AGENDA

REGULAR MEETING OF THE CAPE CORAL CHARTER SCHOOL GOVERNING BOARD

Tuesday, August 13, 2019
City of Cape Coral Council Chambers
5:30 PM

1. CALL TO ORDER

A. Chairman Michael Campbell

2. MOMENT OF SILENCE:

A. Chairman Michael Campbell

3. PLEDGE OF ALLEGIANCE:

A. Chairman Michael Campbell

4. ROLL CALL:

A. Chairman Michael Campbell, Vice-Chair Tami Traiger, Vanessa Metzger, Guido Minaya, Susan Mitchell, Jennifer Nelson, Dist 4, Angela Ticich

5. APPROVAL OF MINUTES:

A. Approval of Governing Board Minutes, Meeting June 11, 2019

6. APPROVAL OF AGENDA REGULAR MEETING:

A. Approval of Regular Governing Board Meeting of August 13, 2019

7. PUBLIC COMMENT:

A. Public Comment is limited to three(3) minutes per individual; 45 minutes total comment time.

8. CONSENT AGENDA:

A. Approval of City of Cape Coral Procurement Policies and Procedures Manual - MaryAnne Moniz, Business Manager and Danielle Jensen, Procurement Director

B. Approval of City of Cape Coral Charter School Authority Wellness

Policy - Danielle Jensen, Procurement Director

C. Approval of Unpaid Meals Policy - Danielle Jensen, Procurement Director

D. Approval of NEOLA Policy "CASH POSITION ANALYSIS" - MaryAnne Moniz, Business Manager

E. Approval of NEOLA Policy "CAPITAL ASSETS" - MaryAnne Moniz, Business Manager

F. Approval of NEOLA Policy "REFUNDS" - MaryAnne Moniz, Business Manager

G. Approval of Personnel Movements June - August 2019 including Discussion of Chris Cann Leave of Absence Request- Superintendent Collins

9. SUPERINTENDENT REPORT:

A. Superintendent Jacquelin Collins

10. CHAIRMAN REPORT:

A. Chairman Michael Campbell

11. FOUNDATION REPORT:

A. Gary Cerny, President

12. STAFF COMMENT:

A. Kevin Brown, Principal, Christa McAuliffe Elementary, MaryBeth Grecsek, Principal, Oasis Elementary, Donnie Hopper, Principal, Oasis Middle School, Dr. Christina Britton, Principal, Oasis High School, Danielle Jensen, Director of Procurement, Brent Richardson, Building Maintenance Supervisor, William Wolter, Transportation Director, Frank Haba, OHS Athletic Director

13. UNFINISHED BUSINESS:

A. No Activity

14. NEW BUSINESS:

A. Approval of Cape Coral Charter School Authority Adopted Operating Budget FY2020-2022 - MaryAnne Moniz, Business Manager

15. FINAL BOARD COMMENT AND DISCUSSION:

16. TIME AND DATE OF NEXT MEETING

A. The Next Regular Governing Board Meeting will be held on Tuesday, September 10, 2019 at 5:30p.m. in Cape Coral City Council Chambers, 1015 Cultural Park Blvd., Cape Coral, FL 33990

17. ADJOURNMENT:

Members of the audience who address the Board/Commission/Committee shall step up to the speaker's lectern and give his/her full name, address and whom he/she represents. Proper decorum shall be maintained at all time. Any audience member who is boisterous or disruptive in any manner to the conduct of this meeting shall be asked to leave or be escorted from the meeting room.

In accordance with the Americans with Disabilities Act and S.S. 286.26, Florida Statutes, persons needing a special accommodation to participate in this proceeding should contact the Human Resources Department whose Office is located at Cape Coral City Hall, telephone 1-239-574-0530 for assistance; if hearing impaired, telephone the Florida Relay Service Numbers, 1-800-955-8771 (TDD) or 1-800-955-8700 (v) for assistance. In accordance with Florida Statute 286.0105: any person who desires to appeal any decision at this meeting will need a record of the proceedings and for this purpose may need to ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which the appeal is based.

Item Number:	**1.A.**
Meeting Date:	**8/13/2019**
Item Type:	**CALL TO ORDER**

AGENDA REQUEST FORM

City Of Cape Coral Charter School Authority

TITLE:

Chairman Michael Campbell

SUMMARY:

ADDITIONAL INFORMATION:

RECOMMENDED ACTION:

Item Number:	**2.A.**
Meeting Date:	**8/13/2019**
Item Type:	**MOMENT OF SILENCE:**

AGENDA REQUEST FORM

City Of Cape Coral Charter School Authority

TITLE:

Chairman Michael Campbell

SUMMARY:

ADDITIONAL INFORMATION:

RECOMMENDED ACTION:

Item Number:	**3.A.**
Meeting Date:	**8/13/2019**
Item Type:	**PLEDGE OF ALLEGIANCE:**

AGENDA REQUEST FORM

City Of Cape Coral Charter School Authority

TITLE:

Chairman Michael Campbell

SUMMARY:

ADDITIONAL INFORMATION:

RECOMMENDED ACTION:

Item Number:	**4.A.**
Meeting Date:	**8/13/2019**
Item Type:	**ROLL CALL:**

AGENDA REQUEST FORM

City Of Cape Coral Charter School Authority

TITLE:

Chairman Michael Campbell, Vice-Chair Tami Traiger, Vanessa Metzger, Guido Minaya, Susan Mitchell, Jennifer Nelson, Dist 4, Angela Ticich

SUMMARY:

ADDITIONAL INFORMATION:

RECOMMENDED ACTION:

Item Number:	**5.A.**
Meeting Date:	**8/13/2019**
Item Type:	**APPROVAL OF MINUTES:**

AGENDA REQUEST FORM

City Of Cape Coral Charter School Authority

TITLE:

Approval of Governing Board Minutes, Meeting June 11, 2019

SUMMARY:

ADDITIONAL INFORMATION:

RECOMMENDED ACTION:

ATTACHMENTS:

	Description	Type
	BOARD MINUTES JUNE 11 2019	Backup Material

VOL. IIV

Pgs. 545 - 551

GOVERNING BOARD MINUTES

City of Cape Coral Charter School Authority
Governing Board Regular Meeting

City Council Chambers

Tuesday, June 11, 2019 at 5:30p.m.

1. Call to Order

A meeting of the City of Cape Coral Charter School Authority Governing Board of Lee County, Florida, met on Tuesday, June 11, 2019 at City Council Chambers, Cape Coral FL 33990. Chairman Michael Campbell called the meeting to order at 5:30p.m.

2. Moment of Silence

Chairman Michael Campbell

3. Pledge of Allegiance to the Flag of the United States of America

Chairman Campbell

4. Board Member Roll Call

Present: Michael Campbell (C) Tami Traiger (VC), Susan Mitchell, Jennifer I. Nelson, District 4, Angela Ticich (Edu). Absent Excused: Metzger, Minaya, Miniaci

Also Present: Jacquelin Collins, Superintendent

MaryAnne Moniz, Business Manager

Danielle Jensen, Director of Procurement and Food Services

William Wolter, Interim Transportation Coordinator

Donnie Hopper, Principal, Oasis Middle

Carrie Abes, Interim Assistant Principal, Oasis Elementary

Kelly Weeks, Assistant Principal, Christa McAuliffe Elementary

Mark Moriarty, Assistant City Attorney, City of Cape Coral

Heath Sterk, Educator, Oasis Middle

Officer Jeff Karau, CCPD Detail

5. Approval of Previous Minutes

Motion made by Member Nelson, Second by Member Traiger to approve the Minutes of the May 14, 2019 Regular Governing Board meeting. *Unanaimous*

6. Approval of Regular Meeting Agenda

Motion made by Member Ticich, Second by Member Mitchell to approve the Agenda for the Regular Governing Board Meeting on May 14, 2019. *Unanimous*.

7. Public Comment

No Comment

8. Consent Agenda

Approved. Motion made by Member Nelson, Second by Member Mitchell to approve the Superintendent's appointment of MaryBeth Grecsek to Interim Principal for the school year 2019-2020. *Unanimous*

Approved. Motion made by Member Nelson, Second by Member Mitchell to approve the Superintendent's appointment of Carrie Abes to Interim Assistant Principal, Oasis Elementary for the school year 2019-2020. *Unanimous*

Approved. Motion made by Member Nelson, Second by Member Ticich to approve the General Personnel Recommendations including administrative, certified, support and substitute staff hires, promotion

9. Superintendent Report

Superintendent Collins thanked the Governing Board for great year and allowing her to lead the organization unencumbered. She pointed out overall media coverage this year of the charter schools has been positive and teacher retention and training has been successful.

Collins has appointed Marybeth Grecsek as *Interim* Principal at Oasis Elelmentary until Chris Cann's situation can be determined and verified by his medical team. She appointed Carrie Abes as Interim Assistant Principal until further notice. *Further Comment*.

Superintendent Collins said AdvancEd system accreditation renewal is due 2021; she is starting to assemble teams and paperwork to complete a successful processing.

Branding and enhanced marketing of the Charter School Authority is continuing with Spiro Associates and we will have new designs and perhaps revised school name in regards to Christa McAuliffe, etc. Next month she hopes to bring design boards for the Board to look over.

Over the summer Collins said she and her teams will be part of a school safety training that includes active shooter drills and a tabletop exercise conducted by City specialists. Plans to hire a charter school security are in progress, as well as the completion of all security measures already discussed, i.e., the gates, doors and guard shack, etc. All schools have new cameras that fully monitor and capture the entire campus activities.

State of FL Safe Schools allocation money amounting to $112,000 (half the allotment) has been received, this will help offset the already $530,000 taken from Reserves and put into our system to harded our safety initiatives. *Further Comment*

Transportation Services has been enhanced and William Wolter the Transportation Director will provide a year-end update to what has amounted to a pretty spectacular year as far as organizing, updating, and purchasing for that department.

The City asked for the *Best Practices* recommendations to be satisfied regarding some financial services including taking all of our finance department policies and creating a manual that puts all of our tools and procedures in single, user-friendly spot.

New IT capabilities and securities are up and running. USSI has completed a year and we are pleased with their services. New copiers are in every building.

Mental Health teams are in every school as part of a threat assessment team. Outside mental health services have been employed a few times throughout the year with success. In September we will have a system-wide training on recognizing mental health issues and how we address them.

We are in the final-final stages of hiring a new HR Manager that will be hopefully be hired and introduced to you at the next meeting. Also the cashier position will be staffed by the second week of July; there are several good candidates.

A fundraiser for Chris Cann was held at Fish Tales Grill and it was a wonderful example of our support of Chris and his family and recovery, community-wide.

10. Chairman Report

No Report but agreed the Charter Schools had a fantastic year and many thanks and appreciation to the leadership of Mrs Collins and all the teachers and staf, including the administrative staff of the charter schools who do amazing work for our children and community.

11. Foundation Report

No Activity

12. Staff Comment

Kelly Weeks, Assistant Principal, Christa McAuliffe Elementary:

We had an incredible year at CME! We have 100% enrollment for next year with 61 students on the waiting list. We are not having the VPK Program this year but the kindergarten class we replaced it with literally filled up in seconds. Our 3rd grade ELA scores came in and we are 3rd in the District behind Oasis Elementary. We came in at 80% compared to the District's 58% which is significant. CME is hoping to be a School of Excellence for the third year in a row and that looks like it's going to happen; only 52 schools in the entire state have this recognition and we are one. This year the PTO raised a whopping $100,000 with most of it going toward technology; students raised more than $5,000 for veterans. We had only four teachers leave for various reasons which gives us a 97% retention rate. CME is undergoing a "portables beautification" project that will be the community project of Bridge Church who will paint, new carpet, etc. Now all is needed are donations because we have the people to do the work, just need the supplies. Overall it's been a fantastic year at CME.

Member Traiger: I saw on FaceBook a call for help, etc. Does CME need to go out to the community to fund the improvements?

MaryAnne Moniz, Business Manager: I've been working with Mike Struve, Planning Team Coordinator at the City and he has submitted the application to the City Manager for approval; after signature it goes to HEX and then hopefully, we will be given approval to have those portables on-site indefinately. I'm told this is about a three-four month process. Our initial budget was $50,000 just in case

there is some additional work, etc. In the meanwhile, Kevin Brown requested a gate installation; remaining balance of plus/minus $30,000 will go toward the portables project.

Traiger: Clarified it's like a joint project - the balance plus whatever we get from the community?

Superintendent Collins: Yes.

Donnie Hopper, Principal, Oasis Middle:

Ended year with 825 students, ready to receive 838 next year. This year we have an 83% teacher retention. Students achieved a great deal this year the Battle of the Books Team tied for 1st Place in the District, but wound up in a final 4th place overall finish. Our gardens received a $2000.00 donation from Lowe's. Two OMS students created "Operation End Hunger," a project that aims ot end hunger in our local communities. The middle school's JROTC Raiders event was a huge success and those cadets entering the high school are more than ready for the challenges ahead. Sports and theatre teams won awards statewide and represented OMS well. Universal was the site of the 8th grade trip. Get well Chris Cann!

Academics - we used STAR and Renaissance. OMS efficiency data correlated. We are at a high level of performance so it may seem like there is no growth but that's what happens when you get in this area. Next year six periods in one day, 55 min class periods and class attendance daily. Attendance can be an issue when you are trying to educate a child. Further comment.

Member Traiger: How is what you're doing different than what the District is doing?

Hopper: There is little difference although the District will do rotating blocks for electives only. OMS will do full electives classes. And Reading and ELA will be in the same classroom giving students two electives. I also hired an MTSS Coord/Interventist Specialist and Math Advocate, John Omundsen.

Superintendent Collins on behalf of Dr Christina Britton, Oasis High:

Excellnet high school year with a lot of stability. The revamping of programs and increase of parental involvement made a huge, successful difference in the high school this year. Between parent open nights and student awards nights, Oasis high familes were able to successfully work together to make this year one of the best. Superintendent Collins attributes the stability and high school spirit among students, teachers and staff to be a direct result of Dr Britton's leadership, and she is very pleased with her performance this year.

William Wolter, Director of Transportation:

His Transportation Coordinator is MaryLynn McDaniels.

Recapping last year we had some difficulties but have moved forward with considerable improvements. This summer the more than 92 field trips from Parks & Rec will bring in revenue to help offset some costs. We are vetting every bus stop this year using the District's guide which also means we are evaluating over 500 stops, a big task but necessary. We will have new stops assigned by the end of July. Instead of using a bus number next year we will use routing numbers. Driver training will take place over the summer with the assistance from the City's Fleet Department. Bus safety will be part of the joint task force the District is setting up and we will follow their advice and direction.

13. Unfinished Business

No Activity

14. New Business

14A. Approved. Motion made by Member Traiger, Second by Member Nelson to approve the Proposed Operating Budget Fiscal Years 2020-2022- Mary Anne Moniz, Business Manager *Unanimous; Motion Carried* Power-point presentation.

14B. Approved. Motion made by Member Ticich, Second by Member Traiger to approve the Procurement Policy for Purchase Orders Over $50,000.00 - Danielle Jensen, Director of Procurement *Unanimous; Motion Carried*

14C Approved. Motion made by Member Nelson, Second by Member Traiger to approve the Purchase of Two (2) - 2020 IC Conventional 77 Passenger School Buses - Danielle Jensen, Director of Procurement *Unanimous; Motion Carried*

15. Final Board Comment and Discussion

Chairman Campbell reviewed the Board Master calendar and reminded members to attend the new school year meeting on August 13th. He also commented he is very pleased with the performance of Mrs Collins and her staff and the schools could not be inbetter shape. He is very impressed and looking forward to next year. Also, prayers and thoughts for Mr Chris Cann. Thank You

Vice-Chair Traiger praised the OHS Senior Awards Night and the accomplishments of the students and Dr Britton. It has been a great year and Superintendent Collins has been doing a fantastic job. Further Comment.

Member Nelson thanked Superintendent Collins for doing such an excellent job this year and recognizing teacher's pay parity. This year the Charter School has done such a great job, etc. Also, prayers to Mr Cann and his family.

Member Ticich thanked Mrs Collins for doing such a great job and congratulations to the elementary schools for doing so well against District schools, especially. She is also very pleased with Mrs Collins' performance and hopes everyone has a good summer. This wasan excellent year!

16. Time and Date of Next Regular Meeting

The City of Cape Coral Charter School Authority Governing Board will be in recess during the month of July.

The next Regular Governing Board Meeting will be held on Tuesday, August 13, 2019 at 5:30 p.m. in City Council Chambers.

17. Adjournment

The Governing Board adjourned at 7:08 p.m.

Respectfully Submitted,

Kathleen Paul-Evans

Charter School Authority Board Secretary

Executive Assistant to the Superintendent

City of Cape Coral Charter School Authority

Item Number:	**6.A.**
Meeting Date:	**8/13/2019**
Item Type:	**APPROVAL OF AGENDA REGULAR MEETING:**

AGENDA REQUEST FORM
City Of Cape Coral Charter School Authority

TITLE:
Approval of Regular Governing Board Meeting of August 13, 2019

SUMMARY:

ADDITIONAL INFORMATION:

RECOMMENDED ACTION:

Item Number:	**7.A.**
Meeting Date:	**8/13/2019**
Item Type:	**PUBLIC COMMENT:**

AGENDA REQUEST FORM

City Of Cape Coral Charter School Authority

TITLE:

Public Comment is limited to three(3) minutes per individual; 45 minutes total comment time.

SUMMARY:

ADDITIONAL INFORMATION:

RECOMMENDED ACTION:

Item Number:	**8.A.**
Meeting Date:	**8/13/2019**
Item Type:	**CONSENT AGENDA:**

AGENDA REQUEST FORM

City Of Cape Coral Charter School Authority

TITLE:

Approval of City of Cape Coral Procurement Policies and Procedures Manual - MaryAnne Moniz, Business Manager and Danielle Jensen, Procurement Director

SUMMARY:

ADDITIONAL INFORMATION:

RECOMMENDED ACTION:

ATTACHMENTS:

	Description	Type
	PRO POLICY MANUAL	Backup Material

CITY OF CAPE CORAL

PROCUREMENT POLICIES
&
PROCEDURES MANUAL

May 2019
SUPERCEDES JULY 2007

INTRODUCTION

The Procurement Division has prepared this Purchasing Manual which will serve as the basis for purchasing policies and procedures for the City of Cape Coral. A significant portion of this manual implements the Procurement Ordinance.

The purchasing function involves the procurement of materials, supplies, equipment, and services at the lowest possible cost, consistent with the quality needed to meet the required standards established and approved by the Cape Coral City Council. This act is the responsibility of the Procurement Division. Their goal is the promotion of the best interest of the City through intelligent action and fair dealings. This will result in obtaining maximum savings for the City.

Since rules and regulations are necessary for the proper operation of the purchasing function and since it is essential that all who are involved in the purchasing operation be well-informed, this manual has been developed to aid all employees directly or indirectly associated with the function of purchasing. The objectives of the Procurement Division of the City of Cape Coral are as follows:

1. Purchase goods and services from capable vendors at the lowest price, consistent with the quality, performance and delivery requirements of the City;

2. Provide professional procurement services for all departments and divisions within the City;

3. Maximize competition for all procurements of the City;

4. To deal fairly and equitably with all vendors wishing to do business with the City of Cape Coral;

5. Obtain maximum savings through innovative buying and application of value analysis techniques;

6. Assure adherence to all laws, regulations, and procedures related to City procurement;

7. Administer the contracting function with internal efficiency.

The Cape Coral City Council recognizes purchasing as a necessary function of effective government, and, therefore, it shall be the responsibility of the Procurement Manager to centralize the purchase of all supplies, equipment, services and construction for the departments and divisions of the City, the basic objective of which is to obtain the best total value consistent with operational needs, while maintaining fair and open competition.

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LIST OF EXHIBITS AND LOCATIONS

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6. Evaluation Sheet (Procedures Manual, page 28)
7. Organization Chart of Procurement Division (SharePoint – Finance)
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9. Procurement Card Forms (Procedures Manual, pages 59-64) electronic workflow in OnBase
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13. Receiving Log (SharePoint)
14. Request for Sole / Single Source Form (SharePoint)
15. Vendor Registration Packet (City Web)

GLOSSARY OF TERMS

TERM	DEFINITION
COUNCIL APPROVAL LIMIT	Dollar value set by Ordinance requiring Council approval
DO	Delivery Order
FSS	Financial Software System
GSA	General Services Administration (Federal Government)
ITB	Invitations to Bid
LOI	Letters of Interest
MANDATORY BID LIMIT	The dollar value at which purchases must be formally solicited.
MASTER AGREEMENT	Term Contract
M/WBE	Minority / Women Based Enterprise
NIGP	National Institute for Governmental Purchasing
OPO	Open Purchase Order
PO	Purchase Order
RFP	Request for Proposals
RFQ	Request for Quotations/Request for Qualifications
SCP	Staff Cost Proposal

PROCUREMENT DIVISION

SECTION 1

MISSION

The Procurement Division manages the City's procurement program through the effective use of a wide array of purchasing and contracting procedures involving the issuance of solicitations, negotiation and award of contracts for all types of goods and services including construction, architectural and engineering services. Their goal is to provide timely and effective customer service consistent with sound public purchasing principles.

RESPONSIBILITIES AND FUNCTIONS

A. The Financial Services Department is responsible for establishing and administering the City's Procurement Ordinance, as approved by the Cape Coral City Council; initiating reports necessary to permit analysis of purchasing performance; approving purchasing-related contracts; dealing fairly with all potential sources of supply; consolidating purchases of like or common items; obtaining fair prices for materials, equipment, supplies and services; and, generally defining how to effect cost savings and coordinate purchasing and contracting procedures for the City of Cape Coral.

B. Specific responsibilities, duties and functions include:

1. **Policies and Procedures**

   Develop purchasing objectives, policies, programs and procedures for the purchase and contracting for all materials, supplies, equipment and services.

2. **Representation**

   Act as the City of Cape Coral's representative on all matters pertaining to procurement.

3. **Specifications/Scopes of Work or Services**

   Assemble specifications/scopes of work or services in cooperation with user agencies that are subsequently included in Invitations to Bid (ITB's), or Requests for Proposals (RFP's) and/or Requests for Quotations/Qualifications (RFQ's).

*Denotes City Manager, City, City Council in this manual is replaced with Superintendent, Cape Coral Charter School Authority, and School Governing Board for the Charter School procurement purposes.

4. **Consolidation and Bulk Purchasing**

Consolidate Requisitions and purchases of like or common items to obtain the maximum economic benefits and cost savings, and explore the possibilities of buying in bulk to take full advantage of quantity discounts. Such consolidation may include requirements of a single division or multiple division(s).

5. **Standardization**

Work with departments/divisions to establish standardization of materials, supplies and equipment within a competitive environment, where feasible.

6. **Vendor Relations**

Promote good will and public relations between the City of Cape Coral and its vendors. Encourage full and open competition wherever possible. Assure fair and equitable business dealings with all vendors.

7. **Budget**

Prepare and submit the annual operating budget for the Procurement Division.

8. **Purchasing Analysis**

Stay informed about current developments in the field of purchasing, including but not limited to, prices, market conditions and new products, and secure for the City the benefits of research conducted in the field of purchasing by other governmental jurisdictions, national technical societies, trade associations, private businesses and organizations.

9. **Purchasing Procedures Manual**

Prescribe and maintain a standard purchasing manual for all user departments/divisions.

10. **Suspension and Debarment of Vendors**

Have the responsibility to ascertain the identity of all vendors who default on their contracts with the City and to suspend or debar said vendors as appropriate unless this prohibition is expressly waived by the Cape Coral City Council.

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PROCEDURES

A. The following policy shall govern the procurement of goods and services for the City in accordance with the existing Procurement Ordinance:

1. All requests for goods and/or services, and all purchases, will be made through, and by the Procurement Division.

2. Acceptance of **gifts or gratuities**, other than advertising novelties of nominal value, is **strictly prohibited**. No employee shall become obligated to any vendor and shall not conduct any City transaction from which he/she may personally benefit.

3. No employee of the City shall obligate the City whereby he/she may derive income or benefits other than those provided as remuneration from the City for their employment.

4. No contract, purchase or group of Requisitions shall be subdivided to avoid bid, quotation or approval requirements.

5. It is unlawful for a City officer or employee to order the purchase of any materials, supplies, equipment and contractual services, or make any contract other than through the Procurement Manager without prior written authority or as specifically delegated herein. Any purchase, order or contract that is made contrary to these provisions shall not be approved and shall not bind the City.

6. In cases of **extreme emergency**, an exception to the above policy may be made with the understanding that the person authorizing the emergency order will personally assume the responsibility of immediately following up the verbal order given with proper written justification and the proper Requisition. In cases of emergency, the requestor shall, if possible, contact the Procurement Division prior to placement of the order with the vendor.

7. Per Chapter 26 in the City of Cape Coral, Florida Code of Ordinances, any lease for real and/or personal property for the use of charter school(s) and charter school facilities must be approve by City Council first.

