

**PURCHASING NEWS ALERT  
DECEMBER 8, 2006**

**TO ALL MFMP REQUISITIONERS, CONTRACT MANAGERS, PURCHASING AUTHORITIES  
AND SUPERVISORS:**

The purpose of this ALERT is to ensure that all MFMP Requisitioners, contract managers, purchasing authorities and supervisors are aware that certain purchases of products and/or services **must** be purchased from RESPECT of FLORIDA (Florida's designated central nonprofit agency that works with other nonprofit agencies for the employment of blind and severely handicapped persons) or PRIDE (Prison Rehabilitative Industries and Diversified Enterprises, Inc.)

It is responsibility of Program Areas to determine whether they are required to purchase products and/or services from RESPECT of FLORIDA or PRIDE, or, whether the products and services may be purchased from other vendors. Program Areas shall also document the decision and reasons relied upon in making the decision in the procurement file. Purchases made under the statutes concerning RESPECT and PRIDE are exempt from the provisions of Part I, Chapter 287, F.S. (Commodities and Contractual Services), including the competitive solicitation process. When purchases are not required to be made from either RESPECT or PRIDE, the statutes, regulations, and Agency procedures regarding procurement shall be followed.

The information below is provided in order to assist the Program Areas in making the determination whether products and/or services must be obtained from RESPECT or PRIDE. If after reading the information below, additional information or clarification is needed please feel free to schedule a meeting with either Gina Gibson at 245-7464 or Melinda Gill at 245-7466 in Purchasing. This information shall also be discussed during the procurement checklist review meetings between the Program Area and the Purchasing Office.

**RESPECT OF FLORIDA (RESPECT):**

RESPECT of Florida is the designated central nonprofit agency for Florida that works with other nonprofit organizations around the state which employ persons with disabilities, such as Lighthouse for the Blind, local Associations for Retarded Citizens, Goodwill Industries, Easter Seal Societies, and other nonprofit community-based organizations. RESPECT and the Department of Management Services (DMS), have established a procurement list of certain products and services offered by RESPECT.

**Requirement:**

Section 413.036 (1), F.S. provides: "If any agency intends to procure any product or service on the [RESPECT] procurement list, that agency shall, in accordance with rules and regulations of the department, procure such product or service at the price established by the department from a qualified nonprofit agency for the blind or for the other severely handicapped [RESPECT] if the product or service is available within a reasonable delivery time."

Section 413.036 (4), F.S. provides that no similar product or service of comparable price and quality found necessary for use by any state agency may be purchased from any source other than RESPECT if RESPECT certifies that the product is manufactured or supplied by, or the service is provided by, the blind or the severely handicapped and the product or service meets the comparable performance requirements as determined by the department or an agency. The purchasing authority of any agency may make reasonable determinations of need, price, and quality with reference to these products or services.

The requirement to purchase from RESPECT does not apply if there is another provision where products or services are available for procurement from any agency of the state and procurement therefrom is required by law. The requirement to purchase from RESPECT does, however, take precedence (unless waived) over any law requiring state agency procurement of products or services from any other nonprofit corporation, including correction work programs (PRIDE) pursuant to section 413.036 (1), F.S. and Rule 60E 1.003 (6), Florida Administrative Code. Therefore, for example, purchases must be made from RESPECT even if the

same products or services are available from PRIDE. **Please note**, section 413.031 (5), F.S. provides that any purchasing officer who violates these requirements shall be guilty of a criminal infraction (misdemeanor in the second degree).

### **Process for RESPECT:**

The following steps have been developed in order to assist purchasing authorities in determining whether a purchase must be made from RESPECT:

#### **Step One:**

Determine whether the Agency is required by law to make the purchase from another state agency.

- If there is a legal requirement to make the purchase from another state agency, the purchase must be made in accordance with that legal requirement rather than from RESPECT.
- If there is no legal requirement to make the purchase from another state agency, proceed to Step Two.

