

POLICY The Poverello Center, Inc. shall maintain written procurement procedures that ensure all purchases and contracts using federal, state, or other funds are conducted in full compliance with 45 CFR Part 75 (Uniform Administrative Requirements), the Ryan White HIV/AIDS Program National Monitoring Standards, applicable Florida statutes, and principles of good governance. Procurement transactions shall reflect full and open competition, avoid conflicts of interest, and achieve the most advantageous outcome for the agency in terms of price, quality, and other factors beneficial to the agency.

PROCEDURE

I. General Standards and Compliance All procurement actions shall:

- A. Comply with 45 CFR §§75.326–75.340 and the RWHAP National Monitoring Standards.
- B. Be necessary for the mission and operations of The Poverello Center.
- C. Avoid acquisition of unnecessary or duplicative items.
- D. Encourage intergovernmental or inter-entity agreements when advantageous.
- E. Prohibit cost-plus-a-percentage-of-cost or percentage-of-construction-cost methods of contracting.

II. Conflict of Interest (Cross-reference Policy #1.1)

- A. All employees, officers, board members, and agents involved in the selection, award, or administration of contracts shall adhere to Policy #1.1 Conflict of Interest.
- B. No person with real or apparent conflict may participate in procurement decisions affecting that interest.
- C. Violations are subject to disciplinary action up to and including termination.

III. Competition All procurement transactions shall provide for full and open competition. Situations that restrict competition (geographic preferences, unreasonable requirements, etc.) are prohibited unless justified in writing and approved by the CEO.

IV. Procurement Methods and Thresholds (45 CFR §75.329)

A. Micro-purchases ($\leq$ \$10,000 in the aggregate annually from one vendor):

- No competitive quotations required if price is considered reasonable.
- Distribute equitably among qualified suppliers when practicable.

B. Small purchases (\$10,001 – \$250,000):

- Obtain price or rate quotations from an adequate number of qualified sources (minimum of three when possible).
- Document quotations and selection rationale.

C. Sealed bids (construction or fixed-price contracts $>$ \$250,000):

- Publicly advertised, formal bidding process with award to the lowest responsive, responsible bidder.

D. Competitive proposals (services or when sealed bids are not appropriate):

- Publicly solicit proposals using a Request for Proposals (RFP) or Request for Qualifications (RFQ).
- Evaluate and rank using published criteria, award to the most advantageous proposal.

E. Noncompetitive procurement (sole source): Permitted only when one or more of the following apply and written justification is approved by the CEO:

1. Item is available only from a single source.
2. Public exigency or emergency will not permit delay.
3. Express written authorization from the federal awarding agency.
4. After solicitation, competition is determined inadequate.

V. Cost and Price Analysis

A. An independent cost or price analysis shall be performed and documented for every procurement action exceeding the simplified acquisition threshold (\$250,000).

B. Profit must be negotiated separately from cost.

VI. Solicitations and Contract Requirements All solicitations and contracts shall:

- A. Include clear and accurate descriptions of technical requirements.
- B. Identify all evaluation factors and their relative importance.
- C. Incorporate all applicable federal provisions listed in Appendix II to 45 CFR Part 75 (e.g., Equal Employment Opportunity, Davis-Bacon Act, Copeland Anti-Kickback, Contract Work Hours and Safety Standards, Clean Air/Water, Termination, etc.).
- D. For construction contracts exceeding \$250,000, require bid guarantees, performance bonds, and payment bonds as required by 45 CFR §75.332.

VII. Preferences When permissible, preference shall be given to:

- A. Energy-efficient and environmentally preferable products.
- B. Small, disadvantaged, minority-owned, women-owned, and veteran-owned businesses.

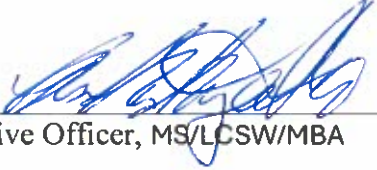
VIII. Documentation and Record Retention The procurement file for each transaction shall include, at minimum:

- A. Basis for contractor selection or rejection.
- B. Justification for lack of competition when competitive bids/proposals were not obtained.
- C. Basis for award cost or price.
- D. Signed conflict-of-interest disclosures from staff involved. Records shall be retained for at least three (3) years after final payment or longer if required by the funding source or litigation.

IX. Subrecipient Procurement When Poverello issues subawards, the subrecipient agreement shall require the subrecipient to follow procurement standards that meet or exceed 45 CFR Part 75.

X. Responsibilities A. Program Managers and staff identify needs and prepare specifications. B. Fiscal Department and CEO (or designee) review and approve procurements in accordance with dollar thresholds in Policy #1.6 (Check Preparation, Payments, Signatures & Disposal). C. Board of Directors approval is required for any contract exceeding \$15,000 or committing the agency for three years or more.

Approvals:

Signature:  Date: 11/30/25 Thomas S. Pietrogallo,
Chief Executive Officer, MS/LCSW/MBA

BOD Approved Date: Pending Review;
Date Established: 08/15/2024;
Date Revised: 11/28/2025

