

ADMINISTRATIVE PROCEDURE MANUAL		
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6Hx7-5.1 Purchasing	February 23, 2022	

Purpose

The purpose of this procedure is to specify the types of purchases that are exempt from solicitation/competition for state or federal funded purchases of items or services estimated to exceed \$7,500 pursuant to State Board of Education (SBE) and Florida Statute (F.S.) and federally funded grant purchases that comply with 2 CFR Part II 200.320(f) Federal Methods of Procurement.

This procedure also provides for the definition and procedures for sole source purchases.

See Administrative Procedure (APM) 05-0602 for information on purchasing goods or services utilizing federal grants or contracts.

Procedure

Purchases Exempt from Competitive Bidding Requirements

- A. Goods or services that are exceptions or exempt from the requirement to solicit competitive offers require a documented cost comparison and selection justification.
 - 1. An appropriate justification provides answers to the following questions:
 - a. What is the purpose of the purchase?
 - b. How was the item and/or supplier selected?
 - c. Was there a comparative cost/value of the purchase?
 - 2. The cost comparison and selection justification must be attached to the submitted purchasing requisition for review and approval by the Purchasing Department.
- B. Listed below is an overview of \$7,500 **non-federally funded** or greater purchases that do not require the solicitation of competitive bids or proposals as found in SBE Rule 6A-14.0734: See Section Sole/Single Source Purchase Procedures on page 2 for instructions regarding sole/single source purchases \$7,500 or greater.
 - 1. Educational tests, textbooks, instructional materials and equipment, films, filmstrips, video tapes, disc or tape recordings or similar audio-visual materials, graphic and computer based instructional software, library books, reference books, periodicals and other library materials and supplies.
 - 2. Purchases at the unit or contract prices established through competitive solicitations by any unit of government established by law or buying cooperatives.
 - 3. Food.

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4. Services or commodities available only from a sole source.
 5. Professional services, including, but not limited to, artistic services, instructional services, health services, academic program reviews, lectures by individuals, attorney, legal services, auditors and management consultants.
 6. Information technology resources defined as all forms of technology used to create, process, store, transmit, exchange and use information in various forms of voice, video and data, and shall also include the personnel costs and contracts that provide direct information technology support consistent with each individual college's information technology plan.
 7. Sole source procurements for purposes of economy or efficiency in standardization of materials or equipment.
 8. Items for resale.
- C. The College President may waive solicitation requirements in emergencies when there is an imminent threat to students, employees or public safety or in cases when necessary to prevent damage to the facilities caused by an unexpected circumstance in accordance with rules established by the local board of trustees.
- D. When the College solicits the submittal of competitive offers and only one (1) responsive offer is submitted, the College may purchase such products or service under the best terms it can negotiate.

Sole and Single Source Purchases Procedures

- A. Sole Source Purchases occur when only one (1) supplier can provide the commodity, technology and/or perform the services required, and therefore it is not possible to obtain competition.
- B. Single Source Purchases occur when only one (1) responsible source and no other supplies or services can fulfill Florida State College at Jacksonville (FSCJ) requirements.
- C. An ERP Sole/Single Source Justification Request Form ("Form") must be completed and entered into FSCJ's ERP system when requesting a state or federally funded purchase on a sole or single source basis.
 1. The Form will provide the justification for the request.
 2. The Requester will be required to complete and submit the electronic form in FSCJ's ERP system
 3. The Form requires the review and approval of the purchasing buyer, supervising budget administrator, appropriate associate vice president/associate provost, and for purchases greater

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than \$7,500, an appropriate vice president's/provost approval.

4. Review and final approval of the Sole/Single Source justification request are required from the Executive Director of Purchasing or designee. Once approved, a requisition must be entered and must include the approved Form's sequence number and provide any attached support documentation.
- D. If the Sole/Single Source Request exceeds \$65,000, prior to the approval process, as outlined in the above Section C, the request will be posted on the FSCJ website for a minimum of 72 hours for public viewing.
 - E. If any public comments are received during the 72-hour posting period, the Purchasing Department and requesting leadership will review the comments and make a final determination regarding the request.
 - F. The Purchasing Department, upon request, can assist in the completion of the Form and required supporting documentation. The Form can be found within FSCJ's ERP system. For any questions regarding the form or the review and approval process please contact the Purchasing Department at purchasing@fscj.edu

REFERENCES: 2 CFR Part II 200.320(f) Federal Methods of Procurement, F.S. 1001.64, 1001.65, SBE Rule 6A-14.0734

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