

POLICY 450.02: COMPETITIVE PROCUREMENTS

OBJECTIVE	Establish policies for the competitive procurement of Goods and Services, required by the Aviation Authority.
POLICY	The Aviation Authority's policies regarding Competitive Procurements are included herein, in Policy 450.02.
DEFINITIONS	See definitions as described in 450.01, Procurement Introduction and Definitions
SCOPE	<p>Except as described in Policy Section 450.03, Non-Competitive Procurements, awards for Goods and Services shall be through a Competitive Solicitation process. Procurement Services management shall select one of the following methods of procurement, or such other method permitted by Florida law:</p> <ul style="list-style-type: none">i. Informal Solicitation Methods:<ul style="list-style-type: none">• Request for Quotations (RFQ)• Online Reverse Auctionii. Formal Competitive Solicitation Methods:<ul style="list-style-type: none">• Invitation for Bids (IFB)• Requests for Proposals (RFP)• Statement of Qualifications (SOQ)• Invitation to Negotiate (ITN)• Multi-Step Solicitation
THRESHOLD AMOUNTS	<p>Unless a purchase is made using a non-competitive method, the following thresholds apply:</p> <ul style="list-style-type: none">• The Formal Competitive Solicitation Threshold is \$250,000 or the competitive threshold specified in F.S. 332, whichever is less.• Below the Formal Competitive Solicitation Threshold, informal quote request method may be utilized.

Amounts to be considered when estimating the value of a procurement:

- Executed Contracts: the value of the entire contract term, including options for extension, if any.
- Purchase Orders without a separate Contract: the value of the PO.
- Blanket Purchase Agreements: the value of the full term of the Blanket Purchase Agreement.

This policy does not prohibit the use of a formal competitive solicitation method for purchases with an estimated value below the formal competitive threshold.

NOTICE OF SOLICITATIONS

All informal solicitations may be advertised at the Procurement Agent's discretion. All formal competitive solicitations, at a minimum, shall be advertised on the Aviation Authority's webpage via the E-Procurement System. The Procurement Agent and the User Department should engage in additional forms of notice when the importance of the procurement is such that expanded notice would be beneficial to attract greater competition.

SPECIFICATIONS AND SCOPE OF WORK

All solicitations requests shall be accompanied by sufficient project documentation. The preparation of specifications/scope of services/scope of work is the responsibility of the User Department. This documentation shall permit to the greatest extent possible competition, except on proprietary materials or services, at the sole discretion of the Procurement Agent. Specifications should define the level of performance required rather than a specific design or brand name. Specifications shall be clear, concise, and complete, providing the salient characteristics required by the User Department.

SOLICITATION RESPONSES

Solicitation responses are accepted in electronic format via the e-procurement platform; however, in case of a confirmed system outage of the e-procurement platform, physical responses may be accepted at the Procurement Agent's discretion.

TIE BREAKING

Occasionally solicitations end in a tie. When this occurs, the Procurement Agent will consider following, in an attempt to break the tie in the order listed below:

1. Drug-Free Workplace
2. Certified MWBE Companies.
3. Request Offerors to submit best and final pricing.
4. Offeror whose principal place of business is located in Orange, Lake, Osceola, Polk, and Seminole Counties.
5. Game of chance – Coin toss.

MULTIPLE SCHEDULE AWARD

The Aviation Authority reserves the right to award bids and proposals to some or all Offerors if it's deemed to be in the best interest of the Aviation Authority.

PERFORMANCE GUARANTEE

A performance guarantee, such as a Performance Bond or letter of credit, may be required for solicitations that include services to be performed in which the estimated annual amount of the award, based on the budget developed by the Aviation Authority for the solicitation, equals or exceeds \$300,000 per annum. The amount of the performance guarantee shall be established for each solicitation by the Senior Vice President of Procurement Services.

REJECTION OR CANCELLATION OF BIDS AND PROPOSALS

The Aviation Authority reserves the right to cancel a formal solicitation or reject the responses received.

- Prior to the solicitation due date, the solicitation may be cancelled at the discretion of the Senior Vice President of Procurement Services
- After the solicitation due date, for new procurements up to \$250,000:
 1. The Senior Vice President of Procurement Services of Procurement Services may cancel Request for Quotes, Invitation for Bids or Non-Competitive Procurements before a Procurement Committee (or an assigned Ad Hoc Committee) recommendation;
 2. The Procurement Committee (or an assigned Ad Hoc Committee) or the Chief Executive Officer may cancel Requests for Proposals, Invitations for Negotiations, and Statement of Qualifications.

