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# 1- FLAG PROTOCOL AND ETIQUETTE

## A. PURPOSE

The national flag represents the living country and is considered a living thing. The purpose of this policy is to establish guidelines for the lowering of the U.S. Flag to half-mast at the location of the Seminole County Courthouse and other County-owned buildings where flags are typically flown and to establish Seminole County Government Flag Protocol.

## B. DISPLAYING THE FLAG

1. The flag may be displayed on any or every day.
2. Official notification to allow the flag to be lowered either by presidential proclamation, gubernatorial order, and other events shall be directed by the County Manager. Facilities Maintenance is responsible for raising and lowering the flags at all County-owned facilities.
3. The flag should be flown, weather permitting, every day from sunrise to sunset. If the flag is flown after sunset, it must be illuminated. It is recommended that lighting be sufficient enough to allow for the flag's stars to be seen from a "reasonable distance."
4. When the flag becomes unfit for display by becoming too dirty, tattered, worn, or torn, it should be respectfully destroyed as a whole, privately, preferably by burning it. Our Facilities Maintenance Division is responsible for this action and the maintenance of all flags.

## C. FLYING THE U.S. FLAG AT HALF-MAST

Seminole County recognizes the procedures as established by Federal Law and Florida Statutes for the lowering of the U.S. Flag. However, the County wishes to extend this expression of sympathy to encompass all of the following listed circumstances. The schedule indicates the length of time a flag will be flown at half-staff:

<b>Individual/Position</b>	<b>Event</b>	<b>Days</b>
President	Death	30
Vice President	Death	10
Chief Justice of Supreme Court	Death	10
Speaker of the House of Representatives	Death	10
Associate Justice	Death	Burial
Cabinet Member	Death	Burial

Vice President Pro-Tempore of Senate	Death	Burial
Majority Leader of Congress	Death	Burial
Minority Leader of Congress	Death	Burial
Governor of Florida	Death	Burial
US Senator for Florida	Death	Burial
US District Representative from Florida	Death	Burial
Seminole County Elected Officials	Death	Funeral
County Employee	Death	Funeral*

\*At primary work site only

**Note:** *On Memorial Day, the U.S., State of Florida, and Seminole County flags are displayed at half-staff until noon only; then they are hoisted to the top of the staff.*

*For more detailed information regarding flag protocols, please refer to the Federal Flag Code (Public Law 94-344).*

**Reference:** BCC Office Manager Directive # 100-19-0, February 9, 1982

## **5- FIRE ALARM ACTIVATION - EVACUATION**

### **A. PURPOSE**

To provide safe and efficient evacuation of staff and public in county buildings.

### **B. EVACUATION**

In the event of a Fire or Activation of the Fire Alarm, all personnel will evacuate the building to a distance of at least 500 feet from the structure, or to designated evacuation assembly points when they are pre-designated. Managers and supervisors will instruct personnel on exactly where to assemble in buildings without Emergency Operations Plans. If safe to do so, secure all records and take personal belongings with you. Close windows, turn off lights, and close, but do not lock doors. If fire or smoke is obvious and the alarm is not sounding, pull the closest fire alarm activation pull station. If the alarm does not sound, notify co-workers to evacuate and dial 9-1-1 once out of the building.

### **C. FIRE DEPARTMENT**

The Fire Department will extinguish the fire and/or take the appropriate action. When the Fire Department has established that the building is safe for re-entry, they will notify key Administration personnel who will, in turn, notify the building occupants. No one should reenter the building until instructed to do so by proper authorities.

### **D. FACILITIES MANAGEMENT**

When a fire alarm occurs at a specific location, a Facilities technician may or may not be present at the building. If the alarm occurs during normal business hours, the fire alarm monitoring company will contact Facilities Management and report the alarm. If the alarm occurs after normal working hours, the fire alarm monitoring company will call Fire Dispatch (407-665-5100) to report the alarm. Fire Dispatch will, in turn, call the Facilities on-call supervisor to report the alarm. When Facilities Management becomes aware that a fire alarm has been reported, if a technician is not already at the location, a technician will be dispatched.

Upon arrival, the Facilities technician will identify himself/herself to Fire Department personnel on the scene and offer assistance, and will wear an orange safety vest marked "Seminole County Facilities" to further aid in identification. Assistance may include providing information about the building, leading Fire personnel to specific locations, or operating building systems. Fire Department personnel may or may not request or allow the Facilities technician to enter the building. It is always the prerogative of the Facilities technician not to

enter the building if they are concerned for their own safety: even if requested by Fire Department personnel.

The Facilities technician will stay in touch with Fire Department personnel on scene until Fire Department personnel advise the Facilities technician that it is safe for building occupants to reoccupy the building. Upon receiving the “all clear,” the Facilities technician will notify building occupants that it is safe to reenter the building. If the building has an Emergency Operations Plan, the Facilities technician will notify an Evacuation Director of the “all clear” and the Evacuation Director will notify building occupants when they may reenter the building.

## **E. EVACUATION MAPS AND PLANNING**

Through effective planning, we can ensure a safe evacuation of county buildings during a fire or related emergency. At a minimum, buildings shall have evacuation routes posted in predominant locations as specified by local building or fire codes. Larger facilities may require Emergency Operations Plans to ensure safe evacuation and accountability of personnel during emergencies. The Seminole County Risk Management Safety Office shall designate buildings necessitating Emergency Operations Plans, and shall work with Department Directors of such buildings to designate Evacuation Directors and Monitors, ensure plans are developed, and ensure annual drills.

## **10- PERSONNEL**

### **GENERAL STATEMENT**

The Personnel Policies for Seminole County Government, under the Board of County Commissioners, are designed to serve as a guide for all Seminole County Government employees in the day-to-day operations of the County.

Personnel Policies will be reviewed on an annual basis prior to October 1 of each year.

Recommended changes shall be submitted to the Board of County Commissioners for consideration and adoption prior to implementation.

### **PERSONNEL POLICIES**

It is the intent of this section to compliment Section 24 – Human Resources of the Administrative Code. In case of conflict, the Administrative Code prevails.

#### **A. EMPLOYEE SUPERVISION**

It is the policy that the work of all employees be assigned, directed and reviewed by trained and qualified supervisory employees.

1. A primary role of each supervisor is to provide an effective link between management and non-management employees. As such, supervisors are expected to communicate the goals and policies of management to employees. At the same time, supervisors are expected to communicate back to management the attitudes, suggestions, and complaints of employees.
2. Supervisors must, in addition to mastering the technical skills needed for their work unit, be able to lead and motivate employees to do their jobs effectively and efficiently. To this end, supervisors should be prepared to:
  - a) Treat employees as individuals.
  - b) Give recognition for good performance, as well as guidance for correcting deficiencies.
  - c) Explain in advance when and why changes are necessary.
  - d) Recommend employees with growth potential for promotion, even if it means losing them to other work units.
  - e) Encourage diversity of opinion and background.

- f) Show integrity by admitting mistakes instead of shifting the blame to others.
  - g) Provide a challenging climate to encourage employee development.
  - h) Maximize efficiencies and resources within their area of influence.
  - i) Be impartial and communicate the reasons for any decisions that might be interpreted as unfair.
  - j) Demonstrate a desire for good performance by setting work goals and standards for employees.
  - k) Create a feeling of teamwork and belonging among employees.
  - l) Set good examples by holding themselves to a standard of conduct and performance that is demanded of all employees.
  - m) Impart through example and speech the importance of excellence in customer service and work quality.
3. Supervisors are responsible to ensure that the goals regarding employee conduct and performance established by management are achieved and that the personnel policies established by this Manual are implemented. Therefore, they are expected to be involved in:
- a) Recommending the hiring of employees and overseeing special job training.
  - b) Keeping employees informed of factors relating to their work assignments, work progress and opportunities for advancement.
  - c) Evaluating, as deemed necessary by the County, the performance of probationary and regular employees.
  - d) Recommending fair and consistent salary adjustments, promotions, transfers, reclassifications and terminations of employees.
  - e) Scheduling work hours, vacations, lunch, and rest breaks.
  - f) Controlling absenteeism and tardiness, and approving requests for time off.

- g) Verifying employee time worked and monitoring the appropriate use of overtime.
  - h) Recommending changes in workforce numbers when appropriate.
  - i) Complying with applicable federal and state laws and regulations concerning employee safety.
  - j) Maintaining neat and orderly work areas.
  - k) Implementing suggestion, disciplinary and problems review procedures.
  - l) Ensuring that all rules and regulations are observed.
4. Nothing in this policy should be considered as a contract or promise, expressed or implied, to employees that supervisors will in each case perform all of the activities described above, or that such activities will be performed uniformly in each case. However, supervisors will be responsible and accountable for possessing thorough knowledge of the contents of this Manual



## **B. CODE OF EMPLOYEE RELATIONS**

It is the policy to implement fair and effective personnel policies and require all employees to serve the County's best interests.

1. The County's goals for employees include the following:
  - a) To provide equal employment opportunity and treatment to all regardless of race, religion, color, sex, age, national origin, disability, sexual orientation and/or Wartime-era veteran status.
  - b) To provide compensation commensurate with the level of work to be performed.
  - c) To establish reasonable hours of work.
  - d) To monitor and comply with applicable federal, state and local laws and regulations concerning employee safety.
  - e) To offer training opportunities for those whose capabilities and responsibilities warrant such training.
  - f) To be receptive to constructive suggestions which relate to the job, working conditions or personnel policies.
  - g) To establish appropriate means for employees to discuss matters of interest or concern with their immediate supervisor or department director.
2. The County expects all employees:
  - a) To deal with citizens in a professional and courteous manner.
  - b) To perform assigned tasks in an efficient manner.
  - c) To be punctual.
  - d) To demonstrate a considerate, friendly and constructive attitude toward fellow employees.
  - e) To adhere to the policies adopted by the County.

## **C. CAREER SERVICE**

It is the policy that during the initial probationary period, employees are considered to be employed "at will" and are subject to dismissal for just cause, no cause, or any cause. Upon successful completion of the initial probationary period, all employees, excluding management, shall be appointed to Career Service with the County.

1. Career Service employees are afforded the opportunity to pursue an internal appeal/grievance process to ensure fair and impartial treatment in relationship to:
  - a) suspensions without pay
  - b) termination actions
2. The County retains the sole right to exercise all managerial functions including, but not limited to, the right:
  - a) To determine and change work hours (starting times, quitting times) with adequate notice.
  - b) To transfer employees within departments or into other departments and other classifications.
  - c) To determine and change the size and qualifications of the workforce.
  - d) To determine and change methods by which operations are carried out.
  - e) To determine and define proper dress codes for their work areas.
  - f) To determine and change the nature, location, services rendered and continued operation of the County.
  - g) To assign duties to employees in accordance with the County's needs and requirements and to carry out all ordinary administrative and management functions.
  - h) To assign, supervise, and discipline employees.

- i) To recommend dismissal of employees with the concurrence of the Human Resources Manager.
- 3. Should an employee have a question about job working conditions or the manner in which a particular rule or procedure has been applied, or if any employee does not fully understand the reason behind any action, the County encourages the employee:
  - a) To discuss the problem with the immediate supervisor.
  - b) To further discuss such concerns with the next individual in the appropriate line of supervision if the employee is unable to resolve concerns with the supervisor.
  - c) Any employee exercising the right to discuss a concern under this section with an employee of management above his/her immediate supervisor, after having discussed the concern with the immediate supervisor, will not be discriminated or retaliated against in anyway. Employees will also not be discriminated or retaliated against in any way for involving the Human Resources Division at any point in the process of discussing a problem.

#### **D. PRODUCTIVE WORK ENVIRONMENT**

It is the policy to promote a productive work environment. The County will not tolerate any action by any employee that harasses, disrupts or interferes with another's work performance or which creates an intimidating, offensive or hostile environment.

1. All employees are expected to act in a responsible, professional manner and contribute to a productive work environment that is free from harassing or disruptive activity. No form of harassment will be tolerated.
2. Each supervisor has a responsibility to maintain a work place free of any form of harassment.
3. Harassing or offensive conduct in the workplace, whether committed by employees or non-employees, is prohibited.
4. Any employee who believes that an employee's or a non-employee's actions or words constitute harassment has a responsibility to report or complain about the situation as soon as possible. Such report or complaint should be made to the employee's supervisor, the department director, or to Human Resources if the complaint involves the supervisor.
5. Complaints of harassment are to be handled and investigated by the Human Resources Division under County policy, unless special

procedures are deemed appropriate. Regardless, all complaints of harassment are to be investigated promptly and in as impartial and confidential a manner as possible. Employees are required to cooperate in any investigation. A timely resolution of each complaint is to be reached and communicated to the parties involved. Retaliation against any employee for filing a complaint or participating in an investigation is strictly prohibited.

6. Any employee who is found to have engaged in harassment of another employee will be subject to appropriate disciplinary action, depending on the circumstances, up to and including termination.
7. The County recognizes that knowingly false accusations of harassment can have a serious effect on innocent individuals. Therefore, knowingly false accusations can result in the same severe disciplinary actions applicable to one guilty of harassment.

## **E. HIRING**

It is the policy to be an equal opportunity employer and hire individuals best qualified for open positions. Through the selection and recruitment process, Seminole County Government will build a diverse workforce that is successful in their endeavors.

1. Departments with vacancies, either new or vacated positions need to submit an approved open requisition to Human Resources to initiate the recruitment process.
2. A Human Resources representative will contact the hiring manager or designee to determine department needs (type of candidate, timing, environmental factors, etc.).
3. The job will be posted internally (and externally, if requested) for at least one week. Internal applicants will be given serious consideration for promotional opportunities in an effort to create a career path for our employees. All qualified internal candidates should be interviewed; exceptions require approval of Human Resources.
4. Human Resources will screen for all qualified applicants and forward qualified applicants to the hiring manager or designee. Human Resources shall contact the non-qualified internal candidates directly; this can be used as an opportunity to discuss areas to improve experience, skills, and training. Human Resources will be included in the recruitment and interviewing process.
5. All offers of employment will be coordinated with Human Resources. External candidates are subject to employment tests, such as drug tests,

reference checks, etc. Offers made before these employment checks must be made contingent upon their satisfactory completion. Candidates not passing pre-employment drug screening are ineligible to apply for County positions for a period of 90 days from the date of the drug screening.

6. Internal and external candidates interviewed, but not selected must be informed by the hiring manager or designee that they were not selected. For internal candidates it is encouraged that constructive feedback be given for areas of needed improvement.
7. The County Manager may authorize the dual encumbrance of a position when the regular incumbent is still being paid or receiving paid leave by the County.
8. Family employees of a County employee may not regularly work in a position wherein a direct or indirect reporting relationship exists or may develop. This could cause a conflict of interest.
9. Seminole County reserves the right to fill positions prior to the closing date.
10. Recruitment expenses may be paid for at-will positions in accordance with Seminole County Government's travel policy, with County Manager approval.
11. Relocation expenses may be paid for at-will positions. Limit of up to one month's salary for out of state hires and up to two weeks salary for in-state hires outside of a 50 mile radius of the county, with County Manager approval.

## **F. TRAINING AND DEVELOPMENT**

It is the policy to provide training and development opportunities to all employees. New employees will attend orientation. All employees are expected to meet the core training requirements outlined in the training catalog. Other internal and external training and development opportunities (such as seminars or conferences and educational assistance program) are encouraged where appropriate.

1. Course selection is determined by the manager/supervisor and the employee who mutually identify development needs and core training requirements.

### **a) In-House Training opportunities**

- (1) Employee attendance in training and development programs will be considered hours worked if approved by management.
- (2) Detailed training instructions and the training program registration form, along with a description of the manager, supervisor, and employee responsibility, are located in the training catalog and on the Intranet.
- (3) Enrollment is on a first come basis. All training will be confirmed prior to the class. Employees unable to attend must notify the training department 48 hours prior to the class.

**b) Seminars and Conferences**

- (1) Outside conferences and seminars appropriate to the specific needs of the individual employee or to the particular job may be approved for attendance depending on department budget constraints and department coverage.
- (2) Employees are responsible for meeting the registration requirements of the outside programs.

**c) Education Assistance:**

- (1) Education assistance is available to permanent full-time employees who have completed six months of employment and are pursuing off-duty education that is directly related to a job or career path within Seminole County Government. A cap may be determined on an annual basis, and is subject to budgetary constraints.
- (2) Requests for educational assistance shall be submitted to Human Resources no later than two weeks following the first day of a class. Along with the request, employees must also provide proof of registration. Reimbursement for the purchase of required textbooks is available by providing a receipt along with other documentation submitted to Human Resources. Human Resources must approve the education assistance request for the employee to receive a refund.
- (3) Employees requesting educational assistance must complete an Educational Assistance Program Agreement each semester and must remain in Seminole County Government employment for one year following the date of completion of the course, to include constitutional offices of

the County, or reimburse the County for the amount of educational assistance received.

- (4) Employees approved for the Education Refund Program must submit proof of tuition payment to Human Resources, along with a copy of the grade(s). The refund is based on the following scale:

<u>Grade</u>	<u>% of Refund</u>
A	100%
B	75%
C	50%
Below C	0%
Pass/Fail	100%/0%

**d) License/Registration/Certification fees:**

- (1) Fees for initial licenses (over and above Florida driver's license), registrations and certifications, or renewal of same, which are required as part of the minimum qualifications to perform one's current job, are reimbursable at the department level.
- (2) Employees seeking licenses (over and above Florida driver's license), registrations, or certifications, which are directly related to a career path within Seminole County Government, are reimbursable by the County.
- (3) If an exam is required during normal work hours, the employee will be given the time off with pay. If the employee does not pass the exam and a subsequent test must be taken, the employee must submit a leave request form for paid time off. Any expenses incurred for the subsequent test will be the responsibility of the employee.
- (4) Non-exempt personnel who attend training programs (to maintain certifications, etc., which are required for a current job or directly related to a career path) in addition to normal work hours will be compensated for all overtime hours in accordance with the Fair Labor Standards Act (FLSA).
- (5) Proof of enrollment or registration for licensure, registration, or certification shall be submitted to Human Resources. Documentation of successful licensure, registration or certification, along with proof of payment, is required to be eligible for reimbursement.

## **G. MEDICAL PROCEDURES**

It is the policy that applicants to whom a conditional offer of employment has been extended may be required to submit to medical tests or examinations. In addition, current employees, to the extent permitted by applicable federal or state law, may also be required to submit to medical (including psychological) tests or evaluations.

1. Successful candidates for employment may be required as a condition of employment to pass a medical examination to establish both their fitness to perform the jobs for which they have applied and their fitness to do so without endangering the health and safety of themselves or others. If it is determined that an examination is appropriate to a particular position, all applicants for the job who received a conditional offer of employment are to be examined.
2. Employees may be required to have a medical/psychological examination on other occasions when the examination is job-related and consistent with business necessity or as required by applicable federal, state or local law. Such occasions may arise when there is the potential for exposure to toxic or unhealthy situations, when the employee is being considered for transfer or promotion, or when there is a question concerning the employee's ability to perform the duties of the job they are being considered for.
3. Employees are encouraged, but not required, to have physical examinations periodically during their employment and to participate in wellness programs.
4. Medical examinations required by the County will be paid for by the County and performed by a designated health care practitioner or licensed medical facility. Examinations paid for by the County are the property of the County and are to be treated as confidential and held in separate medical files. Records of specific examinations, as required by law or regulation or required by appropriate business practice, will be made available to the employee, persons designated and authorized by the employee, or other agencies or persons as allowed by law.
5. Employees, who need to use prescribed drugs while at work, when such use may impair their ability to perform their job safely and effectively, must report this requirement to their immediate supervisor. Depending on the circumstances, employees may be reassigned, restricted from performing certain tasks, or even prevented from working if they are judged not able to perform their jobs safely and properly while taking prescribed drugs.
6. Employees requesting either a Medical Leave due to their own serious health condition or a Family Leave due to the serious health condition of a



qualified family member must provide Human Resources with a medical certification completed by the attending health care provider.

7. The County reserves the right to require re-certification for extended leaves and second or third medical opinions regarding an employee's absence due to a serious health condition or regarding a health care provider's certification of an employee's ability to return to work.
8. The County reserves the right to require any employee who is returning to work from an absence due to an injury or illness to report to Human Resources and provide a health care provider's certification of the employee's ability to return to work before the employee is released to duty.

## **H. PROBATIONARY PERIOD**

It is the policy that all new employees are to be evaluated for an initial on-the-job probationary period of at least six months. After satisfactory completion of the probationary evaluation, such employees will be evaluated on an annual basis as provided for in the Performance Evaluation Program.

1. An individual performance planner should be prepared and reviewed with a new employee within thirty (30) days from the date of hire.
2. Supervisors are to observe the performance of each employee in a new position. Strengths and weaknesses in performance, attendance, conduct or behavior exhibited are to be brought to the employee's attention.
3. Supervisors will prepare a written evaluation of an employee's job performance by the end of the first three months on the new job.
4. At five months, a written evaluation of an employee's performance must be completed. The evaluation is to include a recommendation as to whether the employee should continue in the position. The evaluation should be forwarded to the department director for comment/signature and then to Human Resources for inclusion in the employee's personnel file. A copy shall be provided to the employee.
5. Employees will be permitted to continue in their new positions if they are given both a satisfactory evaluation by the end of their initial six month employment period and their supervisor's endorsement to continue in the job. Employees not receiving such satisfactory evaluation and endorsement may be given additional time to demonstrate their ability to do the job if the supervisor feels additional time (not to exceed three months) is warranted in order to achieve acceptable job performance.

6. Supervisors may recommend that a probationary employee be terminated at any time. Such a recommendation for termination must be reviewed with Human Resources prior to the action being taken.
7. Newly hired employees accrue leave hours beginning the first day of employment (see PTO, Paid Time Off). Leave may be taken during the probationary period if available and if approved by the supervisor.

## **I. TRANSFER**

It is the policy that the County may, at its discretion, initiate or approve an employee's job transfer from one position to another or from one location to another. A transfer is defined as moving to another position in the same or lower pay range. The job title may or may not change.

1. The County may require employees to make either a temporary or permanent job transfer in order to accommodate the County's business needs.
2. Employees may request a voluntary job transfer. To be eligible for a voluntary transfer, employees must meet the minimum requirements of the new position.
3. The hiring authority may elect not to post a vacancy if a qualified employee requests a lateral transfer or voluntarily seeks a position with a lower salary range, is disqualified from a higher level position, or whose position has been eliminated. [Note: An application is not required.]
4. Eligible employees who request a transfer will be considered in the following order subject to the discretion of the hiring authority:
  - a) Employees in the same department as the job vacancy;
  - b) Employees who are being considered for layoff because of a reduction in force or the elimination of their position;
  - c) All other employees.
5. Employee requests for transfer should normally be handled as follows:
  - a) The employee should submit a written request for a transfer to the department director. The request should include the reason for the transfer and the department and specific job wanted.
  - b) The department director should forward the request to Human Resources to determine whether the requested job or a suitable job vacancy exists and whether the employee is qualified. If a job

vacancy exists and the employee is qualified, Human Resources should arrange an interview between the candidate and the department director or designee who has the job vacancy.

- c) The candidate will be allowed time off with pay for job interviews related to the transfer and will not be required to use personal leave time.
- d) The department director with the job vacancy will make the final transfer decision.

6. Pay for transferred employees will be handled as follows:

- a) Employees transferred to a job in the same salary range may continue to receive their existing rate of pay.
- b) Employees voluntarily transferring to a job in a lower salary range may continue to be paid at their former rate providing that rate is not over the maximum of the new salary range. They may be paid a lower rate at the department director's discretion.
- c) Employees transferred involuntarily to a job in a lower salary range may be paid at a lower rate not to exceed the maximum of the salary range.
- d) Employees should receive a performance evaluation at the time of transfer.

7. Transfer/Constitutional Officers

- a) The transferring employee's date of hire shall remain the same provided there is no break in service.
- b) The transferring employee will serve the prescribed probationary period.
- c) Employees transferring to the Board of County Commissioners may transfer up to six (6) days of accrued annual leave and twenty (20) days of accrued sick leave; all such hours will be converted to paid time off (PTO).

## J. PROMOTION

It is the policy to provide training and development for employees and to offer employees promotions to higher level positions when appropriate. Management, when possible, will promote from within and will first consider current employees with the necessary qualifications and skills for a vacant position, unless outside recruitment is deemed to be in the County's best interest.

1. All employees are encouraged to seek advancement opportunities and to obtain promotion and career guidance from their supervisor, department/division director and/or Human Resources.
2. An employee's basic eligibility for promotion will be determined by the minimum requirements of the new job.
3. Job vacancies and promotions for which management seeks candidates from within the County will be posted on the internal job list. When job vacancies or promotion opportunities are posted, interested employees must complete a Seminole County Job Opportunities form and submit it to Human Resources prior to the advertised closing date.
4. As regular vacancies occur, the hiring authority is expected to review the position requirements and determine the necessity of filling the position.
5. If it is determined that a position must be filled, the hiring authority then reviews the position duties, responsibilities and minimum qualifications, including the essential functions of the job, and updates and revises the job description with the assistance of Human Resources staff, if necessary.
6. Qualifications of the Seminole County work force may then be reviewed by the hiring authority to determine if any current regular employees are qualified for the position.
7. If a pool of qualified employees is available, the hiring authority may elect to first post the vacancy internally for at least five business days.
8. If internal recruiting efforts are unsuccessful or if the hiring authority determines that no pool of qualified internal candidates exist, the position may then be posted externally. (See HIRING for procedures.)
9. Current employee candidates for promotion will normally be considered and selected on the basis of job-related qualifications, tests where appropriate (demonstrated ability), attendance, work records, and performance evaluation. In addition, to the extent permitted by law, such employees may be required to have a medical examination.

10. An employee who is promoted may receive an increase in pay not to exceed the maximum of the new pay band.

## **K. REORGANIZATION AND POSITION TITLE CHANGES**

To assure on-going organizational integrity and consistency in the pay and classification system, all reorganizations must be reviewed by Human Resources and approved by the County Manager's Office prior to implementation. Similarly any title changes, even if it is in the same pay band, will follow the same review and approval process.

## **L. HOURS OF WORK/OVERTIME**

It is the policy to establish the time and duration of working hours as based on workload, productivity, customer service needs, the efficient management of human resources and any applicable laws.

1. The normal workweek for all full-time, non-bargaining employees shall be forty (40) hours. Exceptions may be made in accordance with the law at the discretion of the applicable Department Director or Chief Administrator, with approval from the County Manager's Office. Unless otherwise approved by the applicable Department Director, Chief Administrator, or Division Manager, time taken for meals shall occur either in a one-half hour or one hour block. This time is not to be included in the total hours worked for the workweek, and is not intended as a means for employees to make up time for reporting to work late or leaving early.
2. The official workweek shall commence at 12:01 a.m. Sunday and end at 12:00 midnight Saturday except as follows:
  - a) The schedule of hours for employees will be determined by the applicable Department Director or Chief Administrator, or their respective designees, who will inform employees of their daily schedule of hours of work, including meal periods, break periods, and any changes deemed necessary or desirable by the County. Breaks are not intended to be combined with meal periods or to be used to make up for late arrival or early departure.
  - b) There are no provisions for breaks or rest periods for any employee during his or her regular workday other than designated meal times. Breaks and rest periods may be given at the discretion of the applicable Department Director, Chief Administrator, or Division Manager, or their respective designees ("authorizing supervisors"), as long as such breaks do not interfere with the operations or the ability to effectively meet operational goals. Breaks and rest periods generally should not be longer than 15 minutes. However, the

frequency and duration of breaks and rest periods is dependent upon the judgment of the authorizing supervisor.

- c) Authorizing supervisors may schedule extended working hours, overtime, or extra shifts when necessary, and will specifically assign overtime to employees in the job for which overtime is required. Non-exempt employees are eligible to receive overtime compensation at the rate of time and one-half for all hours worked in excess of forty (40) hours in one week, unless otherwise established within a collective bargaining agreement. Non-exempt employees are not permitted to work overtime without the prior approval of the applicable authorizing supervisor. For the purposes of overtime compensation calculations, hours worked and holiday pay hours for all Board approved holidays, in excess of forty (40) hours during a workweek will be counted towards overtime compensation. Hours worked excludes paid time off leave and other leaves. Compensatory time may be granted at the discretion of the applicable Department Director, Chief Administrator, or Division Manager.
- d) Employees are required to be present at their assigned work location for the total designated hours in their prescribed workweek unless their absence is authorized and documented by an approved leave request form. All absences shall be properly recorded and, when required by this policy, charged to the employee's leave record.
- e) Non-exempt employees will be compensated only for actual hours worked, eligible holiday pay hours, and approved accrued paid time off hours.

### 3. EXEMPT EMPLOYEES / PARTIAL DAY LEAVE

- a) The County Manager establishes all guidelines and procedures regarding partial day absences and time-keeping requirements for exempt employees. Exempt Employees will be paid in accordance with the Department of Labor, Fair Labor Standards Act (FLSA), and are compensated based on their established annual salary for the position held rather than the number of hours worked. As such, exempt employees are expected to allocate whatever amount of time is necessary to accomplish the tasks assigned to them and to successfully execute the duties and responsibilities of the position. Although forty (40) work hours is the typical standard, exempt employees are often required to work extended or irregular hours above the forty (40) hour work schedule.
- b) Exempt employees do not earn overtime compensation for hours worked over and above the "normal workweek," Conversely, exempt employees will not be "charged" accrued leave for partial day absences.
- c) Although exempt employees are not required to utilize accrued paid time off hours to compensate for partial day absences, exempt employees are responsible for submitting a request for approval of partial day absences to the applicable authorizing supervisor. When considering requests for partial day absences, authorizing supervisors shall consider operational needs, internal equities, compliance with the established personnel policies, and the underlying expectations related to the exempt position. Based on these considerations, the authorizing supervisor may approve the requested partial day absence, deny the requested partial day absence, or require that the absence be for a full scheduled day.
- d) Administration of this policy shall require an accurate recording of attendance exceptions both over and under the "normal workweek" for each pay period. Department Directors and Chief Administrators shall have the discretion to establish internal procedures for this recording activity as may be appropriate for their respective functions and divisions. These internal procedures should be developed in consultation with the Office of Human Resource Management, are to be memorialized in writing, and shall be subject to periodic review by the County Manager's Office. This recording activity is solely a process management tool and is expressly not intended to be utilized for payroll administration or other fiscal functions. Because the exempt employees holding

Senior Management<sup>1</sup> and Critical Command<sup>2</sup> positions are expected to be regularly available both during and outside of the “normal workweek” hours, the incumbents in these positions shall not be required to record payroll exceptions.

- e) Excessive requests for partial day absences and/or unauthorized partial day absences can negatively impact the delivery of services, and shall be considered an indicator of substandard job performance, potentially resulting in corrective action, up to and including termination.
- f) Accountability for compliance with this policy related to “Exempt Employees/Partial Day Leave” shall rest directly with the applicable Department Director or Chief Administrator.
- g) The provisions within this policy related to “Exempt Employees/Partial Day Leave” shall apply to all non-bargaining exempt employees. The Chairman of the Board of County Commissioners, as the administrative head of the Commission Office, may establish an alternative policy for review and approval of partial day absences and for the recording of attendance exception for Commission Office Executive Assistants.

#### 4. FLEX TIME / AD HOC FLEXTIME

- a) To provide greater flexibility in managing day to day operations and accommodating the needs of our employees while simultaneously enhancing levels of customer service and expanding office coverage.
- b) The schedule of hours for employees will be determined by each Department Director or Chief Administrator, or their respective designees. Flexible schedules are permissible provided that they support the highest levels of customer service and productivity. Department Directors and Chief Administrators are authorized, but not required, to allow employees to flex their schedules to accommodate any reasonable needs, provided service levels and availability do not suffer as a result. This may include, but is not limited to, working four 10 hour shifts, starting an hour earlier, starting an hour later, etc. Prior to approval of a requested flexible schedule, the applicable Department Director or Chief Administrator shall consult with the Office of Human Resource Management. Approval of a flexible schedule must be memorialized in writing by the applicable Department Director or Chief Administrator, and a



copy of such approval must be provided to the Office of Human Resource Management.

c) Department Directors, Chief Administrators, and Division Managers, or their respective designees (authorizing supervisors), may approve “ad hoc” schedule changes provided that there is no detrimental effect on service levels and/or coverage. Consultation with the Office of Human Resource Management is not required prior to approval of ad hoc flexible scheduling, and approval is at the discretion of each authorizing supervisor. In order to qualify as an “ad hoc” flexible schedule, the schedule change should not be approved for more than 2 hours per day or 4 hours per month. Requested schedule changes in excess of these limitations suggest the need to consider a different long term schedule via the process noted above, provided that the highest levels of customer service and productivity are maintained. When approving “ad hoc” flexible schedules, it is important to pay particular attention to Friday afternoons, work days preceding holidays and other times where staffing is traditionally diminished.

- Example No. 1 – An employee makes a request to work from 10am – 7pm instead of 8am – 5pm to attend a parent-teacher conference. The authorizing supervisor may either approve or deny the request based upon operational needs, staffing levels, customer service, etc.
- Example No. 2 – A chronically late employee arrives to work at 10am instead of 8am and requests to stay late to make up the time. This type of request should be denied.

## **M. PERSONNEL RECORDS**

It is the policy that individual employee personnel files maintained by the Human Resources Division shall be the official personnel file.

1. It is the responsibility of each employee to keep all information in their personnel file up to date, current and accurate by notifying the Human Resources Division of any information changes.
2. The Human Resources Division and the County are not responsible when incorrect withholdings, wrong beneficiaries, or loss of employee benefits result from the failure of an employee to keep personnel records current.
3. Pursuant to Florida law relating to public records, the records and files of the Human Resources Division are generally considered to be open for inspection and copying by any person provided that such review is conducted in the physical presence of the custodian of records or

designee during regular operating hours. Some records may be exempt by law. It shall be the responsibility of the employee to notify the Human Resources Manager if they believe that they are eligible for a public records exemption in accordance with State law.

**All requests from sources outside of Seminole County Government pertaining to inspection of personnel files, or to employment verification or reference checks on any current or former employees, should be referred to the Human Resources Division.**

## **N. EMPLOYMENT CLASSIFICATIONS**

### **1. Definitions:**

**Regular full-time** positions are approved in the budget, assigned a position code and work at least 40 hours per week. These positions are eligible for benefits.

**Regular part-time** positions are approved in the budget, are assigned a position code but regularly work less than 40 hours per week. Part-time positions receive pro-rated Paid Time off (PTO) and other benefits as required by law, but do not receive health insurance benefits.

**Temporary positions** are positions that are not continuously budgeted and less than 6 months in duration or less than 1040 hours worked annually, whichever is less restrictive. Temporary positions do not receive benefits or PTO, except as required by law. Exception: Temporary positions established as part of a grant may exceed the restrictions indicated above not to exceed the duration of the grant.

**Internships** are either paid or unpaid temporary assignments in which students spend time for the purpose of gaining experience and/or completing academic requirements. All internships are designed for bona fide students with at least an Associate's Degree (or 60 credit hours) who are currently enrolled in an accredited degree program. Students must be completing coursework in an appropriate field of study as determined by the hiring department. Funds for these temporary positions should be approved through the budget process but may also be approved by the County Manager. Internships may be either full-time or part-time. Interns do not receive benefits or PTO, except as required by law. Students must be enrolled in at least one class with the exception of the summer semester(s) and other designated school breaks. Internships may exceed the six month limit placed upon other temporary positions, but may not extend more than six months from the date of graduation (Bachelor's degree) unless pursuing a post-graduate degree.

**POLICY:**

2. All positions will be coordinated through Human Resources. Human Resources will post all regular (full-time and part-time) positions. Temporary positions and Internships will be coordinated between Human Resources and the hiring department.
3. Once an applicant is selected, Human Resources will conduct pre-employment checks and maintain an employee file. If the position is temporary, Human Resources will obtain a signed contract outlining the conditions of employment.
4. Paid temporary positions, including paid internships, which have not been approved in the budget, must be approved by the County Manager.
5. An employee whose status changes from regular to temporary will receive payment of all unused Paid Time off (PTO), up to 960 hour maximum. An employee whose status changes from temporary to regular full-time or part-time will have a hire date, effective as of the change in status for purposes of PTO eligibility.
6. Any use of contract labor through temporary agencies must meet the duration guidelines for temporary positions and abide with all Purchasing policies.

**O. DUAL EMPLOYMENT**

It is the policy not to allow employees to serve in a dual employment relationship within the County. Exceptions must be approved by the County Manager.

**P. SEPARATION FROM EMPLOYMENT**

It is the policy to separate employment because of an employee's resignation, termination or retirement, the expiration of an employment contract or a reduction in the work force. Termination can be for any reason not prohibited by law.

1. Employees are requested to give written notice of their intent to resign. The following guidelines are suggested:
  - a) Management employees should give four week's notice.
  - b) All other employees should give at least two week's notice.
2. Employees who are absent from work for three consecutive days without being excused or without giving proper notice will be considered as having voluntarily quit.

3. Supervisors should send notices of resignation or recommendations for termination with a Status Change form to Human Resources for processing. These notices should be accompanied by any needed supporting documents such as notices of corrective action, disciplinary reports and letters of resignation. All involuntary terminations must be reviewed by Human Resources before any final action is taken.
4. Supervisors should ensure that all County property is returned by the employee prior to separating employment. This can be accomplished by using a checklist that itemizes what must be relinquished by the employee. (Property to be returned may include keys, ID cards, County uniforms (rented or purchased), personal organizers purchased with County funds, cell phones, radios, laptop computers, etc.)
5. Requests for employment references should be made in writing to Human Resources and should include an authorization by the employee for the release of the requested information.
6. Employees terminated for cause are ineligible for rehire for two years following their termination. Exceptions must be approved by the Human Resources Manager and the County Manager.

It is the policy that laid off employees shall be recalled to County employment based on the need of the County.

Laid off employees shall be eligible for recall for a period of one year. Employees affected by a layoff will be eligible to apply for internal job listings for up to two years. All employees separated during a reduction in force shall be listed for reinstatement consideration in reverse order of layoff. Upon selection within two years of a layoff for the same or similar job held before the reduction in force, the employee will be eligible for a reinstatement appointment. A reinstatement appointment retains an employee's hire date as the hire date of the employment period immediately prior to the layoff.

#### **Q. ON-CALL EMPLOYEES**

It is the policy to supplement the regular work force with on-call employees, or other forms of flexible staffing when needed, because of periods of peak work load, employee absences or other situations as may be determined by management.

An on-call employee is an individual who is hired for an indefinite period, but who normally works less than a 40 hour work week.

On-call vacancies need not be advertised.

On-call employees are not eligible for paid absences. An employee whose status changes from full-time to on-call will receive payment of all unused

accrued paid time off leave, subject to a 960 hour maximum. An employee whose status changes from on-call to full-time will be considered as hired on the date of the change of status for purposes of eligibility for paid time off. Information concerning eligibility of on-call employees for other County benefits, such as the Florida Retirement System, is available from Human Resources.

On-call employees are to be paid no less than the salary range minimum for their job title.

At the department director's discretion, on-call employees may be able to compete for internally posted positions for regular full and part-time vacancies in the same classification.

## **R. SALARY ADMINISTRATION**

It is the policy to pay compensation that is non-discriminatory and competitive with rates being paid for similar jobs by other employers in the labor market. However, all compensation policy decisions must take into consideration the County's overall economic condition, competitive position and fiscal policies of the Board of County Commissioners.

1. New employees generally will be hired at the starting rate assigned to their salary range. Supervisors may recommend higher starting rates depending on an applicant's experience or skill level or on other competitive considerations. These recommendations should be approved by the appropriate department director and will be reviewed by Human Resources before implementation.
2. Employees promoted into new positions generally will receive promotional increases at least to the minimum of the new salary range. No increase will be granted which brings employee's base salary above the maximum of the new range. Promotional increase recommendations should be approved by the department director and will be reviewed by Human Resources before implementation.
3. Employees transferring laterally from one job to another in the same salary range generally will not receive an increase unless special circumstances warrant as approved by Human Resources.
4. Considerations for reclassifications or transfers to lower level positions will be handled by the department director and Human Resources prior to any discussion with the employee. The salary of any employee transferred or reclassified to a lower level position should not, in most cases, exceed the maximum of the new salary range.

5. When a position is reclassified to higher salary range and job title as a result of a significant change in job duties, the employee's salary will be increased to at least the minimum of the new salary range.
6. Special adjustments to salary may be granted to correct internal or external equity problems with the approval of the department director and the Human Resources Manager.
7. If an employee is temporarily appointed full-time to a higher-level position for more than 30 days, the employee will receive a temporary increase of 5% or the minimum of the higher pay grade, whichever is more, but not to exceed the maximum of the higher salary grade, effective the first day in the temporary appointment.
8. Annual salary adjustments will be considered as a means to recognize and reward permanent employees for their performance, encourage careers within the County, and recognize contributions to County service. All salary adjustments will be made in accordance with the compensation plan approved by the Board of County Commissioners.
9. Employees may be appointed to a trainee position in an under slotted classification below the salary range minimum of the assigned classification for a training period not to exceed 12 months.
10. Merit increases that become due during an acting appointment will be calculated on the employee's previous salary, and the increase added to the acting supplement. When the temporary appointment is complete, the member will be paid at their former salary plus the merit amount.

## **S. PERFORMANCE MANAGEMENT/EVALUATION**

It is the policy that managers and supervisors provide each employee with formal feedback on their performance using systems aligned with the County's strategies, values and vision.

1. Management personnel should complete written performance evaluations according to the following **schedule**:
  - A mid-probationary evaluation at three months is required.
  - Near the end of the employee's initial six month probationary period, normally five months of employment.
  - The annual anniversary date of employment for Department Directors, Division
  - Managers and other management employees as identified by the county manager.

- At the beginning of the fiscal year for all employees who have completed one year of employment other than management employees identified above.
  - At any time deemed appropriate to recognize improved performance.
  - When employee is transferred or demoted.
  - When, in the opinion of the immediate supervisor, performance has dropped below acceptable standards. This evaluation will be the monitoring tool used when an employee is placed on special probation for up to 90 days.
2. The written performance evaluation of each employee should include the supervisor or manager's comments on the employee's performance throughout the period of evaluation and recommendations for the employee's continuous growth and development. Performance goals and objectives should also be included for the next evaluation period.
  3. A one-over signature (the reviewer's manager or supervisor) is required on each performance review. This individual should review and sign each written evaluation to help ensure the quality, consistency and fairness of each evaluation administered.
  4. After the written evaluation has been reviewed and signed, the manager or supervisor and employee should meet and discuss the evaluation, assess the employee's strengths and areas for improvement in a constructive manner and set objectives and goals for the upcoming period. The employee should be given the opportunity (five working days) to examine the evaluation and make written comments about any aspect of the review. The employee and the supervisor should then sign and date the evaluation and forward it through the appropriate lines of supervision to Human Resources for processing.
  5. Employees who wish to review their evaluation may request a review through the line of supervision up to the level of Director. This request must be in writing and submitted within five working days of receiving the performance evaluation. Evaluations may not be appealed under the County's Appeal/Grievance policy.
  6. Performance evaluations should be considered when making decisions regarding training opportunities, pay, promotion, transfer and/or continued employment.

## T. JOB EVALUATION

It is the policy to evaluate all jobs in order to establish a consistent basis for measuring and ranking the relative worth of each job. Further, it is the intent of the County to maintain salary ranges, current job titles and job descriptions in accordance with sound compensation practice.

1. Human Resources is responsible for coordinating the continuing internal review of all compensation and for making sure that each job is evaluated and assigned a salary range which accurately and fairly reflects each job's responsibilities and performance.
2. Human Resources will participate in compensation surveys covering other employers with similar jobs. This and other available information will be used to determine the relative competitive position of the County's pay structure and merit system and to make recommendations to the Board.
3. The Pay Plan contains salary ranges with a minimum and a maximum rate for each job title. Human Resources may recommend changes in salary range assignments as needed for administrative effectiveness and based on organization and market changes. These changes are to be approved by the County Manager or his/her designee.
4. Employee compensation within any salary range is based on such factors as length of service, experience, individual productivity and external market factors. All employees shall be paid at rates which fall within the approved salary ranges, unless otherwise exempted.
5. Human Resources should evaluate all new positions and review, on a periodic basis, all job descriptions to ensure that they accurately reflect current conditions. An authorized position may not be filled until it has been classified in accordance with the pay plan. If a suitable job title does not exist, Human Resources may recommend the establishment of a new classification and salary range for approval by the County Manager or his/her designee.
6. Human Resources is responsible for the development and administration of the job evaluation program. This includes responsibility for revising/updating job descriptions, changing job titles, deleting job titles that are no longer needed, and reclassifications. Recommendations will be submitted to the County Manager for final approval.
7. The County Manager has authority for title changes within the same pay band. A change may be initiated by completion of a Position Change Form.



## U. ON-CALL TIME

It is the policy to compensate all non-exempt employees who are required to perform on-call duties as assigned by a supervisor and to be immediately available for work situations arising on the employee's off-duty time. This generally includes nights, weekends, and holidays. On-call time is defined as the time period when an employee is required and designated to remain available for duty during non-business hours, but is permitted to engage in most personal activities as long as he or she is able to respond to calls promptly and efficiently.

1. All non-exempt employees may be required to perform on-call duties as assigned by the immediate supervisor and approved by the Division Manager and/or Department Director. Division Managers and/or Department Directors shall have the authority to establish the need for on-call services and enforce Division/Department policies and procedures governing its use.
2. Compensation. All non-exempt employees who are designated to perform on-call duties shall be compensated at a rate of one straight hour for each day of the week, including weekends and holidays regardless of actual hours worked. This compensation is not considered as "hours worked" for the purpose of overtime pay eligibility. When responding to the first call out during non-business hours, employees shall be paid a two hour minimum. These hours are considered "hours worked" for the purpose of calculating overtime. Subsequent calls while on the first two hour minimum shall not be eligible for an additional two hour minimum and the employee will be paid for the actual time worked beyond the first minimum. Additionally, successive calls separated by less than 2 hours idle time shall not be subject to the two hour minimum; and employee will be paid for the actual time worked (at the overtime rate when eligible).
3. Performance Requirements. When employees perform work as a result of the on-call procedures or other similar emergencies during the non-business hours preceding or following their regular shift, a rest period may be required by the immediate supervisor or by the employee. If necessary, the employee's regular work schedule may be changed by the immediate supervisor to allow a period of rest. Upon approval of their immediate supervisor, employees may elect to forfeit a portion or the entire regular work schedule or re-schedule their regular shift if time and business necessity permit.
4. Employees designated for on-call duty may be authorized to take home a County vehicle and the necessary service equipment while on on-call duty in accordance with the Division/Department policies and procedures. The Division Manager and/or Department Director shall have the authority to implement additional requirements governing these procedures for on-call duty, as deemed appropriate.

## V. ATTENDANCE AND PUNCTUALITY

It is the policy to require all employees to report for work punctually as scheduled and to work all scheduled hours and any required overtime.

1. Excessive tardiness and poor attendance disrupt workflow and customer service and will not be tolerated.
2. The department director is authorized to establish the time and duration of working hours during the workweek. The department director may approve alternative flexible schedules that meet the needs of the department.
3. Supervisors are to notify employees of their starting, ending and break times. Employees are expected to be engaged in carrying out their duties during all scheduled work periods.
4. It is the employee's responsibility to notify their supervisor as far in advance as possible whenever they are unable to report to work, know they will be late or must leave early. Such notification should include a reason for the absence and an indication of when the employee can be expected to report for work.
5. Failure to notify the supervisor properly of any absence may result in loss of compensation during the absence and may be grounds for disciplinary action.
6. Failure of an employee to report to work, or make timely notification to the immediate supervisor to obtain approval for leave, shall be grounds for denial of paid leave and possible disciplinary action, up to and including termination.
7. Employees who fail to report to work or call in for three consecutive workdays shall be considered to have voluntarily resigned without notice.
8. Employees must report to their supervisor after being late or absent, give an explanation of the circumstances surrounding their tardiness or absence, and may be required to certify that they are fit to return to work. When appropriate, the supervisor should counsel the employee on the importance of good attendance and warn that excessive tardiness or absences, regardless of the cause, will lead to disciplinary action, up to and including termination.
9. An employee who is unable to work their established schedule and has an insufficient amount of paid leave(s) to cover their absences may be subjected to progressive discipline as follows:

- 1st Offense – Verbal Warning
- 2nd Offense – Written Warning
- 3rd Offense – Suspension Without Pay
- 4th Offense – Termination of Employment

Exceptions to this include any leaves covered under the Family and Medical Leave Act (FMLA), Military Leaves and certain leaves associated with work-related illness or injury. This does not include leaves without pay due to personal illness, to care for a family member or any other situation not specifically covered by FMLA.

## **W. PTO BUY BACK**

- 1) Eligible employees may participate in the Paid Time Off (PTO) Buyback Program each fiscal year. **A minimum balance of accrued leave following payout is required based on the following:**
  - a) Full-time employees: 240 hours of accrued leave **following payout**
  - b) Part-time employees: 120 hours of accrued leave **following payout**
  - c) Fifty-six (56) hour non-bargaining employees: 336 hours of accrued leave **following payout**
- 2) The County Manager will authorize the maximum amount of PTO hours employees may sell back as part of the annual budget process. Based on the County Manager's approval, eligible employees will be permitted to sell a maximum of 120 hours. **Based on the annual budget forecast, the maximum buyback amount may vary each year.**
- 3) Human Resources initiates the PTO Buyback Program by October 1 each fiscal year. Payment will be processed, if requested by the employee, during the first quarter of the fiscal year (October 1 – December 1).

## X. LEAVES WITHOUT PAY

1. It is the policy to grant employees leave without pay under the following circumstances:
  - a) Any absence or part of an absence under the Family and Medical Leave Act when the employee has exhausted all paid leaves.
  - b) Temporary disability, including disability under Workers' Compensation, of the employee where such absence or part of such absence is not covered by the Family and Medical Leave Act.
  - c) Educational leave for the purpose of furthering the employee's education if it is the department director's determination that such education shall be of foreseeable benefit to the County.
  - d) Personal leave provided the requesting employee has given justification for the request, and the department director deems such justification to be reasonable.
  - e) Military leave for an employee entering active military service.
2. Leaves without pay are absences without pay which exceed 14 calendar days within a 30-calendar-day period.
3. Upon approval of the department director, leave without pay not to exceed 12 calendar months (Exception: military leave) may be granted to permanent full- and part-time employees who have satisfactorily completed six months of continuous acceptable service.
4. Procedures:
  - a) The employee must submit to the department director a written request for the leave indicating the reason for the request and the total anticipated period of time away from work.
  - b) The department director should notify the Human Resources Division as soon as it is known that a leave without pay situation exists or is pending.
  - c) The department director will determine whether approval of leave without pay would be detrimental to the operations of the department or division and whether the employee's position will be held or the employee required to apply and compete for vacant positions when the employee is once again available to work. (Exceptions: military leave without pay, Workers' Compensation leave without pay, and leave without pay covered under the Family and Medical Leave Act).

