

**Northwest Georgia Workforce Development Board  
Policy and Procedures  
Procurement**

**A. REQUEST FOR PROPOSAL (RFP) PROCESS FOR SERVICE PROVIDERS OR VENDORS**

1. The WDB/CCEO Agreement assigns the procurement process to the Northwest Georgia Regional Commission (NWGRC).
2. A Bidders' List will be maintained to be used in acquiring goods and services and will to the degree possible identify enough sources to ensure fair and open competition.
3. The procurement rules contained herein do not apply to pass through monies from any unit of state or local government (or Service Delivery Region [SDR] administrative entities) to other such units. To qualify as a pass through, the receiving entity must pass the funds to another such entity which will then procure services in accordance with these procedures.
4. At least once every two years, all organizations on the Bidders' List will receive letters by mail inquiring if they wish to remain on the Bidders' List and a return checklist to indicate the services/training areas in which they wish to be notified when RFP's are issued. The check list also requests, for administrative purposes only, information regarding small and minority/female owned business, community based organizations and/or educational agency status for service provider applications.
5. All potential service providers and/or vendors representing small, minority, and women's businesses (SMW), known labor surplus area suppliers, community- based organizations and/or educational status will be identified on the Bidder's List in regard to this status.
6. In the competitive procurement process, notice of the RFP and the Bidders' Conference will be advertised in all legal newspaper organs of the counties and the Atlanta and Chattanooga papers.
7. The Workforce Development Director is authorized to issue solicitations for proposals for service provider/vendor and to establish funding parameters or ranges within such solicitations. Individual staff members may compile the request for proposal documents. Each RFP document will contain responsiveness criteria and the minimum competitive score and meet any requirements specified by Technical College System of Georgia, Office of Workforce Development policies and procedures.
8. Announcements of RFP's and RFP Amendments will be mailed to appropriate agencies and organizations as indicated on the Bidders' List. RFP's and RFP Amendments will be mailed to those requesting RFP's in writing or the RFP's may be picked up at the NWGRC office. In the event a request for an RFP is received near the submission deadline, the Workforce Development Director may instruct the Workforce Development Administrative Assistant to send the proposal by overnight express. RFP's and RFP Amendments may be provided online or by hard copy.
9. Those desiring to pick up the RFP at NWGRC will sign a statement in receipt of the RFP. The Workforce Development Administrative Assistant is responsible for maintaining this log.
10. Appropriate Educational and known Community-Based Organizations will be maintained on the Bidders' List and will receive routinely notice of all training service solicitations. They will receive RFP's in the areas that they have previously indicated interests unless they specifically request in writing or pick up additional RFP's in response to the notification of solicitations or request that the documents not be mailed to them.

11. The term “community-based” organizations means private non-profit organizations which are representative of communities or significant segments of communities and which provide job training services, for example: literacy organizations, agencies or organizations serving older individuals, organizations that provide service opportunities, youth corps programs, organizations operating career intern programs, neighborhood groups and organizations, community action agencies, community development corporations, vocational rehabilitation organizations, rehabilitation facilities, agencies serving youth, agencies serving individuals with disabilities and disabled veterans, agencies serving displaced homemakers, union-related organizations, and employer-related nonprofit organizations, and organizations serving non-reservation Indians, as well as tribal government and Native Alaskan groups. “Educational organizations” include the public schools, the vocational technical institutes, and the colleges which must be located within the area.
12. Technical assistance regarding the RFP will be provided only at the Bidders' Conference unless an error in notification is made by NWGRC. If so, questions may be submitted in writing to the staff for consideration and responses mailed to all to whom the solicitation (RFP) has been distributed; or an additional Bidders' Conference may be scheduled. All other inquiries during the RFP process are prohibited. Comments regarding any errors in the RFP are welcomed and will be recorded in order to issue corrections if necessary. Additionally, an opportunity to submit questions by email or in written format by a particular date may be provided due to the complexity of the RFP. These questions will be addressed together with the questions from the Bidder's Conference, if applicable.
13. A copy of each question/answer at the Bidders' Conference (and any other questions as qualified in Number 12 preceding) will be maintained. This will be available to any person requesting it and it will be posted online at [www.careerdepot.org](http://www.careerdepot.org).
14. Proposals will be stamped and logged in as to date and time of receipt by the Workforce Development Administrative Assistant or the receptionist.
15. Should proposals be received and only one (or no) responsive proposals are received in a category, the non-responsive bidders may be notified of a failed competition and offered an opportunity to re-submit. The opportunity to re-submit will not be re-publicized in the newspapers. Or, if appropriate, non-competitive negotiation with the one responsive offeror may occur.
16. The proposal responsiveness checklist will be utilized to determine responsive proposals. Those deemed non-responsive will not be considered for funding. Offerors submitting bids which are judged to be non-responsive will be notified with the reason(s) for non-responsiveness identified.
17. No proposal will be considered to be responsive if it is received after the date and time specified (unless staff error was the cause). Faxed RFP's will not be considered responsive. The correct number of copies of the proposal (one with original signature) and the correct number of completed proposals must be submitted in order to be considered responsive.
18. The Workforce Development Director will assign Workforce Development staff members to the RFP's considered to be “responsive” for their evaluation of proposals. At least two (2) staff members will review each RFP and evaluate the information contained in the proposal utilizing the evaluation criteria presented in the RFP. Staff members reviewing the proposals will not possess conflicts of interests (as specified in the Code of Conduct) which would prevent fair and impartial review. Each scorer's scores should be given by the rater independently and consistently, based upon the individual's best judgement.

