

County of Hanover Purchasing Manual

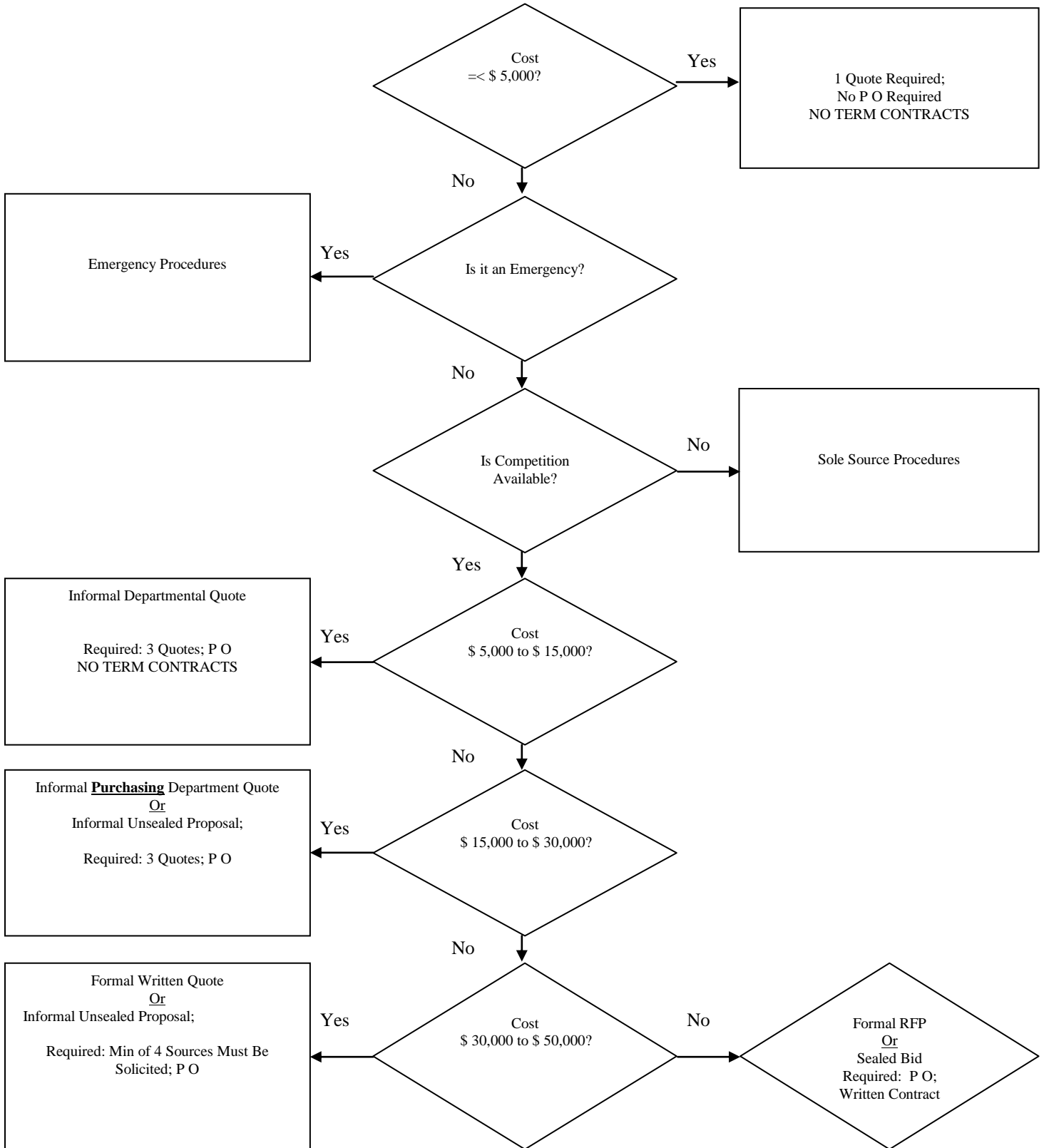
Approved by the Board of Supervisors: January 13, 2010



County of Hanover Purchasing Manual

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County of Hanover Purchasing Manual

FOREWORD

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This Purchasing Manual is divided into two PARTS. There is also an APPENDIX:

- PART 1: contains POLICIES that have been approved by the Board of Supervisors pursuant to certain sections of the Virginia Public Procurement Act.
- PART 2: contains REGULATIONS approved by the County Administrator and PROCEDURES approved by the Director of Purchasing that describe in more detail the general practices to be followed in procurement transactions;
- APPENDIX: contains SAMPLE FORMS and DIRECTIONS

Procurement of goods and services by public bodies in Virginia is generally governed by the VIRGINIA PUBLIC PROCUREMENT ACT; the Board of Supervisors has adopted Article IV, Chapter 2 of the Hanover County Code which mandates compliance with the applicable statutes and authorizes the County Administrator to manage the procurement process, including the issuance of the Regulations in this Manual. The policies, regulations and procedures in this Manual provide guidance for procurement of goods and services and for disposal of surplus property.

The Director of Purchasing (“the Director”) coordinates procurement functions as designee of the County Administrator. Limited procurement authority is delegated to the departments and agencies by the County Administrator.

Unless specifically exempted within this Manual, this Policy and these Regulations and Procedures are applicable to all departments and agencies of County government procuring goods, services and construction through the County Purchasing Department. Questions about the content of this Manual or circumstances not addressed in the manual should be referred to the Purchasing Department staff.

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PART ONE - POLICY

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PART 1

POLICY

County of Hanover Purchasing Manual

PART ONE - POLICY

Approved by the Board of Supervisors: January 13, 2010

SECTION 1 ADMINISTRATION OF PROCUREMENT FUNCTIONS

1.1 Authority

The statutes governing the procurement of goods and services from nongovernmental sources are contained in the Virginia Public Procurement Act. Hanover County Code Chapter 1, Article IV, adopted pursuant to the Act by the Board of Supervisors mandates compliance with applicable statutes and ordinances and expresses the intention of the Board that procurement of goods and services shall be conducted to be cost effective and beneficial to the County and its residents, and to otherwise conform to the goals of the Virginia Public Procurement Act.

1.2 Delegation of Authority

The Hanover County Board of Supervisors delegates the procurement responsibility to the County Administrator subject to the limitations and terms included in this Policy. In all cases, reference to a County or other official in this Manual shall be deemed to include designees of the official. The County Administrator shall be responsible for the purchase of all goods and services for the County and for disposal of surplus property. The County Administrator may designate the Director of Purchasing to be responsible for procurement and for disposal of surplus personal property. Any purchase not made in accordance with the applicable laws, this Policy and Regulations issued by the County Administrator and directives of the Director of Purchasing shall be deemed an unauthorized purchase for which the County shall not be obligated. Any employee who engages in purchasing goods or services in a manner inconsistent with the applicable laws, this Policy, Regulations issued by the County Administrator and directives of the Director of Purchasing shall be subject to disciplinary measures as defined in the Hanover County's Personnel Policies. No obligation shall be made for any purchase in excess of the amount appropriated for that purpose as reflected in the County budget.

1.3 Purpose and Applicability

- 1.3.1 This Policy is adopted to guide the County in obtaining high quality goods and services at reasonable cost, in conducting all procurement procedures in a fair and impartial manner with avoidance of any impropriety or appearance of impropriety, in providing access to the County's public business for all qualified vendors, and in promoting efficient procurement practices among all County departments.
- 1.3.2 Rules governing contract awards shall be made clear in advance of the competition, specifications shall reflect the procurement needs of the County rather than being drawn to favor a particular vendor, and the County and the vendor shall freely exchange information concerning what is sought to be procured and what is offered. In addition, surplus property is to be disposed of on a competitive basis whenever practicable.
- 1.3.3 This Policy and Regulations and Directives issued pursuant to this Policy establish means of purchasing materials, supplies, equipment and services by the County. Unless specifically exempted in this manual, these Policies and related Regulations and Procedures are applicable to all departments and agencies of County government funded in whole or in part by the County and for which obligations are paid through the Hanover County Finance Department.
- 1.3.4 Procurement of goods and services and disposal of surplus property shall be conducted in accordance with the Virginia Public Procurement Act, ("the Act"), except as amended by alternative regulations adopted by the Hanover County Board of Supervisors. The provisions of the Act are incorporated herein by reference, except as amended by alternative regulations.