- d) In cases of military leave without pay, leave covered under the Family and Medical Leave Act, and Workers' Compensation leave without pay, where the employee is assured of the same or a comparable position should he/she return to work, the department director may fill the position with the stipulation that such appointment may terminate upon return of the regular employee.
- e) Employees must use all paid leaves before being placed on leave without pay (Exception: military leave).
- f) All leave without pay (except military leave) shall be deducted from the employee's continuous service.
- g) Employees on leave without pay will not accrue paid leave benefits nor receive holiday pay. County recognized holidays and birthday holiday will not be paid when an employee is on leave without pay. Work/life and service recognition days may be paid when on leave without pay.
- h) While on leave without pay, an employee may be eligible to make monthly premium payments to maintain group health insurance benefits for self and/or dependents as provided by the Federal COBRA (Consolidated Omnibus Budget Reconciliation Act) regulations. Should an employee elect not to maintain insurance benefits, the employee and dependents will not be eligible for group insurance benefits beyond the end of the calendar month in which the employee reaches 14 calendar days of absence without pay.
- i) Employees on leave without pay may not be permitted to obtain, accept or work at outside employment, other than military service, during the approved leave without pay period without prior written authorization from the department director and the Human Resources Manager.
- j) Should an employee's position be held during a leave without pay and the employee not return to work at the end of the approved leave period nor will request an extension of the leave period prior to its expiration, the employee be considered as having voluntarily resigned.
- k) All employees returning to work following leave without pay due to the serious health condition of the employee must provide physician certification of fitness for return to work before the employee may begin work.

- l) A permanent full- or part-time employee who enters the Armed Forces voluntarily or involuntarily may be granted leave without pay for up to 90 calendar days beyond the date of separation from military service. (Note: Please refer to Section 604 - Military Leave, Administrative Code, to determine eligible pay for enlisted personnel.)
- m) The employee must present a copy of the official military orders.
- n) Accrued leaves with pay not paid out shall be retained by the employee and credited to the employee's record upon application for reinstatement to employment.
- o) Upon return from military leave without pay and request for reinstatement to employment, the employee will be assured of the position formerly held or a comparable position in County service with no reduction in pay.
- p) The employee must request reinstatement to employment within 90 calendar days following separation from military service.
- q) The County may require the employee to submit to a medical examination to determine the employee's fitness to perform the duties of the position to which he or she may be returning.
- r) An employee volunteering for an additional tour of duty will forfeit reinstatement rights.

## **Y. CITIZEN INTERACTION**

It is the policy to be citizen and service oriented, and to require employees to treat citizens and other employees in a courteous and respectful manner at all times.

1. Employees must understand that the citizen comes first. All employees have an obligation to represent the County in a positive fashion and to make citizens feel as comfortable as possible in dealing with the County.
2. Employees with citizen contact are expected to know the County's programs and services, and to learn the wants and needs of citizens. Such employees should attempt to educate citizens about the use of County services and should seek new ways to serve the citizen.
3. Employees are encouraged to report recurring citizen related problems to their supervisor and/or make suggestions for changes in County policies and/or operating procedures to solve problems.

4. Employees should be prepared to listen carefully to citizen inquiries and complaints and then deal with them in a responsible, professional manner. If a controversy arises, the employee should attempt to explain County policy in a clear, yet deferential manner. If a citizen becomes unreasonable or abusive and the employee cannot resolve the problem, the citizen should be referred to the employee's supervisor.
5. Employees should be particularly careful to exercise courtesy and thoughtfulness when using the telephone. A positive telephone contact with a citizen can enhance goodwill while a negative experience can destroy a valuable relationship.
6. Employees must realize that they are ambassadors for the County, regardless of their position. The more goodwill promoted by employees through their interaction with the citizens, the more our citizens will respect and appreciate the services provided by the County.

## **Z. DISCIPLINARY CORRECTIVE PROCEDURES**

Seminole County is deeply committed to the work philosophies and expectations (outlined in the Code of Conduct) which serve as guidelines for our behavior and performance. If performance or behavior is inconsistent with these philosophies and expectations, management is expected to address these issues through a progressive discipline process. The process begins with an understanding that behavior changes should be the primary emphasis and disciplinary actions the final resort. The focus of the disciplinary process is corrective action through individual employee responsibility rather than punishment.

1. Consistency is very important. However, given the diversity of the work processes within our organization, leaders are expected to use their best judgment for the appropriate application of discipline. The County's values, policies and procedures, as well as the organizational and departmental missions and accountabilities serve as the foundation for disciplinary decision making. All problems should be addressed and solved as quickly as possible and at the lowest possible level.
2. The County retains the right to administer discipline in any manner it sees fit and to modify or delete these procedures at its sole discretion.
3. It is the employee's responsibility to correct performance and behavior problems on which disciplinary action is based.

Depending upon the circumstances of the offense, disciplinary action may include, but is not limited to, some or all of the following:

- Discussion of the issue

- A Tips on Performance
- A verbal warning
  
- A written warning
  
- A written reprimand
  
- Placement on probation (used for performance improvement and misconduct)
  
- Suspension
  
- Termination

There may be offenses that are considered so unacceptable that termination is the appropriate course of action regardless of an employee's length of service, prior conduct, and/or performance record. Lesser offenses, even for the first offense, do not preclude termination.

Some examples of a major offense are:

- Insubordination
- Physical harm/assault
- Theft or pilfering
- Malicious or willful destruction (abuse) of County property
- Fraud or dishonesty
- Drug/alcohol use and/or possession
- Violation of the law
- Pleading guilty or nolo contendere or being found guilty of a felony, job-related misdemeanor or misdemeanor involving moral turpitude
- Failure to notify supervisor that information has been filed against you by a prosecuting official
- Conflict of Interest
- Carrying a weapon



Removal of disciplinary action forms. It shall be considered that corrective action has been accomplished by the employee, and records of some types of disciplinary action may be removed from the division, department and Human Resources Division official personnel files, under the following provisions:

The employee has committed no offense requiring any disciplinary action for the period of time following the initial offense as indicated below:

Verbal Warning/Written Warning	One year
Written Reprimand	Three years
Suspension Level I	Five years

The affected employee submits a written request to the Human Resources Division to initiate removal of a specified disciplinary action according to the provisions of this section. The Human Resources Division will notify the employee whether or not removal of the disciplinary action is appropriate. Should the disciplinary action be eligible for removal, the Human Resources Division will also notify the employee's department and division to return to Human Resources any copies of the disciplinary action, along with attachments, which may be filed in the department/division files. In accordance with State-mandated regulations that govern personnel records, removed disciplinary actions shall not be destroyed; rather, the Human Resources Division will maintain a file separate from employees' personnel files of all disciplinary actions. All such records shall be retained in accordance with the State of Florida records retention requirements.

## **AA. APPEAL/GRIEVANCE**

It is the policy that employees should have the right to respond to or express dissatisfaction or disagreement with specific job-related actions taken by supervisory employees.

1. Grievances concerning discrimination based on race, color, religion, sex, age, national origin, political affiliation, handicap or disability may be initiated by any full-time or part-time employee. Grievances concerning suspension without pay or termination may only be initiated by full-time or part-time employees who have successfully completed their prescribed probationary period. It is recommended that the grievance be reviewed, considered and resolved informally, when feasible, and in all cases at the lowest possible level. No action is stayed pending conclusion of any appeal filed.
2. The Grievance Hearing Board shall consist of seven voting members:

- a) one permanent position, the deputy county manager (to serve as chairperson and who may vote only in case of a tie), and 6 floating positions with staggered 24-month terms including:
- (1) one department director or division manager with a term commencing in odd years;
  - (2) two supervisor or professional employees, with one term commencing in even years and one term commencing in odd years; and
  - (3) three non-supervisory employees, with two terms commencing in even years and one term commencing in odd years.
- b) No employee serving on the Hearing Board shall serve as a voting member of the board to hear a grievance filed by an employee in the same department.

### 3. Appeal/Grievance Process

- a. An employee shall submit a written grievance to management personnel in the following order:
- Immediate Supervisor
  - Division Manager
  - Department Director
  - Hearing Board
  - County Manager (or designee)
- b. Should the grievance pertain to the immediate supervisor, the employee may submit the initial written grievance to the supervisor's supervisor.
- c. In cases where verbal attempts at resolution have failed, a formal written grievance may be initiated. At each level, grievances must be submitted to management within five working days. Management must provide written responses back to the employee within five working days.
- d. If the employee is still dissatisfied, all information may be submitted to the Hearing Board through the Human Resources Manager. The Board must meet within 45 calendar days of receipt of grievance

and issue a response to the County Manager or designee within 15 calendar days thereafter.

- e. If desired, the appellant may submit a statement for the County Manager's consideration within five calendar days of receipt of Hearing Board's recommendations. The County Manager, or designee, will review the findings of the Hearing Board and the appellant's statement, and make a final determination within 15 calendar days of the meeting.
- f. Once all grievance procedures have been exhausted and the County Manager or designee has issued a determination, the appeal shall be considered concluded and the appellant shall have no further right of appeal under these Personnel Policies and Procedures.

**Last Edit- 8/23/22**

**A. Bryant Applegate Interim County Manager**

## 12- DRUG-FREE WORKPLACE POLICY

### A. PURPOSE AND SCOPE

The purpose of this document is to provide a written description of Seminole County's Drug-Free Workplace Program.

### B. REFERENCES

Florida Statute, Chapter 440.102, Drug-Free Workplace Program Requirements, Seminole County Drug-Free Workplace Policy.

### C. APPLICABILITY

This procedure applies to all employees of Seminole County Board of County Commissioners (BCC).

### D. DEFINITIONS

1. **Drug** - means alcohol, including a distilled spirit, wine, a malt beverage, or an intoxicating liquor; an amphetamine; a cannabinoid; cocaine; phencyclidine (PCP); a hallucinogen; methaqualone; an opiate; a barbiturate; a benzodiazepine; a synthetic narcotic; a designer drug; or a metabolite of any of the substances listed in this paragraph..
2. **Prescription or Nonprescription medication** - means a drug or medication obtained pursuant to a prescription as defined by s. 893.02 or a medication that is authorized pursuant to federal or state law for general distribution and use without a prescription in the treatment of human diseases, ailments, or injuries.
3. **Drug Test or Test** - means any chemical, biological, or physical instrumental analysis administered, by a laboratory certified by the United States Department of Health and Human Services or licensed by the Agency for Health Care Administration, for the purpose of determining the presence or absence of a drug or its metabolites.
4. **Initial drug test** - means a sensitive, rapid, and reliable procedure to identify negative and presumptive positive specimens, using an immunoassay procedure or an equivalent, or a more accurate scientifically accepted method approved by the United States Food and Drug Administration or the Agency for Health Care Administration as such more accurate technology becomes available in a cost-effective form.
5. **Confirmation Test, Confirmed Test, or Confirmed Drug Test** - means a second analytical procedure used to identify the presence of a specific drug or metabolite in a specimen, which test must be different in scientific

principle from that of the initial test procedure and must be capable of providing requisite specificity, sensitivity, and quantitative accuracy.

6. **Reasonable Suspicion** – a belief that an employee is using or has used drugs in violation of the employer’s policy drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience.
7. **Job Applicant** - means only a person who has applied for a special-risk, safety-sensitive CDL, or mandatory-testing position.
8. **Employee Assistance Program (EAP)** - means an established program capable of providing expert assessment of employee personal concerns; confidential and timely identification services with regard to employee drug abuse; referrals of employees for appropriate diagnosis, treatment, and assistance; and follow-up services for employees who participate in the program or require monitoring after returning to work. If, in addition to the above activities, an employee assistance program provides diagnostic and treatment services, these services shall in all cases be provided by service providers as defined in s. 397.311.
9. **Drug rehabilitation program** - means a service provider as defined in s. 397.311 which provides confidential, timely, and expert identification, assessment, and resolution of employee drug abuse.
10. **Medical Review Officer (MRO)** - means a licensed physician, employed with or contracted with an employer, who has knowledge of substance abuse disorders, laboratory testing procedures, and chain of custody collection procedures; who verifies positive, confirmed test results; and who has the necessary medical training to interpret and evaluate an employee’s positive test result in relation to the employee’s medical history or any other relevant biomedical information.
11. **Chain of Custody** - refers to the methodology of tracking specified materials or substances for the purpose of maintaining control and accountability from initial collection to final disposition for all such materials or substances and providing for accountability at each stage in handling, testing, and storing specimens and reporting test results.
12. **Mandatory-Testing Position** - means, with respect to a public employer, a job assignment that requires the employee to carry a firearm, work closely with an employee who carries a firearm, perform life-threatening procedures, work with heavy or dangerous machinery, work as a safety inspector, work with children, work with detainees in the correctional system, work with confidential information or documents pertaining to criminal investigations, work with controlled substances, or a job assignment that requires an employee security background check,

pursuant to s. 110.1127, or a job assignment in which a momentary lapse in attention could result in injury or death to another person.

13. **Special-Risk Position** - means, with respect to a public employer, a position that is required to be filled by a person who is certified under chapter 633 or chapter 943.
14. **Specimen** - means tissue, hair, or a product of the human body capable of revealing the presence of drugs or their metabolites, as approved by the United States Food and Drug Administration or the Agency for Health Care Administration.
15. **Safety-Sensitive CDL Position** – means a position in which a commercial driver license (CDL) is required in order to operate commercial motor vehicles as part of the employee’s job.

## **E. PROCEDURES**

### **1. General Administration**

- a) All Seminole County employees are prohibited from using, selling, dispensing, distributing, possessing, or manufacturing illegal drugs and narcotics or alcoholic beverages on County premises, work sites, or in County vehicles. In addition, an employee is prohibited from off-premise use of alcohol when such activities adversely affect job performance or job safety or interfere with the County’s ability to carry out its mission, and possession, use, or sale of illegal drugs. Such violations include, but are not limited to, possessing illegal and non-prescribed prescription drugs and narcotics, dispensing, distributing or illegally manufacturing or selling them on or off County premises or work sites or in County vehicles; possessing alcoholic beverages at work or in County vehicles; being under the influence of such substances while working; and using them while working.
- b) As a term and condition of employment, employees must refrain from taking drugs/alcohol that impair performance or are illegal on or off the job.
- c) All County employees are strictly prohibited from reporting for work or performing work while impaired by drugs and/or alcohol.
- d) Seminole County conducts the following types of drug tests: job applicant, reasonable suspicion, routine fitness-for-duty, follow-up, and safety-sensitive CDL random drug and alcohol testing.

- e) An employee may be required to take a drug test at any time to determine the presence of drugs in accordance with the reasonable suspicion alcohol and/or drug testing provisions of this procedure.
- f) An employee who is arrested for, or charged with, any criminal drug or alcohol violation must report such arrest or charge to their supervisor within 72 hours, or prior to reporting for work, whichever is less. Failure to report this information may result in corrective action up to and including termination.
- g) An employee's supervisor should report immediately (during that working shift) to their Department Director any action by any employee who demonstrates an unusual behavior pattern. An employee believed to be under the influence of drugs and/or alcohol will be required to submit to a drug and/or alcohol test. The supervisor will arrange safe transit to the approved County testing site.
- h) An employee who uses legal and/or prescribed drugs during working hours and has any reason to expect such use may affect their ability to perform their work must report this fact to their supervisor. A determination will then be made as to whether the employee will be able to perform the essential functions of the job safely and properly. Failure to report this information may result in corrective action up to and including termination.
- i) An employee who is required to submit to a drug and/or alcohol test, who then states they have a problem with drugs and/or alcohol abuse is not exempt from corrective action, up to and including termination.
- j) An employee who is experiencing work-related or personal problems resulting from drug and/or alcohol abuse or dependency may request to seek counseling under the Employee Assistance Program (EAP). A list of the County's EAP provider, as well as local drug rehabilitation programs, may be found on the SharePoint Drug-Free Workplace webpage. County sponsored or required counseling will be kept as confidential as possible. Failure to cooperate with an agreed upon treatment plan may result in corrective action, up to and including termination. An employee will not be permitted to return to work until certification is presented to Human Resources that the employee is capable of performing their job. Participation in a treatment program does not protect an employee from the imposition of corrective action for violations of this or other County policies.

- k) An employee will be subject to corrective action, up to and including termination, for violation of the Drug-Free Workplace policy and this procedure, for positive drug or alcohol tests, and for refusal to submit to a drug and/or alcohol test.
- l) An employee who refuses to test, or who receives a confirmed test, forfeits all rights to Workers Compensation medical and indemnity benefits.
- m) Employees covered by collective bargaining agreements shall have the rights, remedies, and appeals available to them pursuant to said agreement.

## **2. Testing**

### **2.1 Job Applicant Testing**

- a) For purposes of this section, the term "applicant" may include county employees who have been selected for internal promotions to vacant positions or those that have been reassigned or transferred to a safety sensitive CDL, special-risk, or mandatory-testing position.
- b) Job offers made to applicants (post-offer) are contingent upon the applicant successfully passing a drug test.
- c) If the applicant fails to pass the job applicant test, he or she will be disqualified from consideration for employment and shall remain ineligible for employment with the County for six (6) months from the date of the initial positive test results. An applicant who fails to submit to the required pre-employment drug test shall be denied further consideration for the position for which he/she applied.

#### **a. Reasonable Suspicion Drug Testing**

If required, all County employees, including those in mandatory-testing, special-risk, and safety-sensitive CDL positions, will submit to a drug and/or alcohol test for reasonable suspicion of drug and/or alcohol use.

Reasonable-suspicion drug testing means drug testing based on a belief that an employee is using or has used drugs in violation of the Seminole County Drug-Free Workplace policy and this procedure. Such belief may be drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience. Among other things, an employee may be drug/alcohol tested for reasonable suspicion based upon the following:



- a) Observable phenomena while at work, such as direct observation of drug use or of the physical symptoms or manifestations of being under the influence of a drug.
- b) Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
- c) A report of drug use, provided by a reliable and credible source.
- d) Evidence that an individual has tampered with a drug test during his or her employment with the current employer.
- e) Information that an employee has caused, contributed to, or been involved in an accident while at work.
- f) Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on the employer's premises or while operating the employer's vehicle, machinery, or equipment.
- g) For a reasonable suspicion drug test on an employee, the supervisor must complete the following steps:
  - (1) Complete a Reasonable Suspicion Observation Form, detailing specific observations as described above. The form requires the name and signature of two supervisors observing the questionable behavior.
  - (2) Report the incident to the Department Director and to Human Resources.
  - (3) Remove the employee from the worksite immediately, and escort the employee to the designated specimen collection site for a drug/alcohol test.
  - (4) Present a completed Reasonable Suspicion Drug Test Form to the designated specimen collection site at the time of the test and forward a copy to Human Resources.
  - (5) Place the employee on administration leave with pay status, until the confirmed test results are obtained.

### **3. Post Vehicle Accident Drug Testing for Safety Sensitive CDL Positions.**

Employees in safety sensitive CDL positions will be drug and alcohol tested following a vehicle accident in accordance with current Federal

Motor Carrier Safety Administration (FMCSA) rules (382.303), and are also subject to drug and alcohol testing under Section 2.2, Reasonable Suspicion Drug Testing.

Supervisors of safety sensitive CDL positions are expected to understand FMCSA rules regarding post-accident testing, and seek confirmation of testing requirements from the Risk Management Safety Officer if in doubt.

- a) The supervisor will escort the employee to the Seminole County authorized collection site immediately following the local authorities' completed investigation.
- b) If an employee receives emergency medical treatment at a hospital following a vehicle accident, consult current FMCSA rules for applicable post-accident testing timeframes.

#### **4. Return to Duty/Follow-up Drug Testing**

All employees who are afforded an opportunity to receive rehabilitation and have completed a treatment program as a result of violating this policy will be required to successfully pass a re-test for drug and/or alcohol before returning to their job duties.

Follow-up testing will be randomly conducted once every six (6) months for a two (2) year period after completion of the program. Advance notice of a follow-up testing date will not be provided to the employee.

#### **5. Safety-Sensitive CDL Position Random Drug and Alcohol Testing**

Safety-Sensitive CDL positions require random drug testing. Employment with Seminole County is contingent upon successfully passing random drug and/or alcohol tests. If an employee in a safety-sensitive CDL position enters an employee assistance program or drug rehabilitation program on their own free will, and not as a result of an accident or reasonable suspicion screening, the employee will be assigned a position other than a safety-sensitive or, if such position is not available, the employee will be placed on leave while the employee is participating in the program. The employee shall be permitted to use their accumulated annual and sick leave before leave may be ordered without pay.

- a) Random Drug/Alcohol Testing Procedures

- 1) During each calendar year, the County will randomly select and test a percentage of the total number of safety-sensitive CDL employees for drugs, and percentage of same for alcohol. The specific percentages tested will be in accordance with current FMCSA rules.
- 2) The selection of employees for random alcohol and/or drug testing shall be made by a purely random method, such as a computer-generated random number table. Each employee shall have an equal chance of being tested each time selections are made.
- 3) The Safety Officer will provide a Notification for Random Drug and/or Alcohol Testing Form containing the name of the employee(s) to be tested via e-mail to specific department contacts designated by department directors who will notify supervisors or the employees directly. After being contacted a supervisor, department contact, or the Safety Officer and presented a copy of the Notification for Random Drug and/or Alcohol Testing Form (e-mailed to the supervisor), the employee will proceed to the designated specimen collection site immediately for the drug and/or alcohol test. The employee may, but need not be, escorted to the collection site.
- 4) The employee must arrive at the designated specimen collection site within forty-five (45) minutes of receiving the random drug/alcohol test notification or otherwise being advised to report for random testing. The designated specimen collection site will be informed of the names to be tested by the Safety Officer. The employee will present the Notification for Random Drug and/or Alcohol Testing Form and their County I.D. or driver's license to the Drug Screen Coordinator upon arrival at the designated specimen collection site.
- 5) Employees will not be given advance notice with regard to the random drug and/or alcohol test. Any employee not available for a minimum of three (3) calendar days due to illness or annual leave shall be placed back into the pool and the supervisor shall notify the Safety Officer regarding their unavailability.
- 6) Supervisors of employees on leave who shall return within three (3) calendar days shall seal the testing notification; maintain the notification and information as confidential, and deliver the notice to the employee upon their return. There

must be no advance notice to the employee. Should advance notice inadvertently occur, the supervisor shall cancel the test and document the circumstances to the Safety Officer through their chain of command.

## **6. Routine Fitness-for-duty Testing**

Employees who are required to have annual physical fitness for duty examinations must have drug testing as a component of the physical.

### **F. Designated Collection Site**

All pre-employment alcohol and/or drug tests are conducted by a contracted outside company that acts as the collection site. The name, address, and telephone numbers for the current contracted outside company are posted on the Risk Management intranet Drug-Free Workplace webpage. Technicians are trained in the appropriate chain of custody procedures and provide required documentation.

All test results are reviewed and verified by a Medical Review Officer (MRO) (Licensed Physician). The current MRO's name and contact information is posted on the Risk Management intranet Drug-Free Workplace webpage. Employees and job applicants should report the use of prescription or non-prescription medications to the Medical Review Officer. Every reasonable effort will be made to obtain the most accurate test results while affording the employee privacy during the collection process. Testing will be done in accordance with provisions of applicable law.

The Medical Review Officer is designated by the contracted outside company and functions independently of the County. The MRO's qualifications include a demonstrated knowledge of substance abuse disorders and appropriate medical training to interpret and evaluate a combination of an individual's positive drug and/or alcohol test results and his/her medical history and other relevant biomedical information in order to make an accurate review and/or analysis of the drug test results.

1. If the designated specimen collection site is not open and after hours testing is required as a result of reasonable suspicion or post-accident, the supervisor will follow this protocol:
  - a) Supervisor will complete the Reasonable Suspicion Observation Form and appropriate Accident/Incident report(s) for post-accident testing, if applicable.
  - b) The supervisor is required to call the designated specimen collection sites after hour phone number (after hours phone number listed on the Drug-Free Workplace webpage) and then immediately

escort the employee to the designated specimen collection site's location or otherwise coordinate the collection location with the provider.

- c) If unable to make contact with the after hour phone number, contact the Safety Officer, Risk Manager, or Human Resources.
- d) The supervisor will inform the Department Director and Human Resources as soon as possible during normal business hours.

## **G. Over the Counter or Prescription Drugs**

The employee must notify their supervisor if they have been prescribed a drug, or are taking over the counter medication, for a medical or other condition that could impair their ability to perform their job. If it is determined that the employee is unable to perform their job due to impairment caused by the medication, the employee should apply for appropriate leave, or discuss with their supervisor alternative job duties, if available, that would not cause a safety concern.

Common medications may alter or affect a drug test. A list of the most common medications that may alter or affect a drug test is posted on the Risk Management Drug-Free Workplace intranet webpage. An employee and job applicant should confidentially report the use of prescription or non-prescription medications to the County's Medical Review Officer (MRO) when contacted by the MRO. This information will be interpreted in order to determine test results.

## **H. Positive Test Results**

If the drug test of a Seminole County employee is confirmed as positive, the employer's Medical Review Officer (MRO) shall provide technical assistance to the employee for the purpose of interpreting the test result to determine whether the result could have been influenced by prescription or nonprescription medication taken by the employee.

1. Within five (5) working days after receipt of a positive confirmed test result from the MRO, Human Resources shall inform the employee or job applicant in writing of the positive test result, the consequences of the positive test result, and the employee's available options.
2. Human Resources shall provide to the employee or job applicant, upon request, a copy of the test results.
3. Challenging Test Results
  - a) Within 5 working days after receiving notice of a positive confirmed test result, an employee or job applicant may submit information to the employer explaining or contesting the test result and explaining

why the result does not constitute a violation of the employer's policy.

- b) If the employee's or job applicant's explanation or challenge of the positive test result is unsatisfactory to the employer, a written explanation as to why the employee's or job applicant's explanation is unsatisfactory, along with the report of positive result, shall be provided by the employer to the employee or job applicant; and all such documentation shall be kept confidential by the employer pursuant to subsection (8) and shall be retained by the employer for at least 1 year.
- c) If an employee or job applicant undertakes an administrative or legal challenge to the test result, the employee or job applicant shall notify the laboratory pursuant to Florida Statute, Section 440.102.
- d) An employee or job applicant may contest test results pursuant to Florida Statute, Section 440.102.
- e) Any additional laboratory testing resulting from a challenge to the test shall be at the employee's or job applicant's expense.

#### **I. Drug-Free Workplace Webpage**

The Risk Management Drug-Free Workplace webpage provides specific information and contact numbers (regular and after hour phone numbers) for the authorized collection site and MRO. Human Resources can also provide this information if necessary. To obtain this information, go to the Risk Management intranet/internet area and click on the Drug-Free Workplace link.

#### **J. Confidentiality and Record Maintenance**

The results of drug and/or alcohol tests shall not be included in an applicant's or an employee's personnel file but shall be retained by Human Resources in a separate confidential file, exempt from public inspection.

#### **K. Searches**

Everyone is concerned about personal security and the security of the workplace. Workplace security is a responsibility shared by the County and all employees. The County may request the cooperation of an employee in agreeing to a search of personal property such as packages, briefcases, purses, and similar containers, as well as private vehicles parked on County property.

County supervisory and managerial employees have the right to enter or search County property with or without notice, including desks, lockers, computers,

phones, and e-mail. Generally, there shall be no expectation of privacy while on any County property or of any property brought onto County premises. This delicate balance between privacy and security is something important to everyone and cooperation is needed from all employees.

#### **L. Communication of this Procedure**

All employees will receive a copy of this procedure via the County's online County Manager Policies webpage. All employees shall sign an Acknowledgment and Consent Form stating that they have received and read a copy of this procedure when they are hired. The form will be placed in the employee's personnel file.

Human Resources will be responsible for coordinating drug and/or alcohol awareness programs and shall be responsible for answering employee questions regarding the County's Drug-Free Workplace Policy and Procedure. Risk Management is responsible for coordinating random drug testing for safety sensitive CDL positions. Employees are encouraged to discuss this policy with their supervisors and/or managers.

The Seminole County Drug-Free Workplace Policy poster will be posted on all work location bulletin boards.

#### **M. Training**

All new employees to Seminole County receive training on the Drug-Free Workplace Policy and Procedures during New Employee Orientation. Drug-Free Workplace training will be offered to all current employees on a periodic basis, and whenever significant policy change occurs.

**Drug-Free Workplace**

*Seminole County Board of County Commissioners*

**Reasonable Suspicion Observation Form  
(STRICTLY CONFIDENTIAL)**

\_\_\_\_\_  
Date/Time of Incident

\_\_\_\_\_  
Print Employee's Name

\_\_\_\_\_  
Print Supervisor #1's Name

\_\_\_\_\_  
Print Supervisor #2's Name

This checklist is to be completed when documenting an incident that provides reasonable suspicion that an employee is under the influence of a prohibited drug, substance, or alcohol. The supervisor(s) will note all pertinent behavior and physical signs or symptoms that lead to the reasonable belief the employee has recently used, or is under the influence of, a prohibited substance.

**Check each applicable item on this form and provide any additional facts or circumstances.**

**Section A**

Nature of the Incident/Cause for Suspicion
<input type="checkbox"/> Observed or reported possession or use of a prohibited substance.
<input type="checkbox"/> Apparent drug or alcohol intoxication.
<input type="checkbox"/> Observed abnormal or erratic behavior.
<input type="checkbox"/> Arrest or conviction for drug-related offense.
<input type="checkbox"/> Evidence of tampering with a previous drug test.
<input type="checkbox"/> Employee has caused, contributed to, or been involved in an accident while at work.
<input type="checkbox"/> Other (e.g., flagrant violation of safety regulations, serious misconduct, fighting or argumentative/abusive language, refusal of supervisor instruction, insubordination or unauthorized absence on the job.) Please specify:  _____ _____ _____



## Section B

Unusual Behavior
<input type="checkbox"/> Verbal abusiveness.
<input type="checkbox"/> Physical abusiveness.
<input type="checkbox"/> Extreme aggressiveness or agitation.
<input type="checkbox"/> Withdrawal, depression, mood changes, or unresponsiveness.
<input type="checkbox"/> Inappropriate verbal response to questioning or instructions.
<input type="checkbox"/> Other erratic or inappropriate behavior (e.g., hallucinations, disorientation, excessive euphoria, or confusion.) Please specify: _____ _____ _____

## Section C

Physical Signs or Symptoms
<input type="checkbox"/> Possessing, dispensing, or using controlled substance.
<input type="checkbox"/> Slurred or incoherent speech.
<input type="checkbox"/> Unsteady gait or other loss of physical control; poor coordination.
<input type="checkbox"/> Dilated or constricted pupils or unusual eye movement.
<input type="checkbox"/> Bloodshot or watery eyes.
<input type="checkbox"/> Extreme fatigue or sleeping on the job.
<input type="checkbox"/> Excessive sweating or clamminess to the skin.
<input type="checkbox"/> Flushed or very pale face.
<input type="checkbox"/> Nausea or vomiting.
<input type="checkbox"/> Odor of alcohol.
<input type="checkbox"/> Odor of marijuana.
<input type="checkbox"/> Dry mouth (frequent swallowing/lip wetting).
<input type="checkbox"/> Dizziness or fainting.
<input type="checkbox"/> Shaking hands or body tremors/twitching.
<input type="checkbox"/> Irregular or difficult breathing.
<input type="checkbox"/> Runny sores or sores around nostrils.
<input type="checkbox"/> Consistently wearing sunglasses indoors.
<input type="checkbox"/> Puncture marks or "tracks."
<input type="checkbox"/> Other. Please specify: _____ <input type="checkbox"/> _____ _____

**Section D**

<b>Written Summary</b>	
<input type="checkbox"/>	Please summarize the facts and circumstances of the incident, employee response, supervisor actions, and any other pertinent information not previously noted. Attach additional sheets as needed:
<input type="checkbox"/>	_____
	_____
	_____
	_____
	_____
	_____

\_\_\_\_\_  
Supervisor #1's Signature

\_\_\_\_\_  
Date/Time

\_\_\_\_\_  
Supervisor #2's Signature

\_\_\_\_\_  
Date/Time

**Updated: June 15, 2022  
A. Bryant Applegate,  
Interim County Manager**

## **14– SUCCESSION PLANNING PROGRAM**

### **A - PURPOSE**

Seminole County Government has established the Seminole County Government Succession Planning Program to maintain business continuity by identifying, preparing, and securing candidates for key organizational positions.

### **B - POLICY**

It is the policy of Seminole County Government to assess the staffing needs of the organization to ensure the selection of qualified individuals that are diverse and a good fit for the organization's purpose, vision, and values. The Seminole County Government Succession Planning Program will help to ensure employees possess the necessary skills to meet organizational and legal requirements as well as the expectations of our community and business partners.

### **C - PROCEDURE**

The County Manager sponsors the Seminole County Government Succession Planning Program. The assigned Deputy County Manager chairs the Seminole County Government Succession Planning Committee, which also includes the Chief Administrator-Human Resources, The Chief Administrator-Office of Organizational Excellence, and the Director-Resource Management.

1. Each December, a series of Seminole County Government Succession Planning Committee meetings will be held. At each meeting, designated department heads will:
  - Present a description of the departmental succession plan, including departmental specific succession processes and a review of the previous year's plan.
  - Identify key positions targeted for succession planning. This should include an analysis of planned retirements, potential turnover, and other key position variables that could impact organizational outcomes.
  - Identify individuals who show the potential needed for progression into the targeted positions.
2. The Seminole County Government Succession Planning Committee will provide guidance and advocacy to ensure department succession plans support organizational goals.
3. Each department head will prepare and present a departmental succession plan to the County Manager as a part of the annual budget process. The succession plan will identify key executive, management, and individual contributor positions, forecast future vacancies in those positions, and identify potential employees who would fill vacancies. The plan will also provide detail on specific tasks, budget, and schedule, to prepare selected individuals for targeted future positions.

4. Department heads are responsible for successfully managing approved department succession plans.

**D - TRAINING**

The Chief Administrator-Office of Organizational Excellence will develop and manage a succession planning training program to ensure common standards, guidelines, and successful outcomes for Seminole County Government.

## **16- CLOTHING/UNIFORM PURCHASES**

### **A. PURPOSE**

To ensure employees are allocated the appropriate type and quantity of clothing and/or uniforms to present a professional image, while restricting the purchase of non-essential items inconsistent with the County's Mission.

### **B. POLICY**

Uniform/Clothing assignments are categorized by the employee's primary duties and defined by the following:

Field and Operational personnel are defined as employees whose primary assignments are located outside of an office environment. Authorized purchases, unless otherwise authorized by the County Manager, include five (5) sets of uniform shirts and five (5) pairs of pants (long or short), ball cap and inclement weather jacket. If safety equipment is required, then safety equipment shall be issued including safety shoes (\$125.00 maximum), harness, vest, hard hat, basic prescription safety glasses, and non-prescription safety glasses. Replacement uniforms and equipment are issued on an as needed basis with approval of the department director.

All clothing described above must be selected from pre-approved vendor catalogues maintained by the Purchasing Division.

Nothing in this policy forbids any individual purchase of County logo clothing at the employee's expense to wear during normal working hours.

Clothing for temporary employees may be approved by the Department Director.

Employees who wear County uniforms and/or County logo on their clothing are restricted from wearing such clothing or uniforms outside their normal working hours; however travel time to and from their primary place of employment is excluded. "Pat on the Back", employee purchased, and promotional clothing items (t-shirts, etc.) distributed to the general public at County functions are not subject to this restriction; however, if they purchase, employees are advised to use good judgment and should conduct themselves appropriately.

Reference: CM memorandum (Grace) dated January, 2004

## **18- BUSINESS CARD POLICY**

### **A. PURPOSE**

To provide for a policy governing the request for business cards by Seminole County staff. Business cards are a means of identifying the presenter and allowing the recipient to have contact information. Business cards are essential for staff with public-facing positions and those who deal with customer service frequently.

### **B. TYPES OF CARDS THAT MAY BE REQUESTED**

1. The BCC, County Manager, Deputy County Manager, Assistant County Manager, Department Directors, Division Managers and BCC Aides may request color business cards.
1. Program Managers, Supervisors, Project Coordinators/Managers, Inspectors, Plans Examiners, Director's Administrative Assistants and Team Leaders may request black and white business cards, if a need is determined by their department Director.
2. Generic business card: A card that identifies the County, the Department, the specific Division and provides a primary contact number for the particular program or service. These cards will be printed in black and white with a space to allow for the presenter to write in his/her name and may be requested when individual business cards are not applicable.

### **C. HOW TO REQUEST BUSINESS CARDS**

Forms (Interactive and Printable) to request business cards, titled Graphics and Design Request Form, may be found on the County Manager's Intranet page under Graphics

<http://intranet.seminolecountyfl.gov/cm/graphics/index.asp>. If the card order is a renewal, use the printable form and attach the current business card to the form with changes and send via interoffice mail to Graphics.

## **20- CELLULAR DEVICE POLICY**

### **A. PURPOSE**

To provide a policy governing the use of cellular devices by Seminole County employees and to provide stipend guidelines and criteria, and conditions of business use of both personally owned and County owned cellular devices.

As a general rule, Seminole County shall own and provide cellular devices and services to its employees when proven to provide a more efficient and effective operation. The exception to this rule is employees who personally own their cellular device and receive a stipend for voice/data services to compensate for business use of the device.

IT Operations is responsible for managing Seminole County's cellular device policy. IT Operations will review all requests for new or additional services and provide the most efficient and reliable solutions/recommendations for those communications needs.

Departments Directors shall be responsible for oversight of employee cellular usage and shall monitor and review such usage quarterly to ensure that use is appropriate and that prudent fiscal management guidelines are followed. This quarterly review shall include an assessment of authorized employee's continued need to use cellular devices for County business purposes.

### **B. CELLULAR PLANS**

#### County Owned

The County, through IT Operations, will own and retain a certain number of cellular devices for County business purposes.

In these instances where the County is providing devices for use by County employees, employee use of County owned cellular devices is limited to official Seminole County business only. There shall be no personal use of County cellular devices (incoming or outgoing) except in response to a family emergency, and even under these circumstances, only when it is impossible or unreasonable to use another phone. Use of the cellular device to notify a family member of an unforeseen work schedule change is considered an appropriate business use.

In the rare circumstance in which an employee must use a County owned cellular device to place or receive a personal call, the employee must reimburse the County for that call. The reimbursement shall be made at the County's current per minute overage rate and shall occur within 30 days after the department receives its cellular invoice. On a quarterly basis, IT operations will provide to randomly select employees, who carry county issued cell phones, a copy of their

invoices to be reviewed for any personal calls made or received or to certify that there was no personal use for that invoice term.

Payment will be made in accordance to current County Finance policies.

With approval from their department director, an employee may be issued a cellular device with data services. Data services (internet, e-mail, text and instant messaging, etc.) are for official County use only. Personal use of data services on a County owned device is prohibited.

Each County owned cellular device will receive minutes from the County's pool that is shared by all County cellular users. The minutes in the plan are the property of Seminole County and shall not be utilized for personal benefit.

#### BCC Stipend Plan

The County Manager requires certain department directors and division managers to participate in the BCC Stipend Plan to ensure their availability after hours for a more responsive and efficient operation of County business. In doing so, county management, department director, and division manager personnel are authorized to request a voice/data stipend plan to compensate for their availability and business use of personally owned cellular device. Stipend eligibility is subject to verification at any time.

County employees receiving a stipend will be compensated as follows:

Plan	Stipend
Cellular Voice Stipend	\$ 15
Cellular Data Stipend	\$ 35

Approved users will be financially responsible for all charges incurred above and beyond their allotment. It is the responsibility of the user to monitor their usage. All charges that may be incurred are the responsibility of the user. All maintenance and repairs are the responsibility of the user. Lost or stolen equipment, as well as all accessories, are the responsibility of the user. The County assumes no liability for services, products, fees, taxes or any other charges beyond the employee's authorized allotment.

### **C. PROCEDURE**

Department directors will request positions to have cellular service using the attached form (Appendix B). It is the responsibility of the department director to review the request for compliance with the policy prior to forwarding it to IT Operations.

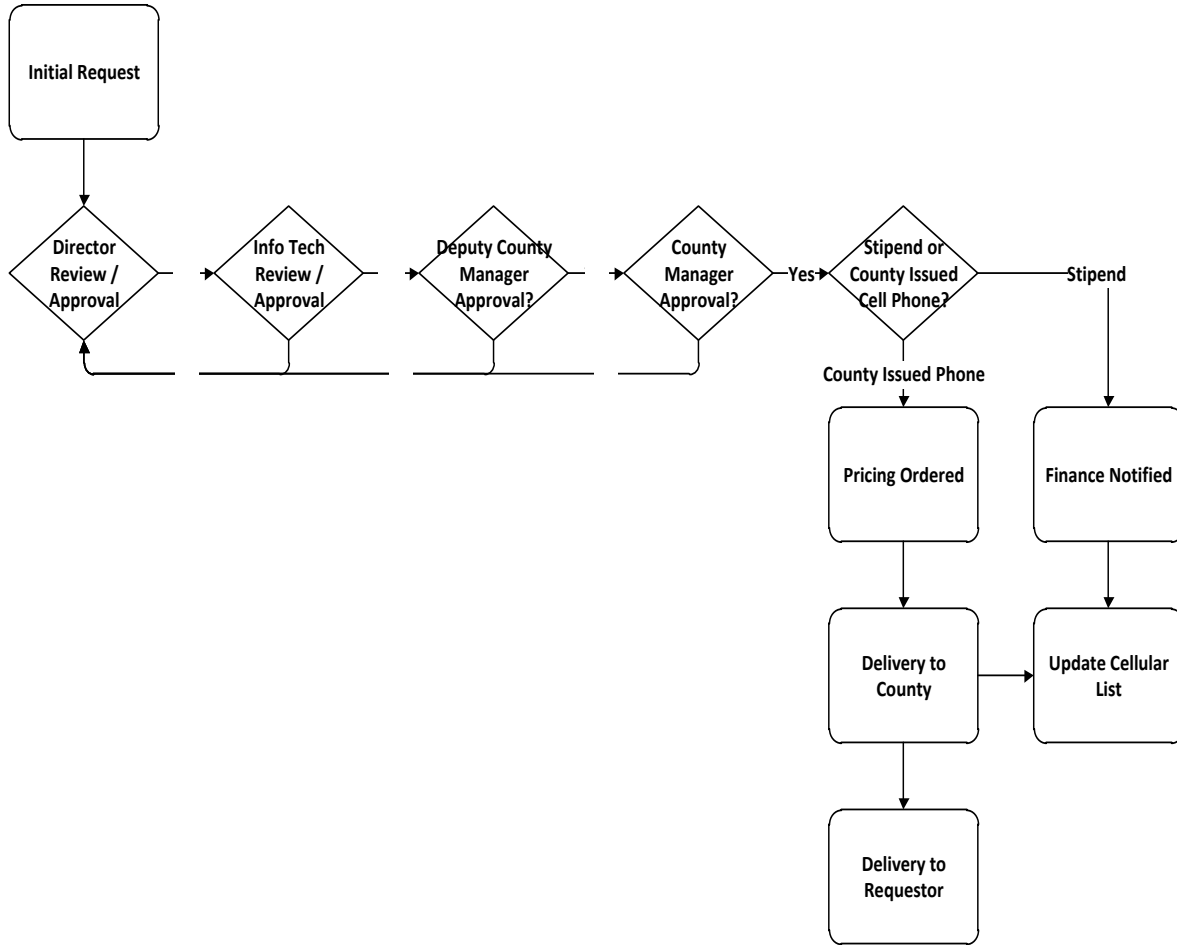
This request form will then be forwarded to IT Operations with the proper signatures and justifications. The request will undergo a review for policy compliance prior to submission from IT Operations to the Deputy County



Manager and County Manager for final approval (Appendix A). If the request does not meet the requirements of the policy it will be returned to the appropriate department director for follow-up and/or additional justification.

IT Operations will maintain a database of approved users and numbers assigned to each user. This data will be provided quarterly to department directors for review.

# APPENDIX A APPROVAL PROCESS FLOW CHART





## **22- MOTOR VEHICLE SAFETY PRACTICES**

### **A. PURPOSE**

To address County policy pertaining to driving County vehicles and driving personal vehicles on County business.

All employees having the need to drive County vehicles on County business are personal vehicles on County business are required to be authorized by Risk Management prior to commencing such activities. This authorization will be based upon the governing laws, regulations and applicable County policy.

### **B. AUTHORITY**

When a County employee is required to drive on County business in the course of performing their assigned duties, the employee's director shall ensure that the authority to operate a vehicle on County business has been confirmed and approved by Risk Management. County Manager policy 30.1 – Acceptable Driving Record – contains criteria to determine if an applicant's or employee's driving record qualifies to operate a motor vehicle while conducting County business or as a requirement of their job description.

### **C. DEFENSIVE DRIVER TRAINING**

All drivers who drive a County vehicle as a significant part of their normal tasking must attend Defensive Driver Training within six months of being authorized to drive a County vehicle, or provide proof of attending a Risk-approved course within the last three years. All employees authorized to operate a vehicle on County business shall attend the Risk Management/Safety Defensive Driving Training Program or other Risk-approved course, at least once every three years. Class schedules are maintained online in SkillPort.

### **D. SUSPENSION OF DRIVER AUTHORITY**

A County employee's authority to operate a vehicle on County business will be suspended by the Safety Officer in conjunction with the employee's immediate supervisor anytime the employee does not possess a valid State of Florida driver's license. Authority to drive a vehicle on County business will be suspended whenever an employee's driver's license is restricted to "business purposes only" or "employment purposes only" as defined by Florida State Statute. Authority to drive a vehicle may be suspended when evidence is documented of a physical, medical, or mental condition that could affect the employee's ability to drive safely, or as otherwise deemed appropriate, by Risk Management with the concurrence of the employee's Director.

## E. REINSTATEMENT PROCEDURES FOR DRIVING PRIVILEGE SUSPENSIONS

For driving privileges to be reinstated, the employee must provide proof to the Risk Management/Safety Office that all issues relating to the suspension of privileges have been satisfied and the employee and immediate supervisor must receive written approval from Risk Management/Safety Office prior to resuming operation of a County vehicle.

## F. MOTOR VEHICLE SAFETY

General Safe Practices for vehicles:

1. The following applies to vehicles that require Commercial Driver's Licensing (CDL):
  - a) Each driver is responsible for the safe and proper operation of their vehicle and shall, as a minimum, check the following items daily before putting the vehicle into service:
    - ***fuel***
    - ***water***
    - ***oil***
    - ***turn and stop lights***
    - ***windshield wipers***
    - ***horn***
    - ***tires***
    - ***brakes***
    - ***cargo***
    - ***housekeeping***
  - b) Where there are two employees in or assigned to a vehicle, one employee shall be stationed where the driver can see and hear to direct the driver while backing up.
  - c) Should a backing accident occur when there are two or more employees assigned to that vehicle, both employees involved in the backing procedure are subject to disciplinary action.
  - d) Vehicles must comply with Florida Statutes regarding lamps and/or flags on all loads extending 4 feet beyond the rear of a vehicle.
  - e) Bodies of dump trucks shall be secured in the down position and the hoist lever secured in the lock position when the vehicle is in motion.

2. The following **applies to all vehicles**, including vehicles that require a CDL:

- a) Keep safety above expediency.
- b) Comply with all traffic laws and ordinances.
- c) Ensure the safety of the public and county employees.
- d) Drive to prevent accidents in spite of the incorrect actions of others and adverse conditions.
- e) No County employee shall operate a motor vehicle while wearing a headset that covers both ears. Headsets/earpieces shall not be used for music or other audio content. Headsets/earpieces for cellular phones shall be used in one ear only.

Note: Emergency vehicles are exempt from this requirement where headsets are part of their normal Standard Operating Procedures.

- f) Unless necessary for the task being performed, no County employee driving or in charge of any motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, and removing the key. Unattended vehicles with running engines shall have the parking brake engaged, and the operator in direct sight and within 25 feet of the vehicle.
- g) Operators of County owned vehicles are responsible for checking all safety devices before driving the vehicle. Any defects found shall be reported to the immediate supervisor and the vehicle shall not be operated until made safe. Fleet shall be contacted for further instructions on repair or movement of the vehicle.
- h) No County vehicles and equipment will be used for transport of employees unless they are designed and equipped to safely carry personnel.
- i) All employees shall ride in the driver's compartment or cab with sufficient seating and seatbelts.
- j) Tailgates shall be closed when the vehicle is in operation and not transporting long loads.
- k) Employees shall not ride on the top of side rails, top of cabs or running boards of any vehicles. Each operator and passenger must have all necessary safety equipment.

- l) Drivers of emergency vehicles are not exempt from the duty to drive with due regard for the safety of all persons using the roadway.
- m) When a vehicle is towing a trailer by means of a trailer hitch, safety chains from the trailer to the vehicle shall also be attached. Safety chains shall be connected to the towing vehicle by crossing the chains under the tongue of the trailer. These safety chains shall be of sufficient strength to maintain connection of the trailer to the pulling vehicle under all conditions while the trailer is being towed by the vehicle. The provisions for safety chains shall not apply to trailers using a hitch known as a fifth wheel.

## **G. MOTOR VEHICLE ACCIDENTS**

What to do if involved in a vehicular accident:

### 1. Vehicle Accident Reporting Procedures and Guidelines:

- a) Offer first aid or call for medical assistance, if necessary.
- b) Always call the police if on a public roadway, if injuries are involved, or if a vehicle must be towed from the scene.
- c) Notify Supervisor.
- d) Call the Safety Officer.
- e) Do not argue with anyone.
- f) Be able to describe other vehicles, i.e.: 2-door, 4-door, make, color, etc. Be able to identify the other driver and passengers.
- g) Carefully examine all damage to other vehicles. Be specific, i.e. scratch, small dent right front fender, door, etc.
- h) Observe other parties for extent of injuries.
- i) Do not volunteer any information to anyone. Only discuss the facts with the police officer, if asked.
- j) Do not discuss this accident with any insurance investigator except a Seminole County Insurance Adjuster. Check with Risk Management if unsure of the individual or nature of the call.

- k) Submit required paperwork (Accident/Incident Report, First Report of Injury, and Supervisor's Investigative Report) to Risk Management within 24 hours. (See your supervisor for required forms.)

## **H. CORRECTIVE ACTIONS FOR PREVENTABLE VEHICLE ACCIDENTS**

In instances where a motor vehicle accident is determined to be preventable, supervisors shall indicate appropriate corrective and/or disciplinary action. Supervisors shall check with their managers and/or Human Resources to ensure the action is appropriate and consistent for the nature of the accident.

Risk Management has ultimate responsibility for the determination of preventability. If supervisors are unsure or need assistance to determine preventability, they should contact Risk Management.

## **I. SMOKING IN COUNTY VEHICLES**

Smoking in all County vehicles and equipment is prohibited.

## **J. DISTRACTED DRIVING**

1. Seminole County prohibits texting while operating a County vehicle, texting while using a County issued cell phone or other "smart device" while operating a personal vehicle, and texting while operating a personal vehicle on County business.
2. Texting includes, but is not limited to, reading or responding to e-mails, text messages, viewing internet content, or the interactive use of other applications on such devices while the vehicle is moving.
3. "Smart devices" include, but is not limited to, handhelds, PDAs, tablets, laptops, and similar devices. Cell phones, smart devices, and GPS units must be pre-programmed for voice dialing, voice feedback, one or two digit dialing, etc. prior to anticipated use – never while the vehicle is moving.
4. The use of hand-held cellular telephones by operators of County vehicles requiring a commercial driver license (CDL) is prohibited anytime the vehicle is moving, and anytime the vehicle is on a public roadway. The use of hands-free devices for County business in a vehicle requiring a CDL is permissible, provided the call is initiated by one or two key strokes and the driver is not otherwise distracted by reaching for the device, but should be minimal.



