Procurement Fundamentals

Patrick Snodgrass
Director of Purchasing
St. Johns County Schools



Florida School Finance Officers Association
November 5, 2026

Agenda

1. Building a Strong Procurement Process
2. General Fund vs. Federal Fund Purchasing
3. Purchasing Thresholds and Competition Requirements
4. When to Use:
   - Invitation to Bid (ITB)
   - Request for Proposals (RFP)
   - Single/Sole Source
   - Invitation to Negotiate (ITN)
   - Request for Qualifications RFQ
     - CCNA
5. Cooperative Purchasing & Piggybacking
6. Exemptions
7. Procurement Best Practices & Key Takeaways



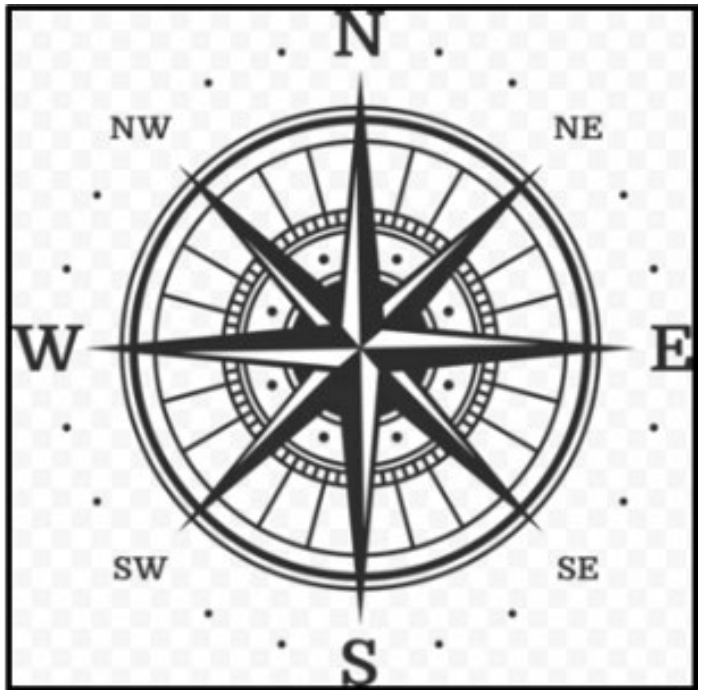
Navigating Compliance

Procurement Mission

Every procurement decision supports the growth, well being, and success of students and staff while ensuring compliance, accountability, and responsible stewardship

Florida Statutes and Administrative Codes

Guardrails that define requirements for General Funds



Code of Federal Regulations (CFR)

Guardrails that define requirements for Federal Funds

Local School Board Policies

Day-to-day execution. Guardrails that define requirements for Procedures

The Building Process



Strategy and Financing

Why Are We Doing It?

Define the Desired Outcomes

Confirm Funding and Budget Authority
- General or Federal

Procurement Thresholds

Approval Authority

Planning

What Do We Need?

Specific Requirements (scope development)

Engage Stakeholders and Subject Matter Experts

Determine Method of Procurement

Establish Timelines

Procurement

How Do We Acquire?

Complete Solicitation (including Bid Sheet)

Vendor Notification
- Release
- Questions and Inquiries
- Opening

Evaluation Framework

Recommend Award

Management

Achieve the Result?

Contract Oversight

Performance Metrics

Lessons Learned

General Funds

FLORIDA

THE SUNSHINE STATE

General Funds

Florida Statutes

- § 112.313 F.S. (Code of Ethics)
- § 287.057 F.S. (Procurement of Personal Property and Services)
- § 287.055, F.S. (Consultants' Competitive Negot. Act)