19. Pertinent performance data will be provided to each of those rating the proposals to facilitate the evaluation of proposals. For training services, evaluators will be given performance data consistent with the performance standards negotiated with Technical College System of Georgia, Office of Workforce Development and/or pertinent to the type of contract (Adult, Dislocated Worker, Youth, etc.). Other information/instructions will be provided as needed to facilitate the evaluation process, including allocability, appropriateness, and necessity.
20. An average of the scores will be presented to the Proposal Review Committee or Youth Committee along with a summary of each proposal. Results of proposals for Youth Services will first be presented to the Youth Committee for their review and recommendation to the WDB. Adult and Dislocated Worker recommendations will be made to the Proposal Review Committee for funding. The Proposal Review or Youth Committee, respectively, will then select those to be recommended for funding to the Workforce Development Board (WDB). The Youth Committee and/or Proposal Review Committee may request additional information and/or request staff to obtain additional information from the offeror. Additionally, the Youth Committee or the Proposal Review Committee may request a "best and final offer" prior to the final award of the contract.
21. Only competitive proposals will be considered for funding. If the proposals are evenly rated and one of these proposals has been submitted by a community-based organization (CBO) or educational agency, the tie breaker may go to the CBO or educational agency if the organization passes the performance test.
22. Scores on the evaluation form are not the only criteria for funding. For example, a proposal with a lesser score may be selected for funding if it serves a geographic area or target group needing additional services. This applies also to those on the contingency list. The evaluation criteria then serve primarily to determine the competitiveness of the proposals and lesser scored proposals may be awarded over other higher ranked proposals if other factors necessitate.
23. The WDB will approve proposals for funding prior to the execution of contracts with service providers/vendors. A review of the ability of the training service offeror to achieve competency standards for participants with deficiencies will be part of the evaluation for competitiveness for training service offerors. Any new contractor must have a favorable rating on the technical performance and business capabilities as specified in the RFP prior to the execution of the contract. These capabilities include proposed facilities and equipment of the service provider, qualifications and experience of staff, required financial capability, systems and procedures for reporting and record keeping and adequate financial management systems. Current service providers need only the absence of any noted significant deficiencies in monitoring reports from the preceding program year to document technical performance. A re-evaluation of financial capability, however, must occur for all contracts. The award letter should state this condition for funding.
24. The CCEO will concur with the selection of service providers. Additionally, NWGRC must approve all contracts.
25. NWGRC Procurement Procedures are designed to promote fair and open competition. Specifically the system will assure:
  - a. That it will prohibit noncompetitive pricing practices between firms, organizations or affiliated companies or organizations; and
  - b. That it will prohibit noncompetitive awards to consultants who are on a retainer contract.
26. The Conflict of Interest and Code of Conduct Policy will be adhered to in procurement and the award of contracts process. This is found in Ga. Comp. R. & Regs. R. 159.21-06.