5. Cell phone and smart device usage while driving vehicles that do not require a CDL should be minimal and related to County business. The use of hands-free devices is preferred. The act of placing or receiving a call while the vehicle is moving should be avoided and must never interfere with the safe operation of the motor vehicle. The use of one or two key strokes or by voice dialing to initiate and end calls is preferred. Dialing (inputting on a keypad) a seven (7) to eleven (11) digit number while moving is prohibited.
6. Like cell phones, the use of smart devices and GPS devices to check directions or traffic conditions can be distracting. The use of these devices should be minimal while moving and take advantage of voice feedback features whenever possible. Employees must not engage in distracting use of such devices, such as programming a GPS to find an address or typing on a smart device while the vehicle is moving.
7. Doing anything other than focusing on the operation of the motor vehicle can be a distraction; however, some tasks can be anticipated to be more distracting than others and must not take place while the vehicle is on motion, such as texting, adversarial or emotional phone conversations, and eating foods that should require two hands or are likely to drip liquids and food particles. When possible, drivers with County radios should use the radio instead of engaging in a phone conversation.
8. Operators of County motor vehicles must take personal responsibility for their actions and must not perform tasks other than the operation of the motor vehicle when such act(s) cannot be performed safely.

## **K. VEHICLE CLEANLINESS AND CARE**

A County vehicle is like a traveling billboard for our organization. Please keep it clean; operate it in a safe, polite, and courteous manner, and ensure routine maintenance is performed. Everyone who sees the vehicle and the people in it **are judging our organization by what they see. Fair or not, reasonable or not**, that's the way it is. You can leave a bad impression or a good impression, but you are leaving an impression.

## **24- ACCEPTABLE DRIVING RECORD**

### **A. PURPOSE**

The purpose of this document is to provide procedures to determine whether an applicant's or employee's driving record qualifies to operate a motor vehicle while conducting County business or as a requirement of their job description.

### **B. SCOPE**

This procedure applied to applicants and employees of the Seminole County Board of County Commissioners who are required to operate a motor vehicle (County owned or personal) while conducting County business or are required to maintain a valid Florida driver's license as a requirement of their job description.

### **C. POLICY**

An applicant/employee must possess a valid Florida driver's license when required to operate motor vehicles while conducting County business or when it is a requirement of their job description. A "valid" driver's license shall mean a license with an indication of valid or eligible when queried in the applicable state records, and having the appropriate class and endorsements sufficient to meet the minimum qualifications, functions, duties, and responsibilities of their job. The applicant/employee's driver's license must not be restricted to "business purposes only" or "employment purposes only" as defined by Florida State Statute.

Employees with a commercial driver's license requirement must maintain their qualification at all times or be subject to termination.

#### **1. Acceptable Driving Record for Applicants**

During the conditional offer of employment with Seminole County, an applicant who is required to operate a motor vehicle while conducting County business or as a requirement of their job description will be subject to a driver's license record check.

The Human Resources Division shall secure a written and signed authorization form (Attachment A) from the applicant authorizing the driver's license history check prior to the query.

The Safety Office will obtain from the applicable state agency (or from another state or provider, when applicable) the applicant's current seven-year driving record. If the driver's record check indicates information that is unacceptable as indicated in these procedures, Human Resources will rescind the conditional offer of employment.

If an applicant begins employment prior to the completion of the driver's license check and the report indicates information that is unacceptable as indicated in these procedures, Human Resources will rescind the conditional offer of employment and the applicant will be terminated from employment.

If an applicant is moving from out-of-state, the applicant must possess a valid Florida driver's license within the Florida Department of Highway Safety and Motor Vehicles guidelines (normally within ten (10) days of employment), and a copy of the new valid Florida driver's license must be provided to Human Resources within ten (10) days of employment.

An acceptable driving record is defined as the following (the points below represent Florida Traffic Violation Points; violations from other states may be weighed differently according to that particular state and will be analyzed on a case-by-case basis). Applicants must not have:

- a) Accumulated seven (7) or more points in a twelve (12) month period.
- b) Accumulated ten (10) or more points in an eighteen (18) month period.
- c) Accumulated thirteen (13) or more points in a thirty-six (36) month period.
- d) Accumulated violations or convictions that indicate their Florida or out-of-state driver's license is/was suspended or revoked during the five (5) years prior to the conditional offer date of hire for points, moving violations, DUI, refusal to submit to drug or alcohol testing, failure to comply with traffic-related summons or court orders, or criminal offenses.
- e) Accumulated the status of habitual violator of traffic laws during the five (5) years prior to the conditional offer date of hire.
- f) Been convicted of DUI in the last three (3) years, and no more than once in the past seven (7) years\*, and must not have a history of multiple arrests for DUI, regardless of conviction.

An unacceptable driving record will lead to the withdrawal of the conditional offer of employment, and immediate separation of employment should the employee have started working prior to their driving record check being received and reviewed by the County.

\*For some positions, Department Directors, with County Manager approval, may determine even one DUI in the last seven (7) years is unacceptable.

## **2. Acceptable Driving Record for Current Employees**

Those Seminole County employees who are required to operate motor vehicles while conducting County business or who are required by their job description to maintain a valid Florida driver's license must inform their direct supervisor immediately if their Florida driver's license is denied, expired, suspended, or revoked.

All Seminole County employees must inform their direct supervisor immediately if ticketed for a violation by a law enforcement or toll agency while operating a motor vehicle while conducting County business.

The Safety Office conducts periodic checks of employee driving records for those employees who are required to operate motor vehicles while conducting County business or required to maintain a valid Florida driver's license as a requirement of their job description. Employees who must operate a motor vehicle while conducting County business or are required to maintain a valid Florida driver's license as a requirement of their job description will be evaluated against the criteria below, and will be subject to corrective action for non-compliance. Employees must not:

- a) Accumulate nine (9) or more points in a twelve (12) month period.
- b) Accumulate twelve (12) or more points in an eighteen (18) month period.
- c) Accumulate eighteen (18) or more points in a thirty-six (36) month period.
- d) Accumulate violations, convictions, or a status that indicate the driver's license is/was denied, expired, suspended, or revoked during the three (3) years prior to the check.
- e) Accumulate the status of habitual traffic violator during the three (3) years prior to the check
- f) Be charged with DUI in the past three (3) years.

For most situations of non-compliance, corrective action may include, but is not limited to, discussion of the issue, Tips on Performance, verbal warning, written warning, written reprimand, suspension, or termination.

Corrective action up to and including termination of employment may result if an employee does not maintain a valid driver's license and their position requires them to drive on County business or requires possession of a valid Florida driver's license.

\*Employees who must operate a motor vehicle while conducting County business or who must maintain a valid Florida driver's license as a requirement of their job description who accumulate more than one (1) DUI in the past three (3) years are subject to termination and, for some positions, Department Directors, with County Manager approval, may determine even one DUI in the last three (3) years is grounds for termination.

### 3. Acceptable Driving Record Acknowledgement

Employees shall be advised of the contents of this procedure and be required to acknowledge receipt and understanding of this procedure (Attachment B) and complete the consent to obtain reports (Attachment A). This acknowledgement and consent shall be placed in their personnel record.

### 4. Exceptions

Exceptions to these standards will be analyzed on a case-by-case basis and may be approved with consensus of the respective Department Director, Human Resources Manager, Risk Program Manager, and County Manager.

**Attachment A**

**CONSENT TO OBTAINING REPORTS  
FAIR CREDIT REPORTING ACT DISCLOSURE STATEMENT  
REGARDING MOTOR VEHICLE RECORD REPORTS**

Please be advised that the Seminole County BOCC needs to obtain motor vehicle record (MVR) driver license information to confirm your eligibility or continued eligibility to drive County vehicles in the course and scope of your employment. This information may come from a consumer reporting agency which has contracted with the County to supply MVRs, from the State of Florida, or from other sources of MVR information.

The Federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. FCRA also provides you with certain rights. This disclosure advises you that the MVR is a consumer report and may be obtained for work purposes as part of the background investigation and/or at any time during your employment at Seminole County.

Your MVR may contain information such as any moving violations or other traffic offenses that appear in the agency's records. This information received by Seminole County may affect your employment or assignment if your job duties require driving a County vehicle or driving a personal vehicle on County business. If Seminole County obtains MVR information that adversely affects you, you have the right to receive a copy of the MVR report. You also have the right to dispute directly to the consumer reporting agency any incomplete or inaccurate information. For more information, including information about additional rights, you may contact the Federal Trade Commission.

Please sign the "AUTHORIZATION FOR RELEASE OF MOTOR VEHICLE INFORMATION" statement below to indicate that you authorize the Seminole County BOCC to obtain these reports for the above-stated purpose. When completed, forward the entire form to the Seminole County Human Resources Division.

**AUTHORIZATION FOR RELEASE OF MOTOR VEHICLE RECORD INFORMATION**

1. I have read the above "Disclosure Statement" and hereby authorize the Seminole County BOCC to obtain motor vehicle reports concerning me to confirm my eligibility to drive a County or personal vehicle in the course and scope of my employment. This authorization shall remain on file and shall serve as ongoing authorization for the Seminole County BOCC to obtain motor vehicle report information for lawful purposes at any time during my employment.
2. I hereby authorize any department of motor vehicles or any other person or organization having knowledge of my driving record to relate information about myself, including data received from other sources, in order that I may be evaluated for eligibility to drive a County or personal vehicle in the course and scope of my employment. I hereby release these persons and/or organizations from any and all liability for damages of whatever kind or nature, whether known or unknown, which may at any time accrue to me on account of information that is obtained pursuant to this authorization.

PRINT YOUR NAME: \_\_\_\_\_  
DATE: \_\_\_\_\_  
SIGNATURE: \_\_\_\_\_

PLEASE RETURN TO: Human Resources

**Attachment B**

**EMPLOYEE ACKNOWLEDGEMENT  
OR  
ACCEPTABLE DRIVING RECORD POLICY**

County Manager Policy 30.1 Acceptable Driving Record, is established to specify acceptable driving records for applicants and employees of Seminole County BOCC.

For current County employees, the following criteria apply:

Acceptable Driving Record for Current Employees

Those Seminole County employees who are required to operate motor vehicles while conducting County business or who are required by their job description to maintain a valid Florida Driver’s license must inform their direct supervisor immediately if their valid Florida driver’s license is denied, expired, suspended, or revoked. All Seminole County employees must inform their direct supervisor immediately if ticketed for a violation by a law enforcement or toll agency while operating a motor vehicle conducting County business. Employees who must operate a motor vehicle while conducting County business or are required to maintain a valid Florida driver’s license as a requirement of their job description will be evaluated against the criteria below, and will be subject to corrective action for non-compliance.

Employees must not:

- (a) Accumulate nine (9) or more points in a twelve (12) month period.
- (b) Accumulate twelve (12) or more points in an eighteen (18) month period.
- (c) Accumulate eighteen (18) or more points in a thirty-six (36) month period.  
Accumulate violations, convictions, or a status that indicate the driver’s license is/was denied, expired, suspended, or revoked during the three (3) years prior to the check.  
Accumulate the status of habitual traffic violator during the three (3) years prior to the check.
- (d) Be charged with DUI in the past three (3) years\*.  
For most situations of non-compliance, corrective action may include, but is not limited to, discussion of the issue, Tips on Performance, verbal warning, written warning, written reprimand, suspension, or termination. Corrective action up to and including termination of employment may result if an employee does not maintain a valid driver’s license and their position requires them to drive on County business or requires possession of a valid Florida driver’s license. \*Employees who must operate a motor vehicle while conducting County business or who must maintain a valid Florida driver’s license as a requirement of their job description who accumulate more than one (1) DUI in the past three (3) years are subject to termination and, for some positions, Department Directors, with County Manager approval, may determine even one DUI in the last three (3) years is grounds for termination.

The above criterion is excerpted from the complete County Manager Policy. You are required to read the entire policy, available on SharePoint, before signing below. Your signature below indicates you have read County Manager Policy 30.1, understand the policy, and agree to comply with the policy.

PRINT YOUR NAME: \_\_\_\_\_

DATE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

PLEASE RETURN TO: Human Resources

## **30- MEDIA POLICY**

### **A. PURPOSE**

1. To provide useful and accurate County information and news in a timely, professional manner that is consistent with the vision, mission, goals and policies of the Board of County Commissioners.
1. To ensure that consistent information is being disseminated by the organization.
2. To use the media as a resource in communicating to the general public, particularly in emergency, disaster or crisis situations.
3. To foster a cooperative relationship between Seminole County and the media.
4. To establish procedures and practices for responding to media inquiries.
5. To clarify the difference between being a County spokesperson/subject expert and the expression of individual opinions.

### **B. GOAL**

To the best of its ability, Seminole County will ensure the accurate, consistent and prompt exchange of information with the media.

1. SCOPE

**This policy applies to all County staff as defined in paragraph D.1. Below.**

### **C. DEFINITIONS**

For the purpose of this document, the following definitions will be utilized:

1. County staff is defined as exempt, nonexempt, temporary, part-time, and contract employees of Seminole County. This definition excludes elected and appointed officials and the County Attorney's Office.
2. Non-routine Media Requests may involve, but are not exclusive to, responses that require interpretation of County Manager or Commission policies, employee information, in response to an emergency situation, or are controversial in nature. Non-routine requests also include County positions on issues that may be decided by the Board or County Manager.



3. Routine Media Requests typically involve responses that require information that is public record.
4. Sensitive and Controversial issues as the term applies to this policy include, however, are not limited to:
  - a) Issues that may affect the County's public image or citizen confidence.
  - b) Legal claims or lawsuits filed by or against the County or its employees or agents.
  - c) Existing or potential threats to public safety, welfare or property.
  - d) Personnel issues related to any County employee, such as performance evaluation, reasons for termination, reasons for not hiring, harassment claims.

#### **D. POLICY**

The following procedures and standards will be used by all departments as applicable to media relations within Seminole County Government.

1. The County Manager's Office oversees media relations via print, television, radio and other media outlets regarding County issues, events and information. The County Manager, Deputy County Manager, or appointed designee serves as Public Information Officer (PIO). The County Manager's Office Media Coordinator will track all media inquiries to ensure they are responded to in a timely manner. Routine Media Requests shall be responded to by a Department Director or service/subject expert or designee if the response is of a factual nature, and is a public record that is not excluded from release under the Homeland Security Act. Those who respond to the media should have participated in media training in the past two years.
2. Sensitive, controversial issues or non-routine media requests shall be forwarded immediately to the County Manager's Offices prior to response. Responses may require the interpretation of policy, employee information and emergency situations. The County Manager's Media Coordinator will contact the Department Director and others as necessary, including the County Attorney, in order to develop appropriate strategies and determine an appropriate response and spokesperson.
  - a) The Department Director or subject matter expert or designee may be present at interviews in order to ensure information provided

conveys an appropriate message and to provide additional assistance if necessary.

- b) County staff who speaks with the media about a sensitive/controversial issue without prior authorization by the County Manager, and the knowledge of the County Manager's Media Coordinator, may be subject to disciplinary action.
  - c) Sensitive and controversial issues may be best assessed by asking the following:
    - (1) Could the issue likely be interpreted to negatively affect public confidence in Seminole County Government or the County Commission?
    - (2) Is the issue of particular interest to the general public due to possible legal ramifications, existing or potential, raised by the issue?
    - (3) Has more than one member of the media inquired about the same issue?
    - (4) Is the issue a threat, existing or potential, to life, health, or property?
    - (5) Is there unusual or inappropriate interest by a person or small group of people about a seemingly routine issue?
3. Public records requests from the media and the public must be provided directly to the County Attorney's Office for a timely reply. A copy of the request should be sent to the County Manager's Media Coordinator for tracking purposes. All public records requests shall comply with the County Manager's Public Records Policy and the Florida Statutes.
4. Information for news releases will be prepared by Departments, and forwarded to the County Manager's Office for editing and approval. All releases must contain information on who, what, where, when, why, and how. In addition, releases will include contact information for County staff as designated.
- a) News releases shall be distributed electronically, unless otherwise requested.
  - b) News releases shall be posted to the County's official website.

- c) Departments will prepare press releases to promote any activity or program if interest to the public.
5. News/Press Conferences or Briefings may be called to announce a major County decision or respond to an issue of significance. These events will be held at the direction of the County Manager, Incident Commander or designee to ensure there is a united voice from all participants pertaining to facts, rules, an emergency or crisis, or the established policies of the County.
- a) The conference/briefing allows the County to effectively respond to many media organizations at one time and conveys willingness to provide information.
  - b) News conferences will be scheduled and coordinated by the County Manager's Office or the Incident Commander.
  - c) Spokesperson(s) for the briefing will be selected by the County Manager, Incident Commander or designee.
  - d) Additional personnel (subject/service experts) who can provide background information may be required to attend.
6. Emergency Media Relations – In the event of a disaster/emergency/weather event that requires the Seminole County Emergency Operations Center (EOC) to be activated, the agencies involved and their designated PIO's will work together to fulfill the ESF-14 function of Public Information and Education as outlined in the County Comprehensive Emergency Management Plan (CEMP).
7. Editorial Responses – The County Manager's Office Media Coordinator will monitor the editorial column of local newspapers and if deemed necessary by the County Manager, forward them to the appropriate staff for response.
- a) Editorial responses shall be reviewed and approved by the County Manager or designee.
  - b) "Letters to the Editor" may be submitted to clarify the County's position, educate readers about a County service, or express the County's gratitude to the community. No guest columns, responses or letters to the editor shall be submitted to the media by County employees acting on the County's behalf without the approval of the County Manager's Office.

## **E. PROCEDURE/RESPONDING TO MEDIA INQUIRIES**

Employees receiving media calls should direct the caller to the County Manager's Office Media Coordinator for a coordinated response. The County Manager's Media Coordinator will determine who the appropriate staff member is to respond to the call. The call will be given priority attention (to meet deadlines) and ensure information is accurate. If another priority prevents an immediate response, the responding Department or designee will contact the reporter confirming the request and advise when it will be available. The responding Department shall also notify the County Manager's Media Coordinator of the anticipated response time.

## **1. County Employee Responsibilities**

- a) All employees who receive a routine media inquiry should forward the inquiry to the County Manager's Office Media Coordinator. An employee who has been media trained may respond directly to a routine media inquiry, but should inform the County Manager's Office Media Coordinator of the contact, the nature of the inquiry and the response. Information provided should be routine, factual information relating specifically to the responders job function. Non-routine requests shall also be forwarded to the County Manager's Media Coordinator, however, staff may be asked to respond after direction to do so from the Department Director, County Manager, Deputy County Manager or the County Manager's Office Media Coordinator with the knowledge of the response.
- b) Employees must provide: the reporter's name, media outlet and nature of inquiry to the County Manager's Office Media Coordinator. Notification should be done immediately after contact via email, phone or in person.
- c) Employees may provide routine written, photographic or electronic materials to the media without prior approval to satisfy Public Records Request. However, the County Manager's Office Media Coordinator must be informed in order to track and log all requests.
- d) All non-routine media requests for written, photographic or electronic materials are considered Public Records Requests and must be directed to the County Attorney's Office.
- e) Employees shall immediately notify their supervisor or Department Director of significant events that occur which may be of major interest to the public.

- f) Charges for public records requests are outlined in Seminole County Administrative Code, Section 20. - Fee Resolutions 20.36 Public Records Fees.

## **2. Guidelines for Staff**

- a) Media inquiries shall be responded to within a timely fashion. Staff shall forward all information to the County Manager's Office Media Coordinator.
- b) The County Manager's Office Media Coordinator shall inquire of the story's focus, the reporter's deadline and story publication/air date.
- c) Do not speculate about what action the County will take. Do not make judgmental or opinionated comments; particularly about Commission members, Commission actions or County policy.
- d) Do not offer legal opinions on County policies or activities.
- e) Do not discuss employees or personnel actions.
- f) County staff should never go "Off the Record." There is no such thing as "Off the Record."

## **3. Department Director Responsibilities.**

- a) Department Directors will follow the employee procedures as defined in F.1.
- b) In choosing a staff person who may act as a spokesperson on a particular issue, Directors should consider County experience of the employee; whether or not the individual has received media training including previous media contract/experience; if the employee can communicate information in an easy to understand way.

County Manager's Office Media Coordinator Responsibilities –  
Upon receiving a media inquiry, the County Manager's Office Media Coordinator contact shall coordinate with the County Manager's Office and all respective Department Director, appropriate staff or the responsible Department is to develop a proper response. All requests that pertain to the BCC shall be coordinated with the County Manager's Office. The Board and their aides will be notified of any significant issues.

## **F. RIBBON CUTTING / GROUND BREAKING / DEDICATION CEREMONIES**

The County Manager's Office shall be the lead for ribbon cutting, ground breaking, and dedication ceremonies. All departments shall coordinate through the County Manager's Office for its ribbon cutting / ground breaking dedication ceremonies. The County Manager's Office shall work with the department to ensure the type of ceremony is appropriate and that adequate notice and coordination has occurred.

## **32- SEMINOLE GOVERNMENT TELEVISION (SGTV) OPERATING POLICIES AND PROCEDURES AND PRODUCTION STANDARDS**

### **A. PURPOSE**

#### **Programming/Production**

To provide citizens with interesting, accurate, and relevant information about the programs and services provided by Seminole County Government and other government entities in a manner that encourages trust, a sense of accountability, and appreciation of the value of the services provided. The programming will serve to identify, inform, and educate, the viewers about government services and to provide more responsible and informed interaction between government and citizens. SGTV is not a public access channel and access to airtime is restricted to governmental entities, and governmental partners and their functions and operations. Programming on SGTV is not open to private entities, non-profits, or religious organizations, which do not have a direct government sponsorship or partnership.

To provide high-quality technical and creative services to Seminole County Government departments and divisions and, with the approval of the County Manager's Office, other governmental organizations in order to produce cost-effective and informative television, programs, and videos.

### **B. PROGRAMMING AND PRODUCTION POLICIES**

SGTV encourages the submittal of programs for airing by eligible organizations that are appropriate to the mission and conform to technical and production standards. All requests for airtime should be submitted to the Assistant County Manager for review and approval prior to airing the program.

#### **Eligible Applicants:**

Local government bodies and agencies located in and around Seminole County for use in connection with their official government activities that affect the interests of the citizens of the community.

State and federal government bodies and agencies for use in connection with their official government activities that affect the interests of the citizens of the community.

Officials and representatives of the state and federal government for use in their official government activities, including state and federal legislators who represent the districts in and around Seminole County that affect the interests of the citizens of the community.

Divisions and Departments under the supervision of the Seminole County Board of County Commissioners.

Programming and Production Includes:

Coverage of public meetings for government policy-making boards.

Broadcast of emergency and public safety information including hurricanes, tornadoes and other natural disasters, poison prevention, first aid, etc.

Coverage of government events such as facility openings, recreational and cultural events as directed by the Community Information Director with the advisement of the County Manager.

Informational, educational or instructional programs to various government agency functions or services.

General announcements and notices of current government meetings, sponsored events and job listings.

In-service training programs and educational programs appropriate for public viewing.

Election result coverage that is non-biased, non-partisan and neutral in nature.

Video crawl with electronic text/graphics information of government events, services, and emergency information.

Public service announcements (PSAs) of government events and services.

Promotional and station identification announcements.

Original programming produced by SGTV staff.

Criteria for Programming:

Submitted by eligible applicant

Citizen interest

Public service/safety needs

Governmental nature

Acceptable standards and guidelines

Production quality

Programming deadlines

Timeliness of the topic

Program restriction compliance

Restrictions on Programming and Production:



The County Manager's Office or designee, reserves the right to edit programs submitted for SGTV and/or to display disclaimers associated with programming content. Programming provided or produced shall be non-editorial information concerning the operations and deliberations of local government.

Prohibited Programming includes but is not limited to:

Advertisement of a commercial product or service.

Information concerning any lottery, gift enterprise or similar promotion offering prizes based in whole or part upon lot or chance.

Direct solicitation of funds.

Material that would violate any federal, state, county or city statute or law.

Material that promotes religious beliefs or religious philosophies.

Obscene, indecent or defamatory material.

Appearances by or on behalf of candidates for public office with the purpose of the appearance being to garner interest or attention to their campaign.

Endorsements of proposed issues or ballot items. (Sample ballots and ballot listings may be permitted.)

Candidates who have announced and/or qualified for election/re-election to any elective office shall not be permitted to make individual statements on SGTV.

Current elected officials who have announced and/or qualified for election/re-election to any elective office will be shown only in the performance of their official duties—that is, conducting official business at meetings or incidental appearances in other programming i.e. soundbite in Seminole InSight newsmagazine program.

Programs or appearances in programs by County employees not in accordance with the Code of Conduct may be refused airtime on SGTV. (Programs are governed by the Code of Conduct in Section 100 of the Seminole County Personnel Policies and Procedures Manual.)

Copyrighted music and video without written permission. (Program submissions must include all copyrights.)

Programming and Production Scheduling:

The County Manager's Office or designee, will determine program scheduling, billboard content and scheduling as well as standards related to programming and production.

Policy revised by CID Director July 22, 2009

Approved by County Manager Coto July 22, 2009



## **34- PUBLIC RECORDS AND PUBLIC E-MAIL RECORDS REQUESTS**

### **A. PURPOSE**

To comply with state requirements regarding public records, as set forth in Florida Statute (F.S.) 119, establish procedures for responding to public records requests, including requests for e-mail records and establish a reference resource for County employees charged with responding to public records requests.

### **B. GOAL**

To provide a complete response to each request for inspection and/or photocopying of public records while maintaining the confidentiality of exempt information and recovering the costs allowed by law for this service.

### **C. SCOPE**

This policy applies to all County staff. This policy does not apply to subpoenas issued in administrative or court proceedings; questions regarding compliance with subpoenas are to be directed to the County Attorney's Office.

### **D. POLICY**

1. All public records requests shall be responded to as soon as reasonably possible. Any person has the right to see a public record for any reason unless exempted by law. Should a citizen request to examine public records, including e-mail, the County is mandated to produce them "within a reasonable amount of time."
2. The requestor is not required to identify her or himself or to state a reason for the desired access in order to inspect or photocopy public records.
3. There is no legal requirement that such a request be in writing and written requests cannot be required by the County.
4. Exempt materials shall not be produced and shall be redacted (blacked out) from records containing both exempt and non-exempt matters.
5. The individual requesting information may examine records on County property or may be supplied with copies upon request if specific records are requested.
6. All appropriate fees and charges shall be in accordance with the Seminole County Administrative Code and shall be collected in advance of providing photocopies of public records.
7. Public records requests are to be handled by the individual departments where the records reside and must notify the County Attorney's Office. The County Attorney's Office will handle the coordination of significant public records requests that cannot be immediately handled by the

department to which the request is made, as well as requests that involve information distributed among more than one department.

## **E. DEPARTMENTAL RESPONSIBILITIES**

Each department shall:

1. Appoint a department records custodian.
2. Identify those types of records or specific items of information maintained by the department that are exempt from disclosure.
3. Acquaint all employees and contractors, as appropriate, with the provisions of this policy.
4. Collect appropriate fees and charges for photocopies and expenses of providing access.

## **F. DEFINITIONS**

1. Records Custodian is the individual responsible for maintaining and responding to the County's public records requests within a department or division. The Records Custodian may be called upon to testify in court or administrative proceedings to establish the admissibility of documents into evidence.
2. The Records Management Liaison Officer is the County Manager's designee who oversees the County's records retention and storage program.
3. County staff is defined as exempt, nonexempt, temporary, part-time or contract employees of Seminole County, excluding elected and appointed officials.
4. Public Record means all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software or other material, regardless of the physical form, characteristics or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business. No County employee has the right to expect privacy or confidentiality regarding any record except as may be provided by specific statutory authority.
5. Exempt Information is any information that is exempt from public disclosure as outlined in F.S. Chapter 119. Current exemptions can be found in the Government-In-The-Sunshine Manual prepared annually by the Office of the Attorney General and published by the First Amendment Foundation. There are hundreds of exemptions; the complete list is available online at <http://myfloridalegal.com/sun.nsf/manual>.
6. Requestor is the individual or entity submitting or verbally making a public records request.

## **G. RESPONDING TO REQUESTS FOR PUBLIC RECORDS**

1. Verbal Requests. The employee receiving a verbal request shall first acknowledge the request, clarifying it if necessary. If the requested record is immediately available and does not contain any exempt information then access shall be given at once. If the requested documents cannot immediately be provided then the individual receiving the request shall prepare a written record of the request, detailing the records requested. That individual will then make arrangements either to obtain the requestor's information to notify her or him when the records are available or make an appointment for the requestor to pick them up. The requestor is under no obligation to provide any personal or identifying information. If photocopies are requested, the appropriate fee shall be assessed and collected once the photocopies are delivered.
2. Written Requests. The department shall immediately begin assembling the documents responsive to the request and shall advise the County Attorney's Office and the requestor as appropriate, as soon as the requested documents are available for inspections and photocopying.
3. Media Requests. Departments receiving routine media requests should forward requests to the appropriate department contact or notify the County Attorney's Office for non-routine requests.
4. Processing Payments. A receipt shall be provided by the department for all payments received. Payments shall be sent to County Finance with a cover memo, indicating the source of the funds and directing deposit into account 00100-36990000, the General Fund Miscellaneous Revenue account. Each department shall keep a copy of the memo, receipt and check, if applicable, on file. Occasionally, a requestor will ask for an estimate of the cost of photocopies without first inspecting the records. The number of letter and legal-sized pages should be counted and multiplied by the per page copy fee identified in Section 20.35 (C) of the Seminole County Administrative Code. The actual cost of photocopying documents of other sizes shall be determined and included. A charge for shipping and handling shall be included; check the current fee resolution for the amount. No documents shall be photocopied until suitable payment arrangements are made. Cash, money orders and personal checks are all acceptable forms of payment. Florida's public records law does not require research projects nor does it require preparation of any document that doesn't already exist. If the nature of the volume of public records requested to be inspected or photocopied requires an extensive use of County technology resources or extensive clerical or supervisory assistance or both, the department or division may charge an additional special service fee, which shall be based on the cost incurred.

## **H. RESPONDING TO REQUESTS FOR INSPECTION OF PUBLIC RECORDS**

1. Requests for Inspection. Public Records are open to the general public to be inspected and examined by any individual desiring to do so, at

reasonable times, under reasonable conditions and under the supervision of the records custodian or designee.

2. Exempt Information. All exempt information must be completely redacted prior to filling a request. The proper procedure for redaction is:
  - a) Photocopy the document containing the exempt information.
  - b) On the photocopy, completely black out, using a black permanent marker, all exempt information.
  - c) Re-photocopy the page with the redactions.
  - d) Save the first photocopied page with the original redactions for use in subsequent records requests.
  - e) Provide the re-photocopied redacted page to the requestor.

When exempt documents are withheld or exempt portions redacted, the County must advise the requestor in writing about the basis for the claim of exemptions, including a citation to the applicable statute. Additionally, the record cannot be disposed of and must be maintained as if it was a public record.

3. Completion and Closing of Request. Copies of all correspondence related to the request, such as cover letters or e-mails, shall be kept in a department Public Information file and are subject to the state record retention schedule for Public Information Files. (See current GS1 schedule)

## **I. SGTV AUDIO/VIDEO DUPLICATION REQUESTS**

1. Public Records Requests – All audio or video duplication requests must be made through SGTV. Board of County Commissioners (BCC) meetings are archived on individual DVDs by meeting date and morning, afternoon, or evening session. All other meetings are archived on individual DVDs by meeting date. Requests for DVD copies must include the meeting date, and if applicable, the BCC session. DVD copies will contain the entire meeting or BCC session and cannot be edited for individual agenda items. Only one meeting or BCC session will be copied onto a single DVD. DVD copies of other SGTV programs will contain the entire program, one program per DVD. Custom editing for portions of programs is not available. Audio duplication services are available upon request. Services available include audio cassette to audio cassette, CD copies, and conversion of digital audio files to CDs. All duplication requests will be processed on a first come first served basis and will be completed in a reasonable amount of time.
2. Audio/Video Duplication Fees

DVD copies: \$5.00 per DVD, \$4.00 per DVD if a DVD-R is provided by the requestor.

CD copies and conversion of digital audio files to CD: \$5.00 per CD or \$4.00 per CD if a CD is provided by the requestor.

Audio Cassette copies: \$4.00 per audio cassette. \$2.00 per audio cassette if an audio cassette is provided by the requestor.

Checks are to be made payable to the Seminole County Board of County Commissioners.

## 36- PUBLIC RECORDS RETENTION

### A. PURPOSE

Section 119.09, F.S., states that the Division of Library and Information Services of the Florida Department of State “shall establish a time period for the retention or disposal of each series of records.” Only the Division has the authority. Public agencies should consult the Division’s publications to determine the retention period for a specific public record.

### B. POLICY

The General Records Schedules provide minimum retention periods for categories of records that are likely to be maintained by a large number of agencies. The retention periods set forth in the schedules are based on a combination of Federal and State laws, general administrative practices, and fiscal management principles. Please keep in mind that these are minimum retention periods. Public agencies may maintain their records longer at their own discretion; please refer to Item F below for further clarification.

### C. GENERAL RECORDS SCHEDULES

The division publishes General Records Schedules applicable to various governmental entities.

The 16 different types of schedules are listed below:

<u>Schedule No.</u>	<u>Agency</u>
GS1-SL	State and Local Government
GS2	Law Enforcement
GS3	Election Records
GS4	Public Health Care Facilities and Providers
GS5	Universities and Community Colleges
GS6	Building Departments
GS7	Public Schools
GS8	Fire Departments
GS9	State Attorneys
GS10	Public Defenders
GS11	Clerk of Court
GS12	Property Appraisers
GS13	Tax Collectors
GS14	Public Utilities
GS15	Public Libraries

Links to these schedules can be found on the Support Services Intranet page under Resources, State Records General Records Schedule or at [http://dlis.dos.state.fl.us/recordsmgmt/gen\\_records\\_schedules.cfm](http://dlis.dos.state.fl.us/recordsmgmt/gen_records_schedules.cfm).

### D. ON-SITE RECORDS STORAGE



Should you choose to dispose of documents that are stored on-site, you will submit a destruction request. Once the retention requirements have been verified by the organization's Records Management Liaison Officer of the Central Services Department, Support Services Division, the form will be returned to the requestor. Upon destruction, the destruction action and date should be completed. The requestor should keep a copy for his or her records and send the original back to Support Services.

## **E. OFF-SITE RECORDS STORAGE**

Public records can be destroyed or otherwise disposed of only in accordance with retention schedules established by the State. Seminole County staff may proceed with disposition provided that all outstanding audit issues and litigation have been resolved and that no public records requests were received for those records in the last 30 days. The destruction request form for both on-site and off-site stored records is available on the Support Services Intranet page. The destruction process will not occur until Support Services has received:

A completed and approved Records Destruction Request signed by the Department Director or Division Manager. (on-site/off-site)

For boxes stored at a County designated off-site storage facility (currently Iron Mountain), a signed Destruction Eligibility Report or a complete listing of boxes to be destroyed, initialed by the individual preparing the Records Destruction Request. (off-site only)

Support Services verifies and approves the Records Destruction Request, it is then sent to Iron Mountain, along with the box listing, for destruction.

Iron Mountain has its own destruction procedures. Upon receipt of the request, Iron Mountain will send a Preliminary Destruction Listing (PDL) to Support Services for verification. Once the PDL is cross-checked against the original request for accuracy, it is returned to Iron Mountain so the records can be destroyed. After destruction, Iron Mountain sends a Final Destruction Listing and the Original Seminole County Records Destruction Request form. Support Services will send copies of all destruction documents to the requestor. The original destruction requests are permanent records and are kept on file by Support Services.

## 40 - PURCHASING

This manual contains general statements of policy. It does not include the details of each policy, or form an expressed or implied Contract or promise that the policies will be applied in all cases. The manual may be supplemented from time to time by the County Manager through the issuance of directives that provide more detailed requirements, direction or expectations. The manual may also be amended at any time as determined to be in the best interests of the County Manager.

The County Attorney's Office has reviewed and concurs with attached policies and procedures as to form and legality. The procedures are applicable to all County personnel involved in requisitioning, procurement of goods and services, receiving, invoicing, transferring and replacement of supplies, materials, services, and equipment.

Issued this 25th day of September, 2012.

A handwritten signature in black ink, appearing to read 'J. K. Hartmann', with a long horizontal stroke extending to the right.

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James K. Hartmann, County Manager

## 40- POLICY AND PROCEDURE GUIDE TO PURCHASING

### A. PURPOSE

This policy is intended to work in tandem with the Administrative Code; in case of conflict the Administrative Code shall prevail. These County Manager's Internal Policies and Procedures are designed to explain and facilitate understanding of the Purchasing and Administrative Code; the functions, policies and procedures of the Purchasing and Contracts Division and to serve as a tool in personnel training. Departments/Divisions must keep a current copy of the Purchasing Policy, which includes these policies and procedures, and any official updates and applicable memos issued by the Purchasing and Contracts Division. The Purchasing and Contracts Division's Website will contain a current copy of these policies and procedures.

Procedures contained herein are applicable to all County personnel involved in the requisitioning, procuring of goods and services, receiving, transferring and replacement of supplies, materials, services, equipment, and invoice processing. At times, the Purchasing and Contracts Division may try new innovative procedures not described below. These can be tested on a trial basis until the procedures are finalized and incorporated in the County Manager's policies and procedures.

### B. DEFINITIONS

The following definitions provide concise, comprehensive information concerning Procurement terminology:

1. **Capital improvement project**: Any public improvement which the County undertakes, including the construction or reconstruction in whole or in part, of any building, road, highway, street improvements, physical plant, structure, or facility necessary in carrying out the functions of County government.
2. **Certificate of Contract completion acceptance**: A form which indicates that a project has been satisfactorily completed and the Contractor has paid all labor, materials and other charges against the project in accordance with the terms of the Contract.
3. **Certificate of insurance**: A document which is provided by the Contractor/Consultant to show proof of insurance according to the County requirements.
4. **Collusion**: A secret agreement or cooperation between two or more parties to accomplish a fraudulent, deceitful, or unlawful purpose.
5. **Collusive Bidding**: An unethical and illegal practice in which suppliers act in collusion to "fix" their bids in a collectively advantageous manner.
6. **Commodity Code**: A system of symbols (alpha, numeric or other) used to represent words to describe a commodity, e.g., Class 410 Furniture,

Hospital – Specialized, Item 36, Incubators, Infant (410-36); 904 Services, Client, Item 02, Ambulance Service (904-02), to facilitate data sort capabilities of purchased goods/services for the purpose of analysis.

7. **Consumer Price Index (CPI)**: The Consumer Price Index is a measure of the average change in prices over time in a fixed market basket of goods and services. Two CPIs are published: (1) the CPI for All Urban Consumers (CPI-U) which covers about 80% of the total populations, and (2) the CPI for Urban Wage Earners and Clerical Workers (CPI-W) which covers 32% of the total population. The CPI is based upon prices of food, clothing, shelter, transportation, medical care, and other goods and services that people buy for day-to-day living.
8. **Contract Management**: The management of the organization's Contracts and Contract-related activities which may include accounting, administration, auditing, grants management, law, negotiation, logistics, price-structure compensation, delegation of purchasing authority, program management, termination and other business activities.
9. **Cure Notice**: A notice, either oral or in writing, that informs the Contractor that he or she is in default and states what the Contractor has to do to correct the deficiency. If the notice is oral, it shall be confirmed in writing.
10. **Ethics**: Pertaining to or relative to moral action, conduct, motive or character; as ethical emotion; professionally right or benefitting; conforming to professional standards of conduct.
11. **Fair Market Value**: Lowest purchase price paid by the State for like items or services purchased in a similar quantity within the last six months. If this information is not available, then the lowest of three phone quotes verified by price indices or purchases made by other government entities will be used.
12. **Gratuity**: A payment, loan, subscription, advance, deposit of money, services, or anything of more than nominal value, present or promised, unless given without consideration.
13. **Indemnification and insurance requirement sheet**: A standard document in which dollar limits will be reviewed by the Risk Management Office, should be included in the quote, bid or proposal package when applicable plus included in the Contract.
14. **Inspection**: Examination and testing of goods and services to determine whether the goods and services furnished conform to contract requirements.
15. **Latent Defect**: A deficiency or imperfection that impairs worth or utility that cannot be readily detected from visual examination of a product. Examples would be the use of non-specification materials in manufacture, or missing internal parts such as a gasket, gear, or electrical circuit, etc.

16. **Liquidated Damages**: A sum stated in a Contract to be paid as ascertained damages for failure to perform in accordance with the Contract. The damage figure stipulated must be a reasonable estimate of the probable loss to the agency, and not calculated simply to impose a penalty on the Contractor.
17. **Notice to proceed**: A written notification from the Purchasing and Contracts Division or Project Manager to the Contractor to establish commencement of the Contractor's responsibilities under the provisions of the Contract.
18. **Pre-bid or Pre-proposal Conference**: Meeting held with prospective bidders or offerors prior to submission of bids or proposals, to review, discuss, and clarify technical considerations, specifications, and standards relative to the proposed procurement.
19. **Procurement Administrative Lead Time (PALT)**: Administrative lead time is that period of time from approval of a requisition by the user to issuance of an award.
20. **Transmittals**: Interdepartmental form printed by the Purchasing and Contracts Division to let the departments know the Contract/Work Order is in the process of being completed and funds encumbered.
21. **Value Analysis**: A systematic and objective evaluation of the value of a good or service, focusing on an analysis of function relative to the cost of manufacturing or providing the item or service. Value analysis provides insight into the inherent worth of the final good or service, possibly altering specification and quality requirements that could reduce costs without impairing functional suitability.

## C. PURCHASING AND CONTRACTS' MISSION AND VISION STATEMENT

**Mission:** To provide purchasing and Contracting services by teaming with internal customers to deliver innovative, effective, and timely Contracting solutions.

**Vision:** Knowledgeable and professional personnel working together in trust and with open, honest communications to maintain the integrity of Purchasing and Contracts to provide good, effective customer services in procuring products and services at the best value.

## D. RESPONSIBILITIES AND FUNCTIONS

The primary function of the Purchasing and Contracts Division is to purchase and Contract for the supplies, materials, equipment, services and construction required by the County staff in a time frame that meets their needs and to insure that maximum value is obtained for each dollar spent. Specific responsibilities, duties and functions include:

- 1) Developing purchasing objectives, policies, programs and procedures for the purchasing of, and Contracting for all materials, supplies, equipment, services, and construction. Responsible for administering the Purchasing and Administrative Code, as approved by the Board of County Commissioners; acting as Seminole County's representative on all matters pertaining to purchasing, Contracts and fixed assets.
- 2) Preparing solicitations by assembling specifications, quantities and technical requirements in cooperation with user Department/Division, which are subsequently included in Invitations for Bid, Requests for Proposals/Qualifications, and/or Requests for Quotations. Conducting value analysis, negotiation strategies and tracking/monitoring past performance of Contractors.
- 3) Consolidating requisitions and purchases of like or common items to obtain the maximum economical benefits and cost savings and explore the possibilities of buying "in bulk" to take full advantage of quantity discounts. Such consolidations may include requirements of a single Department or be Multi-Departmental and cooperative purchases.
- 4) Working with user Department/Divisions to establish standardization of materials, supplies and equipment where practicable within a competitive environment.
- 5) Promoting good will between Seminole County and its suppliers. Encouraging full and open competition whenever possible. Assuring fair and equitable business dealings with all vendors. Ensure that the Website contains current procurement information. Actively developing new sources of supply.

- 6) Helping to ensure that the County buys only from suppliers that are in good standing, who are financially stable, have high ethical standards and have a record of good past performance.
- 7) In meetings with sales people, anyone who is not a member of the Purchasing and Contracts Division may not commit them on preference for or purchase any product or service, unless utilizing direct pay or a Purchasing card, or give any information regarding performance or price which might in any way compromise the County.
- 8) Preparing and submitting the annual operations budget for the Purchasing and Contracts Division.
- 9) Keeping informed of current and new developments in the field of procurement, including but not limited to prices, market conditions, new products, and other benefits conducted in the field of purchasing by other governmental jurisdictions, national technical societies, trade associations and private businesses and organizations.
- 10) Prescribing and maintaining the standard purchasing and Contracts procedures for the County.
- 11) Maintain an in house Vendor Bidders List by commodity. Said listing shall contain general information regarding the vendor and a list of which commodities each vendor can supply.
- 12) Identifying vendors who default and perform poorly on previous Contracts with the County.
- 13) Responsible for managing the County's Fixed Assets, which include inventory control. Arrange for the disposal, bid, auction or negotiation for the sale of surplus materials and equipment in accordance with the Auditor General, Chapter 10.40 and Florida Statutes.
- 14) Oversee and track all payable Contracts to ensure that Work Orders and change orders are within the Board's Contract approved dollar amount and within the scope of services.
- 15) Insure that all purchases are made in compliance with applicable statutes, rules, regulations and policies.
- 16) Expedite the delivery of purchases to the user Department/Division when requested.
- 17) Handle complaints regarding purchases and to negotiate the return of merchandise and/or other settlement.
- 18) Oversee the annual inventory of the County's Fixed Assets.
- 19) Explore the markets for new sources, products and materials.

20) Train User Department/Division personnel in regards to purchasing and Contracts procedures, as needed.

21) Responsible for the Program administration of the Purchasing Card System. Establish the policies and procedures for the program. Conduct the required training.

## **E. STANDARDIZATION AND SPECIFICATIONS**

The Purchasing and Contracts Division encourages Departments to establish standards whenever possible. The Purchasing Code established the Purchasing Committee comprised of representative administrators (Sec. 3.553, Administrative Code) to assist in this process.

### **1. Guidelines:**

- a) Specifications need to be a clear and complete description of requirements or products necessary to meet the purchase requirements (Sec. 3.5518, Administrative Code). A vendor must meet or exceed specification requirements if his/her goods or services are to be considered for purchase. Specifications may be in the form of written descriptions, drawings, commercial designations, industry standards or brand name or equal. These specifications are an integral part of the solicitation.
- b) Specifications should NOT require materials of a better quality than are actually needed. Yet, they should prescribe the methods of inspection and testing which will govern the acceptance or rejection of any ordered materials or equipment.
- c) Well-defined specifications are required if the objectives of economy and efficiency are to be achieved. They help to insure that maximum value is obtained for the public funds expended.



## 2. Preparation of specifications:

- a) The Fleet Services Division is responsible for the preparation of specifications for rolling stock and other equipment serviced by Fleet in accordance with established guidelines.
- b) Professional architects, engineers and Consultants prepare specifications for construction projects.
- c) Individual Departments may consult with vendors for technical assistance. This method should be viewed with some reservation because competition can be precluded or quality diminished. Proposals of competing firms must be compared. BEWARE of restricting your specification that only that one vendor can supply the item.
- d) Performance specifications for service related procurement that describe the "outcome" that is desired is encouraged and recommended.

## 3. The following items should be remembered in writing specifications:

- a) Use specification writing assistance whenever possible. (The Purchasing and Contracts Division can provide assistance as to where such information is available, if such data is not already in the purchasing records.)
- b) Keep specifications clear, concise, and accurate.
- c) Update specifications regularly to reflect changes in technology.
- d) Avoid the use of unfair specifications, which preclude or reduce competition.

## **F. SALES TAX RECOVERY**

Sales Tax Recovery Resolution No. 96-R-177 will apply when deemed to be in the best interest of the County and as specified in the Administrative Code, Section 3.5514. These purchases shall be exempt from the County's Purchasing Code, preserving the sales tax exemption to the benefit of Seminole County. For construction projects that the material purchased is greater than one million dollars, staff should evaluate using the Sales Tax Recovery Program, providing that sufficient savings can be achieved. The procedures to be followed are:

- 1) The solicitation package will identify that Sales Tax Recovery will be used and a copy of the Purchase Order with the County's terms and conditions will be included in the solicitation package. The Contractor will include the cost of all construction materials and equipment in its Bid Price. The Bid Price will also include all Florida State sales taxes normally applicable to such materials and equipment. If the County elects to make Sales Tax Recovery purchases, the responsibilities of the County and the Contractor shall be governed by this Section. All clerical, administrative,

management, supervisory, inspection handling, storage, and other costs necessary for the Contractor to comply with Sales Tax Recovery are included in the Bid Price.

- 2) The Contractor shall require major Subcontractors to comply with these procedures.
- 3) The Contractor shall furnish County with a Requisition identifying each item of material or equipment to be purchased by the Contractor for the project. This form shall be acceptable to the Project Manager and Engineer of Record. The Requisition shall include:
  - The name, address, telephone number and contact person for the supplier.
  - Manufacturer or brand, model or specification number of the item.
  - Quantity needed as estimated by the Contractor or its Subcontractors and Suppliers.
  - The price quoted by the Supplier for the material or equipment in question
  - Any sales tax associated with such quote.
  - Shipping, handling and insurance costs.
  - Delivery date as established by the Contractor or its Subcontractors and Suppliers.
  - Special terms and conditions which have been negotiated with the supplier relative to payment terms, discounts, rebates, warranty, credits or other terms and conditions which will revert to the County.
  - Statement with the submittal control number that materials have been reviewed and approved by Architect or Engineer during the shop drawing submittal process.
- 4) Promptly upon receipt of a Requisition, the County shall determine which items to purchase under Sales Tax Recovery. The Contractor will be notified of those items the County does not choose to purchase and becomes responsible for their purchase. The County will award a Purchase Order for the items which the County chooses to purchase. The Purchase Order shall require that the supplier provide shipping and handling insurance. The Purchase Order shall also require the delivery on the dates provided on the Requisition. A copy of each Purchase Order will be sent to the Contractor to verify that items ordered are in accordance with the required terms and delivery dates. The Certificate of Entitlement

signed by the Department's Program Manager will be sent to the Vendor by Purchasing and Contracts Division (PCD).

- 5) The Contractor shall prepare and the County shall execute deductive Change Orders to reflect purchases made by the County. The amount of the deduction shall be based on the Purchase Order amount plus sales tax avoided. These Change Orders should be executed before the related Purchase Order will be paid.
- 6) Nothing in this Section shall alter or modify the procedures for submission of shop drawings and other submittals by the Contractor.
- 7) The Contractor shall be fully responsible for the receipt and acceptance of Sales Tax Recovery items. At a minimum, the Contractor shall verify correct quantities, verify documentation, coordinate and expedite delivery, obtain and verify warranties required by the Contract Documents, inspect and accept each item at the time of delivery, unload, handle and store the item. Sales Tax Recovery purchases by the County in no way relieves the Contractor of compliance with specification requirements, coordination, protection, scheduling or warranty.
- 8) As Sales Tax Recovery items are delivered to the job-site, Contractor and County Representative shall visually inspect all shipments, and approve the supplier's shipping documents and invoice. The Contractor shall assure that each delivery document identifies the Purchase Order against which the delivery is made. The Contractor will forward approved invoices to the County's Representative for payment.
- 9) The Contractor and County Representative shall inspect Sales Tax Recovery items prior to acceptance. If the Contractor discovers defective or non-conforming items, it shall not utilize such items in the Project, shall promptly notify the County, and shall assist the County in obtaining repair or replacement of the item. The Contractor shall be fully responsible if it fails to perform such inspection or otherwise accepts defective or non-conforming material or equipment. The Contractor shall ensure that materials requisitioned have been reviewed by the Architect and comply with specifications.
- 10) The Contractor warrants Sales Tax Recovery items the same as all other materials and equipment furnished by the Contractor and nothing in this Section shall alter or modify the Contractor's obligations to assist the County relative to warranties.
- 11) The Contractor shall purchase and maintain Builder's Risk Insurance sufficient to protect the entire project including Sales Tax Recovery items. Such insurance shall cover the full value of any Sales Tax Recovery items not yet incorporated into the Project starting from the moment of material delivery to the project site.
- 12) The Contractor shall be liable for any interruption or delay in connection with Sales Tax Recovery Items.