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INTER-DIVISIONAL RELATIONS

A. Cooperation and understanding between divisions are essential in the effective operation of the Procurement Division.

B. The Procurement Division will establish and maintain close contact with other divisions in order to meet their purchase needs and requirements. In most instances, the Procurement Division does not determine the requirements for a particular purchase, but may be responsible for determining the applicable quality and quantity, relative to price, to meet the particular needs.

C. In cases where technical equipment, specifications, plans or design are involved, the department/division concerned will indicate their requirements and all purchasing actions will be coordinated with the user department/division prior to the issuance of a solicitation, Purchase Order or contract.

D. The Procurement Manager, or designee, may direct **a purchasing seminar** for City divisions periodically (preferably annually). This seminar shall aid City personnel in gaining a better understanding of the operations of the Procurement Division. In addition, the seminar material shall cover State purchasing regulations, City policy, emergency and sole source purchases, flow of Requisitions, and distribution of Purchase Order copies, definition of purchasing terms, open Purchase Orders, Change Orders, procurement cards and contracts.

VENDOR RELATIONS

A. When it is necessary to interview salespersons regarding details of their product, other departments and divisions should coordinate such visits through the Procurement Division. In interviews with salespersons, no one shall commit to preference for any product or service or give any information regarding performance or price which might in any way compromise or obligate the City Council or the administration of the City.

B. All correspondence with vendors will be through the Procurement Division.

C. Any bids, proposals, quotations or specific information received from vendors relative to any item under consideration for purchase **must not be divulged** until after a Purchase Order or contract has been awarded, except when State regulations or City laws make such disclosures permissible.

D. All vendors must be afforded equal opportunities to compete. No bid shopping shall be permitted; i.e., no one shall obtain pricing from a vendor and request other vendors to meet or beat the disclosed price. However, this restriction shall not apply to reverse auctioneering. New sources of supply will be given due consideration because multiple sources of supply are necessary to ensure competition, continuity of supply and availability of materials. The City may buy from any vendor who exhibits adequate financial strength, high ethical standards, a record of adhering to specifications, compliance with delivery or performance requirements and provides good service.

*Denotes City Manager, City, City Council in this manual is replaced with Superintendent, Cape Coral Charter School Authority, and School Governing Board for the Charter School procurement purposes.

E. The City will strive to maintain strong and enduring relationships with vendors of proven ability and a desire to meet its needs. To accomplish this, purchasing activities will be conducted so that all vendors will value the City's business and make every effort to furnish its requirements on the basis of the most economical quantity, suitable quality, timely delivery, adequate service and lowest possible price.

EXCLUSIONS

The following requirements are excluded from the competitive requirements of the Procurement Ordinance:

A. Procurement of dues and memberships in trade or professional organizations; registration fees for trade and career fairs, subscriptions for periodicals and newspapers; advertisements; postage; expert witness; legal mediation services; lobbying services; abstracts of titles for real property; title searches and certificates; title insurance for real property; water, sewer, telecommunications and electrical utility services; copyrighted materials or patented materials including; but not limited to, textbooks, technical pamphlets, published books, maps, testing or instructional materials; fees and costs of job-related seminars and training.

B. Goods purchased with petty cash in accordance with established City procedures.

C. Items purchased for resale to the general public.

D. Purchases of groceries.

E. Artistic services or works of art.

F. Travel expenses, hotel accommodations and hotel services.

G. City sponsored events held at venues not owned by the City.

H. Entertainment services for City-sponsored events.

I. Purchase of motor vehicle license plates from a governmental agency.

J. Persons or entities retained as "expert consultants" to assist the City in litigation, or in threatened or anticipated litigation.

K. Educational or academic programs including software programs.

L. Health services involving examination, diagnosis, treatment, prevention, medical consultation, or administration.

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M. Auditing services.

N. The purchase of items critical to the security of City facilities.

O. Field trips and charter buses for field trips.

P. Services and commodities provided by governmental entities.

Q. Any services identified in Florida Statute 287.057, as may be amended from time to time, as being exempt from competitive bid/request for proposal requirements.

R. Waiver of the Procurement Procedures by City Council, based on recommendation of the City Manager, unless prohibited by law.

Such purchases, transactions and expenditures listed above shall be authorized by the Procurement Manager within the City of Cape Coral Procurement Ordinances. Also, certain procurements within the above categories may be obtained via competitive means when it is determined that adequate sources for the goods or services required are available.

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REQUISITION TO PURCHASE

SECTION 2

PURPOSE

The Purchase Requisition serves to inform Procurement of the needs of the user department/division and to correctly define the material/service requested. In addition, the authorized Requisition signifies authority to charge a specific account number and verifies there are sufficient funds available in the account specified.

PROCUREMENT DIVISION RESPONSIBILITIES

A. Specific responsibilities, duties and functions include:

1. Become acquainted with the needs of all departments and divisions.

2. Support and cooperate with all divisions in meeting their needs for operating supplies and equipment at the lowest cost to the City.

3. Assist in the preparation or review of specifications and scopes of work/services for all requirements.

4. Assist in locating the sources and availability of needed products and services.

5. Notify the user division in the event a change is made to the vendor suggested by the user division, or any other significant changes such as price or delivery.

6. Process all Requisitions and purchases with the least possible delay, in accordance with City procedures.

7. Work with the vendor in correlating all the steps involved in completing a purchase, including Purchase Order follow-up and order-tracing as requested by divisions.

8. Provide contract administration support to all departments/divisions based on the nature of the specific procurement or as required by the department/division.

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USER DIVISION RESPONSIBILITIES

A. Specific responsibilities, duties and functions include:

1. Ensure the purchase is required to support official City business.

2. Allow ample time for the Procurement Division to make a process a purchase and for the vendor to deliver. (check the requisition awaiting approval in the financial system to obtain the status of a Requisition prior to contacting Procurement). Advise Procurement if the Requisition is an emergency or sole source purchase.

3. Write clear and accurate descriptions of materials, services and equipment to be purchased, and include the purpose for which they are intended. Specifications should be uploaded into the electronic workflow in OnBase when completing the Request for Work (RFW). There is a specific format for specifications in order to minimize conversion time when placing documents on the internet for bidding. Please consult with a Buyer. Sr. Buyer or Procurement Specialist for latest version.

4. Prepare generic specifications for items or services that require a technical or engineering background.

5. List anticipated requirements in advance, when possible. Involve the Procurement Division at the time the ***need*** is determined or as early as possible.

6. Keep the Procurement Division advised of any abnormal demands.

7. Under no circumstances is the Procurement Division to be obligated by divisions in any manner whatsoever.

8. Cooperate with the Procurement Division by reporting, in writing, the results of purchases, whether favorable or unfavorable. If there are complaints, REPORT THEM. (See Section 16 of this Manual).

9. Advise the Procurement Division of any known qualified vendor(s).

10. List any quotes obtained by vendor code, name, individual contacted and price obtained (by line item).

11. Specify correct commodity code of item/s to be purchased.

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12. Ensure that **funds** have been allocated and are available in the proper business units, account and/or **project numbers** to support purchases. Verify that all sources of funds identified on the Requisition are properly coded as to department/division and account and project. If the account and project numbers are incorrect, the Requisition may be delayed. If there are not sufficient funds, the Requisition will not be processed without a transfer of funds. The user department/division shall have sole responsibility for the accuracy of account and project codes.

13. For service related purchases, obtain licenses and insurance from the vendor. For questions related to licenses, division is to contact DCD licensing division.

WHEN PREPARED

A. Purchase Requisitions must be prepared far enough in advance to permit Procurement to obtain competitive prices and to allow sufficient time for deliveries to be made.

B. The following minimum time requirements are necessary to secure competitive prices after receipt of Requisition(s) ***and*** correct specifications by the Procurement Division:

1. Small purchases, under $2,500, as determined by City Council may be processed by Certified Agency Buyers (CABs) as Purchase Orders or via Procurement Card. (Reference Section 11 - Procurement Card Procedures).

2. **Two (2) weeks** for items that will be **formally quoted,** as determined by City Council. The department/division should focus on the development of specifications and product descriptions. The user department/division is not required to obtain quotes but they may do so if desired to expedite the process. Otherwise, the Procurement Division will assist in obtaining the necessary quotations.

3. **Twelve (12) to twenty (20) weeks** for items requiring **formal bidding up to Council approval.**

WHO PREPARES

A. Requisitions should originate in the user department/division at the level where the purchase is to be used and proceed to the designated approval authority prior to being sent to Procurement through FSS. Requisitions not properly authorized will not be processed.

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B. At the Charter Schools, a purchase order requisition form must be prepared and approved before it is submitted to CABs to enter into the FSS.

C. At the Charter Schools, any Amazon orders need to have an Amazon Pre-Approval Form completed and approved by the building principal or department director.

HOW TO PREPARE

A**.** A properly processed Purchase Requisition must contain the following information:

1. **Date, Budget, Fiscal Year, and Period.** Leave blank for FSS to assign the date.

2. **Contact**. Enter the buyer number of the person entering the Requisition. An indication of the person preparing the Requisition is of great importance in that it enables the Procurement Division to make direct contact in the event of errors, omissions or questions regarding the purchase.

3. **Shipping/Billing Information**. Enter the ship and bill code, the FOB and the delivery date.

   Ship/Bill To. Enter the correct 'ship to' and 'bill to' codes. If a correct 'ship to' and 'bill to' code is not used, FSS will not accept the Requisition. If the user division has any special delivery instructions (hours, days, inside delivery, second floor - no elevator, etc.), or is using an address other than the ordering address, this must be specifically shown in the body of the Requisition.

   If a new 'ship to' or 'bill to' code is required, notify Procurement and one will be issued.

   Delivery Date. Indicate a delivery date on each Requisition to indicate the need or desire for delivery within a specified period. Any dates noted are for the assistance and guidance of Procurement and the department/division to meet the user division's schedule of needs. Requisitions shall be entered, and documents uploaded far enough in advance of deliveries so as not to create emergencies.

   If an item or service has been received or completed, indicate complete and date received. Such Requisitions must include justification as to the reason a Purchase Order was not obtained prior to receipt of goods/services. Note: Such purchases may require department director approval and should be for emergencies only. Requisitions that do not qualify as emergencies may be cancelled by Procurement and the invoice may be paid as a Check Request. Check Request payments or the purchase order will require a detailed written justification signed by the department director/division manager or his/her designee, and approval by the Procurement Manager.

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4. **Vendor.** Enter the vendor number for the vendor you would like to issue the requisition. The Procurement Division's goal is to obtain competition when possible. Therefore, the Purchase Order may not be issued to the suggested vendor or for the brand specified. The Procurement Division reserves the right to verify quotations obtained by the user department/division or to obtain additional quotes.

5. **Accounting Distribution.** Insert the amount and the entire *correct* business unit and account number to which the purchase is to be charged. Enter the percentage of the order that is to be charged to this account.

6. **Special Instructions.** Provide any special instructions.

7. **Commodity.** Enter commodity code and sub-commodity code from the National Institute of Governmental Purchasing Book (See Exhibit 4).

8. **Extended Description.** Give a clear description of the item desired as to size, color, type, grade, etc. If the purchase is of a technical nature, generic specifications should be sent to Procurement concurrently with the Requisition, indicating the Requisition number. In some cases, detailed and technical specifications will be determined by the user Division Manager and the Procurement Manager. Generic specifications shall be mandatory for purchases exceeding the mandatory bid limit. If the item cannot be described, except with a great amount of detail, a brief description should be given followed by the trade name and model of an acceptable item or equal. Requisitions must not provide specifications that will favor one vendor to the exclusion of all others. The Procurement Division reserves the right to challenge any specification supplied by the user department/division. Back-up or additional information must be submitted as soon as possible to avoid significant delay in the processing of Requisition(s).

   Additional Remarks: User divisions must state, in description form, the purpose for which the material or service is to be used, if applicable. Such information provides an audit trail, facilitates the keeping of records and reporting of purchases, all of which helps to assure a more efficient operation. If the item or service is a sole source available from only one vendor or an emergency, the reason must be documented on the Sole Source or Emergency Purchase Data Forms via concurrent submission with the Requisition. (See Section 4 for sole source and emergency purchase information.) If there are any special instructions to the vendor that are not available through the Special Instructions area described above, include them at the end of the extended description.

9. **Quantity and Unit.** Insert the quantity of the item that is required and enter the unit of measure for the item, i.e., EA = each, DZ = dozen, etc.

10. **Unit Price.** Divisions are required to enter the unit price.

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11. **Documentation.** All documents, such as quotes, department memos, licenses and/or insurance, to name a few, are to be uploaded into the financial system or the requisition may be rejected.

ROUTING

A. A standard computerized Requisition form is to be used for requesting all purchases and services.

B. Upload all appropriate quotes, contracts and/or bids, proposals, licenses, insurances; state on the requisition the resolution number and Council approval date (if applicable).

GENERAL INFORMATION

A. If the Requisition is incomplete or not properly prepared, the Procurement Division may notify the originating division by sending a missing information sheet or cancelling the Requisition.

B. If there are insufficient funds for the purchase, the Requisition may not be accepted in the financial system and, therefore, cannot be processed. Or it may be forwarded to Budget for review.

REVIEW OF SPECIFICATIONS - OTHER DIVISION APPROVALS REQUIRED

A. Prior to issuance of bids or the processing of a Requisition with specifications included, review of the items to be purchased and the specifications for certain commodities and services must be made by other divisions within the City, that manages said process, to assure open competitive bidding, compatibility, standardization and up-to-date specifications. The following purchases require coordination with the division/committee indicated. This listing is subject to change.

TYPE OF EQUIPMENT/SERVICE REQUESTED	DIVISION REVIEW
Computer Equipment and related software	Information Technology Services

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Vehicles & Equipment	Fleet Management
Asbestos Removal/Demolition	Risk Management Division

NOTE: Please ensure that the above reviews are obtained *prior* to submittal of the Requisition to the Procurement Division.

PURCHASE ORDERS

SECTION 3

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PURPOSE

A Purchase Order authorizes a vendor to ship and invoice the materials and services as specified. Purchase Orders shall be clear, concise and complete. This will prevent any unnecessary misunderstanding during correspondence with vendors.

WHEN ISSUED

Pre-numbered, computer generated Purchase Orders shall be issued upon receipt of a properly authorized Requisition, and after receipt of competitive bids, proposal or quotations, determination is made as to whether funds are available and Council approval is necessary.

WHO ISSUES

Only Procurement shall authorize/process Purchase Orders unless is a small purchase under $2,500. The user department/division will not enter into negotiations with any vendor for the purchase of supplies, services, materials or equipment. The Purchase Orders shall be transmitted (via email or fax) to the vendor by the user department/division.

ROUTING OF ORDER

A. A standard Purchase Order generated by FSS is used to make all purchases and is routed as follows:

1. **Procurement/Department**: Executed Purchase Order is sent to the user department/division
2. **Department/Vendor:** The user department Department/Vendor sends the Purchase order to the vendor via email, regular mail or fax.
3. **Procurement:** The original executed purchase order is retained by the Procurement division as the official file.

FOLLOW-UP AND EXPEDITING

Upon request from the user division, the Procurement Division shall contact the vendor for the status of a particular order or to attempt to expedite delivery when required.

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DIFFICULTIES AFTER RECEIPT OF SERVICE OR ITEM

Upon request from the user division, Procurement shall work with the vendor to resolve any problems or difficulties with orders or contracts.

PREPAYMENT PROCEDURES

Purchase Orders may be issued with a prepayment request, after proper justification and approval from the Financial Services Director or the Procurement Manager. Pre-payments are only approved on a case by case and it is discouraged. After entering the Requisition, departments/divisions must send, separately, the *original* documents showing prepayment required to Procurement.

OPEN PURCHASE ORDER - DEFINITION

An Open Purchase Order (OPO) is a Purchase Order issued for the purchase of indeterminable miscellaneous items or materials, supplies, parts, etc., over a certain period of time (not more than one fiscal year). Shipments are made, as requested by the user division, against the Open Purchase Order number for the term of the OPO. The OPO generally establishes a maximum dollar limit, the period covered, the authorized purchasers, terms and conditions. However, since the specific items to be purchased are often unknown at the time of issuance of the OPO, no line item pricing is generally shown.

A. How an Open Purchase Order is prepared:

Requests for an Open Purchase Order shall be made on a Requisition that indicates the general types of items to be purchased and total amount to be encumbered for the term of the OPO. Quotes are obtained by the user department, for items less than $50,000 Or utilize the contract amount if over $50,000 and a competitive solicitation was issued.

1. Open Purchase Orders shall be entered into the financial system and contain the following information:

a) Description and types of items to be purchased; i.e., miscellaneous hardware items.

b) The period of time the order will remain valid. NOTE: The OPO term may not extend beyond the end of the fiscal year in which it is created.

c) The maximum total dollar amount may not be exceeded for the term of

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the Open Purchase Order. If it is apparent the amount will be exceeded, an additional amount must be requested by the user division via a Change Order request.

d) Persons authorized to place orders.

e) Provision for cancellation of the order at any time.

f) The resolution number and contract number, if applicable

g) Individual purchase (per invoice) limits may be set on Open Purchase Orders by the Procurement Division so as to avoid rapid depletion of funds, violation of bid/quote laws and procedures, and unauthorized expenditure of funds for capital equipment.

B. Routing of an Open Purchase Order

An Open Purchase Order form is used to make all purchases and is routed in the same manner as a regular Purchase Order.

C. How an Open Purchase Order is used

After the Open Purchase Order is issued, the user department/division is authorized to place orders via telephone, on-line (where applicable), directly with the vendor, when needed. Example: A user division may wish to request an Open Purchase Order to purchase miscellaneous hardware items from a hardware store for a one-year period with total expenditures not to exceed a specified (encumbered) dollar amount for the one-year period.

D. Procedure for an Open Purchase Order

The person(s) listed as authorized by the Open Purchase Order may place orders directly with the vendor as needed. Items may be picked up by the department/division or delivered by the vendor. The user division shall be responsible for submitting Receiving Reports with the copy of the Purchase Order to the Financial Services Department, Accounts Payable, for the proper items, in the proper quantity and price.

E. How an Open Purchase Order is paid

The Financial Services Department will process payment of invoices for received materials or services so that discounts may be obtained. The user department process their own invoices in batches and turn the batches in to AP for final processing. Invoices for all Open Purchase Orders may be reviewed periodically by Procurement to assure compliance with the terms of the Purchase

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Order.

HOW OPEN PURCHASE ORDERS ARE MONITORED

The Procurement Division may actively monitor Open Purchase Orders to ensure adherence to City procedures. An Open Purchase Order may be canceled immediately by Procurement should the user division not strictly adhere to the provisions of the Open Purchase Order or procurement procedures.

REPAIR SERVICES

When equipment and vehicles must be disassembled to determine the extent of the repairs and to develop a realistic cost estimate, the user division/department can either request a waiver, a Single/Sole Source or request a competitive solicitation.

A. The user division/department can request a waiver, based on award authority, to the City Manager or City Council

B. The user division/department can obtain labor and parts quotes in the beginning of the year and rotate accordingly for service less than the Council dollar limit.

C. The user division/department may, if applicable, request a Single/Sole Source.

D. The user division/department can request a competitive solicitation to set up a pool of service providers which would be approved by the City Manager and/or Council depending on the estimated dollar value.

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EMERGENCY AND SOLE SOURCE PURCHASES / CONTRACTS

SECTION 4

DEFINITION OF EMERGENCY PURCHASE

An emergency purchase is the purchase of goods and/or services made with or without competition because, in the sole judgment of the Procurement Manager, City Manager, or Financial Services Director (or, if applicable, the City Council), such acquisition is necessary to remedy or lessen the harmful effects of any actual or threatened occurrence which may interfere with the conduct of normal business operations or remedy or correct conditions which may pose an imminent or existing threat to the health, safety or welfare of persons or property within the City of Cape Coral or with City governmental operations.

AUTHORIZATION

Emergency purchases, exceeding the mandatory bid limit, may only be approved by the City Manager or his/her designee. Emergency purchases more than the Council approval limit must be ratified by the City Council as soon as is practical.

Bid Exemption - The Procurement Manager shall have authority to waive bid requirements in emergency circumstances, when requested and justified by the user division.

PROCEDURE

When an emergency exists, and the purchase exceeds the mandatory bid limit, the following procedures shall be followed:

A. The Department Director or designee shall contact the Procurement Manager or his/her designee to explain the nature of the emergency and enter a requisition in the Financial system. If the purchase is approved by Procurement, a Purchase Order will be issued upon generation of the Requisition in the financial software system and receipt of Emergency Purchase Fact Sheet Form. For emergencies, the user division may obtain quotes or explain why quotes could not be obtained. Procurement may obtain additional price quotes prior to issuing a Purchase Order number. The Emergency Purchase Fact Sheet shall be signed by the Department Director or designee.

EMERGENCY PURCHASES AT NIGHT, ON WEEKENDS OR HOLIDAYS

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If an emergency should arise during a time when Procurement is closed, the Department director or designee shall act to secure the necessary materials or services. The evidence of purchase, such as sales ticket, bill, delivery slip, counter receipt, etc., which the vendor normally furnishes, shall be submitted concurrently with the Requisition by the user department/division to Procurement on the next work day following the date of purchase. Procurement *may reject* Requisitions which are confirmation of orders if there is reason to believe no true emergency existed at the time of purchase. Rejected purchases may be paid via check requests.

GENERAL INFORMATION

When emergency purchases are made, the division will make the purchase at the best possible price. A true emergency will often occur as a result of parts and labor needed for repairs to vehicles or equipment that must be kept in operating order. Emergencies are also created through negligence and are to be avoided. **Lack of planning** or funding surplus **does not constitute an emergency**.

NOTE: Emergency purchases are costly and should be kept to a minimum. They are usually made hurriedly, on a non-competitive basis and at top prices. Procurement will attempt to obtain competition to the extent practical.

DEFINITION OF SOLE SOURCE PURCHASE

Sole source purchases are defined as purchases of supplies, equipment and contractual services that meet **both** of the following criteria:

1. It is the only item that will produce the desired results

2. It is available from only one source of supply.

Sole source ***services*** must be available only from vendors (firms or individuals) who are uniquely qualified to perform such services.

AUTHORIZATION

These purchases are exempt from bid requirements upon certification by the Procurement Manager stating the conditions and circumstances necessitating the purchase via the Request for Sole/Single Source Form. This certification shall set forth the purpose and need in addition to why the item is the only one that will produce the desired results. Purchase of these items or services in excess of the Council approval limit shall be approved by the City Council.

Where feasible, sole source requirements may be posted on the City's internet site for a period of at least seven (7) days to allow the vendor community to review the requested goods/services.

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CONTRACT ADMINISTRATION

SECTION 5

DEFINITION

A Contract is a formal agreement issued for specified time intervals (usually from one to five years) as a result of a competitive solicitation process and/or for ***specific*** items to be purchased for the duration of a contract. Each item in the contract has a firm price or percentage discount which is known at the time of execution of the contract.

HOW PREPARED

A term contract is prepared by Procurement after award of a competitive solicitation. The items for which the competitive solicitation bid is issued may be items commonly used by several divisions or may be specific to one division based on estimated annual usage. A Purchase Order may be issued, or encumbrances made for the contract itself.

HOW USED

City departments/divisions may receive copies of contracts from Procurement or download them from the intranet to ensure they order ***only*** the specified items. The City's contract list and many of the actual contract documents are available on the City's intranet (Sharepoint) for review, printing and/or downloading. The Charter School can request a copy of city contract list and/or documents from city procurement.

User departments/divisions may order directly from the vendor on the contract by use of Purchase Orders, or by Procurement Card.

PROCEDURE

Procurement will survey user divisions to determine estimated usage of items to be placed on contract. User divisions may also request that Procurement establish a contract for specific, often used items. Procurement may issue an Invitation to Bid, or other solicitation, and award the contract on an item-by-item, lot-by-lot, or all-or-none total offer basis (with City Council approval for contracts over the Council

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approval limit). A contract is then executed with the vendor(s).

Once a contract is established, divisions are notified of the awarded vendor(s) and line-item pricing or percentage discount off a specified price list. The divisions may then order from the contract via issuance of a Purchase Order directly to the awarded vendor for the item required unless specifically prohibited by the contract. Divisions are cautioned not to order any items other than those awarded for the specific contract. Procurement is responsible for ensuring the authorized signer executes the contracts by obtaining the Corporate Resolution or a letter from the contractor/proposer naming the authorized personnel. The State of Florida Division of Corporation (Sunbiz) will be verified, if a Florida vendor.

A. Who executes Contracts:

City of Cape Coral

1. ***The Procurement Manager* shall have the authority to approve and execute all procurement related Purchase Orders, Contracts, Contract Amendments and Options for renewal in the amount of $25,000 or less**.

2. ***The City Manager* has the same authority and approval level in the amount of $50,000 or less; and, for amounts exceeding $50,000 upon City Council approval**.

