ENVIRONMENTAL PROTECTION COMMISSION
Executive Director Policy Manual

Section: Miscellaneous

Subject: **Procurement Policy**

Effective Date: July 11, 2025

I. PROCUREMENT OVERVIEW:

A. Delegation to Executive Director or EPC

The EPC Executive Director has discretion under the EPC Act to perform duties necessary to support the EPC mission. The Commission voted on August 17, 2006, to authorize the EPC Executive Director to enter into contracts for goods and services not to exceed $100,000, subject to budgetary constraints, without further Commission action. On April 18, 2024, the EPC Commission voted to revise their 2006 guidance and authorized the Executive Director to initiate procurement and enter into contracts for goods and service that do not exceed $250,000 without a Commission vote. Moreover, the Commission voted that this limit automatically adjusts if the similar limit is increased for the County Administrator. As such, the Executive Director may initiate informal or formal bid procedures, but may only execute contracts and other related documents regarding the procurement of goods or services not to exceed $250,000, unless the Commission directs differently.

B. Executive Director Delegation of Authority

The Executive Director delegates purchasing authority to each Division Director to make purchases that do not exceed $10,000. Further, the Executive Director delegates authority to the Administration Division Director to sign quotes, contracts, terms and conditions, or other related purchasing documents for the Administration Division within the monetary purchasing limits of the Executive Director adopted by the EPC Commission. Further, for sole source procurements, the Executive Director delegates purchasing authority to the Administration Division Director.

C. Procurement Practices

1. The procurement practices of EPC shall follow generally accepted public procurement practices, this policy, and applicable law. Most of Florida law regarding State government purchasing (Florida Statutes, Chapter 287) does not apply to local government, so this policy shall govern EPC's procurement process.
2. Fair and open competition is essential to public procurement. Such competition is conducive to assuring public confidence that contracts are awarded equitably, economically, and efficiently. However, EPC also recognizes that, in some circumstances, the competitive process may not be practical, efficient, or cost-effective.

3. EPC also recognizes that certain performance factors of a contractual service may outweigh the cost factor. Therefore, EPC reserves the right to award a contract to the vendor that is determined to be the most advantageous to EPC, all factors considered. As such, the EPC is not restricted in selecting the vendor that provided the lowest cost for the goods or services as the sole determining factor.
4. Contract negotiations shall be conducted in a manner to ensure that EPC receives fair value for its money, and vendors receive fair compensation for their work.
5. EPC will actively solicit qualified vendors to participate in the EPC procurement process without discrimination.
6. EPC desires to enter into agreements with language that is clear, concise, comprehensive, and with terms and conditions that are fair and equitable to the contracting parties.
7. Appropriate records and standards shall be maintained in accordance with Chapter 119, F.S. to ensure public confidence in EPC's procurement activities.
8. Many purchases will be obtained through previously negotiated state contracts of other governmental agencies. In addition, after written bids or quotes have been obtained, EPC reserves the right to use those bids/quotes for subsequent purchases/installations.

D. Purchasing Thresholds

The following purchasing thresholds are to be used by EPC staff in all procurement transactions at EPC:

1. Under $10,000 – quotes are not required. Best source, catalog price, or verbal quote is acceptable.
2. $10,000 to under $50,000 – Minimum two (2) written quotes required (faxes or email are acceptable). These quotes, amounts, and the vendor who provided them shall be uploaded to Purchase Requisition (PREQ).
3. $50,000 and above – Minimum three (3) written quotations required (faxes or email are acceptable). These quotes, amounts, and the vendor who provided them shall be uploaded to PREQ.

E. Emergency Purchases. The Executive Director shall determine when an emergency purchase is necessary and then EPC staff shall follow the applicable laws and orders. Should the Executive Director determine a purchasing situation to be an emergency or fall under extraordinary circumstances, the purchasing of goods and services up to $250,000 may be made outside of the normal procurement processes (but in conformance with law) provided that a written explanation, signed by the Executive Director, is submitted with the payment request to the Finance Department and that staff performs due diligence, to the greatest extent possible, to obtain an optimal price.

F. Green Purchasing Procedures. Persons in charge of purchasing supplies and services for the EPC and/or their specific division shall purchase environmentally friendly products and services, where not cost prohibitive or results in a decrease in quality. The following practices shall also be used:

1. Purchase and use of 30% or greater Recycled Content Printer/Copier Paper.
2. Use of green cleaning supplies (chemicals, toilet paper, etc.) via janitorial contract.