- 13) The Contractor shall provide the County's Representative with a monthly report documenting the amount and nature of Sales Tax Recovery items accepted by the Contractor. The Contractor shall match all material and equipment to purchase orders, invoices, delivery tickets, and inspection and acceptance reports. The Contractor shall also obtain lien waivers and other releases from suppliers. Upon receipt of appropriate documentation from the Contractor, payments will be made directly by the County to the appropriate supplier in accordance to the Purchase Order's terms and conditions.
- 14) The Contractor shall maintain records of all County Sales Tax Recovery purchase items incorporated into the Work. These records shall be available for inspection by the County upon request.

## **G. COUNTY FURNISHED MATERIALS**

Nothing herein shall prohibit the County from deleting items within solicitations and purchasing said items directly from a supplier in an effort to benefit from the County's tax-exempt status when the County undertakes the construction of new and renovated facilities. These direct purchases of County Furnished Materials are not covered by the Sales Tax Recovery Resolution No. 96-R-177.

- 1) The purchases shall not be exempt from the County's Purchasing Code.
- 2) The County shall purchase and maintain Builder's Risk Insurance sufficient to protect against any loss of or damage to the full value of any County-Furnished Materials not yet incorporated into the Project starting from the moment of material delivery to the project site. The County shall also be solely responsible for any deductible or any loss not covered by Builder's Risk Insurance.
- 3) The County shall be liable for any interruption or delay in connection with defective or late delivery of County Furnished Materials.

## **H. GENERAL PROCEDURES FOR THE PURCHASE OF GOODS AND SERVICES**

- 1) The following procedures shall govern the Purchasing of goods and services for the County in accordance with the existing Purchasing and Contracts Code:
  - a) All requests for goods and/or services and all purchases including all payable and revenue generating Contracts will be made through and by the Purchasing and Contracts Division except as otherwise exempted by the Purchasing Code and/or the Purchasing Manual. In some instances, authority to request prices and/or purchase goods or services may be delegated to others, such as, emergency purchases and purchases of goods and services not to exceed \$999.99 per item per the P-Card program. Those individuals that

have been delegated authority at \$15,000.00 will be required to sign a Statement of Responsibility Agreement.

- b) Like purchases shall be combined for bidding to take advantage of quantity discount pricing. Monitoring and auditing the utilization of Blanket Purchase Orders and Purchasing Card system will be conducted.
- c) No Contract, purchase, or group of requisitions shall be divided to avoid the procurement process. Splitting procurements, which entails making purchases via various procurement methods to avoid certain thresholds of the procurement code from the same Division for the same vendor or multiple vendors for goods or services of similar nature over a period of one year is not allowed. Total annual anticipated usage for supplies and services that exceed \$10,000.00 per year should be competitively bid in accordance to Section 3.5513 of the Administrative Code and a Term Contract should be issued, when applicable.
- d) It is prohibited for a County employee to order the purchase of any materials, supplies, equipment, and Contractual services, or approve any Contract other than through the Purchasing and Contracts Division without prior authorization or as specifically delegated herein. Any purchase order or Contract made contrary to the provisions hereof shall be processed as an unauthorized purchase and processed using the procedures stated in Section 220.16 of the Seminole County Code.
- e) Only in cases of emergency or specified exemptions, shall an exception to the above policy be made with the understanding that the person who is authorized to obtain the emergency purchase will personally assume the responsibility of immediately following up the verbal order given by him/her or his/her authorized representative, with proper justification in written form and the proper requisition. In cases of emergency, the requestor shall, when possible, contact the Purchasing and Contracts Division prior to placement of the order with the vendor. All emergencies must meet the criteria stated in Section 220.41 of the Seminole County Code.

## **I. MINIMUM TIME REQUIRED**

The following is an estimated time frame required to secure competitive prices by the Purchasing and Contracts Division and to issue purchase orders or Contracts after requisitions and complete packages are approved and received by Purchasing through J.D. Edwards:

**One to Two working days** for items under \$5,000, one to three verbal quotes should be obtained either by the Department/Division or by the Purchasing and Contracts Division.

**Two to Five working days** for items between \$5,000-\$10,000, three verbal quotes should be obtained by the Purchasing and Contracts Division, and/or the Department/Division with concurrence of the Purchasing and Contracts Division.

**One to Two weeks** for items between \$10,000-\$49,999.99; three written quotes must be obtained by the Purchasing and Contracts Division except for professional services (i.e., Engineers, Architects, Landscape Architects, and Surveyors) as governed by CCNA (FS 287.055) requirements.

**Five to Seven weeks** for items between \$50,000.00 and \$100,000.00; a formal RFP, PS, or bid is needed and no Board action is required.

**Eight to Twelve weeks** for items over \$100,000.00; a formal RFP, PS or bid is needed and Board action is required.

**Five to Seven days** for Work Orders that do not require Board approval.

**Three to Four weeks** for Work Orders that require Board approval.

Emergency purchases will be processed within the hour after proper documentation and authorization are obtained.

Note: Departments are required to obtain proper funding for their requirement prior to the requisitioning process. Additional time will be needed if proper authorization has not been obtained, if requisition is incomplete, if specifications are inadequate or a pre-submittal meeting is needed. Less time will be needed if Department/Division obtains the quotes, when allowed. Verbal or written quotes must be noted on the requisition. State the vendor's name and the price(s) quoted. If competitive quotes are not submitted, then justification of a time or quality constraint must be documented with the requisition, otherwise Purchasing and Contracts Division will obtain quotes.

## **J. PURCHASE OF RECYCLED PRODUCTS**

Seminole County encourages and promotes the use of recycled products and materials to include, but not be limited to recreation equipment, furniture, building and construction materials, office supplies, and paper & paper products, which meet or exceed federally mandated minimums.

### **1. Specifications:**

- a) User Department/Division shall develop product specifications to incorporate a requirement for the use of post-consumer recycled materials, reusable products, and products designed to be recycled to the maximum extent practicable, subject to an alternative showing that the performance of the product will be jeopardized or that the product will negatively affect either health, safety or operational efficiency. The Purchasing and Contracts Division should utilize such specifications in issuing Requests for Quote, Invitation for Bids and Requests for Proposal.

- b) The Purchasing and Contracts Manager shall have authority to review product and services specifications to determine whether they require or exclude the use of post-consumer recycled products, reusable products, or products designed to be recycled.
- c) In the event the Purchasing and Contracts Division receives a requisition and the Procurement Analyst determines that a recycled product is available, the Analyst shall contact the user Department/Division and inform them of the availability of the recycled product. The user Department/Division shall determine whether to change the specifications to allow for the purchase of said recycled product.
- d) Remanufactured equipment shall not be considered recycled products.
- e) Any person or vendor who can demonstrate that a particular product or material with post-consumer recycled content may be beneficially used instead of another product may request the County to evaluate such product or material. If such product or material is found to be beneficial, the County may incorporate the specifications of such product or material into its approved specifications for future Invitation for Bids or Requests for Proposal.

## 2. Paper and Copiers:

- a) Post-consumer recycled paper, which meets or exceeds federally mandated standards, shall be purchased and used in all copy machines that will accept it, when it is monetarily beneficial and/or does not affect the function or use of the copier or its product. Post-consumer recycled paper products shall be purchased for all other uses whenever available and monetarily beneficial, for example; calendars, legal pads, file folders, etc. The Purchasing and Contracts Division shall purchase copiers that are capable of utilizing recycled paper, if they meet the needs of the County with regard to function.
- b) The Purchasing and Contracts Manager may, when approved by the user Department/Division head, authorize up to a 10% price preference when purchasing a product that includes recycled content.

## **K. STANDARD FORMS**

The standard forms may be found on the Purchasing and Contracts Division's intranet web site. As forms are updated, new versions will be posted. Therefore, always check the web site to ensure that the current form is used.

## **L. SMALL PURCHASE AND PURCHASE ORDER FORMALIZATION**

- 1) Requisition. The Requisition is initiated by the user Department/Division to inform the Purchasing and Contracts Division of the requirement and to define the goods or services requested. The system will check the budget and verify that there are sufficient funds available in the account number(s) specified. A requisition is required to start the procurement

process for all purchase orders. The requisition consists of completed required data fields and all attachments needed for the type of requisition.

- a) Requisitions are initiated in the County's Financial System. Only authorized persons are allowed to initiate requisitions. A User Registration Form is used to register users. Should personnel responsibilities change, a revised form must be submitted by the requesting Department/Division.
- b) Requisitions should be prepared far enough in advance to avoid creating an emergency and to allow competitive pricing. Prices must be found fair and reasonable. This is normally done through competition; but where competition is unavailable, previous buys, catalog prices, cost analysis or other means should be used.
- c) All capital items in the approved budget should be requisitioned early in the Fiscal Year, with a specified delivery date required and any special instructions.

## **M. ADDITIONAL APPROVALS**

The following request for purchases and services must receive additional approvals prior to an approved requisition:

- a) Fleet Services must approve vehicles, motorized equipment, roadway equipment, and other related purchases. Allow sufficient time for the approval process.
- b) Information Technology Services (ITS) must approve all computer equipment (except CAD [Computer Aided Dispatch] and the items listed in the pre-approved list) for Telecommunications, peripherals, and software. All scopes of services with significant IT requirements must be approved by ITS. Allow sufficient time for the approval process.
- c) Cellular Telephones must be approved pursuant to County Manager Policy for cell phones.
- d) The Telecommunications Division must approve radios, CAD, and communication equipment. Allow sufficient time for the approval process.
- e) The County Manager's Office shall review and approve printed material involving the County logo and marketing material.
- f) The County Attorney's Office must review, prepare and/or approve maintenance agreements, licensing agreements, Term Contracts or any other Contractual documents. Allow sufficient time for the approval process. This action will be originated by the Purchasing and Contracts Division professionals.
- g) All requests for the temporary hiring of employees must be approved by the Human Resources Division.



## 1. Purchasing and Contracts Responsibilities.

Based on the requisition, Purchasing and Contracts Division will issue the proper method of procurement. This document creates a legally binding Contract, which authorizes the vendor to ship and invoice for the goods and/or services as specified.

The Purchasing and Contracts personnel will ensure that appropriate quotes, bids, or proposals are received and that the project is awarded by the appropriate level of authority. Upon award, a purchase order or Contract will be issued in accordance with the Purchasing Policy.

The Purchasing and Contracts personnel will contact the requisitioner, if the requisition is incomplete; if any changes are made to the requisitions; or if the requisition cannot be processed.

## 2. Purchase Orders.

Purchase Orders shall be written so that they are clear, concise, and complete. Computer generated purchase orders are issued upon receipt of a properly authorized requisition, and after receipt of competitive quotes or bids, determination of fund availability, and award by the appropriate level of authority. The automated procurement system numbers Purchase Orders consecutively.

The user Department/Division will not enter into negotiations with any supplier for the purchase of goods or services, unless negotiations are per the Purchasing Policy. The Purchasing and Contracts Division shall transmit all purchase orders to the supplier except when the release orders are authorized by the Division.

## 3. Vendor Acknowledgment Forms.

Some vendors send their own forms acknowledging a purchase order. These forms need to be sent back to the supplier without signature. Our signature on their form indicates we have accepted the supplier's terms and conditions, thereby making a new Contract that supersedes the conditions of our purchase order. Contact the Purchasing and Contracts Manager directly should the vendor refuse to ship without such a written agreement. If the vendor refuses to deliver products or services without a signed acknowledgement form, the Purchasing and Contracts Manager or designee will address the issue with the County Attorney's Office and the vendor.

## 4. Receipt of Goods and Materials.

The receiving Department/Division is responsible for inspecting and accepting or rejecting the goods and/or services.

- a) The receiving Department/Division is responsible for inspecting incoming shipments for conformance with the purchase order or Contract. The Department shall sign, date and forward the appropriate documents to the Finance Department/Division.

- b) Incoming shipments of goods and materials should be immediately checked for damage, shortages, overages, and unauthorized substitutions. Delays in checking shipments and forwarding the documents may result in loss of cash discounts, late payment of invoices and payment of interest.
- c) Interstate Commerce Commission regulations only require tailgate delivery unless an extra charge is paid for off-loading and setting in place or pricing includes "inside delivery". Most items purchased through the bid process include the extra charge. Contact the Procurement Analyst in the event of a dispute or an inaccurate charge.
- d) All deliveries should be FOB destination, freight prepaid; therefore Freight Collect deliveries should not occur. If a carrier has a COLLECT delivery, contact the Purchasing and Contracts Division immediately.
- e) Upon receipt of a shipment or delivery, the following steps shall be taken:
  - (1) First check for external damage to the packaging. If damage is visible, note this on the delivery receipt and have the driver clearly note the damage on your copy. Take pictures of the damage if a camera is available. If it appears the contents are damaged, insist on opening the carton and making a joint inspection of the contents. Note any damaged contents on the delivery receipt and on your copy. Be sure to retain your copy. Do not allow the carrier to retain the damaged item.
  - (2) Next, verify the number of cartons delivered. Note any shortage on the carrier's delivery receipt, have the driver note, and sign the shortage on your copy.  
  
NOTE: All shortages and damages MUST be noted on the delivery receipt or shipping ticket prior to signing for receipt of shipment. Failure to report damages and shortages may result in null or void claims.  
  
Should the driver refuse to open the carton or wait for inspection, write a statement on all copies of the delivery ticket such as: "Except for concealed damage" or "Subject to Inspection", and sign the document.
  - (3) As soon as practical, open all cartons and examine the contents carefully. Note any damage on all documents and follow the procedures below for "Concealed Freight Damages".
  - (4) Check the contents of each carton against the packing list and the purchase order. Do not issue items for use prior to checking the entire shipment.

- (5) If a shortage or damage is discovered, or an incorrect item is received, contact the appropriate Procurement Analyst immediately. Do not sign the "Receiving" documents until the problem is solved.
- (6) If a partial order is received and the packing list or invoice does not indicate balance of order status, notify the appropriate Procurement Analyst. Each partial shipment requires a receiving report. Make copies of the blank report for use as the remaining shipments arrive.
- (7) When the order is complete, fill out the "Receiving" documents and forward to the Finance Department. The Department/Division notifies the Finance Department that the ordered items have been received, inspected and are satisfactory.

5. Concealed Freight damage:

The following procedures will substantiate claims for hidden damage discovered after the driver has left. All personnel who receive deliveries should adhere to these procedures.

- 1) Call the carrier immediately to report the hidden damage and request inspection. Failure to report concealed damage within 10 days of delivery may result in the carrier denying your claim.
- 2) Confirm the call in writing. This establishes notification within the 10-day period. Forward a copy of your letter to the Procurement Analyst.
- 3) Retain the damaged merchandise. The carrier must give permission to use or dispose of damaged items. Also, hold the containers and all inner packing materials until the carrier's inspection.
- 4) Your delivery receipt and freight bill are needed as supporting documents when filing a claim.
- 5) Carefully read the carriers inspection report before signing it. Do not sign unless you agree with all the facts and conclusions. If the item cannot be repaired, the inspector must request replacement on the inspection report.
- 6) Forward copies of the inspection report, freight bill and delivery receipt to your Procurement Analyst. Based on the FOB point, the Procurement Analyst will file the claim with the vendor or the carrier. The Analyst will also determine the disposition of the damaged goods.
- 7) Hold the damaged goods until receiving disposition instructions from the Procurement Analyst. The vendor or carrier will pay shipping costs to return the item(s).
- 8) In all cases, keep the Procurement Analyst informed.

## 6. Special Receiving Requirements:

- 1) Receipt of Computer/Information Services Equipment: The Information Services Department will determine the delivery location of the equipment during the approval process of the requisition.
- 2) Receipt of Telecommunications Equipment: Deliveries will be directly to the Telecommunications Division, who shall take receipt.
- 3) Receipt of Rolling Stock/Vehicles Equipment: Deliveries will be directly to Fleet Services Division, who shall take receipt.

## 7. Invoices.

Departments/Divisions process invoices by comparing the PO, Contract, Receiving Documents and Invoice to ensure accuracy. When a PO does not have prices (Blanket), the Department must verify prices to be fair and reasonable prior to submitting the invoice to Finance. If the PO refers to a piggyback or a Term Contract, the prices on the invoice must be verified against the Contract prior to submitting the invoice to Finance for payment. The following procedures will assist in prompt payment of Seminole County invoices and comply with the "Florida Prompt Payment Act" (Florida Statutes 218.70-218.80):

- a) The vendor should mail original invoices and one (1) copy directly to County Finance, with two (2) copies to the user Department/Division. Invoices shall be date stamped when received by the County. If original invoices are received by a Department/Division, they must be immediately forwarded to County Finance.
- b) The Contractor shall invoice in accordance with the Contract or Purchase Order. The user Department/Division shall immediately review their copy of the invoice, assure conformance with the terms and conditions, approve the invoice accordingly, ensure that the invoice reflects the PO or Contract number, and forward to the Finance Department for payment.
- c) The user Department/Division shall assure the following documentation is completed prior to payment of the final invoice for a Construction Contract:
  - (1) Certificate of Final Completion, duly signed by the Project Manager and the Contractor.
  - (2) Certificate of Completion
  - (3) Certificate of Acceptance duly signed by the Engineer, Contractor and Purchasing and Contracts Manager.
  - (4) If the final invoice is received on non-construction projects and an encumbrance remains, the invoice shall state final invoice and Finance will release the remaining encumbrance.
- d) After proper completion of the project and all required documents, the Purchasing and Contracts Division shall provide copies of pertinent documents to the Finance Department.

- e) County Finance shall pay proper invoices within the time frames required by the Florida Prompt Payment Act.
- f) A proper invoice shall be defined at minimum to contain:
  - (1) Date
  - (2) Description and quantity of items purchased or services rendered
  - (3) Purchase price or cost of service
  - (4) Name and address of vendor
  - (5) Purchase order or Contract number
  - (6) Direct payment invoices must contain the ordering Department/Division name.

#### 8. Blanket Purchase Orders (BPOs)

- a) BPOs are used for purchasing indeterminable miscellaneous goods or services over a specific period of time (usually one fiscal year). BPO requisitions will be questioned if they are for items that could be charged against a County Purchase Card or could be purchased via a competitive procurement method. Since BPOs are the least preferred method of procurement, the requesting Department/Division shall be required to provide written justification for issuing a BPO. Please review your BPO requirements prior to submitting requisitions to determine if the Purchase Card can be used instead of a BPO. These purchases must be in compliance with the Administrative Code, Section 3.5513.
- b) A BPO is initiated by a requisition to a specific vendor, and then a purchase order is issued. The requisition must indicate the required dollar limit, prices, terms, and conditions. BPO's are numbered as regular purchase orders and contain the same information. The requisition should also state the following:
  - (1) The period of time the BPO will remain valid (usually through the end of the Fiscal Year.
  - (2) The not-to-exceed (NTE) dollar amount. The NTE amount is immediately encumbered. The NTE is limited to \$10,000.00 per year unless it is an approved sole source, has been approved for standardization, or as otherwise approved by the Purchasing and Contracts Manager or designee.

The cost of a single item is limited to \$1,000.00 unless a higher amount is approved by the Purchasing and Contracts Manager or designee.

- c) The user Department/Division may purchase needed items against the blanket order number for the term of the BPO, or until reaching the BPO's NTE dollar amount. Since these Blankets are non-competitive procurements, the user Department/Division must verify fair and reasonable prices.
- d) The user Department/Division is responsible for receipt of orders placed. Partial payments are made as orders are delivered until the NTE amount for that BPO is reached. To liquidate the BPO, indicate on the Invoice, "Purchases are Complete" and forward directly to the Finance Department.
- e) The user Department/Division is responsible for tracking the declining balance of the NTE amount. If the Department/Division exceeds the NTE amount, the overage will be treated as an unauthorized commitment of funds.

#### 9. Release Orders.

Release Orders are encumbered Purchase Orders placed against an active Contract. All invoices that are processed under Release Orders must match the prices, terms and conditions of the referenced Contract.

#### 10. Emergency Purchases.

- a) An emergency occurs only when certain specific conditions exist. The Seminole County Code, Sec. 220.41, defines these conditions. Failure to anticipate normal needs or project deadline dates, or a desire to expend excess or remaining budgeted funds prior to year-end, do not constitute an emergency.
- b) Department Directors are to ensure the emergency purchases are done in accordance with the Seminole County Code Sec. 220.41. Department/Division shall not use the emergency purchase procedure to abuse or otherwise purposely circumvent established purchasing procedures.
- c) Purchasing staff is authorized to approve emergency purchases up to expressly delegated monetary amounts. The County Manager, or designee or the Purchasing and Contracts Manager (with the concurrence of the Chairman of the County Commissioners) must approve emergency purchases exceeding \$100,000.
- d) The ordering Department/Division shall contact the Purchasing and Contracts Division to explain the nature of the emergency. The ordering Department/Division is responsible for providing adequate documentation (including a written determination of the basis for the emergency) and for the selection of the particular Contractor.
- e) Upon receipt of the Emergency Purchase Data Sheet form and any other pertinent documentation, a purchase order will be issued based on a

requisition generated in the automated financial system. Competition requirements are not waived unless there is a time or quality constraint.

- f) If the emergency is outside normal business hours, Department Directors are authorized to secure the necessary materials or services in accordance with Section 220.41 of the Seminole County Code.
  - (1) On the next workday following the date of purchase, a requisition shall be generated in the automated purchasing system and the Emergency Purchase Data Sheet shall be submitted to the Purchasing and Contracts Division.
  - (2) The Department/Division shall practice due diligence in obtaining quotes.
  - (3) The Department/Division will make the emergency purchase at the best possible price.
- g) When an emergency purchase is made and there are insufficient funds in the appropriate account(s), the emergency purchase must be followed up, in a timely manner, with a budget transfer by the user Department/Division.

#### 11. Sole/Proprietary/Single Source

- a) The following criteria must be met in order to satisfy the sole/proprietary/single source requirement (Sec. 3.5517, Administrative Code).
  - (1) Is the commodity or services necessary to accomplish the County's task or mission?
  - (2) Is the commodity or service, or some necessary features, unique to this source?
  - (3) Is the commodity or service the only item that will produce the desired results or possess a unique performance capability?
  - (4) Is the commodity or service available from only one source of supply.
  - (5) The commodity or service may be available from more than one vendor but, due to extreme circumstances, is only one vendor suited to provide the goods or services?
- b) Sole/Proprietary/Single Source purchases are exempt from competitive requirements. The steps to follow for sole/proprietary/single source purchases are as follows:
  - (1) The user Department/Division and the Procurement Analyst shall attempt to locate competition and check for piggyback Contracts. If

no other sources are found, the user Department/Division shall submit to the Purchasing and Contracts Division a completed Sole/Proprietary/Single Source Form, indicating the requisition number.

- (2) A Sole/Proprietary/Single Source Form shall be used to justify and document the requirement. The Form shall state why only one source can produce the desired results (or fulfill the specific need) and must be signed by the Department Director. This form is required as part of the purchase request.
- (3) The Purchasing and Contracts Manager or designee shall review and approve or disapprove, in writing; sole/proprietary/single source designation.
- (4) The user Department/Division shall be notified by Purchasing of disapproved requests and the purchase shall be made in accordance with standard procedures.
- (5) When the Purchasing and Contracts Manager or designee approves a Sole/Proprietary/Single Source, staff shall conduct negotiations on price, delivery, and terms. The price must be determined fair and reasonable.
- (6) The Purchasing and Contracts Division shall keep a log of sole/proprietary/single source purchases, which includes the vendor name, the amount, item description, justification, and the purchase order number.
- (7) For those instances that services are needed involving multiple years (i.e. maintenance of equipment, warranty, etc.) the request must be combined to capture the project as a whole and the proper approval must be obtained.

## 12. Sources Exempt from Competition.

Purchases up to \$50,000.00 may be made from Prison Rehabilitative Industries and Diversified Enterprises, Inc. (PRIDE) (FS 946.515) and RESPECT of Florida, Inc. (FS 287 and 413.036) without competitive bidding.

## 13. Term Contracts.

A Term Contract is a formal Contract executed as a result of either an RFP or an IFB. Term Contracts are used to meet a recognized continuing County requirement. They are issued for a base period with annual options that may be exercised at the discretion of the County. The base period may extend up to 5 years and the total Contract period may not exceed ten years. Release Orders are issued to place orders to provide against the Term Contract and they must be encumbered. Release Orders should describe a brief description of the goods and services (scope) along with an estimated cost to be encumbered using the agreement's terms and conditions. Each item on the Term Contract has a firm



price or the Contract may allow for a firm discount off established price lists. Any changes to the items (part numbers, labor categories) or pricing, must be captured by an amendment to the agreement. If a release order is issued for items or pricing that is not contained in a Term Contract, that release order will be processed via an unauthorized purchase (Section 220.16). Term Contracts are awarded for the use of a specific department or by the entire County and should be used when purchasing a Term Contract commodity and services. The process for a Term Contract is as follows:

- a) The user Department/Division shall notify the Purchasing and Contracts Division of the requirement for a Term Contract. The request must include an appropriate Statement of Work (i.e.; estimated quantities, item descriptions, specifications, etc.). The Purchasing and Contracts Division may initiate Term Contracts for Countywide use as deemed appropriate by the Purchasing and Contracts Manager.
- b) More than one Contractor may be awarded depending on the need for the goods or services. The solicitation and/or Contract documents must indicate how work will be distributed among the approved Contractors.
- c) Release Orders are requisitions placed against an existing Term Contract. When requisitions are processed by requiring Department/Division, they will ensure compliance with all terms and conditions of the Agreement. On Multiple Term Contracts a statement of work will be provided to each Contractor with a complete description of the requirements enabling them to prepare a quote. The release/purchase order will be awarded to the Contractor with the lowest price that meets the requirements.
- d) Items can be added to an existing Term Contract by amendment when the Purchasing and Contracts Manager or designee determines it is in the County's best interest. Items must be added at a fair and reasonable price and the amendment must be properly executed.
- e) Term Contract renewal options:
  - 1) Term Contracts may be renewed provided:
    - There is a continuing requirement and funding is available.
    - The Contractor's performance has been satisfactory.
    - The prices remain fair and reasonable.
    - The option to renew is available in the Contract.

Prior to expiration of the Contract, the user Department/Division(s) and the Contractor will be asked if they wish to renew the Contract for an additional term.

## **N. CONTRACT FORMALIZATION**

## 1. Solicitation Information.

Upon receipt of a requirement from the user Department/Division, the Purchasing or Contracts Administrator along with the requesting Department/Division will review the requirement to determine the procurement method. When there is an on-going need for goods and/or services which may extend over multiple periods or years, the total cumulative amount to be paid over the duration of the Contract term shall be the amount determinative of the requirement for requesting formal procurement methods (Section 3.5513, Administrative Code).

The following bidding process shall apply to all solicitations including leases, construction, non-professional services, general consulting, professional services (non-CCNA) etc.:

- a. The Purchasing and Contracts Division will review requests received from user Department/Division, which consists, but are not limited to the following:
  - (1) Verify that the user Department submitted the proper documents and authorizes the Purchasing and Contracts Division to proceed with advertisement of the project.
  - (2) Ensure that applicable form(s) is complete and all criteria are fair and reasonable.
  - (3) Ensure there is an equitable basis for award.
  - (4) Review for acceptability and get consensus of any deviations proposed to the County's standard draft documents.
  - (5) Ascertain that the proper approvals for various aspects of the procurement have been received (i.e., Risk Management, vendor licenses, permits, fees, etc.).
  - (6) Ensure that technical specifications comply with rules, regulations, codes, procedures, and applicable laws.
  - (7) Ensure that technical specifications are applicable for a fair and reasonable competition among suppliers/Consultants.
  - (8) Ensure that the bid or price schedule reflects the goods or services required in the scope of work (each line item is described in the scope and all work is priced). Ensure that the bid or price schedule is structured to facilitate cost or price analysis.
  - (9) Develop a biddable package without ambiguities, with clear understandable requirements. Determine the Contract type that is appropriate for the requirement and the bid or price schedule's units of issue are consistent with current industry usage.

- (10) Ensure that any requirements in the technical specifications requiring sole/proprietary source or limitation of competition are accompanied by documentation on the Sole/Proprietary/Single Source form (required for the Purchasing and Contracts Manager's analysis and approval) justifying the sole/proprietary/single source. The sole/proprietary/single source determination must comply with the Administrative Code, Section 3.5517.
- (11) Ensure that the user Department/Division arranges an asbestos survey, in accordance with the Asbestos National Emission Standards for Hazardous Air Pollutants, EPA 40 CFR Part 61, when demolition services are requested.
- a) The user Department/Division must provide the names of the people who will be on the evaluation/qualification committee. The use of the Evaluation Nomination form on the Intranet should be used.
  - b) The user Department/Division, with the assistance of the Purchasing and Contracts Division, must provide the evaluation criteria and relative weights.
  - c) The Purchasing and Contracts Division and the Project Manager will set the procurement schedule for the various milestones (i.e., advertisement, pre-proposal conference, site visits, evaluation/presentation dates, negotiation, BCC award, etc.).
  - d) The preparation of specifications is the responsibility of the user Department/Division with review by the Purchasing and Contracts Division. The Purchasing and Contracts Division reserves the right to challenge specifications to allow for open competition. Specifications shall permit competition except on non-competitive materials or services. Specifications should define the level of performance required rather than a specific brand name.
  - e) The user Department/Division must provide information when Federal or State pass-through grant funds are used for construction projects (i.e. transportation, housing, air and water pollution reduction, health, or alteration/repair or public buildings) which must contain a clause in the solicitation setting forth the minimum wages to be paid to laborers and mechanics employed under the Contract. The Davis-Bacon Act requires Contractors or their Subcontractors to pay workers no less than the locally prevailing wages and fringe benefits paid on projects similar in nature. The Project Managers are responsible for monitoring Contracts to ensure compliance. Payroll records from the Contractor(s) and/or Subcontractor(s) must be collected, reviewed, and submitted to the grantor with the quarterly financial reports. A review of

the grant agreement will confirm if the Davis-Bacon Act applies. The County will comply with the Florida Department of Transportation (FDOT) Local Agency Program (LAP) Critical Requirements Checklist for Professional Services Certification (526-010-48) and any changes thereafter, for the procurement of professional services under the Consultants Competitive Negotiations Act (F.S. 287.055) for the procurement of FDOT funded construction projects. The County further resolves to comply with all FDOT guidelines and requirements for the procurement of FDOT-funded construction projects.

2. Advertisements (Public Notices).

Advertisements shall be in accordance with the Administrative Code, Section 3.555. All incumbent Contractors/Consultants will be notified directly of the follow-on solicitation by being provided a courtesy copy of the advertisement; provided the Contractor/Consultant is in good standing with the County. The Purchasing and Contracts Division will notify vendors registered with Seminole County Government using the on-line vendor notification process and will utilize publications and catalogues, suggested sources from the requisitioner, previous suppliers, previous bidders, etc., to obtain maximum competition.

3. Distribution and Posting of Procurement Documents.

The user Department/Division is responsible for providing electronic Adobe pdf files of the drawings for construction projects and for providing electronic (pdf or word) files of all specifications to the Purchasing and Contracts Division.

The Purchasing and Contracts Office will post all solicitations to the County's web site and will mail a CD or hard copies only when requested in writing.

4. Pre-Proposal or Pre-Bid Conference.

Pre-Proposal/Pre-Bid Conferences must comply with the State of Florida's Sunshine and Public Records Laws. Reasonable notice of the date, time and place of the meeting must be given. The meeting should be recorded when possible. If not recorded, minutes must be taken by the person chairing the meeting. If the meeting is recorded, no transcriptions will be available.

A Pre-Proposal/Pre-Bid Conference shall be held whenever deemed appropriate by the Purchasing and Contracts Personnel in coordination with the Project Manager. In attendance shall be the Procurement/Contracts Analyst of record (who chairs the meeting), a representative of the user Department/Division (who shall be prepared to answer technical questions, usually the project manager), staff with special expertise (i.e.; Fleet Services when purchasing equipment, Information Services when purchasing computer equipment), and any other County staff members as deemed appropriate by the Purchasing and Contracts Manager or Project Manager.

5. Minority/Woman Owned Businesses.

Seminole County encourages all segments of the business community to participate in its purchasing program. Minority/Woman Owned Business Enterprises (M/WBEs) are encouraged to register on the Website to increase procurement opportunities. In accordance with the Purchasing Code, the County will honor certification of vendors made by the State of Florida or by any other public entity with an M/WBE certification program.

6. Bid opening/RFP closing procedures

- a) Bid Openings. A bid tabulation form will be posted on the Purchasing and Contracts Division's website within 48 hours from the bid opening. Vendors filing protest of award must do so within five business days after the posting of the recommended award and in accordance with the Administrative Code, Section 3.5539.

If during the evaluation of the bids, a Bidder is disqualified, the tabulation sheet must indicate the disqualification and the reason for the action.

The tabulation sheet must indicate the name of the Company, address, telephone number, fax number and the person that signed the submittal.

A sign-in sheet must be prepared and routed at the Bid opening. The name of the Bidder and the dollar amount of the Bid must be read. If the bid consists of multiple line items, only the total bid cost must be read. The Bid Security must be verified and read aloud.

- b) RFP Closings. Proposals shall be closed in public at the time and place indicated in the RFP and advertisement. Only the proposer's names will be publicly announced. A tabulation form will be posted on the Purchasing and Contracts Division's Website within 48 hours from the opening. The tabulation will include the criteria's evaluation weight factors. All non-exempt submittals received shall be available for public inspection in the Commission Records Office in accordance with the Public Records Law, within thirty (30) days after the opening or immediately after the recommendation of award, whichever comes first. Upon completion of the evaluation process and receipt of the recommendation from the Evaluation Committee, the recommended Contractor(s)/Consultant(s) will be posted on the tabulation form contained on the Purchasing and Contracts Division's website. The date of the posting must appear on this tabulation. Vendors filing protest of award must do so within five business days after the posting of the recommended award and in accordance with the Administrative Code, Section 3.5539.

If during the evaluation of the proposals, a submittal is disqualified, the tabulation sheet must indicate the disqualification and the reason for the action.

The tabulation sheet must indicate the name of the firm, address, telephone number, fax number and the person that signed the proposal.

- c) For Bid Openings and RFP Closings, the attendees will receive the following information:
  - (1) The tabulation sheet will be posted on the County's Purchasing and Contracts website 48 hours after the opening/closing. If verification takes longer than 48 hours, a preliminary tabulation sheet will be posted indicating that the final tabulation will be available as soon as the process is completed.
  - (2) The bids or proposals will be available for public review thirty (30) days after the opening or immediately after recommendation of award whichever comes first. The recommendation of award will be indicated at the bottom of the tabulation sheet and posted on the County's Purchasing website. All information related to the bid or proposal will be available through the website.

#### 7. Bid/Proposal verification.

The bids and proposals must be reviewed carefully to ensure compliance with the minimum requirements established in the bid documents. Samples of such compliance may be, but not limited to:

- a) Pre-qualification with the Florida Department of Transportation (can be verified via the internet);
- b) Contractor's license;
- c) Minimum of years of experience or in business;
- d) Acknowledge of addenda especially if mandatory to the project. The tabulation sheet must include the information if a submittal did not acknowledge or if only partial acknowledge the addenda. If the addenda indicates SHALL and the submitter fails to acknowledge the addenda, the submittal will be disqualified and the tabulation sheet must indicate the reason for the disqualification. If the addenda indicate MAY and the submittal fails to acknowledge the addenda, the tabulation sheet must indicate the information.
- e) Math verification in a line item price. Only mathematical errors during the price extension will be corrected. The unit price will prevail and the extension will be corrected accordingly. If unit price is omitted, then extension price will prevail.

#### 8. Tie Bids/Proposals.

In the event two or more vendors submit the exact dollar amount as their quote/bid offer, or should two or more firms be deemed equal during an RFP selection process, and unless the request for quote, Invitation for Bids or Request for Proposal stipulates criteria for determination of award for tie bids, the following criteria, in order of importance, shall be used to break said tie:

- a) Delivery time
- b) Prompt payment discounts
- c) Location of vendors' place of business (award to vendor whose place of business is within Seminole County)
- d) Minority firm

9. Request for Proposals (RFPs).

Although competitive sealed bidding (Invitation for Bids) is the preferred method of acquiring commercial off-the-shelf equipment, supplies or services in excess of the mandatory bid limit, another method should be used for those circumstances when the selection of a firm should not be based on price alone. Many times Purchasing must take into consideration the potential need for presentations, discussions or negotiations and use evaluation factors other than price to determine what is in the best interest of the County (Sec. 3.558, Administrative Code).

In Requests for Proposals (RFP's-non-CCNA), the greatest emphasis should be on adequately defining the work or service needed and on adequately evaluating the capability of those firms interested in performing the service using established evaluation criteria stated in the RFP. The user Department/Division shall develop the specifications and/or scope of work for the RFP. The County Attorney's office will prepare an appropriate Contract (draft agreement) for inclusion in the RFP package.

The Purchasing and Contracts Division in conjunction with user Department/Division shall develop the RFP, which will include the following:

- a) Statement of general purpose and description of the project (goods or services), including delivery schedule.
- b) Introduction including background information related to the project.
- c) Scope of work: A work statement or performance specifications.
- d) Vendor qualifications requirements, i.e.; years of success in performing services, audited financial statement with required net worth (generally, at least as much as the total projected cost of the Contract), required certifications, licenses, or pre-qualifications.
- e) Required Information/Submittals- Information or documents to be submitted as part of their response, i.e.; resumes, required forms (whether included or not included in the RFP), format in which the proposal is to be submitted and any other elements specific to the Contract.
- f) Evaluation criteria - The proposals will be evaluated based upon the criteria and weighting factors (Qualitative, Quantitative), i.e.; price,

qualifications, technical soundness of the proposal, understanding the County's needs, financial resources, and previous Contracting experience with the County. Price must always be an evaluation criteria. Only factors or criteria indicated in the solicitation shall be used in the initial evaluation.

- g) Bonding requirements, if any.
- h) Duration of performance period, if known.
- i) General terms, conditions and specifications.
- j) RFP closing date and time and pre-proposal meeting (if applicable) date and time and the locations. The review and reconciliation process will require the user Department/Division to submit revised documents, to the Purchasing and Contracts Division approving the changes and authorizing staff to proceed with the advertisement of the solicitation.

Notices will be sent to all vendors who are registered with the County under the appropriate commodity code. The user Department/Division should notify the Purchasing and Contracts Division of any prospective vendors to be included in the proposer list or any special publication that could be used to advertise the project. All incumbent Contractors will be notified of the follow-on procurement providing that the Contractor is in good standing with the County.

Proposals shall be closed in public at the time and place indicated in the RFP and advertisement. Copy(s) of the appropriate submittals will be sent to the evaluation committee with copies of the tabulation form, and the conflict of interest statements. If the award criteria for the RFP is low price technically acceptable and the low bidder is determined to be non-responsive or not responsible, a written determination is required and must be approved by the Purchasing and Contracts Manager. The RFP process allows for more flexibility than an IFB process. Negotiations and discussions can be conducted with all proposers along with minor changes of the scope. To finalize these negotiations and clarifications a Best and Final Offer (BAFO) request may be issued to all offerors remaining in the competitive range.

## **M. BONDS, BID SECURITY AND INSURANCE**

### **1. Bid Security.**

When the Purchasing and Contracts Manager or designee deems necessary, and as promulgated by the Purchasing Code, bid security shall be required by the Invitation for Bids/Request for Proposals and for construction Contracts. If required, all bids shall be accompanied by either a bid bond executed by a surety company meeting the qualifications as specified in the bid documents or money order, certified check, "cashier" check of any national or state bank (United States) payable to the Seminole County Board of County Commissioners and conditioned upon the successful bidder executing the Contract and providing the required performance and payment bond and evidence of required insurance within a reasonable amount of time after notification of award of the Contract. A PERSONAL CHECK OR A COMPANY CHECK OF A BIDDER SHALL NOT BE



DEEMED A VALID BID SECURITY. Security of the successful bidder shall be forfeited to the Board of County Commissioners for the cost and expense incurred should said bidder fail to execute the Contract, provide the required bonds and certificate(s) of insurance, and/or fail to comply with any other requirements set forth in the bid documents. Bid securities of the unsuccessful bidders will be returned after award of the Contract.

## 2. Bonds.

Bonds are assurance that the vendor will perform accordingly, as specified in the bid or Contract. Bonds shall conform to the minimum standards as set forth in Florida Statutes Chapter 255, Section 255.05(1)(a).

- a) A performance bond is a Contract of guarantee, executed subsequent to award by a successful bidder/proposer, to protect the County from loss due to the bidder's inability to complete the Contract as agreed.
- b) Payment bond assures the payment of sub-Contractors and materials suppliers.
- c) A maintenance bond assures that the Contractor will perform those services required by the Contract regarding warranty and guarantee of the project and is authorized by the Project Manager.
- d) Both Payment and Performance Bonds must be in the amount of at least one hundred twenty percent (120%) of the adjusted Contract price.
- e) Occasionally, and always in the case of construction Contracts exceeding \$200,000.00 payment, performance and maintenance bonds should be required.
- f) Bonds may be desirable if the vendor is unknown; no prior experience with County or their financial statement indicates the Contractor does not have adequate financial resources. The types and amount of Bond(s) above the Florida Statutes requirements may be determined by the Purchasing and Contracts Manager or designee.

## 3. Insurance.

In construction and other Contracts, insurance protecting the County against liability, property damage and Contractual risks is essential. While it is acknowledged that such requirements do add to the initial costs of any project, the reduction of risks involved (injury, fire, theft, vandalism, loss of life) far outweighs those costs. Worker's compensation, property damage, liability, and automotive property damage & liability are required. Additional coverage may be required, depending upon the nature of the project.

The County must determine, prior to issuance of the Invitation for Bids or Request for Proposal, which projects or materials (communications equipment, for instance) should have the extra protection of bonds and insurance (and amount and type thereof); regardless of how reputable the awarded vendor may

be. The Purchasing and Contracts Division will assist the Risk Management Section and the user Department/Division in determination of when such requirements are needed.

## **N. PROPOSAL EVALUTION, COMMITTEES RESPONSIBILITIES**

### **1. Evaluation of Proposals and Recommendation for Award.**

In general, the Qualification Committee, qualify submittals to identify firms that are qualified, and forwards their findings without ranking to the Board for selection. Evaluation Committees will evaluate proposals, rank and make recommendations to the Board or approving authority.

Once the proposals have been closed and logged in, they must be evaluated or qualified by a Committee. The Committee is chaired by Purchasing and Contracts, who must be present at each meeting. The Evaluation Committee is structured to provide the skills necessary for the particular project being evaluated. Typically, there will be a technical evaluation and a price/cost evaluation as a minimum. Additional skills required may include engineering, general business, legal, information technology, or fiscal. The Committee as a whole may meet to arrive at a recommendation for award or they can perform the evaluation electronically. When a recommendation is received from the Department, the tabulation sheet must be updated with the recommendation of the award and updated on the website. Once all the steps above are completed, the Contract will be prepared and the agenda item must be written, if necessary.

### **2. Sunshine Requirement.**

The Evaluation Committee and all other meetings during the evaluation period prior to final selections must comply with the State of Florida's Sunshine and Public Records Laws. If the meeting is non-exempt reasonable notice of the date, time and place of the meeting must be given. The meeting should be recorded, when possible. If not recorded, minutes must be taken by the person chairing the meeting. If the meeting is recorded using software, a copy of the electronic file will be available. The custodian of the record for these meetings is PCD. At the meeting, the committee members must return all required forms such as the Conflict of Interest Statement and individuals or group evaluation forms and any other pertinent data as necessary for the evaluation of the project.

### **3. Committee Procedures.**

Once the project has been tabulated, copies of the proposals must be sent to the Evaluation Team. The package must include a memorandum stating the number of proposals received, the situation of the proposals including any pertinent information, a Conflict of Interest Statement form and instructions on how to submit their recommendation to Purchasing for further processing. These proposals/packages are exempt from release as public information for thirty (30) days from the receipt of bids/proposals. A cover memo will be prepared by PCD indicating the date when the procurement information can be released.

- a) The evaluation process is a key function in the selection of a quality Contractor/Consultant. It is very important that this process be conducted in a professional and consistent manner, therefore team members need to be flexible and available for all meetings during the evaluation process, including demonstrations and presentations. These guidelines and procedures will be followed by County employees that are nominated to serve on an Evaluation Team. A review will be conducted by the Review Committee for Construction bids and IFBs to review the proposals for references, responsiveness and responsibility of submittals. A technical evaluation committee evaluates the submittals against the established evaluation criteria stated in the solicitation. A Qualification Committee will also check for references, requirements and responsibility of submittals. At times, these evaluation meetings are exempt under F.S. 286.0113, within thirty (30) days after opening of bids/proposals or immediately after recommendation of the intent to award as stated in the bid tabulation posted on the County's website.
- b) The Evaluation/Qualification committee will consist of not less than three County employees. It is recommended that the team consist of 3 to 5 County employees. If desired, a Consultant can assist in the review process but will not be an actual team member that will be submitting evaluation sheets. Remember that a Conflict of Interest Statement will need to be signed by each employee. The recommended composite of the team is as follows:
- (1) Project/Program Manager (usually serves as the Team Leader) Division Manager
  - (2) Project Technical Personnel
  - (3) Project Engineer
  - (4) Knowledgeable Staff Employee outside of the Division
- c) For all Evaluation committees and special projects, if the procurement has a value of \$500K or more per year, the Department Director must be a member. If the value exceeds \$1 Million per year, the County Manager or designee must also be a member.
- d) For Invitations for Bids (IFBs) and Construction Contracts (CCs): This is the least formal process since the award of the Contract is to the lowest priced, responsive, responsible bidder. The Review Committee is viewed as an informal group, comprised of the Project Manager and at least two other County staff members which are typically from that person's department. This Committee's role is to assist PCD with the technical review of the construction bid received from the apparent low bidder, in order to ensure that their bid conforms with the scope and requirements of the project. A Consultant may assist the team (not a voting member). A review of the proposal is required to determine if it conforms to the requirements stated in the solicitation. If the lowest priced bid is found non-responsive, then the next low bidder will be reviewed and so on until a

responsive Contractor is found. When the lowest bidder is found non-responsive or not responsible, this determination must be in writing with the appropriate documentation.

- e) For Contracts awarded under the State of Florida's Consultants' Competitive Negotiation Act (CCNA): This formal evaluation process will identify the firms that best meet our requirements in accordance with the evaluation criteria stated in the solicitation. The Evaluation/Qualification process requires a review of all proposals independently against the established evaluation criteria as stated in the solicitation. Purchasing and Contracts Division will supply the evaluation criteria as stated in the solicitation. The evaluation sheets shall include comments of the strengths, weaknesses and deficiencies of each proposal that support the staff recommendation. The Evaluation Team shall evaluate statements of qualifications and performance and shall conduct discussions with and may require presentations by no fewer than three most highly qualified firms selected in order of preference. Only these presentation evaluation sheets will be included in the backup of the agenda along with a combined consensus sheet of both the initial evaluation and the final short-listed firms.
  
- f) For all CCNA procurements with an estimated value of \$1M per year or more; the normal procedure will be unchanged up to the point of short-listing firms. The Evaluation Committee will evaluate, rank, and short list the appropriate number of firms (at least three, but could be more if multiple awards are contemplated). The bid tab will be revised with the short-listed firms posted to the County's website. The Evaluation Committee may hear presentations from the short-listed firms. The committee members will individually evaluate the presentations or conduct discussions, as usual. No combined scores or ranking will be done by the committee. The committee will not issue a consensus report or make any recommendations to the Board. Each Board member will be given copies of the written proposals from the short-listed firms, along with the evaluation work sheets from the initial evaluation (to get to short list) and the work sheets from the short-listed firms' presentations. The project will be presented to the Board as a regular agenda item on the Purchasing and Contracts agenda. The Board will discuss, rank the short-listed firms, and recommend award of the Contract in the Board meeting using CCNA procedures. Upon the Board's decision, PCD will forward information to Legal for preparing the Contract. CEI services Contracts or Work Orders relating to the construction project under the time and material method of compensation may not require the standard ten percent (10%) retainage as requested by the Project Manager.
  
- g) Request for Proposal (RFPs) (Non-CCNA): This process is similar to the above. It includes a price/cost evaluation that the Purchasing and Contracts Division will provide as part of the overall evaluation. The method of award must be stated in the solicitation and may be one of two types; low price technically acceptable or best value. For low price technically acceptable process, the evaluation process will start with the lowest proposal to determine if they are technically qualified. If not, then

proceed to the next low until an acceptable proposal is found. A pass/failed or Yes/No evaluation is required to determine if the proposal meets the technical requirements. For Best value process or an award to other than the lowest price, the team must evaluate all proposals and document the advantages of the recommended firm to support the best value recommendation. The documentation must specifically address why the recommended award is worth the added cost over the lowest (or lower) price(s). The evaluation that supports the best value justification will be part of the backup documents along with the committee's consensus summary sheet.

1) Method of evaluations. There are two approved methods of evaluations to be used:

- Weight (points) system, can be a two-step process
- Rating (adjectival) system, can be a two-step process.

#### 4. General Guidelines for Evaluation Teams:

The Purchasing and Contracts Division will provide the team with all the necessary forms for the evaluation process. The Purchasing and Contracts Division will monitor the evaluation process and provide guidance at the start of each formal evaluation. If requested, training on the evaluation process can be provided to the team with little or no previous evaluation experience. The Purchasing and Contracts Division will review forms for completeness and compliance with the policy. Any forms that are not properly completed or which lack appropriate comments or documentation to support the award recommendation may result in the delay of the award recommendation.

Each team member must be thoroughly familiar with the contents of each proposal and the requirements of the evaluation criteria in the solicitation. Team members should evaluate each proposal on its own merits and in accordance with the requirements stated in the solicitation. As part of the evaluation process, the Evaluation Team will perform any reference or past performance checks. At the Evaluation Team meeting, team members will work towards reaching consensus and the Team as a whole will submit a single recommendation for proceeding. The Evaluation Team Leader, with assistance from Purchasing and Contracts Staff, will guide the team's deliberations.

- List the Strengths and Weaknesses using the following guidelines (Weight system):
- Strengths: Those areas in which the proposal exceeds the County's requirements.
- Weaknesses: Those areas where the proposal lacks soundness or effectiveness, which could prevent fully successful performance of the Contract. Deficiencies: Those areas where the proposal fails to meet the County's requirements.

5. For rating (adjectival) system:

- Highly Acceptable: Those proposals that exceed the requirement in a way that benefits the County or meets the requirements and has enhancing features which benefit the County. Must identify those attributes on the evaluation sheets.
  - Acceptable: Those proposals that meets the County requirements. Any weakness is minor.
  - Marginal: Those proposals that contains major weaknesses or a series of minor deficiencies which could have an impact if accepted. Must identify those weaknesses on the evaluation sheet.
  - Unsatisfactory: Those proposals that do not comply substantially with the requirements. Must identify those issues on the evaluation sheet.
- h) These strengths, weaknesses and deficiencies can be used in the negotiations, presentations and discussions during the RFP process. For best value process or award to other than the lowest price, the Evaluation Team must evaluate all proposals and document the advantages and attributes of the recommended firm that support the best value recommendation. These evaluation sheets that support the best value justification will be part of the backup for the agenda or a consensus sheet can be submitted instead of individual sheets.

6. Price/Cost Evaluations.

The Purchasing and Contracts Division is responsible for performing a cost or price analysis on each solicitation. The analysis will include a determination of fair and reasonable price for the recommended award.

a) Price/Cost Evaluations for RFPs

The price/cost proposal of the RFP should be evaluated by the Purchasing and Contracts Division personnel using the following ratio:

The lowest price proposal receives the maximum points or is rated highly acceptable. Divide the next vendor's price by the lowest to receive a percentage and multiply this percentage by the weights to determine the next score.