Charter School Authority

1. ***The Superintendent* shall have the authority to approve and execute all procurement related Purchase Orders, Contracts, Contract Amendments and Options for renewal in the amount of $50,000 or less** and for amounts exceeding $50,000 upon School Governing Board approval.

CONTRACT ADMINISTRATOR

For each contract, the Contract Administrator's file must be maintained from the time it is awarded until contract closeout, and should include:

1. Copy of signed contract and any amendments or renewals;

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2. Relevant monitoring or evaluation reports;

3. Correspondence regarding contract;

4. Documentation evidencing cost or price analysis;

5. Chronological Activity Record;

6. Copies of Insurance Certificates indicating compliance with requirements;

HOW PAID

The Financial Services Department will process payment of invoices only for received/completed materials or services.

User department process their own invoices in batches and turn the batches into Accounts Payable for final processing which evidences the receipt of goods and/or completion of deliverable, milestones or services with the original invoice(s) to the Finance Department in a timely manner.

VENDOR PERFORMANCE EVALUATION

When a contract is being reviewed for renewal or rebid, the user department/division may receive a Performance Evaluation Request from Procurement requesting an evaluation of the vendor's performance during the previous contract period. An overall unsatisfactory rating report by the department/division will be forwarded to the vendor for response. Departments/divisions should not wait for this form in order to report receipt of unsatisfactory goods/services from a vendor. Instead, a Report of Unsatisfactory Materials and Services should be submitted whenever deficiencies occur.

HOW DELIVERY ORDERS MONITORED

The Procurement Division may monitor Delivery Orders to ensure adherence to City procedures. Delivery Orders may be canceled immediately by the Procurement Division should the user division not strictly adhere to the provisions of City procurement policies and procedures. Continued violations may result in the termination of the user division's right to issue orders directly to the vendor. If this occurs, all future orders will be issued by the Procurement Division.

CONTRACT DEFAULT

Providers failing to meet the contract terms and conditions shall be notified in writing by the Contract Administrator at the city and Director of Procurement at the Charter School of their failure to perform and

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provided a reasonable deadline for correcting the failure. A reasonable time is usually a few days after receipt of such notice. The notice should state that if the established deadlines are not met, the provider may be found to be in default and may be removed from the City's Vendor List. The defaulting provider should provide a written corrective action plan addressing reasons for default. A copy of all default correspondence should be by certified mail and copied to Procurement and the Contract Administrator. If the problem is not adequately resolved, a second notice should be sent, this time by Procurement, stating the reasons the provider is considered in default and the City's plans to re-procure services.

CONTRACT TERMINATION

If a contract is to be terminated early, Procurement will prepare a letter to the provider stating the reasons and the termination date, being sure to use language found in the termination clause of the contract. The letter should be delivered by certified mail, return receipt. A copy of the letter should be provided to the Contract Administrator for inclusion in their file.

QUOTATIONS, BIDS AND PROPOSALS

SECTION 6

PROCEDURE FOR SECURING QUOTES AND BIDS

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Procurement or the user department/division will seek a source of supply and enter into transactions for the purchase of the commodity or service in accordance with the provisions of the City Procurement Ordinance.

Quotes for purchases may be either written or oral (with proper documentation) that is within the thresholds determined by City Council. When written and oral quotations are received, documentation including the firm(s) contacted, contact person's name and phone number, and the date and price(s) quoted shall be noted. Every effort will be made to obtain a minimum of three (3) quotations for each item or group of items required.

Written Requests for Quotations **(RFQ)** may be mailed, emailed or faxed to prospective bidders, as feasible and such RFQ's shall indicate the deadline for receipt of the quote. No quote will be considered if it is received after the deadline for receipt without authorization from the Procurement Manager or his/her designee. Emergency purchases are exempted from competition with prior approval of the Procurement Manager. RFQ's shall be maintained with the Purchase Order. User divisions are responsible for ensuring that adequate descriptions and specifications are provided to the Procurement Division, including manufacturer brand and part numbers.

The user division may obtain quotes, for commodities and services up to the mandatory bid limit, from at least three (3) vendors independent of the Procurement Division when the names of the vendors, vendor number, date of quote, quotes per item, quote number, individuals submitting such quotes, and total pricing from each vendor are provided to the Procurement Division, and such quotes are verifiable**. Procurement reserves the right to verify such quotes or to obtain additional quotes at its discretion.** The user division will be contacted if the vendor or product is changed. The user division is to obtain the necessary licenses and insurance from the successful quoter.

The Procurement Division shall be responsible for all purchases over the mandatory bid limit. Although the user divisions are not to obtain quotes for these procurements, they should focus on the development of adequate purchase descriptions and specifications. When a purchase or contract (including leases) may extend over multiple periods or years, the maximum amount to be paid for the original term of the contract is the amount that determines if formal competitive solicitation is required. The Procurement Division shall solicit bids/RFPs from responsible prospective vendors obtained from publications and catalogues, suggestions from the user department/division, previous vendors, internet, etc. Advertisement of formal sealed bids or proposals shall be in accordance with the City Procurement Ordinance and all solicitations shall be made available on the City's internet site and outside internet site. These same bidding requirements apply to <u>all</u> purchases, including leases, non-professional services, general consulting, etc.

All bids and proposals received and accepted shall be available for public inspection by appointment in the main offices of the Procurement Division during regular business hours ten (10) calendar days after

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opening, or upon recommendation for award, whichever occurs first. Vendors filing protest of award must do so within the appropriate period after posting of the recommended award.

The Manager of Procurement shall have the right to cancel a solicitation and/or reject all bids or proposals and authorize the entire transaction to be rebid.

RESPONSIBILITY FOR SPECIFICATIONS

The preparation of specifications is the **responsibility of the user division** or department with review by the Procurement Division. Specifications shall permit competition except on proprietary materials or services. In general, specifications should define the level of performance required rather than specific design or brand name. For the benefit of vendors and the division, specifications must be clear and concise and provide the salient characteristics required by the user division. The Procurement Division reserves the right to challenge specifications to allow open competition.

BID INVITATIONS

Upon request, the Invitation for Bid is provided to prospective bidders. Public notice of bids shall be posted in the Procurement Division, on the internet, newspaper, and any publications of interest.

BID OR PROPOSAL SECURITY

When the Procurement Manager deems necessary, bid or proposal security shall be required. A successful bidder/proposer shall forfeit any surety required by the Procurement Manager upon failure on his/her part to enter into a contract and provide performance/payment bonds and certificates of insurance (when required in the solicitation documents) within the time specified after the award. Bid or proposal security may be in the form of bonds, a certified check, cashier's check or irrevocable letter of credit.

DISPOSITION OF SEALED BIDS/PROPOSALS

Sealed bids and proposals shall be opened in public at the time and place stated in the public notice. No bids or proposals shall be accepted after the time and date designated for opening. Bids or proposals received after the specified time and date will be returned to the vendor unopened.

Offers by telephone or email shall not be accepted. Also, faxed bids or proposals shall be rejected as non-responsive regardless of where the fax is received.

Bidders or proposers are responsible for delivery of sealed bid documents to the Procurement Division. If

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the bid or proposal is delivered by an express mail carrier or by any other means, it is the bidder's responsibility to ensure timely delivery to the required address.

AWARD OF BIDS

The Procurement Division will obtain a recommendation of award from the user department/division prior to award, and confirm the price is within budget.

The City may consider other factors, in addition to price, when determining the lowest responsive and responsible bidder.

A. These factors include, but are not limited to:

1. The ability, capacity, equipment and skill of the bidder to perform the contract.

2. Whether the bidder can perform the contract within the time specified, without delay or interference.

3. The character, integrity, reputation, judgment, experience and efficiency of the bidder.

4. The quality of performance on previous contracts.

5. The previous and existing compliance by the bidder with laws and ordinances relating to the contract.

6. The sufficiency of the bidder's financial resources to perform the contract terms or to provide the service.

7. The quality, availability and adaptability of the supplies or contractual services to the use required.

8. The ability of the bidder to provide future maintenance and service.

9. The number and scope of conditions attached to the bid.

B. The Procurement Division reserves the right to challenge any award recommendations of a user department/division.

C. Bid/Proposal award recommendations for which the award to each vendor exceeds the Council approval limit annually shall be submitted by the Procurement Division for approval by

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City Council. Award shall not be final until issuance of a Purchase Order or contract by the Procurement Division.

WAIVER OF IRREGULARITIES

The City Council shall have the authority to waive any and all irregularities in any and all formal bids.

TIE BIDS

A. Tie bids shall be awarded to one of the bidders based on the following in the order listed:

1. The bidder whose principal place of business is located in the City of Cape Coral
2. The bidder who has their regional office in the City of Cape Coral
3. The bidder who has their principal place of business in Lee County
4. The bidder who has their regional office in Lee County
5. The bidder who has their place of business in the State of Florida
6. A State or County certified minority owned business
7. A bidder that promotes a Drug-Free environment
8. Alphabetical

CONTRACTS

When required, the successful bidder or proposer shall promptly execute a formal contract signed by the proper authority. When required, such bidder or proposer shall also execute and deliver to the Procurement Division a good and sufficient performance bond and payment bond in the amount specified in the solicitation. Any bidder or proposer who has a contract awarded to him/her and who fails to execute promptly and properly the required contract and bond, shall forfeit his/her bid security. Upon the execution of the contract by the successful bidder or proposer, the amount of the bid security will be returned. Unsuccessful bidders that submitted certified or cashier's checks as bid security shall have their bid security refunded by a City check.

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Awards in this category may be made by a Purchase Order and as a part of the award, the solicitation and other supporting documents, if applicable. Terms and conditions stated on the Purchase Order shall rule in the event of conflict between documents.

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REQUEST FOR PROPOSAL (RFP) EVALUATION PROCEDURES

SECTION 7

PROCEDURES

A. General Guidelines for the **RFP** Process:

1. Members of an **evaluation/procurement committee** are to be selected and shall include representatives from the user division, and other department/division(s) involved, as well as any other individual(s) with specialized expertise.

2. Procedures for professional services are detailed in this section in paragraphs D (Procedures When Council Approval is Required) and H (Procedures When Council Approval is Not Required).

3. The members of the evaluation/procurement team should be identified prior to solicitation issuance.

4. The user department/division shall submit the evaluation criteria which should include price whenever possible. The Procurement Division, in conjunction with the user division, will finalize the criteria that may include modifications to the criteria and/or weight(s). Such criteria shall be stated in the RFP.

5. The user department/division shall assign a weight to each of the evaluation criteria by its relative importance, with the total weights equaling 100. The Procurement Manager shall determine the use of these criteria and their respective weights as applicable to each project.

6. The Procurement Division shall issue the RFP and receive the proposals. Prior to the issuance of the RFP, a copy of the document shall be provided to each member of the procurement committee for review when possible. If this is not possible, each member shall receive a copy of the document upon issuance.

7. Committee members should review the responsive proposals and <u>independently</u> score each proposal for each criterion, multiplying their score by the weight to obtain the total. All scores are to be totaled. Scores should be on the basis of 1 to 5 and represent the evaluator's best objective judgment. See item 11 below for further explanation of scoring. **The Procurement Division shall ensure that all references are confirmed, and the**

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results are reported during the meeting of the evaluation committee. The discussion may include any performance issues involving the proposer's performance on previous Cape Coral contracts.

8. A summary of total scores for all vendors shall be prepared after all members of the evaluation team have reviewed and evaluated the written proposals. Scoring and selection shall be by consensus if possible.

9. A copy of all evaluation forms completed by each evaluator (or the committee's consensus score) shall be provided to Procurement.

10. The Procurement Division will prepare an agenda item for the next available Selection Advisory Committee (SAC) if needed. **An item may not be placed on the SAC agenda without the completed evaluation forms.**

11. ***Scoring Definitions:***

1 = **Poor -** Proposal is lacking or inadequate in most basic requirements, specifications, or provisions for the specific criteria.

2 = **Below Average -** Proposal meets many of the basic requirements, specifications or provisions of the specific item, but is lacking in some essential aspects for the specific criteria.

3 = **Average -** Proposal adequately meets the minimum requirements, specifications or provisions of the specific item, and is generally capable of meeting the City's needs for the specific criteria.

4 = **Above Average -** Proposal more than adequately meets the minimum requirements, specifications or provisions of the specific criteria, and exceeds those requirements in some aspects for the specific criteria.

5 = **Excellent -** Proposal exceeds minimum requirements, specifications, provisions in most aspects for the specific criteria.

B. Suggested Price Evaluation:

1. **Option 1:**

If price is included as one of the evaluation criteria, the lowest priced proposal should receive the maximum weighted score for the price criteria. The other proposals should

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receive a percentage of the weighted score based on the percentage differential between the lowest proposal and the other proposals in accordance with the following example:

Example

Vendor	Proposed Price	Percentage	By	Weight	Equals	Weighted Score***
A	$20,000	100	X	.25	=	25
B	$25,000	80*	X	.25	=	20
C	$28,000	71**	X	.25	=	20

* Vendor B's percentage is $20,000 ÷ $25,000 = 80%
** Vendor C's percentage is $20,000 ÷ $28,000 = 71%
*** Weighted Score shall be rounded to nearest whole number divisible by 5

The price evaluation and calculation may be revised to conform to the needs for each individual RFP selection.

2. **Option 2:** This option is based on the use of a bell curve (percentages can be adjusted).

The lowest priced 15% of the total number of proposals = 5 points
The next 25% = 4 points
The next 20% = 3 points
The next 25% = 2 points
The next 15% = 1 point

Example: Ten (10) proposals are received and priced as follows:

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PROPOSAL	PRICE	SCORE
A	53,000	5
B	58,000	5
C	63,000	4
D	66,500	3
E	68,500	3
F	71,000	3
G	74,500	3
H	80,000	2
I	96,000	1
J	115,000	1

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EVALUATION SHEET

Sample

PROPOSER_____ **RFP No.**_____
PROJECT: **Date:**

EVALUATION CRITERIA	**WEIGHT**		**SCORE** (1-5)		**TOTAL**
Fee Proposal (if applicable)	25	x	_____	=	_____
Similar Projects by Project Manager	15	x	_____	=	_____
Similar Projects by Project Engineer or Architect	15	x	_____	=	_____
Skills and Experience of Project Team	15	x	_____	=	_____
Location (Proximity to the Project)	10	x	_____	=	_____
New Competition for Cape Coral Projects (provided)	10	x	_____	=	_____
Approach to the Project/Scope and Understanding	10	x	_____	=	_____
TOTAL SCORE:					_____

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SCORE STRUCTURE
1= Poor
2= Below Average
3= Average
4= Above Average
5= Excellent

_____
Signature

_____
Name

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C. Competitive Sealed Proposal Awards for Professional Services Requiring Council Approval:

1. **Policy:**

The City of Cape Coral selection process for professional services; i.e., practice of architecture, engineering, landscape architecture, surveying or cartography/mapping, must be in accordance with Florida State Statute Section 287.055, The Consultants' Competitive Negotiation Act (**CCNA**).

2. **Selection Advisory Committee** (**SAC**)**:**

The SAC shall consist of the following voting and non-voting members:

a) Council Delegate (Non-voting)

b) City Manager or designee

c) Assistant City Manager or designee

d) Financial Services Director or designee

e) Utilities Director or designee

f) Public Works Director or designee

g) Department of Community Development or designee

h) Procurement Manager or designee

The SAC shall be chaired by the Procurement Manager or his or her designee. The Chairperson shall assume those duties and responsibilities conducive to adherence to proper procedures, fair and consistent evaluation of all proposers and shall oversee all administrative processes and procedures concerning the SAC and its deliberations.

D**.** Procedures **When Council Approval is required**:

The purpose of these procedures is to establish a fair, equitable and impartial process by which the City makes awards in competitive sealed proposals for procuring services of all types, and when the Council otherwise selects architects, engineers, landscape architects, surveyors and cartographers/mappers, in accordance with the requirements of FL Statute 287.055.

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The Procurement Manager and the staff of the Procurement Division retain overall control of the administration of the competitive sealed proposal process, including scheduling, record keeping, distribution of proposals and other materials, and preparation of all documents and making recommendations required by the City Council.

The following delineates specific responsibilities of appropriate parties during this process. These procedures also incorporate the methodology whereby the City Council makes awards in competitive sealed proposal procurement.

1. **Procurement Division**

   a) Obtains a budget amount and general scope of work from the user division allocated for the project.

   b) Confirms selection criteria with user division.

   c) In accordance with the City Procurement Ordinance advertises (if required) and issues Request for Proposals (RFP).

   d) Reviews received proposals in order to determine prima facie responsiveness.

   e) Distributes proposals to members of the Evaluation Committee and distributes a list of non-responsive proposals, if any, including the reasons for such determination.

2. **User Division**

   a) May request that the **Evaluation Committee** consider additional criteria or changing of criteria weights prior to RFP issuance; determines relative weights of criteria. Criteria and weights may be revised by majority vote of the Evaluation Committee prior to issuance of the RFP.

   b) Each member of the short-list team may ***independently*** evaluate and score each proposal. Such evaluations shall be based on Evaluation Criteria and Definitions, or as revised by the Evaluation Committee.

   c) Presents the recommendation of the using division to the Procurement Manager.

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3. **Selection Advisory Committee (SAC)**

a) The SAC will meet and review the recommendation of the Evaluation Committee.

b) The recording secretary of the SAC shall ensure that minutes of SAC meetings are maintained.

c) An announcement of each meeting of the SAC shall be posted at least three (3) working days prior to the meeting.

d) The SAC may shortlist for interviews the proposers based on the recommendation of the Evaluation Committee.

e) Procurement Division will advise the short-listed firms of the date and time for their interviews, if the SAC has requested interviews.

f) The SAC will interview the short-listed firms, if it has so chosen, and/or make a ranking recommendation to City Council.

g) Upon receiving Council approval, Procurement and the user department will conduct contract negotiations.

h) The Council may also select a proposer (and generally two ranked alternates for professional services) and authorize contract negotiations and execution of the contract by the Procurement Division, provided the negotiated contract does not exceed the stated budget for the project services.

i) The Procurement Division obtains review by the City Attorney's office, if applicable, reviews the contract for price acceptability and cost analysis, and routes the contract for Council approval and execution.

E. Evaluation Criteria and Definitions:

1. **Similar Projects Completed by Proposed <u>Project Manager</u>:**

Projects may each be awarded:

a) a **<u>full point</u>** for projects satisfactorily completed, similar in nature to the proposed project, and containing required disciplines listed in the description of similar projects (a maximum number of points is established in advance)

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b) a **half point** for projects satisfactorily completed, similar in nature to the proposed projects, and containing most but not all disciplines listed in the description of similar projects, or

c) **zero points** for projects not satisfactorily completed, not similar to the proposed project, or containing few of the disciplines contained in the description of similar projects, as determined on a case by case basis by the Procurement Committee.

Alternately, the RFP may specify certain project elements required to be completed for a full point and for a half point and may also specify some elements as mandatory. In this case, the guidelines contained in the RFP for award of a full, half or zero points shall be used.

2. **Similar Projects Completed by Proposed Project Engineer or Architect:**

Projects may each be awarded:

a) a **full point** for projects satisfactorily completed, similar in nature to the proposed project, and containing required disciplines listed in the description of similar projects,

b) a **half point** for projects satisfactorily completed, similar in nature to the proposed projects, and containing most, but not all disciplines listed in the description of similar projects, or

c) **zero points** for projects not satisfactorily completed, not similar to the proposed project, or containing few of the disciplines contained in the description of similar projects, as determined on a case by case basis by the Procurement Committee.

Alternately, the RFP may specify certain project elements required to be completed for a full point and for a half point, and may also specify some elements as mandatory. In this case, the guidelines contained in the RFP for award of a full, half or zero points shall be used.

3. **Skills and Experience of the Project Team:**

Based upon the information provided, the evaluation shall address the prime consultant's experience, personnel other than the project manager and project engineer or architect, the proposed sub-consultants' experience, other resources available for the project, the

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management plan and organizational chart.

Points will be awarded as follows:

5 Points

Excellent - Members of the project team exhibit exemplary experience on projects of a similar nature. The management plan displays a superior knowledge and understanding of the scope of services.

4 Points

Above Average - Members of the project team exhibit experience that is more than adequate on projects of a similar nature. The management plan displays knowledge and understanding of the scope of services that is more than adequate.

3 Points

Average - Members of the project team display adequate experience on projects of a similar nature. The management plan addresses most but not all of the scope understanding.

2 Points

Below Average - Members of the project team exhibit experience in many of the basic elements of the project but are lacking in some essential elements of some aspects on projects of a similar nature. The management plan addresses some but not all aspects of the scope understanding.

1 Point

Poor - Members of the project team fail to exhibit adequate experience on projects of a similar nature. The management plan fails to address all aspects of the scope understanding.

NOTE: One bonus point, to a maximum of five (5) points for each category, may be awarded in any one of these first three criteria for excellent work (as documented) performed previously for the City, and conversely, a point may be deducted in any one of the first three categories for poor work (as documented) previously for the City. This provides the City an opportunity to evaluate actual performance that then may be a factor on future selections. Documentation supporting the award or deduction of one point will

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be distributed with the SAC Agenda upon the request of the using division/department.

4. **Location (Proximity to the Project):**

Points will be awarded as follows:

5 points:

90-100% of the total dollar amount of all work will be performed by prime consultant with staff permanently assigned to their firm's offices located in Cape Coral and/or Lee County.

4 points:

90-100% of the total dollar amount of all work will be performed by prime consultant with staff permanently assigned to their firm's offices located in Lee, Charlotte, Collier, Sarasota, Pinellas or Hillsborough Counties, either singularly or in combination.

NOTE: This is exclusive of the percentages that warrant 5 points for work in Cape Coral and/or Lee County as described above.

3 points:

80-89 % of the total dollar amount of all work will be performed by prime consultant with staff permanently assigned to their firm's offices located in Lee, Charlotte, Collier, Sarasota, Pinellas or Hillsborough County.

2 points:

50-79% of the total dollar amount of all work will be performed by prime consultant with staff permanently assigned to their firm's offices located in Lee, Charlotte, Collier, Sarasota, Pinellas or Hillsborough County.

1 point:

The total dollar amount of all work to be performed by prime consultant does not fall within the categories stated above, but 50% of the work will be performed by prime consultant with staff permanently assigned to their firm's offices located in the State of Florida.

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0 points:

Work to be performed does not fall within any of the categories listed above.

5. **New Competition for Cape Coral Projects:**
(Scores provided by the Procurement Division)

The total fees awarded for work performed by the prime consultants as either a prime consultant or a sub-consultant for Cape Coral, Florida shall be considered at the following adjusted rates as of October 1 for the period noted. The date of the agreement, Work Authorization or Amendment shall determine the applicable period.

From 10/1 of previous fiscal year to current date	100% of the fee
From 10/1 - 9/30 of fiscal year preceding #1 above	75% of the fee
From 10/1 - 9/30 of fiscal year preceding #2 above	50% of the fee
From 10/1 - 9/30 of fiscal year preceding #3 above	25% of the fee

Points will be awarded as follows:

5 points:

Firms with no previous work with the City as a prime consultant or sub-consultant during the current fiscal year *and* previous fiscal years

4 points:

Firms with adjusted fees not exceeding $100,000 during the same period

3 points:

Firms with adjusted fees exceeding $100,000 through $500,000

2 points:

Firms with adjusted fees exceeding $500,000 through $1 million

1 point:

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Firms with adjusted fees exceeding $1,000,000 through $2 million

0 points:

Firms with more than $2,000,000 million

When a Joint Venture submits a proposal, the volume of work awarded to each Joint Venture firm will be multiplied by the percentage of participation in the Venture by that firm and those adjusted figures totaled to determine the total dollar amount to be used in this category.

6. **Approach to the Project/Scope and Understanding:**

Proposed design philosophy; anticipated problems and concern for design and/or construction; alternatives or proposals to solve anticipated problems and concerns; budgetary and cost containment considerations, possible alternatives for cost savings and/or energy conservation to the City; permitting considerations, if any, and approach to obtaining such permits. Points will be awarded as follows:

5 points:

Excellent - Proposal exceeds minimum requirements, specifications, or provisions in most or all aspects of the specific criteria.

4 points:

Above Average - Proposal more than adequately meets the minimum requirements, specifications, or provisions of the specific criteria and exceeds those requirements in some aspects for the specific criteria.

3 points:

Average - Proposal adequately meets the minimum requirements, specifications, or provisions of the specific item and is generally capable of meeting the City's needs of the specific criteria.

2 points:

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Below Average - Proposal meets many of the basic requirements, specifications, or provisions of the specific item but is lacking in some essential aspects of this specific criteria.

1 point:

Poor - Proposal is lacking or inadequate in most basic requirements, specifications, or provisions of the specific criteria.

F. Competitive Sealed Proposal Award for Professional Services **when not requiring Council approval**:

Requirements falling within this classification will generally be processed in the same manner as those exceeding the Council approval limit except that Council representation on the Procurement Committee and Council approval of the selections are not required. Also, professional services less than the thresholds in Florida State Statute 287.055 (4) (c) shall be awarded using a procurement method authorized by the Procurement Manager.

