



# FLORIDA DEPARTMENT OF JUVENILE JUSTICE PROCEDURE

**Title:** Procurement and Contract Administration Procedures

**Related Policy:** FDJJ – 2050 (replaced FDJJ 6.05)

***Services to Department of Juvenile Justice (DJJ) youth and program support are procured by the Bureau of Procurement and Contract Administration (BPCA) within the Office of Program Accountability and are delivered through contracts. The Bureau of General Services, Purchasing & Leasing Office, issues purchase orders for commodities to vendors (See Policy FDJJ 1675).***

## I. DEFINITIONS

**Addendum** – A document used to expand, change, or more fully explain the terms of an Invitation to Bid (ITB), Request for Proposal (RFP), or Invitation to Negotiate (ITN) that is incorporated as part of the solicitation. This modification becomes a legal part of the solicitation it supplements. Also, an optional component for a Request for Information (RFI).

**Advance Payment** – A payment mechanism where, under certain circumstances, the Department may make a portion of the funds available to a Provider prior to the delivery of services. Advance Payment(s) are made according to the Chief Financial Officer’s Reference Guide for State Expenditures and Rule 69I-40.120 Florida Administrative Code (F.A.C.). Advance Payment requests need only be approved by the Department of Financial Services (DFS) when the advance exceeds the authority given to the Department through 216.181(16)(b), Florida Statutes (F.S.), which states: “Any agency, or the judicial branch, that has been authorized by the General Appropriations Act or expressly authorized by other law to make advances for program startup or advances for contracted services, in total or periodically, shall limit such disbursements to other governmental entities and not-for-profit corporations. The amount that may be advanced shall not exceed the expected cash needs of the contractor or recipient within the initial 3 months.” Any Advance Payment requests exceeding these parameters must be approved by DFS. Reconciliation language must also be included in the method of payment section to ensure that the advanced funds are recouped throughout the remainder of the fiscal year.

**Alternate Contract Source (ACS)** – Approved contracts by the Florida Department of Management Services (DMS) that are optional for any state agency to use. They are similar to State Term Contracts, where state agencies can procure purchases above Category 2 (\$35,000.00) that do not have to be competitively solicited. Generally, the commodity or services offered on these contracts are lower than an agency can obtain in the open market with a quote. However, as a good business practice since these are optional contracts, this does not preclude the agency from requesting quotes from a supplier not on the ACS. Users can search the DMS for active ACS’ at the following website:  
[https://www.dms.myflorida.com/contract\\_search/\(contractType\)/4578](https://www.dms.myflorida.com/contract_search/(contractType)/4578).

**Amendment** – A document that makes changes to the terms of an active, executed contract. Changes requiring an amendment include, but are not limited to: adjustments in cost, services, time, and method of payment. The amendment is incorporated as part of the original contract. Amendments cannot be

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retroactive. Amendments cannot increase price or compensation of an executed contract without a corresponding increase in services, per Section 215.425, F.S. Amendments must stay within the scope of the original contract, per the DMS Florida Certified Contract Manager training.

**Best Practice** – As defined by Merriam-Webster, this is “a procedure that has been shown by research and experience to produce optimal results and that is established or proposed as a standard suitable for widespread adoption.” The BPCA reserves the right to adjust standard procurement and contracting processes described throughout this policy and procedure when a best practice has been identified and determined its use to be in the best interest of the State.

**Best Value** – “The highest overall value to the State based on factors that include, but are not limited to: price, quality, design, and workmanship,” per subsection 287.012(4), F.S.

**Bid Library** – A SharePoint site managed by the Department which allows potential Respondents who are interested in the competitive solicitations to upload their bids, proposals or replies electronically. Access to the Bid Library is granted by the BPCA.

**Boilerplate** – Templates created and maintained by the BPCA for Service Contracts, Amendments, Settlement Agreements, and Competitive Solicitations. The BPCA ensures these boilerplates remain current with federal and the State of Florida laws and rules, as well as Department policies and procedures. A copy of BPCA’s current boilerplate documents can be found for DJJ internal authorized users at the following SharePoint site:

<https://fldjj.sharepoint.com/sites/contracts/DJJTemplates/Forms/DocCategory.aspx>. The boilerplate for sample contracts (titled Attachment G) is located on the Department’s website for external DJJ users at: <http://www.djj.state.fl.us/partners/procurement-and-contract-administration>

**Bureau of Procurement & Contract Administration (BPCA)** – Located in the Department’s Office of Program Accountability, the BPCA develops procurements, contract documents, and settlement agreements upon the request from Program Areas; facilitates the procurement process for services; and provides technical assistance to Department staff with regards to the procurement process, contracting process, and the Contract Tracking System (CTS).

**Bureau of Purchasing & Leasing (Also known as the Purchasing Office)** – At the Department’s headquarters, the Purchasing Office is responsible for overseeing and implementing the Department purchasing activities for commodities, including competitive procurement of leases. This section provides technical assistance and training to all programs within the Department for commodity purchases.

**Business Case** – A study of a proposed project or undertaking on the basis of its expected benefit to the State. For business cases to outsource exceeding \$10 million dollars in a single fiscal year, Chapter 287.0571(4), F.S., requires agencies to submit an initial and final business case analysis to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

**Calendar of Events** – A document created and maintained by the BPCA containing a listing of dates and times for all relevant events and deadlines for a specific competitive solicitation. The BPCA will work with Program Areas and selected Evaluators, Negotiators, and Technical Advisors, on the creation of the

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Calendar of Events in accordance with the established time frame for the type of solicitation being developed. In return, Program Areas, Evaluators, Negotiators, Technical Advisors, and prospective Respondents are expected to adhere to the Calendar of Events released with the solicitation, and with all subsequent updates to the Calendar of Events.

**Commodity** – Any supplies, materials, goods, merchandise, food, printing, equipment, information technology, and other tangible property (including a mobile home, trailer, or other portable structure with floor space of less than 5,000 square feet) purchased, leased, or otherwise contracted for by the Department.

**Competitive Solicitation** – The process of requesting and receiving two or more sealed bids, proposals, or replies submitted by responsive and responsible entities or individuals, in accordance with the terms of a competitive process. Per Section 287.057, F.S., “any competitive solicitation shall be made available simultaneously to all vendors [Providers], must include the time and date for the receipt of bids, proposals, or replies and of the public opening, and must include all contractual terms and conditions applicable to the procurement, including the criteria to be used in determining acceptability and relative merit of the bid, proposal, or reply.” The three types of Competitive Solicitations issued by the BPCA are ITB, RFP, and ITN. A solicitation is considered active when released to the public on the Vendor Bid System (VBS) and considered closed when the final agency decision Protest Period has ended.

**Comptroller/Chief Financial Officer (CFO) Memoranda** – Memorandum issued by the DFS, when policies, including statutes, administrative codes, and rules regarding statutory accounting requirements are established. The list of active and inactive memorandums can be found at the following website:  
<https://www.myfloridacfo.com/Division/AA/Memos/default.htm>.  
The BPCA ensures contracts, amendments, and settlement agreements are issued in accordance with all active CFO Memos.

**Confidential, Proprietary, or Trade Secret Material** – For the purposes of this procedure, “Confidential, Proprietary, or Trade Secret Material” is referred to as “Trade Secret.” Chapter 688 F.S. the Florida “Uniform Trade Secrets Act” prohibits “misappropriation” of Trade Secrets and provides certain remedies. In addition, Florida law may impose criminal penalties for disclosure of Trade Secrets. Department staff having knowledge or possession of Trade Secret information must ensure it is appropriately safeguarded at all times.

**Conflict of Interest** – A situation that has the potential to undermine the impartiality of a person because of the possibility of a clash between the person's self-interest and professional interest or public interest.

**Contract** – A written agreement, legally binding, between the Department and a Provider, detailing the commodities and/or contractual services to be provided by the contract and shall be executed by the Provider and the Department’s Secretary, or his/her designee. For the Department, the term “contract” encompasses other types of written agreements, such as a rate agreement, purchase order, and some Department Level 1 Interagency Agreements (in accordance with FDJJ 2040 pertaining to Interagency Agreements). The intended target audience when writing a contract is someone with little or no knowledge about the topic on which the parties are contracting (i.e., Judge, Auditor, the public).

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**Contract Administrator** – An individual within the BPCA responsible for performing administrative duties relating to all types of contracts and Settlement Agreements. This includes, but is not limited to, ensuring compliance with: (1) Department Policies and Procedures; (2) Applicable CFO Memorandums related to contract Scopes of Work (SOW), Deliverables, Methods of Payment, Financial Consequences, Performance Measures, and Documentation Requirements; (3) the FSAA Determination Checklist; (4) Best practices in contracting used by the Department and other state agencies; (5) Cost Analysis requirements; (6) the Department’s routing and review process in CTS for obtaining approvals for Contracts and Settlement Agreements; (7) FACTS requirements for Active, Executed Contracts; and (8) Other contract administrative tasks as directed by the BPCA management. This individual becomes a Procurement Manager when the assigned action requires a procurement be completed by the BPCA to arrive at a resulting contract(s).

**Contract Attestation** – Per the DMS Memorandum No. 01 (2013-2014), in order to promote fair and open competition, increase accountability in state contracting, and ensure the State of Florida is achieving best value in the purchase of commodities and contractual services, as communicated to agency Chiefs of Staff on July 31, 2013, Governor Scott directed executive agencies to execute attestations prior to the execution of contracts meeting criteria described below. The Department of Management Services (DMS) was tasked with coordinating the implementation of this directive. Effective October 1, 2013, executive agency heads are required to execute a contract attestation as a condition precedent for the execution of any contract or purchase order which meets all of the following criteria: funded by the state or federal government; results in anticipated expenditures of \$1 million dollars or more during the term of the contract; procured in accordance with Chapter 287, Florida Statutes.

[https://www.dms.myflorida.com/business\\_operations/state\\_purchasing/documents\\_forms\\_references\\_resources/purchasing\\_memos\\_rules\\_and\\_statutes/state\\_purchasing\\_numbered\\_memoranda](https://www.dms.myflorida.com/business_operations/state_purchasing/documents_forms_references_resources/purchasing_memos_rules_and_statutes/state_purchasing_numbered_memoranda)

**Contract File** – The original and official record for the Department that must be maintained for a period of time following the end of the contract, or resolution of pending action (i.e., audit, lawsuit, etc.), whichever is later. The Department has two official contract files: one maintained by the BPCA, and one maintained by the Department’s Contract Manager. Both contract files are maintained electronically in SharePoint. See FDJJ 1316P for the Records and Information Management Procedures which links to the record retention timeframes.

**Contract Pre-Audit** – Compliance audit performed by the DFS to ensure statutory requirements are met in contracts. The Department must respond to audit exceptions within fourteen (14) calendar days. Program Areas must respond timely to BPCA requests for information and/or submit amendment requests to correct audit exceptions.

