

Chapter 16.5 - PROCUREMENT CODE

CODE PROVISIONS	ACTION TAKEN/TO BE TAKEN
ARTICLE I. - IN GENERAL	
DIVISION 1. - PURPOSE AND APPLICATION	
Sec. 16.5-1. - Purpose.	Deletes present language in Sec. 16.5-1 and 16.5-2, and renames Sec. 16.5-1. Authority.
Sec. 16.5-2. - Application.	Deletes present language in Sec. 16.5-1 and 16.5-2, and renames Sec. 16.5-1. Authority.
Secs. 16.5-3—16.5-10. - Reserved.	
DIVISION 2. - DEFINITIONS	
Sec. 16.5-11. - Definitions.	Revised, with some additions or deletions of definitions.
Secs. 16.5-12—16.5-20. - Reserved.	
DIVISION 3. - PUBLIC ACCESS TO PROCUREMENT INFORMATION	
Sec. 16.5-21. - Public access to procurement information.	Deleted, as we are required to comply with Florida Statutes.
Secs. 16.5-22—16.5-40. - Reserved.	
ARTICLE II. - OFFICE OF THE PURCHASING AGENT	
Sec. 16.5-41. - Establishment, appointment, and tenure.	Update to CPO
Sec. 16.5-42. - Authority and duties.	Revise language to permit the updating of processes.
Sec. 16.5-43. - Delegations to other city officials.	Delegation by CM
Sec. 16.5-44. - Unauthorized purchases.	Higher Review by CM
Secs. 16.5-45—16.5-60. - Reserved.	
ARTICLE III. - SOURCE SELECTION AND CONTRACT FORMATION	
DIVISION 1. - METHODS OF SOURCE SELECTION	
Sec. 16.5-61. - Competitive Sealed Bidding.	Recommend threshold increase to 50k Update award (g) language
Sec. 16.5-62. - Competitive sealed proposals.	Remove 14 day requirement, add additional solicitation types. Move e-g to Procurement manual
Sec. 16.5-63. - Contracting for designated professional services.	Move to exemptions, add contracts for medicine
Sec. 16.5-64. - Small purchases.	Update to 50k, update PCard to 1k
Sec. 16.5-65. - Sole source procurement.	Add OEM, review sole source annually, add some info to Procurement manual
Sec. 16.5-66. - Emergency procurements.	Update language
Sec. 16.5-67. - Cancellation of invitations for bids or request for proposals.	Update
Sec. 16.5-68. - Nonbudgeted items.	Revise the language to match CM's authority
Secs. 16.5-69—16.5-80. - Reserved.	
DIVISION 2. - QUALIFICATIONS AND DUTIES	
Sec. 16.5-81. - Responsibility of bidders and offerors.	Update language
Sec. 16.5-82. - Cost or pricing data.	Delete
Sec. 16.5-83. - Cost or price analysis.	Delete

Sec. 16.5-84. - Bid, performance and payment bonds on supply or service contracts.	Update
Secs. 16.5-85—16.5-90. - Reserved.	
DIVISION 3. - TYPES OF CONTRACTS AND CONTRACT ADMINISTRATION	
Sec. 16.5-91. - Types of contract.	Update language
Sec. 16.5-92. - Contract clauses and their administration.	Update language
Sec. 16.5-93. - Contract administration.	Update language
Sec. 16.5-94. - Cost reimbursement provisions.	Update language
Sec. 16.5-95. - Approval of accounting system.	Delete
Sec. 16.5-96. - Right to inspect plant.	Update language
Sec. 16.5-97. - Right to audit records.	Update language
Sec. 16.5-98. - Reporting of anticompetitive practices.	Unchanged
Sec. 16.5-99. - City procurement records.	Update language
Sec. 16.5-100. - Patents.	Delete
Sec. 16.5-101. - Notice of federal public policy requirements.	Update language
Secs. 16.5-102—16.5-120. - Reserved.	
ARTICLE IV. - SPECIFICATIONS	
Sec. 16.5-121. - Maximum practicable competition.	Unchanged
Sec. 16.5-122. - Qualified products list.	Delete
Sec. 16.5-123. - Brand name specification.	Update language
Sec. 16.5-124. - Brand name specification determination.	Delete
Sec. 16.5-125. - Energy conservation.	Unchanged
Secs. 16.5-126—16.5-140. - Reserved.	
ARTICLE V. - PROCUREMENT OF CONSTRUCTION, ARCHITECT-ENGINEER AND LAND SURVEYING SERVICES	
DIVISION 1. - MANAGEMENT OF CONSTRUCTION CONTRACTING	
Sec. 16.5-141. - Responsibility for selection of methods of construction contracting management.	Update language
Secs. 16.5-142—16.5-150. - Reserved.	
DIVISION 2. - BID SECURITY AND PERFORMANCE BONDS	
Sec. 16.5-151. - Bid security.	Update language
Sec. 16.5-152. - Contract performance and payment bonds.	Update language
Sec. 16.5-153. - Copies of bond forms.	Delete
Secs. 16.5-154—16.5-160. - Reserved.	
DIVISION 3. - FISCAL RESPONSIBILITY	
Sec. 16.5-161. - Fiscal responsibility.	Under Review may be updated
Secs. 16.5-162—16.5-170. - Reserved.	
DIVISION 4. - PROFESSIONAL ARCHITECTURAL, ENGINEERING, LANDSCAPE ARCHITECTURAL AND LAND SURVEYING SERVICES	
Sec. 16.5-171. - Public announcement, competitive selection and negotiation.	Update language
Secs. 16.5-172—16.5-190. - Reserved.	
ARTICLE VI. - DEBARMENT OR SUSPENSION	
Sec. 16.5-191. - Authority to debar or suspend.	Update language
Sec. 16.5-192. - Decision to debar or suspend.	Combine with 16.5.191
Sec. 16.5-193. - Finality of decision.	Move to 16.5.191
Sec. 16.5-194—16.5-210. - Reserved.	
ARTICLE VII. - SUPPLY MANAGEMENT	
Sec. 16.5-211. - General supervision.	Unchanged
Sec. 16.5-212. - Quality assurance, inspection, and testing.	Update language
Sec. 16.5-213. - Inventory management.	Update language

Sec. 16.5-214. - Warehousing and storage.	Unchanged
Sec. 16.5-215. - Authorization to dispose of supplies.	Unchanged
Sec. 16.5-216. - Report of supplies.	Delete
Sec. 16.5-217. - Transfer of excess and surplus supplies.	Unchanged
Sec. 16.5-218. - Disposition of surplus supplies.	Combine with 16.5.217
Sec. 16.5-219. - Auctions.	Unchanged
Sec. 16.5-220. - Posted prices.	Delete
Sec. 16.5-221. - Trade-in.	Unchanged
Secs. 16.5-222—16.5-240. - Reserved.	
ARTICLE VIII. - APPEALS AND REMEDIES	
Sec. 16.5-241. - Bid protests.	Update language
Sec. 16.5-242. - Contract claims.	Proposed deletion
Sec. 16.5-243. - Authority of the director of purchasing to settle bid protests and contract claims.	Update to 25k
Sec. 16.5-244. - Remedies for solicitations or awards in violation of law.	Unchanged but may not be needed
Secs. 16.5-245—16.5-260. - Reserved.	
ARTICLE IX. - INTERGOVERNMENTAL RELATIONS	
Sec. 16.5-261. - Cooperative purchasing authorized.	Unchanged
Sec. 16.5-262. - Sale, acquisition, or use of supplies by a public procurement unit.	Update language
Sec. 16.5-263. - Cooperative use of supplies or services.	Combine 16.5.261
Sec. 16.5-264. - Joint use of facilities.	Handle via Interlocal Agreements
Sec. 16.5-265. - Supply of personnel, information, and technical services.	Delete
Sec. 16.5-266. - Public procurement units in compliance with code requirements.	Delete
Sec. 16.5-267. - Contract prices established by other governmental units.	Unchanged
Secs. 16.5-268—16.5-280. - Reserved.	
ARTICLE X. - PREFERENCES AND INCENTIVES	
DIVISION 1. - PREFERENCES FOR LOCAL VENDORS	
Sec. 16.5-281. - Definitions.	Unchanged
Sec. 16.5-282. - Lowest responsible bidder.	Update based on disparity study
Sec. 16.5-283. - Incentive for vendors who sub-contract at least 25 percent of contract with local businesses.	Update based on disparity study
Sec. 16.5-284. - Other minimum qualifications.	Delete
Secs. 16.5-285—16.5-290. - Reserved.	
DIVISION 2. - SMALL BUSINESS ENTERPRISE PARTICIPATION GOAL	Division proposed for deletion, with new provisions to be recommended upon completion of Disparity Study.
Sec. 16.5-291. - Definitions.	
Sec. 16.5-292. - Scope.	
Sec. 16.5-293. - Goals.	
Sec. 16.5-294. - Contract compliance requirements.	
Sec. 16.5-295. - Ranking of responsive bidders.	
Sec. 16.5-296. - Suspension/debarment.	
Sec. 16.5-297. - Prompt payment.	
Sec. 16.5-298. - Procurement procedures.	
Secs. 16.5-299-16.5-310. - Reserved.	
DIVISION 3. - MINORITY BUSINESS ENTERPRISE PARTICIPATION FOR PUBLIC SOLICITATIONS OTHER THAN BIDS	Division proposed for deletion, with new provisions to be recommended upon completion of Disparity Study.
Sec. 16.5-311. - Definitions.	See above

Sec. 16.5-312. - MBE participation for public solicitations other than bids.	See above
Secs. 16.5-313—16.5-320. - Reserved.	
DIVISION 4. - APPRENTICESHIP PROGRAM	
Sec. 16.5-321. - Apprenticeship program requirements.	Delete
Sec. 16.5-322—16.5-340. - Reserved.	
ARTICLE XI. - ETHICS IN PUBLIC CONTRACTING	
Sec. 16.5-341. - Criminal penalties.	Unchanged
Sec. 16.5-342. - Employee conflict of interest.	Unchanged
Sec. 16.5-343. - Gratuities and kickbacks.	Update language include PBC Code of Ethics
Sec. 16.5-344. - Prohibition against contingent fees.	Unchanged
Sec. 16.5-345. - Employment of former city employees by any person, business, or organization contracting with the city regulated.	Update amounts
Sec. 16.5-346. - Waivers from conflicts of interests.	Delete
Sec. 16.5-347. - Use of confidential information.	Unchanged
Sec. 16.5-348. - Recovery of value transferred or received in breach of ethical standards.	Unchanged