G. **Administration** of Professional Services Contracts for Professional Architecture, Engineering, Landscape Architecture, Surveying and Cartography/Mapping Services:

1. Purpose

Professional Services contracts for architecture, engineering, landscape architecture, surveying, cartography/mapping services provide a timely and efficient means to acquire professional services to support City operations. These procedures are consistent with the requirements of Florida State Statute 287.055.

H. Procedures **When Council Approval is not required.**

a) Definitions:

Professional Services Contract shall mean a contract for architecture/engineering, landscape architecture, surveying, cartography/mapping services established on an annual or ongoing basis whereby the firm provides professional services to the City for projects for which construction costs do not exceed the thresholds set in Florida State Statute 287.055 (2)(g), for study activity when the fee for such

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professional services does not exceed the thresholds set in Florida State Statute 287.055 (2)(g) or for work of a specified nature as outlined in the contract required by the City. Professional Services contracts containing work of a specific nature must receive approval by the Procurement Manager, prior to issuance of the solicitation. The Professional Services contract specifies the types of services or projects to be performed, hourly rates, overall multiplier (including direct and indirect labor, fringes, general administrative and overhead and profit), and duration of the contract. Services for study activity or designs for construction, renovation, or rehabilitation activities are rendered on an as needed basis by means of a Staff Cost Proposal (SCP_ encumbered by Purchase Order, as defined below. Pricing shall be documented in project-specific price proposals for SCP issued against the Professional Services contract.

Staff Cost Proposal (SCP) shall mean a project-specific work order issued against a continuing contract. A SCP specifies the specific project, project schedule and completion time, detailed scope of services and total compensation for the Work Authorization.

Study Activity shall mean professional services involving research, investigation and/or evaluation which result in the presentation of findings, recommendations and/or a general plan for resolving a problem or need, but which do not involve the preparation of specific project designs, plans, specifications or other documents that would be used in obtaining price proposals or awarding construction contracts.

b) Architecture, engineering, landscape architecture, surveying, and cartography/mapping services contracts may be established on a continuing basis for a period of one (1) year, renewal at one (1) year intervals for a maximum period of three (3) years unless a longer period is authorized by the City Council. Contracts shall include a clause that allows the City to terminate at any time without cause with payment limited to services satisfactorily performed through the effective date of termination.

c) All SCP should be negotiated on a Not To Exceed basis. Such SCP shall be supported by a fee proposal showing the labor classifications, number of hours, contract hourly rate, break-even multiplier (direct and indirect labor, fringes, and general administrative and overhead costs), profit margin, reimbursable, and out-of-pocket expenses and sub-consultant fees to determine overall cost.

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d) Prior to a SCP or an Amendment to a Work Authorization being approved under the terms of this procedure, sufficient funds for the services must be available in an appropriate, approved budget line item.

The following approval authority is hereby effective for Work Authorizations and Amendments issued against continuing contracts:

i. The Procurement Manager shall be authorized to approve individual SCP and Amendments, within the overall scope of the continuing contract up to the Council approval limit.

ii. The City Manager shall be authorized to review and provide preliminary approval of individual SCP and additional services, within the overall scope of the continuing contract beyond Council approval authority. However, the Council has final authority for such SCP.

iii. The Procurement Manager shall be authorized to approve Amendments to individual SCP up to the limits prescribed by the Procurement Ordinance. Amendments exceeding the Manager's authority require City Manager review and approval as well as Council approval.

iv. SCP shall not be artificially divided to circumvent the above approval requirements.

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PROTESTS AND LOBBYING

SECTION 8

GENERAL

A. **A protest** is only legally binding if it is submitted no later than the fifth full business day after posting of the award recommendation at the Procurement Division. Agenda items/recommendations of award shall be posted for a period of five full business days. Challenges to award actions ***prior*** to or ***after*** this period are not valid. The Procurement Specialist, Sr. Buyer or Buyer ensures that the agenda item/recommendation of award remains posted to allow for the five business days to conclude. The Procurement Specialist, Sr. Buyer or Buyer will ensure that **the item is removed from the Council agenda** until the protest has been resolved.

B. Upon receipt of a protest, the Procurement Specialist, Sr. Buyer or Buyer, and the Procurement Manager will meet to discuss the protest and resolution strategy. Notices of all meetings with the protester to resolve the protest **will be publicly posted.**

INVITATIONS FOR BID

A. An award recommendation/agenda item shall be posted by the Procurement Division no less than three (3) full business days after the decision to recommend award to a bidder is made. Any Notice of Protest must be submitted not later than 5:00 p.m., local time, on the fifth full business day after posting of the award recommendation in order to be valid. The item shall remain posted for the entire five full business days. Failure to comply with this **time limit** renders the protest unacceptable. The **Notice of Protest** must be in writing and must identify the protester, the IFB number and Title and contain a factual summary of the basis of the protest.

B. A **Formal Written Protest** must be filed no later than 5:00 p.m. on the tenth full calendar day after the date of submittal of the notice of protest. Failure to comply with this **time limit** renders the protest unacceptable. The formal written protest shall:

1. Identify the protester and the solicitation involved

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2. Clearly state the legal grounds on which the protest is based

3. Refer to the statues, laws, ordinances or other legal authorities, which the protester deems applicable to the protest

4. Specify the relief to which the protester deems himself/herself entitled

C. A Formal Written Protest is considered filed with the City when the Procurement Division receives it. **Failure to file the Notice of Protest and subsequent Formal Written Protest within the time period specified shall result in the waiver of any right to protest.**

D. Resolution by the Procurement Division Manager:

1. The Procurement Division Manager, will **meet** with the protester ***after receipt of a timely Formal Written Protest*** to attempt to resolve the protest (Protest Review).

2. The Procurement Division Manager, will issue a **written decision** to the protester.

3. The protester may appeal the decision, in writing, to the Procurement Division Manager, no later than 5:00 p.m. on the fifth full business day after the date of the decision. This appeal elevates the matter to a **Formal Protest Hearing**.

4. If an appeal is received, a letter will be sent to the protester informing the protester of the date, time, and location of the protest hearing with a copy to all other bidders. A copy of the meeting's agenda ***and the protest*** will be attached to the letter. A courtesy copy of the letter will be provided to the members of the protest committee along with a copy of the ITB, bids(s) involved, formal protest, and agenda. ***(This*** *letter must be posted****).*** The protest committee consisting of the Procurement Division Manager (non-voting chairperson), representatives from the City Attorney, City Administration, the user department (applicable division manager), and the Economic Development Division will convene on the date/time/location arranged to resolve the protest (Formal Protest Hearing).

5. At the protest hearing, the protester and any other actual or prospective bidders allegedly aggrieved by the award recommendation will be allowed to make an oral presentation. During the protest hearing, the agenda will be closely followed.

6. After conclusion of the presentations, the protester and others will be asked to allow the protest committee to deliberate on the protest in private. ***However, it must be emphasized that this is a public meeting and they have the right to remain if they desire to do so.*** Upon completion of deliberations, the Manager of the Procurement Division, will

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document the committee's decision and each member will sign and date the **Protest Hearing Summary**. This Summary will be included in the official contract file.

7. The award recommendation/agenda item shall be revised to incorporate information on the protest and its resolution. A copy of the revised agenda item incorporating the protest and its resolution will be provided to the protester and other substantially affected persons or businesses. This agenda item shall not be posted.

8. The decision of the protest committee shall be final and conclusive unless the protester submits a **Letter of Objection to Council** as outlined below or a party commences action in court.

9. A bidder who has protested a competitive bid procurement ***requiring Council approval*** may appeal to Council if he/she believes the protest committee's decision is unfair or incorrect. To exercise this right, the protester must provide a letter of objection with all attachments (if any) to all Council members objecting to the protest committee's decision no later than 5:00 p.m. on the fifth full business day after the date the Procurement Manager issues the protest committee's written Summary. The written Summary shall be the final agenda item, which shall include a synopsis of the protest, and its resolution. See paragraph B for specific information that must be included in the letter of objection. The bidder shall simultaneously deliver duplicate copies of the letter of objection with all attachments (if any) to the City Administrator, City Attorney and the Manager of Procurement.

10. The Procurement Division shall ensure that a copy of the Letter of Objection is provided to all other bidders**.**

REQUEST FOR PROPOSALS

A. A **Letter of Protest** must be received no later than 5:00 p.m. on the fifth full business day after posting of the agenda item. The agenda item shall be posted for five full business days. Failure to comply with this time standard renders the protest invalid. **The Letter of Protest** must specifically delineate the alleged omission, error, mistake or incorrect evaluation, and include a suggested remedy, which could be administered by the **Procurement Committee.**

B. **A Formal Written Protest** must be filed no later than 5:00 p.m. on the tenth full calendar day after the date of submittal of the notice of protest. Failure to comply with this **time limit** renders the protest unacceptable. The formal written protest shall:

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a. Identify the protester and the solicitation involved

b. Clearly state the legal grounds on which the protest is based

c. Refer to the statutes, laws, ordinances or other legal authorities, which the protester deems applicable to the protest.

d. Specify the relief to which the protester deems himself/herself entitled

B. Procurement Division staff will schedule and attend the protest hearing and confirm the protest hearing by letter to the protester with a copy of the agenda and any other pertinent documents. Courtesy copies of the letter will be provided to other interested parties and members of the Procurement Committee with a copy of the protest, agenda and any other pertinent documents. The protest hearing scheduling letter must be posted.

C. The protestor, their representative or counsel and any other parties affected by the Procurement Committee's evaluation, may make an oral presentation at the protest hearing. After conclusion of the presentations, the protestor and other interested parties will be asked to allow the committee to deliberate in private. However, it must be emphasized that this is a **public meeting** and interested parties have the right to remain if they desire to do so.

D. Upon completion of the deliberations, the committee will document their decision on the Protest Hearing Form (signed by all members) and the final agenda item documenting the protest and its resolution will be issued to Agenda Development. A copy of the final agenda item documenting the resolution of the protest will be provided to the protester and other substantially affected persons or businesses. This agenda item ***shall not*** be posted.

E. The decision of the procurement committee shall be final and conclusive unless the protester submits a letter of objection to Council or a party commences action in court.

F. A proposer (protestor) who has protested a competitive proposal procurement ***requiring Council approval*** may appeal to the Council if he/she believes the procurement committee's decision is unfair or incorrect. To exercise this right, the protester must provide a Letter of Objection with all attachments (if any) to all Council members objecting to the protest committee's decision no later than 5:00 p.m. on the third full business day after the date the Procurement Manager, issues the **Procurement Committee's Written Decision.** The written decision shall be the final agenda item, which shall include a synopsis of the protest, and its resolution. See paragraph B (above) for specific information that must be included in

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the letter of objection. The protester shall simultaneously deliver duplicate copies of the letter of objection with all attachments (if any) to the City Administrator, City Attorney and the Manager, Procurement.

G. Procurement Division staff shall ensure that a copy of the Letter of Objection is provided to all other proposers. Thereafter, the protester and any other proposers may lobby members of Council. Inquiries about lobbying requirements, procedures and restrictions shall not be addressed by the Procurement Division. Individuals requiring information on this issue shall be referred to the City Attorney's Office.

LOBBYING PROCEDURES

A lobbying blackout period begins upon issuance of the solicitation and continues until Council selects the successful proposer/bidder. For procurements that do not require Council approval, the blackout period starts when the solicitation is issued and ends upon contract award. Proposers/bidders can lobby Council only if a final decision has been made on their protest and if they are appealing the decision on that protest to City Council.

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CONTRACT MODIFICATIONS / TERMINATIONS

SECTION 9

CONTRACT MODIFICATIONS - AFTER AWARDED

A. Modifications are written changes to a contract or Purchase Order that revise the quantities or make changes within the scope of services and may include an extension of time to complete the contract. A Change Order is a contract modification.

B. The Procurement Manager may authorize modifications for construction, and goods and/or services within the overall scope of the project or procurement up to the amount allowed by the Procurement Ordinance. If the Amendment/Change Order exceeds the Manager's authority, the Amendment/Change Order must be approved by Council. Each division will be responsible for presentation of construction Change Orders to Council for approval on the Consent Agenda. The divisions shall follow guidelines issued by the Procurement Division on the preparation of these agenda items.

C. If a modification is outside the scope of the original project or procurement as determined by the Procurement Manager, a new Invitation for Bid or Request for Proposals must be issued unless soliciting would cause a significant delay or other adverse impact on the project, wherein a new contract with the existing contractor may be negotiated, provided said contractor is qualified and available to perform on the new project, or is capable of securing the services of a qualified subcontractor. Extension of time frames for completion of contracts may be authorized by the Procurement Manager.

PURCHASE ORDER MODIFICATIONS

A Change Order to a Purchase Order is handled the same way as the issuance of a Purchase Order. The department/division requesting the Change Order shall submit to the Procurement Division a Change Order Request via the electronic workflow in OnBase indicating the original Purchase Order number and the reason for the changes, i.e., increase in quantity, addition of items, etc. ***Change Order requests that list a price change with no explanation for the increase or decrease may be returned to the originator.*** **Change Orders must be processed for** all changes that affect the original Purchase Order.

CONTRACT TERMINATIONS

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The Procurement Manager shall have authority to terminate any contract executed in behalf of Council.

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EXEMPTIONS, STANDARDIZATION & COOPERATIVE PURCHASING

SECTION 10

EXEMPTIONS

The requirements for requesting bids from three or more sources are waived for the purchases delineated under Exclusions beginning on page 5 of this manual.

When purchased directly from the producer or publisher, the owner of the copyright, an exclusive agent within the state, a governmental agency or a recognized educational institution, purchases from city cooperative contracts, Federal GSA contracts, state contracts, state university system cooperative bid agreements, contracts awarded by any local, state or national governmental agency, cooperative purchasing organizations, or purchasing associations, and any other entities specifically excluded by the Procurement Ordinance, and non-profit organizations, shall be an acceptable alternative procedure for bidding. Items for resale shall be exempt from bid requirements. Purchase of these items shall be authorized by the Procurement Manager.

STANDARDIZATION

A. **Compatibility** to existing equipment shall be an acceptable justification for waiver of bidding procedures provided the item meets the other criteria within the definition of sole source item (i.e., available from only one source and is the only item that will produce the desired results).

1. Where standardization is determined to be desirable by the Procurement Manager, the purchase of materials, supplies and equipment and certain contractual services may be made by negotiation. Approval levels stipulated in the City Procurement Ordinance shall apply to such purchases.

2. In order to standardize a good/service, the department/division must supply the following information:

a) The number and types of the same or similar equipment or systems currently in the user's inventory.

b) Reason(s) why the decision was made to standardize on a make or

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model. Qualified personnel should reach this decision after a comprehensive analysis of various equipment or systems. This analysis must be documented.

c) Discussion of operational advantages, if any, that the desired equipment/system has over comparable models and why these capabilities are essential to their mission.

d) Discussion of maintenance advantages, if any, that the desired equipment/system has over comparable models. Factors that should be considered include ease of maintenance; current skills of maintenance personnel; costs of additional training if another system or different equipment is procured; existing parts inventory; etc.

Note: Departments/divisions are cautioned that the conclusions they reach must be based on credible factors that are sufficient to withstand challenges from other manufacturers or their representatives, and scrutiny by City authorities. Justification for the equipment/system must be signed or approved by an individual at the department manager level or above.

COOPERATIVE PURCHASING / INTERGOVERNMENTAL CONTRACTS

A. The Procurement Manager shall have the authority to join with other units of government in cooperative purchasing ventures when the best interests of the City would be served, and the purchase is in accordance with City Ordinances.

B. Purchases in any amount may be made against established State of Florida and Federal GSA contracts without bidding, provided they are in the best interest of the City.

1. **State Contracts** – Prior to Requisitioning services or equipment (especially vehicles/large trucks with dealer options) against a state contract, the department/division must evaluate whether the contract includes ***all*** of their requirements. If all requirements are not covered, they must decide whether they want the entire purchase to be made on the open market or whether they want to use the state contract for the covered items only.

Minor dollar value optional items that are not covered by the state contract may be procured provided that adequate justification is provided. Optional items of significant dollar value will be procured separately. The determination as to whether an item is of minor or major dollar value will be made on a case-by-case basis by the Procurement Manager.

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2. P**urchase Orders for GSA** contracts must be issued directly to the contractor that is listed on the contract. A dealer's offer to quote the GSA price does not equate to an order under a GSA contract since such orders are not supported by the terms and conditions of the contract. In essence, the dealer's quote is simply an open market bid. A copy of the GSA contract is required that may be in the form of a published price list with the applicable order, delivery, pricing and other terms included.

C. **Piggyback purchases** may also be made against contracts from other governmental entities provided the following criteria are met:

1. The work/services/commodities must be specifically with the scope of the contract and the contract must be ***active***. A purchase cannot be made against a contract that has expired.

2. A bid tabulation if solicited by an ITB or scoring matrix if an RFP was used, proof of award and a copy of the contract must be obtained and information whether the award was competitive or sole source must be supplied. If competitive, the file will be documented with information to support the competitive nature of the contract. If a sole source, the file must be documented with justification to support the fairness and reasonableness of price.

3. Insurance and/or bonds, as applicable, in accordance with the City's standard procedures shall be obtained from the contractor for contracts involving: construction, services performed at a City facility or on City property or services performed for the City in which liability may be an issue and instances where commodities require frequent visits to City facilities/property.

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PURCHASE CARD PROCEDURES

SECTION 11

INTRODUCTION

The City of Cape Coral Purchasing Card Program is designed to improve efficiency in processing primarily low dollar purchases from any vendor that accepts the City's credit card. Many current vendors will accept the City's credit card.

This program will allow the cardholder to purchase approved commodities and services directly from our vendors. Each purchasing card is issued in the cardholder's name and City of Cape Coral. The cardholder's name and the City of Cape Coral are clearly printed on the card.

The Procurement Division, in partnership with the Financial Services Director, will be responsible for the overall management of this program.

PURPOSE

To establish Purchasing Card Policies which meet the following criteria:

- Provide an efficient method of purchasing and paying for goods and services not exceeding the per purchase and monthly spending limits established by the Procurement Manager.
- Ensure Purchasing Card purchases are in accordance with the City's Ordinances, policies and procedures, and with the Florida Statutes
- Eliminate the use of many Vendor related Check Requests and Open Purchase Orders.
- Reduce the time spent processing transactions.
- Provide a convenient method for purchases, payment consolidation, improved customer service, transaction costs reduction, streamlining process and capturing spending information.
- Provide for disciplinary action if the purchasing cards are misused.

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SCOPE

These policies will apply to all City employees participating in the program.

POLICY

The Purchasing Card shall be used only in strict conformity with the City's policy and procedures and within the terms and conditions of the Cardholder Agreement. The Purchasing Card may be used only by the City employee whose name is embossed on the card. No other person is authorized to use the card. The Cardholder is responsible and accountable for all transactions that occur on their card. The Purchasing Card is to be used for City authorized purchases only and cannot be used for any personal use.

PURCHASING CARD PROCEDURES

A purchase may be made of multiple items, but the invoice cannot exceed the established limit or the Cardholder's limit if less than maximum. Purchases over $2500 should normally be made by Purchase Order under the City Purchasing Policies and Procedures. Charges for purchases shall not be split to stay within the single purchase limit. Splitting charges will be considered abuse of the Purchasing Card Program.

I. Definitions

Bank - The financial institution which has entered into an agreement with the City to provide the Purchasing Card Program

Billing Cycle - The monthly billing period that begins on a specified day of each month and ends on a specified day of each month.

Division Manager – Manages the division's purchasing card program which includes but not limited to requesting the purchasing cards for employees within their division and designates the Proxies or P-card holder.

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Capital Equipment - Assets with a cost of $5,000 or more and a useful life of one year or more, including but not limited to furniture, equipment, vehicles, and computer hardware, should not be purchased with the P-Card.

Cardholder Agreement – The City's terms and conditions that define Cardholder use of the purchasing card.

Credit Log - Summary sheet upon which Cardholder records the details about credits to the Purchasing Card purchases. Information to be recorded includes the reference or order number; date of original transaction; date of credit transaction; purchase description; and dollar amount of the credit.

Merchant Category Code (MCC) Limit - A method to control where spending is allowed. All Visa merchants are assigned an industry-specific MCC code which the City can restrict from Purchasing Card access. Once an MCC code is blocked, all merchants within that category will be declined.

Monthly Limit - The maximum dollar value of charges a Cardholder is authorized to make during the billing cycle.

Proxy - Employees that are designated CAB's by the Division Managers to be responsible for the reconcilement, documentation and account coding of Purchase Card transactions for a specified group of Cardholders

Purchasing Card - A charge card issued to an employee for the purpose of making authorized purchases on the City's behalf. The Purchasing Card will have the City's name, City's tax exemption number, Cardholder's name, card number, and the expiration date of the card.

Purchasing Card Administrator (PCA) - The Procurement Manager or designee. This person is responsible for the administration of the Purchasing Card Program.

Single Purchase Limit - The maximum value of charges a Cardholder is authorized to make during a single transaction.

II. How It Works

- A Division Manager authorizes the issuance of a Purchasing Card to an employee.
- The Purchasing Card Administrator approves and coordinates issuance of a Purchasing Card to an employee.

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- A Cardholder requests goods or services from a vendor who accepts Visa.
- The vendor processes the card information to obtain authorization for the purchase.
- The Bank receives the transaction information electronically from Visa.
- The Bank verifies the account number and spending control limits on the card.
- The Cardholder receives the merchandise and a copy of the receipt.
- The Cardholder forwards the original receipt within 48 hours to the Proxy/.
- The vendor receives payment for the merchandise.
- The Proxy receives a monthly statement for each cardholder.
- Finance receives a monthly consolidated statement for the City.
- The Proxy reconciles all purchases and credit activity to the statement on a weekly basis.
- The Proxy signs and forwards the weekly reconciled transaction report, along with supporting documentation to Finance.
- Finance pays the consolidated statement to the Bank.

III. Responsibilities

Cardholder is responsible for the following:

- Providing detailed receipts & supporting documentation to the Proxy, who collects and sends to Finance
- Holding and securing the Purchasing Card and card number;
- Buying supplies and services;

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- Informing vendor of tax-exempt status prior to processing sale transaction;
- Collecting and saving sales receipts;
- Receiving and inspecting all ordered materials and services;
- Reporting and correcting discrepancies to vendor;
- Identifying and handling disputed charges;
- Reviewing/verifying charges with the Proxy;
- Submitting receipts to the Proxy within 48 hours;
- Complying with City policy and procedures.

Proxy is responsible for the following:

- Matching receipts with the weekly transactions' activities;
- Reviewing and clarifying the weekly transaction activities with the Cardholder r;
- Assisting in the handling of disputed items;
- Maintaining a copy of the Purchasing Card Reports, if used, and verifying all credits are posted;
- Assign account and project numbers;

Division Manager is responsible for the following:

- Reviewing the monthly purchasing trends of Cardholders with the Division;
- Reviewing and ensuring sufficient budget dollars are available for Cardholders;
- Review Cardholders use of cards;

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- Assisting in the handling of disputes with vendors;
- Assuring that all documentation is forwarded to Finance by applicable schedule dates;
- Evaluating the need to cancel or reissue cards;
- Collecting revoked cards from Cardholders and remitting to the PCA;
- Designating Proxys and communicating same to the PCA.
- Review and sign the weekly transaction report

Purchasing Card Administrator (PCA) is responsible for the following:

- Reviewing and communicating to the Bank all Purchasing Card requests and changes to card limits;
- Training Cardholders;
- Approving and Coordinating the issuance and cancellation of cards;
- Maintaining program policy and procedures, Cardholder guides and/or manuals and all Cardholder Application Forms;
- Maintaining a list of all current Proxy and P-card holders;
- Pursuing supplier discount opportunities;
- Evaluating Purchasing Card feedback from suppliers;
- Coordinating and maintaining internal controls;
- Coordinating program policy issues;
- Participating in ongoing program reviews;
- Participating in resolving billing disputes;

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- Monitoring program for compliance with all City policy and procedures and recommending disciplinary action to Finance or Department Director;

- Monitoring the program's aggregate monthly spending relative to the aggregate established credit limit with the Bank for potential required increases.

- Review and communicate purchasing exceptions to the Proxy

Accounts Payable is responsible for the following:

- Receiving approved weekly transaction report and supporting documentation from all Proxys;

- Performing a pre-audit over receipts and charges and paying monthly charges from the consolidated statements.

- Filing monthly statements and supporting documentation;

- Administering 1099 reporting.

Bank is responsible for the following:

- Activating and deactivating purchasing cards at the request of the PCA;

- Paying suppliers;

- Controlling pre-defined Cardholder limits;

- Providing monthly statements and reporting information;

- Providing customer service.

- Providing fraud protection

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IV. Processes

A. Requesting a Purchasing Card

1. Purchasing Cards will be issued to authorized City and Charter School Authority employees who frequently purchase goods or services.

