cost, and to make the award in the best interest of the Authority. The issuance of a solicitation is not a commitment on the part of the Authority to award a contract.

## **10.14 Board Process**

### **10.14.1 ITB**

The PA evaluates the responses in coordination with the requesting department. The PA assembles the results of the review and due diligence performed on each response to demonstrate which responses met minimum qualifications and which responses were determined non-responsive and/or non-responsible and removed from consideration. This information is included in the agenda summary to the Board. The Notice of Intent to Select/Award is posted with the bid tabulation on the Airport website with the solicitation document twenty-one (21) business days prior to the Board meeting or as soon as practicable as stated in the solicitation schedule and e-mailed to the respondents.

The PA prepares the agenda summary, a CEO 1-pager (condensed version of the fact sheet), power point slide(s) (used for presentation at the Board meeting for items placed on New Business), and contract, if applicable, with review by the requesting department. Procurement submits the agenda summary and contract to Legal Affairs for review and approval and coordinates any changes to the documents. The requesting department is responsible for submitting the CEO 1-pager.

The respondent recommended for award may be required to execute a contract or may be issued a PO only. The contract or PO will incorporate the respondent's response. Procurement e-mails the contract to the recommended respondent for execution prior to the Board meeting date. The respondent is required to deliver two executed copies of the contract to Procurement no later than the Thursday prior to the date for selection and award by the Board. The Board makes the final award.

### **10.14.2 RFP**

The Committee evaluates the responses on the basis of the guidelines set forth in the solicitation. The fees and the cost proposals are evaluated by Procurement based on a mathematical formula. The findings are presented to the requesting department's director, vice president, executive vice president and CEO.

The PA prepares the agenda summary, CEO 1-pager, powerpoint slide(s) (used for presentation at the Board meeting for items placed on New Business), and contract with review by the requesting department. Procurement submits the agenda summary and contract to Legal Affairs for review and approval and coordinates any changes to

the documents. The requesting department is responsible for submitting the CEO 1-pager.

The PA posts the Notice of Intent to Select/Award and the scoring matrix twenty-one (21) business days prior to the Board meeting, or as soon as practicable as stated in the solicitation schedule and emails a copy to the respondents. The recommended respondent will be required to execute a contract prior to the Board meeting date. The contract will incorporate the respondent's response and any subsequent information requested from the respondent by the Authority during the evaluation process. The respondent is required to deliver two executed copies of the contract to Procurement no later than the Thursday prior to the date for selection and award by the Board.

At a scheduled meeting of the Board, the CEO will present the Board with a recommendation of the respondent(s) determined to provide the best value to the Authority. The Board may ask the recommended respondent(s) to make a presentation prior to approving the award or may forgo presentations and approve the recommendation.

### 10.15.3 ITN

The Committee evaluates the responses on the basis of the guidelines set forth in the solicitation and makes a recommendation to negotiate with one or more top ranked firms. The fees and the cost proposals are evaluated by Procurement based on a mathematical formula. The findings are presented to the requesting department's director, vice president, and executive vice president.

The negotiation team will negotiate with the recommended firms to include terms and conditions, pricing, and scope of work and rank in a public meeting based on best value to the Authority. The final recommendation is presented to the requesting department's director, vice president, and executive vice president.

The PA prepares the agenda summary, CEO 1-pager, powerpoint slide(s) (used for presentation at the Board meeting for items placed on New Business), and contract with review by the requesting department. Procurement submits the agenda summary and contract to Legal Affairs for review and approval and coordinates any changes to the documents. The requesting department is responsible for submitting the CEO 1-pager.

The PA posts the Notice of Intent to Select/Award and the scoring matrix twenty-one (21) business days prior to the Board meeting, or as soon as practicable as stated in the solicitation schedule and emails a copy to the respondents. The recommended respondent will be required to execute a contract prior to the Board meeting date. The contract will incorporate the respondent's response and any subsequent information requested from the respondent by the Authority during the evaluation process. The

respondent is required to deliver two executed copies of the contract to Procurement no later than the Thursday prior to the date for selection and award by the Board.

At a scheduled meeting of the Board, the CEO will present the Board with a recommendation of the respondent(s) determined to provide the best value to the Authority. The Board may ask the recommended respondent(s) to make a presentation prior to approving the award or may forgo presentations and approve the recommendation.

#### 10.15.4 RFQ

##### (1) Selection Process

The Committee evaluates the responses based on the respondent's qualifications as set forth in the solicitation. The findings are presented to the CEO.

The PA prepares the agenda summary, CEO 1-pager, and power point slide(s) (used for presentation at the Board meeting for items placed on New Business), with review by the requesting department. Procurement submits the agenda summary to Legal Affairs for review and approval and coordinates any changes to the document.

The PA posts the Notice of Intent to Select/Award and the scoring matrix twenty-one (21) business days prior to the Board meeting or as soon as practicable as stated in the solicitation schedule and emails a copy to the respondents.

The CEO presents the findings and a recommendation to approve the ranking of responses to the Board at the meeting listed in the solicitation schedule. The Board approves a final ranking and authorizes staff to negotiate a contract.

##### (1) Contract Award Process

###### (a) The PA:

- i. Requests a fee and scope proposal from the top ranked respondent.
- ii. Coordinates the negotiation of the contract with the requesting department and the top ranked respondent.
- iii. Submits the final contract to Legal Affairs for review and approval. The contract will incorporate the respondent's initial response, fee and scope proposal, and any subsequent information requested from the respondent by the Authority during the evaluation and negotiation processes.
- iv. Prepares the agenda summary, CEO 1-pager, and power point slide(s) (used for presentation at the Board meeting for items placed on New Business), with review by the requesting department.
- v. Submits the agenda summary to Legal Affairs for review and approval, and coordinates any changes to the documents.