**Contract Review Form (CRF)** – A form generated from the CTS for every finalized action. It reflects the Provider’s name and contact information, the start and end dates of the contract, the funding codes and amounts, the Contract Manager and Contract Administrator contact information, and all of the electronic approvals for the specific action.

**Contractual Service** – The rendering by a Provider of its time and effort rather than the furnishing of specific commodities. The term applies only to those services rendered by individuals and entities who are independent contractors, and such services may include, but are not limited to: evaluations; consultations;

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maintenance; accounting; security; management systems; management consulting; educational training programs; research and development studies or reports on the findings of consultants engaged thereunder; and professional, technical, and social services. The majority of the Department's contractual services are procured by the BPCA.

**Contract Tracking System (CTS)** – The Department's procurement and contract workflow and data system used for service contracts. Program Areas submit actions which are processed through the CTS. Upon execution and finalization of the action, the contract information is transmitted to the Juvenile Justice Information System (JJIS).

**Contract Tracking System (CTS) Query Facility** – A web-based application designed and written to provide user-friendly access to several data elements within the Department's CTS Database on a read-only basis. The CTS Query Facility is available for use 24 hours, 7 days a week for Department employees.

**Convicted Vendor List** – Identifies vendors who have committed a public entity crime. Inclusion on this list, found on the DMS website below, bars a Provider from doing any business with the State of Florida. [https://www.dms.myflorida.com/business\\_operations/state\\_purchasing/vendor\\_information/convicted\\_suspended\\_discriminatory\\_complaints\\_vendor\\_lists/convicted\\_vendor\\_list](https://www.dms.myflorida.com/business_operations/state_purchasing/vendor_information/convicted_suspended_discriminatory_complaints_vendor_lists/convicted_vendor_list).

**Cooperative Purchasing (Also known as “Piggybacking”)** – Per DMS' PUR Form 1000: “Pursuant to their own governing laws, and subject to the agreement of the Contractor [i.e., Provider], other entities may be permitted to make purchases at the terms and conditions contained herein. Non-Customer purchases are independent of the agreement between Customer and Contractor, and Customer shall not be a party to any transaction between the Contractor and any other purchaser.” State agencies wishing to make purchases from this agreement are required to follow the provisions of paragraph 287.042(16), F.S. This statute requires the DMS to determine that the requestor's use of the contract is cost-effective and in the best interest of the State.” The PUR Form is located at: [https://www.dms.myflorida.com/business\\_operations/state\\_purchasing/documents\\_forms\\_references\\_resources/state\\_purchasing\\_pur\\_forms](https://www.dms.myflorida.com/business_operations/state_purchasing/documents_forms_references_resources/state_purchasing_pur_forms).

**Cost Analysis** – A written determination, completed by a Program Area before a contract is executed, which reflects that specific budgeted program costs are:

1. Allowable (authorized by state or federal laws, rules and regulations [see Attorney General Opinion 78-101]),
2. Reasonable (what a prudent business would pay), and
3. Necessary (essential for the successful completion and program success).

The cost analysis is required for actions not competitively procured, and must be in compliance with CFO Memorandum No. 01(2019-2020) and Section 216.3475, F.S. A cost analysis is required whenever a non-competitively procured contract or rate agreement is amended to add new services and funding. Detailed budgets are required to be submitted by the person or entity awarded funding, and must be reviewed by the Department. Each miscellaneous cost must be specifically identified, and indirect costs/overhead must be evaluated to determine if the rate is reasonable. Documentation which supports the conclusions reached and methodology used must be maintained by the Program Area. The DMS considers it a best practice to conduct a cost analysis for recipient/subrecipient and cost reimbursement contracts that are competitively procured.

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**Department** – For purposes of this policy, Department shall mean the Florida Department of Juvenile Justice.

**Department of Financial Services (DFS), Division of Accounting and Auditing** – This DFS Division carries out the CFO’s constitutional duty to "settle and approve accounts against the state" by monitoring the expenditure of all appropriated public funds. The Division pays all the state’s bills, manages state payroll, processes payments for goods and services used by state agencies, promotes financial accountability throughout state government by providing information about its fiscal soundness, and investigates allegations of waste, fraud and abuse of taxpayers’ money.” Information that affects state agencies (i.e., trainings, new policies, etc.) can be found at the following website:  
<https://www.myfloridacfo.com/sitePages/services/flow.aspx?ut=State+Agencies>.

**Department of Management Services (DMS), Division of State Purchasing** – Florida's purchasing power allows the Division of State Purchasing to deliver the best value in goods and services for state agencies and eligible users. The Division strives to develop and implement sound and transparent procurement practices throughout the state and is dedicated to building strong relationships with state agencies, eligible users, and vendors [Providers]. The Division promotes fair and open competition in the state's procurement process and provides professional leadership and guidance to state agencies. The BPCA is required to use various DMS forms (i.e., PUR forms) for different types of procurements.

**Disallowed Purchases** – State agencies may purchase only items necessary to carry out statutory duties and should select such items on an economically and cost-effective basis, not to satisfy personal convenience or personal preference of individuals. Program Areas are encouraged to use the DFS Reference Guide for State Expenditures when determining if an item is disallowed.

**Discriminatory Vendor List** – Per Section 287.134, F.S., the Department may not contract with a Provider whom has a “determination of liability by a state circuit court or federal district court for a violation of any state or federal law prohibiting discrimination on the basis of race, gender, national origin, disability, or religion by an entity...” The most current Discriminatory Vendor List is found at the following DMS website:  
[https://www.dms.myflorida.com/business\\_operations/state\\_purchasing/vendor\\_information/convicted\\_suspended\\_discriminatory\\_complaints\\_vendor\\_lists/discriminatory\\_vendor\\_list](https://www.dms.myflorida.com/business_operations/state_purchasing/vendor_information/convicted_suspended_discriminatory_complaints_vendor_lists/discriminatory_vendor_list).

**Electronic Posting** – The posting of solicitations, agency decisions or intended decisions, or other matters relating to procurement on a centralized Internet website designated by DMS for this purpose. This website is the VBS.

**Emergency Purchase** – A purchase necessitated by a sudden turn of events (any circumstance or cause beyond the control of the Department in the normal conduct of its business), where the delay to a competitive procurement or use of a state contract would be detrimental to the interests of the State. Emergency purchases require approval by the Department’s Secretary, or designee, and must comply with paragraph 287.057(3)(a), F.S.

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**Evaluation Team** – Per Section 287.057(16)(a)1., F.S., for contracts in excess of the Category 4 threshold amount (\$195,000), the Department Secretary, or designee, shall appoint at least three (3) persons to evaluate proposals and replies who collectively have experience and knowledge in the Program Areas and service requirements for which commodities or contractual services are sought. All evaluation team members must attend the Department RFP/ITN Training before beginning their evaluations, complete a conflict of interest questionnaire at the appropriate point in the procurement, and participate in all meetings as set forth in the Calendar of Events.

**Exceptional Purchase (Also known as “Non-Competitive Procurements”)** – Per subsection 287.012(12), F.S., “any purchase of commodities or contractual services excepted by law or rule from the requirements for competitive solicitation, including, but not limited to, purchases from a single source; purchases upon receipt of less than two responsive bids, proposals, or replies; purchases made by an agency after receiving approval from the department [of Management Services], from a contract procured, pursuant to Section 287.057(1), F.S., or by another agency; and purchases made without advertisement in the manner required under Section 287.042(3)(b), F.S.” This also includes the services outlined in 287.057(3)(e.) commonly referred to as “exemptions,” such as health services, services, or commodities provided by governmental entities, etc.

**Extension** – Per subsection 287.012(13), F.S., “an increase in the time allowed for the contract period.” Extension of a contract for commodities or contractual services must be in writing for a period not to exceed six (6) months, executed while the contract is active, and is subject to the same terms and conditions set forth in the initial contract and any written amendments signed by the parties. There may only be one extension of a contract unless the failure to meet the criteria set forth in the contract for completion is due to events beyond the control of the contractor, per subsection 287.057(12), F.S.

**Florida Accountability Contract Tracking System (FACTS)** – The tracking system operated by the DFS which provides financial transaction transparency to the citizens of Florida. The FACTS can be accessed at the following website: <https://www.myfloridacfo.com/division/aa/FACTSReporting/>.

**Financial Consequences** – A monetary fee imposed as a result of failure to meet the defined level of service as outlined in the contract. Service contracts require the agency to apply financial consequences in certain circumstances, as specified in the contract, per Section 287.058(1)(h), F.S. and FDJJ 2000.

**Florida Administrative Register (FAR)** – The title of a daily publication which gives the public current information about the status of rules moving through the rulemaking process; notices of agency public meetings; notices regarding bids, proposals, and replies; and, miscellaneous actions required to be published by Florida Statute. The FAR is published by the Florida Department of State and can be accessed at the following website: <https://www.flrules.org/>.

**Florida Certified Contract Negotiator (FCCN)** – Required per paragraph 287.057(16)(b), F.S., "If the value of a contract is in excess of \$1 million in any fiscal year, at least one of the persons conducting negotiations must be certified as a Contract Negotiator based upon department rules in order to ensure certified Contract Negotiators are knowledgeable about effective negotiation strategies, capable of successfully implementing those strategies, and involved appropriately in the procurement process." FCCN

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training is conducted by the DMS. The BPCA is responsible for ensuring an FCCN participates in negotiations with potential Providers, for those procurements managed by the BPCA.

**Florida Single Audit Act (FSAA)** – Required per section 215.97, F.S., to: “(a) Establish uniform state audit requirements for state financial assistance provided by state agencies to non-state entities to carry out state projects; (b) Promote sound financial management, including effective internal controls, with respect to state financial assistance administered by non-state entities; (c) Promote audit economy and efficiency by relying to the extent possible on already required audits of federal financial assistance provided to non-state entities; (d) Provide for identification of state financial assistance transactions in the state accounting records and recipient organization records; (e) Promote improved coordination and cooperation within and between affected state agencies providing state financial assistance and non-s-tate entities receiving state assistance; (f) Ensure, to the maximum extent possible, that state agencies monitor, use, and follow up on audits of state financial assistance provided to non-state entities.” The FSAA applies to local governments, non-profits, and for-profit organizations. The Department must comply with CFO Memorandum No. 20 (2019-2020), which describes the “Compliance Requirements for Agreements.” For further information, See FDJJ 1810. Additionally, Program Areas must complete the FSAA Checklist for Non-State Organizations - Recipient/Subrecipient versus Vendor Determination form if the procurement will result in a contract or rate agreement funded in part or whole with funds identified with a Catalog of State Financial Assistance (CSFA) number. Program Areas must also complete the Recipient/Subrecipient versus Contractor (Vendor) Determination Form – Assistance Listing if the procurement will result in a contract or rate agreement funded in part or whole with funds identified with Assistance Listing funds (formerly referred to as Catalog of Federal Domestic Assistance [CFDA]). If the resulting contract or rate agreement will include funds coded to a CSFA and a CFDA number, then both determination forms are to be completed. The most current forms are located in SharePoint at: <https://fldjj.sharepoint.com/sites/contracts/DJJTemplates/Forms/DocCategory.aspx>, in Category 02. The DFS provides training to state agency personnel for the FSAA, which can be found at the following website: <https://www.myfloridacfo.com/Division/AA/Training/StateAgency.htm>. Program areas may consult with the Bureau of Internal Audit for questions regarding the FSAA Checklist and Recipient/Subrecipient Versus Contractor (Vendor) Determination Form.