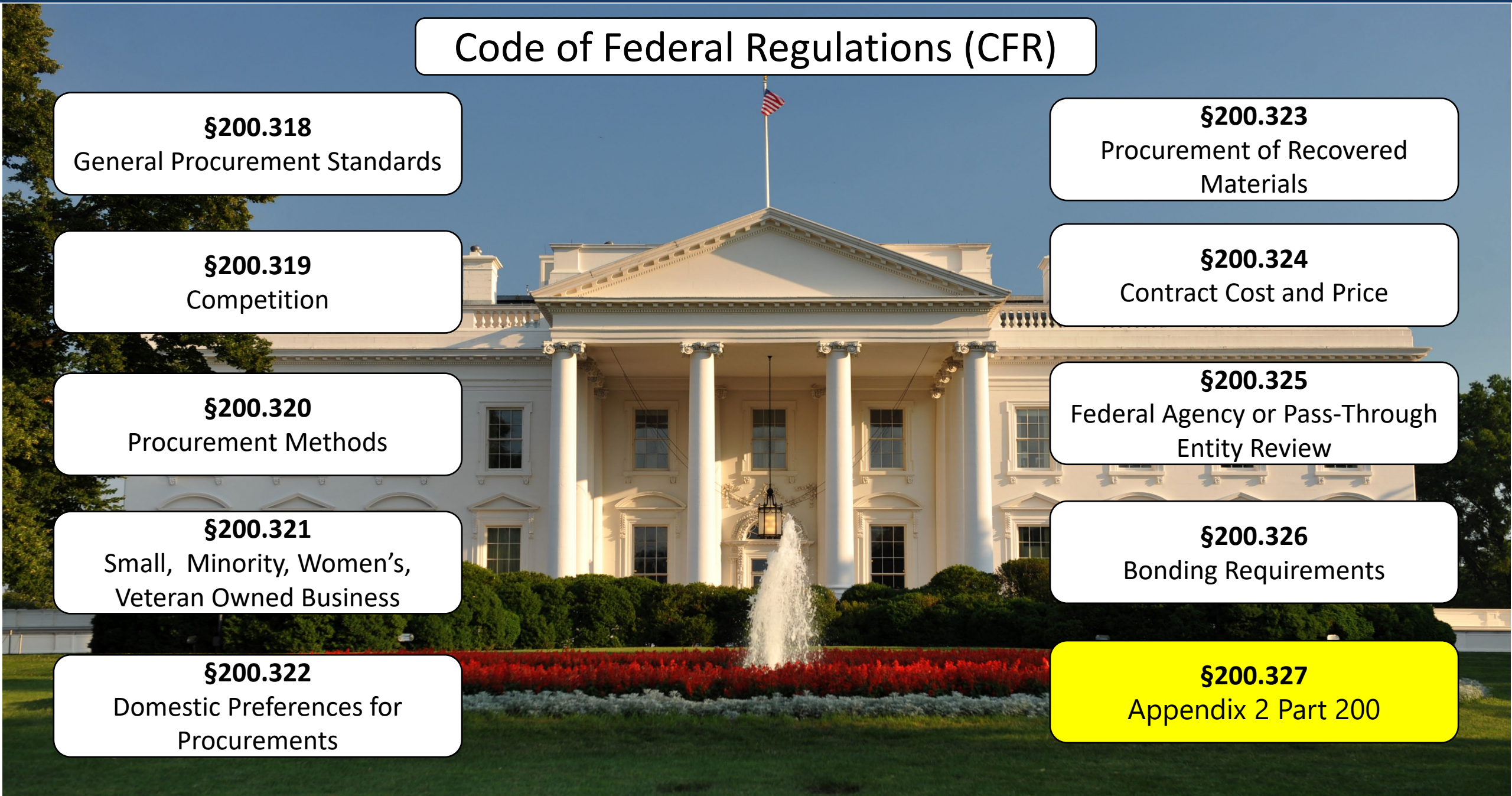
Florida Administrative Code

- Rule 6A-1.012, Florida Administrative Code (Purchasing Policies for School Districts)

School Board Rules



Federal Funds



Code of Federal Regulations (CFR)

§200.318
General Procurement Standards

§200.319
Competition

§200.320
Procurement Methods

§200.321
Small, Minority, Women's, Veteran Owned Business

§200.322
Domestic Preferences for Procurements

§200.323
Procurement of Recovered Materials

§200.324
Contract Cost and Price

§200.325
Federal Agency or Pass-Through Entity Review

§200.326
Bonding Requirements

§200.327
Appendix 2 Part 200

Federal Funds §200.318 General Procurement Standards

Documented Procedures
- Maintain and use documented procedures
- Consistent with state and local law

Oversight of Contractors
- Perform in accordance with terms and conditions

Conflicts of interest
- Selection of award
- Who you are doing business with

Value Engineering Clauses
- Analyzing both items and tasks

Oversight of Contractors
- Responsible contractors that possess the ability to perform

