



State Purchasing Memorandum

Memorandum No. 01 (2005-06)

From: State Purchasing

Date: March 20, 2006

RE: Purchases from PRIDE Enterprises

This memorandum clarifies the requirements for State Agencies to make purchases from Prison Rehabilitation and Diversified Enterprises (PRIDE) and defines PRIDE Price Agreements.

1 PRIDE Statutory Authority

A. Agency Obligation to Purchase from PRIDE

No similar product or service of comparable price or quality found necessary for use by any state agency may be purchased from any source other than PRIDE if PRIDE certifies that the product is manufactured by or the service is provided by inmates (<http://www.peol.com/state.htm>) and the product or service meets the comparable performance specifications and comparable price and quality requirements as specified under s. 287.042(1)(f) or as determined by an individual agency as provided in this section. The purchasing authority of any state agency may make reasonable determinations of need, price and quality with reference to products or services available from the corporation. These requirements do not apply to the purchase of public printing, which is governed by Chapter 283, Florida Statutes. Subsection 946.515(4), FS

B. Exemptions from competitive bidding requirements

Subsection 946.515(4) of the Florida Statutes, exempts PRIDE from part I of Chapter 287, which includes the competitive procurement requirement. The one exception to this provision is subsection 283.33(4) relating to print purchases (see State Purchasing Memorandum No.2, 2004-2005).

2 PRIDE Price Agreements

A. Definition

PRIDE Price Agreements are listings of Division approved products and services offered by PRIDE from which an agency may purchase without competitive bid. PRIDE Price Agreements are established upon verification of pricing methodology, general specifications and quality assurance. This process is established in part to provide a method for determining comparability of price and quality to other approved vendors.

B. Replaces State Term Contract

Due to PRIDE's authority to sell to agencies pursuant to CH. 946 FS and exemption from Part 1 of Ch. 287, FS, PRIDE no longer participates in State Term Contracts. In order to purchase from PRIDE, agencies must now refer to PRIDE Price Agreements. The Price Agreements are found on the Division of State Purchasing website, PRIDE's e-store and MyFloridaMarketPlace.com.

C. Agency Contracts

Notwithstanding the above, agencies may award a contract to PRIDE for goods or services after joint development of requirements and specifications, and negotiation of price. Such contracts may be awarded without competitive procurement or in conjunction with any established procurement method.

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