

**CANAVERAL PORT AUTHORITY
POLICY 2011-02**

**ESTABLISHMENT OF A LIMITED COMMUNICATIONS PERIOD
WITH RESPECT TO PROCUREMENT PROCEDURES**

I. PURPOSE

The Board of Commissioners (“Board”) recognizes the value and importance of insuring the proper and fair evaluation of submittals responsive to procurements issued by the Canaveral Port Authority (“CPA”). In order to provide for such fair evaluation, the Board shall institute strict parameters with respect to ex parte communications during the procurement process.

II. POLICY

1. Limited Communications Period shall mean a prohibition on any communication regarding a particular Request for Proposals (RFP), Request for Qualifications (RFQ), Request for Letters of Interest (RLI), Invitation to Bid (ITB) or other competitive solicitation between:

(a) Any person who seeks an award therefrom, including a potential vendor or vendor’s representative, and

(b) Any CPA employees, and any non-employee appointed to evaluate or recommend selection in such procurement process. For purposes of this Policy, Vendor’s Representative means an employee, partner, officer, or director of a potential vendor, or consultant, lobbyist, or actual or potential subcontractor or sub-consultant of a vendor.

2. A Limited Communications Period shall be applicable to each RFP, RLI, RFQ, ITB or other competitive solicitation upon the issuance of the applicable RFP, RLI, RFQ, ITB or other competitive solicitation. At the time of imposition of the Limited Communications Period, public notice of the Limited Communications Period shall be posted. A statement disclosing the requirements of this Policy shall be included in any advertisement and public solicitation for goods and services.

3. The Limited Communications Period shall terminate at the time CPA awards or approves a contract, votes to reject all bids or responses, or otherwise takes action which ends the solicitation. If the Board refers the item back to CPA staff for further review, the Limited Communications Period shall remain in effect until an award is made, a contract is approved, or the Board takes any other action which ends the solicitation.

4. Nothing contained herein shall prohibit any potential vendor, vendor's representative, principals, lobbyist or agents:

(a) From making public presentations at a duly noticed pre-bid conference or before a duly noticed evaluation committee meeting;

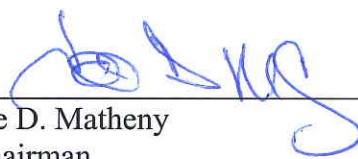
(b) From communicating with the Board of Commissioners during a duly noticed public meeting or by communicating with an individual Commissioner or CPA Chief Executive Officer (or his designee), provided that each Commissioner shall decide in his or her discretion whether to engage in such communication. Written communication should be encouraged and may be requested by an individual Commissioner, and shall be distributed to all other Commissioners and the CEO; or

(c) From communicating verbally or in writing with the CPA Purchasing Manager or designated procurement representative ("Designated Procurement Representative") for the limited purpose of seeking clarification or additional information. Only written addenda will be binding. No oral representations, clarifications, or changes made to the written specifications by the Designated Procurement Representative shall be binding unless such clarifications or changes provided to bidders/proposers in written addendum form. All written information shall be provided to the members of the applicable evaluation committee, including any response thereto.

5. Penalties. A violation of, or failure to comply with this Policy may subject the offender to disqualification from consideration of an award of a RFP, RLI, RFQ, ITB or other competitive solicitation, termination of contracts, or suspension or debarment.

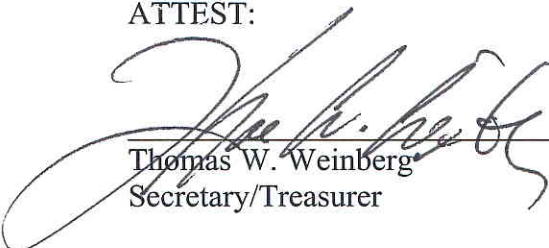
Adopted by the Board of Commissioners of the Canaveral Port Authority in its meeting of July 20, 2011.

CANAVERAL PORT AUTHORITY



Joe D. Matheny
Chairman

ATTEST:



Thomas W. Weinberg
Secretary/Treasurer