**General Counsel** – The Department’s legal office. Subsection 287.057(18), F.S. states “Each agency shall establish a review and approval process for all contractual services contracts costing more than the threshold amount provided in s. 287.017 for Category 3 which shall include, but not be limited to, program, financial, and legal review and approval. Such reviews and approval shall be obtained before the contract is executed.” The Department requires all actions to be reviewed by the General Counsel prior to execution.

**Intent to Protest** – A written notice informing the Department of a Respondent’s intention to contest a competitive solicitation. This is filed with the General Counsel’s office.

**Interagency Agreement** – See FDJJ 2040, “Interagency Agreements, Memoranda of Understanding” for the requirements for processing Interagency Agreements.

**Interested Parties List** – A list of Providers and individuals who have completed and submitted the Interested Parties form to the BPCA, indicating an interest in receiving courtesy email notifications of current and future Competitive Solicitations posted by the Department. This form can be found at the



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following Department website: <http://www.djj.state.fl.us/partners/procurement-and-contract-administration>.

**Invitation to Bid (ITB)** – Per section 287.012(16), F.S. an ITB is “a written or electronically posted solicitation for competitive sealed bids.” An ITB specifically defines the commodity or service required with the lowest price being the only consideration for contract award.

**Invitation to Negotiate (ITN)** – Per section 287.012(17), F.S. an ITN is “a written or electronically posted solicitation for competitive sealed replies to select one or more vendors [Providers] with which to commence negotiations for the procurement of commodities or contractual services.” The ITN procurement method is intended to determine the best method for achieving a specific goal or solving a particular problem and identifies one or more responsive and responsible Respondents with whom the Department may negotiate in order to receive the best value.

**Legislative Intent** – Per section 287.001, F.S. “The Legislature recognizes that fair and open competition is a basic tenet of public procurement; that such competition reduces the appearance and opportunity for favoritism and inspires public confidence that contracts are awarded equitably and economically; and that documentation of the acts taken and effective monitoring mechanisms are important means of curbing any improprieties and establishing public confidence in the process by which commodities and contractual services are procured. It is essential to the effective and ethical procurement of commodities and contractual services that there be a system of uniform procedures to be utilized by state agencies in managing and procuring commodities and contractual services; that detailed justification of agency decisions in the procurement of commodities and contractual services be maintained; and that adherence by the agency and the vendor to specific ethical considerations be required.”

**Method of Payment** – The way the Department chooses to compensate the Provider for allowable goods or services delivered. Per DFS, the deliverable language in the scope of work must specify the minimum level of performance required in order for the Department to accept the deliverable and for the Provider to be paid, reimbursed, or paid and reimbursed. The most common methods of payment used by the Department are:

- A. **Cost Reimbursement** – The Department shall reimburse the Provider for allowable expenditures incurred pursuant to the terms of the contract. This method of payment requires a line item budget be included as part of the contract and the line item budget must match the Attachment H (Budget) required of all DJJ Providers. A line item budget is a budget in which each expense is separately accounted for, and placed on a separate line for readability and analysis. The Provider shall maintain supporting documentation in support of expenditure payment requests for cost reimbursement contracts as provided in Comptroller’s Memorandum No. 04 (2019-2020). Documentation for each amount for which reimbursement is being claimed must indicate that the item has been paid. Check numbers may be provided in lieu of copies of actual checks. Each piece of documentation should clearly reflect the dates of service. Only expenditures for categories in the approved contract budget may be reimbursed. These expenditures must be allowable (pursuant to federal law and Florida Statute) and directly related to the services being provided. This method of payment can be combined with other methods of payment.

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- B. Fixed Unit Cost/Rate – The Department shall pay the Provider for the delivery of service units provided in accordance with the terms of the contract. Fixed unit cost/rate payment requests must show units of service and applicable unit rates that equal the total invoice amount.
- C. Fixed Price Fixed Fee – The Department shall pay the Provider, upon satisfactory completion of both the service(s) and all terms and conditions specified in the contract. Fixed price fixed fee payment requests must include documentation evidencing the services provided for the period invoiced. Documentation must evidence the completion of all tasks required to be performed for the deliverable and must show that the Provider met the minimum performance standards established in the contract.
- D. Advance Payment – Most contracts entail payment only after the receipt of commodities or the performance of services. However, there are instances where payment may be furnished to the Provider in advance. Advance payments may be made under subsection 215.422(15), F.S. and Rule 69I-40.120(3) F.A.C., in accordance with the following, and advance payments may be made that meet one of the following criteria:
  - 1. Advance Payment will result in a savings to the State which is equal to or greater than the amount the State would earn by investing the funds and paying in arrears.
  - 2. The goods or services are essential to the operation of a State agency and are available only if Advance Payment is made.
  - 3. Payments which are equal to or less than the threshold of Category 2 as defined in section 287.017, F.S. and which meet one of the above criteria do not require prior approval of the Chief Financial Officer. The voucher requesting payment must document that the payment meets one of the above criteria.
  - 4. Prior approval of the Chief Financial Officer may be required for Advance Payment in excess of the threshold of Category 2 as defined in section 287.017, F.S.

**Negotiations** – The process of seeking an agreement between the Department and Respondent (or several Respondents), on the cost, levels, and types of services, and terms and conditions of a contract between the two (2) parties.

**Notice of Intent to Award** – A written notice identifying the Provider(s) selected for award of a contract. The Notice of Intent to Award is published on the VBS and is publicly posted for seventy-two (72) hours, excluding weekends and State observed holidays.

**Notice of Non-Compliance** – If the Department fails to have an executed contract in place that is in excess of Category 2 prior to rendering services, and if an emergency does not exist, the BPCA shall submit a completed PUR 1010, “Notice of Non-Compliance” to the DMS at [noncompliance@dms.myflorida.com](mailto:noncompliance@dms.myflorida.com), per Rule 60A-1.016 F.A.C. This is only applicable if the contract is executed within thirty (30) calendar days of the service start date.

**Office of Policy and Budget (OPB)** – The OPB provides coordinated planning, policy development, budgeting and evaluation in support of the Governor, State agencies and State Legislature pursuant to authority under the Florida Statutes; as well as providing departmental planning, policy, and budgetary analyses and recommendations for the Executive Office of the Governor.

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**Office of Supplier Diversity (OSD)** – A division within the DMS, which oversees the state’s Certified Minority Business Enterprise program. The Department notifies the OSD when releasing Competitive Solicitations on the VBS, to ensure compliance with paragraph 287.09451(5)(a), F.S. and Rule 60A-9.003(2)(n) F.A.C.

**One Florida Initiative** – In 1999, Florida's Governor, Jeb Bush, issued Executive Order 99-281, known as the “One Florida” initiative. The Executive Order prohibits the use of affirmative action in state schools' admissions policies, as well as in government employment and state contracting.

**Personal Preference** – When selecting goods, services, or a Provider, personal preference is not allowed. All purchases must be justifiable and show a benefit to the State.

**Procurement** – The act, through utilization of various methods, of obtaining contractual services and commodities for the Department.

**Procurement Justification Form (PJF)** – A Department form completed by the Program Area which documents the method of procurement used to issue or award a contract. The form includes the type of procurement, justification for its use, the names of the individuals involved in the development of specifications for the services sought, the evaluators/negotiators when applicable, the technical advisors when applicable, and/or Provider selection. The PJF must be signed by the Secretary, per s. 287.057, F.S., when the Program Area or Office wants to use an ITN procurement method. Additionally, the PJF must be signed by the Assistant Secretary for the Program Area, or Director for the Administrative Office, for ITNs and RFPs (this cannot be delegated as the Assistant Secretary is already delegated by the Secretary in relation to competitive procurements). For DJJ internal authorized users, the form is located on Share Point at: <https://fldjj.sharepoint.com/sites/contracts/DJJTemplates/Forms/DocCategory.aspx>, in Category 2, Development.

**Procurement Manager** – An employee of the BPCA whose main responsibility is to manage an assigned procurement for compliance with the Department’s policies and procedures, Florida Statutes, and Florida Administrative Codes; facilitate the competitive procurement process; and, other procurement tasks as directed by the BPCA management. BPCA provides customer service and technical assistance to the Program Areas before, during, and after a procurement. This individual is known as a Contract Administrator when a procurement is not in process. If the Procurement Manager is certified as an FCCN, they can serve as the FCCN for their own assigned procurement.

**Program Area** – A specific unit within the Department, which includes the Administrative divisions and offices.

**Project Management Professional (PMP)** – Per 287.057(16)(b), F.S. “If the value of a contract is in excess of \$10 million in any fiscal year, at least one of the persons conducting negotiations must be a PMP, as certified by the Project Management Institute.” DMS shall maintain a list of agency personnel certified as PMPs, assist agencies in determining their PMP needs and assist agencies with preparing and training state agency employees for PMP certification.

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**Protest** – A formal objection by any person or firm who has been adversely affected by a decision or intended decision concerning a competitive solicitation or by a notice of award as per 28-110 F.A.C. An official protest must be submitted in writing within the period prescribed by Chapter 120.57(3), F.S.

**Provider** – Another term used for a vendor, recipient, person, or entity that contracts to provide services and/or commodities to the Department.

**Public Meetings** – Per section 286.011, F.S. the Government-in-the-Sunshine Law, commonly referred to as the Sunshine Law, provides a right of access to governmental proceedings of public boards or commissions at both the state and local levels. The law is equally applicable to elected and appointed boards [i.e., Department Evaluator/Negotiator Team], and applies to any gathering of two or more members of the same board to discuss some matter which will foreseeably come before that board for action. Members-elect to such boards or commissions are also subject to the sunshine law, even though they have not yet taken office. There are three (3) basic requirements of s. 286.011, F.S.: (1) meetings of public boards or commissions must be open to the public; (2) reasonable notice of such meetings must be given; and (3) minutes of the meetings must be taken and promptly recorded. All governmental entities in Florida are subject to the requirements of the sunshine law unless specifically exempted. For further information, see the “Government-in-the-Sunshine Manual” updated annually by the Office of the Attorney General.

**Public Record** – All documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency or contract provider pursuant to its contract with the Department.

**Public Record Request** – Requests may be made in person, by phone, fax, email, or regular mail. The requestor does not have to put the request in writing or state the reason for the request per FDJJ 1910.