- After the solicitation due date, for any procurements greater than \$250,000 but less than \$1,000,000, the Procurement Committee (or an assigned Ad Hoc Committee) or the Chief Executive Officer may cancel the procurement.
- After the solicitation due date, for procurements greater than \$1,000,000, the Procurement Committee (or an assigned Ad Hoc Committee) or the Chief Executive Officer may recommend cancellation of the procurement to the Aviation Authority Board.

UNREASONABLY LOW QUOTES, BIDS OR PROPOSALS

The Aviation Authority reserves the right to reject a solicitation response that is unreasonably low. “Unreasonably low” means that requiring the Offeror to perform at that price would reasonably be expected to result in unacceptable quality of performance or abandonment of the project. In order for a Bid or Proposal to be considered unreasonably low, it must be at least twenty-five (25) percent lower than the next lowest Bid or Proposal. When the Aviation Authority suspects that a responsive Bid or Proposal is unreasonably low, the Aviation Authority may request the Offeror to reconsider the response. The Offeror can either confirm its price or withdraw its bid or proposal. Within ten (10) business days from the date of the Aviation Authority’s request for reconsideration (three (3) business days for quotes), the Offeror shall inform the Aviation Authority of its position and provide supporting documentation. Proceeding with such procurement shall be at the discretion of the Senior Vice President of Procurement Services. If the Offeror does not provide its position as requested, it may be considered non-responsive.

REQUEST FOR QUOTATIONS (RFQ)

Utilizing professional discretion, a Procurement Agent may request, through an informal process, one (1) or more quotes up to \$65,000 purchase value for each resulting Purchase Order. For procurements in excess of \$65,000 but below the Formal Competitive Threshold, the Procurement Agent shall request two (2) or more quotes through an informal process for each resulting Purchase Order. If two (2) quotes cannot be obtained; good faith effort shall be documented.

Purchases shall not be split in order to circumvent policy.

INVITATION FOR BIDS (IFB)

For purchases in excess of the formal competitive threshold, an IFB may be prepared and issued to prospective Bidders, with the goal of awarding the lowest bid that meets the specification provided by the Aviation Authority.

Correction or Withdrawal of Bids:

Correction or withdrawal of inadvertently erroneous bids is permitted up to the time of bid opening. After bid opening, no change in bid prices or other provisions is permitted; however, minor irregularities may be waived by the Aviation Authority. No bid may be withdrawn for a period of ninety (90) days after the time scheduled for bid opening, or as otherwise stated in the IFB.

Bid Verification:

The Procurement Agent shall verify that the bid response fulfills the specifications and requirements set forth in the IFB. Bidders shall be both responsive and responsible.

Bid Award:

The bid will be awarded, if an award is made, to the responsible and responsive Bidder offering the lowest price whose bid meets the requirements and criteria set forth in the IFB. The bid may require a Contract. If only one (1) response is received, the Aviation Authority may re-solicit or may procure such Goods and Services by Direct Negotiation as indicated in Policy 450.03, Non-Competitive Procurements. If no responsive and responsible bids are received or all bids are rejected, the Aviation Authority may re-solicit, or may procure such Goods and Services by direct negotiation as indicated in Policy 450.03, Non-Competitive Procurements.

Split or Partial Bid Award:

GOAA reserves the right to make awards by individual item, groups of items, all or none, or a combination thereof, with one or more Bidders. Recommendation for award, if made, will be to the responsive and responsible Bidder, who provides the lowest overall or line by line at the discretion of the Procurement Agent.

**REQUEST FOR
PROPOSALS (RFP)**

When the Aviation Authority determines, after coordination with the User Department's Vice President that the use of an IFB is not practical or not advantageous, the Aviation Authority may procure Goods, Services, or Professional Services through receipt of competitive sealed proposals. Competitive sealed proposals are solicited through the use of an RFP, with the goal of obtaining competitive responses.

Correction or Withdrawal of Proposals:

Correction or withdrawal of inadvertently erroneous proposals is permitted up to the time of the opening of proposals. After opening,

no change in proposed amount or other provisions is permitted; however, minor irregularities may be waived by the Aviation Authority. No proposal may be withdrawn for a period of ninety (90) days after the time scheduled for proposal opening, or as otherwise stated in the RFP.