2. All requests for Purchasing Cards must be submitted by the Division Manager to the PCA on a Purchasing Card Application Form.

3. The PCA reviews the application and submits it to the Bank for processing.

4. The PCA submits the application, electronically, to the bank for processing

5. The Bank issues the Purchasing Card and mails it to the PCA. The PCA will write "See photo ID" in the signature space on the back of each card.

6. The Cardholder must the Purchasing Card Program training course before receiving the P-card and attend all mandatory annual training.

7. The cardholder signs the Cardholder Acceptance form and receives a Purchase Card

B. Modifying Purchasing Card Limits

1. All requests for modifications to Cardholder limits must be submitted by the Division Manager or Charter School Authority Superintendent to the PCA. (See attachment #2 and form is located on Procurement SharePoint)

2. After the PCA reviews and approves the modification, the PCA will update the banking information.

3. The PCA notified the department once the modifications are complete.

4. Exception to the P-Card dollar amount threshold, single transaction limit and/or monthly credit limit may be granted on a case by case basis when approved in writing by the Director of Finance.

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C. Using the Purchasing Card

Note: VENDORS ARE NOT TO KEEP CREDIT CARD NUMBER ON FILE AND DO NOT MAKE CREDIT CARD NUMBER AVAILABLE ON A FAX FORM

1. The Cardholder may: pick up supplies or services, or place an order for these by telephone, facsimile or electronically. Internet purchases must be made over a secured transmission. The supplies or services must be immediately available for pick up or delivery. The order should not be placed without this assurance. No back-ordering is allowed when using the purchasing card.

2. Over the Counter Purchases:
   a. Over the Counter Purchases: When over the counter purchase is made, the cardholder must obtain the customer's copy of the sales receipt and ensure that the sales receipt does not include sales tax on the purchase
   b. Ensure the description of items purchased is reflected on the sales receipt; if not, manually write on the sales receipt what was purchased.
   c. The sales receipt shall be forwarded to the proxy for further processing

3. Telephone Orders: when placing a telephone, order, the cardholder must confirm that the vendor will immediately forward a copy of the sales receipt to the cardholder and ensure the sales receipt does not include sales tax. The Cardholder must confirm that the vendor will charge the Purchasing Card when shipment is made so that receipt of the supplies may be reconciled within the 30-day cycle period. This is also a requirement of the vendor's contract with Visa.

4. **Prohibited Purchases:** The Purchasing Card is to be used for City authorized purchases only. The Purchasing Card cannot be used for any personal use. The following supplies and services shall not be purchased with the Purchasing Card:

   a. Personal Items,
   b. Cash Advances
   c. Gift Certificates and Gift Cards
   d. Meals or Entertainment: Non-Travel related
      (**Exception:** For Meals or Entertainment for a specific event - See P-card processing instructions and/or Schedule Event form – Transaction should comply with #5)
   e. Telephone and Cellular service and related purchases (See Exceptions –A/P global payments - Transaction should comply with #5)
   f. Travel, other than booking – (travel cards will be used while traveling)

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g. Reimbursable items: such as, Safety Boots

h. Recurring monthly charges

i. City Purchases for city services i.e. Pops Café, Permits for City construction projects, etc. An adjusting Journal entry shall be done within Accounting to cover all inter-department expenditures

Exceptions: In a case by case basis, the PCA may exempt items from this policy, after discussion with the cardholder, proxy and/or division manager. At this time, the following items are exempt, not all inclusive:

a. Telecommunication items paid by Accounts Payables group – only

b. Prepared food purchases whereas the schedule event form is utilized (Attachment 6)

c. Travel arrangements – booking of hotels, etc.

d. As approved by the PCA

5. **Dollar Limits:** A purchase may be made up of multiple items, but the total invoice (including shipping) cannot exceed the established spending daily limit ($2,500) with no single purchase of $5,000 as it is considered a capital purchase. All purchases over the established spending limit must be first approved by the Procurement Manager. Charges for purchases shall not be split to stay within the single purchase limit. Splitting charges will be considered abuse of the Purchasing Card Program.

6. **Sales & Use Tax:** The City is exempt from paying any State of Florida sales and/or use tax, even if the purchase is made with the Purchasing Card. The City sales tax exemption number is printed on the face of the purchasing card. It is the responsibility of the Cardholder to make the vendor aware that the sale transaction will be tax exempt prior to processing the sale. If the vendor charges sales tax, the Cardholder must contact the vendor and obtain a credit equal to the amount of the sales tax. Do not permit the vendor to issue cash to settle a sales tax error. If the Cardholder has a problem with any vendor about sales or any other tax, the PCA should be contacted.

7. **Documentation:** For all transactions, the Cardholder must retain the original customer's detailed receipt which identifies every item purchased and the corresponding item cost. The packing slip showing receipt of the order is also required. The Cardholder must retain the original customer's detailed receipt which identifies every item purchased and the

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corresponding item cost along with a detailed packing slip/receipt showing delivery or receipt of the items purchased.

a. For telephone or internet orders, the Cardholder must retain the receipt and/or packing slip.

b. The Cardholder must verify receipt of goods or services for all purchases on the purchasing card report, correct errors, and sign. If the supply or service was purchased from a City annual agreement, the annual agreement information must be written on the corresponding supporting documentation.

c. Receipts and Packing Slips will clearly identify the items purchased. Items should not be listed as Sku# or Item# (Must Be Descriptive). All receipts must be signed by cardholder

8. **Missing Documentation:** Where supporting documentation is missing, the Cardholder must contact the vendor and request a duplicate receipt. If the Cardholder is still unable to obtain documentation they must then attach a memo with the reconciliation statement that includes a description of the item, date of purchase, vendor's name and why there is no supporting documentation. Failure to provide adequate documentation may result in disciplinary action and employees may be required to make payment for such transaction.

9. **Purchase Returns:** The Cardholder may keep a Purchasing Card Report (See Exhibits) specifically for items returned to the vendor to verify credit is received for returns. Reductions in a Purchasing Card sale amount due to a mistake, decrease in quantity, price discount, or erroneous charging of sales tax may also be noted on the Purchasing Card Report

10. **Denied Purchase:** The Cardholder may report a denied point of sale or other rejected purchases to the Proxy. The Proxy or P-card holder must advise the PCA of any known denied Cardholder purchase. Information to be provided includes Cardholder name and account number, vendor and date of declined sale. The PCA shall inquire into the denied sale, take appropriate action and report back to the Proxy.

11. **Vendor Refusals:** If a vendor refuses to accept a Purchasing Card, the Cardholder should report this fact to the Proxy, who will forward the information to the PCA.

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D. Coding and Reporting

1. Proxy must review the Cardholder's invoices and any Purchasing Card Reports, match each receipt to the corresponding statement charge, verify the purchases were for a proper public purpose, check to see that any appropriate annual agreement information has been provided, and assign account and project numbers. The Proxy will assist in correcting errors.

    a. Unauthorized purchases may result in disciplinary action and the Cardholder may be required to make payment for any such transaction. When purchases are questioned, the Proxy is responsible for resolving the issue with the Cardholder. If the Proxy is not satisfied that the purchase was necessary and for official use, the Cardholder must provide either a credit voucher proving the item(s) were returned for credit, or a personal check made payable to the City for the full amount of the purchase, plus applicable sales tax. Cashiers' receipt must be sent along with the weekly transaction report to Finance, with an explanation of why the violation occurred, with copies to supervisors for possible discipline.

    b. The Proxy must prepare and sign the weekly transaction report, and have it approved by the Division Manager, certifying they have reviewed all transactions for propriety, as well as budget availability. The Proxy must forward the weekly transaction report, along with the receipts and other supporting documentation to Finance. Receipts should be submitted in the same order as they appear on any statement.

    c. The Proxy fully reconciles the weekly/monthly transaction report and codes the transactions in to the system and submits to Accounts Payable.

E. Paying for Supplies or Services

1. The vendor is paid by the Purchasing Card provider (the Bank).

2. Finance will pay the Bank for the billing consolidated statements within 30 days from the end of the billing cycle. The City retains the right to dispute a purchase up to 60 days after the statement date in which the transaction occurred.

F. Resolving Returns and Credits, Disputes and Erroneous Charges

1. The Cardholder must attempt to resolve problems directly with the vendor. The vendor must issue a credit for billing errors, sales tax, defective supplies or unacceptable services, returned supplies or canceled orders. This credit should appear on the Cardholder's

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statement within 60 days. Do not permit the vendor to issue cash to settle a disputed amount. Under no circumstances can the employee accept cash.

2. If the Cardholder is unable to resolve the issue with the vendor, or Cardholder's credit does not appear on the monthly statement within 60 days, Cardholder (with assistance from the Proxy) should contact the bank's Bank of America Customer Support to resolve the matter. This group will require the Cardholder to fax an Account Holder Dispute Form (which is provided on the back of the monthly statement). A copy of the Dispute Form must also be sent to the PCA and Accounts Payable.

3. When an account is in a dispute status, the disputed amount is still included in calculating the available money for authorizations (monthly limit). However, disputed items are removed from all finance charges, late charges, over-limit fees, past due amounts and calculations. Finance charges, which accrue from posting until the item is placed in dispute, must be handled according to City policy. Any Cardholder statements generated while the account is in dispute will display the following message: YOUR ACCOUNT IS IN DISPUTE FOR $xxx.xx. THIS AMOUNT HAS NOT BEEN INCLUDED IN THE FINANCE CHARGE OR PAYMENT CALCULATIONS.

4. After the item has been entered as a dispute, the Bank must determine who is responsible by researching the transaction including requesting a copy of the sales draft when necessary.

5. If the problem is resolved between the merchant and the Cardholder while the item is in dispute, the Cardholder should write the solution agreed upon on the bottom of the Dispute Form that was previously faxed to the Bank, and fax it to the Bank as soon as possible.

6. If it is ultimately determined that the Cardholder is responsible for the transaction, then the questioned amount will be added to the next monthly statement. If the Cardholder is not responsible for the transaction, the dispute is settled for the Cardholder and the charge-back process will be initiated against the merchant by the Bank.

7. If there continues to be problems with a merchant, the Cardholder should notify the PCA of the problems.

G. Reporting a Lost or Stolen Purchasing Card

1. If a card is lost or stolen, the Cardholder must immediately notify the bank's **Bank of America Customer Support,** the PCA and Accounts Payable. Access to the card will be

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immediately blocked, and the Cardholder shall not be responsible for any charges after the card is reported lost or stolen. The Cardholder must provide the Bank with the purchasing card's 16-digit account number. The Bank will also require the Cardholder to submit written confirmation by fax or by mail of the card cancellation request reported verbally. A replacement card will be issued by the Bank and delivered to the PCA.

H. Purchasing Card Termination

1. **Terminated Employees:** The Division Manager will immediately notify the PCA and Proxy of terminated employees and collect their purchasing card. The PCA is required to notify the Bank to cancel the card of a terminated employee within 24 hours of such termination.

A manager should consider termination of an employee's purchasing card when the following situations occur:

a. Employee has been identified for termination

b. Employee is scheduled to take an extended leave from City employment

c. Employee is charged with a felony offense or a misdemeanor involving fraud

d. Employee is or will be hospitalized for an extended period

2. **Revocation of Card:** Purchasing Card privileges may be revoked upon the Cardholder's failure to follow City policy and procedures. The Division Manager, PCA and the Proxy will coordinate the revocation of Purchasing Cards. The PCA will immediately notify the bank to cancel any such cards.

a. The Division Manager will obtain the revoked Purchasing Card from the employee.

b. The Division Manager must destroy the returned Purchasing Card by cutting it in two and must deliver it to the PCA.

I. Violations. The Following Actions are Prohibited:

1. Personal use of the card;

2. Purchases of items specifically prohibited by policy;

3. Purchases that exceed the Purchasing Card limits;

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4. Not reporting lost or stolen cards;
5. Inadequate record keeping and/or documentation of purchases;
6. Acceptance of cash in lieu of a credit to the statement;
7. Splitting of purchases within the single purchase limit.

Failure to comply with this policy may result in employee removal from the Purchasing Card Program and other disciplinary action as appropriate in accordance with the City's Rules and Regulations.

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CITY OF CAPE CORAL

CARDHOLDER AGREEMENT

I AGREE TO THE FOLLOWING REGARDING THE USE OF THE CITY OF CAPE CORAL'S PURCHASING CARD ASSIGNED TO ME FOR OFFICIAL CITY BUSINESS ONLY.

1. I understand that I am being entrusted with a powerful and valuable tool and will be making financial commitments on behalf of the City of Cape Coral and I will strive to obtain the best value for the City.

2. I have read the P-Card Policy & Procedures. I understand that under no circumstances will I use the Purchasing Card to make personal purchases, either for myself or others. I understand that willful intent to use the Purchasing Card for personal gain or unauthorized use may result in disciplinary actions up to and including termination of employment and prosecution to the extent permitted by law.

3. I agree to provide all receipts to my Certified Agency Buyer for prior month purchases. I agree to surrender the Card immediately upon privileges being terminated. I agree to immediately report a lost or stolen Card.

4. I agree that, should I violate the terms of this Agreement, I will be subject to disciplinary action up to and including termination of employment and that I will reimburse the City of Cape Coral for all incurred charges and any costs related to the collection of such charges.

Department / Division	Card Number
Cardholder Name (Print)	Purchasing Card Administrator (PCA)
Cardholder Signature Date	PCA Signature Date

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CAPE CORAL
REQUEST FOR PURCHASING CARD

ELECTRONIC WORKFLOW - ONBASE

Signature of Division Manager: Electronic workflow - OnBase

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PURCHASING CARD REPORT

(to be completed by Cardholder and CAB)

Cardholder (Print Name): _____ Last 4 digits of Card #:_____ Statement for the Month of: _____

Department: _____ Division: _____ Telephone No/Extension:_____

Purch/ Receipt Date	Receipt/ Invoice Number	Description of Purchase or Service	Contract Number	Vendor's Name	Dollar Amount of Purchase	Project Number	Account Number

Attachment 3

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Cardholder's Signature:_____ Date:_____

Cardholder's signature validates the purchases and services listed on this log were acquired on behalf of the City of Cape Coral for operational use.

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NOTIFICATION OF LOST OR STOLEN PURCHASING CARD

DATE: _____

TO: Bank of America
Attn.: Commercial Card Services
Fax Number:

THRU: Division Manager

FROM: (Cardholder)

SUBJECT: Notification of Lost or Stolen Purchasing Card

You are hereby notified that the following purchasing card is no longer in my possession and is believed to be lost or stolen:

Cardholder Information

Name: _____

Employee Number: _____

Division: _____

Purchasing Card Account Number: _____

Indicate if lost or stolen: _____

Date Missing: _____

Date Bank Notified: _____

_____
Signature of Cardholder

C: Purchasing Card Program Administrator, Procurement Division
Accounts Payable

Attachment 4

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Authorized by (Dept Rep):

Cardholder Signature:

Bank of America
Phone 1-800-538-8788, Fax 1-800-253-5846
Attn: Commercial Card Services

DATE: _____
TO: Bank of America
THRU: Department Representative

Cardholder Statement of Disputed Item

Organization Name: _____
Cardholder Name: _____
Cardholder Account Number: _____

Statement Date	Transaction Date	Merchant Name/Description
Amount	Posting Date	Reference Number

Check the description most appropriate to your dispute. If you have any questions, contact Bank of America at 1-800-538-8788.

_____ 1. Alteration of Amount:
The amount of the sales draft has been altered from $ _____ to $ _____.
(Please include copy of sales draft)

_____ 2. Unauthorized Mail or Phone Order:
I certify the charge listed above was not authorized by me or any person authorized by me to use this account. I have not ordered merchandise by phone or mail or received goods and services as represented above.

_____ 3. Cardholder Dispute:
I did participate in the above transaction; however, I dispute the entire charge, or a portion, in the amount of $ _____ because: _____
_____
_____

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Cardholder Statement of Disputed Item (cont.)

_____ 4. Credit Not Received:
The merchant has issued me a credit slip for the transaction listed above, however, the credit has not been posted to my account. The date on the voucher is between 30 and 90 days old. (Please include a copy of the credit voucher.)

_____ 5. Imprinting of Multiple Slips:
The above transaction represents multiple billing to my account. I only authorized one charge by this merchant for $ _____. I am still in possession of my card.

_____ 6. Merchandise Not Received:
The merchant has issued me a credit slip for the transaction listed for the above transaction, but I have not received this Merchandise. I have contacted the merchant.

_____ 7. Merchandise Not Received:
My account has been charged for the above transaction, but I have since contacted this merchant and canceled the order. I will refuse delivery, should the merchandise still be sent.

_____ 8. Merchandise Returned:
My account has been charged for the transaction listed above, but the merchandise has been returned. Provide a description of the circumstances. (Please include postal receipt if applicable.)

_____ 9. Inadequate Description/Unrecognized Charge:
I do not recognize this charge. Please supply a copy of the sales draft for my review.

_____10. I am no longer disputing this charge.

Cc: Purchasing Card Program Administrator, Procurement Division, FAX (239) 574-0837
Accounts Payable FAX (239) 574-0734

Attachment 5

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CITY OF CAPE CORAL

P-CARD PAYMENT REQUEST

STATEMENTS FOR MONTH OF:_____

DATE (MM/DD/YYYY):_____ AMOUNT: $_____

MAKE CHECK PAYABLE TO: **BANK OF AMERICA**

REQUESTED BY:	DIVISION MANAGER APPROVAL	PROCESS VALIDATION
_____ Certified Agency Buyer Date	_____ Division Manager Date	_____ Accounts Payable Supv. Date

Revised March 2008

PROCUREMENT OF DESIGN BUILD SERVICES

SECTION 12

AWARD OF DESIGN-BUILD CONTRACTS

Contracts for the design-build of public construction projects for the City and for the independent agencies that utilize the services of the City's Procurement Division shall be awarded in accordance with this procedure.

DEFINITIONS

A. For this procedure, the following terms have the meanings indicated:

1. **Design-Build**

   Design-Build is defined by City of Cape Coral Procurement Ordinance, "The requirement for which a single contract with a Design-Build firm is entered into for the design and construction of a Capital Improvement construction project." Further, providing one single administrative entity (a firm as defined herein) responsible for design and construction under one contract where architectural and engineering services are performed by a registered architect or professional engineer and where construction services are performed by a certified or registered contractor.

2. **Design-Build Contract**

   This is a single contract with a design-build firm for the design and construction of a public construction project.

3. **Design-Build Firm**

   A partnership, joint venture, corporation or other legal entity which:

   a) is certified under Florida State Statute 489.119 to engage in contracting through a certified or registered general contractor or a certified or registered building contractor as a qualifying agent, or is certified under Florida State Statute 471.023 to practice or to offer to practice engineering, or is certified under Florida State Statute 481.219 to practice or offer to practice architecture; or certified under Florida State Statute 481.319 to practice or offer to practice

landscape architecture; or

b) has among the principal parties to the legal entity a principal party which is certified under Florida State Statute 489.119 to engage in contracting through a certified or registered general contractor or a certified or registered building contractor as a qualifying agent; or among the parties to the legal entity a principal party which is certified under Florida State Statute 471.023 to practice or to offer to practice engineering, or is certified under Florida State Statute 481.219 to practice or to offer to practice architecture; or certified under Florida State Statute 481.319 to practice or offer to practice landscape architecture.

4. **Design Criteria Package**

This is the concise, performance-oriented drawings or specification of the public construction project defining the design and construction requirements. The purpose of the design criteria package is to furnish performance criteria and sufficient information so as to permit design-build firms to prepare competitive technical and price proposals in response to the City's Request for Proposals, in order to permit the City to enter into a negotiated design-build contract. The design criteria must be issued with the RFP on all competitive projects solicited via the competitive proposal process. For a qualifications-based process, the design criteria package shall be provided to the top ranked firm after Council approval [See Florida State Statute 287.055(10)(c)]. The design criteria package must specify such performance-based criteria for the project and must include but is not limited to:

a) The legal description of the site

b) Survey information concerning the site

c) Interior space requirements

d) Material quality standards

e) Schematic layouts and conceptual design criteria of the project

f) Cost or budget estimates

g) Design and construction schedules

h) Site development requirements

i) Provisions for utilities, storm water retention and disposal, and parking requirements, as may be applicable to the project.

The firm to whom the design-build contract is awarded will be responsible for creation of the project design based on the criteria in the design criteria package.

5. **Design Criteria Professional**

A firm or individual who holds a current certificate of registration under Florida State Statute 481 to practice architecture or landscape architecture, a firm or individual who holds a current certificate as a registered engineer under Florida State Statute 471 to practice engineering and who is employed by or under contract to the City for the furnishing of professional architectural or engineering services, in connection with the preparation of the design criteria package.

USE OF DESIGN-BUILD CONTRACTS

A. The Procurement Manager in conjunction with the Public Works Director will determine if the design-build method is appropriate for a particular requirement. In making his/her decision, the Procurement Manager will determine whether design-build or contracting separately for professional design and construction services is in the best interest of the City by considering the following factors:

1. The potential for project cost savings and /or cost reduction

2. The need or potential for reducing the time to complete the project

3. The need or potential for enhancing revenue production by expediting completion, activation and operational use of the project

4. The need or potential to expedite the completion, activation and operation of the project due to public service considerations or user division operational needs and requirements.

5. The potential for collaboration to develop designs and construction methodology that could provide a project with enhanced qualities of aesthetics, innovative use of materials, economy of construction, operational efficiency, and/or functional effectiveness

6. The need or potential for protecting, preserving and enhancing the health, safety and welfare of the public.

PROCUREMENT PROCEDURES FOR DESIGN-BUILD CONTRACT SERVICES

A. Upon the decision to utilize the design-build contracting method for a specific project, the procurement and contracting of design-build contract services shall be in accordance with the following procedures:

1. **Competitive Proposal Selection Process**

a) The RFP should contain, as a minimum:

i. A copy of the design criteria package

ii. The scope of services to be provided by the design-build firm during the performance of the design-build project, including the schedule and time period in which the design-build services are to be completed.

iii. The City's minimum goals for M/WBE participation

.

iv. The insurance coverage and bonding requirements

v. Instructions covering the required form, content and manner in which the qualifications statement, technical proposal and price proposal are to be submitted to the City

vi. The evaluation criteria and proportional weighting to be used to evaluate the proposals

vii. Draft design-build contract, including general and supplemental terms and conditions

viii. Any other information the City deems appropriate to the selection.

b) The City shall provide adequate notice of its intent to solicit design-build in a manner consistent with the Procurement Ordinance 68-07, Sec. 2-144 (h) (2) (a) Public Notice and Qualification Procedures.

2. **Review and Evaluation of Qualifications Proposals**

The Evaluation Committee shall review and evaluate all submittals which have been received prior to the announced deadline using the standard criteria established by the City for the selection of architects and engineers, with the exception of volume of work. This evaluation shall include a determination that the firms submitting

proposals meet the design-build firm definition. Qualifications of the firm and project manager shall be considered for the design team as well as the construction team.

The Evaluation Committee's evaluation of the qualification proposal shall constitute 30% of the total scoring for the combined qualifications proposals, technical proposals and price proposals.

3. **Review and Evaluation of Technical and Price Proposals**

Firms responding to the Request for Proposals shall submit a technical and price proposal, in addition to other required documents. The Procurement Manager may elect to require separate submissions of qualifications, technical proposals and price proposals depending on the complexity and nature of the requirement.

a) Technical Proposal

i. The technical proposal shall be based on the design criteria package and the other information and requirements set forth in the City's Request for Proposal package.

ii. A Technical Evaluation Team, consisting at a minimum of the Manager and one representative of the Project's primary user division, a representative selected based on technical expertise and other staff as needed, shall convene at the call of the Procurement Manager who shall chair, the evaluations of the technical proposals. This Technical Evaluation Team shall evaluate the technical proposals submitted by each proposer and shall present its evaluations and recommendations regarding the technical proposals to the SAC at its regularly scheduled meeting.

iii. The content and form of the technical proposal should present a clear, comprehensive and well documented representation, understanding and commitment of how the design-build firm proposes and intends to implement and fulfill the requirement set forth in the design criteria package and other stated requirements of the design-build contract; and how they intend to manage, administer, coordinate, carry-out or otherwise complete all phases, elements, needs and requirement of the design-build project with special emphasis on design quality control and construction quality assurance. The design-build firm should demonstrate how it will implement the requirements and provisions of the design criteria package and other stated contract requirements pursuant to the intended design-build contract and include in the technical proposal such information including but not limited to:

preliminary designs, plans and specifications, and schedules for design and construction. The technical portion of the proposal should contain sufficient information to enable the Technical Evaluation Team to evaluate each of the criteria to be used in scoring the technical proposals.

iv. The evaluation of the technical proposals shall be done on the basis of the relative weighting factors for components of the projects, as included in the Request for Proposals.