EXAMPLE:

VENDOR	PROPOSED PRICE	%	MULTIPLY	WEIGHT (POINTS)	EQUALS	WEIGHTED SCORE ***
A	\$40,000	85% **	X	30; (H/A=4)	=	26 (3.4 = A)
B	\$37,500	90% *	X	30; (H/A=4)	=	27 (3.6 = H/A)

C	\$33,900	100%	X	30; (H/A=4)	=	30 (4.0 = H/A)
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\* Vendor "B" percentage is  $\$33,900 \div \$37,500 = 90\% \times 30$  or (4) = 27 or (3.6)

\*\* Vendor "A" percentage is  $\$33,900 \div \$40,000 = 85\% \times 30$  or (4) = 26 or (3.4)

\*\*\* Weighted score should be rounded to the nearest whole number.

Highly Acceptable (H/A) = 4

Acceptable (A) = 3

Marginal (M) = 2

Unacceptable (U) = 0

If the Contract is based upon various hourly rates or level of effort, the analyst must make some assumption based upon anticipated usage or historical data. This estimated cost must be analyzed using the above process or if developed in the RFP a way to utilize the rates as benchmark. Cost data will be included in the supporting documentation.

b) Price Determination - Fuel

The Contractor may petition the Purchasing and Contracts Division for price re-determination if/when the price of fuel increases by a minimum of ten (10%) percent.

Any price re-determination will be solely based upon changes as documented by the Producer Price Index (PPI) for the commodity "Gasoline - WPU0571" or "#2 diesel fuel - WPU057303" as published by the Bureau of Labor Statistics, which can be found on-line at <http://stats.bls.gov>. The base index number will be the month of the due date of the solicitation. Subtracting the base index number from the current index number and dividing the result by the base index number calculates the maximum percentage increase allowed. Any price re-determination will include all items awarded. If the County and the Contractor cannot agree on any price re-determination, then the Contract will expire. Contractors shall provide documentation to illustrate what percentage of the price is related to fuel, as the increase shall be calculated based upon the percentage of the cost associated to the cost of fuel (see example below). Failure to provide the detailed cost analysis with each request for a price re-determination due to fuel price escalation shall preclude any price re-determination due to fuel costs.

Example:

Fourteen (14%) percent of the cost to provide product/service is attributed to the cost of fuel.

PPI in the month the solicitation closed was \$158.73

	264.52
Current PPI is \$264.52	<u>-158.73</u>
	105.79

$\$105.79$  divided by  $\$158.73 = .666\%$   
The unit cost of the service is  $\$100.00$   
 $14\%$  of  $\$100.00 = \$14.00$   
 $\$14.00 \times .666 = \$9.32$   
New unit price for the product/service is  $\$109.32$

If the Purchasing and Contracts Division grants an increase in the Contract price based upon increases in gasoline and/or diesel prices, then the /Department Division may also adjust the Contract price downward if the cost of gasoline and/or diesel decreases by ten percent (10%) or more from the date of the last increase in the Contract price. This clause may be used in addition to any other price re-determination clause in the solicitation. If the County and the bidder cannot agree on any price re determination, then the Contract will expire without prejudice thirty (30) days after the impasse is reached.

## 7. Interviews and Presentations.

Presentations and interviews must comply with the State of Florida's Sunshine and Public Records Laws (F.S. 286.0113). The Tabulation Form must be updated and posted on the County's website.

Once the short listed firms have been identified, PCD staff must ensure compliance with the following process:

- a) Notify the Consultants by mail, fax or e-mail of the County's determination. The firms must be notified within the next seven (7) days of the Evaluation Committee meeting. The notification shall include details of the interviews/presentations including, but limited to the following:
  - Date and time of the interview/presentations
  - Location of the meeting
  - Time allotted for each firm
  - Additional information if requested by the Evaluation Committee
- b) PCD staff will coordinate the schedule of the interviews/presentations with the Evaluation Committee and when applicable will send invitations via Outlook or other agreeable method.
- c) The County's Purchasing website shall be updated within 48 hours and shall indicate the names of the short - listed firms and the date and time of the interviews/presentations.
- d) Interviews/Presentation evaluation forms will be prepared by the Purchasing and Contracts Division and provided to each member of the Evaluation Committee at the start of the interview/presentation. A sign-in form must be completed by each member of the Evaluation Committee and present members of the firms.



## O. AWARD

### 1. Contract Clauses and their administration.

All County Contracts for supplies, services, and construction shall include provisions necessary to define the responsibilities and rights of the parties to the Contract. The Purchasing and Contracts Manager, after consultation with the County Attorney, may issue clauses providing for adjustments in prices, time of performance or other provisions as appropriate for supply, service, or construction Contracts.

### 2. Contract Negotiations

- a) Application: This section only applies to negotiations and should not be construed as applying to presentations or clarifications conducted as part of the evaluation process. For the purposes of this section, negotiations are defined as discussions entered into with the intent of changing the solicitation's terms, conditions or scope; or the offeror's technical or price proposal in order to reach a mutual agreement that can be reduced to writing. Seminole County will follow the State of Florida guidance found in F.S. 287.057(17) (b) when conducting negotiations on County procurements. Specifically, for any negotiation with a value over the threshold amount provided in F.S. 287.017 for Category Four, the Purchasing and Contracts Manager may appoint a negotiation team of at least three persons to conduct negotiations. When the estimated value of the procurement being negotiated is in excess of \$1 million in any fiscal year, at least one of the persons conducting negotiations must be a Florida State certified "Contract Negotiator". If the estimated value of the negotiated procurement is in excess of \$10 million in any fiscal year, at least one of the persons conducting negotiations must be a "Project Management Professional" as certified by the Project Management Institute.
- b) The Negotiation Team: A three member negotiation team will consist of the Program Manager, the Contract Analyst, and a third person selected to provide specific expertise. The third member may be from any Department with specific technical knowledge of the requirement. The exact composition of the team will depend on the expertise needed for the items under negotiation (i.e., technical, price, legal, insurance, etc.). Depending on the circumstances, the team may consist of more than three members. The negotiation team may or may not have the same composition as the Evaluation Committee. The Contract Analyst will serve as the team leader and the lead negotiator on pricing issues. The Program Manager will be the lead negotiator on technical issues. Other team members may take the lead in their areas of expertise; however the team leader must maintain the focus and direction of the negotiation.
- c) Negotiating a Request for Proposals (RFP's): For low price technical acceptable RFP's, when the proposal exceeds our budget, the Procurement Code allows the staff to enter into negotiations with the low bidder in an attempt to bring the project within budget.

When the Evaluation Committee determines that award cannot be made on the initial proposals and negotiations are necessary; the Evaluation Committee must determine which firms are in the competitive range (i.e., firms that stand a reasonable chance of getting the award). The Evaluation Committee will identify the strengths and weaknesses, technical and prices issues that must be negotiated, and a recommended County position on each issue. A negotiation team will be appointed (which may or may not be the same as the Evaluation Committee) by the Purchasing and Contracts Manager. The negotiation team will meet with the Evaluation Committee and develop a negotiation strategy that addresses each identified issue prior to entering into negotiations. Negotiations must be conducted with each firm that is in the competitive range. At the completion of negotiations, each firm must submit a Best and Final Offer (BAFO) formalizing their revised technical and price proposals after negotiations. The Contract Analyst shall require a Truth in Negotiations Certificate be submitted with any revised prices that are based on negotiations. The Evaluation Committee will then evaluate the BAFOs and select a firm to recommend for award.

- d) Negotiating for Professional Services under CCNA (PS's): When the rank order of short-listed firms has been approved by the proper level of authority, the Contract Analyst shall request a fee schedule and a Truth in Negotiations Certificate from the top ranked firm. The Project Manager, working with the Contract Analyst, will determine if the proposed fee schedule is acceptable under Department/Division established guidelines using the standard negotiations form (with multiplier caps) based on full disclosure of various cost elements to formulate the final multiplier, or if negotiations are required. In making this determination, staff shall give consideration to the scope and complexity of the services to be provided.

If the fee schedule as submitted is found unacceptable, the Contract Analyst and the Program Manager (along with a third member) will form a negotiation team and negotiate with the top ranked firm under the above guidelines for negotiations. The end result of a successful negotiation is a determination that the proposed fees are fair and reasonable. In order to make this determination, a detailed analysis of the selected firm's costs must be conducted. Should negotiations fail with the top ranked firm, negotiations shall be formally terminated and negotiations shall then be undertaken with the second ranked firm and so on. The agreement with the successful firm shall incorporate the negotiated fee schedule.

- e) Sole Source Negotiations: Sole source procurement may occur in several ways. In the first instance, the procurement may be identified as sole or proprietary source before issuing the solicitation. A second instance may arise however when a solicitation is issued expecting competition but only one submittal is received.

In this case a sole source negotiation with the lone provider can be conducted. A third case occurs when the low bid exceeds our budget. The Purchasing Code allows us to enter into negotiations with the low bidder in

an attempt to bring the project within budget. And finally, any amendment or change order to an existing Contract is negotiated in a sole source environment.

In each of these four cases, any resulting negotiation will be conducted in accordance with the provisions of this section.

### 3. Distribution.

Upon the Board's approval of the recommendation of award, the Purchasing and Contracts Division will process the project for award. After approval of the project, the Purchasing and Contracts Division will:

- a) Notify the successful Bidder/Proposer and send copy of the Contract for his/her execution. In the transmittal letter a statement concerning any manipulation of the agreement including exhibits would be grounds for disqualification and if the manipulation is found after the approval and award, it would be grounds for fraud and misrepresentation. Any work related activities performed in advance of the bilateral execution of this agreement is not authorized and would be at the sole risk of the Consultant and would not be billable to the County.
- b) Request copy of Insurance Certificate(s), required Bonds and Licenses from the Contractor.
- c) Route the Certificate of Insurance and Bonds for appropriate approval.
- d) Route the Contract for internal signatures and processes (i.e., Commission Records, etc.). Electronically scanned signature by the vendor/Contractor may be accepted by those bilateral procurement actions in which signature and approval authority rest in Purchasing and Contracts.
- e) Before distribution of the Contract, the Purchasing and Contracts Division will review the documents for the following:
  - (1) All signatures are in place in the Contract along with the Contractor's seal.
  - (2) Obtain approval from Risk Management offices for the Insurance Certificate.
  - (3) Verify Performance and Payment Bond for compliance and proper completion.

### 4. Contract Information System. All pertinent Contracts information must be entered into the JD Edwards Agreement module.

## **P. GENERAL WORK ORDER PROCESSES**

1. Work Orders. Work Orders (W/O) are authorizations to provide services meeting the requirements of a specific scope of services/work to the County under Master Service Agreements (MSA). They are utilized only in conjunction with a MSA and per the guidelines defined in this Article. Work Orders are to be utilized for construction and professional services, to include but not be limited to; architectural services, engineering services, appraisal services, acquisition services, construction management services, construction services and other Consultant services, where a MSA is currently in effect.

Authorization for performance of professional services by Consultant(s) under a MSA shall be in the form of written Work Orders issued and executed by the County and signed by the Consultant(s). A sample Work Order is included as part of the MSA. Each Work Order shall describe the services required; state the date for commencement and the due date for delivery or completion of work. The Work Order must establish the term of performance and establish the amount and method of payment. Work Orders will be issued under and shall incorporate the terms of the MSA. Work Orders may be issued under the MSA provided that they are within the approved estimated annual term amount or estimated usage amount as stated in the approved Board Agenda item. The County makes no covenant or promise as to the number of available projects or that the Consultant(s) will perform any project for the County during the life of the Master Service Agreement (MSA). The County reserves the right to Contract with other parties for the services contemplated by the MSA when it is determined by the County to be in the best interest of the County to do so. Methods of payment for Work Orders:

- a) Fixed Fee Basis – If the Scope of Services is clearly defined. The amount for reimbursable expenses must be included in the Fixed Fee Amount. Backup shall be submitted by the labor categories and rates in the MSA to support the recommended fixed fee. The fixed fee basis is intended for the Scope of Services to be completed within the stated completion time in the Work Order at the fixed fee amount. The Work Order will state the retainage as per the agreement term.
- b) Time Basis Method – For Scope of Services that cannot clearly define the extent, cost or duration of the work. If a not-to-exceed amount is provided, the Consultant shall perform all work required by the Work Order, but in no event, shall the Consultant be paid more than the not-to-exceed amount specified in the applicable Work Order. Work Orders for CEI services should be issued under a time and material basis, and if the Work Order waives the retainage for that Work Order then it does supersede the Master Agreement requirement for retainage, but only for that Work Order. The Work Order must contain language specifically waiving the retainage requirement.
- c) Time Basis Method with Limitation of Funds – For Scope of Services that cannot clearly define the extent, cost or duration of the work. The Consultant(s) is not authorized to exceed that amount without the prior written approval of the County. Said approval, if given by the County, shall indicate the new limitation of funds amount. The Consultant(s) shall advise the County whenever the Consultant(s) has incurred expenses on

any Work Order that equals or exceeds eighty percent (80%) of the limitation of funds amount.

2. The following procedure will be utilized for Work Orders:

- a) The user Department/Division must submit a completed Contract Action Request (OC) accompanied by the scope of services for the project and the Contract Services Request (CSR) form. It is the responsibility of PCD staff to verify the information received is correct and applicable for the action and ensure that the scope of services is in accordance to the scope of services approved in the MSA.
- b) Work Orders (except for some Construction Engineering and Inspection (CEI) services) in excess of \$100,000.00 will be paid at 90% on every invoice submitted. Under prompt payment procedures, after 50% completion of the construction services purchased pursuant to the Contract, retainage may be reduced to 5% of the amount of retainage withheld from each subsequent progress payment made to the Contractor. All Work Orders under \$100,000.00 will not be held to the 10% retainage unless recommended by the Project Manager. Retainage will be indicated on the Work Order form.

General Work Order Procedures for Multiple Consultants under CCNA.

Professional Services – those services within the scope of practice as defined by the laws of Chapter 287.055, Florida Statutes.

When awarding Work Orders under MSAs with multiple Consultants, the overriding objective is to distribute the work equally amongst the Consultants under Contract. Equal distribution of the work will be measured by the dollar value of the work awarded; such that each Consultant gets (in so far as possible) an equal share of the total dollars spent annually on the MSA.

- a) Selection Process. When dealing with multiple Consultants under a CCNA Master Agreement, the user Department/Division will select only one of the Consultants to solicit for a proposal. The following criteria, in order of acceptance, will be used to determine which Consultant will be solicited for a proposal.
  - (1) Specific and unique technical expertise not available from any of the other Consultants under Contract. This criterion will not apply to all Work Orders.
  - (2) Distribution of dollars awarded to date under the MSA.
  - (3) Past performance on previous County work.
  - (4) If the Consultant does not choose to participate, the County will select another Consultant using the criteria in paragraph (a) above.

Once the selection has been made, the following procedures are to be utilized so that the Work Order can be defined:

- b) Generating the Work Order (after selection of the Consultant). The user Department/Division must send a Request for a Proposal to the Consultant selected. The request asks for a technical memorandum/scope of services and a fee proposal. The Request for Proposal must include:

- (1) Statement of work. The statement of work will provide each Consultant with a complete description of the requirement enabling them to prepare a proposal with valid man-hours.

The County may ask the Consultant for solutions and to identify unacceptable conditions.

- (2) Elements - The minimum required elements are the purpose and brief description of the project; description of the work/service to be performed; the location(s) where the work/services to be performed; the basis for determining the award of the Work Order; a contact person for the County for questions or clarifications including the telephone number and the extension number; and what is the required delivery date or period of performance.

- (3) Submission of proposal - The user Department/Division must indicate when the proposal is due back to the County. Be very specific of when and where the proposal is to be delivered, indicating that if the County does not receive the submittal on time, the County understands the Consultant has chosen not to participate in the process for that particular project.

- (4) Additional information - If additional information is available for the Consultant's review and consideration, please indicate the location of those documents and the contact person including telephone number and extension number.

- (5) Meeting/Site Visit - If a meeting and/or a site visit are necessary to discuss the project, please indicate the location, time and date of the meeting.

- c) The Consultant shall submit the following in response to the Department/Division's Request for Proposal:

- (1) Detailed Scope of Services – The Detailed Scope of Services shall specifically address each aspect of the project and tell in detail how the Consultant will accomplish the work. At a minimum it shall include a list of milestones and a schedule for completion. Each milestone task must be described in sufficient detail for the Department/Division to evaluate the Consultant's understanding of the project and action plan for completion.

- (2) Fee Proposal – The Fee Proposal shall include as a minimum the level of effort proposed to support the work. This should include a list of man-hours by staff position and the Contracted hourly rate for that position. The hourly rate should match the hourly rate included in the MSA, unless the hourly rate is negotiated to a lower rate. Any subcontracted effort must be included in the proposal and supported by a matching fee proposal with a detailed breakdown of hours, rates and reimbursable expenses. Any markup to sub-Contract costs must be indicated, supported and reasonable. Reimbursable expenses must be described.
  - (3) Acceptability of Proposal from the Selected Consultant. The proposal received from the selected Consultant must be acceptable to the County. Criteria to consider when determining the acceptability may include understanding requirements, technical approach, innovative techniques or solutions, management approach, proposed fee and the ability to meet cost or time constraints. The requesting Department/Division will determine the acceptability criteria for the Work Order.
- d) If the proposal is found to be unacceptable as submitted, the County will continue to negotiate with the selected Consultant until an acceptable resolution is obtained.
- (1) If the proposal, as submitted, is not quite acceptable, but could become acceptable with relatively minor changes to the scope of services, proposed fee schedule or fee proposal, the Department/Division and PCD staff will enter into discussions with the Consultant to refine the proposal making it acceptable. Bases on those discussions, the Consultant must submit a revised proposal, which the County finds fully acceptable.
  - (2) If the proposal as submitted is so unacceptable that it cannot be made acceptable without major modifications to either the technical scope of services, the proposed fee, or the proposed schedule, the Department/Division shall take the appropriate action to remove the Consultant as a qualified firm under the MSA and solicit a second Consultant for the project.
- c) The user Department/Division must provide copies of all documentation to the Purchasing and Contracts Division including:
- (1) Request for scope of services, fee proposal breakdown, Work Order expiration date on CSR form;
  - (2) Originals of the Consultant's submittals including Subcontractor's cost and breakdown of cost, if any;
  - (3) Determination of acceptability and recommendation for award (CSR form).

#### 4. General Work Order Procedures for Multiple Consultants under Non-CCNA.

Services other than those services defined as professional services by the laws of Chapter 287.055, Florida Statutes. This section includes, but is not limited, to Non-CCNA Management and Professional support.

- a) When dealing with multiple Consultants under a MSA, the user Department/Division may request a technical memorandum/scope of work and fee proposal or may request only fee proposal if a detailed scope of work is defined and provided to all Consultants qualified under the MSA.

(1) If technical memorandum/scope of work is requested the request must include:

Statement of work. The statement of work will provide each Consultant with a complete description of the requirement enabling them to prepare a proposal with valid labor-hours/pricing. The County may ask the Consultant for solutions and to identify unacceptable conditions.

Elements - The minimum required elements are the purpose/brief description; description of the work/service to be performed; the location(s) where the work/services to be performed; the basis for determining the award of the Work Order; a contact person for the County for questions or clarifications including the telephone number, extension number, and the required delivery date or period of performance. Any questions or clarifications given must be forwarded to all Consultants.

Submission of proposal and fee proposal - The user Department/Division must indicate when the proposal is due back to the County. Be very specific of when and where the proposals are to be delivered, indicating that if the County does not receive the submittal on time, the County understands the Consultant has chosen not to participate in the process for that particular project. Fee Proposal should include as a minimum a list of labor categories that will perform the work and the number of hours assigned to each individual including the Contracted hourly rate for that individual. The hourly rate should match the hourly rate included in the MSA, unless the hourly rate is negotiated to a lower rate. Sub-Contracting efforts including a detailed cost/price breakdown should be provided. Reimbursable expenses must be described.

Additional information - If additional information is available by the Consultant for the committee's review and consideration, please indicate the location of those documents and the contact person including telephone number and extension.

Meeting/Site Visit - If a meeting and/or a site visit are necessary to discuss the project, please indicate the location, time and date of the meeting. Staff needs to inform the Consultants if the meeting is mandatory.

(1) If only fee schedule is requested the request must include:



Scope of Work. The scope of work should delineate in specific terms the services, which are to be provided by the Consultant. By precisely describing the tasks, which are to be accomplished by the Consultant, the conditions under which the work is to be performed, and the statement of work has a direct influence on the quality of the Consultant's performance and the nature of the project's results. The scope of work must include a detailed complete description of the services the County is expecting to obtain from the Consultants. The Scope of Work must include purpose/description of the project; description of the work/service to be performed; the location(s) where the work/service is to be performed; a contact person for the County for questions, clarifications including the telephone number and the extension number; and the period of performance, and time frame.

Submission of fee proposal - The user Department/Division must indicate when the fee proposal is due back to the County. Be very specific of when and where the fee proposals are to be delivered, indicating that if the County does not receive the submittal on time, the County will interpret that action as if the Consultant has chosen not to participate in the process for that particular project. Fee Proposal should include as a minimum a list of who will perform the work and the number of hours assigned to each individual including the Contracted hourly rate by labor category for that individual. The hourly rate should match the hourly rate included in the MSA, unless the hourly rate is negotiated to a lower rate. Sub-Contracting efforts including a detailed cost/price breakdown should be provided. Reimbursable expenses must be described.

Additional information - If additional information is available by the Consultant for the committee's review and consideration, please indicate the location of those documents and the contact person including telephone number and extension number of the person.

- a) Performance Standards: The selection will be based on lowest cost and availability of staff to provide the required services in the specified time frame. Delivery of services must also be considered in the evaluation. The criteria must not include experience of the firm/individuals because these Consultants have been already qualified under the original evaluation of the MSA.

The user Department/Division must provide copies of all documentation to the Purchasing Division/Contracts Section including:

- (1) request for scope of work, fee proposal breakdown, Work Order expiration date and CSR form;
- (2) originals of all the Consultants submittals including Subcontractor's costs and breakdown of costs;
- (3) evaluation criteria documents;
- (4) recommendation for award (CSR form).

5. Work Order Approval processes for Professional and Consultant Services.

a) Processes for professional services defined under Florida Statutes – CCNA

(1) For a study activity when the fee is less than THIRTY FIVE THOUSAND AND NO/100 DOLLARS (\$35,000.00) or for a construction project the basic construction cost of which is estimated to be less than THREE HUNDRED TWENTY FIVE THOUSAND AND NO/100 DOLLARS (\$325,000.00) or as defined under the Florida Statutes. Directors or designee with the assistance of the Purchasing and Contracts Division may select a Consultant based on their expertise, price proposal and scope of services without publicly advertising the project. However, a competitive environment shall be utilized unless there is a time or quality constraint that can be documented by the Department Director/Division Manager.

(2) For a study activity when the fee is over TWENTY FIVE THOUSAND AND NO/100 DOLLARS (\$25,000.00) or for a construction project the basic construction cost of which is estimated to be over TWO HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$250,000.00) or as defined under the Florida Statutes. The process for Professional Services solicitation must be followed. The process is defined in the Administrative Code, Section 8.15, Article V, Professional Services (CCNA) or Florida Statutes, Chapter 287.055.

b) Master Service Agreements (MSA):

MSA with one Consultant – The Procurement Supervisor regardless of the cumulative dollar amount will execute Work Orders provided the amounts are within the Board approved budget.

MSA with Multiple Consultants – If the cumulative amount of the Work Order is over \$100,000.00, the Work Order shall be approved by the Board of County Commissioners and executed by the County Manager. If the Work Order does not require Board approval, the Work Order will be executed by the Procurement Supervisor of the Contract. If the Work Order is less than \$5,000.00, a formal price proposal is not needed. User Department/Division(s) can select the Consultant from the approved list on a rotating basis.

c) Processes for services other than those professional services defined under Florida Statutes – Non-CCNA Consultant Services

(1) Compensation up to \$50,000.00 - Quotes will be required when appropriate. User Department/Division must identify the scope of work, completion time, and dollar amount and account number and submit to Purchasing and Contracts Division.

(2) Compensation over \$50,000.00 - The process for Source Selection and Contract Formation must be followed. The process is defined in the Administrative Code.

d) MSA:

**MSA with one Consultant** - User Department/Division must submit a Contract Action Request (OC) and a CSR form containing all pertinent information including a cost proposal. Additional information may be required by Purchasing and Contracts Division. The Procurement Supervisor regardless of the cumulative dollar amount will execute Work Orders provided the amounts are within the Board Approved Budget, and the cumulative dollars for all Work Orders under the MSA shall not exceed the estimated dollar amount approved by the Board of County Commissioners during the award process or renewal process.

**MSA with Multiple Consultants** - User Department must request Technical and Cost Proposals from all approved Consultants in accordance with the Purchasing Procedures. If the Work Order is over \$100,000.00, the Work Order shall be approved by the Board of County Commissioners and executed by the County Manager. If the cumulative amount of the Work Order is less than \$100,000.00, the Work Order will be executed by the Procurement Supervisor. If the Work Order is less than \$5,000.00, quotes are not needed, and user Department/Division can select the Consultant from the approved list on a rotating basis. The cumulative dollars for all Work Orders under the MSA shall not exceed the estimated dollar amount approved by the Board of County Commissioners during the award process or renewal process.

## **Q. AMENDMENTS PROCESS**

The user Department/Division must submit a completed Contract Action Request (OC) and a CSR Form. The request must include a revised scope of services including the tasks being eliminated or added, the revised compensation amount and the additional time for completion, if applicable. It is the responsibility of Procurement staff to verify the information received is correct and applicable for the action and ensure that the request is in accordance to the Contract.

Once the approval process is completed, the following steps are applicable:

1. The Procurement staff must prepare a memorandum with all pertinent information and send the request to the County Attorney's Office for preparation. The request must be accompanied by the previous Amendment, if any, or copy of the Agreement date, revised scope of services or additional scope; compensation information and the revised dollar amount and signature authority for action.
2. Once the document is received from the County Attorney's Office, Procurement staff must verify that the information is correct and that the document contains no errors. The Amendment is sent to Consultant for signature and attestations.

3. Once the Amendment is received from the Consultant, the document is routed for signature through the proper level of authority and recorded in Commission Records. The original certified copy is sent to the Consultant.

At the end of each of these tasks, the Model Log in JDE must be updated.

## **R. CONTRACT ADMINISTRATION PROCEDURES**

The procedure for Contract Administration establishes responsibilities for the initiation, processing, execution and monitoring of Contracts entered into by the County and in compliance with the Administrative Code, Section 3.55, Article III.

1. Responsibilities of the Project Manager – User  
Department/Division. The Project Manager manages, supervises the planning and coordinates the project with the Divisions within the Department and with other regulatory agencies having jurisdiction over the project, if applicable. The Project Manager is responsible for providing management system documentation in the form of progress reports and ensuring that project milestones are accomplished within specified time and budgetary constraints. The Project Manager is permitted latitude for independent judgment and decision in the resolution of a broad range of issues involving project management. This delegation must be in accordance to Department/Division's policies and procedures. The Project Manager is responsible for submitting proper documentation to the different levels of authority to ensure compliance with the following:
  - a) That sufficient funds have been appropriated and are available for the purpose of the Contract as well as other budgetary considerations.
  - b) A description of services to be provided, including specific Contract objectives.
  - c) The estimated cost establish by the Division or outside Consultant
  - d) Ensure that all applicable permits are obtained and in order for the project to continue without delays.
  - e) Ensure that any discrepancies in the Contract compliance is documented and maintained in the Contract file. Any issues involving the performance of Contractor/Consultant or the adherence to Contractual terms, the Project Manager must notify the Purchasing and Contracts personnel.
  - f) Review invoices for payment, verify accuracy in accordance with Contract terms and submit to Accounting personnel within the Department/Division and County Finance for payment. The payment request must include required documentation according to the Contract terms and conditions.
  - g) Submit to the level of approval within the Department/Division the Closeout Documents in accordance to the Agreement. The Closeout

Documents must include all proper documentation as required for approval and final payment and in accordance to Paragraph "S". Once the documents are processed and approved, submit to the Purchasing and Contracts Division for execution.

- h) Involve Purchasing and Contracts Division in any meeting on an as needed basis relative to the Contract.
- i) Insure compliance with the County Code, policies and procedures.

The information required for the initiation of a project in the Purchasing and Contracts Division is summarized, but not limited to the following:

- Project Name
- Scope of Services
- Schedule for the Project
- Evaluation Committee members and Criteria for the evaluation of the proposals
- Preliminary Project costs or use
- Financial Information
- Approval authority
- Information regarding permits, etc.,
- Minimum requirements
- Liquidated damages for construction projects
- Any specific requirements applicable to the project
- Engineer of record for construction projects
- Construction, engineering and inspection firm for construction projects.

Departments/ Divisions will have an accurate account of encumbered Contract amounts and the Contract balance.

Responsibilities of the Project Manager related to Change Orders, Amendments and Work Orders:

- Initiate action for required changes to the scope of work or time extensions via the proper documents.

- Submit the request to Purchasing and Contracts Division for execution.

## 2. Responsibilities of the Purchasing and Contracts Division.

To facilitate, monitor and assist the Departments/Divisions through the Contract process. The Procurement personnel will be the designated liaison. Responsibilities include but are not limited to the following:

- a) Maintain a JD Edwards Agreements module that reflects the status of Contracts. The JD Edwards Agreements module will provide Contract information that will be sufficient to allow informed decision making from a countywide perspective.
- b) Promote consistency in format and terminology for Contract documents.
- c) Assist in the development of specifications, processing of Contracts and the monitoring of Contracts by interfacing with the Department/Division's Project Manager and those responsible for the technical aspects of the Contract as applicable.
- d) Coordinate with Department/Division for the scheduling of Contracts, Change Orders, Amendments and encumbering of funds as applicable.
- e) Ensure that all applicable insurance and bonds are obtained prior to award and are in compliance according to the terms and conditions of the Agreement. Responsible for obtaining approval from the Risk Management Office and County Attorney's Office for deviations of Contract language.
- f) Determine the level of approval signature authority and process documents accordingly. The level of approval must be in accordance to the Purchasing Code.
- g) Coordinate and participate in Contract Negotiations.
- h) Distribution of executed procurement actions to both vendors and Department/Division staff.

## 3. Responsibility of Risk Management Office.

To determine the adequate limits and types of insurance and bonds for Contracts. Responsibilities include but are not limited to the following:

- a) Review initial submittals of insurance and bonds to ensure that coverages, amounts, and firms meet the County's requirements.
- b) Ensure that risk transfers are utilized as warranted.

- c) Determine if “loss preventable” exposures are being created.
- d) Provide standardization in insurance requirements for County-wide procurements.

4. Responsibilities of the County Attorney’s Office:

- a) Prepare all Contracts for all projects as needed for County operations and as requested by the Purchasing and Contracts Division.
- b) Review all Contracts to ensure their legality with respect to form and compliance with applicable laws.
- c) Provide comments regarding the ramification of certain Contractual situations. Provide any written legal opinion or representation as needed throughout the course of the Contract.
- d) Participate in Contract Negotiations as required.
- e) Coordinate efforts to obtain Contract compliance whenever notified by the Purchasing and Contracts Division of an apparent irresolvable breach of Contract.

5. Responsibilities of the Finance Department:

- a) Review encumbrances to ensure accounting data complies with the County’s budget and GASB-34 requirements.
- b) Review the terms and conditions of Contracts to ensure invoices are in compliance with the Contracts prior to payment.
- c) Payment verification, which involves a review of the Contract, signature authorization and verification of mathematical accuracy.
- d) Issue payment and record in the Financial System.

A certified copy of the Contract document will be distributed to the Consultant/Contractor, the County Attorney’s Office, Finance, and a copy will be retained in the Project File located in the Purchasing and Contracts Division and an electronic copy will be posted in JD Edwards and/or County’s purchasing website.

## **S. CONTRACT CLOSEOUT PROCEDURES**

A project is ready to be closed out when all work has been completed, all disputes have been settled, all inspections have been completed and PCD approves and processes the close out of Construction Contracts. Closeout documents include Construction Plans, Drawings, Technical Specifications, Addenda, and general provisions of the Contract, including Contract and Supplementary General Conditions, apply to these procedures. For those Construction Work Orders under \$200,000.00 that did not require Bonds, the formal Close-Out process (i.e. Final Completion and Contractor's Release forms) is not required. At times, PCD may waive the forms and format of documents to expedite the close out function.

### **1. CONTRACT COMPLETION REVIEW**

- a) When the Contractor determines that the Work is complete in accordance with Contract Documents; the Contractor shall submit to the County's Representative and Architect the final project construction completion schedule along with discussion of the close out process to include the following:
  - (1) Date of Construction Completion.
  - (2) Walk-through of the project and reviewing the Punch List. The purpose of the meeting shall include discussion of the submission of warranties, guarantees and submission of operation and maintenance data (manuals).
  - (3) Inspection and Testing: Prior to the Construction Completion acceptance, Contractor shall complete inspection and testing required for the Work.
  - (4) Submission of Contract closeout documents and materials as required.

### **2. FINAL COMPLETION ACTIONS AND SUBMITTALS**

- a) Contractor Responsibility: Contractor shall be solely responsible for the timely completion of all required Contract closeout items stated in the Contract and General Conditions.
- b) Prior to application for Final Payment, Contractor shall submit to the County all documents required by the Contract documents. Contractor shall submit original versions of final sign-off by inspectors. Submissions to include all final Certifications of Inspections and Tests, As Built, Warranties, Bonds, Release of Liens from Sub-Contractors, Contractor's Final Release of Lien, Consent of Surety and Certificate(s) of Completion: Contractor shall



submit specific warranties, guarantees, and workmanship bonds reflecting the accurate dollar value.

### 3. FINAL PAYMENT

- a) Final Payment: After completion of the scope of services and submission of all documents and products, the Contractor shall submit final Application for Payment, identifying amount of final payment including retainage, previous payments and sum remaining due. Payment will not be made until all Project Records and Close-out Documents have been received and accepted by the County.

### 4. FUNDING

- a) When a project is substantially completed, the Department/Division should review the remaining budget for the project. If the amount of remaining budget is substantially higher than the amount needed to complete the project, the Department/Division should contact their Budget Analyst in order to prepare a DFS reducing the project budget to the amount needed to complete the project, and transferring the excess funding to Project Contingency. If a project requires additional funding due to an unforeseen contingency, the additional funding does not change the Board approved work program, and the project is funded through a fund with established Project Contingency funds, then additional funding can be approved by the County Manager's Office. The additional funding is requested through the Resource Management Department / Budget Division by utilizing a DFS.

### 5. CONSTRUCTION CONTRACTING.

Construction Package. The Bidding Documents shall be construed to assure protections and benefits to the public. The Bidding Documents are intended to assure Bidders fair and equitable treatment; however, the Bidding Documents shall not be construed to create property interests benefiting Bidders as a result of the procedural safeguards established to benefit the public. The Project Manager is responsible for submitting Purchasing and Contracts Division all documents required for the Bidding Process. The CSR Form is available through the Purchasing and Contracts Division website. Some of those documents include, but are not limited to:

- a) The scope of work, including technical specifications, drawings and other relevant data shall be provided in an electronic PDF format
- b) The Contract schedule
- c) Information about site conditions, such as soil and geology reports
- d) Applicable laws and regulations

- e) Financial Information related to the project including the engineer's estimate of the construction project.
2. Once the information is compiled, the Project Manager and outside Consultant(s), if applicable, meet with Procurement personnel to schedule the timeline for the project and to ensure all documents are correct and the project is ready for advertisement.
3. Depending on estimated construction costs, the type of Construction Contract will determine the Contractor selection method. Florida Statutes, Chapter 255, Section 255.20 sets forth the thresholds for obtaining competition. Specifically:
  - a) Formal Solicitation – For construction projects, the estimated cost of which is over two hundred thousand dollars (\$200,000) and electrical work the estimated cost of which is over fifty thousand dollars (\$50,000), the County must competitively award the project through a formal solicitation. The Contractor submitting the lowest, responsible, responsive bid is the selected recommendation of award.
  - b) Informal Bidding – For construction projects the estimated cost of which is two hundred thousand dollars (\$200,000) or less and for electrical work the estimated cost of which is fifty thousand dollars (\$50,000) or less, the County may invite at least three Contractors to submit quotes and the Contractor submitting the lowest, responsible, responsive quote is selected. Invited Contractors may be selected from the County's Vendor registration list or previous Contractors in good standing with the County. This method may also be utilized when dealing with the selection of a Contractor for specific Work Orders under a MSA for construction.
  - c) The threshold amounts of \$200,000 for construction and \$50,000 for electrical work must be adjusted annually in accordance with the provisions of F.S. 255.20 (2).
4. Once the project is advertised, all questions about the meaning or intent of the Contract Documents shall be submitted to the PCD staff personnel. Procurement personnel will submit questions to the Project Manager for action and the answers will be provided back to Procurement personnel. Should revisions to the solicitation documents become necessary, the Procurement personnel will post addenda information on the County's website. Because the Contract and its documents will change over the course of the project, it is important that Project Manager and Procurement personnel take note of these changes and maintain a project file with all pertinent information.
5. The County has developed baseline documents for Construction projects. These documents establish clear boundaries between the County and the Contractor and they are written to address the current requirements of

typical Construction projects for both new projects and alterations. However, the County is committed to the ongoing improvement of its documents to meet changes resulting from government regulations, legislation, insurance, and user expertise. These changes must be coordinated with the Procurement personnel and for incorporation in the Construction Documents. Procurement personnel will obtain approval from the appropriate Department/Division. The County and its Consultants have a common goal of successfully completing the project by meeting time, cost and quality requirements. To ensure compliance with construction Contract terms and conditions, the Notice to Proceed (NTP) for construction projects will be issued by PCD. Under prompt payment procedures, after 50% completion of the construction services purchased pursuant to the Contract, retainage may be reduced to 5% the amount of retainage withheld from each subsequent progress payment made to the Contractor, with approval of the Program Manager.

6. MSAs for construction projects approved by the Board, Work Orders using the lowest price or using the A plus B process will be executed by PCD providing the amount is within the Board approved budget.
  - a) For Work Orders under MSAs that are less than \$25,000.00, Department/Divisions may select a specific Contractor using the distribution of work method under the MSA. For these Work Orders, retainage may not apply and a formal closeout process for these small projects is optional.
  - b) Any Work Order under a MSA greater than \$200,000.00, shall require bonds in accordance with the Agreement. For Work Orders under \$200,000.00, bonds may be required if deemed appropriate by PCD.
  - c) Past performance may be considered in the award of future work and Work Orders under a MSA.
  - d) The Work Order process is described in Section Q (General Work Order Processes).
7. There are different types of procurement methods for Construction projects. The solicitation may combine several types into one (such as a 2-step selection process and an incentive arrangement). Some types are:

Design – Bid – Build; Conventional Method. The County will Contract with Consultant to develop the technical specifications and drawings and the County will solicit Bids following the procurement process.

- a) 2-Step Process. This method allows the County to narrow list of Bidders to the most qualified Contractors for a specific project based on relative experience, staffing, financial status, current workload, past and present litigation, licenses, etc. Only those Contractors that are short-listed are invited to submit a bid to the

County. The basis of award for step 2 is to the low responsive/responsible bidder.

Construction Management at Risk (CMR). The selection of the successful Contractor under this process is based upon a competitive qualification procedure, and is allowed under Florida Statutes 255.20. The CMR negotiates a Guaranteed Maximum Price (GMP), which includes the fee. The CMR is responsible for directing and coordinating the entire project including bidding out all subcontract requirements that the CMR's own workforce does not perform. The GMP is the most the CMR can receive for constructing the scope of work negotiated. If the cost for the project comes in less than the GMP, depending on how the Contract is written, either the balance of the GMP reverts back to the County or is shared with the CMR. Unless there is a scope change required by the County, any cost overruns are to the CMR's account. If the construction is completed earlier than scheduled, and if the Contract language is so structured, the CMR only collects his fee prorated to the completion time.

b) Design-Build. A single Contractor provides design, construction and inspection through a single Contract between the agency and the design-bid (D/B) Contractor. Must comply with Florida Statutes 287.055 regulations.

c) Alternative Bidding/Contracting Methods Analysis.

- Incentive/Disincentive (I/D) Provisions for Early Completion. I/D provisions for early completion are intended to motivate the Contractor to complete the work on or ahead of schedule. They compensate the Contractor a daily amount for completing the work ahead of the I/D completion date or assess a daily amount for finishing later than the I/D completion date. The daily I/D amount is based on Road User Costs (RUC), which is the estimated cost of interference and inconvenience to the highway user during construction.
- A + B Bidding. A + B Bidding, a cost-plus-time bidding procedure, selects the low bidder based on a monetary combination of the Contract bid items (A) and the time (B) needed to complete the project.

Formula: Bid amount for evaluation = A + (B x RUC)

Where: A = bidder's estimate of Contract bid items (\$).

B = bidder's estimate of time (days)

RUC = road user costs (\$/day)

The RUC is a calculated dollar amount reflecting the additional estimated costs incurred by the public traveling through or around a highway construction project. RUC

generally consist of delay costs, vehicle operating expenses, and accident costs.

The award is based on the lowest combined bid using the formula  $A + (B \times RUC)$ . The Contract amount for payment purposes is the A amount only.

## **V. PROTESTS, APPEALS AND REMEDIES**

1. Bid Protests. Upon receipt of a formal written protest within five business days after the posting date of the award recommendation on the internet, the Purchasing and Contracts Manager shall review the letter of protest, and determine whether the protesting party has standing regarding the merit of the protest itself. If the protesting party wishes to appeal the decision, the appeal protest must include a protest bond in order for it to be accepted. The processing of a protest will be in accordance with the Administrative Code, Section 3.5539.

The Purchasing and Contracts Manager will render a written decision to the protesting party. The Purchasing and Contracts Manager's decision shall be final and conclusive unless, within five (5) business days from the date of receipt of the decision, the protesting party delivers a written notice of appeal to the Purchasing and Contracts Division.

Once an appeal has been received, the Purchasing and Contracts Division shall schedule a Protest Appeal Hearing, and ensure that all concerned parties are contacted and instructed in writing as to the time and date set for the hearing. The appeal committee will consist of three (3) County Representatives.

A protest hearing shall be held at the time and place as designated. The Purchasing and Contracts Manager shall chair and facilitate the hearing.

A standard agenda shall be followed and a written determination shall be issued in accordance with the Purchasing Code.

NOTE: In the event a letter of protest is received, the Purchasing and Contracts Division may concur with the protest and immediately revise its recommendation of award (after discussion with the user Department/Division). If a recommendation of award has not yet been determined, the protesting party shall be so notified.

2. Complaints and Disputes Concerning Vendor Performance. The Report of Unsatisfactory Materials and/or Services form is utilized to inform the Purchasing and Contracts Division of any difficulties due to poor service, poor performance, poor quality, or materials which do not meet specification requirements. This form is not to be utilized as an expediting tool.

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

- a) Purchase Order Number
- b) Term Contract Number (when applicable)
- c) Vendor name, address, and phone number
- d) User Department/Division, contact person, and phone number
- e) Department/Division Head Signature
- f) Brief explanation of exactly what the problem is, and why the product or service is unacceptable.
- g) All available documentation shall be attached.

The Report of Unsatisfactory Materials and/or Services form shall be forwarded to the Purchasing and Contracts Division, who will forward to the vendor with a cover letter for their response.

The Purchasing and Contracts Division shall notify the user Department/Division as to the vendor's response and any action taken.

The Purchasing and Contracts Division may determine that a meeting should be held to resolve the issue(s). The Purchasing and Contracts Division shall notify the user Department/Division of said meeting, and ensure that a representative of the user Department/Division attends. All reports shall be maintained with the Contract file to be utilized in the Contract compliance process specified in the Purchasing Code.

## **W. PURCHASING CARDS**

The purchase card program is a delegation of procurement authority by the Purchasing and Contracts Division to the Departments. Each Department Director must control the proper use of his or her Department's cards.

One generic Board of County Commission (BCC) P-Card with travel and purchase privileges will be provided and managed by the designated chairman of the BCC. This card will be used for all travel and purchases related to the needs of the BCC. For official travel, the card can be used for conference registration, reserving a room, and if permissible by the hotel; the card can be charged at checkout. If the hotel does not allow for generic cards to be charged, the expense will need to be processed via a private personal card and reimbursed by a travel claim. All additional expenses in conjunction with official travel will be handled in the same way via a private personal card and the travel claim.

The purchase card is embossed with the employee's name and the words "Seminole County BOCC". It has the County's logo on the face of it and has been specifically designed to avoid confusion with personal credit

cards. The purchase card program can be used for travel expenses in accordance with the travel policy.

1. **Purchasing Card Initial Issue.** Each Department Director shall determine who in their Department should have a County purchase card. The “Purchase Card Form” is used to apply for a purchase card. The application must be completely filled out and signed by the appropriate Department Director. Applications for purchasing cards received prior to the 21th day of each month will be processed during the first week of the following month.
  - a) Requests that exceed the established “Cardholder Controls” must have County Manager’s approval. Requests must include justification for the exception.
  - b) Purchasing cards will be issued monthly. New cardholders will receive training and must sign a “Cardholder Agreement” signifying they understand and accept the responsibility associated with the purchase card. Each applicant shall attend purchasing card training prior to receiving their card. Training will be offered during the last week of each month for those applicants that submitted application prior to the 21st day of the month. Training will take place at the Purchasing and Contracts Conference Room and the applicant will be notified via e-mail of the training schedule. The applicant should have prior knowledge of:
    - his/her delegated authority and limits established by the Director;  
  
general understanding of County Operations regarding procurement functions and the software support application;
    - his/her responsibilities regarding the allocation of funds for transactions and if they are not responsible for the allocations of transactions, he/she must know who will be responsible within his/her Department/Division and how the information will flow.
2. (Making changes to the Purchasing Card. The “Purchase Card Form” is also used to make changes to the purchase card original application. Any changes to “Cardholder Controls” will require the Department Director’s signature approval. Any change to “Cardholder Controls” that exceed the established amounts must have the County Manager’s signature approval. Changes to fields other than those specified can be made with only the cardholder’s and the approving official’s signatures.
3. Transferring the Card between Departments. The purchase card can be transferred from one Department to another. If an employee moves to a new Department, the new Department Director must submit a form to reflect the new approving official and monthly limit amounts approved for that employee.

4. Closing the Card Account. If an employee leaves the County or no longer requires a card, the Department Director is responsible for collecting and destroying the purchase card. If the card cannot be collected from the terminated employee, the Department Director must notify the Purchasing Card Administrator. The Human Resources Employee Notification System will alert the Purchasing and Contracts Division to terminate the card. The Purchasing and Contracts Division will process the closing of the account immediately, regardless of the termination date.
5. Lost or Stolen Cards. If a card is lost or stolen, the cardholder must immediately notify the issuing Bank. The cardholder must also notify his approving official and the Purchasing and Contracts Division.
6. Conditions of Use. Cardholders must observe the "Seminole County Purchase Card Do Not Buy List" which can be found on the Purchasing and Contracts Division's website.
  - a) Back orders are not permitted. Items are not to be billed for until shipped.
  - b) The Purchasing Card cannot be used to purchase like items totaling over \$10,000 per fiscal year/per Division or goods and services available on a County Term Contract with the exception of purchases from the County-wide office supply Contract.
  - c) Use of the purchasing card does not relieve the cardholder from complying with Federal, state and local laws, ordinances, regulations, policies and procedures.
  - d) The least expensive item that meets the County's basic needs should be sought.
  - e) Cardholders must follow their Department's administrative control of funds procedures to ensure that sufficient funds are available prior to making a purchase.
  - f) Use of the purchasing card is not intended to replace effective procurement planning which enables volume discounts. The P-Card is primarily the purchasing instrument used for commodities valued at less than \$1,000.00 per item and non-recurring services valued at less than \$3,000.00.
7. Purchase Transaction Documentation. All purchase transactions fall into one of two categories; face to face (i.e., over the counter) or remote (i.e., telephone, internet or fax).
  - a) Face To Face: The cardholder should get a receipt for any face-to-face transaction. The receipt serves to document both the order and receipt of goods/supplies.



- b) Remote: The cardholder must document the order when it is placed. When the goods are received, the packing slip must be matched to the statement of invoice.
  - c) Web Software: Enterprise Spend Platform (ESP) is a management tool that allows you to quickly and easily manage your Sun Trust Program on-line. ESP gives cardholders the ability to perform administrative and accounting tasks daily on-line without waiting until the end of the month to reconcile and provide accounting data on your statements. All card statements will be printed from ESP since copies will not be mailed.
  - d) The billing cycle for each month statement starts on the twenty-second (22nd) day of the month. Starting on the date of each transaction until the twenty-fifth (25th) day of the month (5:00 PM), each cardholder must enter and update the information for each of their transactions. All transactions shall be updated in ESP with the correct allocated account number. Failure to allocate the transactions to ESP will be cause for the P-Card privileges to be suspended or terminated.
8. Preparing Statement for Payment. Printed monthly statements must be reviewed, substantiated, approved, and submitted to County Finance for payment within five days of the billing cycle.
- a) Review: The cardholder shall review the on-line ESP statement for correctness. Ensure all charges are legitimate and no sales tax was charged.
  - b) Substantiate: Each transaction should be documented either with a receipt or with a log and packing slip and should be allocated using the ESP application. The cardholder and approving official will sign the statement certifying it for payment.
  - c) Approve: The Approving Official (the cardholder's immediate supervisor or designee) or Department Director, if conflict with cardholder and immediate supervisor, shall review each transaction and check all documentation. Any errors, sales tax issues or questionable purchases must be resolved before submitting to Finance. The Approving Official's signature on the statement certifies all transactions as legitimate expenditures of County funds.
  - d) Missing Documentation: The cardholder is responsible for providing required documentation. If a receipt is lost, attempt to obtain a duplicate. If a duplicate cannot be obtained, prepare a statement that includes all the information normally found on the receipt and a brief explanation for the lost documentation. Continual abuse may result in loss of the card and disciplinary action against card privileges.

- e) Disputed Charges: If the cardholder questions a charge on the statement, the cardholder shall contact the vendor directly and attempt to reach resolution. If the cardholder reaches an agreement with the vendor, there is no dispute. If the vendor refuses to acknowledge the error or will not issue a credit, the cardholder must fill out the issuing bank's "Purchase Card Disputed Charge Form" and send a copy to the Purchase Card Program Manager. The bank will then adjudicate the disputed charge. The Form can be found in the Intranet.
9. Purchasing Card Procedures during an Emergency Disaster/Event. The following procedures are to augment the normal Purchasing Card's procedures to be utilized prior to and during an emergency event declared by the County.
- a) All emergency Purchase Card transactions related to the disaster must be supported with a FEMA form available on the intranet. Copies of these forms and a copy of the receipts must be forwarded to the Budget Manager's office in the County Services Building. Item #5 and #8 are critical items for FEMA reimbursement.
  - b) Any anticipated transaction exceeding the mandatory \$3,000.00 transaction limit must be pre-approved by the Purchasing and Contracts Division personnel. Under normal conditions, purchase card transactions are prohibited over \$3,000.00; therefore you must receive approval prior to conducting a purchase. Completing the form is sufficient to receive approval and can be given to the Purchasing representative at the EOC. Purchasing personnel will review the requirement to ensure that the prices are fair and reasonable, to determine possible County-wide consolidation of the requirement for volume pricing and to determine sources available for the procurement such as Contracts with other government entities (i.e. GSA, state Contracts). Once this review is completed, purchasing personnel will provide feedback to authorize or deny the purchase.
  - c) Each P-Card transaction must be reflected in the P-Card online software system with the account number, sub-ledger number (related to the disaster) and a brief description of the item that was purchased. This should be done as soon as possible after the purchase. This is the only way the County can manage expenditures outside of Purchasing.
  - d) All requests to temporarily increase the monthly allowance for individual card holders must be sent to the Purchasing and Contracts Division. Purchasing personnel will increase the limits on these cards and the change will be effective immediately. This written request should be forwarded to Purchasing with the Director's or approving official concurrence.