Proposal Criteria:

The RFP will identify the criteria to be considered and evaluated as the basis of award.

Evaluation Factors:

Proposals submitted by Responsible and Responsive Proposers are evaluated by Aviation Authority staff based upon the criteria applicable to the RFP. All proposals (or the most acceptable Proposals in the discretion of the committee evaluating Proposals) will be ranked in order of their acceptability to the Aviation Authority, giving consideration to the criteria. The Aviation Authority has no obligation to award the Contract to the Proposer who proposes the lowest price.

The Aviation Authority reserves the right to further negotiate with a Responsive and Responsible Proposer who has been selected for award or to reject any or all proposals for any reason whatsoever.

Contract Award:

The Contract will be awarded, if award is made, by the Aviation Authority to the Responsive and Responsible Proposer whose proposal is determined, in the Aviation Authority's exclusive discretion, to be the most advantageous to the Aviation Authority, taking into consideration price, qualifications, and other factors as indicated in the RFP. The RFP will contain the basis on which the award is to be made. If only one (1) response is received, the Aviation Authority may re-solicit or may procure such Goods and Services by Direct Negotiation as indicated in Policy 450.03, Non-Competitive Procurements. If no responsive and responsible proposals are received or all proposals are rejected, the Aviation Authority may re-solicit or may procure such Goods, Services, and Professional Services by direct negotiation as indicated in Policy 450.03, Non-Competitive Procurements.

**INVITATION TO
NEGOTIATE (ITN)**

An ITN may be used when the Aviation Authority determines it is in its best interest to commence negotiation of price and other factors prior to recommendation of award. An ITN may be used for Goods or Services when the scope of work is complex or difficult to define, if strict comparison of Goods and Services required may be difficult

because components are likely to vary among Proposers, or in any situation in which it is in the Aviation Authority's best interest to negotiate prior to recommendation of award to obtain the Goods or Services that best meets the Aviation Authority's needs, price and other factors being considered.

Procedural Requirements:

The procedure for soliciting and opening initial responses to an ITN shall be the same as described herein for competitive sealed proposals.

ITN Criteria:

The ITN will identify the criteria to be considered during the evaluation of proposals.

Evaluation Factors:

All responsive and responsible proposals submitted are evaluated based upon the criteria applicable to the ITN. Clarification of information submitted in the proposal may be requested. The Aviation Authority reserves the right to waive any informalities or irregularities of proposals, to request additional information from any Proposer, or to reject any or all responses for any reason whatsoever.

Negotiations:

The Aviation Authority may, at its sole discretion, shortlist qualified firms that are deemed to best meet the Aviation Authority's requirements, taking into consideration all criteria listed in the ITN, which may include price. The Aviation Authority may, at its sole discretion, ask for formal presentations from all of the Responsive and Responsible Proposers, or only from those firms that are short-listed, if short-listing is determined to be in the best interest of the Aviation Authority. Negotiations will be conducted with all of the Proposers or, if short-listing occurs, with one or more of the short-listed Proposers. Proposers that participate in the negotiations may be given an opportunity to submit their Best and Final Offers.

Contract Award:

The Contract will be awarded, if an award is made, by the Aviation Authority to the Responsive and Responsible Proposer whose proposal is determined to be the most advantageous to the Aviation Authority, taking into consideration price and other factors as indicated in the ITN. The Aviation Authority has no obligation to award the Contract to the proposer that submits the lowest price.

STATEMENT OF QUALIFICATIONS (SOQ)

When it is determined to be in the Aviation Authority's best interest to evaluate the experience and qualifications of a Service provider, without regard to price or prior to considering price, an SOQ may be used.

Opening and evaluating statements of qualifications shall be the same as described herein for competitive sealed proposals. Service providers whose qualifications meet the criteria established in the SOQ, at the sole discretion of the Aviation Authority, may be considered for Contract award by participation in the completion of a multi-step solicitation, as described below.

MULTI-STEP SOLICITATION

The Aviation Authority may initiate one of the multi-step solicitation processes described below when in the Senior Vice President of Procurement Services' discretion, in concurrence with the User Department's Vice President, it is: a) impractical to prepare an adequate or complete description of the Goods or Services desired (due to insufficient data, uncertain requirements, unfamiliar market options, etc.), (b) the Aviation Authority desires to identify a field of qualified Proposers, out of a broader field of Proposers, or (c) the Aviation Authority believes a multi-step process would best serve its purposes.