If the SAC accepts the recommendations of the Technical Evaluation Team, the technical proposal will receive 40% of the total scoring for the combined qualifications proposals, technical proposals, and price proposals. The SAC retains the right to evaluate and weigh the recommendation of the Technical Evaluation Team to include acceptance, rejection or revision of their recommendations.

b) Price Proposal

After selection of the Design-Build firm the contract will be negotiated based on a price proposal. The price proposal shall consist of either a lump sum, fixed fee amount or a guaranteed maximum not to exceed price. The price proposal shall be based upon and include any and all costs or expenses to be incurred by the design-build firm in implementing, fulfilling and completing all aspects of the design-build project, including but not limited to the design, plans approval, permitting, construction and activation of the project, in accordance with the requirements and provisions of the City's design criteria package, the requirements set forth in the City's Request for Proposals, the stated requirements pertaining to the design-build contract and the requirement of any and all agencies or organizations having jurisdiction for project plans review, permit approval or the design, construction, occupancy, activation, use or operation of the project, or use of the property on which the project is located. The price proposal, in addition to all direct costs and expenses, shall include all other costs and expenses including but not limited to such costs as design and engineering services, the design-build firm's general, administrative and overhead costs, project management and supervisory costs, all fees, charges and taxes, labor, direct and indirect payroll costs, insurance and bond costs, cost of equipment, materials, tools, transportation, and service fee (profit).

The Evaluation Committee's evaluation of the price proposal shall constitute 30% of the total scoring for the combined qualifications proposals, technical proposals and price proposals.

4. **Design-Build Contract Award**

The SAC shall submit, through the Procurement Division, an alphabetical listing of the short-listed firms, providing score sheets as back-up, to the City Council for selection of one firm and two ranked alternates, if available, and approval to negotiate and award a design-build contract with the selected firm.

Qualification-Based Selection Process

5. **Requests for Proposals**

a) The Request for Proposals should contain, as a minimum:

i. The scope of services to be provided by the design-build firm during the performance of the design-build project, including the schedule and time period in which the design-build services are to be completed

ii. The insurance coverages and bonding requirements

iii. Instructions covering the required form, content and manner in which the qualifications statement is to be submitted to the City

iv. The evaluation criteria and proportional weighting to be used to evaluate the proposals

v. Draft design-build contract, including general and supplemental terms and conditions

vi. Any other information the City deems appropriate to the selection process

vii. The City shall provide adequate notice of its intent to solicit design-build services in a manner consistent with the Procurement Ordinance, and Competitive Sealed Proposal Process.

b) Review and Evaluation of Qualifications Proposals

The Evaluation Committee shall review and evaluate all proposals which have

been received prior to the announced deadline using the standard criteria established by the City for the selection of architects and engineers. This evaluation shall include a determination that the firms submitting proposals meet the design-build firm definition. Qualifications of the firm and project manager shall be considered for the design team as well as the construction team.

6. **Technical and Price Proposals**

The selected design-build firm shall be required to submit a technical and price proposal. These proposals shall form the basis of contract negotiation and award of the design-build contract.

7. **Design-Build Contract Award**

The SAC shall submit through the Procurement Division, an alphabetical listing of the short-listed firms, providing score sheets as back-up, to the City Council for selection of one firm and two ranked alternates, and approval to negotiate and award a design-build contract with the selected firm.

8. **Development of the Guaranteed Maximum Price (GMP)**

a) Pre-GMP the selected design-build firm shall negotiate the cost of services required to design and manage the project that will be incurred prior to the establishment of the GMP. These services may include but are not limited to:

i. Design to 65% or otherwise specified percentage of completion value engineering

ii. Identification of long-lead/early procurement and direct purchase items

iii. Insurance and bonding costs

iv. Project information management system development and administration.

9. **Contract will be awarded on the basis of the Pre-GMP costs.** Upon completion of the design to the required level, the cost of constructing the work will be developed and negotiated. The GMP is comprised of Pre-GMP services, the cost of constructing the work, any design-builder and/or Owner's contingencies, and other costs as deemed appropriate for the project.

The GMP will be incorporated into the design-build contract by contract Amendment.

INVOICES

SECTION 13

DEFINITION OF AN INVOICE

An invoice is a document that itemizes charges for the purchase of supplies, materials, equipment or services which have been furnished. It is the means by which the vendor informs the City of its obligations and should contain the same basis information as the Purchase Order.

A. What an Invoice Should Contain:

1. Purchase Order number
2. Date of order (if possible)
3. Date of delivery
4. Itemized list of materials or services rendered
5. Destination of delivery
6. Quantities, prices, (both unit and total), terms and any other charges contained in the Purchase Order
7. Delivery charges should be listed separately from the materials and supplies if they are not included in the unit price
8. Invoices should be submitted to the ordering division as delineated on the purchase order.

WHO RECEIVES INVOICES

A. The ordering department receives all invoices from vendors and/or contractors.

1. The ordering department shall match the invoice with the packing slip and Receiving Report.

2. The ordering department will forward the payment package to Accounts Payable for processing. Accounts Payable, after checking and reviewing the invoice, will prepare a check for payment or electronic fund transfer.

NOTE: Invoices for construction contracts and professional services (architecture, engineering. Landscape architecture, survey and cartography/mapping) will be reviewed by the respective Project Manager prior to submittal to Accounts Payable for payment.

NON-PURCHASE ORDER TRANSACTIONS

SECTION 14

PURPOSE

Non-Purchase Order transactions occur when a department/division obtains goods or services without using a properly authorized instrument, i.e., contract, procurement card, delivery or Purchase Order. Departments/divisions are not allowed to charge such goods or services to their procurement card or enter a Requisition for the goods or services after they have previously obtained such goods or services. The only exception is if the department/division has pre-notified Procurement of an emergency requirement. Emergency requirements may be submitted by Requisition after the fact (see Section 4 Emergency and Sole Source Purchases/Contracts for further details).

When the goods or services are ordered, received and invoiced without proper authorization, they must be paid through a non-Purchase Order request sent to the Procurement Manager.

A. For unauthorized commitments under $10,000, the non-Purchase Order request must include:

1. A memo from the department director justifying the transaction and providing the corrective action that has/will be taken to prevent the reoccurrence in the future;

2. The invoice with the proper approval signatures; and,

3. The accounting line(s) that will be used to pay the invoice.

Unauthorized commitments over $10,000 require the information outlined above and will be forwarded to the City Manager for final approval.

RECEIPT OF GOODS & MATERIALS

SECTION 15

USING (ORDERING) DEPARTMENT/DIVISION

The using department/division is charged with the responsibility of inspecting all supplies to determine quality, quantity and conformance with specifications and the Purchase Order.

The Procurement Division shall have the authority to question, examine, or test the quality of materials requested or received by the using department/division.

PROCEDURE IN DIVISIONS

Upon receipt of materials and after inspecting and/or testing, the department/division should sign delivery tickets presented by the vendor noting the quantity received and forward to their respective CAB for processing the original 'receiver' shall be forwarded to Accounts Payable with copies of all original delivery tickets or packing slips attached. Any variation in quantity received shall be notated on the vendor's delivery ticket or the 'receiver'. Copies of all freight bills must be forwarded to Accounts Payable. If the materials delivered are not in conformance with specifications and are not acceptable by the using department/division, they should notify the Procurement Division at once of the reasons for withholding acceptance.

The Procurement Division will take immediate action to require replacement by the vendor or otherwise take action to supply the using agency with the needed materials.

NOTE: Signature on the Receiving Report signifies the items have been properly received, inspected, and accepted.

REPORT OF UNSATISFACTORY
AND
MATERIALS / SERVICES
AND
AND
DELIVERY/PERFORMANCE NOTICES

REPORT OF UNSATISFACTORY MATERIALS AND/OR SERVICES - PURPOSE

A Report of Unsatisfactory Materials or Services should be utilized to inform the Procurement Division of any difficulties due to poor service, performance, quality, or materials that do not meet specification requirements. This is not an expediting tool.

HOW TO PREPARE REPORT

A. A properly prepared Report of Unsatisfactory Materials and/or Services should contain the following information:

1. Date
2. Vendor name, address, and phone number
3. User department/division, contact person, and phone number
4. Purchase Order number
5. Division manager signature
6. Brief statement of ***exactly*** what the problem is, and why the product or service is unacceptable.

4. All available documentation should be attached

DISTRIBUTION OF REPORT

The Report of Unsatisfactory Materials or Services is to be forwarded to the Procurement Division. The Procurement Division will send a copy to the vendor for their response.

The user department/division will be notified as to the vendor's response and any action to be taken by the Procurement Division.

DELIVERY / PERFORMANCE NOTICES

These notices are secondary to the Report of Unsatisfactory Materials and/or Services and are not to be used lightly. They shall only be issued by the Procurement Manager. They are intended to address serious performance deficiencies with the full understanding that the City will terminate the contract for default if the performance/delivery deficiency is not adequately resolved. Before any notice is issued, documentation signed by the applicable division manager justifying the recommended action must be submitted. If the user does not desire termination for default, alternate means to resolve the issues should be pursued. The two steps in this process are as follows:

A. **Cure Notice** – If it has been determined that it is likely that the contract will be terminated for default before expiration of the delivery date or performance period, a cure notice will be issued. Before using this notice, it must be determined that an amount of time equal to or greater than the period of cure remains in the contract. If the time remaining in the contract is insufficient to allow a cure period of at least seven days, a cure notice should not be issued. Depending on the specific circumstances, the cure notice may require the contractor to submit a specific recovery or corrective action plan when it is not realistic to expect correction of the deficiencies within seven days.

B. **Show Cause Notice** – If the time remaining in the performance schedule is not sufficient to permit a realistic cure period of seven days or more or if the contractor has not resolved deficiencies cited in a Cure Notice, the Show Cause Notice shall be used. It shall be mailed immediately after expiration of the performance period and shall give the contractor a deadline for explaining why the contract should not be terminated.

CHARTER SCHOOL INTERNAL FUNDS

SECTION 17

1. All purchases need to be pre-approved by building principal prior to being made. Purchases made prior to receiving approval will not be reimbursed or paid. The following forms must be completed and approved based on the type of purchase.

   - Purchase Order Request Form
   - Amazon Pre-Approval Form
   - Internal Funds CC Pre-Approval Form

Per Red Book, chapter 8, sec III, 3.2. a. The school principal is fully responsible for all purchases and purchase commitments requiring present or future disbursements of internal fund monies. A signed commitment from the principal or designee(s) must be on file before any purchase is made. No purchase shall be made unless sufficient resources are available, except for inventory items that will be held for resale.

2. Purchases under $500 may be purchased using the schools internal funds credit card.

3. Purchases over $500 need to be made by a purchase order, unless a better price can be obtained from Amazon.

4. Requests over $2,500 ($500 if purchasing from Amazon) must be accompanied by three quotes. When purchasing from Amazon and an item total, not the overall total, is over $500 (example, 1 at $550 ea. or 4 at $150 ea.) then three quotes are required.

Restricted Expenditures **(Items which cannot be purchased thru Internal Funds)**

Per Red Book, chapter 8, sec III, 3.5. 1-7. The following expenditures from internal funds are deemed inappropriate and shall not be made except from trust funds collected for a specifically identified purpose.

1. Equipment, supplies, forms and postage for curricular or classroom use. The exception is for revenues derived from career education production shops, which may be used for these purposes.

2. Curricular-related travel; professional, technical or consultant services. The exception is for revenues derived from career education production shops, which may be used for these purposes.

3. Articles for the personal use of any student, employee or other person, except those items that are identifiable as being in recognition of service or promotion of school activities and those items identified under rule 6A-1.0143, F.A.C., Promotion and Public Relations Funding.

4. Personal memberships or subscriptions.

5. Salaries or other compensation for duties or assignments that are the responsibility of the school district.

6. Loans, credit or accommodation purchases for anyone.

7. Repairs and maintenance of district school board equipment for which district school board funds are available.

The exception is for revenues derived from career education production shops, which may be used for these purposes.

Charter School

Authority

Purchasing

Forms

City of Cape Coral
Cape Coral Charter School Authority
Purchase Order Request Form FY 2018-19

FUND NUMBER:		*("000" for General Fund or Internal Fund #)*	**DATE:**	**May 7, 2019**
SCHOOL				
FUND NAME:				

VENDOR NAME AND ADDRESS:		**SHIP TO:**	
		ATTN:	
			#N/A
			#N/A
VENDOR CONTACT:			

QTY	UNIT PRICE	BUSINESS UNIT	OBJECT	SUB LEDGER	ITEM DESCRIPTION	TOTAL
-	$ -					$ -
						-
						-
						-
						-
						-
						-
						-
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						-
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						-
						-
						-
					TOTA	**$ -**

ARE ITEMS FOR RESALE:		*If yes, sales tax must be included in purchase order total*

Use the following object codes when items are for resale: **652119** - food & beverage / **652120** - all other items

REASON FOR PURCHASE:

REQUESTED BY:		
APPROVED BY:		
		Approver's signature

SECRETARY USE ONLY:

INTERNAL FUNDS AVAILABLE **BALANCE**

YES ☐ *NO* ☐ *N/A* ☐

GENERAL FUNDS AVAILABLE

YES ☐ *NO* ☐ *N/A* ☐

SCHOOL SECRETARY'S SIGNATURE

OFFICE USE ONLY

Req #:

P.O. #:

CAPE CORAL CHARTER SCHOOL AUTHORITY

AMAZON PRE-APPROVAL FORM
FY 2018-19

NAME OF SCHOOL	DATE
Choose an item.	

FUND NUMBER	FUND NAME

REQUESTED BY	APPROVED BY
	Choose an item.

QTY	UNIT PRICE	BUSINESS UNIT	OBJECT	SUB-LEDGER	DESCRIPTION

REASON FOR PURCHASE:

ANTICIPATED MAXIMUM AMOUNT $ _____

_____
REQUESTOR'S SIGNATURE

_____
APPROVER'S SIGNATURE

SECRETARY USE ONLY:

INTERNAL FUNDS AVAILABLE **BALANCE**
YES ☐ *NO* ☐ *N/A* ☐ ☐

GENERAL FUNDS AVAILABLE
YES ☐ *NO* ☐ *N/A* ☐

_____
Choose an item. **, SCHOOL SECRET**

BOOKKEEPER USE ONLY:
TOTAL PURCHASE AMOUNT: _____
DATE PURCHASED : _____
NOTIFIED SCHOOL: _____

CAPE CORAL CHARTER SCHOOL AUTHORITY
INTERNAL FUNDS CREDIT CARD
EXPENSE PRE-APPROVAL FORM FY 2018-19

REQUESTOR		DATE
NAME OF SCHOOL		**FUND NUMBER**
BUSINESS UNIT	**OBJECT**	**SUB-LEDGER**

PURPOSE OF EXPENDITURE:

ANTICIPATED MAXIMUM AMOUNT $ _____

_____
REQUESTOR'S SIGNATURE

☐ **Kevin Brown, PRINCIPAL**
☐ **Kelly Weeks, ASSISTANT PRINCIPAL**

_____
Sharon Lee, SCHOOL SECRETARY

SECRETARY USE ONLY:

FUNDS AVAILABLE *YES* ☐ *NO* ☐

FUND BALANCE

LAST 4 DIGITS OF CARD

RECEIPTS RECEIVED *YES* ☐ *NO* ☐

FOR AN EVENT *YES* ☐ *NO* ☐

EVENT TITLE**

**** SECRETARY PLEASE ATTACH APPROVED EVENT REQUEST FORM IF APPLICABLE**

End of Manual

Item Number:	**8.B.**
Meeting Date:	**8/13/2019**
Item Type:	**CONSENT AGENDA:**

AGENDA REQUEST FORM

City Of Cape Coral Charter School Authority

TITLE:

Approval of City of Cape Coral Charter School Authority Wellness Policy - Danielle Jensen, Procurement Director

SUMMARY:

ADDITIONAL INFORMATION:

RECOMMENDED ACTION:

ATTACHMENTS:

	Description	Type
	WELLNESS POLICY 2019	Backup Material

City of Cape Coral Charter School Authority's Wellness Policies on Physical Activity and Nutrition

Preamble

At the City of Cape Coral Charter School Authority, we believe that children need access to healthy foods and physical activity in order to grow, learn, and thrive because good health fosters student attendance and education.

We recognize that obesity rates have doubled in children and tripled in adolescents over the last two decades, and physical inactivity and excessive calorie intake are the predominant causes of obesity. In addition, heart disease, cancer, stroke, and diabetes are responsible for two-thirds of deaths in the United States. The major risk factors for those diseases, including unhealthy eating habits, physical inactivity, and obesity, often are established in childhood.

Despite the fact that school districts around the country are facing significant fiscal and scheduling constraints, we feel it is essential to develop and implement a successful school wellness policy to address these issues. We want to be proactive with community participation in the development and implementation of our plan.

Thus, the City of Cape Coral Charter School Authority is committed to providing school environments that promote and protect children's health, well-being, and ability to learn by supporting healthy eating and physical activity. Therefore, it is the policy of the City of Cape Coral Charter School Authority that:

- The school district will engage students, parents, teachers, food service professionals, health professionals, and other interested community members in developing, implementing, monitoring, and reviewing district-wide nutrition and physical activity policies.

- All students in grades K-12 will have opportunities, support, and encouragement to be physically active on a regular basis.

- Foods and beverages sold or served at school will meet the nutrition recommendations of the *U.S. Dietary Guidelines for Americans*.

- Qualified child nutrition professionals will provide students with access to a variety of affordable, nutritious, and appealing foods that meet the health and nutrition needs of students; will accommodate the religious, ethnic, and cultural diversity of the student body in meal planning; and will provide clean, safe, and pleasant settings and adequate time for students to eat.

- To the maximum extent practicable, all schools in our district will participate in available federal school meal programs (including the School Breakfast Program, and the National School Lunch Program).

- Schools will provide nutrition education and physical education to foster lifelong habits of healthy eating and physical activity, and will establish linkages between health education and school meal programs, and with related community services.

TO ACHIEVE THESE POLICY GOALS:

I. School Health Councils

The school district and/or individual schools within the district will create, strengthen, or work within existing school health councils to develop, implement, monitor, review, and, as necessary, revise school nutrition and physical activity policies. The councils also will serve as resources to school sites for implementing those policies.

II. Nutritional Quality of Foods and Beverages Sold and Served on Campus

School Meals

Meals served through the National School Lunch and Breakfast Programs will:

- be appealing and attractive to children;
- be served in clean and pleasant settings;
- meet, at a minimum, nutrition requirements established by local, state, and federal statutes and regulations including the Smart Snacks in School nutrition standards;
- offer a variety of fruits and vegetables;
- serve only low-fat (1%, 0.5%) and fat-free milk and nutritionally-equivalent non-dairy alternatives (to be defined by USDA); and
- ensure that half of the served grains are whole grain.

Breakfast. To ensure that all children have breakfast, either at home or at school, in order to meet their nutritional needs and enhance their ability to learn:

- Elementary, Middle and High Schools will operate the School Breakfast Program.
- Schools that serve breakfast to students will notify parents and students of the availability of the School Breakfast Program.

Free and Reduced-priced Meals. Schools will make every effort to eliminate any social stigma attached to, and prevent the overt identification of, students who are eligible for free and reduced-price school meals. Toward this end, schools may utilize electronic identification and payment systems and promote the availability of school meals to all students. Provide training to new staff members on the importance of discretion when students go through the lunch line. Ensure to maintain, improve and upgrade cafeteria system when financially possible.

Meal Times and Scheduling. Schools:

- will provide students with at least 10 minutes to eat after sitting down for breakfast and 20 minutes after sitting down for lunch;
- should schedule meal periods at appropriate times
- should not schedule tutoring, club, or organizational meetings or activities during mealtimes, unless students may eat during such activities;
- will provide students access to hand washing or hand sanitizing before they eat meals or snacks; and
- should take reasonable steps to accommodate the tooth-brushing regimens of students with special oral health needs (*e.g.,* orthodontia or high tooth decay risk).

Qualifications of School Food Service Staff. Qualified nutrition professionals will administer the school meal programs. As part of the school district's responsibility to operate a food service program, we will provide continuing professional development for all nutrition professionals in schools. Staff development programs should include appropriate certification and/or training programs for child nutrition directors, school nutrition managers, and cafeteria workers, according to their levels of responsibility.

Sharing of Foods and Beverages. Schools should discourage students from sharing their foods or beverages with one another during meal or snack times, given concerns about allergies and other restrictions on some children's diets.

Competitive Foods – All Foods and Beverages Sold Individually (*i.e.,* foods sold outside of reimbursable school meals, such as through vending machines, cafeteria a la carte [snack] lines, fundraisers, school stores, etc.)

Competitive foods are defined as all foods and beverages other than meals reimbursed under programs authorized by the National Schools Lunch Act offered for sale to students during the school on school campus. The school day is from midnight before to 30 minutes after school officially ends. Competitive foods are also divided between meeting or not meeting the nutritional standards of the Smart Snacks in Schools Regulations.

The sale of competitive food shall not be allowed to be sold during meal periods in the same area as reimbursable meals except for items sold by the food service department that meets Smart Snacks in Schools Regulations.

The sale of competitive foods that do not meet the nutritional standards established in the Smart Snacks in Schools Regulations can only be permitted if approved by principal 30 minutes after the end of the official day until midnight of that day.

Elementary Schools. The school food service program will approve and provide all food and beverage sales to students in elementary schools. Given young children's limited nutrition skills, food in elementary schools should be sold as balanced meals. If available, foods and beverages sold individually should be limited to three times a week and follow the food guidelines listed below. Only water, low-fat and non-fat milk, and soy milk will be provided as beverages.

Middle/Junior High and High Schools. In middle/junior high and high schools, all foods and beverages sold individually outside the reimbursable school meal programs (including those sold through a la carte [snack] lines, vending machines) during the school day, or through programs for students after the school day, will meet the following nutrition and portion size standards*:*

General nutrition requirements:

- Be a grain product that contains 50 percent or more whole grains by weight or have as the first ingredient a whole grain; or
- Have as the first ingredient one of the nongrain major food groups: fruits, vegetables, dairy or protein foods (meat, beans, poultry, seafood, eggs, nuts, seeds, etc.); or
- Be a combination food that contains ¼ cup of fruit and/or vegetable; or
- Contain 10 percent of the daily value of a nutrient of public health concern based on the most recent Dietary Guidelines for Americans (i.e., calcium, potassium, vitamin D or dietary fiber). Effective July 1, 2016, this criterion is obsolete.

Nutrient standards:

Nutrient standards	Snack Item	Entrée Item
Calories	200 calories or less	350 calories or less
Sodium Limits	200 mg or less	480 mg or less
Total Fat Limits	35% or less of total calories	35% or less of total calories
Saturated fat	10% or less of total calories	10% or less of total calories
Sugar Limits	35% or less of weight	35% or less of weight

	from total sugars	from total sugars

Exemptions:

- Entrées served in the NSLP/SBP on the day of service and the following school day.
- Fresh, frozen or canned fruits and vegetables with no added ingredients, except water, which are packed in 100 percent juice, extra light syrup or light syrup

**Refer to 7 CFR 210.11 competitive food service standards for additional exemptions.*

Nutrition standards for beverages: Portion sizes listed are the maximum that can be offered.

Beverages	Elementary	Middle	High
Plain water	unlimited	unlimited	unlimited
Unflavored low-fat milk	8 fl. oz.	12 fl. oz.	12 fl. oz.
Unflavored or flavored fat-free milk	8 fl. oz.	12 fl. oz.	12 fl. oz.
100% fruit or vegetable juice	8 fl. oz.	12 fl. oz.	12 fl. oz.
100% fruit or vegetable juice diluted with water but no added sweeteners	8 fl. oz.	12 fl. oz.	12 fl. oz.
Calorie-free, flavored water and other flavored drinks	Not allowed	Not allowed	20 fl. oz.
Low-calorie (5 calories or less per 8 fl. oz.)	Not allowed	Not allowed	20 fl. oz.
Low-calorie (40 calorie or less per 8 fl. oz.)	Not allowed	Not allowed	12 l. oz.

<u>Vending:</u>

Elementary Schools – no beverage/snack vending machines may be in operation where students may purchase items during the school day.

Middle Schools – no soft drinks will be allowed to be sold at any time. Items sold must meet the nutritional guidelines but must not be allowed to be sold during the food service.

High Schools – no soft drinks will be allowed to be sold before or during school hours. Vending machines with soft drinks will be allowed after 8th period until 10:00pm. Items sold must meet the nutritional guidelines but must not be allowed to be sold until after the last school bell.

Fundraising Activities. To support children's health and school nutrition-education efforts, it is highly recommended that school fundraising activities should not involve food or will use only foods that meet the above nutrition and portion size standards for foods and beverages sold individually. No fundraisers that include the sale of food items will occur until thirty (30) minutes after the conclusion of the school day until midnight of that day and approved by the principal.