**Purchase Order (PO)** – A written agreement created, processed and approved in MyFloridaMarketPlace (MFMP), formalizing a transaction between the Department and a Provider.

**Purchasing Director** – The individual within the Department’s Bureau of General Services, Purchasing & Leasing Office, and acting as the designee of the Department’s Secretary with the task of overseeing part of the public procurement activities for the Department. See FDJJ 1675P for further information concerning the role of this position.

**Purchasing Threshold Categories** – The categories related to specific dollar amounts established by section 287.017, F.S. are currently stated as:

- A. Category 1 - \$20,000.00
- B. Category 2 - \$35,000.00
- C. Category 3 - \$65,000.00
- D. Category 4 - \$195,000.00
- E. Category 5 - \$325,000.00

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**Reference Guide for State Expenditures** – Developed by the DFS, this guide contains information and references to rules, laws and statutes that will assist state agencies and the public regarding state expenditures, as per the CFO Memorandum No. 02 (2019-2020). The most current version of the Reference Guide for State Expenditures may be accessed at the following website, under Manuals, Payments: <https://myfloridacfo.com/Division/AA/Manuals/default.htm>.

**Renewal** – Contracting with the same Provider for an additional contract period after the initial contract period, while the contract is still active, only if pursuant to contract terms specifically providing for such renewal. Per section 287.057(13), F.S.: “Contracts for commodities or contractual services may be renewed for a period that may not exceed three (3) years or the term of the original contract, whichever is longer. Renewal of a contract for commodities or contractual services must be in writing and is subject to the same terms and conditions set forth in the initial contract and any written amendments signed by the parties. If the commodity or contractual service is purchased as a result of the solicitation of bids, proposals, or replies, the price of the commodity or contractual service to be renewed must be specified in the bid, proposal, or reply, except that an agency may negotiate lower pricing. A renewal contract may not include any compensation for costs associated with the renewal. Renewals are contingent upon satisfactory performance evaluations by the agency and subject to the availability of funds. Exceptional purchase contracts pursuant to paragraphs (3)(a) and (c) [of 287.057] may not be renewed. With the exception of subsection (10) [of 287.057], if a contract amendment results in a longer contract term or increased payments, a state agency may not renew or amend a contract for the outsourcing of a service or activity that has an original term value exceeding \$10 million before submitting a written report concerning contract performance to the Governor, the President of the Senate, and the Speaker of the House of Representatives at least 90 days before execution of the renewal or amendment.” Per Rule 60A-1.048 F.A.C., “(1) Contracts for commodities or contractual services may be renewed for a period that may not exceed three (3) years or the term of the original contract, whichever is longer, in varying increments (i.e., a two-year renewal followed by a four-month renewal) or for a single term (e.g., a two-year renewal). The agency shall document that the renewal is in the best interest of the State and keep such justification in the Contract File. (2) Contracts for commodities or contractual services may be renewed and extended in any sequence or combination.” All renewals require documentation be included with the request which documents the Provider’s satisfactory performance with the contract, and a completed and signed Certification Regarding Scrutinized Companies form.

**Request for Information (RFI)** – The RFI from individuals and/or entities to determine a Scope of Work (SOW) or specification prior to issuing a solicitation for bids, proposals or replies. The RFI is not a procurement method and does not imply that a contract, purchase order, or solicitation will be issued.

**Request for Proposal (RFP)** – Per section 287.012, F.S. an RFP is “a written or electronically posted solicitation for competitive sealed proposals.” The Department shall use the RFP when the purposes and uses for which the commodity, group of commodities, or contractual service being sought can be specifically defined and the Department is capable of identifying necessary deliverables. Various combinations or versions of commodities or contractual services may be proposed by a responsive and responsible Respondent to meet the specifications of the RFP.

**Request for Quote (RFQ)** – This is required when a STC or ACS has multiple vendors [Providers] and the purchase is above Category 1 (\$20,000) and higher. A written RFQ is issued by the Department, to

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determine whether a price, term, or condition is more favorable to the Department than that provided in the STC or ACS.

**Respondent** – A person or entity submitting a bid, proposal, or reply to a competitive solicitation.

**Response** – An offer extended to the Department in response to a competitive solicitation. A response to an ITB is a “bid;” a response to an RFP is a “proposal,” and a response to an ITN is a “reply,” as described in section 287.057, F.S.

**Responsible Respondent** – A person or entity who has the capability in all respects to fully perform the contract requirements and the integrity and reliability that will assure good faith performance, per subsection 287.012(25), F.S.

**Responsive Respondent** – A person or entity who has submitted a bid, proposal, or reply that conforms in all material respects to the solicitation, per subsection 287.012(27), F.S.

**Scope of Work (SOW) (Also known as a Scope of Services, or Services Sought)** – This is completed by the Program Area, and is a narrative attached to the solicitation or contract which details the services and/or commodities to be provided, specific eligibility requirements, concrete objectives, tasks and deliverables that are to be accomplished, and any other requirements that affect how the services and/or commodities shall be delivered. It must also specify any reports due and benchmarks for performance, as well as the assigned DJJ Contract Manager’s contact information and correct citations to any Exhibits or Attachments the Program Area includes. All performance measures and deliverables must be verifiable, quantifiable and measurable. Additional requirements for the SOW can be found in section 287.058, F.S. DFS has developed Advancing Accountability training, which can assist the Program Areas in the development of their SOW. The training schedule can be accessed at:  
<https://www.myfloridacfo.com/Division/AA/Training/StateAgency.htm>.

**Scrutinized List of Prohibited Companies** – As identified in Section 287.135, F.S., subsection 215.472(3), F.S., and described on the Florida State Board of Administration website, companies with whom the Department is prohibited from conducting business. The Department includes language regarding the prohibition in its Boilerplate. The most current list is found at:  
<https://www.sbafla.com/fsb/FundsWeManage/FRSPensionPlan/GlobalGovernanceMandates.aspx>.

**Service Level Agreements (SLAs)** – Developed by the BPCA and Program Areas to outline performance expectations.

**Settlement Agreement** – An agreement obligating the Department to expend funds to discharge a financial obligation when the amount owed is under dispute and relates to a contract or purchase order, or as a result of another form of indebtedness. See FDJJ 1410, “Settlement of Non-Litigated Contract Disputes Procedures.”

**Single Source (Also known as a Sole Source)** – The purchase of a service and/or commodity that is available from only one source in accordance with paragraph 287.057(3)(c), F.S. Per subsection 287.057(13), F.S., a Single Source purchase may not be renewed.

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**Solicitation Conference** – An optional meeting allowed during a competitive solicitation, whereby the Department accepts questions from potential Respondents and attempts to answer them during the meeting. Any information communicated through oral communication during the Solicitation Conference shall not be binding on the Department. Information about a solicitation conference is found within each specific solicitation, where applicable. A representative from the Program Area is required to participate in the solicitation conference to answer programmatic questions.

**State Term Contract (STC)** – An indefinite quantity contract established by the DMS, Division of State Purchasing, and used by state agencies pursuant to Section 287.056, F.S. Use of STCs is mandatory for state agencies, in accordance with section 287.056, F.S.

**Subrecipient** – A subrecipient relationship exists between the Department and the Provider when funding from a pass-through entity is provided to perform a portion of the SOW or objectives of the pass-through entity's award agreement with the Department. The determination of whether a subrecipient or vendor relationship exists between the Provider and the Department is determined using the FSAA Checklist for Non-State Organizations – Recipient/Subrecipient versus Vendor Determination form if the contract or rate agreement is funded in part or whole with funds identified with a Catalog of State Financial Assistance (CSFA) number. And, the Recipient/Subrecipient versus Contractor (Vendor) Determination Form – Assistance Listing, makes the determination if the contract or rate agreement is funded in part or whole with funds identified with Assistance Listing funds (formerly referred to as Catalog of Federal Domestic Assistance [CFDA]).

**Sunbiz** – The Florida Department of State, Division of Corporations, is the ministerial filing agency responsible for the administration of the Fictitious Name Act, Section 865.09, F.S. The Division of Corporations Sunbiz is the State of Florida's official business entity index and commercial activity website. A fictitious name is also known as a “doing business as” or “dba.” The Fictitious Name Act requires any person to register their “fictitious name” or “dba” name with the Florida Department of State prior to conducting business in Florida. There are exemptions from this registration per subsection 865.09(7), F.S., which can be found at the following website: <https://dos.myflorida.com/sunbiz/>. The Department will check Sunbiz prior to executing a contract with a Provider to ensure their fictitious name is registered, and active, in Sunbiz.

**System for Award Management (SAM)** – A list of current companies, entities, or individuals that have been declared ineligible to receive Federal contracts due to a violation of Executive Order 11246, as amended; Section 503 of the Rehabilitation Act of 1973, as amended 29 U.S.C. Section 793; and/or the Vietnam Era Veterans’ Readjustment Assistance Act of 1974, as amended, 38 U.S.C. Section 4212. SAM contains the electronic roster of debarred companies excluded from Federal procurement and non–procurement programs throughout the U.S. Government (unless otherwise noted) and from receiving Federal contracts or certain subcontracts and from certain types of Federal financial and nonfinancial assistance and benefits. The SAM system combines data from the Central Contractor Registration, Federal Register, Online Representations and Certification Applications, and the Excluded Parties List System. The website for SAM is: <https://www.sam.gov/SAM/>.

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**Termination** – The ending of the contract prior to it being fully performed by the Provider or the Department, or before the established time period ends. Authorized DJJ internal staff members can find the current BPCA termination process at the following website:  
<https://fldjj.sharepoint.com/sites/contracts/DJJTemplates/Forms/DocCategory.aspx> Category 15, Termination.

**Travel Expenses** – The travel-related costs incurred by a Provider fulfilling a contract or purchase order. These expenses must be authorized in the contract or purchase order, and comply with Rule 69I-42 F.A.C. and subsection 112.061(2), F.S.

**Vendor** – A business entity doing business directly with the Department, such as renting, leasing, or selling any realty, goods, or services. The determination of whether a subrecipient or vendor relationship exists between the Provider and the Department is determined using the FSAA Checklist for Non-State Organizations – Recipient/Subrecipient versus Vendor Determination form if the contract or rate agreement is funded in part or whole with funds identified with a Catalog of State Financial Assistance (CSFA) number. And, the Recipient/Subrecipient versus Contractor (Vendor) Determination Form – Assistance Listing, makes the determination if the contract or rate agreement is funded in part or whole with funds identified with Assistance Listing funds (formerly referred to as Catalog of Federal Domestic Assistance [CFDA]).