27. Priority for funding will be:
- a. Those approved by the WDB in the initial review will be funded.
  - b. Those placed on the contingency list may be considered at later dates and may be funded contingent upon the availability of funds and the current training or other needs of the SDR.
  - c. The "Contingency List" shall list all backup proposals by category of training, geographical area proposed, and population to be served. The Contingency List for vendors shall list the services/goods, price and critical capabilities, if applicable. Only responsive and competitive proposals will be placed on the Contingency List. Priority for award of a contract among bidders listed on the List shall be on the basis of ranking within the areas in which the bid was made unless:
    - (1) The offeror declines the award;
    - (2) The offeror cannot serve the geographical area and/or the population for which the SDR has determined an additional need exists; or
    - (3) The training proposed duplicates existing services and the training is not considered more effective than the existing services.

In the above instances, proposals with lower scores may be awarded contracts over proposals with higher scores.

28. Notification of the outcome of the solicitation process will be provided to both successful and unsuccessful bidders within a reasonable period of time as specified in the solicitation. Competitive bidders not awarded a contract may be notified that they have been placed on a contingency list and how that list will be used.
29. Contractors will be selected competitively utilizing the most economical process to acquire goods and/or services under the following conditions plus any others specified within these procedures:
- a. Effectiveness in delivering comparable or related services based on demonstrated performance capability, in terms of the likelihood of meeting performance goals, cost, quality of training, and characteristics of participants reflected in the solicitation.
  - b. Consideration will be given to community-based organizations as service providers.
  - c. Funds will not be used to duplicate services unless alternatives would be more effective or more likely to achieve the SDR's performance goals.
  - d. Education agencies in the SDR shall be provided the opportunity to provide educational services unless alternatives would be more effective or have greater potential to enhance the participants' continued occupational and career growth.
  - e. Opportunity to participate in the procurement process shall be provided to small, minority, and women's businesses and labor surplus suppliers.
  - f. Assurance will be secured by NWGRC that contracts meet WIOA cost allocation criteria.
30. To ensure that the solicitation provides the necessary information for the development of competitive bids, the following information will be provided in the Service Provider RFP:
- a. Name and address of Northwest Georgia Regional Commission;
  - b. Name, address, and telephone number of person(s) representing NWGRC to

- contact regarding the solicitation;
- c. Preparation and submission requirements including due date and time, content and format, number of copies, number of original signed copies, and location/person to where/whom bid should be submitted;
  - d. If need for training and/or services is based on a multi-year training plan, it may be stated in the solicitation, with a provision that contract performance must be evaluated prior to renewal based on criteria established in the contract;
  - e. General description of program including specification of applicable federal and state laws and regulations with which bidders must comply including:
    - (1) Workforce Innovation and Opportunity Act of 2014 and directives, 2 CFR parts 200, 215, 225, 230 and Appendices I through XI including any exceptions identified at 2 CFR part 2900.
    - (2) Applicable policies and procedures issued by Technical College System of Georgia, Office of Workforce Development.
  - f. Description of training and other services requested, population to be served, minimum service levels to specific target groups, period of performance, estimated number (or range) of individuals to be served, coordination requirements, funding parameters (or ranges), and expected program results;
  - g. Process and procedures by which proposals will be evaluated including factors to be used to determine responsiveness and competitiveness, provisions for ensuring independence of ratings by those involved in the evaluation process, minimum competitive score, and specific weighted criteria and an evaluation worksheet which will be used for proposal review;
  - h. Applicable reporting and monitoring requirements including, but not limited to, data entry, performance, and financial reporting;
  - i. Method to be used for invoicing and/or payment;
  - j. Documentation required to establish programmatic and financial capability to perform the work and debarment and suspension requirements;
  - k. Code of Conduct;
  - l. Approximate dates scheduled for review and award, information on the Bidders' Conference, and how inquiries of Bidders will be handled;
  - m. Affirmative action assurance that the offeror will comply fully with the nondiscrimination and equal opportunity provisions of the WIOA of 2014, including the Nontraditional Employment for Women Act of 1991; Title VI of the Civil Rights Act of 1964, as amended; section 504 of the Rehabilitation Act of 1973, as amended; the Age Discrimination Act of 1975, as amended; Title IX of the Education Amendments of 1972, as amended; and with all applicable requirements imposed by or pursuant to regulations implementing those laws, including but not limited to 29 CFR part 34. The United States has the right to seek judicial enforcement of this assurance;
  - n. Prohibition against sub-contracting without SDR approval and full disclosure of the relationship with any approved subcontractor and any profits to be realized by the entity;
  - o. Line item budget of proposed costs including funds to be contributed by the

- organization;
  - p. Other services or requirements that may affect proper budgeting by the offeror;
  - q. Applicable coordination requirements.
31. In making the selection for contract awards, the WDB will negotiate with the most responsible bidder(s). This is the offeror(s) who appear(s) to possess the ability to perform most successfully under the terms and conditions of a proposed procurement.
32. The following elements will be included in evaluation and selection procedures:
- a. All proposals must first be deemed responsive prior to being evaluated. A checklist documents responsiveness.
  - b. Criteria by which proposals are evaluated which may include the following:
    - (1) Adequate financial resources and technical skills to perform the work;
    - (2) The ability to meet the program design specifications at a reasonable cost;
    - (3) The ability to meet performance goals;
    - (4) Justification of additional need for any proposed expenditures for new facilities;
    - (5) Justification of additional need for class-size training in occupations in which training is already being provided in the service area;
    - (6) A satisfactory record of past performance in applicable training or related activities including quality of training, reasonable outcomes in areas such as service to target groups, training completion, job placement, job retention, wages at placement or median wage, number of participants credentialed, reasonable drop-out rates in past programs, the ability to provide or arrange for appropriate supportive services, including child care;
    - (7) If applicable, the ability to provide services that can lead to the achievement of competency standards for participants with identified deficiencies;
    - (8) A satisfactory record of integrity, business ethics, and financial accountability;
    - (9) Technical skills to perform the work;
    - (10) The necessary organization, experience, accounting, and operational controls;
    - (11) Cost effectiveness including allowability, allocability, appropriateness, and necessity.
33. The procurement record will include:
- a. A copy of the solicitation package;
  - b. A copy of the public notification;
  - c. Bidders' List to which notices were mailed;
  - d. List of all organizations/entities sent a solicitation;
  - e. Agenda and minutes of the Bidders' Conference, if a conference is conducted;
  - f. A copy of each question and answer issuance, if applicable;
  - g. Log sheet for receipt of bids;
  - h. A copy of each bid which was received;

- i. Rating and scoring sheets completed in the evaluation process;
  - j. Business operation capability evaluations;
  - k. Documentation of the rationale for selection and funding of any offeror which did not receive the highest score/ranking in the evaluation process;
  - l. Completed Negotiations Checklist for each subrecipient contract and memo, as applicable;
  - m. Completed cost analysis for each selected bidder;
  - n. A copy of any submitted grievances and the resolution of each;
  - o. High risk determinations and special award/contract conditions, if appropriate.
34. The WDB reserves the right to accept or reject any/or all bids received as qualified, to accept other than the lowest bid and/or to cancel in part or in its entirety, the request if it is in the best interests of the WDB to do so.
35. Situations may arise during the course of the year which prompts the need to plan for the use of additional resources beyond those identified in the RFP and provided under a contract. If appropriate, a new RFP may be issued.
36. Competitive procurement requirements are not required for on-the-job training contracts executed with individual employers provided that an employer/employee relationship exists and that the employer will provide job training to enable the participant to perform as a regular employee of the employer's establishment. On the other hand, where a service provider is responsible by contract for operating an on-the-job training program, including the identification of OJT sites and participants to fill them, all requirements for competitive procurement would apply.

## **B. REQUEST FOR PROPOSAL (RFP) PROCESS FOR COMPREHENSIVE ONE-STOP OPERATOR**

### **1. Introduction and Background**

- a. All RFPs that contain requests for one-stop operators must include the minimum duties set forth in 20 CFR 678.620 which cites the mandatory duties of the One-Stop Operator.
- b. An entity serving in a different role within the One-Stop delivery system, may be selected and designated as the One-Stop Operator provided there are sufficient firewalls and conflict of interest policies and procedures in place (Reference: 20 CFR 678.620b; 20 CFR 679.430).
- c. The RFP will include a reference page that provides relevant WIOA references, the local entity's policies and procedures, and other applicable state and/or federal regulations.