Time and Materials
- No other contract is suitable
- Ceiling price must be included

Federal Funds §200.319 Competition

All procurement transactions under the Federal award must be conducted in a manner that provides full and open competition

Common Finding: Specifying a "brand name" and not allowing "an equal"

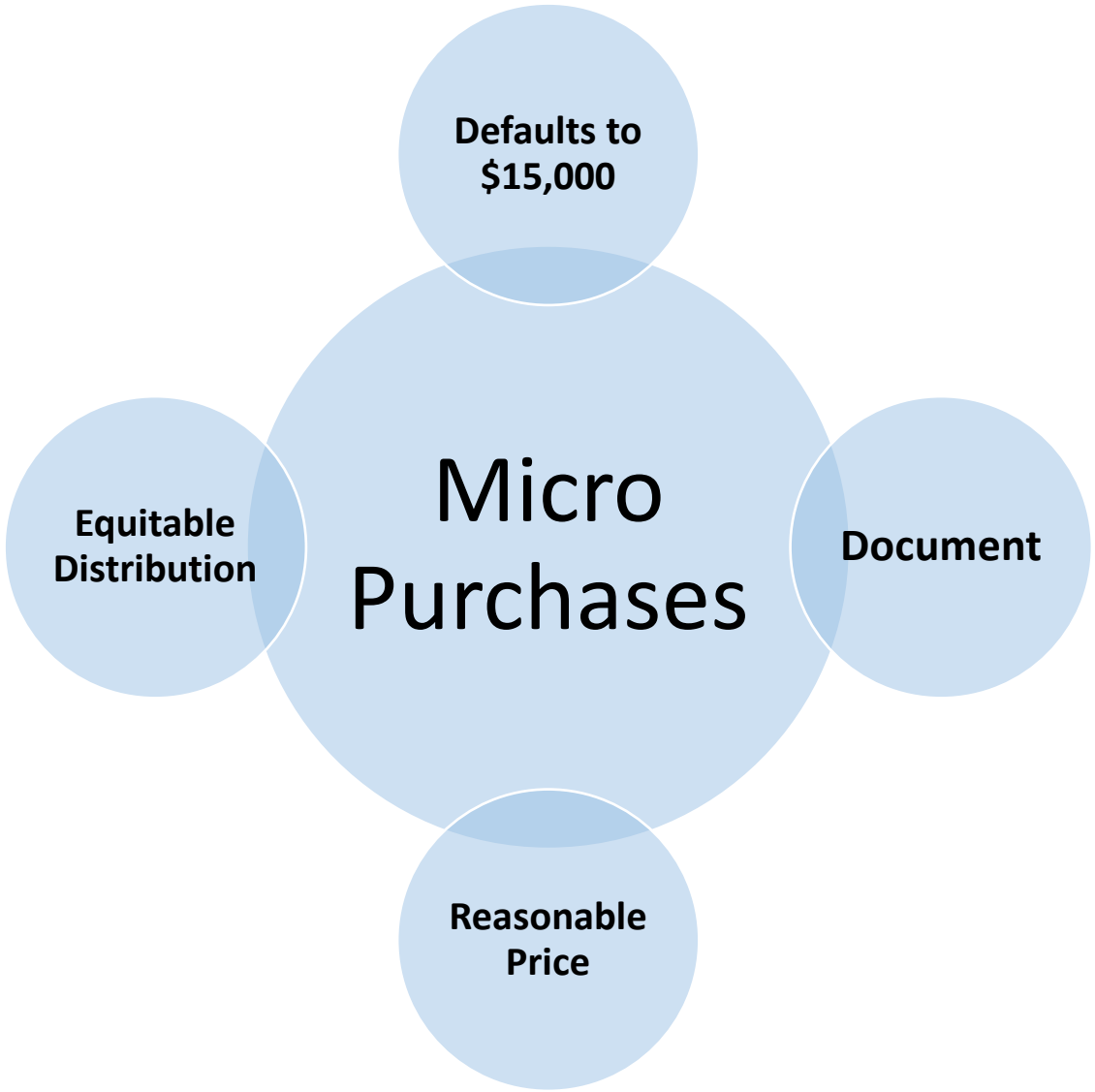
Example Bid Language

Any manufacturer's name, brand name, catalog number, or model number used in this ITB is intended solely to describe the minimum functional, performance, quality, compatibility, or design requirements and is not intended to limit competition. References to a specific brand shall be interpreted as "brand name or approved equal." Bidders may propose equivalent products provided the product offered meets or exceeds all specifications, performance requirements, features, quality standards, and compatibility requirements identified in this solicitation.