**Vendor Bid System (VBS)** – A DMS electronic system used to publicly advertise competitive and Non-Competitive Solicitations. The VBS notifies registered Providers about the release of the solicitation. Other than the initial notification to the vendors on VBS, they may not receive future email notifications of postings; therefore, Department solicitations include statements that interested Providers must monitor the VBS for changes to the solicitation specifications and Calendar of Events. The BPCA Procurement Manager posts solicitations to the VBS in accordance with paragraph 287.042(3)(b) and (c), F.S. and Rule 60A-1.021 F.A.C. The Vendor Bid System is located at:  
[http://www.myflorida.com/apps/vbs/vbs\\_main\\_menu](http://www.myflorida.com/apps/vbs/vbs_main_menu)

## **II. STANDARDS/PROCEDURES**

### **A. Program Area Responsibilities:**

1. The Program Area and other Department Administrative Offices are responsible for various aspects of the CTS as described below. They are required to provide documentation and information as outlined in this policy, in accordance with F.S., F.A.C., and other state agency guidelines for contracts; and serve as the subject matter experts for the services being requested.
  - a. It is the responsibility of the requesting program to provide specifications for the services needed; to monitor contract requirements, utilization rate of contract service, and contract expiration or renewal dates; and to timely issue requests for new procurements.
  - b. The Program Area should review other state agency contracts before issuing a new procurement to determine if cooperative purchasing is an option. This saves the Department and Provider community from long (and sometimes costly) procurements.



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- c. When considering the use of a STC, the Program Area must contact the DMS Contract Manager for the STC to determine if an RFQ is required.
- d. For CTS, the Program Areas must:
  - 1) Initiate a package in CTS;
  - 2) Submit a complete and accurate package to the BPCA;
  - 3) If an incomplete package is submitted, the Program Area must resolve the discrepancies with the BPCA to bring the package to completeness, which may include the Program Area obtaining information from other Departmental offices and subject matter experts;
  - 4) Complete external reviews of actions;
  - 5) Ensure the accuracy of the “Provider” tab in CTS, before submitting any package, including the Provider’s contact information, checking the Provider’s registration in MFMP is active, and Providers with a “dba” are registered in Sunbiz;
  - 6) Maintain the “Budget” tab in CTS, including working with the Bureau of Finance & Accounting if new Budget codes must be added to CTS;
  - 7) Ensure the accuracy of the “Program Definition” tab in CTS, before submitting any package. If edits are needed due to an amendment, the Program Area must work with the primary liaison for CTS Program Definitions (Bureau Chief of Contract Management) prior to submitting the amendment package in CTS;
  - 8) Notify the BPCA if a package needs to be deactivated; and
  - 9) After Budget approval, notify the BPCA if a package needs to be reopened for a CRF revision.
- e. For Competitive Solicitations, the Program Area must:
  - 1) Ensure the individuals selected as team members attend the mandatory scheduled training conducted by the BPCA prior to the start of every RFP or ITN;
  - 2) Ensure the individuals selected as team members have the knowledge and/or experience about the services being procured to actively participate in the competitive solicitation;
  - 3) Adhere to the Calendar of Events set by the BPCA;
  - 4) Participate in the Solicitation Conference Call, when applicable, as the subject matter expert for programmatic questions from interested Respondents;
  - 5) Answer programmatic questions submitted in writing by interested Respondents;
  - 6) Obtain answers to programmatic questions by interested Respondents, including contacting the Department’s Bureau of Contract Management or other Program Areas, when assistance is needed;
  - 7) Submit the answers to the written questions to the BPCA Procurement Manager by the deadline provided by the Procurement Manager;
  - 8) ~~When serving as a Technical Advisor (TA aka Subject Matter Expert),~~ pParticipate at scheduled events in the RFP or ITN process as directed by the Program Area for subject matter content and the Procurement Manager for logistical information when serving as a Technical Advisor (TA aka Subject Matter Expert).; and

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- 9) Write the resulting Contract(s) scope of work for all solicitations.
- f. Work directly with the Provider community unless an active solicitation is in process.
- g. Answer questions from Providers about a contract or amendment.
- h. Ensure requests from the Provider community do not contain any disallowed purchases.
- i. Prior to submitting the package in CTS, contact Providers who require a board or council review of draft actions, and let the BPCA know the period the Provider requires for review and execution of the action.
- j. Assist the BPCA with public record requests.
- k. Submit the OPB Review Requests no less than thirty (30) days prior to the start of the requested action (i.e., extension, renewal or new contract), if applicable.
- l. Complete CRF revisions in accordance with the current CRF Revision Process.
- m. Comply with the BPCA Formatting Standards for SOWs and other documents submitted to the BPCA.
- n. Comply with the current SharePoint naming conventions and Doc Categories which are in the BPCA SharePoint File Maintenance User Guide. This Guide establishes naming conventions and document categories to be used when uploading documents to CTS.
- o. Ensure the content of a SOW complies with: 287.058, F.S., the DFS Reference Guide for State Expenditures, the CFO Memo No. 01 (2019-2020), FDJJ 1050P, FDJJ 1100, FDJJ 1205.01P, FDJJ 1205.10P, FDJJ 1205.20P, FDJJ 1205.40P, FDJJ 1205.60P, FDJJ 1205.70P, FDJJ 1215P, FDJJ 1230P, FDJJ 1235, FDJJ 1240P, FDJJ 1250P, FDJJ 1305P, FDJJ 1306P, FDJJ 1312P, FDJJ 1316P, FDJJ 1320P, FDJJ 1508.03P, FDJJ 1520P, FDJJ 1609.01P, FDJJ 1700, FDJJ 1800PC, FDJJ 1919P, FDJJ 1920P, FDJJ 1925P, FDJJ 2020P, FDJJ 3400P, FDJJ 9325P, and other relevant DJJ policies, DFS and DMS guides, memos, and manuals referenced in this procedure (when applicable).
- p. Respond timely to the BPCA requests for information and/or submit amendment requests to correct audit exceptions, in response to any DFS Contract Pre-Audit.
- q. Ensure attendance for RFP and/or ITN and/or TA trainings for all individuals participating in an RFP or ITN as an Evaluator, Negotiator, and/or Technical Advisor. These trainings are conducted face-to-face or webinar by the BPCA and are available for enrollment through the Department's Learning Management System.
- r. If a Program Area staff member participates as an Evaluator or Negotiator during a competitive solicitation, they must adhere to the Trade Secret requirements of chapter 688, F.S.
- s. Ensure Legislative Intent is met for all actions submitted by the Program Areas.
- t. Complete a Business Case when required for the procurement.
- u. Follow the most current process when Terminating a contract.
- v. Complete the FSAA Checklist for Non-State Organizations – Recipient/Subrecipient versus Vendor Determination form, and/or the Recipient/Subrecipient versus Contractor (Vendor) Determination Form – Assistance Listing, for procurements and new contracts per policy FDJJ 1810.
- w. Write the Scope of Work for the contract resulting from a non-competitive procurement.

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- x. For Non-Competitive actions and renewals, ensure the Certification Regarding Scrutinized Companies form is completed accurately, in its entirety, by the Provider, and is signed and dated by the Provider.

**B. BPCA Responsibilities:**

It is the responsibility of the BPCA staff to:

1. Develop, maintain, and disseminate Department policies, procedures, and guidelines governing procurement activities and contracting practices to Program Areas and the public.
2. Provide technical assistance, training, and administrative guidance with procurement and contract processes and documents to departmental personnel.
3. Monitor the implementation of the BPCA policies and procedures throughout the Department.
4. Develop standard forms and processes for the purchase of contractual services as it relates to issuance of contracts and contract amendments.
5. Prepare reports relative to the Department’s procurement and contracting activities.
6. Serve as the liaison with the DFS in matters relative to contract pre-audit.
7. Facilitate contract budget revisions (CRF Revisions) through coordination with the Program Areas, and update FACTS when necessary.
8. Develop and issue Competitive Solicitations, and issuance of Department contracts, amendments, and settlement agreements. This includes selecting the appropriate BPCA template to complete the action.
9. Ensure the input and accuracy of contract information in the DFS FACTS.
10. Facilitate the procurement process, including for ITNs ensuring an FCCN is present for all negotiations, a PMP serves when required, no personal preference from team members has affected the outcomes, and access is granted to the Bid Library.
11. For Competitive Solicitations, the BPCA Procurement Manager is the single point of contact for the solicitation.
12. Respond to public record requests for information related to the Department’s procurements and contracts.
13. Maintenance of CTS including, but not limited to, training, adding, maintaining system users, adding and maintaining the Provider maintenance table, coordinating with the Department’s Bureau of Information Technology (IT) for system-related matters (e.g. maintenance, enhancements, testing, correction, query development, etc.).
14. Ensure Trade Secret information provided during a solicitation is safeguarded at all times.
15. Maintain the Department’s One Florida Initiative database.
16. Maintain the Department’s Interested Parties List.
17. Advertise competitive procurements in the FAR.
18. Notify the OSD of the release of competitive solicitations on the VBS.
19. Complete and submit quarterly MFMP Waiver Requests.
20. Submit the quarterly report to the DMS listing the less than two bids received for a competitive solicitation.
21. Check the Florida Division of Corporations Sunbiz for new contracts with a “dba” to ensure a potential Provider is registered to conduct business in Florida.
22. Check Providers for new contracts to ensure they are not:
  - a. Listed on the Convicted Vendor List;
  - b. Listed on the Discriminatory Vendor List;

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- c. Listed on the Scrutinized Companies List; and
  - d. Debarred from doing business per the federal SAM.
- 23. Develop and conduct RFP/ITN/TA trainings for Department staff who enroll through the Department’s Learning Management System.
  - 24. Ensure Legislative Intent is met for all actions submitted by the Program Areas. Also, track legislative appropriations that pertain to contract actions, through execution, for the Department.
  - 25. Manage the Boilerplate for all BPCA Contracts.
  - 26. Ensure a Business Case was completed when applicable to the procurement.
  - 27. Facilitate the completion of the DMS Contract Attestation, when applicable, prior to the execution of the contract.

**C. Bureau of General Services Responsibilities:**

Responsible for the procurement of all Department commodity and contractual services not related to service providers, including information technology.

**D. Bureau of Contract Management Responsibilities:**

Responsible for conducting ongoing contract management, coordinating program transitions, processing Provider invoices for contracted services, and managing Provider deficiencies. The Contract Managers serve as the primary liaison between the Department and its Providers. See additional Contract Manager duties, as outlined in FDJJ 2000.

**III. TECHNICAL ASSISTANCE FOR PROVIDERS**

When engaging with Providers who may be interested in providing services to the Department, the Program Areas should encourage the Provider to review the presentation titled “What Providers Need to Know When Doing Business with the State of Florida.” It is located on the Department’s website at: <http://www.djj.state.fl.us/partners/procurement-and-contract-administration/doing-business-with-the-state>. This site also contains information about how prospective Providers can be added to the Department’s Interested Parties list to receive notification when Competitive Solicitations are released to the public, as well as instructions on how to register at the DMS MFMP eProcurement portal, and the VBS where all Competitive and some Non-Competitive procurements are posted.