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PART ONE - POLICY

Approved by the Board of Supervisors: November 23, 2010

SECTION 2 AUTHORITY TO:

AWARD, REJECT AND CANCEL SOLICITATIONS

APPROVE DISPOSAL OF SURPLUS PROPERTY

MAKE DETERMINATIONS OF NONRESPONSIBILITY

SIGN CONTRACTS

ESTABLISH POLICIES, REGULATIONS AND PROCEDURES GOVERNING PROCUREMENT FUNCTIONS

2.1 General Authority

The County reserves the right to accept, reject or cancel any or all solicitations or parts thereof, to waive informalities, and to reissue solicitations. The County also reserves the right to award the contract as it deems will best serve its interests. It further reserves the right to award the contract on a lump sum basis, individual item basis, or such combination as shall best serve the interests of the County. This may include multiple awards if provided for in the solicitation.

2.2 Authority for Award and for Execution of Contracts, Change Orders

The levels of authority for the award of contracts, rejection and cancellation of solicitations, and other procurement functions including the purchase of goods and services, construction, sole source purchases, emergency purchases, issuance of change orders, and debarment of vendors are listed below. No contracts may be awarded or purchases authorized at any level unless adequate funds have been appropriated by the Board of Supervisors pursuant to policies of the Finance and Management Services Department. Authority for any procurement functions not specified in this Section shall be determined by the County Administrator. Subject to Paragraph 2.5 of this Section, the Director of Purchasing and the Director of Finance and Management Services shall have authority to sign all contracts which have been properly awarded.

2.2.1 Purchasing Officer: AUTHORIZATION LEVEL

2.2.1.1 Award Contracts for Goods, Services, Construction, Change Orders,
Sole Source Purchases, and Emergency Purchases..... \$ 5,000 and less

2.2.2 Director of Purchasing and Director of Finance and Management Services: AUTHORIZATION LEVEL

2.2.2.1 Award Contracts for Goods, Services, Construction,
and Sole Source Purchases \$ 100,000 and less

2.2.2.2 Approve Change Orders \$ 50,000 and less

2.2.2.3 Approve Emergency Purchases, Cancellation and Rejection of Solicitations,
Prequalification of Bidders/Offerors, Renewal of Contracts,
Cooperative Contracts (State, GSA, other)..... No Limit

2.2.2.4 Sign all Contracts, Purchase Orders, and Change Orders..... No Limit

2.2.3 County Administrator: AUTHORIZATION LEVEL

2.2.3.1 Award Contracts for Goods, Services, Construction
and Sole Source Purchases No Limit

2.2.3.2 Approve Change Orders No Limit

2.2.3.3 Approve
Determination of Nonresponsibility, and Debarment of Vendors..... No Limit

2.2.3.5 Approve Disposal or Transfer of Surplus Personal Property..... No Limit

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2.2.4	<u>Board of Supervisors:</u>	<u>AUTHORIZATION LEVEL</u>
	Approve Disposal or Transfer of Surplus Real Property	No Limit

2.3 Award of Term Contracts

For purposes of this Policy, the procedure for award of term contracts shall be determined by the estimated value of the contract for the initial term of the contract. The Director of Purchasing shall establish the length of these contracts and the number of renewal terms.

2.4 Special Provision – Community Services Board

The Executive Director, Community Services Board, is authorized to sign contracts awarded in accordance with these policies and the approved performance contract entered into with other providers, as defined by Va. Code Section 37.1-403, for the delivery of services and operation of facilities.

2.5 Authority to Sign—Purchasing Department Staff

No contract shall be signed by the Purchasing Department staff member who initiated the procurement for which the contract is being issued.

2.6 Issuance of Procedures and Directives

The Director of Purchasing shall issue Procedures, and may issue Directives providing additional requirements for procurement functions, and shall interpret and administer the applicable laws and regulations.

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SECTION 3 SMALL PURCHASE PROCEDURES

Competitive sealed bids or competitive negotiation shall not be required for single or term contracts for goods and services if the aggregate or the sum of all phases is not expected to exceed \$50,000. Small purchase procedures shall be included in regulations approved by the County Administrator. Procurement procedures shall provide for competition whenever practicable.

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PART ONE - POLICY

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SECTION 4 SECURITY, INSURANCE, AND INDEMNIFICATION

4.1 Bonds

A Bid Bond, Performance Bond, and Labor and Material Payment Bond are required for construction contracts expected to exceed \$ 50,000 and may, at the discretion of the Purchasing Department, be required for contracts of lesser value, and for non construction contracts. Security may be in the form of cash escrow, letter of credit or bond from a surety company authorized to do business in Virginia and acceptable to the County. The Director of Purchasing shall set the amount of the Bond, and may prescribe additional requirements related to security.