### **2. Procurement Procedures/Process**

- a. The planning phase of the procurement process must include the following steps:
  - (1) Specify all parameters to be negotiated with the one-stop operator and outlined in the subsequent contract, agreement, or MOU (e.g., duties, budget, performance levels, duration);
  - (2) Conduct market research;
  - (3) Issue Requests for Information (RFIs);
  - (4) Identify procurement method;
  - (5) Develop requirements for one-stop operator;
  - (6) Develop procurement solicitation (e.g., RFP or IFB);

(7) Develop factors for evaluation/scoring; and

(8) Identify panel and signatory authority.

b. A list will be developed using information gathered on eligible entities that may be able to provide One-Stop Operator services. These entities will be added to the bidder's list to ensure a comprehensive bidder's list is maintained. The bidder's list should contain both local and non-local eligible entities, including non-profit as well as for-profit agencies. Best practices include allowing at least a thirty (30) day response time for receipt of bids or proposals from the date of issuance of a solicitation in widely circulated publication.

c. The RFP will be published in all applicable legal organs, as well as on the procuring entity's website. The RFP will be published as widely as possible. This can be done by sending the written solicitation to local, State, and national entities that will assist in advertising the competition. These efforts may include posting on WFD's website or working with groups such as the Association of County Commissioners of Georgia and the Georgia Municipal Association.

d. A bidder's conference will be held to ensure clarity of requirements.

### 3. Requested Documentation

a. In order to be considered responsive, a bidder must provide two years of audited financial history. Adequate documentation could include recent audit reports, the entity's CAFR, an independent CPA review, tax records, or another recognized review of accounting process and procedures. Bidders who fail to provide this information will be deemed non-responsive.

b. In order to be considered responsive, a bidder must provide an organizational chart.

c. All bidders must provide a completed Georgia Security and Immigration Compliance Act affidavit at the time of submitting a bid.

d. All organizations that are private, for-profit, or not-for profit should be able to provide documentation of the registration under either Georgia or their home state's Secretary of State's office.

e. All bidders are required to provide a DUNS number. NWGRC will verify that the bidders are not on the federal debarred/suspended list prior to reviewing the responses.

### 4. Requested Information/Responses for Evaluation

a. Bidders must discuss how they will work to incorporate all partners into the comprehensive one-stop. This discussion must include partners who are electronically present in the comprehensive one-stop.

b. Bidders should be able to describe how the proposed one-stop operations will fit into their organization chart and whether current or newly hired staff would be providing the services. Where possible, bidders should either provide resumes of current staff or titles and job descriptions/posting for any new positions that would be hired.

c. Bidders should describe their customer service experience and discuss any experience with handling complaints and/or concerns from customers. Other required experience should include oversight of staff teams and experience in developing and delivering technical assistance.

d. Bidders should propose outcome measures that effectively capture and evaluate their efficacy and system effectiveness. This response should also include a proposed data collection and validation methodology as well as a proposed reporting method.

- e. Bidders should discuss how they will ensure all partner agencies are collaborating and cooperating in the implementation of the partner programs. This should include discussions on both training for the one-stop operator staff and cross-training for the partner-program staff. Capacity building experience would be relevant to this discussion.
- f. Bidder should discuss how they will bring together the partner programs to ensure adequate outreach of the one-stop center and demonstrate a thorough understanding of target populations for partner programs. Discussion should also include how the bidder will take ownership/leadership in ensuring all partners are contributing to the center, both financially as well as through resources and staff time.
- g. Bidders should discuss how they will comply with all federal/state/local regulations, as well as provide oversight to ensure that all partner agencies are also in compliance.

#### 5. Requirements for Evaluation Criteria

- a. There must be at least one evaluation criterion that assesses the bidder's financial capabilities.
- b. There must be at least one evaluation criterion that assesses the bidder's technical/programmatic capabilities.
- c. There must be at least one evaluation criterion that assesses the bidder's service delivery experience. (It is not mandatory that bidders have WIOA experience, but it is recommended that the bidders have some experience with customer service and/or service delivery.)