The following salient characteristics are considered essential and must be met by any proposed equivalent product:
• (include multiple characteristics)

The bidder shall clearly identify any product proposed as an equal and shall provide sufficient technical documentation, specifications, product literature, test results, and other information necessary for the District to determine equivalency. The District reserves the right to determine whether a proposed product is equal to the referenced brand and satisfies the District's minimum requirements. Failure to provide adequate documentation may result in a determination that the proposed product is non-responsive.

Federal Funds §200.320 Procurement Methods (continued)



§ 200.320 Procurement methods (a)(1)

(iv) ***Recipient or subrecipient increase to the micro-purchase threshold up to $50,000.*** The recipient or subrecipient may establish a threshold higher than the micro-purchase threshold identified in the FAR in accordance with the requirements of this section. The recipient or subrecipient may self-certify a threshold up to $50,000 on an annual basis and must maintain documentation to be made available to the Federal agency or pass-through entity and auditors in accordance with § 200.334. The self-certification must include a justification, clear identification of the threshold, and supporting documentation of any of the following:

(A) A qualification as a low-risk auditee, in accordance with the criteria in § 200.520 for the most recent audit;

(B) An annual internal institutional risk assessment to identify, mitigate, and manage financial risks; or,

(C) For public institutions, a higher threshold is consistent with State law.

Federal Funds §200.320 Procurement Methods (continued)

Small Purchase Procedures
$15,000 - $350,000

- Obtain Quotes
- Document Competition
- Evaluate Pricing
- Maintain Records

Simplified Acquisition Threshold
Above $350,000





In the event of a conflict between local, state, and federal requirements, <u>the stricter must prevail</u>

Federal Funds §200.320 Procurement Methods (continued)

Noncompetitive procurement. There are specific circumstances in which the recipient or subrecipient may use a noncompetitive procurement method. The noncompetitive procurement method may only be used if one of the following circumstances applies:

Micro-Purchase Threshold
The aggregate amount of the procurement transaction does not exceed the micro-purchase threshold

True Single Source
The equipment can only be fulfilled by one source

Public Exigency/Emergency
An urgent timeline or public emergency prevents the delay required to open a formal competitive bid

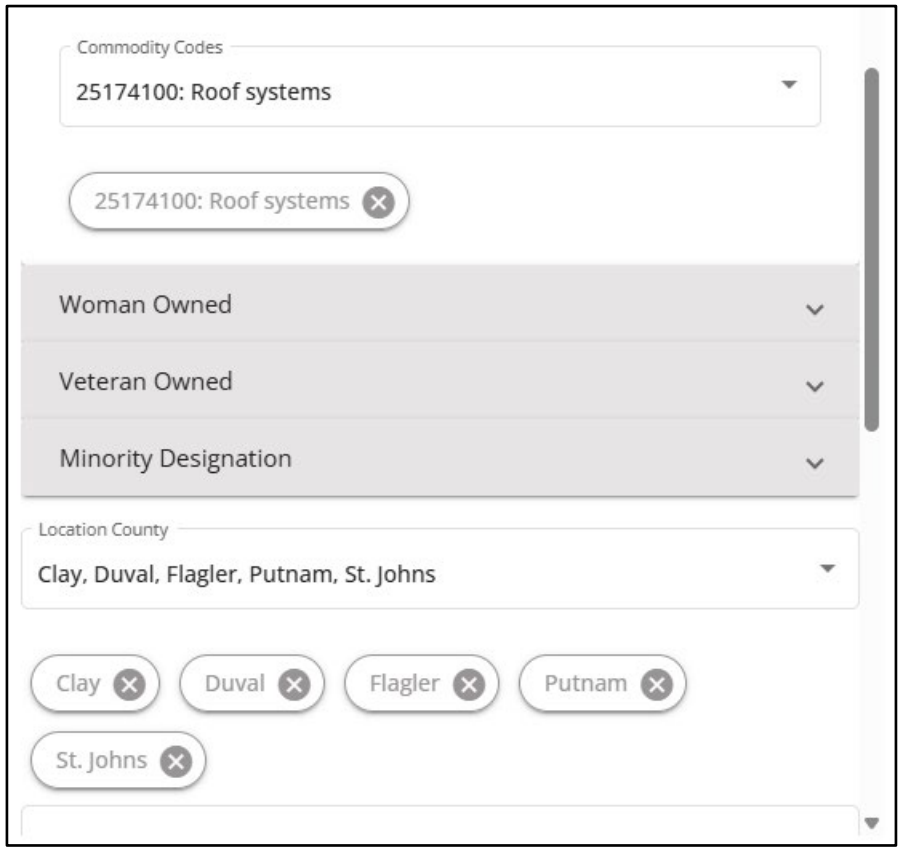
Agency Authorization
Your federal awarding agency gave you express, written permission to bypass competition for this specific purchase