4.2 Insurance

In consultation with the user department, Purchasing Department staff will determine the appropriate types and levels of insurance coverage to be included in solicitations. Departments are encouraged to consult with Purchasing Department staff for appropriate insurance types and amounts for quotes obtained by departments.

4.3 Indemnification

Purchasing Department staff shall include an indemnification provision in all formal written solicitations issued by the Purchasing Department unless the Director of Purchasing waives this requirement in writing.

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SECTION 5 CONTRACTUAL CLAIMS AND INVOICES

Contractual claims, whether for money or other relief, shall be submitted in writing no later than 60 days after final payment; however, written notice of the Contractor's intention to file such claim shall have been given at the time of the occurrence or beginning of the work upon which the claim is based. Any notice or claim shall be delivered to the County Administrator, Hanover County Government Building, 7516 County Complex Road, Hanover, Virginia 23069 and shall include a description of the factual basis for the claim and a statement of the amounts claimed or other relief requested. The County Administrator shall render a decision on the claim and shall notify the Contractor within 30 days of receipt of the claim. The Contractor may appeal the decision of the County Administrator to the Board of Supervisors by providing written notice to the County Administrator, within 15 days of the date of the decision. The Board of Supervisors shall render a decision on the claim within 60 days of the date of receipt of the appeal notice and such decision shall be final unless the Contractor appeals the decision in accordance with the Virginia Public Procurement Act. Invoices for all services or goods provided by the Contractor shall be delivered to the County no later than 30 days following the conclusion of the work or delivery of the goods, unless other terms are prescribed by contract.

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SECTION 6 PARTICIPATION OF SMALL, MINORITY AND WOMEN OWNED BUSINESSES

- 6.1 The Purchasing staff shall adhere to the following to facilitate small, minority-owned and women-owned business participation:
- 6.1.1 Competitive sealed bids and requests for proposals, or notices of the issuance thereof, shall be sent to all bidders or offerors listed in eVA for the applicable categories for the goods/services sought. eVA includes certified minority vendors provided by the State Department of Minority Business Enterprise.
 - 6.1.2 The Purchasing Department shall cooperate with the State Department of Minority Business Enterprise, United States Small Business Administration and other public or private agencies with respect to the participation of small businesses and those owned by minorities and women.

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SECTION 7 ETHICS

7.1 ETHICS

- 7.1.1 The Purchasing Department staff and all County employees engaged in procurement activities are subject to and should be generally familiar with the provisions of the Virginia Conflict of Interests Act and with the provisions of the Virginia Public Procurement Act relative to ethics in public contracting. Copies of the statutes shall be available in the Purchasing Department and questions should be directed to the Director of Purchasing.

- 7.1.2 In accordance with the Virginia Public Procurement Act, solicitation or acceptance of gifts from bidders, offerors, contractors or subcontractors is prohibited. No official or employee shall have a personal interest in a transaction or contract if such interest is prohibited by the Virginia Conflict of Interests Act. The County Administrator shall endeavor to provide appropriate information regarding these prohibitions to employees and affected volunteers.

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SECTION 8 NONDISCRIMINATION

The County does not discriminate in the solicitation or award of contracts because of race, religion, color, gender, age, disability, status as a service disabled veteran, or national origin of the bidder or offeror. It is the responsibility of County employees, particularly those employees involved in procurement, to ensure that all vendors are permitted equal opportunity and access to participate in County procurement opportunities, and that no vendor be denied equal opportunity or access because of race, religion, color, gender, or national origin.

END OF PART 1

County of Hanover Purchasing Manual

PART TWO - REGULATIONS

Approved by County Administrator: January 22, 2010

PART 2

REGULATIONS

County of Hanover Purchasing Manual

PART TWO - REGULATIONS

Approved by County Administrator: January 22, 2010

SECTION 1 PURCHASING DEPARTMENT OBJECTIVES:

- 1.1 To purchase or lease goods and services, including, supplies, materials, and equipment for use by the County and its departments and agencies.
- 1.2 To obtain, by practical and economical methods, goods and services necessary for the County and its agencies to carry out their assigned functions. These goods and services should be the right quality, quantity, available at the right time, delivered to the right place at the lowest possible cost consistent with prevailing economic conditions.
- 1.3 To assist using departments in preparing procurement specifications.
- 1.4 To ensure that all County procurement is conducted in a fair and impartial manner with avoidance of any impropriety or appearance of impropriety, to provide access to public business for all qualified vendors, to generate fair and open competition among all responsible vendors and to seek out new vendors as sources of supply.
- 1.5 To develop and use, where feasible, standardized specifications for goods and services.
- 1.6 To establish term contracts for goods and services used in sufficient quantity or frequency to make such constant sources of supply economical.
- 1.7 To manage the disposal of surplus, salvage and obsolete supplies, materials and equipment by transfers between departments, trade-in on new equipment or sale.