6. Upon receipt of the responses, the WDB will evaluate and score each proposal.

7. If the submitted proposals/bids do not reach an awardable score based upon the evaluation criteria, the WDB may identify an operator and develop an award under a sole source method consistent with 2 CFR 200.320(f).

### C. SOLE SOURCE PROCUREMENT

Sole source procurement may be awarded only if one of the following criteria is met:

1. The good/service is only available from one source.
2. After solicitation from a number of sources, competition is determined inadequate. This is typically met through insufficient bid responses.
3. Through a formal request, Technical College System of Georgia, Office of Workforce Development authorizes a noncompetitive proposal.
4. Public emergency will not allow a delay resulting from the competitive procurement process. If the WDB plans to use the public emergency criteria, Technical College System of Georgia, Office of Workforce Development must be notified in advance.

### D. PRE-VOCATIONAL SERVICES

These services are intended for individuals who lack occupational credentials/certifications and require short-term services to enhance and upgrade skills for employment. Pre-vocational services may include services that:

- Prepare individuals for licensing or certification exams
- Enhance the employability of individuals who already possess occupational skills in demand but lack up-to-date skills required in most workplaces hiring for the occupation

Examples of pre-vocational services include, but are not limited to, nursing license exam courses and

computer skills training to enhance employability when individuals already possess a set of core occupational skills but do not have the technology skills required. Short-term is defined as less than 120 clock hours.

Additionally, documentation procedures are outlined below:

- a. A review of assessment results, customer interests and work experience should support the need for the services and should be documented in the individual employment plan.
- b. If the service/training is not available in an approved course on the ETPL, small purchase competitive procurement should be used to purchase the services. Three price quotes or bids showing name of course, number of instruction hours, instructional fee, cost of curriculum materials, credential information, exam fee and school withdrawal/refund policy must be obtained. A printout of a web page will suffice. The provider with the lowest price quote or bid will be selected to provide the prevocational activity. If the vendor who submitted the lowest bid is not selected, justification for choosing a higher bid must be documented for reasons such as: distance, start date too late, schedule prohibits attendance at instructional hours, etc.

Customers in short-term pre-vocational services will be enrolled in GWROPP as 215 "Short Term Pre-Vocational Training".

#### **E. CLASS-SIZE SERVICES**

Class-size service contracts are groups of WIOA registrants receiving occupational skills training in a demand occupation. Class-size services include the full range of occupational skills training, adult education and literacy services, prevocational services, and customized training as described in WIOA Section 134. (The class may be comprised solely of WIOA registrants or may be combined with customers of other programs such as TANF, Trade, etc. or non-WIOA students). In the case of non-WIOA students, the cost of service is prorated based on the number of WIOA students in the class.

Class-size services may be offered in lieu of an ITA when it is determined appropriate to contract with an institution of higher education or other eligible providers of training services in order to facilitate the training of multiple individuals for in-demand industry sectors or occupations and such contract does not limit customer choice.

1. Applicants interested in class-size training will be subject to the same eligibility requirements as other WIOA applicants.
2. Customers enrolled in short-term pre-vocational services will be enrolled in GWROPP as 215 "Short Term Pre-Vocational Training".
3. Training provider should develop the class curriculum detailing skills to be learned.
4. Attendance for each class session must be verified with a signature on the class roster.
5. Provider will invoice NWGRC at the completion of the training.
6. Training provider will provide NWGRC with a copy of each participants credential.

**NORTHWEST GEORGIA REGIONAL COMMISSION  
PURCHASE PROCEDURES**

It is the policy of the Northwest Georgia Regional Commission (Commission or RC) that all procurement transactions shall be conducted in a manner that provides maximum open and free competition consistent with applicable Federal and State regulations. This policy will be carried out in such manners as to insure that procurements are transacted which are most beneficial to the Commission in terms of efficiency, economy, and effectiveness. The purpose of these procedures is to provide fair and equitable procurement guidelines. The objective is to get a quality product at a fair price in the most economical and cost effective manner. The Commission, when possible, desires to purchase locally (within the Region) in support of the local economy as long as it meets the above requirements.

If a state agency has made arrangements for purchases which are available to the RC at the substantially lowest price through state procurement procedures, the RC may purchase through the state in lieu of the procedures set forth herein.