3. MIS equipment and other technology should be energy star compliant, or otherwise be acquired from energy efficient operations, and/or be associated with "green lifecycle" methods of purchase and disposal.

II. EPC INTERNAL PROCUREMENT PROCEDURES

A. Purchase Requisition (PREQ) System. The EPC staff is required to follow the guidance in this policy and all other applicable laws and guidance.

1. To initiate any purchase, no matter the amount, EPC staff must get approval from their Division Director or designee, Finance Department, and the Executive Director (if applicable) through submittal of a Purchase Request via the Purchase Requisition (PREQ) System on the EPC intranet. All documents, including staff e-mail correspondence with potential vendors, shall be included in the PREQ submittal as the main procurement file.

2. If the number of written quotes required for the purchasing threshold cannot be obtained, staff shall consult with the Administration Division Director to allow the procurement to move forward without the required number of written quotes. Staff must provide documentation in the PREQ that demonstrates why the minimum number of quotes was not obtained.

3. When initiating a PREQ, staff shall consult with the Finance Department for the appropriate procurement payment method (e.g. direct pay, purchase order, or p-card).

4. If the amount of a purchase will be $10,000 or more, approval from the Executive Director is required. If the amount of a purchase will be $20,000 or more, the Executive Director or Division Director has discretion to request a Return-On-Investment (ROI) analysis according to the procedures adopted in this policy (attached on last page).

5. Once the Final PREQ approval is received, EPC staff must follow the Purchasing Procedures below. Depending upon the purchase to be made, additional items such as Legal approval of Vendor terms and conditions, Vendor insurance requirements, and Vendor sole-source statement letter (Section II.D. below) may be required.

6. Legal Review: For any procurement that requires signing an agreement (i.e. terms and conditions), staff shall have the Legal Department review the terms and conditions for legal sufficiency. If the procurement will utilize EPC's Standard Purchase Order Terms and Conditions ("EPC PO Terms"), Legal review may still be needed to determine that the EPC PO Terms control. It is recommended that when soliciting quotes for goods and services, staff seeking the procurement should provide the EPC PO Terms to the vendor to incorporate into the quote provided.

7. Insurance Requirements: For any services where a vendor will be on Hillsborough County or EPC Property (i.e. Roger P Stewart Building, monitoring sites, etc.), staff shall

coordinate with the EPC Finance Department and Hillsborough County Risk Management to determine the appropriate amount of insurance the vendor shall maintain prior to performing services.

8. If the purchase of goods or services is for a program funded by a grant or other funding contract (e.g. – federal), the staff seeking to purchase using grant funding, shall confer with Legal and the Finance Department to ensure that all grant/contract requirements are followed.

9. If the cost of a good or service exceeds $250,000, no matter if it is a line item in the current, approved budget, it must be approved by the EPC Commission and executed by the Chair unless the Commission delegates signature authority. In addition to the above procedures, an EPC Commission meeting agenda item must be prepared by the Division Director (or designee) and reviewed by the Executive Director and EPC Administration Division for those purchases over $250,000. The agenda item recommended action should request Commission approval of the purchase, and it should authorize the EPC Chair or Executive Director, or designee to execute a contract, if one is needed. It is preferred that a draft contract, if needed, be prepared and attached to the agenda item and that the final contract be brought to the Commission meeting to allow the Chair to immediately execute the contract after the meeting.

B. Special Procurement (Non-Competitive Procurement)

Unless otherwise prohibited by law, the EPC Executive Director may initiate a procurement, without competition, when it is determined that an unusual, unique, and/or exigent (non-emergency) circumstance exists that make the application of all requirements of this policy impractical, impracticable, not financially, or operationally advantageous, or not in the EPC's best interest. Any procurement under this section shall be made with such competition as is practicable under the circumstances. After consultation with the Division Director and the Director of Administration, a written determination of the basis for such procurements and for the selection of a particular vendor shall be included by the procuring Division staff in the PREQ documentation.

The following standards govern special procurement in the following situations:

1. In lieu of quotes, goods and services may be procured under a contract or purchase agreement negotiated by federal, State, or local governmental agencies when it is determined to be cost effective and in the best interest of EPC. *See the Cooperative Purchasing Agreements section below.*
2. Professional services within the scope of the practice of architecture, professional engineering, landscape architecture, or registered surveying and mapping, as defined by the laws of the state of Florida, or those performed by any architect, professional engineer, landscape architect, or registered surveyor and mapper in connection with his or her professional employment practice, shall be solicited and procured in compliance with the Consultants' Competitive Negotiation Act (CCNA) set forth in Section 287.055, Florida Statutes.