The school board is permitted to grant a special exemption from the standards for competitive foods as specified above for the purpose of conducting infrequent school sponsored fundraisers, not to exceed to maximum number of school days per school campus each school year:

School Type	Maximum Number of School Days to Conduct Exempted Fundraisers
Elementary Schools	5 days
Middle School/Junior High Schools	10 days
Senior High Schools	15 days
Combination Schools	10 days

Schools will encourage fundraising activities that promote physical activity such as jog-a-thons and 5K runs. The school district will make available a list of ideas for acceptable fundraising activities.

Snacks. It is recommended that snacks served during the school day or in after-school care or enrichment programs will make a positive contribution to children's diets and health, with an emphasis on serving fruits and vegetables as the primary snacks and water as the primary beverage. Schools will assess if and when to offer snacks based on timing of school meals, children's nutritional needs, children's ages, and other considerations. The district will disseminate a list of healthful snack items to teachers, after-school program personnel, and parents.

- If eligible, schools that provide snacks through after-school programs will pursue receiving reimbursements through the National School Lunch Program.

Rewards. It is suggested that schools will not use foods or beverages, especially those that do not meet the nutrition standards for foods and beverages sold individually (above), as rewards for academic performance or good behavior, and will not withhold food or beverages (including food served through school meals) as a punishment.

Celebrations. We encourage parents to bring in healthy store-bought items for celebrations. It should be recommended that each party should try to include no more than one food or beverage that does not meet nutrition standards for foods and beverages sold individually (above). The district will disseminate a list of healthy party ideas to parents and teachers.

School-sponsored Events (such as, but not limited to, athletic events, dances, or performances). Foods and beverages offered or sold at school-sponsored events outside the school day should meet the nutrition standards for meals or for foods and beverages sold individually (above). No soda will be used in elementary or middle school activities. High School events will be allowed to provide soda but must also include one fruit juice option available.

Food and Beverage Marketing

School-based marketing will be consistent with policies for nutrition education and health promotion. As such, the following guidelines apply:

> Schools will only be allowed to market and advertise those foods and beverages that meet or exceed USDA's Smart Snacks in School nutrition standards. Marketing activities that promote healthful behaviors (and are therefore encouraged) include: vending machine covers promoting water, pricing structures that promote healthy options in a la carte lines or vending machines, sales of fruit for fundraisers and coupons for discounted gym memberships.

III. Nutrition and Physical Activity Promotion and Food Marketing

Nutrition Education and Promotion. The City of Cape Coral Charter School Authority aims to teach, encourage, and support healthy eating by students. Schools should provide nutrition education and engage in nutrition promotion that:

- is offered at both elementary schools for each grade level as part of their physical education curriculum. It will include gaining knowledge of the myplate making healthy choices to promote and protect their health;
- is an integral part of our 6th grade health class in our Oasis middle school and our Health Opportunities in Physical Education (H.O.P.E.) program in our Oasis High School;
- promotes fruits, vegetables, whole grain products, low-fat and fat-free dairy products, healthy food preparation methods, and health-enhancing nutrition practices;
- emphasizes caloric balance between food intake and energy expenditure (physical activity/exercise);

- links with school meal programs, other school foods, and nutrition-related community services;

- Will provide posters and/or brochures on the importance of healthy eating;

Communications with Parents. The district/school will support parents' efforts to provide a healthy diet and daily physical activity for their children. Schools should encourage parents to pack healthy lunches and snacks and to refrain from including beverages and foods that do not meet the above nutrition standards for individual foods and beverages. The district/school will provide parents a list of foods that meet the district's snack standards and ideas for healthy celebrations/parties, rewards, and fundraising activities.

The school district will provide a monthly nutritional fact on menus and the school website to enhance nutritional communication with parents. In addition, the school district will feature a fruit and vegetable flyer on the website which will provide recipes and nutritional facts.

The school district will provide parents/guardians the ability to view the food and beverage items their student is buying using a District approved online meal account/payment system.

The district/school will provide information about physical education and other school-based physical activity opportunities before, during, and after the school day; and support parents' efforts to provide their children with opportunities to be physically active outside of school. Such supports will include sharing information about physical activity and physical education through a website, newsletter, or other take-home materials, special events, or physical education homework.

Student Evaluations. Any students in grades 1st, 3rd, 6th, and new to Lee County, (per state mandate) will have their height, weight and Body Mass Index taken. Once the students' Body Mass Index is calculated and graphed using the CDC table for Calculated Body Mass Index Values, any students outside the 3rd and 97th percentile or failure of the student to grow heavier or taller will be sent a letter of referral for the student to be evaluated by a medical doctor. BMI is monitored throughout the 6th grade and any follow up regarding students' health care visit is documented, BMI findings and referrals are reported to the Lee County Health Department yearly.

If a medical referral is not indicated, but a teacher or the nurse observes signs of nutritional problems or poor eating habits that may lead to future health problems, a nutritional screening may be done from grades K through 12 with the parent's approval. The students' Body Mass Index is calculated, graphed and monitored using present and previous BMI findings. A Health History for Nutritional Assessment is done. Findings are recorded and health care provider follow up is suggested in the form of a letter sent home. These students' BMI is monitored and any findings of BMI issues are reported to the Lee County Health Department. Any follow up regarding students health care visit are documented.

IV. Physical Activity Opportunities and Physical Education

Daily Physical Education (P.E.) K-12. All students in grades K-12, including students with disabilities, special health-care needs, and in alternative educational settings will have the opportunity to take a physical education course that has been reviewed by a certified physical education teacher.

Each elementary school will provide 150 minutes of physical education each week for students in kindergarten through 5th grade. Any day that physical education is provided there should be at least 30 consecutive minutes per day.

For middle school students, the equivalent of one class period per day of physical education for one semester of each year is required for students enrolled in grades 6 through 8.

The high school requirement is one credit of physical education which must include the integration of health.

Exceptions to this requirements would be if a student is enrolled in remedial courses or a parent provides in writing that they want their student to take other courses or that their student participates in physical activities outside of the school day that equal or are in excess of that requirement.

Physical Activity Opportunities Before and After School. All elementary, middle, and high schools will attempt to offer extracurricular physical activity programs, such as physical activity clubs or intramural programs. All high schools, and middle schools as appropriate, will offer interscholastic sports programs. Schools will offer a range of activities that meet the needs, interests, and abilities of all students, including boys, girls, students with disabilities, and students with special health-care needs.

After-school child care and enrichment programs will provide and encourage – verbally and through the provision of space, equipment, and activities – daily periods of moderate to vigorous physical activity for all participants.

Teachers are strongly encouraged to allow students at least 15 minutes a day of physical activity through recess or P.E.

Use of School Facilities Outside of School Hours. School spaces and facilities should be available to supervised students and staff before, during, and after the school day. School policies concerning safety will apply at all times.

Other-School Based Activities

The school district will integrate wellness activities across the entire school setting. These initiatives will include nutrition, physical activity and other wellness components so that all efforts work towards the same set of goals and objectives used to promote student well-being, optimal development and strong educational outcomes.

General Guidelines

- The goals outlined by the wellness policy will be considered in planning all school-based activities (such as school events, field trips, dances and assemblies).
- Afterschool programs will encourage healthy snacking and physical activity.
- Each school shall actively develop and support the engagement of students, families and staff in community health-enhancing activities and events at the school or throughout the community such as 5K runs.

- Each school within the Authority shall be in compliance with drug, alcohol and tobacco-free polies.

Convenient and Safe Drinking Water

- Students will have access to free, quality drinking water in all areas of each school.

Eating Environment

- Students will be provided an adequate amount of time to consume their meal with a minimum of 20 minutes after receiving their food from the line.
- Convenient access to facilities for hand washing and oral hygiene will be available during meal periods.

Employee Wellness

- The Authority Wellness committee will coordinate with human resources staff and ensure staff is aware and available for wellness programs like healthy screenings and subsidized gym membership.

Health Services

- A coordinated program of accessible health services shall be provided to staff and shall include, but not be limited to, violence prevention, school safety, communicable disease prevention, health screening, including body mass index, community health referrals, immunizations, parenting skills and first aid/CPR training.

Recycling

- Each school shall maximize the reduction of waste by recycling, reusing, composting and purchasing recycled products when economically feasible.

V. Monitoring and Policy Review

Monitoring. The administrator or food services supervisor will ensure compliance with established district-wide nutrition and physical activity wellness policies. In each school, the

principal or designee will ensure compliance with those policies in his/her school and will report on the school's compliance to the school district administrator or food services director.

School food service staff, at the school or district level, will ensure compliance with nutrition policies within school food service areas and will report on this matter to the superintendent (or if done at the school level, to the school principal). In addition, the school district will report on the most recent USDA School Meals Initiative (SMI) review findings and any resulting changes. If the district has not received a SMI review from the state agency within the past five years, the district will request from the state agency that a SMI review be scheduled as soon as possible.

The administrator or food services supervisor will develop a summary report every year on district-wide compliance with the district's established nutrition and physical activity wellness policies, based on input from schools within the district. That report will be provided to the school board and also distributed to all school health councils, parent/teacher organizations, school principals, and school health services personnel in the district.

Policy Review. Assessments will be repeated every year to help review policy compliance, assess progress, and determine areas in need of improvement. As part of that review, the school district will review our nutrition and physical activity policies; provision of an environment that supports healthy eating and physical activity; and nutrition and physical education policies and program elements. The district, and individual schools within the district, will, as necessary, revise the wellness policies and develop work plans to facilitate their implementation.

Triennial Progress Assessments

The Cape Coral Charter School Authority will develop a triennial assessment to measure compliance with our wellness policy. This assessment will include, but is not limited to the following:

- The extent to which schools under the jurisdiction of the Cape Coral Charter School Authority are in compliance with the local school wellness policy;
- The extent to which the local school wellness policy compares to model wellness policies; and
- A description of the progress made in attaining the goals of the local school wellness policy.
- The assessment tool will consider evidence-based strategies in establishing our nutrition promotion and education, physical activity and other-school based activities that promote student wellness. Will evaluate strategies and at a minimum look at smarter lunchroom tools and techniques.
-

Informing the Public

The Cape Coral Charter School Authority will ensure the wellness policy, information and updates to and about the wellness policy, the progress report and triennial assessment are available to the public at all times and are updated at least annually.

- To ensure the public has access and is aware of the annual results, the report will be presented annually at our recorded school board meeting and will be approved by the school board each year.
- The Cape Coral Charter School Authority will ensure the most updated version of the wellness policy, the progress report and the triennial assessment are always available on the school website for the public to view.
- Each school will inform all parents that a complete copy of the local school wellness policy at the beginning of the school year and make the policy available to the public by posting it on our website.

Assurance:

We assure that the guidelines for reimbursable school meals shall not be less restrictive than regulations and guidance issued by USDA.

Wellness Policy Committee – This committee has assessed the school's nutrition and physical activity needs and developed this Policy based on those needs.

The committee is composed of the following representatives:

Area Represented	Committee Member Name
Parent	Mary Ossichak, Luz Llerena
Student	Mia Ossichak, Jonathon Cope, Ryan Taylor,
School Food Service Personnel	Danielle Jensen, Caroline Sterling, Maria Thomas, Sara Mitchell
School Administrator	Jacquelin Collins, Donnie Hopper, MaryBeth Grecsek, Angela Ticich
School Nurse	Melanie Klages

Website Address for the Wellness Policy (if Public or Charter School):

http://www.capecharterschools.org

_____

Item Number:	**8.C.**
Meeting Date:	**8/13/2019**
Item Type:	**CONSENT AGENDA:**

AGENDA REQUEST FORM

City Of Cape Coral Charter School Authority

TITLE:

Approval of Unpaid Meals Policy - Danielle Jensen, Procurement Director

SUMMARY:

ADDITIONAL INFORMATION:

RECOMMENDED ACTION:

ATTACHMENTS:

	Description	Type
	UNPAID MEALS POLICY 2019	Backup Material

Cape Coral Charter School Authority School District Meal Charge Policy

I. Federal Requirement :

The purpose of this policy is to address the need for the Charter School that is participating in the National School Lunch Program (NSLP) and School Breakfast Program (SBP) to institute and clearly communicate a meal charge policy. Because all students in the Charter School system may receive reimbursable school meals, all schools must have a policy in place for children who are participating at the reduced price or paid rate, but either do not have money in their account or in hand to cover the cost of the meal at the time of service. Such a policy ensures that school food service professionals, school administrators, families, and students have a shared understanding of expectations in these situations.

II. PURPOSE OF POLICY:

The purpose of this policy is to establish consistent meal account procedures throughout the district. Unpaid charges place a financial strain on the food service department. The goals of this standard of practice are:

• To treat all students with dignity in the serving line regarding meal accounts

• To support positive situations with district staff, district business policies, student and parent/guardian to the maximum extent possible

• To establish a policy that is age appropriate

• To encourage parent/guardian to assume the responsibility of meal payments and to promote self-responsibility of the student

• To establish a consistent district policy regarding charges and collection of charges

III. SCOPE OF RESPONSIBILITY:

• The food service department, Director of Procurement & Food Services and School Accountant: Responsible for maintaining charge records and notifying the student's parent/guardian.

• The Parent/Guardian: Immediate payment

IV. ADMINISTRATION:

1. Families are encouraged to apply for free and reduced price meal benefit. Any family that consistently falls into a negative balance will receive a written notification to encourage them to apply for free or reduced price meal benefits. Balances can be transferred among family members.

2. Families are encouraged to pre-pay for meals through either myschoolbucks.com or may send money to be turned into the cafeteria for payments on the day of service. Written notification of prepayment options occurs at the beginning of each school year, is given to each new transfer student, and is posted on the Food Service website.

3. Families will be notified of the school Unpaid Meal Charge Policy in writing before the school year begins at our annual open houses and with each new transfer student. This policy will also be posted on the Food Service Website.

4. Elementary students: The policy is that a student may only charge two lunches and then they will receive a sandwich and milk. A la carte items will not be allowed to be charged at any time. The funds need to be in the student's account to purchase the a la carte item that day. If a parent does not want their student to purchase any extra or a la carte items, a note may be put in the student's account and no extra items will be allowed to be purchased. Any money sent to the café will be put in the student's account and can be used any time throughout the year. The Charter School does not provide change to elementary students. Any student that is approved for free meals will not be denied a meal even if they have a negative balance on their account.

6. Middle School students: The policy is that a student may only charge two lunches and then they will receive a sandwich and milk. A la carte items will not be allowed to be charged at any time. The funds need to be in the student's account to purchase the a la carte item that day. If a parent does not want their student to purchase any extra or a la carte items, a note may be put in the student's account and no extra items will be allowed to be purchased. Any money sent to the café will be put on the student's account and can be used any time throughout the year. The Charter School does not provide change to middle school students. Any student that is approved for free meals will not be denied a meal even if they have a negative balance on their account. l.

7. High School students: The policy is that a student may only charge two lunches and then they will receive a sandwich and milk. A la carte items will not be allowed to be charged at any time. The funds need to be in the student's account to purchase the a la carte item that day. Any money sent to the café will be put on the student's account and can be used any time throughout the year. Any student that is approved for free meals will not be denied a meal even if they have a negative balance on their account.

8. Denying meals or providing alternate meals. It is always an awkward situation when a student does not have funds in their lunch accounts. The school provides myschoolbucks.com which will send parents a notice of a low balance amount once they set up an account. Parents can use the website to pay the day they need to make a payment. Cashiers on the lines will discretely remind students that they need to send in money for their account. When a student goes negative, the café leads are responsible for emailing or sending a past due letter to the parents. If the parent does not respond, then the café lead will make a phone call to the parent and leave a message if necessary.

9. Unpaid meal charges may not be carried over at the end of the school year (i.e., beyond June 30) as a delinquent debt. To ensure all funds are collected, no one is allowed to charge any meals or a la carte items for the last month of school. Written notice is sent out to all parents, posted at the cashier stations, and posted on the food service website. Any student, with no funds in the lunch account, will be allowed to have a sandwich and milk for that day.

Item Number:	**8.D.**
Meeting Date:	**8/13/2019**
Item Type:	**CONSENT AGENDA:**

AGENDA REQUEST FORM

City Of Cape Coral Charter School Authority

TITLE:

Approval of NEOLA Policy "CASH POSITION ANALYSIS" - MaryAnne Moniz, Business Manager

SUMMARY:

ADDITIONAL INFORMATION:

RECOMMENDED ACTION:

ATTACHMENTS:

	Description	Type
	CASH POSITION POLICY	Backup Material

Book: Policy Manual
Section: Finance
Title: Cash Position Analysis/Cash Forecasting
Code:
Status: Pending
Adopted:

CASH POSITION ANALYSIS/CASH FORECASTING

Purpose

The purpose of this policy is to set forth the parameters for reviewing cash positions.

General Procedures

A. The Business Manager and CIty Accountant will perform monthly reviews of cash positions to include cash accounts, anticipated accounts payables, revenue streams, dollars due to City and payroll and any other liabilities. Both parties will ensure funds are managed in such a manner so as to meet reasonably anticipated cash flow requirements each month. Upon completion, both the Business Manager and City Accountant will execute the Cash Position Form which will remain on file with the City Accountant.

B. In order to support monthly operating expenditures, the Business Manager and City Auditor shall complete a Cash Flow Form, thereby making recommendations to the City's Finance Director to increase or decrease the Investment Accounts.

C. All transfers will be reviewed by the City Investment Analyst against the Investment Policy to ensure accounts are within required limitations. Transfers will then be submitted to the City of Cape Coral Finance Director who will provide final approval. The Business Manager, City Accountant, City Finance Director and Charter School Superintendent will be notified by the City Investment Analyst once the transfer has been completed.

Book: Policy Manual
Section: 6000 Finances
Title: Accounts Receivable
Code:
Status: Pending
Adopted:

ACCOUNTS RECEIVABLE:

Purpose

To establish policy and procedures for Accounts Receivable.

Policy

This policy is to be used for the Accounts Receivable processes. The Authority's primary source of receivables is Food Service Sales at all four of its member schools.

Overview

General Procedures

A. The Food Services Director will run a daily point of sale report. (The report must be matched against the cash in the drawer).

B. The Food Service cashier counts the drawer and generates a bank deposit report (which provides a breakdown of cash and checks received).

C. The report is initialed by the cashier and verified by another staff member.

D. The Cashier gives bank deposit to the Building Secretary who generates the bank deposit ticket and places the deposit into the bag.

E. The deposit is stored in a secured safe until the bank deposits are picked up by Loomis. The bank deposit report and the yellow numbered deposit ticket is sent to the City Account.

F. The City Accountant compares the daily deposits posted to the bank to the deposit report provided by Food Service.

G. The City Account generates a journal entry for each day's deposits to JDE and includes a copy of the bank deposit with the journal entry as a backup.

H. If there is a discrepancy between the deposit ticket and the amount received at the

Authority's bank, the City Account contacts the bank for a breakdown of the deposit providing the deposit ticket as a reference number.

- The City Accountant will reconcile the difference and contact the Director of Food Service to review and research the difference.
- Once resolved, the City Accountant can enter the deposit into JDE.

J. The Treasury Department review the journal entry for accuracy, sign the journal entry document and submit it to the Accounting Manager Supervisor for posting in JDE.

Balance Sheet Detail
March 31, 2019

Assets	Posted to Bank	Amount
Accounts Receivable, net		
Food Service Sales		
OCES Food Service Sales (Mar 2019) - Deposit posted to Bank Account	4/1/19 & 4/3/19	$ 2,529.98
CMES Food Service Sales (Mar 2019) - Deposit posted to Bank Account	4/1/2019	1,865.30
OCMS Food Service Sales (Mar 2019) - Deposit posted to Bank Account	4/1/19 & 4/3/19	3,414.10
OCHS Food Service Sales (Mar 2019) - Deposit posted to Bank Account	4/1/19 & 4/3/19	2,902.20
Grand Total		10,711.58
Intergovernmental Receivables		
VPK Program (March 2019) Deposit posted to Bank Account	4/19/2019	$ 16,262.10
National School Lunch Program (March 2019) Deposit posted to Bank Account	4/16/2019	40,721.19
JROTC (March 2019) Deposit posted to Bank Account	4/10/2019	8,949.28
PECO (March 2019) Deposit posted to Bank Account	4/10/2019	86,592.00
Total		152,524.57
Other Accrued Liabilities		
FCL Dental Contribution (true up per email from N. Erico 4.30.19)		$ 36.86
Bank Fees Accrual March		49.08
Total		85.94
Accounts Payable		
AUDIO VISUAL INNOVATIONS		1,287.00
DELL MARKETING LP		30,661.68
FLOWERS BAKING COMPANY OF BR		227.64
OAKES FARMS FOOD AND DISTRIB		171.50
BRIGHTVIEW LANDSCAPES LLC		4,005.00
USATESTPREP LLC		1,050.00
Total		37,402.82
Total, Accounts Payable and Other Accrued Liabilities		$ 37,488.76

Item Number:	**8.E.**
Meeting Date:	**8/13/2019**
Item Type:	**CONSENT AGENDA:**

AGENDA REQUEST FORM

City Of Cape Coral Charter School Authority

TITLE:

Approval of NEOLA Policy "CAPITAL ASSETS" - MaryAnne Moniz, Business Manager

SUMMARY:

ADDITIONAL INFORMATION:

RECOMMENDED ACTION:

ATTACHMENTS:

	Description	Type
	CAPITAL ASSETS 2019	Backup Material

Book: Policy Manual

Section: 6000 Finance

Title:

Code:

Status: Pending

Adopted:

Capital Assets

Purpose

Policy

To strengthen internal departmental controls through the establishment of capital asset policies and procedures ensuring the safeguarding, tracking and accurate accounting of the City's capital asset.

Overview

To set forth the level for capitalization for land, buildings, equipment, building improvements, other improvements, and infrastructure, establishing an appropriate useful life by asset type, establishing a policy for retirement of existing assets, and recording the appropriate depreciation.

A capital asset is real or personal property that has a cost equal to or greater than the City established threshold and has an estimated useful life extending beyond one year. Purchases of land, buildings, equipment, building improvements, other improvements, and infrastructure with an individual cost of $5,000 or more and a useful life greater than one year will be capitalized.

Capital assets will have an individual cost of $5,000 or more and a useful life greater than one year.

General Procedures

I. Threshold for Capitalization

A. Individual capital assets will not include bundled purchases such as a computer workstation which consists of a central processing unit, monitor, and keyboard, unless a separate price for each cannot be determined. This is due to the fact that the individual items can be moved and not stay together as a unit. The individual items will be capitalized if they meet the capitalization policy on an individual basis.

B. Prior to authorizing a purchase order, each department will perform a risk assessment (both financial and operational) to identify those assets that are particularly at risk or vulnerable to a short life expectancy which would make them a consumable asset even though the value exceeds the capitalization threshold. If at the time of purchase, it is

determined that an asset is an "at risk" or "consumable" item, the amount will be expensed and not capitalized.

C. Repairs necessary to maintain buildings and infrastructure will normally be expensed at the time of purchase. However, should the scope of the repair be authorized as a capital expenditure, the department involved will provide guidance as to the value of the existing structure or infrastructure that is being replaced. Within the capital asset accounting module, the value of the existing asset will be reduced appropriately and the value of the repair incorporated into the capital asset accounting module.

D. The procurement division will review the nature and the useful life of the requisitioned item prior to categorizing the item as a capital asset purchase.

E. The accounting division through the capital asset accountant will make the final determination for an item to meet the capitalization requirements.

F. Standardized forms have been developed and their use is required for the addition of new equipment to include vehicles (Exhibit A), the retirement of an existing capital asset (Exhibit B), and the transfer (sale) of capital assets (Exhibit C) between departments. The acceptance of a donation of a capital asset will require council approval.

G. Each director shall at the department level as necessary appoint a capital asset custodian and issue a memo to the capital asset accountant within the Financial Services Department advising of the appointment. Additionally, a memo is to be sent to the capital asset accountant whenever there is a personnel change establishing a new capital asset custodian.

H. User departments are responsible for the safeguarding of all of their assigned assets.

I. Please see Administrative Regulation #38 Theft] Loss Reporting and Administrative Regulation #50 Catastrophe Response — Damage Evaluations and Repair as appropriate.

J. There will be a required annual inventory of equipment and buildings performed at the departmental level to include verification of the location of the asset and the current condition of the asset and, will require the department director's signature attesting to and accepting the asset's current status.

II. Useful Life Policy by Asset Type

A. Equipment: Furniture, office equipment, and general operating equipment will have a useful life of 5 years.

Information technology equipment (computers, servers, monitors, printer, etc) will have a useful life of 3 years. Computer software will have a useful life of 3 years and a capitalization threshold of $25,000.

Vehicles, including light trucks, will have a useful life of 5 years. A light truck is defined as one that has a load capacity of less than one ton.

Street sweepers will have a useful life of 5 years.

Heavy duty trucks (load capacity of one ton or greater), fire trucks, backhoes and other heavy equipment will have a useful life of 10 years.

B. Buildings: Structures including office facilities and operating facilities will have a useful life of 40 years. Storage sheds, rain shelters, maintenance buildings etc. will have a useful life of 20 years. When a structure is substantially completed the construction information shall be provided to the capital asset accounting assistant to finalize the useful life.