- vi. Posts the Notice of Intent to Select/Award twenty-one (21) business days prior to the Board meeting or as soon as practicable as stated in the solicitation schedule and emails a copy to the respondents.
- (b) The CEO presents a recommendation to approve the contract to the Board at the meeting listed in the solicitation schedule.
- (c) The Board approves the contract.

## **10.15 Award of Contract/Purchase Order and Notice to Proceed**

### **10.15.1 ITB/RA**

The contract/PO is awarded by the Board to the lowest responsible and responsive respondent whose response meets the requirements and criteria set forth in the ITB or RA. Multiple awards may be made when it is necessary for adequate delivery, service, or product compatibility to contract with two or more respondents. The requesting department issues the notice to proceed.

### **10.15.2 RFP/ITN**

An award is made by the Board to the responsive, responsible respondent whose response is determined to be the most advantageous and the best value to the Authority, taking into consideration price and the evaluation factors set forth in the RFP or ITN. Multiple awards may be made when it is necessary for adequate delivery, service, or goods compatibility to contract with two or more respondents. The requesting department issues the notice to proceed.

### **10.15.3 RFQ**

A selection is made by the Board and Procurement is directed to negotiate a contract with the selected respondent. Upon successful negotiations, the contract is presented to the Board for award. The requesting department issues the notice to proceed.

## **11 Emergency Purchase Process**

An emergency purchase for supplies and/or services in excess of \$15,000 may only occur when a situation threatens the safety of employees or passengers, the operation of the Airport, or loss of Airport property. Upon the determination by the CEO or designee that such an emergency exists, the emergency purchase will be made without advertisement or notice and with as much competition as is practicable under the circumstances. An emergency purchase in excess of \$100,000 requires Board ratification.

### **11.1 Requesting Department Responsibilities**

11.1.1 Obtains written authorization from the Authority CEO or an Executive Vice President.

11.1.2 Makes purchase with as much competition as practicable.

11.1.3 Uses PCard if possible or enters requisition.

11.1.4 Within five business days of the emergency purchase, the CEO or designee will provide written justification to the Vice President of Procurement substantiating the emergency purchase and any approved invoices or receipts.

11.1.5 If services are provided on Airport property, obtains a copy of the supplier's insurance certificate.

11.1.6 Presents the emergency purchase to the Board for ratification at the next reasonable Board meeting if the emergency purchase is in excess of \$100,000.

## **11.2 Procurement Responsibilities**

11.2.1 Expedite the issuance of the PO or payment via PCard with proper documentation.

11.2.2 For emergency purchases in excess of \$100,000, the PA drafts an agenda summary, fact sheet, CEO 1-pager and Power Point slides (used for presentation at the Board meeting for items placed on New Business), with review by the responsible department. Procurement submits the agenda summary to Legal Affairs for review and approval and coordinates any changes.

## **12 Sole Source Purchase Process**

Sole Source purchases are made when an item is highly specialized or proprietary and available from only one authorized supplier. The following processes apply to purchases in excess of \$15,000 and are used to confirm if the goods and/or services are a sole source. Goods and/or services \$15,000 and less do not require this process and may be directly purchased. Sole source purchases in excess of \$100,000 must be presented to the Board for approval.

### **12.1 Written Justification**

12.1.1 The requesting department provides the assigned PA with a completed Sole Source Justification Memo that details the purpose of the purchase, why the purchase is highly specialized, proprietary, or available from only one authorized supplier and in the best interest of the Authority, and what due diligence was performed to determine that the supplier is the sole provider of the goods and/or services.

12.1.2 PA will:

- (1) Contact the supplier and request a letter confirming that the supplier is the sole manufacturer, developer, or distributor.

- (2) Perform market research and due diligence to determine if other viable sources exist.
- (3) Review current cooperative and government contracts to determine if the goods and/or services are available and if the pricing is competitive.
- (4) Draft Notice of Intent to Sole Source and the Sole Source Justification Memo and submit to the Vice President of Procurement for review and approval.
- (5) Upon approval, the information is submitted to Legal Affairs for review and approval.
- (6) Upon approval, advertise the Notice of Intent to Sole Source as outlined in Section 12.2 below.
- (7) Negotiate with the supplier if it is confirmed that the supplier is a sole source for the goods and/or services.
- (8) Determine an alternative method of procurement if it cannot be determined that the supplier is a sole source.

## **12.2 Notice of Intent to Sole Source**

Procurement advertises a Notice of Intent to Sole Source one time in the local newspaper, advertises in other industry specific periodicals and/or websites as applicable, and posts the Notice on the Authority Public Notices webpage. The purpose of the Notice is to inform suppliers of the intent to negotiate and subsequently award a sole source contract with a specified supplier for specific goods and/or services. Suppliers who believe they can meet or exceed the stated requirements for the goods and/or services must provide, in writing, convincing technical data sufficient to support their position prior to the Notice response deadline.

If any responses are received, the PA will review all responses with the requesting department. If it is determined that another supplier has the ability to provide the specified goods and/or services, Procurement will determine the appropriate procurement method.

If no responses are received, the PA will oversee the negotiation of the contract with the sole provider.

## **12.3 Request for Information**

A request for information (RFI) process may be used to determine if supplier competition exists, to identify industry standards, best practices, or potential performance measures, and to obtain information regarding new products or solutions, as well as cost or price structures.