3. The following contractual services and commodities are exempt from Section I.D. above and any competitive bid requirements:
    (a) Artistic Services;
    (b) Legal Services, including attorney, paralegal, expert witness, court reporter, appraisal or mediator services; hearing facilities and equipment rental and related support services;
    (c) Academic program reviews; research or study programs with educational institutions; services or commodities provided by governmental agencies;
    (d) Banking Services;
    (e) Media Services;
    (f) Software, including the licensing, maintenance or service agreements and associated parts and labor to maintain equipment;
    (g) Repairs;
    (h) Professional expenditures, including but not limited to training, lectures, memberships, and travel;
    (i) Purchases required for emergencies that create an immediate danger to the public health, safety, welfare, or other substantial loss to the EPC's office; and
    (j) Products or services that will ensure continuity or standardization of brands within EPC offices.

C. Cooperative Purchasing Agreements

1. Piggybacking: This section controls purchases from "piggybacking" or using another local governmental entity, State or federal contract. "Piggybacking" means being subject to the same terms and conditions as the contract being utilized, purchasing goods/services that are within the scope of those being provided in the contract, and following the procedure for use of the contract, as specified. When utilizing another entity's contract, the following procedures shall apply:
    (a) The vendor must have agreed, in the original bid document, to extend the same terms and conditions of the contract to other governmental agencies. In instances where this language is omitted and the vendor agrees in writing to allow other governmental entities on the contract, the EPC may opt to utilize the contract if it is in the best interest of the EPC.
    (b) EPC staff must include in the PREQ, documentation from the Lead Agency (e.g. Hillsborough County, NCPA, etc.) that includes:
        i. A complete copy of the solicitation;
        ii. A copy of the award letter/memo/agenda item to the awarded vendor; and,
        iii. A complete copy of the awarded vendor's proposal.
    (c) Staff must document, in writing, that the commodities or services needed are within the scope of the contract, that the scope meets the Agency's needs and that the pricing is fair and reasonable.
    (d) EPC Finance Department will review the PREQ and the contract of the entity to determine if the EPC's requirements are met and if use of the contract is in the best interest of the EPC. Considerations include, but are not necessarily limited to,

the original quantities in the bid, the reasonableness of price, current market, and applicable laws. The Legal Department may need to review any terms and conditions associated with the contract.

(e) The commodity or service needed must be specifically within the scope of the contract awarded by the other entity and the contract must be active. Purchases cannot be made against a contract that has expired.

(f) Any purchase order issued shall reference the public entity's bid or contract number being utilized by EPC.

2. State Contracts: If EPC staff identifies an existing State contract that would meet the needs of the Agency, that contract may be used in lieu of other procurement methods. In addition, EPC Financial Department may identify State of Florida contracts for use by requesting division, as appropriate. The following procedures shall apply:
    (a) A review of the terms and conditions of the State contract shall be performed by the procuring Division and the Legal Department to determine if the contract will meet the needs and is in the best interest of the EPC. Because the EPC meets the definition of "eligible user" under section 60A-1.001, F.A.C., the EPC staff seeking to use the State contract is required to administer the contract in accordance with the State contract's terms and conditions as found in the "How to Use This Contract" instruction sheet under the "eligible users" section.
    (b) When seeking to use a State contract, staff shall compare the requirements and pricing between other state contracts that provide similar goods and services.
    (c) If a State contract's pricing is not found to be advantageous or the requirements for use are not reasonable, staff may determine not to use the State contract and solicit quotes separately from vendors in accordance with the purchasing thresholds of this policy.

3. Authorized Purchasing Cooperatives: Participation with a Purchasing Cooperative is subject to the Requesting Division's and the Executive Director's determination that use of a specific contract is in the best interest of the EPC and that any requirements of the Cooperatives have been met. The EPC Executive Director has authorized use of the following purchasing Cooperatives, but others may be authorized without need to amend the policy:
    (a) Hillsborough County Governmental Purchasing Council
    (b) Tampa Bay Area Cooperative Purchasing Council
    (c) U.S. Communities
    (d) Florida Sheriff's Association
    (e) National Association of State Procurement Officials (NASPO)
    (f) National Joint Powers Alliance (NJPA)
    (g) Texas Department of Information Resources
    (h) National Intergovernmental Purchasing Alliance (National IPA)
    (i) National Purchasing Partners Government (NPPGov)
    (j) Panhandle Area Educational Consortium (PAEC)
    (k) Association of Educational Purchasing Agencies (AEPA)

(l) National Cooperative Purchasing Alliance (NCPA)

D. Sole Source

1. Sole source procurements are ones in which the needed good or service is only available from one source or when it is determined by the Administration Division Director that other methods of procurement are not feasible or not advantageous to the EPC. Prior to initiating a sole source purchase, the Division Director and designated staff requesting the sole source purchase shall consult with the Administration Division Director and Procurement Manager regarding the need for the purchase and the available funding source(s). Among other requirements, the requesting division must be able to explain why the good or service requested is the only good or service that can satisfy the division's requirements and explain why alternatives are unacceptable. The division requesting the purchase shall document this justification in a Sole Source Purchasing request memo and submit it using the PREQ for review and approval. Further, staff shall obtain from the vendor documentation supporting the sole source determination ("sole source letter"). Upon approval of the PREQ, the Procurement Manager will draft a Notice of Sole Source for publication on the EPC Website. The Notice of Sole Source shall be posted for a minimum of seven (7) calendar days prior to EPC issuing a Purchase Order or entering a contract for goods and services. For laws regarding sole source of specified professional services (not goods) see the Consultants' Competitive Negotiation Act at section 287.055, F.S. **Regardless of amount, the P-Card cannot be used for sole source purchases.**

2. Considerations for justification of a Sole Source procurement may include, but are not limited to the following:
    (a) The good or service is wanted for experimental trials, pilots, and/or testing.
    (b) Additional unanticipated commodities or services are needed to complete an ongoing task.
    (c) The good if a component, repair, or replacement part of existing equipment for which no commercially available substitute exists and the purchase can only be made from the manufacturer or sole distributor.
    (d) Exigent circumstances exist that dictate delivery is a critical factor and only one vendor is able to meet the time constraints.
    (e) Only one manufacturer makes the good meeting salient specifications; that manufacturer only sells direct/exclusively through one regional/national representative.
    (f) A particular good or service is required to maintain interchangeability or compatibility as a part of an existing integrated system, and the good or service is only reasonably available from one source.
    (g) A particular supply or service is required in order to standardize or maintain standardization for the purpose of reducing financial investment or simplifying administration.
    (h) A particular material is required to match materials in use, so as to produce visual harmony.

(i) Maintenance, services, parts, and/or warranties for existing vehicles, equipment, systems, etc., provided by the original equipment manufacturer (OEM) or an authorized agent provided that multiple agents are not available to provide the same.
(j) Procurement when only a single supplier in a market is licensed or authorized to service or sell a specific product line of required products provided the product line is determined to be sole source or noncompetitive.
(k) Unique expertise, background in a recognized field of endeavor, the result of which may depend primarily on the particular individual's or firm's invention, imagination, or talent. Service provider must have advanced or specialized knowledge, and/or significant expertise gained over an extensive period of time in a specialized field of work.
(l) Special or professional services that are unique, require special skills or training, and securing competition is neither practical or practicable including, but not limited to, arborists, auditors, actuaries, court reporters, interior decorators, appraisers, insurance consultants, insurance administrators, real estate brokers/associates, title insurance agents, financial advisors, and certified public accountants.
(m) Educational, training, and professional development services and materials provided to government employees.
(n) The good or service is required to maintain compliance with an EPC grant or other contractual agreement.
(o) The good or service is required to maintain compliance with the warranty requirements of the manufacturer.

3. Sole source procurements may be protested with the Executive Director having final decision-making authority on the protest. As such, the Executive Director delegates purchasing authority to the Administration Division Director for all sole source procurements. Further, the Executive Director shall not be consulted on the procurement of sole source goods and services by the Division seeking a sole source procurement and the Administration Division Director until the Notice of Sole Source has been posted and time for protests has expired. See Part III below for additional protest procedures regarding sole source procurement.

E. Credit Card Use (P-Card and WEX Fuel Card) Credit card policies and procedures have been established by County Procurement Services and may be found on the County's COIN website and the EPC Intranet. The Hillsborough County Procurement Procedures Manual, Chapter 4, Purchasing Card Procedures, contains the procedures EPC staff must follow. Further, BOCC Procurement Policy, No. 03.06.00.00 includes additional P-Card (section 3-210) and Fuel Card (section 3-211) procedures and requirements.

Each P-Card holder must also adhere to and sign and date the EPC PURCHASING CARD (P-CARD) HOLDER Internal Control, Transaction Processing, Review and Approval and Acknowledgement Form which is attached to and adopted by reference in this policy.

In addition to the established County procedures and the Acknowledgment Form, the following apply to all EPC P-Card holders:

- All P-Card holders must maintain their cards in a safe place such as a wallet, purse or locked in a desk drawer. Do not store the card in an unsecured area.
- All P-Card holders are responsible for receiving the proper training and for periodic review of the county procedures for updates and changes.
- Failure to follow all aspects of this policy may result in the loss of the P-Card holder's purchasing authority.
- Any questions regarding this policy should be referred to the Administration Division.

III. SOLE SOURCE PROTEST PROCEDURES:

A. Applicability. Protests under these procedures may only be initiated for Sole Source procurements in which EPC has issued a Notice of Sole Source. The EPC's Notice of Sole Source procurement shall be posted on the EPC website.

B. Right to Protest. The following persons and/or entities shall have the right to file and/or intervene in a protest related to EPC sole source procurements:

Protesting Parties are:

(a) any prospective vendor for goods or services who has a grievance associated with a Notice of Sole Source issued by the EPC;

(b) Interested Parties: If there are any party, other than the protesting party and the EPC, which will be directly affected by the resolution of the protest and who has legal standing under Florida law (i.e. the awarded vendor), shall have the right to intervene in the protest proceedings of an active protest (i.e., a protest that has not been resolved).

C. Stay of Procurement. The EPC shall stay the procurement process as it relates to the applicable protest, unless the Administration Director or his/her designee, with the advice of the Legal Department and after consultation with the requesting Division seeking the procurement, makes the determination that the award of the contract without delay is necessary to protect the substantial interests of the EPC.

D. Filing a protest

1. *Application to Protesting Party(ies).* This Section shall govern protests by a Protesting Party. Protests not complying with the provisions of this Section shall not be considered.
2. *Time for filing protest.* Protests shall only be accepted within the time periods stated in the Notice of Sole Source procurement. Any protest received outside of the stated time period shall not be considered. It is the responsibility of all Protesting Parties to review notices posted by the EPC to ensure that protests are filed in a timely manner. Protests must be received no later than 5:00 p.m. Eastern Standard Time. The EPC shall have the right to allow for additional time to file a protest, provided that such additional time is specifically set forth in the applicable Notice of Sole Source and/or any addenda thereto.

3. *Submittal of protest.* All protests must be addressed to and submitted to the EPC Procurement Manager that issued the applicable Notice of Sole Source procurement. Protests must be delivered via electronic mail (e-mail) identified in the Notice. The Protesting Party shall bear all costs associated with its submissions to the EPC.
    (a) The protest must be in writing and must also be in accordance with subsection 4 below. In the event a protest is filed/submitted without the required information and documentation specified in subsection 4 below, as determined by the protesting party, then such additional information and documentation must be received by the EPC no later than ten calendar days from the date the EPC posts its Notice of Sole Source and must be submitted in accordance with subsection 4 below.
    (b) The e-mail used in any initial submittal shall be the e-mail contact for future service of documents and correspondences in the matter unless a party requests a change in designation identifying an alternate e-mail for service in any matter.
    (c) A representative may file a notice of appearance if there is an addition or change in representation during any protest proceeding
4. *Required form of protest.* All protests must be in writing and shall contain the following information:
    (a) The package containing the protest must be clearly labeled and marked with the word "PROTEST" and must clearly identify the procurement solicitation on which the protest is based, including, but not limited to, the title and PREQ number assigned to the sole source procurement as described in the Notice of Sole Source;
    (b) The Protesting Party's name and postal address, the name of the Protesting Party's contact person and said person's e-mail address, telephone number, and the contact information of the Protesting Party's legal counsel, if applicable;
    (c) A statement that clearly communicates that the Protesting Party is submitting a formal protest to the EPC;
    (d) Clear and concise statements indicating the grounds and evidence on which the protest is based, including, but not limited to, facts, rules, regulations, laws and statutes and all supporting documents. Any grounds that are not specifically stated in writing at the time the protest is filed shall be waived by the Protesting Party;
    (e) A statement reciting the specific ruling or relief requested; and
    (f) The signature of an authorized agent of the Protesting Party.
5. *Additional information requested by EPC.* The Protesting Party shall provide any additional information requested by the EPC Procurement Manager within the time period specified in the request. Failure to provide the requested information and/or failure to timely provide the requested information may result in the resolution of the protest without consideration of the requested information.
6. *Legal counsel*. A Protesting Party may be represented by legal counsel at its own expense.

E. Intervention of interested parties

1. *Application to Interested Parties.* This Section shall govern interventions filed in active protests by Interested Parties. Interested Parties cannot intervene in a protest once the protest has been resolved.
2. *Time for filing an intervention.* An Interested Party shall have the right to intervene in an active protest proceeding by providing the EPC with written notice of its intervention in a protest no later than five calendar days after the vendor in the applicable sole source procurement solicitation has received notification from the EPC that a protest has been filed. Such notice shall be in writing and shall be submitted in accordance with subsection 3 below. In the event an intervention is filed without the required information and documentation specified in subsection 4 below, as identified by the Interested Party, then the Interested Party must submit such information and documentation to the EPC no later than ten calendar days after said Interested Party has received notification from the EPC that a protest has been filed. Said documents must be received no later than 5:00 p.m. Eastern Standard Time. The EPC shall have the right to allow for additional time to file an intervention, provided that such additional time is specifically set forth in the applicable Notice of Sole Source and/or any addenda thereto. The Procurement Manager shall notify all vendors on an applicable procurement solicitation that a protest has been filed.
3. *Submittal of intervention documents.* All intervention documents must be submitted to the EPC Procurement Manager and sent to the e-mail address listed in the Notice of Sole Source. The e-mail used in any initial submittal by the Interest Party shall be the e-mail contact for future service of pleadings and correspondences in the matter unless a party files a separate Notice of E-Mail Designation identifying an alternate e-mail for service in any matter. The Interested Party shall bear all costs associated with its submissions to the EPC.
4. *Required form of intervention.* All protest interventions must be in writing and shall contain the following information:
    (a) The package containing the intervention must be clearly labeled and marked with the words "PROTEST INTERVENTION" and must clearly identify the procurement solicitation and protest on which the intervention is based, including, but not limited to, the title and PREQ number assigned to the sole source procurement as described in the Notice of Sole Source;
    (b) The Interested Party's name and postal address, the name of the Interested Party's contact person and said person's e-mail address, telephone number, and the contact information of the Interested Party's legal counsel, if applicable;
    (c) A statement that clearly communicates that the Interested Party is intervening in an active protest proceeding with the EPC;
    (d) Identification of the Interested Party's legal standing to intervene in the protest proceedings;
    (e) Clear and concise statements indicating the grounds and evidence on which the intervention is based, including, but not limited to, facts, rules, regulations, laws and statutes and all supporting documents;
    (f) A statement reciting the specific ruling or relief requested; and
    (g) The signature of an authorized agent of the Interested Party.

5. *Additional information requested by EPC.* The Interested Party shall provide any additional information requested by the EPC within the time period specified in the EPC's request. Failure to provide the requested information and/or failure to timely provide the requested information may result in the resolution of the protest without consideration of the requested information.
6. *Legal counsel.* An Interested Party may be represented by legal counsel at its own expense.

F. Review of the Protest by the EPC.

1. Upon receipt of a timely and properly filed protest, the EPC's Procurement Manager shall review and render a decision on the protest. The Procurement Manger shall review the protest and all supporting documents filed by the Protesting Party, review of documents submitted by any Interested Parties that have properly intervened, review responses and/or documents provided by EPC staff, consideration of information obtained from meetings with the Protesting Party, Intervening Parties, and/or EPC staff, and review and consideration of any applicable policies, procedures, ordinances, statutes and laws. The Procurement Manager shall have the right to request additional information from the Protesting Party and any intervening Interested Parties that the agency believes may be helpful in the review of the protest. The Procurement Manager shall prepare minutes of all meetings between EPC staff and the Protesting Party and/or intervening Interested Parties regarding the protest to preserve the record. The Procurement Manager shall provide the protest file and a summary and recommendation to the Executive Director for consideration.
2. *Executive Director's decision.* After conducting the review of the protest, the Executive Director, or their designee, based on the Procurement Manager's recommendation, may make the determination to:
    (a) Uphold the protest; if the Executive Director upholds the protest, then the Executive Director shall take the corrective actions necessary to address the issues raised in the protest in coordination with the Division Director, which may include, but is not limited to, canceling the procurement solicitation, issuing an addendum to the procurement solicitation, re-issuing the procurement solicitation, awarding the procurement solicitation in part, changing staff's award recommendation, or implementing an alternative remedy if it is in the best interest of the EPC and in compliance with applicable laws; or
    (b) Deny the protest; if the Executive Director denies the protest, then the EPC shall resume the procurement process as it relates to the applicable sole source procurement unless the decision of the Executive Director is appealed.
3. *Notice of Executive Director's decision.* The Executive Director, or designee shall send his/her written decision via certified or registered mail or electronic mail (e-mail) to the EPC Procurement Manager, the protesting party, and all Interested Parties that were involved in the active protest.
4. *Appeal of Executive Director's decision.* The protesting party and any intervening Interested Party shall have the right to appeal the Executive Director or their designee's

decision to the Thirteenth Judicial Circuit Court within 30 days of the Executive Director or their designee rendering the decision.

G. Other Grievances

Any other grievances related to procurements that are supervised or overseen by the EPC that cannot be resolved by the EPC's Procurement Manager may be submitted to the Executive Director, or their designee, for review.

IV. MISCELLANEOUS:

A. Definitions

The following definitions apply to this Policy:

1. Sole Source Procurements: Sole Source procurements are contracts that are awarded for a good or service without competition when the Executive Direct determined in writing that there is only one reasonable source for the required good or service.
2. State Contracts: State contracts are those contracts and agreements maintained by the Florida Department of Management and Services. The EPC qualifies as an "Eligible User" under section 60A-1.001, F.A.C. for use of state contracts and agreements.
3. Protest: A Protest is the timely written objection of a person or company with standing seeking remedial action based upon a recommendation or other action taken by the EPC with regard to sole source procurements issued by the EPC.
4. Emergency Purchase: A purchase made in unusual circumstances when there is a need to make exception to the regular purchasing procedures, specifically, when it involves immediate danger to the public health, safety or welfare or other substantial loss to our Agency.

When a term is not explicitly defined in this policy, the EPC Executive Director may utilize the definition contained in the Hillsborough County Procurement Manual, BOCC Procurement Policy, No. 03.06.00.00, or Hillsborough County Ordinance if the definition is reasonable and meets the needs of the agency.

B. If any other memorandum, guidance, or policy conflicts with this policy, then this policy shall control. Contract signature guidance discussed within the "Actions Which Require an EPC Board Vote Policy" (but not the entire policy) is replaced by the guidance in this policy.

C. Violation of this policy may result in disciplinary action, up to and including termination.

History: Policy established on July 11, 2025, and rescinds EPC Executive Director Purchasing of Goods and Services Policy dated May 7, 2024.

EPC PURCHASING CARD (P-CARD)
Internal Control, Transaction Processing, Review and Approval Procedures and Acknowledgement Form

THE FOLLOWING ARE INTERNAL PROCEDURES AND GUIDELINES FOR ENVIRONMENTAL PROTECTION COMMISSION (EPC) P-CARD HOLDERS. THESE PROCEDURES ARE IN ADDITION TO THOSE IMPOSED BY THE COUNTY'S PROCUREMENT PROCEDURES MANUAL AND THE EPC'S PROCUREMENT POLICY.

1. Each new Hillsborough County Purchasing Card (P-Card) holder will attend required training as provided by the County P-Card Administration, before the holder will be approved with P-Card purchasing authority. The P-Card holder will coordinate with EPC's P-Card Coordinator (Administration Division) to schedule P-Card Training, as soon as P-Card documentation has been submitted for the approval of P-Card purchasing authority. All P-Card holders are responsible for receiving proper training and for periodic review of the county procedures for updates and changes.

2. All P-Card holders must maintain their cards in a safe place such as a wallet, purse or locked desk drawer. Do not store the card in an unsecured location.

3. P-Card holder agrees to follow Purchasing Card Procedures outlined in the most current edition of the Procurement Procedures Manual: Chapter 4 and to become familiar with the County procurement guidelines.

4. P-Card holder agrees never to use their P-Card for personal needs or benefits. Such action may be of sufficient cause for P-Card purchasing authority to be revoked.

5. Each time a P-Card holder makes a purchase, he or she will inform the vendor, whether within or outside the county, in person or on-line, that EPC (Hillsborough County) as a government agency is exempt from State sales tax (tax exempt number is listed on face of the card). If the vendor will not process the transaction without charging tax, the P-Card holder should **NOT PROCEED WITH THE PURCHASE**.

6. In the event the P-Card holder is initiating a purchase and the vendor attempts to collect or assess a "Credit Card Fee" or a Credit Card Use Surcharge, the P-Card holder should **NOT PROCEED WITH THE PURCHASE**. The P-Card holder should explain to the vendor that such fees are not permitted by P-Card policy.

7. Each time a P-Card holder makes a purchase a detailed invoice and/or itemized receipt shall be obtained as evidence of the completed transaction. If one is not provided, the P-Card holder will request one immediately so it may be submitted as part of the reconciliation process.

8. P-Card holder agrees to upload all **original receipts** to the PREQ System as soon as the P-Card holder has received it from the vendor, with the following information **included on the receipt and/or invoice:**

    - Cardholder signature on each invoice and/or receipt (unless already signed);
    - P-Card Holder EMP (employee) Number;
    - Month and year the transaction posted (E.g. 01/2012 = dd/yyyy)

- Description of item(s) purchased if not clearly identified.
- Appropriate accounting string or project (grant) information required for the cost allocation.
- **Note:** P-Card holder agrees to immediately contact the vendor to correct any billing issues or discrepancies.

9. P-Card holder agrees to scan paper receipts or invoices in PDF format and upload them into the PREQ system.

10. P-Card holder should ensure that their supervisor or another staff member knows where original invoices and/or receipts are kept so that in the event of an emergency, invoices may be turned in without delay. If these invoices and/or receipts have not been signed by the P-Card holder, they must do so immediately upon their return. The original invoices/receipts are kept by each P-Card holder

11. Once the Proxy is notified via email of a P-Card upload to Oracle the Proxy will ensure all appropriate invoice(s) and/or receipt(s) from Cardholder(s) with the needed documentation for processing have been uploaded to the PREQ System.

12. The Approver will receive e-mail notification of each iExpense report submitted. The Approver will then process the expense report ultimately approving and sending it to the Clerk's Office.

13. Failure to follow all aspects of this policy may result in the loss of the P-Card holder's purchasing authority.

By signing this document, I acknowledge that I have reviewed (1) the Copy of the P-Card Program Procurement Guide in the Procurement Procedures Manual: Chapter 4, (2) this Internal Control, Transaction Processing, Review and Approval Procedures document and (3) the EPC's Procurement Policy.

Cardholder Name (Print)	Cardholder Signature	Date

Return-On-Investment Analysis Procedure

The Return-On-Investment (ROI) analysis is intended to evaluate the costs and benefits of Agency expenditures exceeding $20,000. A ROI evaluation for projects in the public sector is based on a benefit-cost analysis comparing the present worth of various alternatives and the payback time of the investment. It is a financial analysis of the cash flow and return over the expected lifecycle of the equipment or service purchased.

The analyst may utilize the EPC ROI spreadsheet to evaluate the project and report the results to the Executive Director. In determining how to conduct the analysis and the level of detail necessary, the analyst will need to define cost categories, measures of potential savings and benefits, and the salvage value of the property, if applicable.

The analyst will consult with the agency's financial manager to determine the effective rate of return or discount rate and local inflation rate to apply in the ROI evaluation.

A minimum rate of return for the economic analysis of projects in the public sector is one that matches the interest rate paid by government for borrowing money. Therefore, the analyst may select a rate equal to the monthly interest rate specified by the State/Local Bond Index. The Federal Reserve System, H.15 report is located on the following Federal Reserve webpage: https://www.federalreserve.gov/releases/h15/ . Once at the Federal Reserve site, select the *Current Release* or the most recent release date.

The annual inflation rate is based on the Consumer Price Index for the Tampa-St. Petersburg-Clearwater, MSA. The local CPI can be obtained from the following Bureau of Labor Statistics webpage: Consumer Price Index (CPI).

Data Input for single item purchase:

1. Enter project information (name, description, sponsor, and date) in the *Data Input* worksheet tab.
2. Enter the initial investment (cost).
3. Determine annual COST DETAILS and BENEFIT DETAILS, and then enter them in the *ROI Analysis* worksheet tab of the ROI spreadsheet. (ROI Analysis worksheet kept at Everyone Drive sub-folder entitled "Policy")
4. On the *Data Input* worksheet enter the factors for the discount rate and inflation rate
5. Determine the planning horizon or useful life and the salvage value, if applicable; enter this information on the *Data Input* worksheet.
6. Review the ROI analysis worksheet
7. Summarize results
    a. Provide narrative of indirect environmental benefits that may not be able to be quantified
    b. Identify the payoff period
    c. Total cash flow at the end of the useful life/planning horizon

If the analysis warrants a comparison of alternatives, then the analyst will complete separate ROI evaluations for each alternative and recommend the preferred alternative to the Executive Director.