- e) All restaurants and meals purchased during the event must be pre-approved by purchasing personnel located at the EOC. The EOC has the responsibility to provide food to employees via the Disaster Feeding Plan.
- f) Remember, requirements cannot be split during the event to avoid the threshold dollar amounts in the Purchasing procedures. Purchasing has four emergency Purchasing Cards that are not restrictive and can be used to augment normal Purchasing procedures.

## **X. PERSONAL PROPERTY**

1. Records and Controls. Property control entails tracking, compiling and maintaining an inventory of all tangible personal property with original cost or value of \$1,000.00 or more, with a normal life expectancy of one (1) year or more, which is not fixed in place, not part of a structure or facility and is practicable to identify by marking. Property control records are set up to comply with Florida Statutes 274.02 and the Rules of the Auditor General. The Personal Property Administrator has the authority to prepare and obtain Tags and Titles for Personal Property.
2. Objectives of Fixed Asset Control.
  - Establish accountability so losses due to negligence or theft are kept to a minimum.
  - Provide a basis for insurance claims.
  - Equipment replacement schedules can be established.

Identify surpluses and shortages to facilitate transfers between Departments.
3. Fixed Asset Control Procedures.
  - a) The Personal Property Administrator receives a copy of each purchase order issued, and determines which item(s) are capital items that must be tagged and included on the inventory.
  - b) The ordering (receiving) Department must notify the Personal Property Administrator when an item is received so proper identification may be affixed, and records can be updated.
  - c) Equipment is assigned a permanent BCC identification number, and is physically tagged or otherwise marked by the Personal Property Administrator.
  - d) Records are entered and maintained for each item, and include the following information:

- Property Item Number (BCC #)
  - Item Description
  - Serial Number
  - Make and Model
  - Account number
  - Location
  - Payment Information: Vendor name, P.O. Number and Date of purchase
  - Purchase Price
- e) Much of the above information is provided by the Property Records copy of the purchase order. Additional information is obtained upon physical tagging of the equipment and through communication with the vendor and the custodian.
- f) Each Department is responsible for taking an annual Inventory of personal property in their custody as assisted by the Property Administrator.
- g) When a Department notifies the Property Administrator that they have received equipment that was not purchased on an OP or a Contract but donated, they must prepare a memo stating how the item(s) was acquired, from whom, a brief description of the equipment, estimated dollar value of the item(s). After receiving the memo a BCC# can be assigned, the item(s) can be tagged and placed on Fixed Assets.
- h) For a request to donate surplus equipment to a Non-Profit, (501(c)(3) required) a memo from the Department must be sent to the Purchasing and Contracts Manager requesting the approval to donate the item(s), with a description of the item(s), and the BCC# of each item. With the request to donate the Department is to furnish a memo from the Non-Profit organization that is requesting the donation. After the approval to donate has been signed by the Purchasing and Contracts Manager, a copy of the approval is sent to the Department and the transaction may proceed. The Assets are then removed from inventory.

#### 4. Inventory Guidelines and Procedures for Fixed Assets.

- a) The Fixed Assets Inventory List includes all equipment assigned to a particular Department as noted in the original purchase order or procurement documentation. At least once a year, each

Department Director will be furnished with an electronic copy listing of the tangible personal property to distribute to their respective Divisions. The listings are sorted by Division and by Unit (BCC) number sequence along with the following information.

- Location is the three digit number assigned within each Department to signify a Division or location within a Division.
  - Unit (BCC) Number is a five digit designation assigned by the Property Administrator when a property record is created for a new item. This number can be found on a 2" x 1" green and white or white sticker that reads "Property of Seminole County" with the 5 digit number below a barcode. Note: A unit number on the inventory sheet with a -01 or greater signifies an addition or upgrade to the original unit number.
- b) A Physical Inventory must be completed at least once during the fiscal year. The Inventory will be the actual sight verification of each item by Unit (BCC) number, serial number, and location code.
- All discrepancies will be noted during inventory from the Property Administrator. If items exist with labels that are not legible through wear or accidental destruction, a replacement label(s) should be requested through the Property Administrator.
  - If an item is located, which is not assigned to a Division or location, the Unit (BCC) number and description should be documented via SharePoint showing that the item was transferred from another Department. Include the original location code and the new location to signify a transfer.
  - The fixed asset form on SharePoint will be submitted on each item not accounted for or determined to be missing/lost or stolen during a physical inventory. It is the Department Director's responsibility to ensure that a diligent search was conducted for the property. Copies of police reports for stolen property should be included in the inventory package.
- c) Upon submission of the final inventory, the Purchasing and Contracts Division will certify that a physical inventory was completed and conducted. Annually, PCD will notify the County Manager via memo of the inventory results.
5. Surplus Property. All County property that is obsolete, excess, or no longer needed by the owning Department/Division, to include vehicles, equipment, desks, chairs, tables, office equipment, etc., are to be reported to the Purchasing and Contracts Division for disposition coordination.

Library materials and books are exempt from this procedure in accordance with the Materials Selection Policy as approved by the Board on February 5, 1985.

a) Responsibility:

- (1) Each Department/Division is responsible for notifying the Purchasing and Contracts Division when any tangible personal property is surplus to their needs. Tangible Personal Property Items (with the exception of computer/data processing equipment and rolling stock) must be listed on a Request to Transfer/Declare Surplus form and submitted to the Purchasing and Contracts Division.
- (2) The Purchasing and Contracts Division is responsible for coordinating the disposal of the personal property. If the item is identified by the Department/Division as usable surplus materials, the Department/Division will post the items under the classified section in the County Web site as well as market the items for any other Department/Division that may benefit from it. If the Department/Division receives no response to the request, then Department/Division should contact the Property Administrator to arrange the move of the item from the Department/Division to the auctioneer location. Each Department/Division is responsible for the expense associated with the move and for the proper planning of the events.

b) Transfer of Surplus Personal Property:

- (1) The Request to Transfer/Declare Surplus material requires the transferring Department/Division to complete the SharePoint form. Forward the completed form to the Purchasing and Contracts Division, who will verify ownership, description, and BCC# of equipment.

c) Disposition of Surplus County Property

- (1) Property with no salvage value. Department/Divisions with Fixed Assets that are deemed to have no value to the County can be disposed of per the Department Directors discretion. Purchasing and Contracts requires the form via SharePoint be completed prior to any disposal. Items that are of little or no value should be disposed of locally to avoid any transportation cost.
- (2) Property with salvage value will be disposed of in the best interest of the County and as allowed by Florida Statute 274.05. The requesting Department/Division is responsible, with the Property Administrator, to coordinate the movement

and cost associated with the transportation of property to the auctioneer.

On occasion, a visit should be conducted to observe the auction process. The staff member conducting the visit should assess the adequacy of control over assets sold, the tracking process used, and the accountability for funds collected.

## **Y. REAL PROPERTY**

1. The Public Works Department is responsible for the sale or purchase of real property for the County. All offers to sell or purchase County real estate shall be forwarded to the Facilities Division.
2. Surplus Real Property will be disposed of in accordance with applicable Florida Statutes. At the direction of the Public Works Department, the Purchasing and Contracts Division will advertise for bids on County owned surplus real property.
  - a) The Purchasing and Contracts Division's responsibility is limited to the bid process. Once a successful bidder has been selected and the sales Contract has been signed, the entire package (including any bid bond) will be turned over to the Public Works Department.
  - b) The Public Works Department will coordinate the real estate closing through the County Attorney's office.

## **42-TRAVEL AND REIMBURSABLES**

### **A. PURPOSE**

To expand on the Administrative Code travel policies and provide clarification on overnight hotel reimbursements as well as other miscellaneous travel/purchasing issues.

### **B. WORKING BREAKFAST, LUNCH, OR DINNER**

Breakfast or dinner is eligible if travel begins prior to 6:00 am or extends after 8:00 pm. An employee, who is attending a working lunch within the County, even if working with other individuals from the County or otherwise, would not be eligible for reimbursement. An employee whose job requires him/her to attend a working lunch outside of the county would be eligible. Only the Seminole County employee is eligible for reimbursement from Seminole County, no other individual. A receipt is required in this case and must be itemized.

### **C. DEPARTMENT BREAKFASTS OR LUNCHESES**

If the meeting is more than a half day and it would be disruptive to break for lunch, the lunch is eligible for reimbursement. If the meeting is simply scheduled during the lunch hour because that is the most convenient time to gather the necessary people, individuals should pay for their own lunch. Breakfasts, i.e. donuts, bagels, juice, etc. are not reimbursable by the County. Exceptions may be made for the breakfast reimbursement for County-sponsored events such as the Budget Work Sessions.

### **D. TIPS**

Tips are reimbursable for meals at 20%. Tips are also reimbursable for taxis/ride sharing applications (such as, but not limited to, Uber or Lyft) at 20%. Tips for portage are generally not reimbursable except in cases where an employee is carrying County equipment or work related items that are cumbersome. Tips in extraordinary cases would be reimbursable such as an individual with physical limitations, or in hotels where porters are expected to assist guests.

### **E. HOTEL**

Hotel costs are reimbursable when it is reasonable to reside on or near the site of the seminar, meeting or conference. Employees should use common sense in deciding whether a hotel is necessary. For example, it would be reasonable to stay in Tampa overnight if 8:00 am attendance at a meeting was necessary. It would not be reasonable to stay overnight in Kissimmee for a 9:30 am meeting. Exceptions can be made, however, with County Manager approval.

For those events and locations that are located outside of Seminole County, you may, when approved by your supervisor and warranted by the time of the event or conference, be reimbursed for overnight accommodations. Any event that



does not meet this minimum travel distance will not be eligible for reimbursement.

Outside of Seminole County will also be used to define the local travel area for those employees who receive a monthly vehicular allowance. For any travel that extends outside of this local travel area, you may be reimbursed for travel expenses.

#### **F. BREAK ROOM SUPPLIES**

Coffee, utensils, paper plates, napkins and potholders are not reimbursable by the County. The County attempts to provide areas suitable for breaks, but stocking the area with food, drink, or supplies is the responsibility of the employees. Acceptable County expense shall be limited to major items such as refrigerators and microwaves.

#### **G. THE APPROVAL PROCESS FOR OFFICIAL TRAVEL.**

Attachment (1) (next page) to this section is a travel authorization form. The form is required to be used for all out-of-state travel by any employee other than department directors. It is to be signed and maintained by the department director for each employee who travels out-of-state, and on each occasion that out-of-state travel occurs.

Travel to Las Vegas or Hawaii must be approved by the County Manager along with appropriate forms and department director approval. Any international travel, including travel to Canada, requires Board approval, which can be approved by itemized text in the approved Budget or by a Board agenda item.

**Seminole County Government  
Travel Authorization Request Form**

Name: \_\_\_\_\_

Title: \_\_\_\_\_ Department: \_\_\_\_\_

Name of Event: \_\_\_\_\_  
\_\_\_\_\_

Dates: from \_\_\_\_\_ to \_\_\_\_\_ Destination: \_\_\_\_\_

Purpose/Benefit to County (Attach brochure(s) describing conference, seminar, workshop, training, etc.): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Method of Travel:  County Vehicle  Personal Vehicle  Commercial Air  
 Riding with: \_\_\_\_\_ Other: \_\_\_\_\_

Estimated Cost of Registration: \_\_\_\_\_

Per Diem: \_\_\_\_\_ Travel: \_\_\_\_\_

Hotel: \_\_\_\_\_ Other: \_\_\_\_\_

Estimated Total Cost: \_\_\_\_\_

Are funds budgeted and available?

Yes – Identify Funding Source: \_\_\_\_\_

No – (If no, please identify funding source): \_\_\_\_\_

Need Director's approval: \_\_\_\_\_

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Supervisor or  
Division Manager: \_\_\_\_\_ Date: \_\_\_\_\_  
(Signature Required for ALL Travel)

Department Director: \_\_\_\_\_ Date: \_\_\_\_\_  
(Signature Required for ALL Travel)

County Manager: \_\_\_\_\_ Date: \_\_\_\_\_  
(Required for Special Destination Travel, i.e. Las Vegas, Hawaii, etc.)

Chairman or  
Vice Chairman Approval: \_\_\_\_\_ Date: \_\_\_\_\_  
(Required for Out of Country Travel)

Training and/or Certification Program Agreement

Needed  Not Needed

**Any new travel reimbursement requests of \$25.00 or less will be consider de minimis and may be held up to 6 months or when \$25.00 is reached which comes first.**

**Last Edit- 8/23/22**

**A. Bryant Applegate Interim County Manager**

## **44– ACCEPTANCE OF CREDIT CARDS**

### **A. PURPOSE:**

The Seminole County Board of County Commissioners has determined that departments may accept credit cards for payment; subject to certain guidelines and procedures. The goal of this policy is to provide clear instructions regarding credit card payment to clarify accountability, minimize loss, ensure the safekeeping of entrusted funds and provide an audit trail.

All debit cards shall be processed as credit cards. There shall be no cash back options. Therefore, throughout this document the words “Credit Card” shall be understood to refer to both credit and debit cards.

### **OBJECTIVES:**

To ensure that County policies and procedures regarding over the counter use of credit cards are being followed.

To provide management and employee guidelines of good business practices and controls to assist them in fulfilling their fiduciary duty to the County.

Set-Up for Credit Card Acceptance:

Departments requesting to accept credit cards for payment shall contact the Seminole County Clerk of the Circuit Court and Comptroller. The Seminole County Board of County Commissioners, through the Seminole County Clerk of the Circuit Court and Comptroller, maintains a contract for the express purpose of accepting credit cards. Departments approved to accept credit cards will be added to the existing contract and will receive the Seminole County Board of County Commissioners’ pricing. Each department that accepts credit cards will be assigned a unique “merchant identification number” by the credit card processor, ensuring the department’s credit card receipts are separately tracked and accounted for by the bank and Seminole County’s Clerk of the Circuit Court and Comptroller (referred as to County Finance throughout this document.)

Each of the major credit card providers charges an interchange fee. The County passes the convenience fee to the customer as allowed under Florida Law Ch. 2010-151, Section 7 amended Section 215.322.

Convenience fees will have a separate “object account”, with the subsidiary number being the business unit generating the revenue. The convenience fee revenue will be recorded to the appropriate fund and object account, i.e.: 00100.369925.110200. Departments approved for credit card payments will provide notification regarding convenience fees to applicants/customers. These notices will be provided within the department’s computer application and shall also be posted on their internet site.

Departments that are approved to accept credit cards for payment will assist the Clerk of the Circuit Court and Comptroller/County Finance Department in performing validation testing on the convenience fee assessed and maximum

amount on purchases made by credit card. The results of validation testing will determine if the rate and maximum amount approved is meeting or exceeding expectations. Testing that result in a determination that the convenience fee being assessed is not valid will be brought before the Seminole County Clerk of the Circuit Court and Comptroller for review and consideration. The County Manager or her/his representative in conjunction with the Clerk of the Circuit Court and Comptroller will present proposed rate changes to the Board of County Commissioners for approval.

The approved maximum amount of any transaction that can be paid by credit or debit card is as follows:

Development Services:	\$1,499.99
Environmental Services:	\$1,499.99
Probation:	\$ 499.99
Animal Services:	\$ 499.99

### **Credit Card Payment Processing:**

POS – Point of Sale

Departments may accept credit card payments by payers. All transactions' details shall be entered into the existing department application at the time of the transaction. Details of all daily credit card transactions shall be transmitted via e-mail by the close of business each day to County Finance with the convenience fee amount listed separately from the actual transaction amount.

Departments will ensure that fees are assessed to the appropriate record within the department's computer application for the services applied for/requested. Should a system wide computer issue prevent the ability to process credit card payments against assessed fees within the department's application, an alternative form of payment shall be required such as cash, checks, or money order. These other forms of payment will be processed directly through County Finance and a receipt will be provided to the department. Once the department's computer application is back online, this receipt number will be utilized to pay the assessed fee in the department's computer application. Instances that meet this criteria will be noted as appropriate on corresponding daily revenue reports and records.

Existing policies and procedures for cash and check transactions shall be used to reconcile department credit card receipts daily with addition of the convenience fee object account.

County Finance will verify the correct amount is received in the Seminole County Board of County Commissioners' bank account from the credit card processor, and will notify the affected department about any differences and/or charge backs.

### **Procedures:**

Ensure that County Finance credit card processing policies, procedures, guidelines, and/or practices used by the Seminole County Board of County Commissioners' staff are in writing and available for use.

Ensure that all staff is familiar with written policies and procedures and that policies and procedures are being followed.

**Identify Credit Card Processing Equipment:**

Because of the value of these assets is less than \$1,000, they shall not be tracked under this Rule 691-73 of the Florida Administrative Code.

Each Department shall determine if they have an appropriate number of Credit Card equipment. If not, they will order through the existing equipment purchasing process with Information Services.

**Credit Cardholder Information:**

Only the authorized user of the card may swipe the card through the magnetic card reader. The credit cardholder information required to process a transaction is:

Dollar amount

Account number

Card expiration date

Authorized user signature

Official photo identification to compare to the card name and picture on the photo ID with the individual presenting the card.

**A manual process can only be used if:**

The cardholder is unable to swipe the card due to a handicap,

The cardholder cannot safely reach the machine, or

The card cannot be swiped.

If the card cannot be swiped due to equipment failure, the vendor providing the equipment must be notified and the problem must be rectified.

County employees are prohibited from handling a credit card unless the card cannot be swiped by the customer for the specified reasons listed above. The County employee may take the card to manually enter the card number, expiration date, and security code in front of the customer. The card is to be returned to the customer immediately.

**The following process is to be used only for County Probation:**

Customers gives card to clerk

Clerk swipes card

Clerk provides customer with the receipt to sign

Upon receiving the signed receipt, the clerk returns the card and customer copy of the receipt.

### **Security of Cardholder's Information:**

Credit cardholder information is obtained only in the presence of the cardholder. Credit card information shall not be stored by the County under any circumstances.

When information is transmitted through the Internet, it should be safeguarded from unauthorized access. For credit card terminals, County Finance and Information Services have worked with the credit card processing company to ensure that adequate security has been addressed to allow the secure transmission of sensitive information over Internet lines.

As requested, County Finance and department(s) shall receive monthly transaction reports with "trends information" to assist management in determining the manner of how credit card transactions are being processed. These reports shall be reviewed for trends by locations in processing methods (such as swipe vs. manual); and investigated for reasonableness of methods used and associated costs. These reports will be limited to the basic reporting details available through the current contract with the credit card processing provider. Reports containing additional detailed information may be obtained on an as needed basis for a fee per report type requested through the credit card processing provider.

Departments may accept credit card payments over the internet through their applications online payment module or through a web-based shopping cart. The application's merchant processor shall check for fund availability and electronically transmit to the bank. All transactions' details shall be entered into the existing department application, (see note on page 2,) at the time of the transaction. Details of all daily credit card transactions shall be transmitted to County Finance, with the convenience fee amount listed separately from the actual transaction amount.

Existing policies and procedures for cash and check transactions shall be used to reconcile department credit card receipts with addition of the convenience fee object account.

For Online transactions the CSV (Card Security Code) and Billing Zip Code are required for verification.

### **Donations Paid to Seminole County Government Via Credit Card:**

#### **Required Donation Form**

Departments accepting donations via credit cards are required to document the donation in a manner suitable for record retention and providing the customer a document for their personal record. The document will include:

The date

The department and division receiving the donation  
The purpose of the donation  
The dollar amount of the donation  
The convenience fee amount  
Seminole County Government's Federal Identification Number (for tax purposes)  
The donor's name written legibly along with their signature (an electronic signature or acknowledgement is acceptable for donations made online)  
The Seminole County Government staff member's name receiving the funds written legibly along with their signature (this is not required for online donations)  
The staff member will retain the original form and provide the donor with a copy (customers donating online will be able to print a receipt for their records)

**Processing Card Refunds/Credits: There will be no exceptions:**

The following steps are required when processing credit card refunds/credits:

The customer shall be present with their original sales and credit card receipt or credit card statement (if online). This documentation and approval must accompany the current credit documentation. Refunds/credits are to be processed to the original credit card number charged. Should a refund or credit be due on a closed or cancelled card, a refund in the form of a check will be processed through County Finance.

A disclaimer acknowledgment will be required that before paying online, please note: A CONVENIENCE FEE OF \$3.00 WILL BE ADDED TO YOUR PAYMENT AMOUNT. IT WILL TAKE 1-3 BUSINESS DAYS TO PROCESS YOUR PAYMENT. "I have read and agree to these terms." The customer must click on the "read and agree" portion to proceed.

Donations to Seminole County Government via credit card will not be refunded.

**Quality Assurance Review:**

Each department will conduct a monthly review of the credit card transactions. This review will include:

- Analytic review of refunds/credits
- Analytic review of revenues
- Adequacy and fairness of convenience fee/surcharge
- Testing of internal controls
- Other items as deemed necessary

For proper review and segregation of duties, management review must be performed by someone other than the employee processing transactions. Findings and recommendations of these reviews will be communicated immediately to the Clerk of the Circuit Court and Comptroller, the County Finance Director, the County Manager, and the Department Director.

**Internal Audit:**



The Internal Audit Department of the Clerk of the Circuit Court and Comptroller shall have full and total access to all credit card transactions during any audit.

### **Processes and Reports:**

Department management will prepare a checklist that includes all of the required tasks to be performed daily and signed-off by staff to ensure all tasks have been completed. Existing documentation shall be augmented as necessary. For online transactions, there will not be a printed receipt for each transaction and therefore the credit card processor's reports must be thoroughly compared to Seminole County Government's internal application reports.

### **Daily Department summary reports are available that provide:**

The list of each individual card transaction that comprises the daily total (Batch Report)

The totals by day per card type (Batch Settlement) summary

A summary report (Batch Report – Batch Inquiry)

A Printed Statement Report for the previous day

Sorted credit card transaction receipts (printed at the window) in the order of the settlement report transaction ID

A matched Daily Report Total with the total on the settlement report

An updated Daily Revenue Report to County Finance with the amounts allocated for each revenue account line and sent to County Finance via e-mail and/or interoffice.

If applicable, lock the credit receipts into the safe with the cash and checks.

This report includes total dollars of sales, voids, and credits, with the quantity of each type of transaction. For days with no transactions, a report is required indicating that there were no transactions ("Positive Control").

Each location is required, at a minimum, to print the Batch Report that lists each transaction in a summary format. Each transaction on the Batch Report is to be reconciled/balanced to the individual credit card transaction within the department. Management's review will ensure all refunds/credits are supported with adequate documentation and have been approved by management. The Batch Report should be signed/initialed by department management to signify their review. For proper review and segregation of duties, the management review shall be performed by someone other than the employee processing transactions.

Department management must ensure all reports are sequentially numbered, to ensure none escape review.

## **Inappropriate Transactions:**

Departmental management is responsible for resolving inappropriate credit card transactions within their department. Ongoing comparative analysis of daily and weekly transaction and summary reports against the department specific application reports should assist in identifying trends and the occasional transcription error.

In addition, County Finance analyzes credit card, report, and bank data to help identify inappropriate transactions and will engage appropriate departments as needed.

Title 18 of the U.S. Code, Section 1029 provides the penalties for “fraud and related activities in connection with access devices,” where access devices refers to any means of account access, including credit cards, account numbers, and PINs, as well as telecommunications services and equipment. The laws in the Code prohibit things such as producing, possessing, trafficking in, or soliciting for access devices with the intent to defraud.

Departmental credit card processes will include a documented formal process to minimize-fraud that includes blocking cards for use and safeguarding customer information.

Reference 05.12.15 BCC Meeting

## **46- PAYMENT FOR MEALS AND REFRESHMENTS**

### **A. PURPOSE**

To provide a mechanism to pay for or to reimburse certain expenses incurred while attending workshops, meetings, receptions, and related County-sponsored functions that are organized, sponsored or co-sponsored by the County or where the participant acts in a representative capacity for the County. The expenditure of public funds for meals and refreshments in connection with County business is desirable in meeting the following goals:

1. To encourage employee and public participation in activities which could help the County grow and adapt to technical advancements in the management field and engender goodwill in the community.
2. To make the citizenry of Seminole County more knowledgeable of the internal operations of Seminole County Government.
3. To develop employee relationships and promote a clearer understanding of the governmental process through the provision of workshops, seminars, receptions, and organizational activities.

This Policy is not intended to cover regular meetings attended solely by County staff for the purpose of internal communication or that do not meet the criteria of the policy. Reimbursement for costs associated with hosting political or social events and/or the purchase of alcoholic beverage is prohibited.

This regulation authorizes and sets policy for meals and refreshments expenditures and reimbursements; it does not supersede the current Purchasing Policy or Travel Policy or those standards set by Florida State Statutes. Where this policy conflicts with policies established for economic development or tourism efforts, those policies shall prevail.

### **B. ELIGIBLE EXPENSES/FUNCTIONS**

The County shall pay for or reimburse elected officials and staff (hereafter "employees") for the cost of meals or refreshments at functions where the employee is designated as representing the County and which serves a valid public purpose including:

1. County sponsored events such as civic and community occasions, banquets, luncheons, breakfasts, and other events sponsored by the County for the purpose of:
  - a) Celebrating important community events with Seminole County citizens,
  - b) Conferring with prominent civic and business leaders; and/or
  - c) Representing Seminole County government and its people.

- d) Receptions, ground breakings, ribbon cuttings, or other related County sponsored functions at which public officials, visiting dignitaries, or public may be invited.
- e) Workshops held to enhance citizen awareness of the internal operations of Seminole County Government or training sessions for volunteers.
- f) Organizational activities for management and employees which are organized, sponsored, or co-sponsored by the County.
- g) Activities in relation to Board approved Employee Recognition Programs.
- h) Training sessions (seminars, conferences, workshops, etc.) used to increase an employee's knowledge, understanding, or enrichment of a particular subject, or to gain professional and/or personal growth.
- i) Provide reimbursement for meal costs associated with attendance at a public function directly connected to County business or as a designated representative of the County. Working meals that:
- j) Facilitate increased productivity of business conferences and other meetings by providing meals in order to ensure efficiency, effectiveness, or compliance with deadlines;
- k) Provide the most efficient and economical conservation of working time of all involved; and/or,
- l) Take place/provided during the following periods (beginning or ending within):
  - Breakfast - 6:00 a.m. – 8:00 a.m.
  - Lunch - 12 Noon – 2:00 p.m.
  - Dinner – 6:00 p.m. – 8:00 p.m.

### **C. PAYMENT PROCEDURES**

When a procurement card is utilized for payment of a transaction under this policy, all documentation should be attached to the cardholder's monthly statement.

## **50- PROMOTIONAL ITEMS**

### **A. PURPOSE**

To ensure a coordinated approach with regard to promotional items and promotional efforts to foster and maintain the County's image. This section does not apply to educational material.

### **B. POLICY**

The County Manager's Office shall approve the purchase of promotional material. Departments desiring to purchase promotional material must do so with the concurrence of the County Manager's Office.

The product or activity should be cost effective, and use an approved County logo. The County slogan, "Florida's Natural Choice" should be included when possible.

Funds for promotional items and efforts will come from the Department's budget and must receive the approval of the County Manager's Office prior to purchasing the items.

The purchase of promotional material is limited to supporting efforts, such as ground breakings, ribbon-cutting ceremonies, programs and marketing events. Promotional items should be educational and/or supportive of the event or program being marketed, such as rain gauges for water conservation, coloring books to promote fire safety, and recycling wheels to inform Solid Waste customers. Purchase of items such as pens, pencils, mouse pads, coffee mugs, key chains, stickers, hats, or magnets is not permitted.

Promotional items shall not be made available through public funds to further efforts by candidates seeking political office. This includes members of the County Commission, County Constitutional Officers and elected Judges and Officers of the Court.

Seminole County Government may sell promotional items to cover costs of production. The County may also sell promotional items to make a profit. All funds from such sales would be transferred to the General Fund.

County employees may not profit personally from the sale of County-financed promotional items.

## **55- COMPUTER HARDWARE STANDARDIZATION POLICY**

### **A. PURPOSE**

To ensure long range, cost effective computer hardware configurations for Seminole County Government.

General hardware standards and a County-wide standard desktop computer configuration will be established to ensure hardware compatibility across all County departments. It is the goal of the County to reduce training costs, supply costs, and maintenance costs through the use of similar and compatible equipment.

### **B. GUIDELINES AND PROCEDURES**

All computer equipment to be purchased will be reviewed by IT Operations Division to insure compatibility with other County systems. A determination will be made based on the type of equipment, its use, its potential maintenance liability, any previous County experience with the product, the vendor support available, and its relationship to other equipment already owned by the County. Obviously, cost will also be considered as a factor when assessing various types of equipment.

The requisition will be reviewed for technical accuracy by the IT Operations Division and a purchase decision will be made. Complicated proposals must be forwarded to the IT Operations Division early in the research process to avoid last minute issues with compatibility.

Seminole County users will be provided with a County standard desktop computer. Current County standard specifications can be obtained by contacting the IT Operations Division. All requisitions regarding computer hardware and peripherals must adhere to the following procedure:

Departments will enter a budget request for all new computers including new positions.

Upon Department Director approval of the request, Director submits the request for approval/recommendation through the IT Operations Division budget request system.

IT Operations Division will evaluate the type of computer requested, along with accessories, to determine if it is suited to the specified position/job function. If any configuration other than the County standard desktop computer is specified, a justification form (Exhibit A) must be completed and approved by the requesting Department Director before submitting the request. If IT Operations Division recommends a different configuration from the request, they will communicate with the department point of contact and/or Department Director.

Once the budget request has been approved, IT Operations Division will work with the department to order the equipment.

All equipment approaching end-of-lease will be re-evaluated for need and configuration prior to replacements being ordered.

Justification for any upgrade from the County standard desktop configuration (which includes any deviation from the County standard configuration and all laptop requests) must be provided by completing the upgrade request form. A form for each request must be completed with justification, and approved by the requesting Department Director. The completed forms must then be forwarded to the IT Operations Division for evaluation and final approval by the IT Operations Division Manager.

The intent of this policy is to insure that all hardware is compatible with other County systems. It is not intended to impede the initiative of departments wishing to computerize applications. Departments are encouraged to pursue additional computerization, but must coordinate with the IT Operations Division to meet those goals.

**“Exhibit A”**

**I.T. Operations Division**



**Request Form to Justify Computer Equipment Upgrade**

---

**Requested By:**

**Phone Extension:**

**User Name or Unit Assigned to:**

**Date of Request:**

**Department:**

**Division:**

**User Cost Allocation Business Unit/Program No. (6 digits):**

**CPU Serial No. of Unit to be upgraded**  
**(Number is on a white sticker affixed to the unit):**

**Please specify what hardware upgrade you will need:**

**Mandatory Justification for Upgrade:**

**Department Director’s Signature (for approval):** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Thank you for contacting the IT Operations Division for your upgrade request. After you have filled out the form, please print, have the user and your Director sign, scan to PDF and e-mail your signed form to Jennifer Stevens, IT Operations Division. If you have any questions, please contact Jennifer Stevens , Extension 1139, [jstevens@seminolecountyfl.gov](mailto:jstevens@seminolecountyfl.gov)**

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**IT Operations Division Procurement Mgr. (for approval):** \_\_\_\_\_

**Date:** \_\_\_\_\_

**IT Operations Division Manager (for approval):** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Central Services Director (for approval)** \_\_\_\_\_

**Date:** \_\_\_\_\_



## **60 - SAFETY**

### **A. PURPOSE**

To protect employees from recognized workplace hazards that cause, or are likely to cause, death or serious physical harm by providing and maintaining a safe and healthful working environment. To establish general safe operating practices applicable to all County employees. To mandate Department Directors develop safe operating practices for all operations under their control, not otherwise covered by this safety policy, that are likely to cause death or serious physical harm.

### **B. SAFETY RESPONSIBILITIES AND ENFORCEMENT**

Safety is everyone's responsibility. All workers involved in or observing a task have a responsibility to alert supervisors and co-workers when they observe unsafe conditions, with the purpose being the reduction and elimination of injuries. Supervisors have a particular responsibility in safety, as they are charged with making sure tasks are accomplished safely and their employees have the necessary training, tools, and personal protective equipment to perform those tasks in a safe manner.

In Seminole County, every Director, Manager, and Supervisor is considered a safety advocate and charged with ensuring tasks are accomplished without personal injury or equipment damage.

#### **1. Department Directors**

Department Directors are responsible for evaluating and reducing known workplace hazards and unsafe work practices within their department. Department Directors prepare and submit budget requests for safety related items for their respective departments.

#### **2. Division Managers**

Division Managers and Program Managers are responsible for the evaluation and reduction of known workplace hazards and unsafe work practices discovered through observation, evaluation, claim investigation, safety committee reports, and employee complaints or suggestions. Managers establish effective job-specific safety training programs within their area and ensure that their employees adhere to established safety rules. While they may delegate the authority to enforce safety policies and rules, responsibility remains with the Manager. Managers will advise their Department Directors of unsafe conditions

or problems related to accident/claim prevention, along with recommendations for loss control.

### 3. Supervisors

Supervisors ensure employees under their supervision are thoroughly trained in the safe work practices of their particular jobs and job environment. Supervisors are responsible for employees receiving training in appropriate job-specific safety rules. They also ensure that employees understand the rules, the requirement to abide by the rules, and the consequences of willful or repeated violations of these rules.

Supervisors enforce safety policies, standards, and rules within their sphere of authority. They take positive action to correct all known or potential safety hazards in their work areas and protect their employees from inherent job hazards. They ensure their employees have the proper equipment and protective devices to safely perform their jobs. Supervisors make sure all injuries are properly treated and promptly reported, and all accidents are investigated and reported even if injury is not apparent. They advise their supervisor or manager of unsafe conditions, unsafe acts, and problems related to accident prevention, and make recommendations for loss control.

Supervisors are the first line of investigation on most incidents or accidents, as most are minor. Supervisors oversee the completion of County Accident/Incident Reports, attempt to determine cause, and make recommendations to prevent repeated occurrences. The first-line supervisor should be among the most knowledgeable experts in how a task under their supervision should be performed safely, and thus are in one of the best positions to implement immediate remediation.

### 4. Employees and Volunteers

Employees and volunteers of Seminole County Government are expected to place safe work practices, and the identification of unsafe conditions, as the highest priorities while performing daily tasks. Safety commitment includes the following:

- a) Abiding by all established work rules and standards, including proper use of issued safety equipment and protective devices.
- b) Following the prescribed safety procedures for performing work tasks (no shortcuts or unauthorized procedures).
- c) Adhering to all warning, caution, or instructional signs in the workplace.
- d) Reporting all accidents and unsafe conditions or incidents.

- e) Not performing tasks or operations when unsafe conditions exist.
- f) Warning all co-workers of unsafe conditions or practices.
- g) Using only the equipment, vehicles, and tools on which they are trained, proficient, and authorized.
- h) Using equipment and tools only for their intended purposes and following the manufacturer's guidelines for safe use.
- i) Reporting all defective equipment and tools.
- j) Operating County motor vehicles within posted speed limits, road restrictions, County policies and laws.
- k) Not driving a vehicle, using equipment or tools, or performing any work task while under the influence of alcohol or illegal drugs.
- l) Not driving a vehicle, using equipment or tools, or performing any work task while taking prescription or non-prescription medications that alter clarity or reason of mind, that causes drowsiness, or when doctor advice or prescription advisory recommend otherwise.
- m) Being attentive and actively participating in job, equipment, and safety training.

## 5. Safety Officer

The County Safety Officer serves as a resource to County management on implementation and maintenance of effective workplace safety programs. The Safety Officer evaluates workplace conditions and practices to ensure that reasonable measures are taken to provide employees with safe working conditions; recognized hazards are eliminated or workers are protected; and all mandates, standards, rules, and laws have been adopted and correctly implemented.

The Safety Officer provides, assists, or arranges for required safety training at the countywide level, and provides advice and technical information to supervisors for claim investigation purposes. He/She also provides technical support to all safety committees to help facilitate their meetings and evaluate their department or division programs. As a resource to the staff, the Safety Officer ensures that Seminole County remains current with the latest employee safety issues, standards, and technology by advising management of same. Further, the Safety Officer monitors the workplace safety programs to determine effectiveness and makes recommendations for program improvements and enhancements.

The Safety Officer investigates, or aids in the investigation of, all major and serious incidents and accidents involving County employees and property. The Safety Officer is a resource to managers and first line supervisors completing initial accident investigations on minor incidents and accidents.

### **C. RISK MANAGEMENT**

County Departments fund the Risk Management Program through appropriations into an Internal Service Fund. All expenditures associated with insurance, legal, and claims costs are paid from this fund. The fund is managed by the Risk Program Manager. The best way to reduce our costs is through an aggressive loss prevention program and a pro-active approach to safety, and therefore the Safety Officer reports to the Risk Program Manager. Nonetheless, Department Directors shall regularly monitor Risk Management expenses incurred through claims and losses attributed to their respective departments, and shall periodically advise the Risk Program Manager and County Manager of their efforts to reduce same. Department Directors are accountable for the claims and losses incurred through the actions of their personnel: particularly those losses and claims classified as preventable.

### **D. MEDICAL EMERGENCY ASSISTANCE**

Emergency medical assistance is provided by the Seminole County EMS/FIRE/RESCUE Division through stations and equipment located strategically around the County.

- 1) Employees with County radio communications at remote field locations should use the radio to summon emergency medical assistance.
- 2) Employees with telephone access should dial 9-1-1 to summon emergency medical assistance.
- 3) Employees trained in first aid, CPR, or the use of AEDs should ensure emergency medical assistance has been summoned as dictated by training and circumstances.

### **E. FIRST AID PROCEDURES AND BLOODBORNE PATHOGENS**

Basic first aid procedures are included in Attachment A. Seminole County EMS/FIRE/RESCUE personnel are the primary first responders for medical attention on County properties and are reached by dialing 9-1-1.

Department Directors may consider adopting a First Aid Program applicable to their work environments. Department Directors with personnel who routinely perform hazardous work or report to remote worksites – particularly with crews of personnel – or with work units that facilitate or supervise groupings of personnel or citizens involved in activities that routinely require minor first aid, should consider adopting a first aid program.

1. Any such program shall, at a minimum, include:
  - a) Training and retraining for personnel required to perform first aid, CPR and AED,
  - b) First aid kits sufficient for the activity (see Attachment A),
  - c) Automated External Defibrillator (AED) training for personnel assigned to work areas where an AED is maintained in close proximity, and
  - d) Training and retraining in Blood borne Pathogens for personnel required to perform first aid.
2. Department Directors with personnel likely to be in contact with Blood borne Pathogens due to the nature of their work will ensure each employee is trained and retrained, as necessary, in Blood borne Pathogens and provided adequate personnel protective equipment for the task being performed.

## **F. WORKPLACE SAFETY INSPECTION PROGRAM**

Safety Inspections of all workplaces must be conducted on a regular basis to ensure that hazards are kept at a minimum and safe work practices are used. Each supervisor is charged with ensuring daily observations of workplaces under their control or direction are made for signs of unsafe conditions. Department Directors should consider daily, weekly, or monthly written inspection reports, depending on the particular job or workplace.

The following guidelines shall be used to identify unsafe conditions:

1. Daily Inspections:
  - a) Performed by personnel familiar with the workplace and applicable safety procedures.
  - b) Check worksite housekeeping for any hazards from clutter, trash, trip hazards, unsanitary conditions, or improperly stored equipment.
  - c) The condition of vehicles and equipment, including daily service items such as oil, fluids, tires, safety features, etc.

d) Inspect all safety features of equipment prior to use

2. Regular and Periodic Inspections:

a) Work environment – Housekeeping, machine guarding, guardrails, stairs, catwalks, ramps, noise concerns, lighting, ventilation, heat stress conditions, and other possible hazards associated with the specific worksite.

Job procedure – Conduct job hazard evaluations to eliminate, as much as possible, any existing job hazards that may injure employees or damage materials or machines.

Material safety data sheets (MSDS) on the handling, use, and storage of hazardous, toxic, flammable, combustible, or explosive chemicals readily available.

3. Preventative Maintenance Program.

Check all:

- a) Tools, equipment, and machinery – especially safety features.
- b) Building structure: interior and exterior.
- c) Floor and elevated storage areas for overloading and to identify objects that might fall and cause damage or injury.
- d) Vehicles for safe operating conditions.
- e) Safety features of equipment. Remove from service equipment with defective, removed, or altered safety features.

Perform all:

- a) Preventative maintenance as specified by the manufacturer, regulations, or established preventative maintenance schedules.

**G. SAFETY OFFICER EVALUATIONS AND INSPECTIONS**

The Safety Officer will conduct occupational safety evaluations of County facilities and field operations. Recommendations for corrective action will be presented to the appropriate authority. For example, safety issues will normally be brought to the attention of the County employee supervising the operation or facility in question when correcting the issue is within their scope of employment.

More significant, blatant, or complex safety issues may require notification of supervisors, managers, or Department Directors. The Safety Officer will provide sufficient documentation of significant, blatant, or complex safety issues to managers and Department Directors to aid them in determining appropriate corrective and/or personnel action.

## **H. SAFETY TRAINING**

Among the most important elements in achieving safe operations in the work place is the training of employees in their duties and responsibilities. This includes identification of any hazards associated with their tasks, teaching proper work methods and techniques, and assuring awareness of proper operating procedures to avoid injury or damage to equipment.

To avoid incidents or injuries, supervisors should ensure that all newly assigned employees receive adequate training prior to initial assignment in the workplace. Employees shall not perform tasks requiring safety training until such instruction is received. Safety training shall include:

1. Orientation training by supervisors or trained instructors of new employees and employees transferring to new jobs:

- a) Safety Orientation.

Each employee shall be given access to this policy by his or her supervisor for review and reference, as well as a personal copy of the safety rules, policies, and procedures pertaining to his/her particular job, prior to performing safety sensitive functions. Supervisors must ask questions of employees and answer employees' questions to ensure knowledge and understanding of safety policies and procedures, job-specific rules, and specific tasks assigned to them. All employees shall then sign an acknowledgment form acknowledging that they have read and understand our workplace safety program and their job-specific rules, and that compliance is required as a condition of employment.

All new employees will also receive additional instruction as soon as feasible after they begin working for the County from the Safety Office. This instruction will provide a New Employee Safety Orientation covering topics such as: general safety rules, reporting damage to County property, reporting workplace injuries, operation of County vehicles, etc. Human Resources shall track completion of this safety training.

- 2. Job-Specific Training. Most important to the success of our Safety Program is job training. Our employees must be trained to do their jobs the right way, the safe way. They must be made fully aware of job hazards and the ways to avoid

hazards and prevent accident or injury. To ensure our employees are properly trained, supervisors should:

- a) Initially train employees on how to perform assigned job tasks safely.
  - b) Carefully review with each employee the specific safety rules, policies, and procedures that are applicable to the job.
  - c) Give employees verbal instructions and specific directions on how to do the work safely.
  - d) Observe employees as they do the work. If necessary, provide a demonstration using safe work practices or remedial instruction to correct training deficiencies before an employee is permitted to do the work without supervision.
  - e) Provide safe operating instructions on seldom used or new equipment to all employees before they operate the equipment.
  - f) Review safe work practices with employees before permitting the performance of new, non-routine, or specialized procedures.
3. Periodic Retraining of Employees. All employees should be retrained periodically regarding safety rules, policies, and procedures and when changes are made to the safety procedures or manual. Individual employees may require retraining after the occurrence of a work-related injury caused by an unsafe act or work practice, or when a supervisor observes employees displaying unsafe acts, practices, or behaviors.
  4. Specialized training required by OSHA and other regulations, relative to specific operations, must be completed before engaging in the task: i.e., SCBA use, Confined Space Entry, Lockout/Tagout, Forklift operation, Trenching and Excavation, etc.
  5. Defensive Driving or other specialized driver training, approved by Risk Management, for all employees who drive a County vehicle as a significant part of their normal tasking (must be attended within six months of being authorized to drive a County vehicle, and once every three years thereafter).  
  
All other employees authorized to drive a County vehicle must attend Defensive Driving or other specialized driver training, approved by Risk Management, within one year of being authorized to drive a County vehicle, and once every three years thereafter.
  6. County Workplace Safety Program and Department/Division policies.



7. Wellness in the workplace – how well we feel and how long we live depends, to a considerable extent, on how we take care of ourselves. It is important to eat properly, exercise regularly, and adopt a healthy lifestyle. The Human Resources Division can help employees achieve wellness goals. Employee health and wellness training are available by contacting the Wellness Coordinator.
8. Seasonal workplace safety – employees exposed to climatic elements shall receive periodic training on the effects of heat stroke, heat exhaustion, dehydration, and hypothermia, as well as lightning and hurricane safety precautions.
9. Instructional training for supervisors, such as properly recording and investigating workplace accidents and incidents.
10. DOT reasonable suspicion – supervisors of employees performing safety sensitive functions under a commercial driver license shall receive training on reasonable suspicion as required by Federal rules.
11. Hazardous Communication – Departments/Divisions shall provide employees with effective information and training on hazardous chemicals in their work area at the time of their initial assignment, and whenever a new physical or health hazard the employees have not previously been trained about is introduced into their work area. Information and training may be designed to cover categories of hazards (e.g., flammability, carcinogenicity) or specific chemicals. Chemical-specific information must always be available through labels and material safety data sheets. Departments/Divisions shall maintain a current list of the hazardous chemicals known to be present in their workplace using an identity that is referenced on the appropriate material safety data sheet.

## **I. SAFETY TRAINING RECORDKEEPING**

Employee training shall be documented. Employees must sign in on a roster and the instructor shall sign the roster when the training is completed. The Department/Division offering the training will ensure copies of these forms are forwarded to Human Resources to track individual employee training, and shall maintain files within their department/division documenting the training offered and employees attending. In cases where personnel from more than one division/department are attending the same training, the instructor will send each attending division/department a copy of the training record or a training certificate for each employee attending. These records shall be maintained as directed by State statutes.

## **J. SAFETY OFFICER AS A RESOURCE**

The Safety Officer is a safety training resource who should be utilized for assistance with program needs. In addition to the items listed elsewhere in this policy, the Safety Officer can help with:

- 1) An analysis of workplace injuries and illnesses to determine training goals and objectives.
- 2) Training program outline(s).
- 3) Comprehensive training program content.
- 4) Specific methods of presentation.
- 5) Training aids (e.g. PowerPoint presentations, videotapes, etc.).
- 6) Other training resources.

## **K. CLAIMS/INCIDENT INVESTIGATION PROGRAM**

Investigation of claims involving County employees or incidents where citizens are injured in association with County employees, property, or equipment is an invaluable tool in controlling losses. Each claim may be considered a valuable experience if its true cause is objectively determined and all contributing deficiencies are corrected. Supervisors should view their initial investigation and documentation as the first step toward ensuring the incident is not repeated. Investigation, reporting, recording, and corrective follow-up of each claim/incident can be time consuming. However, the time used for such activities is very worthwhile because it will contribute greatly to reducing workplace injuries and future losses of time and resources that would result from similar disruptive incidents. Devoting adequate time and effort to preventing the reoccurrence of similar accidents is an investment that pays compound benefits to the County, its employees, and our citizens.

## **L. ACCIDENT/INCIDENT INVESTIGATION GUIDELINES**

Each claim/accident/incident involving County employees, or private citizens associated with County-owned or leased facilities or equipment, will be investigated and documented. The investigation will normally be completed by the employee's immediate supervisor or, in the case of a significant injury or accident involving County equipment or vehicles, in conjunction with the County Safety Officer or Risk Manager.

The depth of the investigation and the amount of detail placed in the report should be commensurate with the actual injury/damage incurred and/or the

potential for loss. Investigations must include, as a minimum, enough information to determine what, when, where, why, and how the incident occurred and an explanation of what corrective action has, or will be, taken to prevent similar incidents in the future, if appropriate.

Once the investigation has been completed, the appropriate information must be recorded on the Accident/Incident Report form with the Supervisor's Report section completed. An Incident/Accident Report must be completed for each incident involving County equipment, vehicles, or property. A Supervisor's Investigation Report and First Report of Injury must be used for each incident involving an injury to an employee.

The form(s) – with supporting documentation and photographs – must then be forwarded to Risk Management, with a copy maintained by the Department/Division.

## **M. SAFETY COMMITTEES**

Departments/Divisions may establish safety committees to provide peer review and input on safe work processes, equipment, training, and other safety issues using the following as guidelines. Safety committees shall not supplant supervisory and management review of reportable accidents or incidents:

1. **Membership.** Committee membership should consist of supervisory and non-supervisory personnel; the number of supervisory personnel should not exceed the number of non-supervisory personnel. Non-supervisory members may be volunteers or elected by their co-workers. When sufficient employee representation is not otherwise met, the department/division may select and appoint employees to the Committee. The appropriate Department Director or Division Manager establishes the total number and tenure of safety committee members. The department/division should send a list of committee members to the Safety Officer, along with a copy of the minutes from each meeting.

The Safety Officer may establish Safety Committees made up of combined departments if it serves the best interests of the County.

2. **Responsibilities.** Under the direction and approval of the Department Director/Division Manager, the Safety Committee may:
  - a) Review and update workplace safety rules based on claim investigation findings, evaluation findings, and employee reports of unsafe conditions or work practices.

- b) Address complaints and suggestions from employees and issue written updates and changes when approved by the Department Director/Division Manager.
  - c) Establish and communicate procedures for conducting internal safety evaluations of the workplace. When approved by the Department Director/Division Manager, these procedures will be used to evaluate the effectiveness of engineering, administrative, and personal protective control measures to protect employees from recognized hazards in the workplace and work environment.
  - d) Establish and communicate procedures, approved by the Department Director/Division Manager and Safety Officer, by which supervisors will investigate workplace claims, safety-related incidents, injuries, illnesses, and diseases.
  - e) Establish guidelines for safety training of Committee members. Participate in safety training and monitor workplace safety education and training to ensure that it is applicable, effective, and documented.
  - f) Make recommendations through the Department Director for Countywide policy changes and safety program improvements. These recommendations shall be forwarded to the Safety Officer for review.
3. Guidelines. Each safety committee will have established guidelines, procedures, and directives to ensure each member, and each employee in the respective department or division, understands the role and responsibilities of the committee.
  4. Meetings. Meetings should be scheduled frequently enough to be of value to the safety process. Each Department/Division's needs will be different.
  5. Recommendations. Safety Committee recommendations will be sent to the appropriate Department Director/Division Manager for consideration. The Department Director/Division Manager will issue a timely written response to each written recommendation of the safety committee, with a copy to the Safety Officer.
  6. Committee recordkeeping. Complete and accurate minutes of committee meetings shall be recorded and maintained. Minutes should be posted within one week after each meeting at conspicuous places where employees meet, and copies shall be provided to individual employees upon written request. All safety committee records, including communications, shall be maintained as directed by Florida Statue 119.

## **N. ACCIDENT/INCIDENT AND INJURY RECORDKEEPING PROCEDURES**

Claim injury and occupational illness records are essential and contribute to effective loss control efforts. Records supply the information necessary to identify accident/injury trends so safety program efforts can be directed and monitored. Risk Management will control and maintain the record copy of all Accident/Incident Reports, Supervisor's Investigation Reports, and employee Workers' Compensation First Report of Injury/Illness.