12.3.1 The requesting department provides the PA the requirements of the goods and/or services.

12.3.2 PA:

- (1) Drafts the RFI document with reviews by the requesting department.
- (2) Submits the final draft to Legal Affairs for review and approval.
- (3) Posts the RFI on the eProcurement portal.
- (4) Receives the responses and reviews the responses with the requesting department to determine if any of the responses are viable.
- (5) Meets with requesting department to determine what the next steps in the RFI process will be based on responses received.

## **13 Government and Cooperative Contracts Purchase Process**

### **13.1 Use of Approved Contracts**

Any government and cooperative contract may be used in lieu of an informal or formal solicitation process to purchase goods and services; however, the contract must have resulted from an ITB, RFP, ITN or RFQ process and meet Florida Statutes. Examples of approved contracts are:

- (1) State of Florida purchasing contracts.
- (2) Any other Florida Governmental entity's contracts awarded on a statewide level.
- (3) Airport Purchasing Group (APG) contracts.
- (4) Multi-state cooperative purchasing agreements.
- (5) Omnia Partners, Public Sector.
- (6) Sourcewell.
- (7) General Services Administration (GSA).
- (8) Other Government and Cooperative Contracts that meet the requirements set out above.

### **13.1 Requesting Department Responsibilities**

13.2.1 Contacts Procurement to discuss the availability of the goods and/or services on a government contract.

13.2.2 If available, enters a requisition and attaches all supporting documentation, including a description of services and/or specifications and potential suppliers, as applicable. If electronic attachment is not possible, a Note to Buyer should be entered on the requisition to alert the PA that the documents will be forwarded.



13.2.3 Obtains prior approval from the Information Technology Services Department for the purchase of computers, software or related information technology equipment.

13.2.4 The responsible approver reviews and approves the requisition in accordance with Standard Procedure S410.01, Procurement Authority, and ensures adequate budgetary funding.

## **13.2 Procurement Agent Responsibilities**

13.3.1 Determines if government or cooperative contract pricing is available for the requested goods and/or services.

13.3.2 Provides a copy of a completed government and cooperative contract pricing justification memo, the issuing agency's procurement solicitation document, the awarded contract, and attachments, as applicable, to the Vice President of Procurement for review and approval.

13.3.3 If approved by the Vice President of Procurement, the PA submits the documents listed in 13.3.2 above to Legal Affairs.

13.3.4 If approved by Legal Affairs:

- (1) For purchases of \$15,000.01 to \$100,000, process the approved requisition, notify the requesting department, and create a Contract Purchase Agreement (CPA) in Oracle to track spending, as applicable.
- (2) For purchases in excess of \$100,000, notify the requesting department of the approval and prepares and processes all Board documents. Following Board approval process the approved requisition, and create a CPA in Oracle to track spending, as applicable.

13.3.5 If not approved by Legal Affairs, meets with the requesting department and discusses procurement alternatives.

## **14 Standardization Program**

Standardization is the adoption of a single product or group of products or services and is expected to facilitate best-value pricing and/or the delivery of high-quality products or services that meet desired specifications or attributes. Standardization will be based on criteria such as product performance, consistency of manufacturer(s), life cycle costs, design life, and maintainability and conducted in accordance with S410.20, Standardization Program. Wherever practical, standardization should result in a more efficient and economical operation. The Vice President of Procurement is responsible for the coordination of best practices and strategies as they relate to the establishment of criterion to be used for the Standardization Program.

#### **14.1 Standardization Program List**

The Standardization Program List is updated upon approval of the Vice President of Procurement. The Standardization Program List is posted on the Authority Procurement Department Intranet and Internet webpages.

#### **15 Owner Direct Purchase Program**

Procurement, in consultation with the sponsoring department and the Legal Affairs Department (Legal Affairs), will determine if there is an opportunity for a benefit to the Authority to directly purchase equipment, materials and/or supplies required in a project directly from the supplier (Owner Direct Purchase). Items to be considered and the process are listed in S410.19, Owner Direct Purchase Program.

#### **16 Procurement Protest Process**

##### **16.1 General**

16.1.1 Respondents to a solicitation may file a protest of the results of a selection process with the Vice President of Procurement. The timeframes to file a protest are detailed in Policy P512, Procurement Protests. The types of selection processes are as follows:

- (1) Competitive Selection Process is a selection made pursuant to a process such as an RFP, RFQ, ITB, RA and the CCNA that will result in the award of a contract in excess of \$100,000.
- (2) Informal Selection Process is a selection made pursuant to a process such as an ITB, RA, ITQ and RFQ that will result in the award of a contract of \$100,000 or less.

16.1.2 Prior to filing a protest, respondents will attempt to resolve any disputes with the appropriate procurement agent or designee within the timeframes established in Policy P512, Procurement Protests.

16.1.3 Protest documents, Authority responses to protests and other documents associated with the protest will be posted on the Authority webpage with the solicitation.

16.1.4 Protests may not challenge the chosen procurement method, the evaluation criteria, the relative weight of the evaluation criteria or the formula specified for assigning points.

16.1.5 During any protest, no contact with Authority Board members, officers or employees, other than the PA identified in the solicitation or designee, the Vice President of Procurement or designee, and the Authority Legal Affairs Department, is permitted from

any respondent. Such communication will result in an automatic disqualification for selection for the pending solicitation.

## 16.2 Protest Processes

### 16.2.1 Formal Protest

- (1) Formal Protest is a written protest that challenges the results or impending decision of any Authority Competitive Selection Process.
- (2) Respondent must complete a form of Formal Protest as detailed in Section B, Formal Protests, Item 2, Required Form of Formal Protest, of Policy P512, Procurement Protests.
- (3) Other respondents to the solicitation may intervene in a Formal Protest as detailed in Section B, Formal Protests, Item 3, Intervening Parties, of Policy P512, Procurement Protests.
- (4) The Vice President of Procurement or designee will serve as the Review Officer to evaluate the Formal Protest and issue a written decision.
- (5) The protesting respondent may file an appeal of Formal Protest decision as detailed in Section B, Formal Protests, Item 5, Appeal of Formal Protest Decision, of Policy P512, Procurement Protests.
- (6) A Procurement Appeals Hearing Officer will conduct a de novo review of the Formal Protest and make a written decision as detailed in Section B, Formal Protests, Item 6, Notice of Hearing Date and Hearing, of Policy P512, Procurement Protests. Decisions of the Procurement Appeals Hearing Officer are final and subject to appeal by appropriate court action under Rule 9.100(c) of the Florida Rules of Appellate Procedure, or in some instances by proceedings before federal administrative agencies, in accordance with applicable law.
- (7) If the Formal Protest is upheld, relief granted may be one or more of the following:
  - (a) Cancel the solicitation and/or contract.
  - (b) Award in part.
  - (c) Re-compete the procurement.

Note: In no event will a contract be automatically awarded to a protesting respondent if the protest is upheld or to an appealing party if an appeal is granted. Nothing shall prevent the Authority, at its sole discretion, from providing for an alternative remedy which is in the best interest of the Authority and in compliance with any applicable law.

### 16.2.2 Summary Protest

- (1) Summary Protest is a written protest that challenges the results or impending decision of an Authority Informal Selection Process.
- (2) Summary Protests will be:
  - (a) Filed with the Vice President of Procurement as detailed in Section C, Summary Protests, Item 1, General, (e), of Policy P512, Procurement Protests.
  - (b) Emailed to all respondents to the solicitation.
- (3) The protesting respondent must complete a form of Summary Protest as detailed in Section C, Summary Protests, Item 2, Required Form of Summary Protest, of Policy P512, Procurement Protests.
- (4) Other respondents to the solicitation may intervene in a Summary Protest as detailed in Section C, Summary Protests, Item 3, Intervening Parties, of Policy P512, Procurement Protests.
- (5) The Vice President of Procurement or designee will serve as the Review Officer to evaluate the Summary Protest and issue a written decision. Decisions of the Review Officer are final and subject to review or appeal by appropriate court action under Rule 9.100(c) of the Florida Rules of Appellate Procedure, or in some instances by proceedings before federal administrative agencies, in accordance with applicable law.
- (6) If the Summary Protest is upheld, relief granted may be one or more of the following:
  - (a) Cancel the solicitation and/or contract.
  - (b) Award in part.
  - (c) Re-compete the procurement.

Note: In no event will a contract be automatically awarded to a protesting respondent if the protest is upheld or to an appealing party if an appeal is granted. Nothing shall prevent the Authority, at its sole discretion, from providing for an alternative remedy which is in the best interest of the Authority and in compliance with any applicable law.

## **17 Business Diversity**

The PA forwards a copy of the formal solicitation to the Authority Senior Manager, Business Diversity to review and make a determination as to establishing goals for participation by ACDBEs, DBEs, or W/MBEs in each formal solicitation. A requirement for “good faith effort” may be included in the solicitation if a specific goal is not established. For further information regarding ACDBE, DBE, or W/MBE, contact the Authority Senior Manager, Business Diversity, or refer to the DBE Policies and Procedures webpage on the Airport website at [www.TampaAirport.com/dbe-policies](http://www.TampaAirport.com/dbe-policies).

### **17.1 ACDBE Program**

In accordance with federal law, ensures that DBEs have equal opportunity to receive and participate in concession-related contracts.

### **17.2 DBE Program**

In accordance with federal law, ensures nondiscrimination in the award of USDOT-assisted contracts and creates a level playing field on which DBEs can compete for such contracts.

### **17.3 W/MBE Program**

Provides for woman and minority-owned businesses to have full and fair opportunities to compete for and participate in the performance of non-federally funded contracts or in the purchase of goods and services.

## **18 Exceptions to the Solicitation Process and Non-Procurement Contracts**

Below is a list of items that can be procured or and are exempt from the solicitation process. Exceptions can only be granted by Board approved policy.

- (1) Attorneys - except for bond and disclosure counsel
- (2) Airline agreements
- (3) Land acquisition - real estate purchases
- (4) Sole source concessions under Concessions P820 C (3)
- (5) Temporary concessionaire agreements - programs to test the viability and success of initiatives not to exceed 2 years under Concessions P820 C (5)
- (6) Continuation with existing concessions operator – if determined by the CEO to be in the best interests of the public and the Authority under Concessions P820 C (4).
- (7) Utilities, government fees, and taxes
- (8) Paramedic and law enforcement services
- (9) Memberships in professional organizations

## **19 Contract Types and Procedures**

### **19.1 Authority Developed Contracts**

The type of contract is determined by the type of goods and/or services being purchased. Contracts are standard documents that have been approved by Legal Affairs as a template. The PA is responsible for inserting the project specific information in consultation with the requesting department and submitting the contract to Legal Affairs for review and approval. If the contract is part of a solicitation, it will be included with the solicitation package.