**IV. TIMEFRAMES FOR PLANNED ACTIONS**

A. Effective September 24, 2013, the BPCA instituted timeframes for all actions managed by BPCA. Adhering to the following minimum time requirements will allow: sufficient time for Providers to respond to solicitations, thereby maximizing competition; management of limited resources and sufficient time for internal and external reviews; reasonable time frames for Provider participation in the document review process; ~~accomplishment of program start-up activities, when appropriate~~; and timely execution of these actions prior to the anticipated service start date. Please note that the minimum time requirement begins with the BPCA’s receipt of a complete package in CTS and ends with the execution of the requested contract or amendment. For program planning purposes and to assist with the development of the Plan-on-a-Page, it may be necessary to allow additional time for the program area’s drafting and submission of a complete package in CTS as well as any post-execution activities, depending upon the type of services being procured. These activities may include but are not limited to: start-up, background screening, employee training, and any other necessary activities which must be completed prior to the beginning of service delivery to youth.

- 1. Invitation to Negotiate (ITN): 12 months

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2. Request for Proposal (RFP): 7 months
3. Invitation to Bid (ITB): 4 months
4. Request for Information (RFI): 4 months
5. Request for Quote (RFQ): 4 months
6. Single Source: 3 months
7. Regulated Exemption: 2 months
8. Small Purchase: 2 months
9. Amendment, including Renewals and Extensions: 6 weeks
10. **RUSH ACTIONS:** Occasionally, it may be necessary to submit requests for rush actions that do not adhere to the above timeframes. Rush actions are typically outside of the control of the Department’s Requestor and should be limited to situations where youth will not receive services, or a Provider will not be paid for services rendered. Justification for each rush action must be submitted to and approved by the BPCA Bureau Chief, or designee, before the action is submitted to BPCA in CTS. A copy of the approval email must also be uploaded to the “Documents” tab in CTS, Category 10. Correspondence, for the RUSH package.

**V. REFERENCES & RESOURCES FOR DRAFTING SCOPE OF WORK (SOW)**

- A. Link to register for the DFS Advancing Accountability:  
<https://www.myfloridacfo.com/Division/AA/Training/StateAgency.htm>.
- B. Link to the DFS Reference Guide for State Expenditures:  
<https://www.myfloridacfo.com/Division/AA/Manuals/documents/ReferenceGuideforStateExpenditures.pdf>.

**VI. BPCA FORMATTING STANDARDS**

The formatting for all documents submitted to, and produced by, the BPCA must comply with the BPCA formatting standards located at the following internal link for **only** DJJ authorized users, Category 02: <https://fldjj.sharepoint.com/sites/contracts/DJJTemplates/Forms/DocCategory.aspx>.

**VII. CTS ACCESS**

To initiate requests for procurement or contract actions, a Department employee must first receive training in the use of the Contract Tracking System (CTS). Training is provided by the BPCA upon request. After completion of CTS training, the BPCA trainer submits information to a BPCA CTS Administrator who completes the necessary JJIS Access Request form. Once the Department’s IT grants access to the JJIS, the CTS Administrator will notify the new CTS user that they will receive a CTS icon on their desktop for immediate use. There is no requirement for a user name and password into the CTS.

The Department utilizes CTS to initiate, route, execute, and maintain the Department’s Service Contracts, Settlement Agreements, and Level 1 Interagency Agreements. Each Program Area and Administrative Office has a liaison with the BPCA, and in this liaison role, the user has been given unique access in CTS. These liaisons are the individuals who initiate packages in CTS in accordance with the guidelines outlined in this policy. For DJJ authorized internal staff, templates for the BPCA forms are located on SharePoint at:

<https://fldjj.sharepoint.com/sites/contracts/DJJTemplates/Forms/DocCategory.aspx>

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A. Competitive Procurements (ITB, RFP, & ITN):

Subsection 287.057(3), F.S. requires that purchases **in excess of \$35,000** (Category 2) be made through a competitive solicitation. It is unlawful, per subsection 287.057(9), F.S., to divide a purchase into smaller purchases in order to avoid this requirement.

1. In CTS, the Program Area shall submit the following in order for the package to be considered complete:
  - a. Complete the “Original” tab in CTS, keeping in mind the minimum timeframes when calculating the Requested Contract Start Date.
  - b. Submit the following in the “Documents” tab in CTS:
    - 1) PJF – not required for an ITB;
    - 2) Conflict of Interest Questionnaire for Program Office – Scope of Work/Specification Development;
    - 3) Business Case, if applicable;
    - 4) FSAA Checklist for Non-State Organizations - Recipient/Subrecipient versus Vendor Determination form, and/or the Recipient/Subrecipient versus Contractor (Vendor) Determination Form – Assistance Listing, if applicable;
    - 5) Services Sought (must include performance measures);
    - 6) Method of Payment(s) intended for resulting Contract(s);
    - 7) Written Response Requirements; (if different from the Evaluation Criteria for Technical Proposal) (required for RFPs and ITNs);
    - 8) Evaluation Criteria for the Technical Proposal (required for RFPs and ITNs);
    - 9) Evaluation Criteria for the Budget (required for RFPs);
    - 10) Presentation Requirements (if applicable, for ITNs only);
    - 11) Facility/Site Requirements Certifications form (for Respondent Proposing Their Owned/Leased Facility) (if relevant to the ITN or RFP);
    - 12) Certification of Experience language (required for RFPs, may be required for ITNs) (as applicable);
    - 13) Criteria for the Evaluation of Provider’s Past & Current Performance (required for RFPs);
    - 14) Comparative Analysis (required for ITNs); and
    - 15) Any additional attachments that are relevant to the services sought (i.e., inventory, minimum requirements for a medical service, etc.).
  - c. **\*NOTE:** If a competitive procurement receives a single or no response, it is still considered to have been competitively procured. Therefore, contracts or rate agreements resulting from such a competitive procurement do not require a cost analysis, or PJF. If the action will result in a no-ceiling Rate Agreement, the Budget tab should reflect \$0, as a CRF budget revision will need to be completed after execution of the Rate Agreement.

B. Competitive Procurement Process Steps:

1. ITN/RFP/TA Trainings – The BPCA provides training to Department staff (and on occasion, outside individuals serving as a team member on our procurement) on their respective roles in the procurement process. Training is provided for RFP Evaluators, ITN Evaluators, Negotiators, and Technical Advisors. Training is provided quarterly and may be provided on

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- an ad-hoc basis, upon request. Credit in the Department’s Learning Management System is given upon successful completion of the training.
2. Developing/Changing Specifications of Competitive Solicitations – The BPCA will develop specifications from the information provided by the Program Area. The completeness of the information will be a factor in determining how rapidly the solicitation can be completed as well as providing assurance that the Program Area will receive the services desired. Before the solicitation is placed in the VBS, the BPCA will send a copy to the Program Area in CTS. It is critically important that the solicitation be reviewed by the Program Area immediately so that if changes are necessary, the BPCA can be notified, eliminating an extended delay in the solicitation process.
  3. Advertising – In accordance with paragraph 287.042(3)(b), F.S., all Competitive Solicitations must be advertised on the VBS for no less than ten (10) calendar days, unless the Department or other agency determines, in writing, that a shorter period is necessary to avoid harming the interests of the state. It must also be advertised in the FAR, a copy of the advertisement is emailed to the OSD, and a copy is sent to the Interested Parties List for the relevant Program Area.
  4. Solicitation Conference Call – the Department has the option of conducting a conference call which allows potential Respondents to ask questions to Department staff concerning the solicitation specifications. The answers provided during this call are non-binding on the Department.
  5. Addendum – Once a solicitation has been issued, most changes shall be accomplished through an addendum to the solicitation completed by the BPCA. Addendums may be issued for questions from potential Respondents and the Department’s answers to those questions, clarifying specifications of the solicitation, as well as correcting any errors or omissions in the solicitation document. Addendums can be protested.
  6. Response Opening – All responses received from Respondents must be submitted to the Procurement Manager for the solicitation, and must remain sealed until the date and time advertised in the solicitation for the response opening. Responses must be received on time; if a response is submitted after the time listed in the solicitation Calendar of Events, the Procurement Manager will not accept the response. If a response is received via the mail room after the date/time for the response opening, the Procurement Manager will open the response solely for the purpose of obtaining the name of the Respondent in order to identify them as non-responsive. The response opening is a public meeting but is not recorded. The Procurement Manager will check the responses received on time against the mandatory criteria listed in the solicitation, to determine if the Respondent is responsive and responsible, as well as checking for other Department-requested requirements/documents that are not mandatory criteria. The Procurement Manager also completes a Conflict of Interest Questionnaire, ensuring no conflict with the Respondent(s) submitting the response(s). The responsive responses are uploaded to CTS/SharePoint for the evaluation team members to access when completing their evaluation(s).
  7. Evaluations of Response(s) – Bids, proposals, and replies will be evaluated by the evaluation team, and others depending on the service being procured. A committee of at least three (3) employees who have experience and knowledge in the respective Program Areas and service requirements will evaluate responses. All evaluation team members, regardless of the type of solicitation that was issued, must complete a conflict of interest questionnaire for each bid,

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proposal, or reply evaluated. Evaluations must be completed in accordance with the evaluation criteria published in the solicitation. Evaluation Team members must: maintain confidentiality of all responses; abstain from discussing the evaluation with anyone except the Procurement Manager; and must complete their scoring individually (cannot talk to other team members).

- a. Sealed bids, proposals, or replies received by the Department pursuant to a competitive solicitation are temporarily exempt from public records requests per subsection 119.07(1) and s. 24(a), Article I of the State Constitution, until such time as the Department provides notice of an intended decision or until thirty (30) days after opening the bids, proposals, or final replies, whichever is earlier.
  - b. Single Response Process – If less than two responsive bids, proposals, or replies for commodity or contractual services purchases are received, the Department may negotiate on the best terms and conditions, per subsection 287.057(5), F.S. The Department shall document the reasons that such action is in the best interest of the state in lieu of resoliciting competitive sealed bids, proposals, or replies.
8. Negotiations – At least three (3) employees shall conduct negotiations who collectively have experience and knowledge in contract procurement, negotiating contracts, and the Program Areas and service requirements for which commodities or contractual services are sought. Negotiators are required to strategically prepare for negotiations by actively participating in all scheduled events. The Department uses standardized documents throughout the negotiation process, at the appropriate points in the process. These include, but are not limited to: Negotiation Strategic Plan, Comparative Analysis Tool, Memorandum of Negotiation, and Secretary Award Recommendation Memo. The process, documents, and tools are updated periodically to incorporate best practices and lessons learned from other procurements. The Department may conduct multiple rounds of negotiations, using a variety of methods (i.e., face-to-face, video-conferencing, or conference calls). After negotiations are conducted, the Department shall award the contract to the responsible and responsive Respondent that will provide the best value to the state.
9. Posting of Award Decisions – Notice of Intent to Award for all competitive solicitations will be posted on the VBS at [http://vbs.dms.state.fl.us/vbs/main\\_menu](http://vbs.dms.state.fl.us/vbs/main_menu) for seventy-two (72) hours excluding weekends and State-observed holidays following the bid opening and/or determination of award to provide adversely affected parties an opportunity to protest the intended award. A contract will not be executed until this requirement has been met. The Department reserves the right to withdraw (cancel) or reject all responses to a solicitation at any time.
10. Protests – Section 120.57, F.S. provides Respondents the opportunity to protest specifications and/or award decisions. A Notice of Intent to Protest must be filed within the seventy-two (72)-hour posting of the original solicitation, addendums, or Notice of Intent to Award posting period. The Procurement Manager must contact the Office of the General Counsel to determine if a Notice of Intent to Protest, or a Formal Protest, has been received.
11. Respondent Satisfaction Survey – Following the completion of each competitive procurement within two (2) business days after the Protest Period has ended (assuming no protests are received) the Procurement Manager will send an email to all Respondents to complete a satisfaction survey. The survey is located at the following link:



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<https://www.surveymonkey.com/r/M8VP9CL>. Survey results will be reviewed by the BPCA management for potential improvements to the procurement process.