Any state or federal contract entered into by NWGRC which has more stringent purchasing requirements, shall supersede these purchasing procedures. This shall include adhering to dollar thresholds established by pass-through agencies that require prior written approval before purchase.

**SMALL VALUE PURCHASING AUTHORITY (SVPA) LESS THAN \$2,500 (NON-COMPETITIVE)**

The small value purchasing procedure may be used to purchase consumable materials without a formal award or competitive bidding process. The Small Value Purchasing Method may be used if all of the following requirements are met.

1. Purchases are limited to consumable goods and/or supplies and may not exceed \$2,500 per transaction.
2. It is used for immediate over the counter purchases and/or to take advantage of cost-saving purchases such as advertised specials. Splitting or multiple orders to avoid the dollar limitation is not allowable.
3. Documentation of each purchase is maintained, such as purchase order or a detailed sales receipt to show that the item was bought.
  - a. A purchase order shall be used for each purchase. The purchase order will list name and address of the vendor, the quantity ordered, the part number, and the price of each item. A grand total of all items listed shall be printed after all items are listed. The purchase order will be signed and dated by the Program Manager, Fiscal Officer, Director of Finance and the Executive Director.
  - b. The packing slip or other receiving documentation will be attached to the purchase order. The purchase order and all documentation shall be stapled to the Invoice and submitted to the Director of Finance for payment approval. The invoice shall be entered into the Accounts Payable System and paid.

**PURCHASING OF GOODS OR ADMINISTRATIVE SERVICES \$2,500 OR MORE - BUT LESS THAN \$25,000**

For items or administrative services costing \$2,500 or more, at least three (3) vendors or potential vendors will be identified and solicited for price quotes. If three quotes cannot be obtained, sole source justification must be explained and attached to the purchase order with all other documentation.

The identification or solicitation of quotes must be documented. The following may be used as documentation:

1. Product or service catalogs with current price lists;

2. A log of telephone contacts to obtain quotes;
3. Written quotes;
4. A combination of the above

After all quotes are received, the basis for the selection of a vendor to supply the goods or services would be the lowest price. If the basis is something other than the lowest price, the Commission staff will prepare a memo describing the criterion for selection, relevance to need, and the advantage of choosing a vendor other than the one with the lowest price.

Upon selection of a vendor, a purchase order is then issued and signed by the Program Manager, Fiscal Officer, Director of Finance and the Executive Director. A numbered Purchase Order system is used and PO Numbers are issued by the Director of Finance or his/her designee.

Purchases where the unit price is \$5000 or greater and the useful life of the proposed purchase is more than one calendar year must be submitted to the State for approval. A narrative explaining the need for the purchase, documentation to illustrate that all local, state, and federal procurement regulations were met, and copies of all quotes and supporting documentation considered in selecting a vendor. Additional information may be required if the unit price is \$50,000 or more. The State will review all requests and provide a written determination within 30 days of receiving the documentation.

#### **PURCHASING OF GOODS OR ADMINISTRATIVE SERVICES - \$25,000 OR GREATER**

If the item or administrative service requested is \$25,000 or more, formal Invitations to Bid or Requests for Proposal are required. A copy of proposal specifications will be mailed to prospective bidders. Sealed Bids or Proposals are then received and the vendor whose bid is most beneficial to the Commission is selected. A formal Contract, letter of intent to contract or Purchase Order will be provided to those selected.

#### **SUB-CONTRACTOR PURCHASES**

For the procurement of Services from Sub-Contractors, the RC will follow the procedures authorized and/or required by the Grantor Agency. If the Grantor Agency utilizes, is governed by, or promulgates procurement procedures which are less restrictive than those of the RC, then the RC is to follow those less restrictive procurement procedures in lieu of those set forth herein.

#### **CODE OF CONDUCT**

The Commission's officers, employees, or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or potential contracts. This is not intended to preclude bona fide institutional fund-raising activities.

No Commission employee, officer, or agent shall participate in the selection, award, or administration of a contract if a conflict of interest, real or apparent, would be involved. Any violation of the above code shall be communicated to the Commission Personnel/Financial Management Committee, and the appropriate disciplinary action will be prescribed by the same.