## **O. LOG AND SUMMARY OF WORK RELATED INJURIES AND ILLNESSES**

The Safety Officer completes an OSHA 300A, Summary of Work-Related Injuries and Illnesses, and distributes a copy to each division by February 1st. Each Division must post a copy on bulletin boards in conspicuous places where employees meet to ensure each employee can view the information if they choose. The copy must remain posted from February 1st through April 30th of each year, but may remain throughout the year.

## **P. FORMS**

Reporting forms and instructions for their completion are maintained on the County's intranet under Risk Management.

## Attachment A

### Poison: First Aid at a Glance

Signs and Symptoms	First Aid
<p>Aids in determining whether poison was swallowed:</p> <ul style="list-style-type: none"> <li>• Information from victim or observer</li> <li>• Presence of poison container</li> <li>• Condition of victim (sudden onset of pain or illness)</li> <li>• Burns around lips</li> <li>• Breath odor</li> <li>• Pupil contracted to pinpoint size</li> </ul> <p><b>Symptoms may vary greatly.</b></p>	<p><b>For all victims call 9-1-1</b> Save label or container for ID</p> <p><b>Conscious victims</b></p> <ul style="list-style-type: none"> <li>• Do not give anything by mouth</li> <li>• Do not neutralize with counteragents</li> <li>• Do not give oils</li> <li>• If the poison is a powder, brush off the excess powder then rinse the affected area with large amounts of water</li> <li>• Contact Poison Control at 1-800-222-1222</li> <li>•</li> </ul> <p><b>Unconscious victims</b></p> <ul style="list-style-type: none"> <li>• Maintain open airway (victim on side)</li> <li>• Give mouth-to-mouth resuscitation, using a barrier device, or CPR if necessary</li> <li>• Do not give fluids</li> <li>• Do not induce vomiting</li> </ul> <p><b>Convulsions</b></p> <ul style="list-style-type: none"> <li>• Do not restrain victim</li> <li>• Loosen tight clothing</li> <li>• Watch for airway obstruction</li> <li>• Do not give fluids</li> <li>• Do not induce vomiting</li> <li>• Do not put anything into the victim's mouth</li> </ul>

### Shock: First Aid at a Glance

Signs and Symptoms	First Aid
<ul style="list-style-type: none"> <li>• Skin pale (or bluish), cold to touch; possibly moist or clammy</li> <li>• Victim weak</li> <li>• Rapid pulse (over 100)</li> <li>• Rate of breathing usually increase; may be shallow or deep and irregular</li> </ul>	<p><b>For all victims call 9-1-1</b></p> <ul style="list-style-type: none"> <li>• Keep victim lying down</li> <li>• Cover victim only enough to keep them from losing body heat</li> <li>• Elevate the feet six inches off the ground</li> <li>• Give nothing by mouth</li> </ul>

## Fracture and Dislocation: First Aid at a Glance

Signs and Symptoms	First Aid
<ul style="list-style-type: none"> <li>• Pain and tenderness</li> <li>• May have difficulty moving injured part</li> <li>• Obvious deformities – swelling and discoloration</li> </ul>	<p><b>For all victims call 9-1-1</b></p> <ul style="list-style-type: none"> <li>• Keep broken bone end and adjacent joints from moving – Do Not manipulate the fracture</li> <li>• Give care for shock</li> <li>• Apply ice to the affected area</li> </ul>

## Heart Attack: First Aid at a Glance

Signs and Symptoms	First Aid
<p>Principal symptoms:</p> <ul style="list-style-type: none"> <li>• Acute pain in chest, upper abdomen, neck, or down left arm</li> <li>• Shortness of breath</li> <li>• Pale, clammy skin</li> </ul>	<p><b>For all victims call 911</b></p> <ul style="list-style-type: none"> <li>• Place victim in a comfortable position, usually sitting up</li> <li>• If not breathing, give rescue breathing, using proper barrier protection</li> <li>• Do not give anything by mouth to unconscious victims</li> </ul>

## Unconsciousness: First Aid at a Glance

Signs and Symptoms	First Aid
<ul style="list-style-type: none"> <li>• Unresponsiveness</li> </ul>	<p><b>For all victims call 9-1-1</b></p> <ul style="list-style-type: none"> <li>• Keep victim warm and lying down, head turned to the side if trauma is not suspected</li> <li>• If breathing stops, give rescue breathing, using proper barrier protection</li> <li>• Never give an unconscious person anything by mouth</li> </ul>

## Prevent Dehydration

In the course of a day's work in the heat, a worker may produce as much as 2 to 3 gallons of sweat. Because so many heat disorders involve excessive dehydration of the body, it is essential that water intake during the workday be about equal to the amount of sweat produced. Most workers exposed to hot conditions drink less fluids than needed because of an insufficient thirst drive. A worker, therefore, should not depend on thirst to signal when and how much to drink. Instead, the worker should drink 5 to 7 ounces of fluids every 15 to 20 minutes to replenish the necessary fluids in the body. There is no optimum temperature of drinking water, but most people tend not to drink warm or very cold fluids as readily as they will cool ones. Whatever the temperature of the water, it must be palatable and readily available to the worker. Individual drinking cups should be provided--never use a common drinking cup.

Heat acclimatized workers lose much less salt in their sweat than do workers who are not adjusted to the heat. The average American diet contains sufficient salt for acclimatized workers even when sweat production is high. If, for some reason, salt replacement is required, the best way to compensate for the loss is to add a little extra salt to the food. Salt tablets should not be used.

**CAUTION:** Persons with heart problems or those on a low sodium diet who work in hot environments should consult a physician about what to do under these conditions.

(The above section from: <http://www.cdc.gov/niosh/docs/86-112/> -- March 3, 2011)

## Heat Stroke: First Aid at a Glance

Heat stroke is the most serious heat-related illness. It occurs when the body becomes unable to control its temperature: the body's temperature rises rapidly, the sweating mechanism fails, and the body is unable to cool down. Body temperature may rise to 106°F or higher within 10 to 15 minutes. Heat stroke can cause death or permanent disability if emergency treatment is not provided.

Signs and Symptoms	First Aid
<ul style="list-style-type: none"><li>• An extremely high body temperature (above 103°F)</li><li>• Red, hot, and dry skin (no sweating)</li><li>• Rapid, strong pulse</li><li>• Throbbing headache</li><li>• Dizziness</li><li>• Nausea</li><li>• Confusion</li><li>• Unconsciousness</li></ul>	<p><b>For all victims call 9-1-1</b></p> <ul style="list-style-type: none"><li>• Get the victim to a shady area.</li><li>• Cool the victim rapidly, using whatever methods you can. For example, immerse the victim in a tub of cool water; place the person in a cool shower; spray the victim with cool water from a garden hose; sponge the person with cool water; or if the humidity is low, wrap the</li></ul>



	victim in a cool, wet sheet and fan him or her vigorously. <ul style="list-style-type: none"> <li>• Monitor body temperature and continue cooling efforts until the body temperature drops to 101-102°F.</li> <li>• Do not give the victim alcohol to drink.</li> </ul>
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### Heat Exhaustion: First Aid at a Glance

Heat exhaustion is a milder form of heat-related illness that can develop after several days of exposure to high temperatures and inadequate or unbalanced replacement of fluids. Those most prone to heat exhaustion are elderly people, those with high blood pressure, and those working or exercising in a hot environment.

Signs and Symptoms	First Aid
<ul style="list-style-type: none"> <li>• Heavy sweating, paleness</li> <li>• Muscle cramps</li> <li>• Tiredness, weakness</li> <li>• Dizziness, headache, confusion</li> <li>• Nausea or vomiting</li> <li>• Fainting, unconsciousness</li> </ul>	<p><b>For unconscious or unresponsive victims call 9-1-1</b></p> <ul style="list-style-type: none"> <li>• Drink cool, nonalcoholic beverages.</li> <li>• Rest.</li> <li>• Take a cool shower, bath, or sponge bath.</li> <li>• Seek an air-conditioned environment.</li> <li>• Wear lightweight clothing.</li> </ul>

## Additional First Aid Instructions

Burns	Wounds
<p>Thermal (Heat)</p> <ul style="list-style-type: none"> <li>• Rinse the burned area without scrubbing it and immerse it in cold water. Do not use ice water</li> <li>• Blot dry the area and cover it using dry, sterile gauze or a clean cloth</li> </ul> <p>Chemical</p> <ul style="list-style-type: none"> <li>• If the poison is a powder, brush off the excess powder</li> <li>• Flush the exposed area with cool water for 15 to 20 minutes</li> <li>• Check MSDS for additional steps</li> </ul>	<p>Minor: Cuts, lacerations, abrasions or punctures</p> <ul style="list-style-type: none"> <li>• Wash the wound using soap and water; rinse it well</li> <li>• Cover the wound using clean dressing</li> </ul> <p>Major: Large, deep and bleeding</p> <ul style="list-style-type: none"> <li>• Stop the bleeding by pressing directly on the wound using a clean bandage or cloth</li> <li>• Keep pressure on the wound until medical help arrives</li> </ul>
Eye Injury	Eye Injury (cont)
<p>Small Particles</p> <ul style="list-style-type: none"> <li>• Do not rub eyes</li> <li>• Use the corner of a soft clean cloth to draw particles out or hold the eyelids open and flush the eyes continuously with water</li> </ul> <p>Large or Stuck Particles</p> <ul style="list-style-type: none"> <li>• If a particle is stuck in the eye, do not attempt to remove it</li> <li>• Cover both eyes with a bandage</li> </ul>	<p>Chemical</p> <ul style="list-style-type: none"> <li>• Immediately irrigate the eyes and under the eyelid with water for 30 minutes</li> <li>• Check MSDS for additional steps</li> <li>• If a particle is stuck in the eye, do not attempt to remove it</li> <li>• Cover both eyes with a bandage</li> </ul>

## FIRST AID KITS

Below are some examples of what a First Aid Kit should contain according to the number of items per person. First Aid Kits should be clearly marked and in an office or vehicle location that is easily accessible by all employees. Supervisors should ensure that all employees/workers are instructed on the location of the First Aid Kits.

<b>Contents</b>	<b>10 Person #1160</b>	<b>25 Person #1161</b>	<b>50 Person #1162</b>
Adhesive strips	16	50	100
Adhesive Tape, 1/2"	2-1/2 yards	5 yards	5 yards
Alcohol wound wipes	3	10	20
Ammonia inhalants	3	3	6
Aspirin tablets	10	12	20
Cold packs	1	1	1
Combine dressings	-	1	1
Cotton, sterile	-	.5 oz	.5 oz
Elastic bandages	2"	2"	2"
Eye irrigation solution	1 oz	1 oz	1 oz
Eye pads with strips	2	2	4
First aid instructions	Card	Booklet	Booklet
Gauze bandages 2" x 6 yds	1	1	2
Gauze bandages 4" x 6 yds	1	2	4
Gauze pads, 3"	4	4	4
Gauze pads, 4"	-	4	8
Scissors	5	2	4
Sting relief wipes	2	2	2
Triangular bandages	3	3	3
Tweezers	1	1	1
Size of Kit	4.5" x 7.5"x3"	7"x10"x3"	10"x10"x3"

## **62- EXPOSURE CONTROL**

### **A. PURPOSE AND SCOPE**

This exposure control program is established to minimize and prevent, when possible, Seminole County Board of County Commissioners (BCC) employee exposure to disease-causing microorganisms transmitted through human blood or other potentially infectious materials.

### **B. REFERENCES**

1. Seminole County Workers' Compensation Program Procedures
2. County Manager Safety Policy
3. Appendix A - Definitions

### **C. APPLICABILITY**

This procedure applies to employees whose positions have reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of the employee's duties; supervisors and managers of those employees; and employees and supervisors responsible to clean work surfaces contaminated by body fluids. EMS/Fire/Rescue personnel shall follow Operations Directive #07005 in lieu of this policy.

### **D. PROCEDURES**

1. Responsibilities
  - a. Employees will follow safe practices and report all exposure incidents to their supervisor immediately. An exposure incident occurs when an employee has eye, mouth, mucous membrane, non-intact skin, or parenteral contact with blood or other potentially infectious materials resulting from the performance of an employee's duties
  - b. Supervisors are responsible for ensuring the following:
    - (1) Modeling and enforcing safe practices.
    - (2) Completing the Blood borne Pathogens Exposure Incident Form (attachment A), and the Workers' Compensation report/form(s) if an injury also occurred. Forms may be found on the Risk Management section of SharePoint.

- (3) Directing employees to the County's authorized Healthcare Provider as directed by Risk Management.
  - (4) Notifying Risk Management/Workers' Compensation of the exposure incident immediately.
- c. The County's occupational medical provider will provide the following confidential services:
- (1) Evaluating exposure incidents.
  - (2) Arranging testing of employee and source individual, as necessary.
  - (3) Coordinating with the employee all follow-up testing (when applicable) to ensure employee's compliance at 6 weeks, 12 weeks, and 6 months testing intervals, or as otherwise indicated.
  - (4) Notifying employees of all testing results.
  - (5) Providing counseling.
  - (6) Providing post-exposure treatment, if necessary.
  - (7) Evaluating reported illness.

## 2. Anticipated Exposure Determination

Individual County departments are responsible for the determination of job positions that require specific training, vaccinations, and personal protective equipment. The determination will be based on the reasonableness to anticipate that an employee will have skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials as part of his/her job responsibilities.

Departments shall ensure job descriptions of positions with occupational exposure to blood borne pathogens indicate the requirement for Hepatitis B vaccination. Declinations shall be handled in accordance with section IV. D. of this policy.

## 3. Work Practice Controls

### a. Universal Precautions

All blood or other potentially infectious materials will be handled as if contaminated by a blood borne pathogen. Blood borne pathogens are pathogenic microorganisms that are present in human blood and other potentially infectious materials and can cause disease in humans. In circumstances when differentiation between body fluid types is difficult or impossible, all body fluids will be considered potentially infectious materials.

Universal precautions are the minimum precautions required of all employees in positions with reasonably anticipated contact with blood or other potentially infectious materials, as defined in Appendix A., Definitions.

b. Body Substance Isolation and Standard Precautions

Body Substance Isolation and Standard Precautions are alternate precaution practices, used mainly in healthcare, where all body fluids, except sweat, are considered potentially infectious. In settings where County employees are required to provide first aid or have healthcare contact with citizens or other employees, employees will follow the practice of considering all body fluids potentially infectious.

c. General Cleanliness

Cleaning and disinfecting are part of a broad approach to preventing infectious diseases. General work surfaces should be cleaned and sanitized on a routine basis, and surfaces with regular skin contact from customers, citizens, and other employees should be regularly cleaned and disinfected.

(1) Know the difference between cleaning, disinfecting, and sanitizing.

a) Cleaning removes germs, dirt, and impurities from surfaces or objects. Cleaning works by using soap (or detergent) and water to physically remove germs from surfaces. This process does not necessarily kill germs, but by removing them, it lowers their numbers and the risk of spreading infection.

b) Disinfecting kills germs on surfaces or objects. Disinfecting works by using chemicals to kill germs on surfaces or objects. This process does not necessarily clean dirty surfaces or remove germs, but

by killing germs on a surface after cleaning, it can further lower the risk of spreading infection.

- c) Sanitizing lowers the number of germs on surfaces or objects to a safe level, as judged by public health standards or requirements. This process works by either cleaning or disinfecting surfaces or objects to lower the risk of spreading infection.
- d) Disinfecting cleaners available at retail stores, grocery stores, and office supply stores are appropriate if they are labeled as registered with the EPA (check for an EPA registration number on the product's label or safety data sheet to confirm that it contains a disinfectant that is registered).
- e) The attached references from the Centers for Disease Control and Prevention, How to clean and Disinfect Schools to Help Slow the Spread of Flu and Environmental Cleaning & Disinfecting for MRSA, provide valuable tips for cleaning and disinfection in settings outside of healthcare.

#### 4. Hand Washing and Other General Hygiene Measures

- a. Employees will wash hands thoroughly using soap and water whenever hands become contaminated and as soon as possible after removing gloves or other personal protective equipment.
- b. Eating, drinking, applying cosmetics or lip balm, and handling contact lenses are prohibited in work areas where there is a reasonable likelihood of exposure to blood or other potentially infectious material. Likewise, employees should not engage in any of these activities until proper washing with soap and water is performed.
- c. Employees will use practices to minimize splashing, spraying, and spattering during procedures involving blood or other potentially infectious materials.
- d. Employees cleaning work surfaces contaminated with body fluids not considered "other potentially infectious materials" shall, nonetheless, use gloves, disposable wipes or towels, and disinfecting cleaning supplies as a precaution. See section 3 (General Cleanliness) above and follow guidelines for cleaning and disinfecting. Waste from this type of cleaning operation is not

considered hazardous or medical waste, and may be disposed of in the regular trash.

## 5. Sharps Management

- a. Sharps are objects that can penetrate the skin, including but not limited to, needles, scalpels, broken glass, broken capillary tubes, and exposed ends of dental wires.
- b. Contaminated sharps must be disposed of according to federal, state, and local regulations. Used needles and other contaminated sharps must be placed in a puncture-resistant, leak-proof container that is closable and red in color or marked with a biohazard label, and must never be disposed of in the regular trash.
- c. Approved containers containing contaminated needles may be disposed of at any County fire station or Solid Waste facility, but never in the regular trash. Contaminated needles will be discarded as soon as possible after use in approved sharps containers.
- d. Containers of non-needle sharps shall be disposed of at the Seminole County Health Department.
- e. Employees will clean up broken glass and sharps that may be contaminated using mechanical means such as a brush and dustpan, tongs, or forceps. Employees will not pick up these items directly with the hands.
- f. Employees will not open, empty, or clean reusable sharps containers manually or in any other manner that will expose employees to the risk of percutaneous injury. Employees will not reach by hand into a container that stores reusable contaminated sharps.
- g. Employees will not accept sharps for disposal from citizens unless they are contained in approved sharps containers.
- h. Employees who use needles to self-inject medications at work shall dispose of used needles in an appropriate sharps container.

## 6. Disposal of contaminated bio-waste other than sharps

- a. Contaminated bio-waste other than sharps will be collected in leak-proof plastic bags red in color and/or properly marked with a biohazard label, or other suitable containers properly labeled.



- b. Contaminated bio-waste not immediately disposed of must be stored in secured areas clearly labeled with signage indicating the presence of hazardous waste or bio-waste. Contaminated bio-waste may only be stored on a temporary basis pending proper disposal.
- c. Small quantities of contaminated bio-waste (one or two bags) shall be disposed of at the Seminole County Health Department during normal business hours. The material must be in red biohazard bag(s) with an adhesive label on it stating who the bio-waste is from (e.g., Seminole County Leisure Services, Seminole County Environmental Health, Seminole County Facilities Maintenance, etc.). Delivery must be coordinated in advance by calling the contact listed on attachment C.
- d. For larger quantities of contaminated bio-waste, contact the Seminole County Health Department for guidance. See attachment C for contact information.
- e. Public Safety shall dispose of contaminated bio-waste according to their operating directives.

#### 7. Additional packaging considerations

- a. If the outside of the primary container is contaminated, the primary container shall be placed within a secondary container that prevents leakage during handling, processing, storage, transport, or shipping and is properly biohazard labeled or color-coded.
- b. If the contaminated item could puncture the primary container, the primary container shall be placed in a secondary container that is puncture-resistant and properly biohazard labeled or color-coded.

#### 8. Personal Protective Equipment

- a. The County will provide employees with potential exposure with personal protective equipment at no cost. Supervisors are responsible to ensure adequate personal protection equipment for employees.
- b. Employees will wear personal protective equipment when performing procedures in which exposure to the skin, eyes, mouth, or other mucous membranes is anticipated. The articles to be worn will depend on the expected exposure. Gloves, face shields, masks, and eye protection will be made available. Employees are responsible to request new personal protective equipment when

needed, and exercise proper care of issued personal protective equipment.

- c. All personal protective equipment should be removed before leaving the work area and placed in an assigned container for storage, washing, decontamination, or disposal.
- d. If a garment is penetrated (soaked through) by blood or other potentially infectious material, the garment will be removed as soon as possible and placed in a designated container for disposal. Garments which only are lightly splashed or dripped on where the blood or other potentially infectious material have not soaked through are to be removed as soon as possible and placed in an appropriate container for decontamination.
- e. Gloves will be worn when it can be reasonably anticipated that hands will contact blood or other potentially infectious materials, mucous membranes, and non-intact skin or when handling or touching contaminated items or surfaces. Employees who have allergies to latex gloves may obtain hypoallergenic gloves. Departments should consider purchasing gloves without latex (nitrile type or equivalent) for use by all employees. Employees will replace gloves as soon as feasible when gloves are contaminated, torn, punctured, or when their ability to function as a barrier is compromised. Employees will not wash or decontaminate single use gloves for re-use.
- f. Employees will wear masks in combination with eye protection devices (goggles or glasses with solid side shields) or chin-length face shields whenever splashes, spray, spatter, or droplets of blood or other potentially infectious materials may be present.
- g. Employees will decontaminate work surfaces with appropriate disinfectant after completing procedures and immediately or as soon as feasible when overtly contaminated or after any spill of blood or other potentially infectious material.

## 9. Hepatitis B Vaccination

- a. Employees who have been identified as having a higher risk of exposure to blood borne pathogens will be offered the Hepatitis B vaccination series at no cost to them. Vaccinations may be offered through the Health Department or other medical provider, at the County's discretion. In addition, all employees will be offered post-exposure evaluation and follow-up at no cost should they

experience an exposure incident on the job. This medical care will be performed by the County's occupational medical provider.

- b. The Hepatitis B Vaccination is a series of three injections. For maximum benefit from the vaccine, all three injections must be taken according to the schedule established by the medical provider. In the event the employee does not take the initiative to complete the series, the vaccination process must be restarted and the employee will be required to pay any additional costs incurred due to duplicated procedures (e.g., injections, office visits, etc.).
- c. Employees who provide written documentation of a full hepatitis B vaccine series shall not be required to repeat the vaccination series. The employee shall sign section C of attachment B.
- d. The vaccination series will not be made available to employees who have previously received the complete Hepatitis B vaccination series, or to any employee for whom the vaccine is medically a risk. The employee shall sign section C of attachment B.
- e. An employee who is in a position identified as having a higher risk of exposure, and therefore offered the Hepatitis B vaccination series, who chooses not to take the series will be required to sign a declination statement (section B, attachment B). Should an employee decline the Hepatitis B vaccination, but later change his/her mind and wish to have the series, the County will proceed with the vaccination series at no cost to the employee.
- f. The CDC indicates no annual testing is required or recommended for persons who have completed a full hepatitis B vaccine series\*; therefore, the County does not offer routine titer testing. Employees reporting exposure incidents will be tested as indicated by treating physicians.

\*<http://www.cdc.gov/vaccines/pubs/pinkbook/downloads/hepb.pdf>  
accessed 12/27/12.

## 10. Reporting and Treatment of Exposure Incidents

- a. Exposure incidents occur when an employees' eye, mouth, other mucous membranes, or non-intact skin is exposed to blood or other potentially infectious materials; or when there is parenteral contact with blood or other potentially infectious materials.
- b. In the event of an exposure incident, the exposed employee should immediately cleanse the exposed skin surface with soap and water

or flush the exposed eye or mucous membranes with water for a minimum of fifteen (15) minutes. If an injury is involved, seek first aid and/or medical treatment as well.

- c. The exposed employee must then immediately report the exposure incident to his/her supervisor.
- d. Occupational exposures are considered urgent medical conditions needing timely medical evaluation and management. Medical evaluation and initiation of treatment, if indicated, must begin as close to immediately as possible and optimally within two (2) hours of exposure. If this deadline is missed, treatment may still have some value, especially if initiated within the first 72 hours. Assessment of exposure and determination of need for post exposure prophylaxis and testing must be done in compliance with standards of care as delineated by the most current U.S. Public Health Service guidelines applicable to the occupational exposure.
- e. The employee and supervisor must complete applicable sections of the Exposure Incident Form and Supervisor's Investigation Report, found on the Risk Management webpage on SharePoint. If an injury is involved, a First Report of Injury is also completed. The employee's supervisor shall consult with Risk Management as soon as possible. Risk Management shall fax the completed Exposure form to a medical provider for evaluation and determination of treatment. Risk Management will direct the supervisor/employee where to seek treatment, if so indicated by the medical provider or circumstances.

However, if the exposure is outside of normal business hours for Risk Management (Monday – Friday, 7 AM to 5 PM), the employee should obtain medical evaluation and/or treatment at an approved urgent care facility (listed on SharePoint under Risk Management) as soon as possible. If no approved urgent care facility is open, seek evaluation and/or treatment at the nearest hospital emergency department.

- f. Exposure to potentially infectious blood or body fluids that occurs as a result of occupational duties or employment related activities shall be treated as a work-related exposure incident. If an injury is also involved, it shall be treated as a Workers' Compensation injury. Any vendor or medical provider contracting with the County to provide exposure incident or Workers' Compensation medical services for employees following occupational exposure to blood borne pathogens must ensure that their providers comply with treatment standards as defined by the most current U.S. Public

Health Service (USPHS) guidelines as applicable to the occupational exposure.

- g. The employee will be provided a copy of the evaluating healthcare professional's written opinion concerning vaccination and post-exposure evaluation and/or follow-up within 15 days of the completion of the evaluation.

## 11. Employee Training

Supervisors will ensure employees are trained regarding blood borne pathogens at the time of initial assignment to job positions where exposure may occur, and at least annually thereafter. Additional training will be provided whenever there are changes in tasks or procedures that affect employee's occupational exposure. Training shall include all aspects of this Exposure Control policy along with appropriate demonstrations of procedures, equipment, processes, and personal protective equipment by knowledgeable and experienced personnel.

## 12. Recordkeeping Procedures

- a. Exposure records will not be disclosed or reported to any person within or outside the workplace without the employee's express written consent, except as required by law, regulation, or County policies and procedures.
- b. Exposure records will be maintained by Risk Management as part of the Workers' Compensation file for the employee. Training records will be maintained as mandated by County Manager Policy.
- c. Hepatitis vaccination records shall be maintained for at least the duration of employment, plus thirty years.

## Appendix A

### Definitions

**Blood** means human blood, human blood components, and products made from human blood.

**Blood borne Pathogens** means pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, hepatitis B virus (HBV), hepatitis C virus (HCV), and human immunodeficiency virus (HIV).

**Body Substance Isolation** and Standard Precautions are alternative concepts in infection control used primarily in healthcare. These methods define all body fluids and substances, except sweat, as potentially infectious.

**Contaminated** means the presence or the reasonably anticipated presence of blood or other potentially infectious materials on an item or surface.

**Contaminated bio-waste**, for the purposes of this policy, means regulated waste as defined below.

**Contaminated Laundry** means laundry which has been soiled with blood or other potentially infectious materials or may contain sharps.

**Contaminated Sharps** means any contaminated object that can penetrate the skin including, but not limited to, needles, scalpels, broken glass, broken capillary tubes, and exposed ends of dental wires.

**Decontamination** means the use of physical or chemical means to remove, inactivate, or destroy blood borne pathogens on a surface or item to the point where they are no longer capable of transmitting infectious particles and the surface or item is rendered safe for handling, use, or disposal.

**Exposure Incident** means a specific eye, mouth, other mucous membrane, non-intact skin, or parenteral contact with blood or other potentially infectious materials that results from the performance of an employee's duties.

**Occupational Exposure** means reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties.

**Other Potentially Infectious Materials means** (1) The following human body fluids: semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva in dental procedures, anybody fluid that is

visibly contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids; (2) Any unfixed tissue or organ (other than intact skin) from a human (living or dead); and (3) HIV-containing cell or tissue cultures, organ cultures, and HIV or HBV-containing culture medium or other solutions; and blood, organs, or other tissues from experimental animals infected with HIV or HBV.

**Parenteral** means piercing mucous membranes or the skin barrier through such events as needle sticks, human bites, cuts, and abrasions.

**Regulated Waste** means liquid or semi-liquid blood or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials in a liquid or semi-liquid state if compressed; items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling; contaminated sharps; and pathological and microbiological wastes containing blood or other potentially infectious materials.

**Standard Precautions** and Body Substance Isolation are alternative concepts in infection control used primarily in healthcare. These methods define all body fluids and substances, except sweat, as potentially infectious.

**Universal Precautions** is an approach to infection control. According to the concept of Universal Precautions, all human blood and certain human body fluids are treated as if known to be infectious for HIV, HBV, HCV, and other blood borne pathogens.





SEMINOLE COUNTY RISK MANAGEMENT  
EXPOSURE INCIDENT FORM

A. EMPLOYEE \_\_\_\_\_ Employee ID No. \_\_\_\_\_

\_\_\_\_\_

DEPT/DIV \_\_\_\_\_ DOB \_\_\_\_\_

\_\_\_\_\_

B. EXPOSURE Date \_\_\_\_\_ Time \_\_\_\_\_ Body Parts exposed \_\_\_\_\_

\_\_\_\_\_

B. SOURCE OF EXPOSURE: Contact with person:  Contact with substance:

C. Location of Incident: \_\_\_\_\_

If source of exposure is contact with a person, complete the following on the source:

Name \_\_\_\_\_

\_\_\_\_\_

DOB \_\_\_\_\_ Gender \_\_\_\_\_ Race \_\_\_\_\_ Phone \_\_\_\_\_

Full Address \_\_\_\_\_

\_\_\_\_\_

Transported to \_\_\_\_\_ By whom \_\_\_\_\_

\_\_\_\_\_

Receiving Physician \_\_\_\_\_ Patient's Physician \_\_\_\_\_

IMPORTANT: Check all that apply

D. TYPE OF EXPOSURE

- 1. No contact with blood or body fluid
- 2. Needle stick from:
  - a. Recapping
  - b. Injection
  - c. In trash
  - d. In linen
  - e. Full needle box
  - f. Other \_\_\_\_\_
- 3. Bite by \_\_\_\_\_
- 4. Puncture by \_\_\_\_\_
- 5. Laceration (cut) by \_\_\_\_\_
- 6. Abrasion, rub or grinding \_\_\_\_\_
- 7. Splash to:
  - a. Skin – no break in skin
  - b. Skin – broken
  - c. Mouth
  - d. Eye
  - e. Ear
  - f. Nose
  - g. Other \_\_\_\_\_
- 8. Inhalation

E. TYPE OF FLUID

- 1. Blood
- 2. Saliva
- 3. Vomitus
- 4. Mucus
- 5. Semen
- 6. Urine
- 7. Feces

F. AMOUNT OF EXPOSURE

- 1. Less than one drop
- 2. One drop to one teaspoon
- 3. Over one teaspoon
- 4. Unknown

G. INFECTIOUS RISK

- 1. HIV (known)
- 1. HIV (suspected)
- 2. Hepatitis
  - a. Type A
  - b. Type B
  - c. Type C
  - d. Type unknown
- 3. Syphilis/Gonorrhea (circle one)
- 5. Tuberculosis (TB)
- 6. Meningitis
- 7. Other \_\_\_\_\_
- 8. Unknown

H. PRE-EXPOSURE PROTECTION

- 1. Gloves
- 2. Mask
- 3. Eye protection
- 4. Resuscitation mask
- 5. Wipes
- 6. Sleeves
- 7. None of the above

I. POST-EXPOSURE PRECAUTIONS

- 1. Washed exposed area after contact
  - a. With disinfectant
  - b. With soap
  - c. With other \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

<input type="checkbox"/> 8. Sweat <input type="checkbox"/> 9. Tears <input type="checkbox"/> 10. Other _____	<input type="checkbox"/> 2. Other _____
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**SEMINOLE COUNTY RISK MANAGEMENT  
EXPOSURE INCIDENT FORM** Page 2 of 2

**SUMMARY** Give a summary of the incident surrounding the exposure.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**WHO WAS NOTIFIED?** (Indicate all that apply)

Date	Time	Who was notified	Name
		Immediate Supervisor	
		Risk Management Coordinator	
		Infectious Disease Physician	
		Other	
		Other	

**FOLLOW-UP**

Did you seek medical attention?  Yes  No      Date: \_\_\_\_\_

If yes, where? \_\_\_\_\_

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Were you counseled regarding follow-up treatment/evaluation?  Yes  No

Were you told follow up treatment/evaluation is necessary?  Yes  No

If yes for follow up, give details:

EMPLOYEE'S SIGNATURE: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_

SUPERVISOR'S SIGNATURE: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_

**RISK MANAGEMENT COORDINATOR INFORMATION (Risk Management Use Only)**

Level of exposure?  Casual  Minimal  Moderate  Significant

**Recommendations/Notes:**

No further action required  Monitor for any problems/symptoms

<input type="checkbox"/> Blood work follow up	<input type="checkbox"/> ID Physician follow up	<input type="checkbox"/> PEP Protocol initiated
Risk Management Coordinator Signature: _____		Date: _____

## Seminole County Health Department Bio-waste Disposal Contact

As of 04/05/13

Adonis Murillo  
 office number: 407-665-3331  
 cell phone number: 407-488-6601

### Environmental Cleaning & Disinfecting for MRSA

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#### What’s the difference between cleaners, sanitizers, and disinfectants?

- **Cleaners or detergents** are products that are used to remove soil, dirt, dust, organic matter, and germs (like bacteria, viruses, and fungi). Cleaners or detergents work by washing the surface to lift dirt and germs off surfaces so they can be rinsed away with water. The same thing happens when you wash your hands with soap and water or when you wash dishes. Rinsing is an important part of the cleaning process. Use these products for routine cleaning of surfaces.
- **Sanitizers** are used to reduce germs from surfaces but not totally get rid of them. Sanitizers reduce the germs from surfaces to levels that considered safe.
- **Disinfectants** are chemical products that destroy or inactive germs and prevent them from growing. Disinfectants have no effect on dirt, soil, or dust. Disinfectants are regulated by the U.S. Environmental Protection Agency (EPA). You can use a disinfectant after cleaning for surfaces that have visible blood or drainage from infected skin.

#### Which disinfectants should I use against MSRA?

Disinfectants effective against *Staphylococcus aureus* or staph are most likely also effective against MRSA. These products are readily available from grocery stores and

other retail stores. Check the disinfectant product's label on the back of the container. Most, if not all, disinfectant manufacturers will provide a list of germs on their label that their product can destroy. Use disinfectants that are registered by the EPA (check for an EPA registration number on the product's label to confirm that it is registered).

### **How should cleaners and disinfectants be used?**

**Read the label first.** Each cleaner and disinfectant has instructions on the label that tell you important facts:

- How to apply the product to a surface.
- How long you need to leave it on the surface to be effective (contact time).
- If the surface needs to be cleaned first and rinsed after using.
- If the disinfectant is safe for the surface.
- Whether the product requires dilution with water before use.
- Precautions you should take when applying the product, such as wearing gloves or aprons or making sure you have good ventilation during application

### **Laundry**

Routine laundry procedures, detergents, and laundry additives will all help to make clothes, towels, and linens safe to wear or touch if items have been contaminated by infectious material, these may be laundered separately, but this is not absolutely necessary.

### **Facility Cleaning & Disinfection after a MRSA Infection**

When MRSA skin infections occur, cleaning and disinfection should be performed on surfaces that are likely to contact uncovered or poorly covered infections.

- Cleaning surfaces with detergent-based cleaners or Environmental Protection Agency (EPA)-registered disinfectants is effective at removing MRSA from the environment.
- It is important to read the instruction labels on all cleaners to make sure they are used safely and appropriately.
- Environmental cleaners and disinfectants should not be used to treat infections.
- The EPA provides a [list of EPA-registered products effective against MRSA](#)

### **Surfaces to Clean**

Focus on surfaces that touch people's bare skin each day and any surfaces that could come into contact with uncovered infections. For example, surfaces such as benches in a weight room or locker room.

Large surfaces such as floors and walls have not been directly associated in the spread of staph MSRA.

There is no evidence that spraying or fogging rooms or surfaces with disinfectants will prevent MRSA infections more effectively than the targeted approach of cleaning frequently touched surfaces and any surfaces that have been exposed to infections.

## **Shared Equipment**

Shared equipment that comes into direct skin contact should be cleaned after each use and allowed to dry. Equipment, such as helmets and protective gear, should be cleaned according to the equipment manufacturers' instructions to make sure the cleaner will not harm the item.

[More about Cleaning & Disinfecting Athletic Facilities for MRSA...](#)

### **Cleaning Keyboards and other Difficult Surfaces**

Many items such as computer keyboards or handheld electronic devices may be difficult to clean or disinfect or they could be damaged if they become wet. If these items are touched by many people during the course of the day, a cleanable cover/skin could be used on the item to allow for cleaning while protecting the item. Always check to see if the manufacturer has instructions for cleaning.

### **Is it clean?**

Although in most situations you will not know if a surface has been cleaned, it's important to remember that most surfaces do not pose a risk of spreading MRSA. If cleaning procedures are unknown, take the appropriate precautions such as:

- Using barriers like a towel or clothing between your skin and the surface.
- Showering immediately after activities where you have direct skin contact with people or shared surfaces, such as after exercising at a health club.
- Cleaning your hands regularly.
- Keeping cuts and scrapes clean and covered with bandages or dressing until healed.

These precautions are especially important in settings such as in locker rooms, gyms, and health clubs.

### **Additional Resources:**

[Cleaning & Disinfecting Athletic Facilities for MRSA](#)

## **64- Forklifts (Powered Industrial Trucks)**

### **A. PURPOSE**

This procedure establishes the minimum requirements for forklift (powered industrial trucks) operation, maintenance, and training. It will provide the necessary guidelines for safe operation of forklifts used to transport materials, equipment, and people.

Throughout the Country, thousands of employees are injured in forklift accidents annually, and many die from their injuries. Safety procedures, training, and performance testing are critical components to reducing workplace accidents and injuries in forklift operations. Because most forklift operations in Seminole County are infrequent compared to industrial operations, operator performance shall be tested on an annual basis, and only personnel with current forklift certifications shall be allowed to operate county forklifts or forklifts on county property.

### **B. SCOPE**

This procedure applies to employees of the Seminole County Board of County Commissioners who operate or supervise forklifts, and to all persons who have occasion to operate county forklifts. Departments who oversee contractors, vendors, and suppliers who operate forklifts on county property shall require said entities to operate forklifts within OSHA standards as a condition of their contract.

### **C. POLICY**

#### **Responsibility**

**Supervisors** - Supervisors must ensure that their forklift operators are trained and evaluated, and that all forklifts are inspected and properly maintained.

**Operators** - Operators must successfully complete an initial forklift safety training program and a practical evaluation approved by Seminole County Risk Management/Safety. An operator must also complete a forklift performance test every twelve months from the time of their initial evaluation, attend refresher training as required, inspect the vehicle before each operation, follow manufacturer safety guidelines for the vehicle being operated, report any safety deficiencies for corrective measures to be taken, and not operate vehicles with known safety defects. Operators may only operate the type(s) of forklifts they are properly trained, approved, and certified to operate.

#### **Definitions**

1. **Attachments** - Devices (other than conventional forks or load backrest extensions) mounted permanently or temporarily on the elevating mechanism of the forklift. Popular types include fork extensions, clamps, booms, rams, baskets, and personnel platforms.
2. **Capacity** - Used to designate the weight-handling ability of a particular forklift as equipped.
3. **Dockboard** - Portable or fixed device for spanning the gap or compensating for the differences in the level between loading platform and carrier.
4. **Environment** – Locations, classified as hazardous or nonhazardous when considering the type of forklift required, where the forklift will be operated.
5. **Forklift** - A powered industrial truck equipped with carriage-mounted forks for transporting and tiering loads.
6. **Forks** - Horizontal, tine-like projections normally suspended from the carriage that engage and support loads.
7. **Operator** – An individual who is trained and authorized to control the function(s) of a forklift.
8. **Tiering** - The process of placing one load on or above another.

Forklift Types (see attachment B for further descriptions):

Class I: Electric Motor Rider Trucks.

Class II: Electric Motor Narrow Aisle Trucks.

Class III: Electric Motor Hand Trucks or Hand/Rider Trucks.

Class IV: Internal Combustion Engine Trucks (solid/cushion tires).

Class V: Internal Combustion Engine Trucks (pneumatic tires)

Class VI: Electric and Internal Combustion Engine Tractors.

Class VII: Rough Terrain Forklift Trucks.

Safety Features

The use of protective devices and safety features is an important factor in safe forklift operation. Although forklifts need not be equipped alike, there are some

similarities with most, such as lights, horns, seatbelts, and cages. In addition, manufacturers are required by federal standards to equip forklifts with certain mandatory safety features, and these features must not be disabled. Forklift operators are also required to warn others when the forklift is reversed, either through an automated backup alarm or by sounding the horn.

Some other safety features include:

Overhead protection to guard the operator from falling objects.

Seatbelt (Operator must wear if provided by equipment manufacturer or otherwise installed).

Wheel plates to protect the operator from objects picked up and thrown by tires.

On-board fire extinguishers, if equipped or installed by the manufacturer.

Horns.

Other protective devices that might be seen in the work area or designed for operator use include:

Signs informing operator of conditions, such as stop, caution, danger, speed limits, etc.

Gloves and safety shoes, as necessary, when handling material or equipment.

Eyewash stations near battery charging area or chemical process.

Eye protection devices.

Hardhats to protect operators when there is an overhead hazard not protected by the forklift's overhead guard.

### Safe Work Practices

All forklifts must be inspected daily, or prior to shift start in multi-shift operations, before being placed in service to ensure that all controls and safety features are working properly. If a vehicle fails the inspection, then it shall be tagged as out-of-service and maintenance performed by a qualified maintenance specialist. Operators must use a vehicle checklist to document inspections. Any operator using a forklift must ensure it has been inspected according to this schedule prior to use.

It is very important to make sure that a vehicle is appropriate for the type of work environment. Gasoline and diesel powered units must not be permitted to



operate indoors, unless adequate ventilation is supplied to keep vehicle exhaust to the lowest levels possible.

Attachments must be approved by both the attachment manufacturer and the forklift manufacturer for use in conjunction with each other, and approved for the task or job site. Attachments must be used as prescribed by the manufacturer. Attachment modifications are prohibited unless approved by the manufacturer.

The atmosphere and location must be classified as to whether it is hazardous or non-hazardous prior to identifying the type of forklift permitted to operate in that environment and determining if a particular vehicle can be used. Only properly equipped vehicles that are explosion proof are permitted to operate in hazardous environments such as those with flammable gases or vapor present.

Operators must follow all safety rules related to speed, parking, fueling, loading, and moving loads. While the forklift is in operation, keep the forks low with the mast tilted slightly back. Very tall or "top-heavy" loads can change the forklift's center of gravity and cause it to tip over. Follow safe speed limits, including low speeds for traveling with loaded forklifts. Forklifts without loads are not weighted and are especially unstable, so sharp turns should be avoided and lower speeds should be observed.

Horns should be sounded when approaching blind, narrow, or pedestrian intersections. Use mirrors to view other traffic when approaching blind corners or intersections. When parking on a hill, always chock the forklift's wheels, lower the forks, and set the parking brake. Also, to avoid tipping, always carry loads up a grade and back down ramps. Never turn on grades. Keep safe visibility. If a load blocks forward vision, drive backwards. Always use caution at intersections and uneven surfaces: chuckholes and other uneven ground can cause forklifts to tip.

Semi-Trailers must be chocked before the forklift enters the trailer. Chocking the trailer's rear wheel will prevent the trailer from separating from the loading dock. Trailer jacks must be properly positioned when the tractor is not attached to the trailer.

Never allow passengers to ride on forklifts as they can easily fall off and become injured.

If a work platform is used on a forklift, always ensure:

The platform is approved for the use and the vehicle by both the platform manufacturer and the vehicle manufacturer.

The platform is securely attached to the forklift.

Personnel using the platform are wearing proper personal protective equipment (e.g., hardhat and safety belt).

Never travel while anyone is performing work on the platform.

Watch out for overhead obstructions.

Forklift operators must yield to all pedestrian traffic. People working nearby should be sure to keep a safe distance from forklifts. That means staying clear of the forklift's turning radius and making sure the driver knows where everyone is.

Forklifts left unattended must have the parking brake set, motor turned off, and forks lowered to the ground. Tilt the mast forward slightly and lower the forks to the floor until the fork tips touch the floor.

Gas, diesel, or propane vehicle fuel tanks shall not be filled while the engine is running. No smoking allowed near fueling operations. All spilled gasoline or diesel is to be cleaned up immediately using oil dry or other appropriate absorbent(s) and the contaminated absorbent(s) disposed of properly. Make every effort to prevent fuel from entering storm drains, ditches, or bodies of water; if you can do so safely. Call 9-1-1 and request assistance from Fire Rescue if you do not have the material or training to safely clean-up the spill. Never "wash-down" spilled fuel. No forklift shall be operated with a leak in the fuel system until the leak has been corrected.

The forklift manufacturer's operator and/or safety manual will govern the use the vehicle and attachments. Forklifts shall not be used in a manner contrary to manufacture's operator and/or safety manuals. Forklift modifications are prohibited unless approved by the manufacturer.

The manufacturer's operator's manual must be stored on the forklift, or available for operator review in the office controlling the forklift. If not on the vehicle, a placard on the vehicle must indicate where the manual is available for review.

Forklifts shall include a placard prominently mounted on the vehicle or a key fob attached to the keys indicating "Operators must have current certification to use this vehicle."

#### Maintenance and Repair of Forklifts

Only trained and authorized personnel shall maintain and inspect forklifts and attachments. All work should be done in accordance with the manufacturer's specifications. Since vehicles are generally used daily, it is particularly important for personnel to follow the maintenance, lubrication, and inspection schedules. Special attention should be given to forklift control and lifting features such as brakes, steering, lift overload devices, and tilt mechanism. Operators may

perform maintenance and inspection procedures as specified in the manufacturer's manual for equipment operators.

## Training

Forklift safety training includes instruction, such as lecture, discussion, interactive computer learning, video tape, and written material, or a combination thereof; practical training, including demonstrations by the trainer or a supervisor who has the knowledge, skills, and abilities to facilitate the program along with practical exercises performed by trainees; and evaluation of the operator's performance in the workplace.

Training programs are designed to allow employees opportunities to demonstrate the knowledge and skills required for their position and work environment. Employees benefit more from training that simulates their daily processes, rather than from watching "canned" programs that are not applicable to their specific operations.

## Initial Training and Evaluation

Supervisors are responsible for ensuring operators have been properly trained and evaluated before using a forklift. Employees must attend a four-hour Seminole County Training course, or present a training certification from an outside source approved by the Safety Office. The employee will receive a Training Certificate for attending and passing the course, but will not be certified to operate a forklift until a Forklift Operator Certification is issued by the Safety Office.

If the operator has little or no prior experience operating a forklift, the employee must complete two (2) hours of forklift operation on the type of forklift to be used, and in the environment it will be used in, under the general supervision of a supervisor who is forklift certified. The supervisor will complete an End of Supervised Use (attachment A) performance test and send it to the Safety Office. The employee will then be issued a Forklift Operator Certification that is good for one year.

If the employee has sufficient prior experience and training a supervisor may complete an End of Supervised Use performance test immediately, as long as it is on the type of forklift to be operated and in the environment it will be used. Once the employee passes the Performance Test, the document is forwarded to the Safety Office, and a Forklift Operator Certification is issued good for one year from date of evaluation.

It is important that operators have the necessary training and are able and willing to perform their jobs properly, therefore the initial training includes, at a minimum:

The nature of hazards in the work environment.

How to perform work safely.

Physical and mental condition, attitude, and aptitude.

Rules of forklift operation and why these rules exist.

Special emphasis on loading and unloading, center of gravity, stability, and mechanical limitations.

Supervised practice on an operating course that simulates actual conditions, e.g. stacking, loading semi-trailers and boxcars, and unloading.

The types of forklifts used in various hazardous locations and environments.  
A combination of oral, written, practical, or operational performance evaluations.

#### Evaluations & Refresher Training

Operators are required to demonstrate their skills following initial and refresher training. Adequate completion of skill tests demonstrates that the operator knows and understands the unit's functional features, is familiar with overall safety rules, can identify specific safety factors at a dock and battery recharge station (if applicable), and demonstrates adequate overall driving skills. Supervisors with current operator certifications and applicable knowledge of the workplace may conduct performance tests. A separate performance test must be conducted for each type of forklift to be operated.

Refresher training is conducted as required to ensure that the operator has the knowledge and skills needed to operate the forklift safely. Refresher training is required when:

The operator is involved in an accident or near-miss incident.

The operator has been observed operating the vehicle in an unsafe manner.

The operator has been determined in an evaluation to need additional training.

There are changes in the workplace that could affect safe operation of the forklift; or the operator is assigned to a different type of forklift.

Refresher training is normally specific to the changes in the workplace, equipment, operations, or operator deficiencies.

The forklift training records (class roster) and skill evaluation forms shall be forwarded to the County Safety Officer.

## Performance Testing

A Seminole County Performance Test for Forklift Operators (attachment A) is required annually and following any initial or refresher training. A minimum of eighty (80) points is required to pass. An evaluation of each operator's performance must be conducted at least every twelve (12) months to continue to operate forklifts. Departments should consider scheduling evaluations to coincide with annual performance reviews to ensure compliance. Evaluations can be administered on the job during the employee's normal workday by the supervisor or during refresher training if the environment is similar to the employee's job assignment as a forklift operator. The skill evaluation forms shall be forwarded to the County Safety Officer.

Forklift Operator Certification wallet cards are issued by the County Safety Officer. Only personnel with a current forklift operator card may operate County forklifts. The forklift card will denote the type(s) of forklifts the operator is approved to operate and is valid for twelve (12) months from the last successful performance test as noted on the card.

Forklift Operator Certification wallet cards are renewed annually when the operator successfully completes an annual performance test. The supervisor or trainer signing the performance test signs and dates the back of the card, validating the card for another twelve (12) months. The signed performance test must then be sent to the Safety Officer with a copy of the updated wallet card attached.

**Attachment A  
Seminole County Performance Test  
For Forklift Operators**

Test type:  - Initial Training  - End of Supervised Use  - Annual

EMPLOYEE: \_\_\_\_\_ DATE: \_\_\_\_\_

Pass/Fail FORKLIFT

MAKE/MODEL/CLASS: \_\_\_\_\_

- P  F     1. Shows familiarity with truck controls.
- P  F     2. Fastened seatbelt, if equipped.
- P  F     3. Looked/Sounded horn before backing.
- P  F     4. Slowed down at intersections.
- P  F     5. Sounded horn at blind/narrow/pedestrian intersections.
- P  F     6. Kept a clear view of direction of travel.
- P  F     7. Turned corners correctly – was aware of rear end swing.
- P  F     8. Yielded to any pedestrians present.
- P  F     9. Drove under control and within proper traffic aisles.
- P  F     10. Approached load properly.
- P  F     11. Lifted load properly.
- P  F     12. Maneuvered properly.
- P  F     13. Traveled with load at proper height.
- P  F     14. Lowered load smoothly/slowly.
- P  F     15. Stops smoothly/completely.
- P  F     16. Load balanced properly.
- P  F     17. Forks under load all the way.
- P  F     18. Carried parts/stock in approved containers.
- P  F     19. Drove at a safe rate of speed.
- P  F     20. Placed loads within marked area.
- P  F     21. Stacked loads evenly and neatly.
- P  F     22. Drove backward when required.
- P  F     23. Checked load weights.
- P  F     24. Forks on the floor when parked; controls neutralized; brake set on;  
power off.
- P  F     25. Followed proper instructions for maintenance – (both at beginning and  
end).