**C. Contract(s) Resulting From Competitive Procurements:**

1. In CTS, the Program Area shall complete the following in order for the original contract package to be considered complete:
  - a. Update the “Original” tab in CTS.
  - b. Update the “Budget” tab in CTS.
  - c. Update the “Program Definition” tab in CTS.
  - d. Submit the following in the “Documents” tab, Category 02. Development, in CTS.
    - i. Method of Payment(s) Language and Calculation(s);
    - ii. SOW;
    - iii. Updated FSAA Checklist for Non-State Organizations - Recipient/Subrecipient versus Vendor Determination form, and/or the Recipient/Subrecipient versus Contractor (Vendor) Determination Form – Assistance Listing, if applicable;
    - iv. If the resulting Contract is a result of a competitive procurement where no bids, proposals, or replies were received, or only one bid, proposal, or reply was received, the following are required:
      - 1) Written documentation of the reason why it is in the Department’s best interest to negotiate on the best terms and conditions, and the Provider concurs with the negotiated terms and conditions, instead of resoliciting for competitive sealed bids, proposals, or replies (per 287.057(5), F.S.)
      - 2) Provider concurrence with the final SOW, including points that were negotiated by the program area during the single/no response process;
      - 3) Final approved budget, if applicable;
      - 4) Conflict of Interest Questionnaire for Program Office – Exempt or Emergency Procurements;
      - 5) Signed Scrutinized Companies Certification;
      - 6) Answers to the One Florida Initiative questions; and
      - 7) Cost Analysis, if analysis.
    - v. OPB Approval, if applicable;
    - vi. Any additional attachments that are relevant to the services sought (e.g., inventory, minimum requirements for a medical service, etc.) which are maintained by the appropriate program area or office.
  - e. Update the “Provider Info” tab in CTS, including the Provider’s Contract Manager information. If the Provider is not displayed in the search bar, contact the BPCA Contract Quality Assurance Administrator (CQAA) to have the Provider added to CTS.

**VIII. NON-COMPETITIVE PROCUREMENTS**

- A. Cost Analysis – This is required for almost every contract NOT competitively procured. The only time a Cost Analysis is not required under these conditions is if the procurement is from an STC, as the DMS has already completed the procurement. The Cost Analysis is to be included in the “Documents” tab, Category 07, Non-Competitive, of the CTS package.
- B. Exemption – In CTS, the Program Area shall submit the following in order for the package to be considered complete:

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1. Complete the “Original” tab in CTS, keeping in mind the minimum timeframes when calculating the Requested Contract Start Date.
2. Complete the “Budget” tab in CTS. If the action will result in a no-ceiling rate agreement, enter \$0. A CRF budget revision will be completed after execution of the Rate Agreement.
3. Complete the “Program Definition” tab in CTS.
4. Submit the following in the “Documents” tab, Category 07, Non-Competitive, in CTS:
  - a. PJF;
  - b. Certification Regarding Scrutinized Companies;
  - c. Conflict of Interest Questionnaire for Program Office - Exempt or Emergency Procurements;
  - d. Memorandum of Negotiation, if applicable;
  - e. FSAA Checklist for Non-State Organizations - Recipient/Subrecipient versus Vendor Determination form, and/or the Recipient/Subrecipient versus Contractor (Vendor) Determination Form – Assistance Listing, if applicable.
  - f. If Code 9A for General Appropriations Act (GAA) is used, include a copy of the GAA page showing the appropriation, and/or proposal summary for Special Member Projects;
  - g. Cost Analysis, if applicable;
  - h. Method of Payment; and
  - i. SOW.
5. Complete the “Provider Info” tab in CTS, including the Provider’s Contract Manager information. If the Provider is not showing in the search bar, contact the BPCA Contract Quality Assurance Administrator (CQAA) to have the Provider added to CTS.

**C. Emergency Purchase – In CTS, the Program Area shall submit the following in order for the package to be considered complete:**

1. Complete the “Original” tab in CTS, keeping in mind the minimum timeframes when calculating the Requested Contract Start Date.
2. Complete the “Budget” tab in CTS.
3. Complete the “Program Definition” tab in CTS.
4. Submit the following in the “Documents” tab, Category 07. Non-Competitive, in CTS:
  - a. PJF;
  - b. Certification Regarding Scrutinized Companies;
  - c. Memorandum of Negotiation, if applicable;
  - d. PUR 7800 Form (Notice of Emergency Purchase), which will be completed in conjunction with the Bureau of Procurement & Contract Administration;
  - e. Conflict of Interest Questionnaire for Program Office, Exempt or Emergency Procurements;
  - f. FSAA Checklist for Non-State Organizations - Recipient/Subrecipient versus Vendor Determination form, and/or the Recipient/Subrecipient versus Contractor (Vendor) Determination Form – Assistance Listing, if applicable;
  - g. Cost Analysis, if applicable;
  - h. Method of Payment; and
  - i. SOW.

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5. Complete the “Provider Info” tab in CTS, including the Provider’s Contract Manager information. If the Provider is not showing in the search bar, contact the BPCA CQAA to have the Provider added to CTS.
- D. Small Dollar Purchase – In CTS, the Program Area shall submit the following in order for the package to be considered complete:
1. Complete the “Original” tab in CTS, keeping in mind the minimum time frames when calculating the Requested Contract Start Date.
  2. Complete the “Budget” tab in CTS.
  3. Complete the “Program Definition” tab in CTS.
  4. Submit the following in the “Documents” tab, Category 07. Non-Competitive, in CTS:
    - a. Quotes as required by Rule 60A-1.002(3) F.A.C.;
    - b. FSAA Checklist for Non-State Organizations - Recipient/Subrecipient versus Vendor Determination form, and/or the Recipient/Subrecipient versus Contractor (Vendor) Determination Form – Assistance Listing, if applicable;
    - c. Certification Regarding Scrutinized Companies;
    - d. Method of Payment; and
    - e. SOW.
  5. Complete the “Provider Info” tab in CTS, including the Provider’s Contract Manager information. If the Provider is not showing in the search bar, contact the BPCA CQAA to have the Provider added to CTS.
- E. State Term Contract (An RFO may be required) – In CTS, the Program Area shall submit the following in order for the package to be considered complete:
1. Complete the “Original” tab in CTS, keeping in mind the minimum time frames when calculating the Requested Contract Start Date. **\*NOTE:** Include the State Term Contract number in the “Brief Service Description” field.
  2. Complete the “Budget” tab in CTS.
  3. Complete the “Program Definition” tab in CTS.
  4. Submit the following in the “Documents” tab, Category 07. Non-Competitive, in CTS:
    - a. Method of Payment;
    - b. Memorandum of Negotiation, if applicable;
    - c. FSAA Checklist for Non-State Organizations - Recipient/Subrecipient versus Vendor Determination form, and/or the Recipient/Subrecipient versus Contractor (Vendor) Determination Form – Assistance Listing, if applicable;
    - d. SOW; and
    - e. Any required attachments or exhibits.
  5. Complete the “Provider Info” tab in CTS, including the Provider’s Contract Manager information. If the Provider is not showing in the search bar, contact the BPCA CQAA to have the Provider added to CTS.
- F. Alternate Contract Source (ACS) – In CTS, the Program Area shall submit the following in order for the package to be considered complete:
1. Complete the “Original” tab in CTS, keeping in mind the minimum time frames when calculating the Requested Contract Start Date. **\*NOTE:** Include the ACS contract number in the “Brief Service Description” field.
  2. Complete the “Budget” tab in CTS.
  3. Complete the “Program Definition” tab in CTS.

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4. Submit the following in the “Documents” tab, Category 07. Non-Competitive, in CTS:
    - a. PUR 7102 Form (Agency Request for Approval of Alternate Contract Source);
    - b. Copy of the original ACS contract;
    - c. Copy of (or link to) the competitive procurement from which the ACS was procured;
    - d. FSAA Checklist for Non-State Organizations - Recipient/Subrecipient versus Vendor Determination form, and/or the Recipient/Subrecipient versus Contractor (Vendor) Determination Form – Assistance Listing, if applicable;
    - e. Certification Regarding Scrutinized Companies;
    - f. Memorandum of Negotiation, if applicable;
    - g. Cost Analysis, if applicable;
    - h. Description of services needing to be purchased and/or Scope of Work;
    - i. Any required attachments or exhibits; and
  5. Complete the “Provider Info” tab in CTS, including the Provider’s Contract Manager information. If the Provider is not showing in the search bar, contact the BPCA CQAA to have the Provider added to CTS.
- G. Single Source – In CTS, the Program Area shall submit the following in order for the package to be considered complete:
1. Complete the “Original” tab in CTS, keeping in mind the minimum time frames when calculating the “Requested Contract Start Date.”
  2. Submit the following in the “Documents” tab, Category 07, Non-Competitive, in CTS:
    - a. PJF;
    - b. Certification Regarding Scrutinized Companies;
    - c. PUR 7776 Form (Description of Intended Single Source Purchase);
    - d. PUR 7662 Form (Attestation of No Conflict [of Interest]);
    - e. After the PUR 7778 (Notice of Intended Decision to Enter into a Single Source Contract) is posted to the Vendor Bid System by BPCA, then the BPCA Procurement Manager will notify the Program Area when the protest period ends. Then, the Program Area will complete the following for the resulting Contract.
  3. Complete the “Budget” tab in CTS.
  4. Complete the “Program Definition” tab in CTS.
  5. Submit the following in the “Documents” tab, Category 07. Non-Competitive, in CTS:
    - a. FSAA Checklist for Non-State Organizations - Recipient/Subrecipient versus Vendor Determination form, and/or the Recipient/Subrecipient versus Contractor (Vendor) Determination Form – Assistance Listing, if applicable;
    - b. Cost Analysis, if applicable;
    - c. Memorandum of Negotiation, if applicable;
    - d. Method of Payment; and,
    - e. SOW.
  6. Complete the “Provider Info” tab in CTS, including the Provider’s Contract Manager information. If the Provider is not showing in the search bar, contact the BPCA CQAA to have the Provider added to CTS.
- H. Request for Information (RFI) (*While this option appears in CTS under Non-Competitive Procurement, an RFI is **NOT** a procurement instrument per subsection 287.012(22), F.S.*). – In CTS, the Program Area shall submit the following in order for the package to be considered complete:

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1. Complete the “Original” tab in CTS, keeping in mind the minimum timeframes when calculating the “Requested Contract Start Date.” *This field is a mandatory requirement, even though a contract will not result from the RFI.*
  2. Submit the Services Sought in the “Documents” tab, Category 07, Non-Competitive, in CTS, and provide instruction on what the Program Area expects the Providers to return to the Department.
- I. Request for Quote (RFQ) – In CTS, the Program Area shall submit the following in order for the package to be considered complete:
1. Complete the “Original” tab in CTS, keeping in mind the minimum time frames when calculating the “Requested Contract Start Date.”
  2. Submit the following in the following in the “Documents” tab in CTS:
    - a. Services Sought.
  3. After the quotes are received, then the BPCA Procurement Manager will upload the quotes to CTS and notify the Program Area to complete the following for the resulting contract(s) *[if the Program Area chooses to move forward with the quote(s)]*:
  4. Complete the “Budget” tab in CTS.
  5. Complete the “Program Definition” tab in CTS.
  6. Submit the following in the “Documents” tab, Category 07. Non-Competitive, in CTS:
    - a. SOW;
    - b. Certification Regarding Scrutinized Companies;
    - c. Memorandum of Negotiation, if applicable;
    - d. Method of Payment;
    - e. FSAA Checklist for Non-State Organizations - Recipient/Subrecipient versus Vendor Determination form, and/or the Recipient/Subrecipient versus Contractor (Vendor) Determination Form – Assistance Listing, if applicable; and
    - f. Cost Analysis, if applicable.
  7. Complete the “Provider Info” tab in CTS, including the Provider’s Contract Manager information. If the Provider is not showing in the search bar, contact the BPCA CQAA to have the Provider added to CTS.
- J. Interagency Agreements – Level 1 Interagency Agreements are required to be placed into CTS and must conform to DMS and DFS requirements for contracts. See FDJJ 2040.

**IX. AMENDMENT REQUIREMENTS FOR A COMPLETE PACKAGE**

- A. Provider Concurrence or Memorandum of Negotiation documenting the Provider is in agreement with, or accepts, the changes the Program Area is proposing to change in the executed contract.
- B. Certification of Scrutinized Companies form signed by the Provider (if the Amendment is for a renewal).
- C. OPB approval if adding \$1M or more, or if amount being added increases the total over \$1M for the first time.
- D. Proposed language changes using DJJ’s accepted formatting method of strikethroughs for removing text, and underlining for adding text, for all language found in Attachments and Exhibits (excludes the Boilerplate only), ensuring language is revised from most recently executed action, and include correct page number and reference citations.
- E. Renewals – documentation of Provider’s current performance (not required for LIA renewals per BPCA Bureau Chief’s 4/15/19 e-mail).

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- F. When adding funding, if adding funds from a CSFA or CFDA, update the Budget tab, revise the FSAA Checklist for Non-State Organizations - Recipient/Subrecipient versus Vendor Determination form, and/or the Recipient/Subrecipient versus Contractor (Vendor) Determination Form – Assistance Listing, and determine if the relationship changes from a vendor to a subrecipient. If the Provider becomes a subrecipient, update the Attachment I language to reflect new expenditure reporting requirements.
- G. Update the Program Definition tab using the OPA Program Definition Change Request form; or if no update to Program Definition is needed, state such on the Notes tab of the CTS Amendment package.

**X. OFFICE OF POLICY AND BUDGET (OPB) REVIEW**

Per the OPB Memo #12-019, OPB review is required for all contract changes of \$1 million or more. OPB Reviews are required for all two-party agreements, including contracts, rate agreements, MOUs, etc. Additionally, the \$1 million threshold applies to the total contract amount over the life of the contract (i.e. a \$900,000 contract with a \$200,000 amendment now totaling \$1.1 million would need OPB review). OPB review can take thirty (30) days or more. Program Areas must complete the OPB Review Template and submit it to the Chief of BPCA in a timely manner. Actions requiring OPB approval will not route in CTS until the approval is received. For DJJ authorized users, the template is located on Share Point, Category 02, at:

<https://fldjj.sharepoint.com/sites/contracts/DJJTemplates/Forms/DocCategory.aspx>

**XI. CONTRACT REVIEW FORM (CRF) REVISIONS**

The procedures for processing an internal CRF Revision are located at

<https://fldjj.sharepoint.com/sites/contracts/DJJTemplates/Forms/DocCategory.aspx> under Category 11, Contracts.

**XII. PUBLIC RECORD REQUESTS**

For information or guidance pertaining to requests for Department records, see FDJJ 1910/1910P.

**XIII. CONFIDENTIAL, PROPRIETARY, OR TRADE SECRET MATERIAL**

The Respondent is responsible for identifying Trade Secret information and documentation in any bid, proposal, or reply submitted to the Department in response to a competitive solicitation. The BPCA Procurement Manager is responsible for reviewing the submitted bid, proposal or reply against the solicitation requirements for Trade Secret responses. If the submitted response contains Trade Secret material, the Procurement Manager ensures the required redacted copy of the response has been provided by the Respondent. The Evaluators and/or Negotiators assigned to the competitive solicitation are responsible for safeguarding Trade Secret information and documentation during public and privately recorded meetings. Although cumbersome, during discussions involving Trade Secret information, it will be necessary for the Department's Negotiation Team Lead to notify the Procurement Manager to stop recording, and restart when the Trade Secret portion of the discussion has concluded. Trade Secret materials identified in the written response, as well as in any recordings, must be protected, and doing so will protect both the Department and the Respondent.

**XIV. NOTICE OF NON-COMPLIANCE**

- A. If the Department fails to have an executed contract in place that is in excess of Category 2 prior to rendering services, and if an emergency does not exist, the BPCA shall submit a completed PUR

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1010, “Notice of Non-Compliance” to the DMS at [noncompliance@dms.myflorida.com](mailto:noncompliance@dms.myflorida.com) per Rule 60A-1.016, F.A.C.

- B. This is only applicable if the contract is executed within thirty (30) calendar days of the service start date.
- C. Form PUR 1010 is located at:  
[https://www.dms.myflorida.com/business\\_operations/state\\_purchasing/documents\\_forms\\_references\\_resources/state\\_purchasing\\_pur\\_forms](https://www.dms.myflorida.com/business_operations/state_purchasing/documents_forms_references_resources/state_purchasing_pur_forms).
- D. The BPCA will complete this form and route it in conjunction with the contract for review and signature by the Department Secretary, or his/her designee.

**XV. SETTLEMENT AGREEMENTS**

For information or guidance pertaining to Settlement Agreements, see policy FDJJ 1410/1410P.

**XVI. CTS QUERY FACILITY**

The CTS Query Facility provides a mechanism to extract data and run reports from CTS. The Query Facility is an internal system accessible to only DJJ authorized staff, contains most data elements in CTS, and can be used to provide information on a wide variety of subjects for several Department stakeholders. Due to the large volume of information, the system is divided into several “Views” including: Contracts, Budget, FACTS, Procurement, Activities, Risk Assessment, Settlement Agreement, and Open Actions. For information or guidance pertaining to the CTS Query Facility, the User Guide and Query Facility are located at: <http://jjiisweb264/QueryFacility/Home/Home.aspx>

**XVII. HELPFUL LINKS**

[Boilerplate](#) (DJJ Internal Authorized Users – SharePoint, Category 11)  
<https://fldjj.sharepoint.com/sites/contracts/DJJTemplates/Forms/DocCategory.aspx>

[Boilerplate](#) (External Users – Department’s Website Titled Attachment G)  
<http://www.djj.state.fl.us/partners/procurement-and-contract-administration>

[Chief Financial Officer’s Reference Guide for State Expenditures](#)  
<https://www.myfloridacfo.com/Division/AA/Manuals/documents/ReferenceGuideforStateExpenditures.pdf>

[Comptroller/Chief Financial Officer \(CFO\) Memoranda](#)  
<https://www.myfloridacfo.com/Division/AA/Memos/default.htm>

[Contract Attestation](#)  
[https://www.dms.myflorida.com/business\\_operations/state\\_purchasing/documents\\_forms\\_references\\_resources/purchasing\\_memos\\_rules\\_and\\_statutes/state\\_purchasing\\_numbered\\_memoranda](https://www.dms.myflorida.com/business_operations/state_purchasing/documents_forms_references_resources/purchasing_memos_rules_and_statutes/state_purchasing_numbered_memoranda)

[Department of Management Services PUR Forms](#)  
[https://www.dms.myflorida.com/business\\_operations/state\\_purchasing/documents\\_forms\\_references\\_resources/state\\_purchasing\\_pur\\_forms](https://www.dms.myflorida.com/business_operations/state_purchasing/documents_forms_references_resources/state_purchasing_pur_forms)

**FLORIDA DEPARTMENT OF JUVENILE JUSTICE**  
**SUBJECT: Procurement and Contract Administration Procedures**  
**SECTION: FDJJ – 2050P**

[FSAA Checklist for Non-State Organizations - Recipient/Subrecipient versus Vendor Determination Form](https://fldjj.sharepoint.com/sites/contracts/DJJTemplates/Forms/DocCategory.aspx) (DJJ Internal Authorized Users – SharePoint, Category 02)  
<https://fldjj.sharepoint.com/sites/contracts/DJJTemplates/Forms/DocCategory.aspx>

[Interested Parties List](http://www.djj.state.fl.us/partners/procurement-and-contract-administration)  
<http://www.djj.state.fl.us/partners/procurement-and-contract-administration>

[Termination Process](https://fldjj.sharepoint.com/sites/contracts/DJJTemplates/Forms/DocCategory.aspx) (DJJ Internal Authorized Users – SharePoint, Category 15)  
<https://fldjj.sharepoint.com/sites/contracts/DJJTemplates/Forms/DocCategory.aspx>

[OPB Review Template](https://fldjj.sharepoint.com/sites/contracts/DJJTemplates/Forms/DocCategory.aspx) (DJJ Internal Authorized Users – SharePoint, Category 02)  
<https://fldjj.sharepoint.com/sites/contracts/DJJTemplates/Forms/DocCategory.aspx>

[Recipient/Subrecipient versus Contractor \(Vendor\) Determination Form – Assistance Listing](https://fldjj.sharepoint.com/sites/contracts/DJJTemplates/Forms/DocCategory.aspx) (DJJ Internal Authorized Users – SharePoint, Category 02)  
<https://fldjj.sharepoint.com/sites/contracts/DJJTemplates/Forms/DocCategory.aspx>