Consecutive Multi-Step Process

The Aviation Authority may request unpriced proposals or statements of qualifications to be evaluated based on the criteria in the RFP or the SOQ for the purpose of identifying qualified providers of goods and/or services (shortlisting). The Aviation Authority may request demonstrations, samples, or may conduct interviews with Proposers.

After identifying a field of most qualified Proposers, the Aviation Authority may, at the discretion of the Senior Vice President of Procurement Services in concurrence with the User Department's Vice President, either (a) follow an IFB or RFP solicitation process among the field of vendors identified; or (b) procure such Goods, Services, or Professional Services through one of the exceptions to the Competitive Award process described in Policy 450.03, Non-Competitive Procurements.

Simultaneous Multi-Step Process

The Aviation Authority may request that proposals be submitted at the same time but in two separate envelopes, with pricing information contained in the "Price Proposal Envelope" and all other requested information contained in the other "Qualifications Envelope". The proposals from the "Qualifications Envelope" will be evaluated in

accordance with the requirements set forth in the RFP, initially without regard to price and without opening the envelope containing pricing information. The Aviation Authority may conduct interviews with Proposers to aid in the identification of qualified or most qualified Proposers. Based on such evaluation, the Aviation Authority will establish a field of qualified or most qualified Proposers (Shortlist).

After establishing a field of qualified or most qualified Proposers, the Aviation Authority will open the pricing envelopes of only the qualified or most qualified Proposers, and evaluate such pricing information in the manner described in the RFP for purposes of recommending/making an award (e.g. most advantageous proposal, price and other factors considered, or low price submitted by qualified Proposers). In the absence of specific instructions to the contrary in the RFP, pricing information will be evaluated together with all other information required by the RFP for purposes of selecting among the qualified field of Proposers the most advantageous Proposal, price and other factors considered.

CONTINUING CONTRACTS

When it is in the best interest of the Aviation Authority to have pre-qualified, Continuing Contracts because of the need to provide quick-response, repetitive Services or a range of Services or Professional Services within a specific field of expertise, the Aviation Authority may use any appropriate procurement method, at the discretion of the Senior Vice President of Procurement Services, to identify one or more continuing contractors. The purpose is to identify one or more continuing contractors that demonstrate the ability to perform a particular type of Service during a specified Contract period.

When there is more than one continuing contractor available to perform the specific scope of work defined, the process for award of the work is set forth below:

- a) Work may be rotated during the Contract period between the continuing contractor(s) that were selected to perform the general type of Services required; or,
- b) Award may be made to the continuing contractor that is deemed, based on its original Proposal, to be most advantageous to the Aviation Authority for the specific scope of work required, price and other factors being considered and without regard to rotation among selected contractors; or,
- c) Quotations, Bids or Proposals may be requested from the pre-qualified continuing contractor(s) that were selected to perform the general type of Services or Professional Services

required. The Aviation Authority may select the continuing contractor whose quotation, bid, or proposal is deemed to be most advantageous to the Aviation Authority to perform the specific scope of work required.

**OTHER ENTITY
CONTRACTS (OEC)
OR PIGGYBACKING**

The Aviation Authority may acquire Goods, Services, and Professional Services from a Supplier having a requirements contract, annual agreement, or multi-year contract with any public entity (e.g., federal, state, county, city, authority, school board, buying cooperative, etc.) for Goods, Services, or Professional Services described in such contract and at prices or discounts equal to or more favorable than any set forth in such Contracts. This provision only applies to OECs that have been publicly advertised and competed.

If a quote or proposal, based on an OEC, contains some (but not all) open market items, the entire resulting purchase is considered an OEC purchase.

**PUBLIC PRIVATE
PARTNERSHIPS (P3)**

The Aviation Authority may use P3 procurement methods in accordance with F.S. 255.065.

**ONLINE REVERSE
AUCTION**

The Aviation Authority reserves the right to utilize this procurement method when advantageous. The process will be specified in the Solicitation Documents.

REFERENCE

450.01, Procurement Introduction and Definitions
450.03, Non-Competitive Procurements
450.04, Approval Authorizations and Documentation

APPROVAL AND UPDATE HISTORY

LAST APPROVAL

Aviation Authority Board: December 11, 2024
Chief Executive Officer: September 18, 2024

SUPERSEDES

All Previous