

3. Application of Manual and Exemptions

Applicability

This Manual, and the policies and procedures contained herein, govern all departments and divisions under the jurisdiction of the Board, as well as all purchasing transactions, which are paid for directly from County and grant funds under the control of the Board. The contents of this Manual preempt all previously existing purchasing manuals, policies, and procedures.

Exemptions from the Purchasing Manual

The following types of purchasing activities shall be exempt from the competitive solicitation requirements of this Manual as described below. These exemptions do not preclude the County from utilizing competitive solicitation practices where possible.

- A. Agreements between the Board of County Commissioners and non-profit organizations or governmental entities including the procurement, transfer, sale or exchange of goods and/or services.
- B. Service/Maintenance Contracts; Continuing service and/or maintenance contracts which are a part of product acquisition/installation to a vendor who is the manufacturer, developer, or who is the authorized service agent thereof are exempt from further competitive requirements of this Manual. Examples: building systems maintenance, security systems, etc.
- C. Real property, options of title or abstracts of title for real property, title insurance for real property, and other related costs of acquisition, rental, lease, or sale of real property.
- D. Library Media and Materials. The purchase of library books (print, e-books, e-audio books), educational kits and devices and/or textbooks, printed instructional materials, reference books, periodicals, databases, indexes, pre-recorded library media materials, (e.g., audio and video resources) and printed library cards that are to be a part of the library collection are exempt.
- E. Postage and publication, of notices and legally required advertisements.
- F. Advertisements in the form of a representation in any form (digital, print or other media) in connection with a trade, business, craft, or profession in order to promote the supply (purchase) of commodities or services by the person promoting the commodities or contractual services.
- G. Training Media and Services. When such materials or services are available only from the producer, publisher, owner of the copyright or patent, educational institution, or training service provider, which developed the training program, the purchase is exempt from competitive requirements.
- H. Software. Upgrades, software modification services by the copyright holder, maintenance agreements, and related software enhancements to installed software purchased through competitive means are exempt. The purchase of new software packages or systems shall follow the thresholds and procedures of the Manual to ensure competitive selection.

- I. Training and educational courses, lectures by individuals and education events or programs, contracts between the County and governmental entities or nonprofit corporations, dues/memberships, training/trades publications, meeting rooms, and hotels when below the formal bid threshold.
- J. Services of legal counsel authorized by the Office of the County Attorney, including, but not limited to, expert witnesses, conflict counsel, and other services required by the Office of the County Attorney as may be authorized in the County Attorney's contract.
- K. Court reporter services.
- L. Food, to include water and beverages, may be purchased with an explanation of the public purpose.
- M. Accounting and Financial Services
- N. Insurance costs, including but not limited to property, casualty, health and automobile.
- O. Medical and dental services.
- P. Temporary labor services.
- Q. Water, sewer, telephone, and electrical utility services.
- R. Copyrighted and patented materials.
- S. Goods and/or services given or accepted by the County via grant, gift or bequest.
- T. Agreements between Hernando County Water and Sewer District and Developers where the Developer agrees to construct, install, and extend facilities necessary to connect a Project to the District's existing infrastructure.
- U. Cybersecurity related items:
 - 1. Insurance or other risk mitigation coverage acquired for the protection of information technology systems, operational technology systems, or data.
 - 2. Critical infrastructure
 - 3. Cybersecurity incidents
 - 4. Network schematics, hardware and software configurations, or encryption information or information that identifies detection, investigation, or response practices for suspected or confirmed cybersecurity incidents, including suspected or confirmed breaches, if the disclosure of such purchase information would facilitate unauthorized access to or unauthorized modification, disclosure, or destruction of: data or information, whether physical or virtual; or Information technology resources, which include an agency's existing or proposed information technology systems.

5. Other sensitive cybersecurity items as determined by the Chief Procurement Officer and Director of Information Technology.