Inadequate Competition
You attempted a formal competitive bidding process (like sealed bids or proposals), but you received inadequate responses

Rule 6A-1.012, Florida Administrative Code for Single/Sole Source Requirements

Federal Funds §200.321

Contracting with small businesses, minority businesses, women's business enterprises, veteran-owned businesses, and labor surplus area firms



Labor Surplus Area

- Supply of labor is greater than the demand for labor
- Annual civilian unemployment rate 20% or more above the average
- Previous 2 calendar years

https://vendor.myfloridamarketplace.com/search/vendor

https://www.dol.gov/agencies/eta/lsa

Federal Funds §200.322 Domestic Preferences for Procurements

To the greatest extent practicable and consistent with law provide a preference for the purchase, acquisition, or use of goods, products, or materials produced

Sample Contract Language (Construction)

The Contractor shall utilize, to the greatest extent practicable and consistent with law, structural steel, reinforcing steel, aluminum products, concrete products, masonry products, glass, flooring materials, roofing materials, and other manufactured construction materials produced in the United States. The Contractor shall document the country of origin of major construction materials upon the District's request and shall require similar documentation from its subcontractors and suppliers.

Federal Funds §200.323 Procurement of Recovered Materials

Procuring items that contain the highest percentage of recovered materials practicable, maintaining a satisfactory level of competition

Sample Contract Language (Furniture)

Vendor shall provide classroom furniture containing recycled-content materials where available and meeting the District's specifications. Upon request, Vendor shall provide manufacturer's certifications or other documentation demonstrating compliance with 2 C.F.R. § 200.323.

Federal Funds §200.324 Contract Cost and Price

Perform a cost or price analysis if in excess of the simplified acquisition threshold

Scenario

A school district receives a federal grant for the replacement of HVAC systems at three schools.

The originally approved grant is **$850,000**, which exceeds the federal simplified acquisition threshold.

1. Prepare an Independent Cost Estimate Before Solicitation

Example: Facilities department estimates the project will cost $825,000

Compliance: The estimate is documented prior to bid opening

2. After Receiving Bids Conduct a Cost or Price Analysis

Compare prices against:

- The independent estimate
- Other responsive bids
- Current market pricing
- Historical pricing

Compliance: A written memorandum is placed in the file documenting the analysis

Federal Funds §200.325 Federal Agency or Pass Through Entity Review

Perform a cost or price analysis in excess of the simplified acquisition threshold

Scenario

A school district receives funding through the USDA Child Nutrition Program administered by the Florida Department of Agriculture and Consumer Services.

1. Develop Specifications Based on Program Requirements

Compliance: Fully cooked breaded chicken nugget, child nutrition (CN) labeled, minimum 2 oz equivalent meat/meat alternate per serving, USDA Foods compliant

2. Prepare an Independent Cost Estimate Using

- Prior year pricing
- USDA commodity pricing data
- Market research

Compliance: The estimate is documented prior to bid opening

3. Submit Documents to FDACS Upon Requests

- Draft Invitation to Bid
- Product Specifications
- Justification for any brand name reference
- Procurement Timeline

Compliance: Address any issues from FDACS

Federal Funds §200.326 Bonding Requirements

Minimum requirements include:

Bid Guarantee (5%)

A bid guarantee from each bidder equivalent to five % of the bid price.

Assurance the bidder will execute any contractual requirements.