### **19.2 Supplier Required Contracts**

Suppliers may have contracts that are required as part of providing the goods and/or services. This primarily occurs with software licensing and maintenance. The PA is responsible for reviewing the contract, overseeing any negotiations of terms, conditions

and price, submitting the contract to the Vice President of Procurement and Legal Affairs for review and approval, and coordinating all changes to the contract with the supplier.

## **20 Strategic Planning Process**

**20.1** Procurement meets annually to refine its five year Strategic Plan. During this meeting Procurement:

- (1) Reviews customer department's goals to identify opportunities for Procurement to provide procurement assistance to the departments.
- (2) Reviews and revises existing Procurement goals-initiatives and associated measurable outcomes.
- (3) Develops new Procurement goals-initiatives.
- (4) Assigns one or more team member as the Team Leader to each Procurement goal-initiative who is responsible for monitoring, tracking and reporting to Procurement Management on the measurable outcomes of the goals-initiatives.

**20.2** Procurement identifies the highest priority goals-initiatives for the upcoming fiscal year and submits the goals-initiatives to be included with all Authority department goals-initiatives in the Authority fiscal year flight plan.

## **21 Contract Administration**

### **21.1 Contract Modifications**

Procurement is responsible for processing all modifications to contracts including change orders and amendments resulting from a procurement process. Information regarding the modification is submitted to Procurement. A PA drafts the modification documents with review by the user department and submits the documents to the Vice President of Procurement and Legal Affairs for review and approval. For Board approved contracts, the modifications may require CEO or Board approval, as specified in the contract.

### **21.2 Extension of Contracts**

Procurement is responsible for processing all extensions to contracts resulting from a procurement process. Contracts may be extended in accordance with the renewal option specified in the contract or, due to special circumstances, upon approval by Legal Affairs, the CEO and/or the Board, as applicable. Procurement is responsible for obtaining approval for extensions.

### **21.3 Early Contract Termination**

Procurement is responsible for processing all early contract termination to contracts resulting from a procurement process. Contracts may include a provision that allows the Authority to cancel a contract, without cause, by giving 30 days written notice to the supplier. Early termination may also occur based on the applicable contract provision.

Departments should notify Procurement of any request for early contract termination and provide written justification. Procurement will meet with the department and Legal Affairs to review the request. The PA will draft the notification of termination letter and, upon review and approval by the Vice President of Procurement and Legal Affairs, will email the notification letter to the supplier.

#### **21.4 Supplier Performance**

Quality performance criteria are monitored during the term of the contract to assure that the supplier meets all contract specifications including performance, deliverables, delivery and schedule requirements. User departments are responsible for the day-to-day administration of their assigned contracts including resolving issues that may arise with a supplier during the term of a contract. If a problem is not resolved by the supplier after a reasonable effort, the issue and lack of resolution should be documented in writing and provided to the supplier through a Notice to Cure with a specific deadline for resolution. If the problem is not resolved by the specified resolution deadline, users should consult with Legal Affairs to determine a proper course of action.

#### **21.5 Claims and Disputes**

21.5.1 A claim is a written demand or assertion by one of the parties seeking, as a matter of right, an adjustment or interpretation of the contract, payment of money, extension of time or other relief with respect to the terms of the contract. The term claim also includes other matters in question between the Authority and the supplier arising out of or relating to the contract. The responsibility to substantiate claims will rest with the party making the claim.

21.5.2 The claims and disputes process are detailed in the Dispute Resolution provision of the contract.

21.5.3 Pending final resolution of a claim, unless otherwise agreed in writing, the supplier is required to proceed diligently with performance of the contract and maintain effective progress to complete the work within the contract time set forth in the contract.

#### **21.6 Contract Expiration**

The contract expiration date is listed in the Term provision of the contract and is monitored by Procurement and the user department. Prior to the expiration date, a PA contacts the user department to determine if the contract is to be renewed, terminated or re-solicited.

## **22 Ethical Procurement Standards**

The ethical responsibilities of Authority employees and agents of the Authority having official responsibility for a procurement transaction are set out in Florida Statutes Section 112.313. The proper conduct of Board members and Authority employees is detailed in Authority Policy P150, Code of Ethics and Ethics Program. Furthermore, employees of the Procurement Department are held to the Code of Ethics and standards, as follows, which are based on the NIGP Code of Ethics and Guidelines as listed below.

### **22.1 P150, Code of Ethics and Ethics Program**

Section 2(5) of the Hillsborough County Aviation Authority Act imposes compliance with the Code of Ethics for Public Officers and Employees (“Code of Ethics”), Part III, Chapter 112, Florida Statutes. The purpose of this program is to provide a guide for proper conduct of Authority Board members and employees, including discipline for violations, and establishing a program for compliance with the Federal Sentencing Guidelines for Organizations and Florida’s Whistle-blower’s Act.

The Vice President of Procurement, Directors, Senior Managers, Managers, Materials Management and Warehousing Supervisor, Business Office Manager, and PAs, must file a Statement of Financial Interests (Form 1) and a Final Statement of Financial Interests (Form 1 F) within the specified time periods.

Board members and employees of the Authority may not solicit or accept anything of value, including a gift, loan, reward, promise of future employment, favor or service, based upon any understanding that the vote, official action, or judgment of such officer or employee would be influenced thereby.

Gifts are defined in the Authority’s Code of Ethics (P150) as that which is accepted by a donee or by another on the donee’s behalf, or that which is paid or given to another for or on behalf of a donee, directly, indirectly, or in trust for the donee’s benefit or by any other means, for which equal or greater value is not given within 90 days.

Board members and employees of the Authority who have responsibilities that include the review, selection, award, or administration of contracts funded in whole or in part with federal funds will neither solicit nor accept gratuities, favors or anything of monetary value from a contractor or subcontractor or potential contractor or subcontractor that has or is pursuing such contract, except where the gift is an unsolicited item of nominal intrinsic value (unsolicited gifts with a value of \$25 or less).

An employee acting in their official capacity as a procurement agent, or public officer acting in their official capacity, shall not directly or indirectly purchase, rent, or lease any realty, goods, or services for the Authority from any business entity of which they or their spouse or child is an officer or has a material interest.



A conflict of interest arises in any situation in which regard for a private interest tends to lead to disregard of a public duty or interest.

No Board member or employee of the Authority will corruptly use or attempt to use his or her position or any property or resource within his or her trust, or perform his or her official duties, to secure a special privilege, benefit, or exemption for himself, herself, or others.

For complete details regarding penalties for non-compliance, exceptions, filing requirements, and other details regarding the Authority Ethics Program, refer to P150, Code of Ethics and Ethics Program as well as the Procurement webpage on the Airport website at [www.TampaAirport.com/procurement-department](http://www.TampaAirport.com/procurement-department).

## **22.2 NIGP Code of Ethics and Guidelines**

The Vice President of Procurement has promulgated the Code of Ethics below which is based on the NIGP Code of Ethics and Guidelines.

### **22.2.1 Code of Ethics**

- (1) Only seek or accept a position as head or employee when fully in accord with the applicable professional principles and when confident of possessing the qualifications to serve under those principles to the advantage of the Authority.
- (2) Believe in the dignity and worth of the service rendered by the Authority, and the societal responsibilities assumed as an employee and a trusted public servant.
- (3) Governed by the highest ideals of honor and integrity in all public and personal relationships in order to merit the respect and inspire the confidence of the organization and the public being served.
- (4) Believe that personal aggrandizement (gain) or profit obtained through misuse of public or personal relationships is dishonest and not tolerable.
- (5) Identify and restrict participation of any individual in operational situations where a conflict of interest may be involved.
- (6) At no time, or under any circumstances, accept directly or indirectly, gifts, gratuities, or other things of value from suppliers, which might influence or appear to influence procurement decisions.
- (7) Keep the Authority informed, through appropriate channels, on problems and progress of applicable operations by emphasizing the importance of the facts.

- (8) Handle all personnel matters on a merit basis, and in compliance with applicable laws prohibiting discrimination in employment on the basis of politics, religion, color, national origin, disability, gender, age, pregnancy and other protected characteristics.
- (9) Do not seek or dispense personal favors. Handle each administrative problem objectively and empathetically, without discrimination.
- (10) Subscribe to and support the professional aims and objectives of the NIGP.

#### 22.2.2 Procurement Ethics Guidelines

##### (1) Conflict of Interest

Procurement professionals will:

- (a) Avoid any private or professional activity that would create a conflict of interest or the appearance of impropriety.
- (b) Avoid engaging in personal business with any supplier representative or similar person.
- (c) Avoid lending money to or borrowing money from any supplier.
- (d) Avoid any and all potential for nepotism.
- (e) Avoid any overlap of duties in the procurement process.
- (f) Safeguard the procurement process from political or outside influence.

##### (2) Conduct with Suppliers

Procurement professionals will:

- (a) Refrain from showing favoritism or being influenced by suppliers through the acceptance of gifts, gratuities, loans or favors.
- (b) Safeguard supplier confidentiality.
- (c) Refrain from requiring suppliers to pay to be included on an approved or preferred supplier list.
- (d) Refrain from requesting donations of goods or services to the public entity.
- (e) Select suppliers on the basis of meeting appropriate and fair criteria.
- (f) Discourage the arbitrary or unfair use of purchasing leverage or influence when dealing with suppliers.
- (g) Avoid the exertion of undue influence or abuses of power.

##### (3) Corruption

Procurement professionals who become aware of any corrupt activity have a duty to the profession and to their employing organizations to alert their senior management and/or elected officials. Public procurement shall not tolerate bribery or corruption in any form. Forms include, but are not limited to:

- (a) Bribery - the offering, promising, giving, authorizing or accepting of any undue financial or other advantage to, by or for any persons associated with the procurement process, or for anyone else in order to obtain or retain a business or other improper advantage.

- (b) Extortion or Solicitation - demanding of a bribe, whether or not coupled with a threat, if the demand is refused. Procurement professionals will oppose any attempt of extortion or solicitation.
  - (c) Trading in Influence - the offering or solicitation of an undue advantage in order to exert an improper, real, or supposed influence.
  - (d) Laundering - the proceeds of the corrupt practices mentioned above is the concealing or disguising the illegitimate origin, source, location, disposition, movement or ownership of property and/or money, knowing that such is the proceeds of crime.
  - (e) Nepotism - the use of authority or influence to show favoritism to relatives or friends without merit.
- (4) Business gifts and hospitality
- The offer and receipt of business gifts and entertainment are sensitive areas for public procurement professionals, despite being recognized as standard private sector business practice. Public procurement organizations should develop a clear policy on accepting business gifts and procurement professionals and suppliers must comply with any such policy as well as prevailing laws. Minimal guidelines include:
- (a) Not soliciting or accepting money, loans, and credits or prejudicial discounts, gifts, entertainment, favors or services from present or potential suppliers which might influence or appear to influence a procurement decision or process.
  - (b) Avoiding meals or other hospitality with suppliers.