Total

Evaluator Name: \_\_\_\_\_

Rating\* \_\_\_\_\_ (printed)

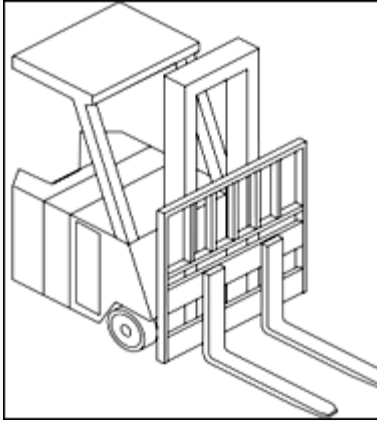
Evaluator signature: \_\_\_\_\_

\* 4 points for each item passed; 80 points required to pass. Forward to Safety Office

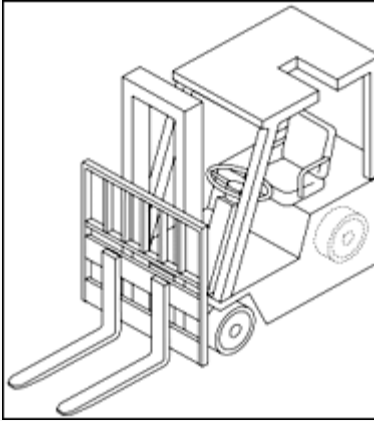
## Attachment B

### Class I: Electric Motor Rider Trucks

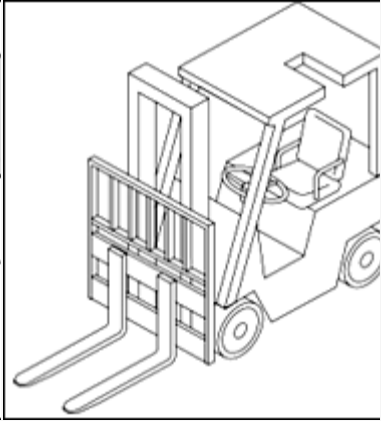
The following are examples of Class I powered industrial trucks.



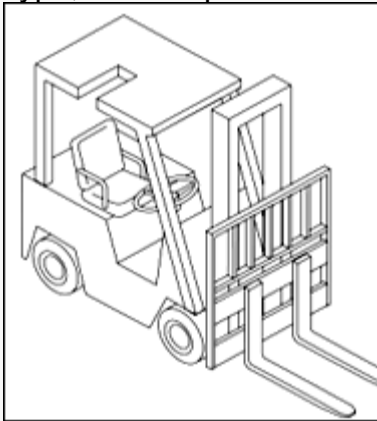
Lift Code 1:  
Counterbalanced Rider  
Type, Stand Up.



Lift Code 4: Three Wheel  
Electric Trucks, Sit Down.



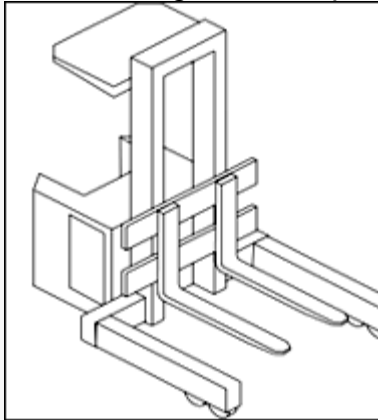
Lift Code 5:  
Counterbalanced Rider,  
Cushion Tires, Sit Down.



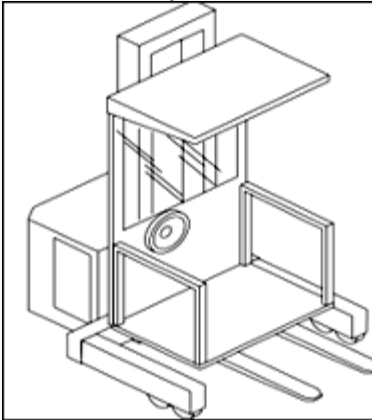
Lift Code 6:  
Counterbalanced Rider,  
Pneumatic or Either Type  
Tire, Sit Down.

**Attachment B**  
**Class II: Electric Narrow Aisle Trucks**

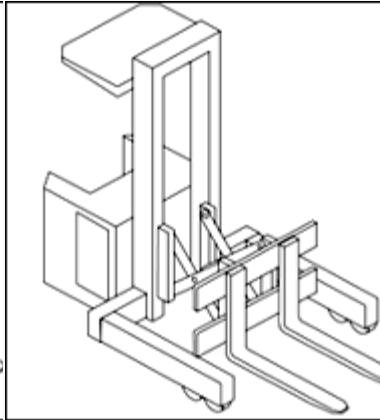
The following are examples of Class II powered industrial trucks.



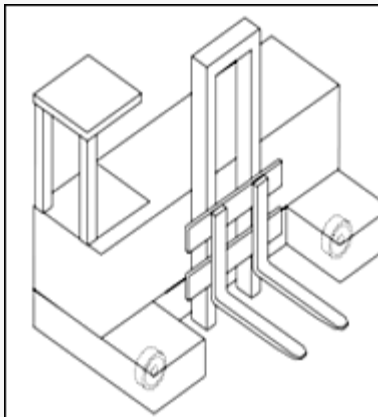
Lift Code 1: High Lift Straddle.



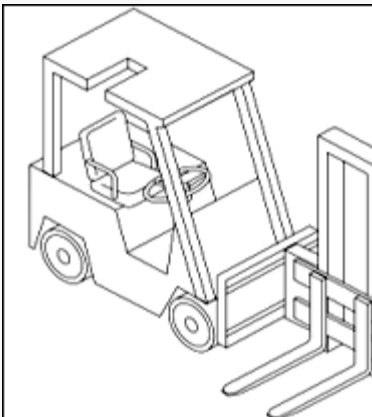
Lift Code 2: Order Picker.



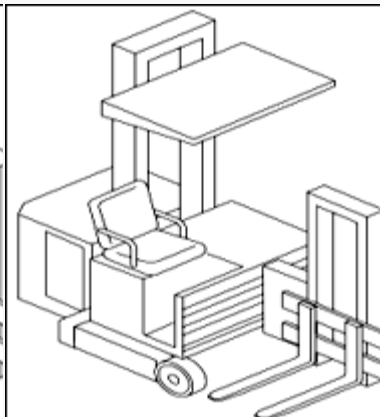
Lift Code 3: Reach Type Outrigger.



Lift Code 4: Side Loaders: Platforms.

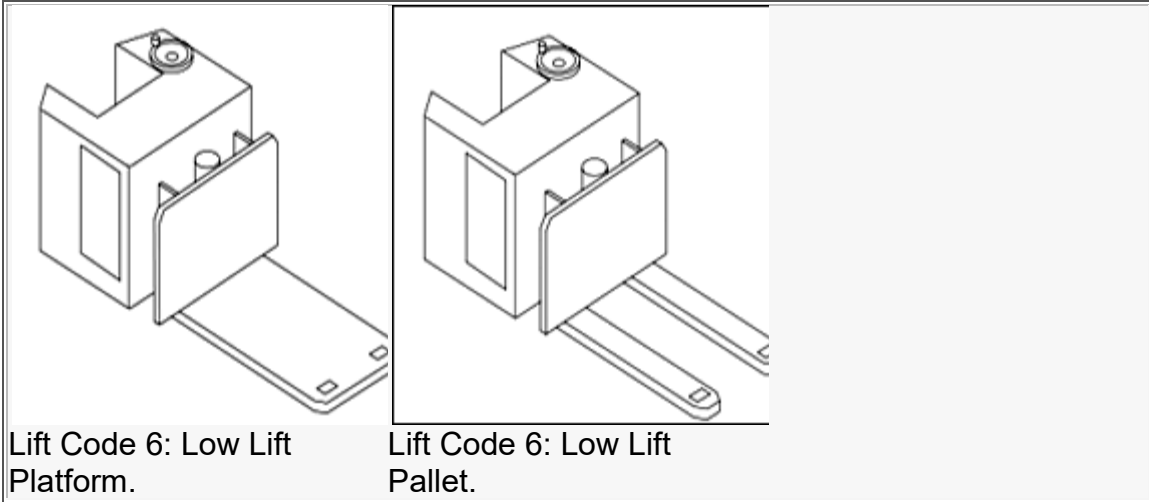


Lift Code 4: Side Loaders: High Lift Pallet.



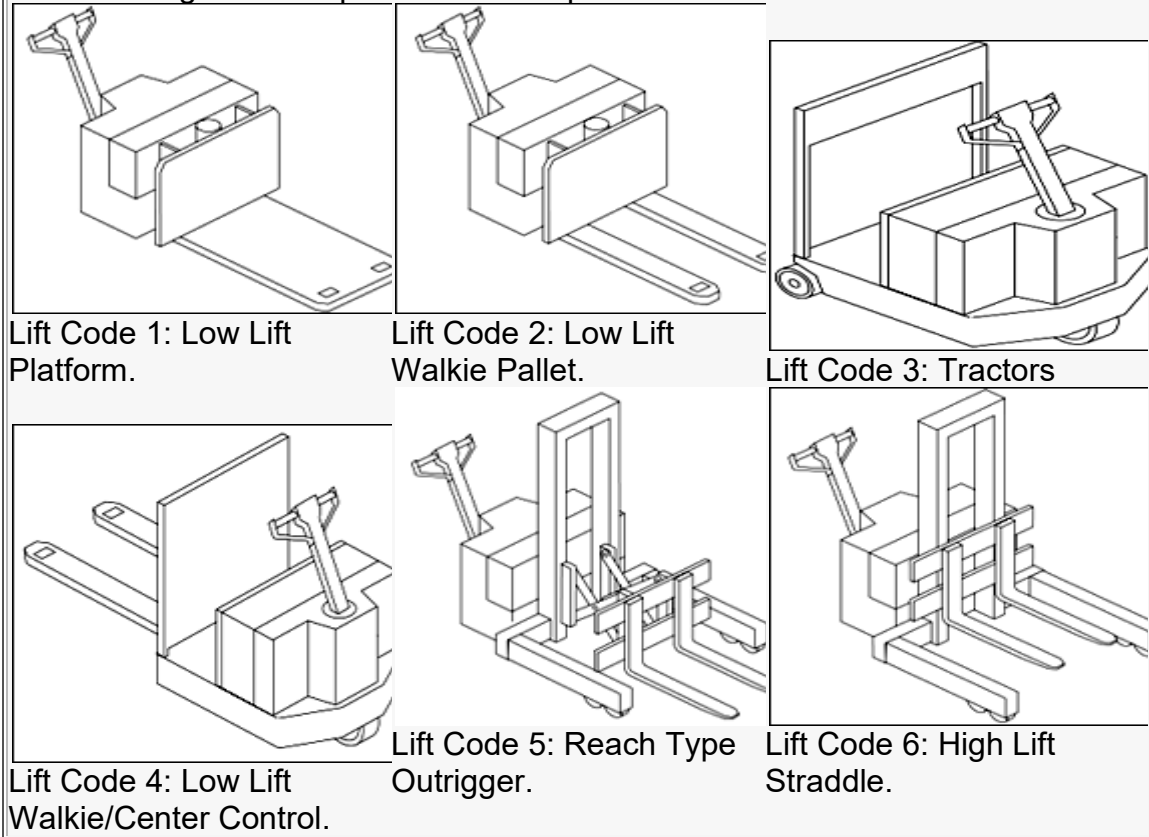
Lift Code 4: Turret Trucks.

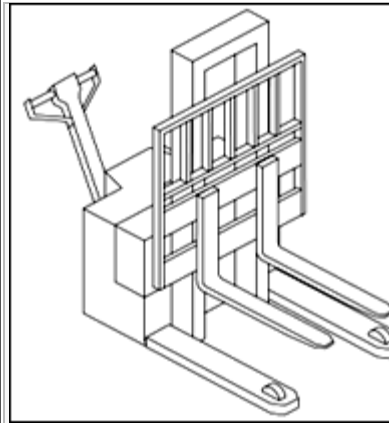




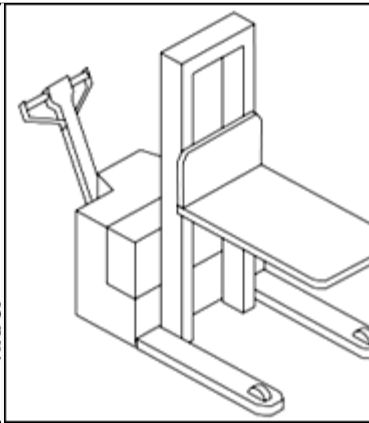
**Attachment B - Class III: Electric Motor Hand Trucks or Hand/Rider Trucks**

The following are examples of Class III powered industrial trucks.

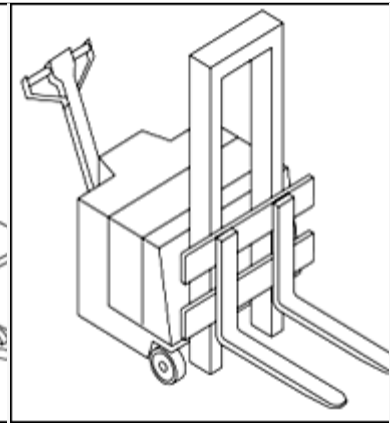




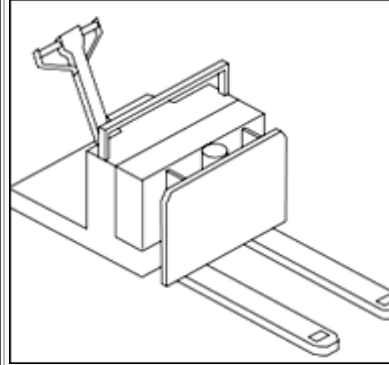
Lift Code 6: Single Face Pallet.



Lift Code 6: High Lift Platform.



Lift Code 7: High Lift Counterbalanced.

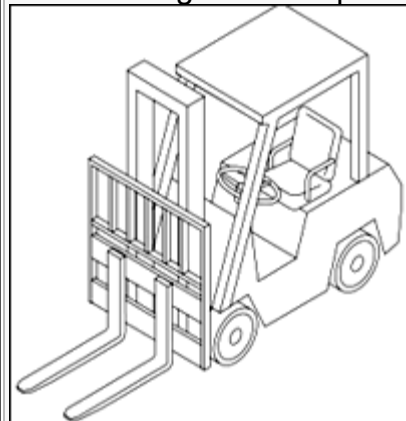


Lift Code 8: Low Lift Walkie/Rider Pallet and End Control.

#### Attachment B

#### Class IV: Internal Combustion Engine Trucks (Solid/Cushion Tires)

The following are examples of Class IV powered industrial trucks.

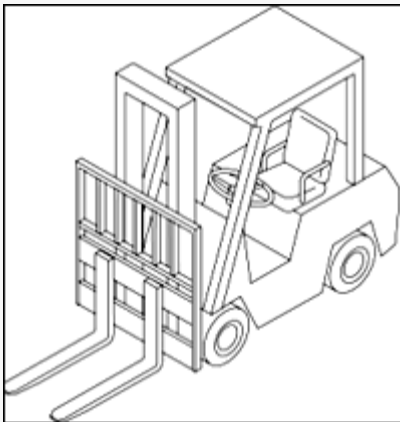


Lift Code 3: Fork,

Counterbalanced (Cushion Tire).

**Class V: Internal Combustion Engine Trucks (Pneumatic Tires)**

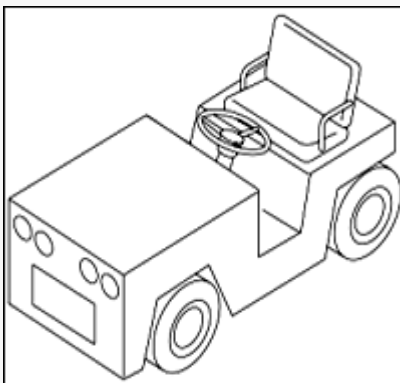
The following are examples of Class V powered industrial trucks.



Lift Code 4: Fork,  
Counterbalanced  
(Pneumatic Tire).

**Class VI: Electric and Internal Combustion Engine Tractors**

The following are examples of Class VI powered industrial trucks.



Lift Code 1: Sit-Down Rider

Attachment B  
Class VII: Rough Terrain Forklift Trucks

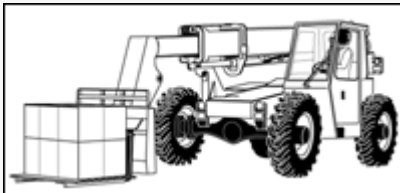
Class VII – Rough terrain forklift is a generic term used to describe forklifts typically intended for use on unimproved natural terrain and disturbed terrain construction sites. However, the term “rough terrain” does not imply that the forklift can be safely operated on every conceivable type of terrain.

There are three basic types of rough terrain forklift:



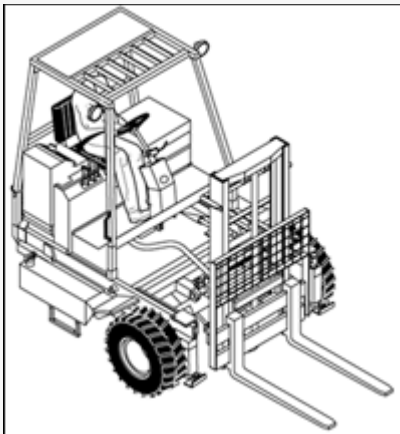
This is an example of a ruggedly constructed forklift and is designed to be used primarily outdoors.

Vertical mast type.



This is an example of a vehicle equipped with a telescoping boom, which enables it to pick and place loads at various distances and lift heights in front of the machine. The ability to reach out in front of the forklift allows the operator flexibility in the placement of a load.

Variable reach type.



This is an example of a portable self-propelled rough terrain forklift that is typically transported to the job site. It is mounted on a carrier to the back of a truck/trailer and is used to unload heavy items from the truck/trailer at the job site. Note that not all truck/trailer mounted forklifts are rough terrain forklifts.

Truck/trailer mounted.

Reference: County Manager memorandum August 12, 2013

## **66 - Permit Required Confined Spaces**

### **A. POLICY**

It is the policy of Seminole County that no confined space shall be entered until the nature of the entry environment has been assessed and precautions have been taken to ensure the safety of the employees during the entry.

In accordance with this policy, Seminole County personnel shall conduct a risk assessment of each confined space before entry, applying appropriate precautionary measures to address those risks identified, communicating these risks to all entrants, providing for a timely rescue in the event of an emergency situation, and obtaining proper approvals before an entry is allowed to commence.

### **B. PURPOSE**

Historically, one of the most dangerous job tasks is the entry into confined spaces and the rescue of employees who have lost consciousness or been injured in these spaces. This policy is intended to reduce the likelihood of such an event by attempting to monitor the atmosphere of permit required confined spaces that are to be entered, address the precautions necessary to accomplish a safe entry, ensure that a trained rescue team with necessary rescue equipment is available to affect a timely rescue, and ensure proper management approval before an entry may proceed.

### **C. SCOPE**

This policy applies to all Seminole County employees who: enter confined spaces; manage contracts involving confined space entry; manage facilities with confined spaces; or are directors, managers, or supervisors of personnel who perform the aforementioned duties. All contract personnel who will enter confined spaces on the behalf of Seminole County shall comply as directed in section 6.12.

### **D. RESPONSIBILITIES**

It is the responsibility of every director, manager, and supervisor to ensure compliance with the minimum requirements of this policy (see Seminole County Safety Policy 65, section B., SAFETY RESPONSIBILITIES AND ENFORCEMENT and section H. 4. SAFETY TRAINING. This shall

include the use of Entry Permits where required and the atmospheric testing and monitoring of all permit required confined space entries.

## E. DEFINITIONS

1. **Confined space** – A space that: is large enough and so configured that an employee can bodily enter and perform assigned work; and has limited or restricted means for entry or exit (for example, tanks, vessels, silos, storage bins, hoppers, vaults, and pits are spaces that may have limited means of entry); and is not designed for continuous employee occupancy.
2. **Entry into a confined space** - When any part of a person's body breaks the entry plane of a confined space.
3. **Entry Permit** - A risk assessment and notification form which must be completed, communicated to entrants, and signed by the Entry Supervisor before all entries into PRCS's, and maintained on-site throughout the entry time period (Appendix B).
4. **Entry Supervisor** – A trained employee designated by management who is responsible for determining if acceptable entry conditions are present at a permit space where entry is planned, for authorizing entry and overseeing entry operations, and for terminating entry as required by this policy.
5. **Exposure Limit's** - The maximum allowable level of contaminants in the air of the work-place for an eight (8) hour time weighted average. These may be Permissible Exposure Limits (PEL's), Threshold Limit Values (TLV's), or internal Occupational Exposure Limits (OEL's).
6. **Hazardous atmosphere** – An atmosphere that may expose employees to the risk of death, incapacitation, impairment of ability to self-rescue (that is, escape unaided from a permit space), injury, or acute illness from one or more of the following causes: flammable gas, vapor, or mist in excess of 10 percent of its lower flammable limit (LFL); airborne combustible dust at a concentration that meets or exceeds its LFL; atmospheric oxygen concentration below 19.5 percent or above 23.5 percent; or atmospheric concentration of any substance for which a dose or a permissible exposure limit is published in OSHA Subpart G, Occupational Health and Environmental Control, or in Subpart Z, Toxic and

Hazardous Substances, and which could result in employee exposure in excess of its dose or permissible exposure limit (PEL).

7. **Immediately Dangerous to Life or Health** (IDLH) – Any condition that poses an immediate or delayed threat to life or that would cause irreversible adverse health effects or that would interfere with an individual’s ability to escape unaided from a permit space.
8. **Lower Flammability Limit** (LFL) - The lower limit of flammability of a gas or vapor at ordinary ambient temperature expressed in percent of the gas or vapor in air by volume. Lower Explosive Limit (LEL) is considered an interchangeable term for LFL.
9. **Non-Permit Required Confined Space** – A confined space that does not contain or, with respect to atmospheric hazards, have the potential to contain, any hazard capable of causing death or serious physical harm.
10. **Permit Required Confined Space** (PRCS) – A confined space that has one or more of the following characteristics: contains or has a potential to contain a hazardous atmosphere; contains a material that has the potential for engulfing an entrant; has an internal configuration such that an entrant could be trapped or asphyxiated by inwardly converging walls or by a floor which slopes downward and tapers to a smaller cross-section; or contains any other recognized serious safety or health hazard.
11. **Permit required confined space decision flow chart** – A decision flow chart developed by OSHA to aid in permit required confined spaces entries (Appendix C).
12. Short Term Exposure Limit (STEL) - The maximum concentration to which persons can be exposed for a period of fifteen (15) minutes continuously without suffering irritation, tissue change, or dizziness of sufficient degree to cause reduced reaction time.

## **F. MINIMUM REQUIREMENTS**

1. Entry Permits
  - a) An Entry Permit shall be required for all entries into Permit Required Confined Spaces (PRCS) by either Seminole County or contractor personnel working on the behalf of Seminole County.

- b) A list of all identified confined spaces will be available in Appendix “A” of this document.

Note: this list is not comprehensive but lists those “types” of locations that would fall within the definition of a PRCS. If a question exists whether a space is a confined space or not contact the County Safety Officer.

## 2. Risk Assessment

- a) The Entry Supervisor authorizing the entry will complete the Entry Permit in conformance with this procedure.
- b) The Entry Supervisor completing the Entry Permit shall personally inspect the confined space work area and verify that the necessary equipment, tests, and precautionary measures identified on the Entry Permit are in place before an entry is allowed.
- c) If the Entry Supervisor conducting the risk assessment feels the conditions of the entry are complex to the degree that additional expertise is required, then the entry shall be delayed until the appropriate expertise has been obtained to conduct a competent risk assessment of the space to be entered.
- d) Once the Entry Supervisor is satisfied the identified risks have been properly addressed, he/she will sign the Entry Permit and cover the information on the Entry Permit with the employees who will be performing the entry.
- e) All permit required confined spaces at Seminole County fixed locations shall be identified and shall have warning signs/labels posted at the entrance which read “Confined Space – Permit Required for Entry” or similar wording. Where such posting is impractical, measures shall be taken to inform employees who might inadvertently enter the confined space of the requirements of this policy, along with securing the confined space sufficiently to ensure personnel cannot inadvertently enter the space.



## **G. Blanking/Blinding/Plugging**

- a) Before entry into permit required confined spaces, the Entry Supervisor authorizing the entry is responsible for assuring all pipelines connected to the confined space which could introduce a hazardous material shall be disconnected, blanked, blinded, plugged, locked out/tagged out, or secured in such a manner that material cannot be introduced into the space during the entry.

## **H. Lockout**

- a) The Entry Supervisor authorizing the entry is responsible to verify that all equipment that could be inadvertently energized during an entry is locked out in accordance with approved lockout/tagout procedures.

## **I. Cleaning**

The Entry Supervisor authorizing the entry is responsible to assure all confined spaces are cleaned, ventilated, and/or decontaminated to the extent consistent with the hazard of the material, or personal protective equipment is used sufficient for the hazard.

## **J. Atmospheric Conditions: Testing and Retesting**

- a) The Entry Supervisor authorizing the entry will ensure that the atmosphere in the space is tested for oxygen and flammability immediately before the entry. Where the potential exists for a change of atmosphere in the space as a result of either work being conducted or by the conditions in the space, continuous monitoring for Oxygen/LFL/LEL shall be conducted during the entry.

Note: Testing may only be conducted by an employee trained in the use of the O<sub>2</sub>/LFL/LEL Meter.

- b) When there is a possibility for toxic contaminants within the Confined Space, testing for the contamination will be performed prior to entry and at a frequency consistent with the degree of hazard.
- c) Monitoring equipment shall be calibrated at least annually and maintained according to manufacturer's recommendations.

## **K. Hazardous Atmosphere Conditions: Risk Assessment**

- a) If the testing of the atmosphere or knowledge of the contaminants of the confined space indicates a contaminated atmosphere is present, the Entry Supervisor authorizing the entry must:
- Determine the cause or source of the contamination;
  - Determine that the source or cause of the contamination will not contribute to an increase in contaminants in the confined space while an entry is in progress; and
  - Ensure procedures addressing the possibility of any increases in contaminants are addressed in the Entry Permit.
- b) If the possibility of a hazardous atmosphere exists, ventilation equipment shall be on-site and prepared for use. Entry supervisors shall consider requiring the use of ventilation equipment on all permit required confined space entries to mitigate any possibility of a hazardous atmosphere and for the comfort of entry personnel.

## **L. Allowable Limits**

1. The Entry Supervisor authorizing the entry is responsible to assure the Confined Space is within the following atmospheric conditions:
  - Within 19.5% and 23.5% Oxygen.
  - To flammable levels less than 10% of LFL/LEL.  
  
To less than the allowable exposure limits, i.e. PEL's, TLV's, STEL's, OEL's etc.
2. Personal Protective Equipment (PPE)
  - a) The Entry Supervisor authorizing the entry is responsible to assure that entrants use the proper PPE; that such PPE is based on the test results or other knowledge of the content of the confined space; and the personnel using the PPE are properly trained in its use.

- b) If the PEL's, TLV's, OEL's or STEL's cannot be attained, proper PPE shall be provided to, and used by, entrants to protect them against such contaminants
- c) All entrants into permit required confined spaces shall wear a full body harness with a connection point for a retrieval line at the center of their backs near shoulder level.

### 3. Conditions Prohibiting Entry or Requiring an Immediate Exit

- a) Except during a rescue by trained EMS/Fire/Rescue personnel, no entry shall be made into a confined space:
  - Containing flammable gases or vapors greater than 10% of the LFL/LEL.
  - Containing Oxygen deficient or enriched atmospheres.
  - Containing an IDLH atmosphere.
- b) When weather forecasts indicate the probability of weather conditions rapidly changing, developing, or existing that would jeopardize entrants or significantly hinder rescue.
- c) If any of the above conditions develop, entry personnel shall immediately exit the confined space.

### **M. Attendant**

- a) An attendant shall be continuously present during the entry into the confined space.
- b) Confined space attendants:
  - Shall not participate in the confined space entry.
  - Shall have a continuous means of contact with those in the confined space.
  - Shall have adequate communications to immediately summon help if needed.

- Shall have appropriate safety equipment on hand as determined by the Entry Supervisor, and be qualified in the use of the equipment.
- May be the Entry Supervisor

#### **N. Rescue Equipment and Procedures**

- a) Measures shall be in place to ensure the timely rescue of entrants in permit required confined spaces.
- b) For entries into confined spaces over six (6) feet in depth, rescue winches must be available. When practical, the winch line will be attached to the entrant.
- c) On horizontal entries where attachment to a winch line is not feasible or would not be effective, a retrieval line attached to a fixed point outside the confined space by be used instead.
- d) Rescue personnel will be trained on an annual basis and must have CPR and First Aid training.
- e) Seminole County EMS/Fire/Rescue shall be the primary rescue personnel for all county-personnel confined space entries.
- f) Personnel conducting a permit required confined space shall notify EMS/Fire/Rescue dispatch directly prior to commencement of entry, and directly at the conclusion of entry, regarding the details of the entry and time of conclusion.
- g) The attendant shall maintain the ability to communicate directly with Fire/EMS/Rescue, preferably by radio, or alternately through cellular telephone.
- h) EMS/Fire/Rescue maintains a network of stations with trained confined space rescue personnel, and, augmented by regional and statewide mutual aid partners, are able to immediately respond to any permitted confined space rescue in a timely manner.
- i) Entry personnel in a permit required confined space entry who are notified to cease the entry and exit immediately shall do so without delay.

## **O. Safe Access**

- a) Safe access must be provided to all confined spaces. For entry into vertical spaces over six (6) feet in depth, a safe means of descent shall be provided.
- b) Horizontal entries shall not exceed three-hundred (300) feet from the point of entry due to rescue limitations, unless closer direct access entry points are identified on the entry permit.

## **P. Contractors**

- a) Outside contractors are responsible for complying with OSHA Confined Space Regulations and must have their own confined space program that meets or exceeds the OSHA requirements.
- b) When a contractor is hired to perform work in permit-required confined spaces, the County department administrating the contract shall notify the contractors of the following:

The facility contains permit-required confined spaces and a permit-required confined space entry is allowable only through compliance with a program that, as a minimum, complies with 29 CFR 1920.146 – OSHA’s Permit Required Confined Space regulations.

The elements, including the hazards identified and the department’s experience with the space, that make the space in question a permit-required confined space.

Any precautions or procedures that the department has implemented for the protection of employees in or near permit-required confined spaces where contractor personnel will be working.

- c) If Seminole County employees will enter with contractor(s), or multiple contractors are involved, the entry permit will identify the steps taken so that employees of one employer do not endanger the employees of any other employer.
- d) At the conclusion of the entry, the contractor shall be debriefed regarding the permit space program followed and regarding any hazards confronted or created in the permit spaces during entry operations.

## **Q. Training**

- a) All employees who are expected to enter or assist in entry into confined spaces shall be trained on the minimum requirements of this policy.
- b) Employees who will be filling out entry permits shall be trained on how to conduct a risk assessment and the requirements of filling out an Entry Permit.
- c) Entry Supervisors and employees who actually enter spaces shall be trained on the use of Entry Permits and the use of personal protective and other equipment which will be utilized in entries. They shall also be trained how to recognize the hazards associated with confined space entries.
- d) Employees who will be testing the atmosphere of confined spaces will be trained in how to conduct atmospheric testing.
- e) Rescue personnel shall be trained in confined space rescue techniques, use of rescue equipment, CPR, and first aid.

## **R. NON-PERMIT REQUIRED CONFINED SPACES (NPRCS's)**

- a) Spaces that are configured as confined spaces, yet do not meet the definition of a Permit Required Confined Space, may be classified as a Non-Permit Required Confined Space.
- b) For Seminole County fixed locations, such clearance must be obtained through the County Safety Officer.
- c) Non-Permit Required Confined Spaces do not require Entry Permits, but may require atmosphere testing and/or full body harnesses, as directed by the Safety Officer.

## **S. RECLASSIFICATION OF A PERMIT REQUIRED CONFINED SPACE TO A NON-PERMIT REQUIRED CONFINED SPACE**

- 1. Spaces that require maintenance over multiple shifts or multiple days may be reclassified to non-permit required confined space when all of the following conditions are met.
  - a) The initial entry to evaluate the space and/or eliminate hazards follows all permit required confined space procedures.

- b) All hazards and atmospheric hazards are eliminated through procedures such as lockout/tagout, blocking, blanking, blinding, plugging, and cleaning.
  - c) An entry permit is prominently posted indicating the steps taken to eliminate the hazards.
  - d) Lockout/tag-out, blocking, blanking, blinding, or plugging procedures shall be inspected whenever there is a break in work which leaves the confined space unattended.
  - e) The Seminole County Safety Officer has approved the reclassification.
2. Personnel shall immediately exit the space and reevaluate should any permit required confined space hazard develop.
  3. Reclassification permits shall be faxed or delivered to the Seminole County Safety Officer for approval prior to commencement of work, and shall be valid for no more than thirty days without re-approval.

**APPENDIX "A"**

**PERMIT REQUIRED CONFINED SPACES**

**Public Works (Roads & Stormwater)**

Road Bulk Storage  
240 Bush Boulevard  
Sanford, FL

- Scale Pit (a),(d)

**Environmental Services (Solid Waste)**

Central Transfer Station  
Highway 419  
Sanford, FL

- Scale Pit (a),(d)

Osceola Landfill  
1930 Osceola Road  
Geneva, FL

- Scale Pit (a),(d)

**Environmental Services (Water & Wastewater)**

Consumers Water Treatment Plant  
3300 Dike Road  
Winter Park, FL

- Three - Ground Storage Water Tanks (a),(g)  
- Chlorine Storage Building (a),(e)  
- Fluoride Storage Building (h)

Country Club Water Treatment Plant  
299 Silk Bay Place  
Lake Mary, FL

- Chlorine Room (a),(e)  
- Fluoride Storage Room (h)

Greenwood Lakes Wastewater Treatment Plant

701 Greenway Boulevard  
Lake Mary, FL



- Ground Storage Water Tank (a),(g)
- Fluoride Injection Pit (a),(d)
- Flow Meter Pit (a),(d)
- Chlorine Storage Building (a),(e)
- Fluoride Storage Building (h)

Hanover Woods Water Treatment Plant  
 124 W. Greentree Circle  
 Lake Mary, FL

- Ground Storage Water Tank (a),(d)
- Flow Meter Pit (a),(d)
- Chlorine Storage Building (a),(e)
- Fluoride Storage Building (h)

Heathrow Water Treatment Plant  
 350 International Parkway  
 Lake Mary, FL

- Electronic Flow Meter Pit (a),(d)
- Ground Storage Water Tank (a),(h)
- Flow Meter Pit (a),(d)
- Chlorine Storage Building (a),(e)
- Fluoride Storage Building (h)

Indian Hills Water Treatment Plant  
 1900 Wilshire Boulevard  
 Fern Park, FL

- Two - Ground Storage Water Tanks (a),(g)
- Chlorine Storage Building (a),(e)
- Fluoride Storage Building (h)

Lake Hays Water Treatment Plant  
 535 Lake Hays Road  
 Oviedo FL

- Ground Storage Water Tank (a),(g)
- Chlorine Storage Building (a),(e)
- Fluoride Storage Building (h)

Lake Monroe Water Treatment Plant

- Ground Storage Water Tank (a),(g)
- Flow Meter Pit (a),(d)
- Chlorine Storage Building (a),(e)
- Fluoride Storage Room (h)

Northwest Regional Wastewater Treatment Plant  
501 Yankee Lake Road  
Sanford, FL

- Lift Station (a),(b),(c),(d),(f),(g)
- Clarifier (Weirs) (a),(c),(d),(f)
- Filter Pipe Gallery (a)
- Chlorine Contact Chambers (A&B) (a),(e)
- Backwash Filter areas (Mudwell/Clearwell) (a),(g)
- Chlorine Storage Building (a),(e)
- Fluoride Storage Building (h)

**Central Services (Facilities)**

County Courthouse  
301 N. Park Avenue  
Sanford, FL

- Pool Filter Tank (a),(g)

County Services Building  
1101 E. First Street  
Sanford, FL

- Crawl Space (a),(d)

**Non-specific Confined Space locations throughout the County:**

- Lift Stations (a),(b),(c),(d),(f),(g)
- Manholes accessing Stormwater/Wastewater lines\* (a),(b),(c),(d),(f),(g)
- Air Conditioning Ducts in County buildings\* (a),(b)

\*Do not require permanent "Warning" signs but must be posted with temporary signs during entry/work.

**66 CONFINED SPACE ENTRY PERMIT**

**SEMINOLE COUNTY  
CONFINED SPACE ENTRY PERMIT  
Appendix B**

Begin Date/Time:	Expiration Date/Time:	
Department:	Division:	
Site location or description:		
Purpose of entry:		
<hr/> <hr/> <hr/>		
<b>TYPES OF HAZARDS (check all that apply)</b>		
<input type="checkbox"/> Oxygen-Deficient Atmosphere	<input type="checkbox"/> Engulfment	<input type="checkbox"/> Energized Electrical Equip.
<input type="checkbox"/> Oxygen-Enriched Atmosphere	<input type="checkbox"/> Toxic Atmosphere	<input type="checkbox"/> Entrapment
<input type="checkbox"/> Welding/Cutting	<input type="checkbox"/> Flammable Atmosphere	<input type="checkbox"/> Hazardous Chemical
<input type="checkbox"/> Other: _____		
<b>Entry Supervisor:</b>	<b>Attendant(s)</b>	<b>Entrant(s)</b>
Entry Supervisor Cell Phone Number (enter below)		
Entry Supervisor Radio Number (enter below)		
Radio channel:		
Communication procedures (including equipment):		
<hr/> <hr/> <hr/>		

<b><u>REQUIREMENTS COMPLETED</u></b> <b><u>(Put N/A if item doesn't apply)</u></b>	DATE	TIME	<b><u>REQUIREMENTS COMPLETED</u></b> <b><u>(Put N/A if item doesn't apply)</u></b>	DATE	T I M E
Lockout/Tag-out			Supplied Air Respirator		
Line(s) Broken-Capped-Blanked			Respirator(s) (Air Purifying)		
Purge-Flush and Vent			Protective Clothing		
Ventilation			Full Body Harness w/ "D" ring		
Secure Area (MOT)			Tripod/Winch		
Lighting (explosive proof if required)			Lifelines		
Hot work Permit			Hearing protection		
Fire Extinguishers			Hard hat		
Pre-entry briefing			Eye protection		
Other:			Other:		

New: 08-11-11

**SEMINOLE COUNTY  
 CONFINED SPACE ENTRY PERMIT  
 Appendix B (continued)**

AIR MONITORING					
Substance Monitored	Permissible Levels		Monitoring Results		
Pre-entry testing results below. <b>Test time:</b>	Periodic and final testing time and results to right:		<b>Time:</b>		
<u>Oxygen concentration</u>	19.5% to 23.5%		<b>Result:</b>		
LFL/LEL	Under 10%		<b>Result:</b>		
Hydrogen Sulfide:	10 ppm PEL	25 ppm STEL	<b>Result:</b>		
Carbon Monoxide:	10 ppm PEL	25 ppm STEL	<b>Result:</b>		
Other Toxic:	____ PEL	____ STEL	<b>Result:</b>		
Other Toxic:	____ PEL	____ STEL	<b>Result:</b>		

**REMARKS:**

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<u>Air Tester Name</u>	ID#	<u>Instrument(s) Used</u>	<u>Model # or Type</u>	<u>Serial# or Unit</u>

**REMARKS:**

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**ENTRY SUPERVISOR AUTHORIZATION – I certify I have inspected the work area for safety, reviewed all safety precautions recorded on this permit, and determined entry complies with Seminole County policies and all entrants and attendants are qualified for their role.**

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date/Time: \_\_\_\_\_

<b>Time EMS/Fire/Rescue notified begin:</b>	<b>Time EMS/Fire/Rescue notified end:</b>
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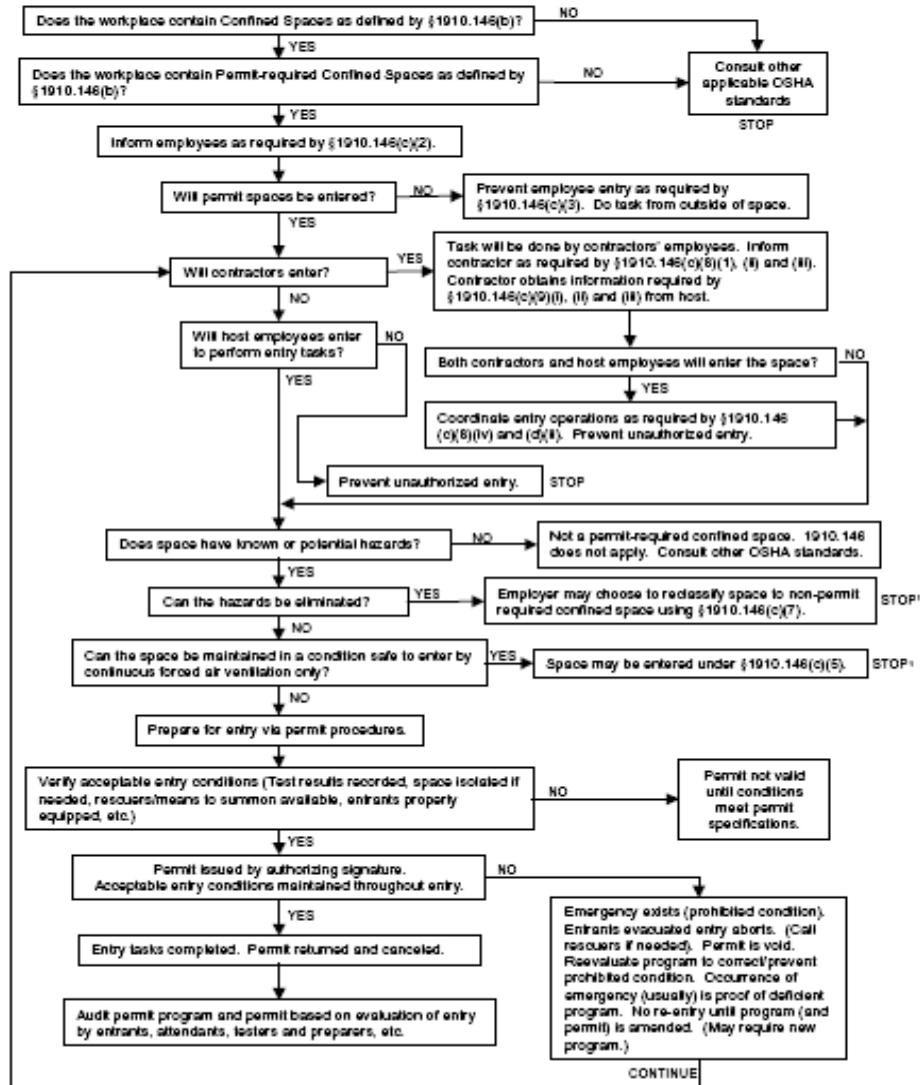
**NON-EMERGENCY CONTACT PHONE NUMBER: SEMINOLE COUNTY  
 EMS/FIRE/RESCUE 407-665-5100**

**EMERGENCY CONTACT PHONE NUMBERS: Seminole County EMS/Fire/Rescue: 9-1-1**

**This permit must remain posted at the worksite throughout the entry.  
 Send copy of permit to the Safety Office within 48 hours of completed entry work.**

Appendix A: 29 CFR 1910.146, Permit-required confined spaces standard

Appendix A, Permit-required Confined Space Decision Flow Chart



\*Spaces may have to be evacuated and re-evaluated if hazards arise during entry

## **70- CONSTRUCTION / RENOVATION APPROVAL PROCESS – Seminole County Government**

### **A. PURPOSE**

To formalize the approval process of construction and/or renovation projects.

### **B. CONSTRUCTION COMMITTEE**

The Construction Committee is charged with the role of reviewing proposed construction and/or renovation projects of county facilities. The committee is appointed by the County Manager and consists of various management positions with the skills and perspective to properly review projects of various sizes. The exact makeup of the committee may fluctuate based upon changing conditions. The initial membership shall be:

- County Manager or designee
- Central Services Director
- Growth Management Director
- Fleet & Facilities Manager
- IT Operations Division Manager

### **C. MEETING SCHEDULE**

The committee will meet once per month and/or on an as needed basis to review projects proposed by departments. The committee will also be integrated into the budget process to review projects for the annual budget.

### **D. PROJECT REQUESTS**

1. Department Directors may request re-modeling or renovation of existing space through a written request (form attached) submitted to the Fleet & Facilities Manager. The description will include the operations or functions to be performed in the area, square footage affected or additional square footage required, and any funding identified. Justification for the project is required, i.e. re-organization of Division/Department, new services added, new personnel, technology change, etc.
2. The request will be reviewed by the Fleet & Facilities Manager, Construction Program Manager and Facilities Maintenance Program Manager, and a recommendation given to the Central Services Director for action or refusal.

3. The Central Services Director will make a recommendation to the Construction Committee to either approve or deny the request.

## E. COST ESTIMATES

It is important to recognize that the act of estimating is not free. It costs staff time and/or consultant fees acting as professional estimators. Before a project can be approved, a cost estimate must be done. Depending on the magnitude of the project, this can be done in one of several ways. For the purposes of this policy, the following definitions will label the types of estimates involved:

1. **Guesstimate**,” or, more properly; “Order of magnitude estimate.” This type of estimate will generally be performed by a member of the Construction Management staff, and is inherently a brief look at the intended project and an “educated guess” as to the order of magnitude of the cost.
2. **Staff estimate**. This is where staff actually determines types and rough quantities of construction involved, and applies general costs to those quantities to come up with an estimate.
3. **Professional estimate**. This is, as the name implies, where staff hires a professional estimating firm on a consulting basis and receives an estimate from that firm.
4. **Hard price or hard estimate**. This is getting an actual binding price from a contractor or contractors, i.e., one to which the contractor involved is bound to perform the work for the costs involved.
  - a) For small scale renovations, cost estimates can be (1) or (2) above. The committee may decide, based on a “guesstimate” that a staff estimate (2) above or a professional estimate (3) above is needed to make a determination. At that point, Central Services will inform the committee as to how long it will take to accomplish this estimate based on staff availability. If a professional estimate is mandated, or if the requesting entity wishes the estimate sooner than Central Services can provide it, the requesting entity will be responsible to pay for the professional services required.
  - b) For larger scale renovations or new construction, different type cost estimates may need to be performed to allow the committee to come to a conclusion. The committee will require whatever level of estimate it deems appropriate to come to a decision as to approval or, depending on the cost level, recommendation to the County Manager or Board of County Commissioners.



## **F. APPROVAL LEVELS**

(For requests received outside of the budget process)

Based on the project cost estimate approved by the committee:

\$10,000 or less requires Construction Committee approval if sufficient funding is available.

Over \$10,000 requires Construction Committee recommendation to the County Manager for approval.

Reference: County Manager (Coto) approval dated December 13, 2007

## 75- ENERGY CONSERVATION

### A. Purpose

The purpose of this policy is to reduce Seminole County Government's energy consumption in an economical and environmentally sound manner. This policy will provide guidelines to staff to promote effective energy usage and energy conservation.

The purchase of new equipment will also be guided by this policy to ensure cost savings and provide a positive environmental impact.

### B. HEATING VENTILATION AND AIR CONDITIONING (HVAC)

1. **Air Conditioning and Heating** - During scheduled operating hours, all air-conditioned and heated offices, conference rooms, training rooms, meeting rooms, etc. will be cooled to a standard temperature setting.
  - a) The standard occupied temperature setting for air-conditioning is 74 degrees during regular business hours and 80 degrees during non-business hours.
  - b) The standard occupied temperature setting for heating is 70 degrees during regular business hours and 64 degrees during non-business hours.
  - c) In areas that have individual controls for room temperatures, all room temperature controls will be set to the standard occupied temperature setting for air conditioning and heating.
  - d) During the evenings, weekends, and holidays, the temperature will be set to a standard unoccupied temperature setting in all buildings to allow Seminole County to efficiently and economically conserve energy.
  - e) Cooling and heating for buildings will be provided off-hours as approved. Each Department/Division will provide the Facilities Management Division with a schedule of after-hours activities which will include dates, times, and locations. For special events not scheduled with Facilities, a request must be submitted within 48 hours. These requests should be kept to a minimum to ensure the most efficient and economical operation of all facilities.
  - f) Building occupants are requested to keep windows and outside doors closed while the air-conditioning or heat is operational.
  - g) Computer, telecommunication, evidence, control, artifact, and other approved rooms are to be identified and handled as appropriate for their needs.

## **2. Hours of Operation for HVAC Schedule**

- a) Initial occupied temperature times – 6:00 AM to 7:00 PM
- b) Initial unoccupied temperature times – 7:00 PM 6:00 AM
- c) Start/end times will be reviewed on an annual basis.
- d) Off hours air-conditioning and heating will be provided based on the schedules submitted to Facilities.
- e) Holidays are breaks of more than two days. Temperatures for holidays shall be set at the unoccupied temperature settings.
- f) Operating outside of these guidelines will require approval from the Facilities Management Division.

## **3. Portable Space Heaters**

- a) Unauthorized heating devices such as portable space heaters are prohibited and should be removed from County property.

## **4. Lighting**

- a) Lights are to be turned off in all unused areas.
- b) Occupancy sensors will be installed where and when economically feasible especially in renovation and construction projects.
- c) All renovation and construction projects that involve lighting will incorporate energy efficient lighting fixtures and control systems as the project budget will allow.
- d) Overhead lighting shall be reduced as much as possible without creating unsafe conditions or interfering with the performance of duties.
- e) Security and safety lighting shall be held to the lowest acceptable levels.

## **5. Computers/Printers**

- a) Monitor power management policies will be implemented globally by the IT Operations Division to put monitors into a low power sleep mode after a period (20 minutes) of inactivity.
- b) Inactive computers will be placed into sleep mode after an extended period of inactivity especially during the nights, weekends, and holidays. These policies will be deployed and managed by the network administrators centrally for all County systems.
- c) Peripheral equipment such as printers, scanners, and copiers will also be placed into power-save mode to conserve energy usage.
- d) Administrators from the IT Operations Division will also encourage, educate, and facilitate Seminole County employees to reduce/avoid hard copy printing whenever possible. This will save on energy, printer maintenance, paper, ink, and storage facilities. This will also help plan for disaster recovery.
- e) Administrators from the IT Operations Division will be assigned to periodically review these Energy Conservation policies to ensure the most efficient usage. Required adjustments will be made to the policies to adapt to technology updates and user demands.

## **6. Energy Efficient Products Procurement**

- a) Every effort will be made to purchase the most energy efficient equipment. Whenever possible, an analysis should be made to determine how long the anticipated energy savings will take to amortize the cost differential for the more energy efficient equipment. Whenever the differential can be met within a year, the more efficient equipment should be purchased provided it is within budget allotments.

## **80- PRIVATE USE OF COUNTY-OWNED BUILDINGS FOR NON-COUNTY ACTIVITIES**

### **A. PURPOSE**

The purpose of this policy is to establish a uniform procedure for handling requests from private individuals or agencies to use space in County-owned buildings on a temporary, short-term basis.

### **B. USES**

Temporary, short-term use of space in County-owned buildings is limited to those uses which are determined by the County Manager to be non-disruptive of County business. If the request for space is to register voters, the registration process must remain non-partisan and open to all citizens.

### **C. APPLICATIONS**

Applications to use space at a County-owned building pursuant to this policy shall be made to the County Manager's Office and shall contain a description of the activities to be conducted, the amount and locations of space desired, and the times and dates the space will be utilized. Applications will be accepted and space allocated on a first come, first serve basis with conditions of use, including insurance and indemnification requirements, at the sole discretion of the County Manager.

Nothing in this policy requires the County Manager to approve any short-term temporary use of space in County-owned buildings. Approval of such use is solely within the discretion of the County Manager.