#### **Step Two:**

Consult the RESPECT Products and Services Catalogue to determine whether the products and/or services to be procured are contained in the catalogue. This catalogue may be accessed through the following website: <http://secure.imarcsgroup.com/respect/Default.asp>

- If the products and services are not on the RESPECT procurement list, consult the PRIDE list and follow the steps listed below under the “Process for PRIDE.”
- If the products and/or services are on the RESPECT list, proceed to Step Three.

#### **Step Three:**

Determine whether RESPECT has certified that the product is manufactured or supplied by, or the service is provided by, the blind or the severely handicapped.

- If RESEPECT has not certified the products and/or services, the purchase does not have to be made from RESPECT and PRIDE must be considered by following the “Process for PRIDE.”
- If RESPECT has certified the products and/or services, proceed to Step Four.

#### **Step Four:**

Determine whether the products and/or services offered by RESPECT are of comparable price and quality and whether delivery time is reasonable.

- If the price or quality is not comparable, or if delivery is unreasonable, consider purchasing from PRIDE by following the “Process for PRIDE.”
  - If after following the steps under the Process for PRIDE the purchase from PRIDE is determined to be required, the purchase must be made from PRIDE.
  - If after following the steps under the Process for PRIDE, the purchase is not required from PRIDE, the purchase may be made from other vendors following the provisions of Chapter 287, F.S., procurement regulations and Agency procurement procedures.

- If price and quality are comparable and delivery is reasonable, the purchase must be made from RESPECT. Purchases from RESPECT are exempt from Part I, Chapter 287, F.S., including competitive solicitation.

**Step Five:**

Document the procurement file with the analysis of Steps One – Four and the reasons relied upon for the conclusions made.

**RESPECT Contact Information:**

RESPECT’s web page is at: <https://secure.imarcsgroup.com/respect/Default.asp>.

To obtain quotes and place orders, mail or FAX requests to:

RESPECT of Florida  
2475 Apalachee Parkway, Suite 205  
Tallahassee, Florida 32301-4946  
Phone: (850) 487-1471; SUNCOM: 277-1471  
Fax No. (850) 942-7832  
e-mail: respect@mail.state.fl.us.

**RESPECT Products and Services Overview:**

The following is an overview of products and services offered by RESPECT:

- Cleaning supplies (e.g., mops, sponges, soap and soap dispensers)
- First aid and safety products (e.g., wheelchairs, ear plugs, bandages)
- Food products (e.g., soup, coffee and tea, spices, pudding)
- Computers
- Office products (e.g., binders, correction fluid, wall clocks, desk calendars)
- Microfilming
- Promotional (logo) silk screening and printing
- Janitorial services

**PRIDE:**

Purchases from PRIDE are similar to purchases made from RESPECT.

**Requirement:**

Section 946.515 (2), F.S. provides: “No similar product or service of comparable price and quality found necessary for use by any state agency may be purchased from any source other than the corporation [PRIDE] if the corporation certifies that the product is manufactured by, or the service is provided by, inmates and the product or service meets the comparable performance specifications and comparable price and quality requirements as specified under s. 287.042(1)(f), F.S. or as determined by an individual agency as provided in this section.” Purchases involving printing however are not included in this requirement. See section 283.33 (4), F.S.

**Process for PRIDE:**

The following steps have been developed in order to assist purchasing authorities in determining whether purchases are required to be made from PRIDE:

**Step One:**

Follow the steps under “Process for RESPECT.”

- If the purchase is not required to be made from RESPECT, proceed to Step Two.

**Step Two:**

Determine if the purchase is for printing.

- If the purchase involves printing, the requirement to purchase from PRIDE does not apply. PRIDE may compete however, in the solicitation process. Printing purchases shall be accomplished in accordance with the procurement procedures set forth in Chapter 287, F.S., regulations and Agency procedures.
- If the purchase does not involve printing, proceed to Step Three.

**Step Three:**

Determine if the Agency is required by law to make the purchase from another state agency.

- If there is a legal requirement to make the purchase from another state agency, the purchase must be made in accordance with that legal requirement.
- If there is no legal requirement to make the purchase from another state agency, proceed to Step Four.