## **23 Supplier Relations**

Procurement will promote goodwill between the Authority and its suppliers, encourage full and open competition wherever possible, and assure fair and equitable business dealings with all suppliers.

### **23.1 Communication**

- (1) Procurement and/or departments may meet with suppliers that request to demonstrate their ability to provide goods and/or services to the Authority.
- (2) Departments that identify potential suppliers to provide goods and/or services should provide the information to Procurement. Departments may not negotiate contracts or pricing with suppliers without Procurement's involvement.
- (3) All communication with respondents during an informal or formal solicitation process is to go through the assigned PA only. The Department should refer all supplier questions to the PA. Section 10.1, Cone of Silence, provides a detailed explanation of the allowed communication with a potential respondent during a formal solicitation.

### **23.2 Performance**

Procurement maintains an electronic file on each awarded solicitation. The file contains the contract, a copy of the insurance certificate, bonding, and all other requirements. In addition, all performance information provided by user department regarding supplier contract performance and applicable correspondence is part of the electronic file.

## **24 Insurance and Bonds**

The requirements for insurance, coverage and limits, and bonds are specified in the solicitation documents, as applicable. As part of the document execution process, the respondent that will be recommended to the Board for award is required to execute and return any required insurance certificate and bonds with the executed contract to expedite the award process. The Procurement Business Office Manager (BOM) receives the executed contract, insurance certificate and bonds, as applicable, from the respondent. The BOM forwards the insurance certificate to Risk Management. Risk Management reviews the insurance documents and informs BOM of any additional requirements or missing information. The information is provided to the respondent. The BOM forwards the bonds via yellow sheet to Legal Affairs for review and signature. The bonds are then returned to BOM for Vice President of Procurement signature. The BOM returns the executed bonds to the supplier for recording in the public records of Hillsborough County. The original recorded bonds are sent to Central Records to verify the funds and keep the bonds on file for the life of the contract or until the Authority closes the project, whichever is later.

## **25 Materials Management**

The purpose of Materials Management is to minimize inventory investment and operating costs while maintaining an adequate supply of inventory to meet the needs of requesting departments. The Authority Materials Management staff oversees inventory items that are stored in WR1, Airside E Storeroom (ASE), Airside A Stockroom, AS1, AF0 and vending machines that dispense frequently used inventory items and tools. The inventory items include plumbing and electrical supplies, HVAC materials, spray paints and lubricants, automotive supplies, tractor and mower equipment repair parts, and other maintenance parts. Inventory is comprised of items that are required on a frequent basis. Departments may contact the Materials Management to request new items be stocked in WR1. The decision is generally based on historic or projected usage of the item and lead time to order and receive the item.

Additionally, Materials Management is responsible for the disposition of fixed assets and other Authority property. This function is performed when items are declared surplus or obsolete by a department or when there are excess materials after a construction project and the items require disposal or storage for future use. The responsible department must evaluate the property or materials, complete the required property transfer form and contact Maintenance to pick up items and deliver to WR1. The Property Transfer to Warehouse Form PRC-22 can be found on the Authority Intranet. In addition, an Attic Stock Storage Form is required for the transfer of capital project surplus, attic stock.

## **26 Surplus and Disposal of Property**

Procurement is responsible for the final disposition of all Authority-owned property.

### **26.1 Department Responsibilities**

- 26.1.1 Transfers all surplus or scrap, non-expendable equipment to WR1 in accordance with Standard Procedure S440.05, Transfer of Equipment. This includes electronically completing and submitting via DocuSign a Property Transfer to Warehouse Form PRC-22 for items that have an asset tag, submitting a Maintenance Work Order for delivery of the equipment to WR1 or coordinating the transfer of the equipment with the Warehouse Supervisor.
- 26.1.2 Transfers all non-asset tagged surplus or scrap materials resulting from an Authority project to WR1 by completing an Attic Stock Storage Form and coordinating delivery with the contractor or submitting a Maintenance Work Order.
- 26.1.3 Transfers all non-asset tagged surplus or scrap materials not resulting from an Authority project by submitting a Maintenance Work Order or by coordinating the transfer of the property with the Materials Management Manager.

### **26.2 Procurement Responsibilities**

- 26.2.1 The Materials Management staff receives the disposition paperwork from departments with the items when delivered to WR1. The paperwork is provided to the Warehouse Supervisor.
- 26.2.2 Materials Manager reviews the paperwork, attaches any additional item condition information to the paperwork evaluates the condition of surplus or scrap items, checks the recommended disposition option, signs and submits the paperwork to the Vice President of Procurement.
- 26.2.3 The Vice President of Procurement makes a final determination as to the disposition and signs the paperwork.
- 26.2.4 Disposition may include:
  - (1) Auction – Large Equipment
    - (a) The Materials Management Manager submits a list of all items to be auctioned to the assigned PA.
    - (b) The PA prepares an agenda summary that includes a request for approval to auction the listed items.
    - (c) The Board approves the request at the scheduled Board meeting.