C. Building Improvements: Reconfiguration of office space areas that affect constructing or removing walls will have a useful life of 10 years. Normal replacement of shingled roofs, interior modifications limited to painting, curtains, interior window shades, carpet or tile replacement will normally be expensed and considered as repairs and maintenance.

D. Other Improvements: Park construction and other improvements will have a useful life of 20 years.

E. Infrastructure: Infrastructure is broken into subclasses to include roads (including curbing and gutters), bridges, sidewalks, traffic signals, parking lots, and utility extension.

- Roads, newly constructed roads will have a useful life of 30 years. Resurfaced roads will have a useful life of 20 years.
- Bridges wilt have a useful life of 40 years.
- Sidewalks will have a useful life of 30 years.
- Traffic Signals will have a useful life of 15 years.
- Parking Lots will have a useful life of 20 years.
- Utility Extension Lines will have a useful life of 40 years.

III. Retirements

A. Retirement of capital assets must be recorded on the "Retirement of Asset" form. The department retiring the asset is to remove the capital asset tag and attach it to the "Retirement of Asset" form (Exhibit B). Many assets are submitted for auction. These assets are not considered retired until payment has been received and (if applicable) title changes hands.

B. A department will complete the "Retirement of Asset" form and submit the form and equipment to facilities for inclusion in the next auction. Facilities will submit the retirement form to accounting following the sale at auction. Accounting will verify receipt of funds prior to retiring the asset in the capital asset accounting module.

c. Assets being retired without going to auction must have the "Retirement of Asset" form completed and submitted directly to the Financial Services Department, Attention: Capital Assets.

IV. Transfer of Asset

A. If an existing City owned capital asset is requested by another department, they will submit a "Transfer of Asset" request form (Exhibit C) properly authorized by both departments to include a fair market value price which will be charged to the acquiring department.

V. Depreciation of Capital Assets

A. Capital assets will be depreciated using the "straight line" method for depreciation based on the useful life by asset category.

VI. Work in Process

A. Labor, material, equipment and overhead costs of a project under construction (e.g., buildings, building improvements, land improvements, and infrastructure) will be temporarily reported in the account, Work in Process. Work in Process reflects the construction activity status of buildings, building improvements, land improvements, and infrastructure that is substantially incomplete. The capital asset accountant will incorporate the increasing dollar value of the project into the capital asset accounting module while construction is occurring.

Work in Process assets will be capitalized to their appropriate capital asset categories upon the earlier occurrence of execution of substantial completion contract documents, occupancy, or when the assets are placed into service. At this stage, the capital asset accountant will modify the classification of the asset to the appropriate category and begin depreciation.

Book: Policy Manual

Section: 6000 Finance

Title:

Code:

Status: Pending

Adopted:

Capital Assets

EXHIBIT A

FINANCIAL SERVICES DEPARTMENT
FIXED ASSETS INFORMATION SHEET

PURCHASE OF NEW ASSET

Department Name & Department Number: _____

Account number charged: _____

P.O. # and Project number charged: _____

Purchase date and received date (for Fleet) _____

Cost: _____

Name of Vendor: _____

Description: _____

Manufacturer: _____

Model: _____

Serial Number: _____

City License Number for Vehicle: _____

Fuel Type, & Tank Capacity: _____

Fuel charged to: Project _____

Department Director's Signature: _____ Date: _____

Capital Asset Tag # (to be supplied by Financial Services):

_____

Date Received In Financial Services: _____

Date Returned to Department: _____

Book: Policy Manual

Section: 6000 Finance

Title:

Code:

Status: Pending

Adopted:

Capital Assets

EXHIBIT B

FINANCIAL SERVICES DEPARTMENT
FIXED ASSETS INFORMATION SHEET

RETIREMENT OF ASSET

Department Name & Department Number: _____

Description: _____

Cost: _____ Tag Number: _____

Reason for
retirement of Asset: _____

This completed sheet should have the asset tag attached when sent to the Financial Service Department for processing. You will receive a dated copy showing when it was received and accepted by Financial Services.

Has the item been designated for auction? Circle one YES NO

Items designated for auction are not considered retired until sold at auction and payment received unless removed from the auction as unable to be sold and disposed.

Director's signature: _____ Date: _____

DESIGNATED FOR AUCTION SECTION COMPLETED BY FLEET

Date Sold at auction _____

Auction proceeds _____

Unable to auction – disposed

Authorized Fleet
Representative Signature: _____ Date: _____

Date Received
In Financial Services_____ Date Returned
to Dept. _____

Book: Policy Manual

Section: 6000 Finance

Title:

Code:

Status: Pending

Adopted:

Capital Assets

EXHIBIT C

FINANCIAL SERVICES DEPARTMENT
FIXED ASSETS INFORMATION SHEET

TRANSFER OF ASSET

Transferring
Department Name & Department Number: _____

Description: _____

Purchase Cost: _____ **Re-sale value:** _____

Condition of Asset: _____

Estimated remaining useful life in months: _____

Tag Number: _____

Fixed Asset Custodian Signature: _____

Director's Signature: _____ **Date:** _____

Receiving
Department Name & Department Number: _____

Receiving Dept Cost: _____ **(Equal to re-sale value)**

Capital Asset Custodian
Signature acceptance : _____

Director's Signature: _____ **Date:** _____

The transferring department must assign a re-sale value to the asset.
BOTH THE TRANSFERRING AND RECEIVING DEPARTMENTS MUST SIGN THIS FORM BEFORE IT CAN BE PROCESSED IN FINANCIAL SERVICES.

Date Received
In Financial Services _____

Date Returned
to Depts. _____

Item Number:	**8.F.**
Meeting Date:	**8/13/2019**
Item Type:	**CONSENT AGENDA:**

AGENDA REQUEST FORM

City Of Cape Coral Charter School Authority

TITLE:

Approval of NEOLA Policy "REFUNDS" - MaryAnne Moniz, Business Manager

SUMMARY:

ADDITIONAL INFORMATION:

RECOMMENDED ACTION:

ATTACHMENTS:

Description	Type
REFUNDS POLICY 2019	Backup Material

Book: Policy Manual
Section: 6000 Finances Refund Policy
Title: Refunds
Code:
Status: Pending
Adopted:

REFUNDS:

Purpose

To establish policy and procedures for issuing refunds.

Policy

This policy is to be used for issuing refunds by the Authority for any cash, check or credit card payments at any of its member schools.

Overview

A. Refunds are to be made by any of its member schools:
   1. Oasis Elementary
   2. Christa McAuliffe Elementary
   3. Oasis Middle School
   4. Oasis High School

B. Cash, check, and credit card payments (made through MySchool Bucks) are provided by parents, guardians and other sponsors for many purposes including but not limited to the school lunch program, donations, book fairs, extra-curricular activities, clubs and field trips.

General Procedures

A. Refund requests for cash, check, or MySchoolBucks (credit card) payments are generated by the Building Secretaries. Refund requests must be made in writing and include:
   1. Payee's name
   2. Student's name
   3. Payee's contact phone number and address
   4. How payment was made (cash, check, or credit card through MySchoolBucks)
   5. Reason for refund

B. Cash or check requests for refunds are processed through the Accounts Payable Specialist.

1. Building Secretaries will verify the cash or check payment via Deposit Verification Form or RDSO, complete a JDE Check Request Form (to include a vender number), and send the payment verification and parent request to the Accounts Payable Specialist for processing.
2. The Accounts Payable Specialist will verify all documents, account strings, retrieve signatures from Business Manager and Superintendent, and will then process the entry in JDE. Once the entry is made, all documentation is forwarded to the City Accountant for final review and approval by City Finance.

C. Credit card refunds, paid through MySchoolBucks, are processed by the Authority/City Accountant.

1. Building Secretaries will verify the My School Bucks payment and will send the payment verification and parent request to the Authority/City Accountant for processing.
2. Authority/City Accountant will contact the parent in order to retrieve the credit card number needed for the refund and will then process the refund using the Authority's credit card machine (Authority will not maintain a copy of the credit card number).
3. Once a refund appears on the bank statement, the refund will be processed in JDE.
4. If refund is Food Services related, an adjustment to Food Service revenue will be made.

E. If refund is related to Internal Funds, a transfer of funds from Internal to the General Fund is made by the Building Secretaries to cover the refund. The Authority/City Accountant and Business Manager will approve and process the transfer.

Lunch Program Refund Policy

If a student withdraws or graduates and has a positive balance of less than $5.00, the balance may be receipted into the school lunch fund where the school lunch program funds are maintained. If a student withdraws or graduates with a positive balance greater than $5.00, the parent shall be notified by mail and given the option of receiving a refund within 30 days. If no response is received within 90 days, the account will be closed and the funds will no longer be available.

No refund will be issued for funds under $5.00 unless specifically requested by the parent. Unclaimed balances will be transferred to the school lunch fund where the school lunch program funds are maintained. These funds will be reported to the City of Cape Coral with all corresponding backup (names and amounts) and forwarded to the Florida Treasure Chest for report of unclaimed property.

Approved by Cape Coral Charter School Authority School Board on August 14, 2018

Item Number:	**8.G.**
Meeting Date:	**8/13/2019**
Item Type:	**CONSENT AGENDA:**

AGENDA REQUEST FORM

City Of Cape Coral Charter School Authority

TITLE:

Approval of Personnel Movements June - August 2019 including Discussion of Chris Cann Leave of Absence Request- Superintendent Collins

SUMMARY:

ADDITIONAL INFORMATION:

RECOMMENDED ACTION:

ATTACHMENTS:

	Description	Type
	PERSONNEL MOVES 82019	Backup Material

Name	Position
Arroyo, Esmeralda	PE Teacher - OES
Bissler, Trisha Ann	**Rehire** - 4th/5th Grade Teacher - CME
Brown, Jennifer	Teacher - OES
Brown, Sr., Michael	JROTC - OHS
Cameron, Gary	Science Teacher - OMS (master's degree)
Carstens, Jeffery Alan	Science Teacher - OHS
Downey-Chenard, Debra	**Promotion** - Paraprofessional I - OHS
Ferreiro Flores, Maida	Substitute Food Service Worker
Hale, Krystal Marie	Paraprofessional I - CME
Hernandez Torres, Jenniffer	5th Grade Teacher - OES
Hernandez, Lisett	Teacher - CME
Humenay, Jana	**Promotion** - Cashier
Jones, Shelley Humphries	Teacher - CME
Lear, Jennifer Danielle	Chemistry Teacher - OHS
Lewis, Hannah M.	Teacher - OES
Loucks, Deborah J.	Substitute Food Service Worker
McCarthy, Patrick S.	Math Teacher - OHS
Nelson, Kori E.	Teacher - OES
Omundsen, John	**Rehire** - Intervention Specialist - OMS
Orcutt, Leisa A.	HR Manager
Paulis, David Paul	Engineering Teacher - OHS
Pignataro, Rhonda L.	Secretary - OHS
Plana, Nicole Marie	Teacher - OES
Reyes, Ashley	**Promotion** - Office Assistant - OES
Rouah, Rachel	Teacher - OES
Sanchez Alba, Nieves Isabel	Food Service Worker - OES
Souffront-Pacheco, Diana K.	**Demotion** - Substitute Teacher
Sporney, Diane Ladine	**Rehire** - Teacher - CME
Sullivan, Michael	French Teacher - OHS
Tarabokija, Veronica M.	**Promotion** - Language Arts Teacher - OMS
Toney, Ashley D.	**Promotion** - Paraprofessional II - CME
Troxell (Allen), Kristi Leigh	Teacher - CME
Velez, Patrick Andrew	Math Teacher - OHS
Villeneuve, Diane	Bus Driver
Webb, Leslie	English Teacher - OHS
Welsh, Michael Richard	Teacher - OES
Wilkinson, Shannon	Teacher - OES
Zanter, Kelly	Science Teacher - OMS

Item Number:	**9.A.**
Meeting Date:	**8/13/2019**
Item Type:	**SUPERINTENDENT REPORT:**

AGENDA REQUEST FORM
City Of Cape Coral Charter School Authority

TITLE:
Superintendent Jacquelin Collins

SUMMARY:

ADDITIONAL INFORMATION:

RECOMMENDED ACTION:

Item Number:	**10.A.**
Meeting Date:	**8/13/2019**
Item Type:	**CHAIRMAN REPORT:**

AGENDA REQUEST FORM

City Of Cape Coral Charter School Authority

TITLE:

Chairman Michael Campbell

SUMMARY:

ADDITIONAL INFORMATION:

RECOMMENDED ACTION:

Item Number:	**11.A.**
Meeting Date:	**8/13/2019**
Item Type:	**FOUNDATION REPORT:**

AGENDA REQUEST FORM

City Of Cape Coral Charter School Authority

TITLE:

Gary Cerny, President

SUMMARY:

ADDITIONAL INFORMATION:

RECOMMENDED ACTION:

Item Number:	**12.A.**
Meeting Date:	**8/13/2019**
Item Type:	**STAFF COMMENT:**

AGENDA REQUEST FORM

City Of Cape Coral Charter School Authority

TITLE:

Kevin Brown, Principal, Christa McAuliffe Elementary, MaryBeth Grecsek, Principal, Oasis Elementary, Donnie Hopper, Principal, Oasis Middle School, Dr. Christina Britton, Principal, Oasis High School, Danielle Jensen, Director of Procurement, Brent Richardson, Building Maintenance Supervisor, William Wolter, Transportation Director, Frank Haba, OHS Athletic Director

SUMMARY:

ADDITIONAL INFORMATION:

RECOMMENDED ACTION:

Item Number:	**13.A.**
Meeting Date:	**8/13/2019**
Item Type:	**UNFINISHED BUSINESS:**

AGENDA REQUEST FORM

City Of Cape Coral Charter School Authority

TITLE:

No Activity

SUMMARY:

ADDITIONAL INFORMATION:

RECOMMENDED ACTION:

Item Number:	**14.A.**
Meeting Date:	**8/13/2019**
Item Type:	**NEW BUSINESS:**

AGENDA REQUEST FORM

City Of Cape Coral Charter School Authority

TITLE:

Approval of Cape Coral Charter School Authority Adopted Operating Budget FY2020-2022 - MaryAnne Moniz, Business Manager

SUMMARY:

ADDITIONAL INFORMATION:

RECOMMENDED ACTION:

ATTACHMENTS:

	Description	Type
🗋	ADOPTED OPERATING BUDGET 2020-2022	Backup Material

Cape Coral Charter School Authority

FY 2020-FY 2022 Adopted Operating Budget

August 13, 2019

FY 2020-2022
BUDGET HIGHLIGHTS

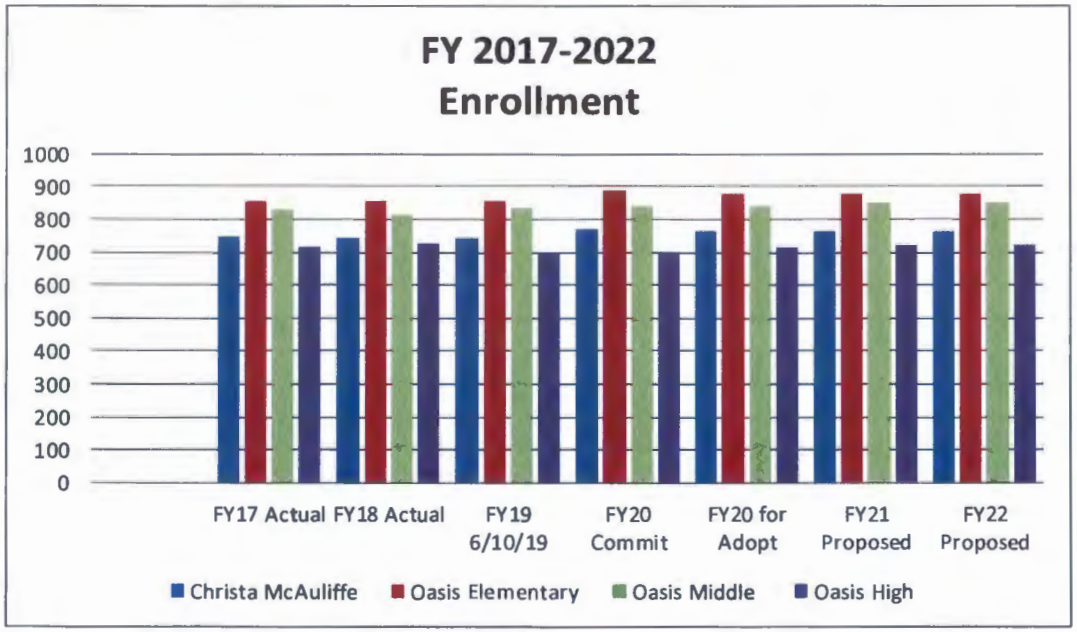
- Held One Budget Workshop and Staff Meetings
  - The Cape Coral Charter School Governing Board Approved the FY 2020 Proposed Operating Budget on June 11, 2019

- Discuss Changes from FY 2019-2020 Proposed Operating Budget to the FY 2019-2020 Adopted Operating Budget

- Governing Board will be asked to approve FY 2019-2020 Adopted Operating Budget

FY 2017-2022
ADOPTED ENROLLMENT

School (FTE)	FY17 Actual	FY18 Actual	FY19 6/10/19	FY20 Commit	FY20 for Adopt	FY21 Proposed	FY22 Proposed
Christa McAuliffe	748.51	745.00	745.57	773.00	766.00	766.00	766.00
Oasis Elementary	855.17	856.00	857.23	891.00	880.00	880.00	880.00
Oasis Middle	831.06	811.44	835.76	843.00	840.00	850.00	850.00
Oasis High	718.62	728.62	698.57	701.00	715.00	720.00	725.00
Total:	**3,153.36**	**3,141.06**	**3,137.13**	**3,208.00**	**3,201.00**	**3,216.00**	**3,221.00**
VPK (FTE)	40.00	40.00	40.00	-	-	-	-
Total (with VPK):	**3,193.36**	**3,181.06**	**3,177.13**	**3,208.00**	**3,201.00**	**3,216.00**	**3,221.00**



FY 2019-2020
ADOPTED OPERATING BUDGET
REVENUES

Revenue Category - Sources	FY 2020 Proposed	Changes	FY 2020 for Adoption	FY 2021 Proposed	FY 2022 Proposed
Committed Fund Balance	$ 233,289	$ (3,790)	$ 229,499	$ 229,499	$ 229,499
Restricted Fund Balance	1,697,980	-	1,697,980	1,697,980	1,697,980
Use of Fund Balance	747,647	888,598	1,636,245	1,534,071	1,642,918
Unassigned Fund Balance	4,622,116	2,189,333	6,811,449	5,510,729	4,322,066
Total Balance Forward:	**$ 7,301,032**	**$ 3,074,141**	**$ 10,375,173**	**$ 8,972,279**	**$ 7,892,463**
Intergovernmental	22,836,978	65,057	22,902,035	23,149,803	23,466,141
Public Education Capital Outlay	1,695,185	(167,316)	1,527,869	1,527,869	1,527,869
Charges for Services	778,535	-	778,535	790,205	802,148
Miscellaneous	270,707	21,294	292,001	242,887	244,689
Transfers in	149,704	(21,294)	128,410	150,703	152,423
Total By Category:	**$ 25,731,109**	**$ (102,259)**	**$ 25,628,850**	**$ 25,861,467**	**$ 26,193,270**
Total Sources:	**$ 33,032,141**	**$ 2,971,882**	**$ 36,004,023**	**$ 34,833,746**	**$ 34,085,733**

Notes: Misc. Increased from $14,055 to $21,294 as OMS received PTO Contribution of $7,238.75 for Technology which was budgeted under Transfers In; therefore, Transfers In was reduced from $14,055 to $21,294, having no impact to bottom line.

FY 2019-2020
ADOPTED OPERATING BUDGET
EXPENDITURES

Expenditure Category - Uses	FY 2020 Proposed	Changes	FY 2020 for Adoption	FY 2021 Proposed	FY 2022 Proposed
Restricted Fund Balance	1,697,980	-	1,697,980	1,697,980	1,697,980
Committed Fund Balance	233,289	(3,790)	229,499	229,499	229,499
Assigned Fund Balance	-	-	-	-	-
Unassigned Fund Balance	5,246,679	1,807,084	7,053,763	5,711,844	4,476,321
Total Reserves:	**$ 7,177,948**	**$ 1,803,294**	**$ 8,981,242**	**$ 7,639,323**	**$ 6,403,800**
Personnel	$ 17,605,069	$ 368,793	$ 17,973,862	$ 18,494,514	$ 19,057,638
Operating	7,798,125	416,211	8,214,336	8,136,952	8,181,264
Capital Outlay	102,140	383,584	485,724	492,000	370,000
Debt Service	348,859	-	348,859	70,957	73,031
Total Expenditures by Category:	**$ 25,854,193**	**$ 1,168,588**	**27,022,781**	**27,194,423**	**27,681,933**
Total Uses:	**$ 33,032,141**	**$ 2,971,882**	**$ 36,004,023**	**$ 34,833,746**	**$ 34,085,733**

FY 2019-2020
ADOPTED STAFFING SUMMARY

School	FY 2017 Adopted	FY 2018 Adopted	FY 2019 Adopted	FY 2020 Proposed	FY 2020 Adopted
Christa McAuliffe	67.00	66.00	64.50	63.50	65.50
Christa McAuliffe VPK	2.00	2.00	2.00	-	-
Oasis Elementary	77.50	70.50	71.50	71.00	71.00
Oasis Elementary VPK	2.00	2.00	2.00	-	-
Oasis Middle School	61.00	60.50	62.50	62.75	62.75
Oasis High School	52.50	53.50	57.50	56.25	56.25
Administration	49.00	42.00	42.00	28.00	32.00
Sub-Total:	**311.00**	**296.50**	**302.00**	**281.50**	**287.50**
Substitutes	111.00	100.00	82.00	76.00	51.00
Grand Total:	**422.00**	**396.50**	**384.00**	**357.50**	**338.50**

Administration

Added 1 Security Guard

Added 1 IT Tech

Added 2 Bus Drivers After Presentation Disbursed

CME

Added Para II

Added teacher from VPK

VPK

Both Programs have been discontinued

Substitutes

To date there are 26 Teacher Subs but expected to increase

FY 2019-2020 ADOPTED PERSONNEL CHANGES

- Accounts for 66.51% of the Adopted Operating Budget or $17.9 mil; includes Base, Add Pays, Sub Pay, FICA, Medicare, Workers' Comp, Benefits, FRS, Merit Pay, VAM, and Salary Adjustments
  - Adjusted VAM Payouts to be $800 for Effective Rating and $1,400 for Highly Effective Rating to match District (previously $750 and $1,000)
  - Adjusted Support Staff increases by an additional 2% for a total of 3%
  - Included new payroll and benefits for HR Manager, Security Guard and IT positions. Two Transportation positions requested after budgets were finalized.

FY 2019-2020
ADOPTED OPERATING EXPENDITURES

- Accounts for $8.2 mil or 30.4% of Operating Budget
  - Added 2 ovens for Food Service - $6k
  - Added Title IV Funds - $65k
  - Rollover purchase orders from previous year in which work was not completed - $46k
  - Increased computer refreshing/equipment by $288k as part of Best Practice Recommendation

FY 2019-2020
ADOPTED CAPITAL EXPENDITURES

- Currently budgeted at $486k or 1.80% of budget:
  - Added back OHS AC Unit which was not completed in FY 2019 - $180k
  - Added $210k for the two new buses which were not received in FY 2019
  - Both of these items were approved for purchase by the Governing Board in FY 2019

FY 2019-2020
DEBT SERVICE

- Currently budgeted at $349k or 1.29% of budget:
  - Debt Service on purchase of initial 15 buses
  - Initial debt on buses will be paid by FY 2021, leaving 4 remaining buses to be paid off

CONCLUSION

- Overall, the FY 2020 Adopted Operating Budget reflects an increase of 9.3% over the FY 2020 Proposed Operating Budget. This increase is due to:
- Increase in Estimated Fund Balance
- Expenditures will increase by 4.52% since the FY 2020 Proposed Operating Budget was presented due to personnel increases, the rollover of purchase orders not completed in FY 2019 (AC, Buses, Spiro) $445k, and miscellaneous additions such as Title IV, computer/equipment replacements, and the much needed athletic equipment.
- In closing, we ask that the Governing Board approve the FY 2019-20 Adopted Operating Budget.

Item Number:	**16.A.**
Meeting Date:	**8/13/2019**
Item Type:	**TIME AND DATE OF NEXT MEETING**

AGENDA REQUEST FORM
City Of Cape Coral Charter School Authority

TITLE:
The Next Regular Governing Board Meeting will be held on Tuesday, September 10, 2019 at 5:30p.m. in Cape Coral City Council Chambers, 1015 Cultural Park Blvd., Cape Coral, FL 33990

SUMMARY:

ADDITIONAL INFORMATION:

RECOMMENDED ACTION: