



EXEMPTIONS FROM BIDDING REQUISITION CHECKLIST

PROCUREMENT MANAGEMENT DIVISION

Section 3-4.5 Exemptions for Bidding, Purchase of the following materials and services shall be exempt from the bidding process and subject to the spending limitations provided in subsection 3-3.14, unless otherwise provided by State law. (Ord. No. 98-12 § 2B-55; Ord. No. 2016-12, § 2, 11-15-16; Ord. No. 2018-11, § 2, 10-16-18)

Select the one that applies and provide justification in the box below.

- a. Sole source purchases. Sole-source supplies and services, such as unique, patented, or franchised supplies or services, are exempt if the Purchasing Agent determines, after conducting a good faith review of available sources, that the particular supply or service is available from only one (1) source.
b. Legal services. Legal services coordinated by the office of the City Attorney, including, but not limited to: attorney services, paralegals, expert witnesses, jury consultants, legal support services, legal research, court reporters and stenographers.
c. Emergency purchases.
d. Advertising. Advertising in selected newspapers, periodicals, radio stations, television networks, or websites.
e. Books and periodicals.
f. Formal bidding waiver. Purchases for which formal bidding has been waived, as determined by the City Commission to be in the best interest of the City. Purchases of, and contracts for, supplies or services shall be exempt from competitive bidding/competitive proposals with a five-sevenths (5/7) affirmative vote of the City Commission declaring the waiver of competitive bidding/competitive proposals to be in the best interests of the City. In the event that competitive bidding and competitive proposals are waived under this paragraph, the open market procedure set forth in subsection 3-4.4 shall be utilized. For those contracts which the City Manager is otherwise authorized to award, he/she may waive competitive bidding and competitive proposals.
g. Real Property. Purchase or rental of real property when location is a consideration.
h. Utilities, including water, wastewater, sewer, gas, electric, or other utilities as defined by law.
i. Recreational excursions and cultural events.
j. Services set forth in Section 287.057(3)(f), Florida Statutes.
k. Insurance. Purchases of insurance through the city's agent of record are exempt from the competitive bid and competitive proposal requirements.
l. Software. Software licensing and maintenance with the company from which the software was purchased, as set forth in subsection 3-4.4 or subsection 3-3.14, or its authorized representative.
m. Service and Warranty. Servicing or warranty work of equipment by the authorized dealer or manufacturer's representative, when required to maintain a warranty in full force and effect, or when considered to be in the best interest of the city and recommended by the using department, and the services to be performed are by the equipment manufacturer, manufacturer's service representative, or a distributor of the manufacturer's equipment.
n. Shipping, freight and postage charges.
o. Artistic, academic and entertainment performances. Artistic, academic and entertainment performances, including entertainment, lectures, seminars, speeches, cultural and artistic presentations; excluding production companies.
p. Groceries.
q. Cable and satellite television services.
r. Contracts with, and purchases from, other public entities, i.e.: public state colleges, public state universities, federal government agencies, state governments, county governments, city governments, government school boards, county sheriffs offices, and other government entities.
s. Membership dues for trade or professional organization.
t. Medical services, including wellness activities, pharmacy services and veterinarian services.
u. Teaching, training, specialized services and recreational instructors.
v. Direct material purchases. Purchases of materials, equipment, prefabricated elements and components, appliances, fixtures, and other goods, pursuant to a program contained in a construction contract that has been awarded in accordance with any provision of this article, whereby the City makes such purchases directly.

Empty rectangular box for justification.