"I will sign the contract"

Performance Bond (100%)

The successful contractor must furnish a performance bond equal to 100% of the contract amount.

Guarantee complete and faithful performance.

"I will complete the work"

Payment Bond (100%)

The successful contractor must furnish a payment bond equal to 100% of the contract amount to ensure payment to all suppliers, subcontractors, laborers, and material providers.

"I will pay everyone involved"

Tied to construction or facility improvement contracts that exceed the simplified acquisition threshold

Federal Funds §200.327 Contract Provisions

Contracts must contain the applicable provisions described in Appendix II to Part 200:

Contract Remedies
Actions the school district can take

Contract Termination
For cause or convenience

Equal Employment Opportunity
Prohibits discrimination

Davis Bacon Act
Construction over $2K: At a minimum, paid federal wage rates

Contract Work Hours and Safety Standards
Paid overtime as required

Rights to Inventions
Addresses ownership and rights to inventions

Clean Air and Water Requirements
Must comply and report violations

Debarment and Suspension
Cannot be suspended or debarred

Anti Lobbying Certification
Federal funds not used for lobbying activities

Incorporate standard language in all solicitations that address these requirements

Solicitation Methods

Invitation to Bid (ITB)

- Requirements are fixed
- Price is the primary factor
- Single, multiple, primary/ secondary

Request for Proposals (RFP)

- Best value selection
- Technical approach, qualifications, and price
- Common for more complicated services

Request for Qualifications (RFQ)

- Architectural, engineering, surveying , mapping
- Focus on qualifications – not pricing
- Could result in a continuing services contract or followed by an ITB

Invitation to Negotiate (ITN)

- Head of agency must specify the reasons an ITB and RFP are not practicable
- Outline goals and desired outcomes. Qualifications, approaches, pricing
- District conducts negotiations and identifies best value

Doing More with Less – Cooperative Purchasing and Piggyback Agreements

Rule 6A-1.012(6), Florida Administrative Code

In lieu of requesting competitive solicitations from three (3) or more sources, district school boards may make purchases at or below the specified prices from contracts awarded by other city or county governmental agencies, other district school boards, community colleges, federal agencies, the public or governmental agencies of any state, or from state university system cooperative bid agreements, when the proposer awarded a contract by another entity defined herein will permit purchases by a district school board at the same terms, conditions, and prices (or below such prices) awarded in such contract, and such purchases are to the economic advantage of the district school board.

Faster Procurement

Reduces procurement time and promotes efficiency

Competitive Pricing

Provides access to competitively awarded pricing

Greater Buying Power

Purchasing power of larger governmental entities

Expanded Options

Increases access to additional products and providers

Cost Savings

Can reduce purchase costs and procurement related expenses

In and Outside Florida

Other school districts
Other municipalities
State of Florida

Cooperative Purchasing Agreements

OMNIA
Sourcewell
TIPS
BuyBoard

Exemptions Under Rule 6A-1.012, Florida Administrative Code

Professional Services: Artistic, legal, auditing (unless tied to chapter 218 Florida Statutes), and healthcare related services

Educational Services: Instructional and educational services

Copyrighted Materials: Textbooks, instructional materials, audiovisual media, and similar copyrighted resources

Library Resources: Library books and reference materials

Single Source Procurement: Must follow required public notice procedures as defined in Rule 6A-1.012, F.A.C.

Failed Solicitations: When no valid or acceptable responses are received

Sole Responsive Proposal: When fewer than two responses are received

Mandated Contracts: Required by state or federal law or grants

Information Technology: Information Technology as defined in Section 282.004, Florida Statutes

Insurance and Risk Management: Insurance coverage, risk management programs, and third party administrator services unless otherwise defined in Florida Statutes

Procurement Best Practices and Key Takeaways

Build and follow documented procurement procedures

Standardize solicitation templates and contract documents

Plan purchases before initiating the procurement process

Know your funding source

Promote full and open competition

Use the appropriate solicitation method

Utilize cooperative purchasing when advantageous

Maintain thorough documentation




COMPARE
FORM ACCEPTED
evaluate
SYSTE
Guid
Bench






INVITATION TO BID (ITB)
REQUEST FOR PROPOSAL
INVITATION TO NEGOT
REQUEST FOR QUALI
COOPERATI


PLANNING

QUESTIONS?