**Step Four:**

Consult the PRIDE procurement list to determine whether the products and/or services to be procured are listed.

- If the products and services are not on the PRIDE procurement list, the purchase may be made from other vendors following the provisions of Chapter 287, F.S., procurement regulations and Agency procurement procedures. (PRIDE may however participate in this process on the same level as other vendors).
- If the products and/or services are on the PRIDE list, proceed to Step Five.

**Step Five:**

Determine whether PRIDE has certified that the product is manufactured by, or the service is provided by, inmates.

- If PRIDE has not certified the products and/or services, the purchase does not have to be made from PRIDE. The purchase may be made from other vendors following the provisions of Chapter 287, F.S., procurement regulations and Agency procurement procedures. (PRIDE may participate in this process on the same level as other vendors).
- If PRIDE has certified the products and/or services, proceed to Step Six.

## **Step Six**

Determine whether the products and/or services offered by PRIDE are of comparable price, quality, and performance specifications as needed.

- If the price, quality, or performance specifications are not comparable, the purchase does not have to be made from PRIDE. The purchase may be made from other vendors following the provisions of Chapter 287, F.S., procurement regulations and Agency procurement procedures.
- If price, quality, and performance specifications are comparable, the purchase must be made from PRIDE. Purchases from PRIDE are exempt from Part I, Chapter 287, F.S., including competitive solicitation.

## **Step Seven:**

Document the procurement file with the analysis of Steps One – Five and the reasons relied upon for the conclusions made.

Notwithstanding the above, agencies may award a contract to PRIDE for products and/or services after joint development of requirements and specifications, and negotiation of price. **Such contracts may be awarded without competitive procurement or in conjunction with any established procurement method. This will be explained in more detail in the procurement checklist meeting between the Program Area and the Purchasing Office.**

## **PRIDE Contact Information:**

PRIDE'S Bid Department can be contacted directly via e-mail at: [bids@pride-enterprises.org](mailto:bids@pride-enterprises.org) or via telephone at (727) 572-1987. PRIDE'S Fax Number is (727) 570-3449.

## **Pride Products and Services Overview:**

The following is an overview of products and services offered by PRIDE:

<b>Corporate &amp; Office</b>	<b>Apparel</b>	<b>Optical</b>
Die-Cut Tuck Folders	Belts	Bifocals
File Storage/Transfer Products	Blankets	Single Vision
Slotted Cartons	Boots	Transition Lenses
Specialty Items	Dresses	Safety Wear
	Jackets	
<b>Medical</b>	Laundry Bags	<b>Print &amp; Graphics</b>
Dentures	Mattresses	Business Cards
Orthodontics	Medical Scrubs	Decals
Restorations	Pants	Digital Copying
Veneers	Sheets	Education Products
	Socks	Forms
<b>Medical Services</b>	Sweatshirts	Index Tabs
Conversion	Thermals	Other Printed Products
Image Retrieval System	T-Shirts	Plaques
Intergration	Uniform Shirts	Printed Documents
Project Management	Various Sewn Products	Ring Binders

Furniture

Casegoods  
Dormitory Furniture  
Metal Furniture  
Park & Recreational Furniture  
Refurbishing Services  
Seating  
Systems Furniture

Mobile Vehicle Equipment

Command Centers  
Mobile Units  
Specialty Vehicles &  
Conversions  
SWAT Units  
Children's Dream Fund

Various Embossed Metal Tags

Various Embossed Metal Tags

Animal Agriculture Fund

Cattle Management  
Pressure Treated Lumber  
Sugarcane  
Citrus  
Wood & Recreational Products

USDA Approved Products

USDA Approved Products

Signs

Stationary(Letterhead, Envelopes &  
Notepads)  
Vehicle Markings

Sanitary Maintenance & Supplies

Bleach Products  
Broom & Brushes  
Floor Care  
Food Service Products  
Glass & Polish Products  
Laundry Products  
Personal Care Items  
Restroom Care  
Specialty Products  
Total Program Care  
Degreasers/Cleaners

Tire Retread

Variety of Treads in Stock

Traffic Paint

D.O.T. Approved Products