- (d) The Materials Management Manager contacts the auction company, provides a list of the items and coordinates the pickup of or delivery to the auction company of the items.
  - (e) A member of the Materials Management staff witnesses the transfer of the items to the auction company and obtains signature of the auction company on the transfer form.
  - (f) The Materials Management Manager verifies the auction date, receives the paperwork listing the results of the auction and scans and e-mails the paperwork to the Finance Department.
- (2) On-Line Auction – Palletized equipment, furniture, and other non-equipment items
- (a) The Materials Management Manager submits a list of all items to be auctioned to the assigned PA.
  - (b) The PA prepares an agenda summary that includes a request for approval to auction the listed items.
  - (c) The Board approves the request at the scheduled Board meeting.
  - (d) The Materials Management Manager takes pictures of all items to be auctioned, uploads the pictures, adds a complete description of the items, and sets a beginning price and the auction date and submits request to the on-line auction company.
  - (e) The Materials Management staff is available for the general public to view the items.
  - (f) On the closing date and time of the auction the buyer receives email notification of each item sold, including the buyer’s name, address and contact number and the sale price.
  - (g) If an item is not sold it can be auctioned off by resetting the auction dates and times.
  - (h) The Materials Management Manager prepares sold assets receipts for each item sold.
  - (i) The Materials Management staff releases the items sold to the buyer, receives the check or money from the buyer, and has the buyer sign the receipt as accepting the items and signs the receipt formally releasing the items sold to the buyer.
  - (j) The Materials Management Manager completes a FS-125 form and forwards the form and the checks/money orders to Central Records.
- (3) Recycle
- Items are recycled that are determined to be in poor condition or have no potential future use and are either required to be recycled or have value if recycled.
- (a) The Materials Management Manager organizes the items to be recycled, assembles the paperwork and coordinates the pickup of the items from WR1 with an Authority contracted recycling company.
  - (b) A member of the Materials Management staff witnesses the transfer of the items to the recycling company and obtains signature of the recycling company on the transfer form.

- (c) A copy of the signed form and associated paperwork is scanned and e-mailed to the Finance Department.
  
- (4) Trash  
The Materials Management Manager coordinates disposal of items to be trashed in the appropriate dumpster and, if needed, coordinates the delivery and pickup of additional dumpsters to accommodate the items.
  
- (5) Donation
  - (a) Miscellaneous surplus or obsolete property may be donated to:
    - i. Governmental units or Private nonprofit agencies in Hillsborough County when determined to be in the best interest of the Authority; or
    - ii. The state or any governmental units or private nonprofit agencies outside Hillsborough County, if there is no interest from Governmental units or Private nonprofit agencies in Hillsborough County, the property is without commercial value, and it is determined to be in the best interests of the Authority.

## **27 Training**

Procurement provides the following continuous training programs for user departments.

### **27.1 Oracle – Requisition Process**

A requisition is required to begin the procurement process unless a PCard is used for the purchase. Departments must enter and approve requisitions in the iProcurement module in the Oracle system.

Procurement provides one-on-one and group requisition training to new Oracle users and refresher training to existing users. Topics include:

27.1.1 Creating an expense requisition for O&M items that are catalog or non-catalog requests.

27.1.2 Creating a requisition for a specific project that includes task number assignment.

27.1.3 How to find a requisition.

27.1.4 How to view the status of a PO.

### **27.2 PCard Program**

Procurement is responsible for the acquisition, revision, replacement or cancellation of all PCards. PCard training is provided by the PCard Program Manager to all new PCardholders prior to issuing a PCard. The training includes the Cardholder's liability, responsibilities and requirements using the PCard, services provided by the PCard Program Manager, and

information regarding the Certificate of Exemption which excludes the Authority from the payment of Florida sales tax. Additionally, the PCardholder is given a Purchasing Card Program Brochure containing this information. PCardholders must attend a mandatory annual PCard refresher training.

### **27.3 Navigating the Procurement Processes**

New and existing Authority employees that enter or approve requisitions in Oracle are required to take general procurement training. The purpose of the training is to provide a basic understanding of procurement processes to employees that have this delegated procurement responsibility and includes procurement methods and departmental roles in the procurement processes. Employees may enroll in the training online or by contacting Procurement. A high-level training refresher course is also provided to the Authority Leadership Team periodically.

## **28 Public Records Requirements, Retention and Disclosure**

The Authority is subject to the open records requirements of Florida Statute Chapter 119, and as such, all materials and documents submitted to the Authority will become the property of the Authority and are subject to public disclosure except those exempt under Florida Statutes, Chapter 119.

The Authority is required to comply with State of Florida General Records Schedules: GS1-SL for State and Local Government Agencies; and GS2 for Law Enforcement, Correctional Facilities, and District Medical Examiners. In some situations the Authority has established retentions longer than required.

All public records, except those exempt under Florida Statutes, Chapter 119, shall be made available upon request to the public. A service charge may be assessed for providing information when the nature or volume of the records requested requires extensive use of technology resources, clerical, and supervisory assistance. Payment is due at the time the copies are made and may be paid via cash or check. Public Records requests should be directed to the Authority Central Records Department.

In addition, if the awarded respondent has questions regarding the application of Chapter 119, Florida Statutes, to the awarded respondent's duty to provide public records relating to a contract, the awarded respondent will contact the Authority custodian of public records at (831) 870-8721, [admcentralrecords@TampaAirport.com](mailto:admcentralrecords@TampaAirport.com), Hillsborough County Aviation Authority, P.O. Box 22287, Tampa, FL 33622.

The awarded respondent will agree in accordance with Florida Statute Section 119.0701 to comply with public records laws including the following:

- 28.1 Keep and maintain public records required by the Authority in order to perform the services contemplated by a contract.



- 28.2 Upon request from Authority custodian of public records, provide the Authority with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, Fla. Stat. or as otherwise provided by law.
- 28.3 Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of a contract term and following completion of a contract.
- 28.4 Upon completion of the contract, keep and maintain public records required by Authority to perform the services. Company shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to Authority, upon request from Authority custodian of public records, in a format that is compatible with the information technology systems of Authority.