

#### I Purpose

To provide policy concerning the solicitation of competitive bids.

#### II Scope

This policy applies to transactions on material, product, supplies, and/or services with an estimated unit price of \$15,000.00 or over and/or covered by a contractual agreement requiring a bid procedure. In accordance with the Uniform Administrative Requirements, this includes "Small Purchases" costing \$15,000.00 or over and "Sealed Bids" greater than \$150,000 for construction projects for which price is the key factor. Additionally, this policy applies to emergency and non-standard transactions on materials and services of any value including "Sole Source" bids for which the material and/or services are unique and without competition.

- A. Essential to full compliance with this procedure on Bids is parallel compliance to Procedure P-550 General Guidelines for all Purchases. These procedures should be followed in conjunction with one another. All purchases involving the use of federal funds must be made in accordance with the Uniform Administrative Requirements: Procurement Standards and all applicable State and local statutes, rules and policies that do not conflict with the Uniform Administrative Standards. See Procedure P-550 for more detail.
- B. For material, products, supplies, and/or services with an estimated unit price under \$15,000.00 and not covered by a contractual agreement, see Policy P-290, Quotations.

#### III Responsibilities

- A. The Purchasing Director has the responsibility for maintaining a uniform set of procedures and forms to serve the bid process. Consideration should include the need for mechanisms for vendor notification, bid analysis and summary, bidder mailing list applications, competitive invitations, instructions to bidders, policy statement of bid award, and other requirements necessary to insure a successful bidding process.
- B. The buyers are responsible for obtaining bids on all material and/or services covered under this policy for both estimating purposes and purchases.
- C. Program management and supervisors are responsible for overseeing the awarded contracts pertaining to their sites.

#### IV Award Policy

The following factors in combination, not necessarily listed in their order of importance will be considered in reviewing bids and awarding contracts:

- Prices
- Bidder's previous record of performance and service.
- Ability of bidder to render satisfactory service in this instance.

- Availability of bidder's representative to call upon and consult with our using departments or programs.
- Quality and conformance to specifications.

The Agency reserves the right to reject any and all bids, waive informalities and to contract as the best interests of the Agency may require.

#### V General

- A. Bid requests should be typed using standard form whenever possible. Complete information should be provided including, but not limited to, quantity, description, delivery requirement, special conditions, drawings, specifications, date information required, etc. If replies are to conform to a certain format, this should be spelled out. Buyer must be thorough and attempt to remove all known variables.
- B. A minimum of three (3) suppliers is acceptable, providing the buyer is familiar with the material in question. In the case of proprietary items, more than one price is often not possible and should be noted.
- C. Buyer, when obtaining bids, should keep in mind other departments or programs of the Agency that may be able to provide the desired material or services. If there are any questions, contact the Purchasing Director.
- D. Bids will be solicited only from vendors whom the buyer knows are qualified or can be qualified to meet all requirements. Maintenance of an Approved Vendor List is advisable but not mandatory. Examination of the financial condition of a company, its ability to perform and its facilities should be part of the criteria for determining an acceptable vendor.
- E. Answers to technical questions arising during the bidding process should be provided by the requisitioner. The buyer must coordinate the reply and ensure all potential suppliers are provided the same information.
- F. After all bids have been received and examined for completeness, a summary sheet is to be prepared noting all pertinent data and discrepancies. Determination of the low bidder and award of the order will be made by the Buyer only after all aspects including preference of the requisitioner have been considered.
- G. A buyer will not reveal to a vendor at any time the prices quoted or paid.
- H. In order to ensure the vendors contacted have responded to a bid request, buyers will identify on the requisition all vendors solicited and responses.
- I. It is a good practice to notify unsuccessful vendors that the bid has been closed and awarded. It is not necessary to note the name of the successful bidder.

- J. Unless a specific exception has been obtained from the Purchasing Director, bids shall not be solicited from, nor an order placed with, any company that:
  - 1. Is owned, controlled or actively influenced by any Agency employee or immediate relative of said employee
  - 2. Employs in a management, consulting or sales capacity any person who is an Agency employee.
  - 3. Employs in any capacity an Agency employee who is in a position to influence the selection of, or conduct business with, such supplier.
  
- K. When circumstances render the solicitation of competitive bids inappropriate, the buyer shall document the facts on the reverse side of the purchase requisition and obtain the specific approval of the Purchasing Director. Such circumstances may include, but not be limited to, emergency conditions due to fire, storm, flood or civil unrest. Under these circumstances the buyer will secure services or material required to render the affected facility or program fully functional as soon as feasible. Every effort should be made to secure required services and materials from suppliers on the Agency Approved Vendor List or in good standing with the Agency. The buyer will advise the Purchasing Director of the circumstances requiring this action within 24 hours of the initial purchase of material or services.
  
- L. The Agency's contracts must contain the applicable provisions described in Appendix II to Part 200—Contract Provisions for non-Federal Entity Contracts Under Federal Awards. (See Procedure No.: P-550.)