County of Hanover Purchasing Manual

PART TWO - REGULATIONS

Approved by County Administrator: January 22, 2010

SECTION 2 DEFINITIONS

2.1 DEFINITIONS

- 2.1.1 **Bid Bond**: A guarantee by a bidder/offeror, usually accompanied by corporate surety, making the provider of the bond liable to pay a specified amount of money in the event the bidder/offeror fails to accept the contract awarded. Generally, the bid bond may not exceed five percent of the bid amount. The bid bond is forfeited if the bidder/offeror defaults by not entering into the contract. No forfeiture of a bid bond shall exceed (1) the lesser of the difference between the bid for which the bond was written and the next low bid, or (2) the face amount of the bid bond.
- 2.1.2 **Bidder**: A person or firm submitting a priced offer in response to a quote or Invitation to Bid. Also sometimes referred to as “offeror”.
- 2.1.3 **Change Order**: A written notice to a contractor, issued by the Purchasing Department, identifying and authorizing changes to an existing purchase order.
- 2.1.4 **Competitive Negotiation**: A method of contractor selection that includes a written request (Request for Proposals) for nonprofessional or professional services.
- 2.1.5 **Competitive Sealed Bidding**: A method of contractor selection which involves the issuance of a written Invitation to Bid containing or incorporating by reference the specifications, contractual terms and conditions and, unless prequalification is used, a statement of any requisite qualifications of potential contractors applicable to the procurement.
- 2.1.6 **Construction**: building, altering, repairing, improving or demolishing any structure, building or highway, and any draining, dredging, excavating, grading or similar work upon real property.
- 2.1.7 **Contract Administration**: The management of all elements of the contract, following award of a contract and issuance of a Purchase Order, to assure the contractor's performance in accordance with the terms and conditions of the contract.
- 2.1.8 **Contract Documents**: Unless specified otherwise in the Bid/RFP or CONTRACT (AGREEMENT), the Contract Documents shall consist of all of the following documents appearing or referenced in the Quote, Bid or RFP: (1) the Invitation to Bid and the Contractor's bid or the Request for Proposals and the offerors proposal response, (2) any Addenda issued, (3) any required Certificate of Insurance, (4) any required Bonds, (5) the Purchase Order, (6) the Notice of Award, (7) the Notice to Proceed, (8) the Instructions to Bidders, (9) the General Terms, Conditions and Instructions, (10) Supplementary Conditions, (11) the Special Conditions, (12) the Specifications and (13) the Drawings, including modifications to any of these documents included in the CONTRACT.
- 2.1.9 **Contractor**: Contractor means any person that for a fixed price, commission, fee or percentage undertakes to bid upon, or accepts, or offers to accept, orders or contracts for performing, managing, or superintending in whole or in part, the construction, removal, repair or improvement of any building or structure permanently annexed to real property owned, controlled or leased by another person or any other improvements to such real property.
- 2.1.9.1 Class A Contractors - perform or manage construction, removal, repair, or improvements when (i) the total value referred to in a single contract or project is \$70,000 or more, or (ii) the total value of all such construction, removal, repair, or improvements undertaken by such person within any twelve-month period is \$500,000 or more.

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- 2.1.9.2 Class B Contractors - perform or manage construction, removal, repair, or improvements when (i) the total value referred to in a single contract or project is \$7,500 or more, but less than \$70,000 or (ii) the total value of all such construction, removal, repair, or improvements undertaken by such person within any twelve-month period is \$150,000 or more, but less than \$500,000.
- 2.1.9.3 Class C Contractors - perform or manage construction, removal, repair, or improvements when (i) the total value referred to in a single contract or project is over \$1,000, but no more than \$7,500 or (ii) the total value of all such construction, removal, repair, or improvements undertaken by such person within any twelve-month period is no more than \$150,000. The Board shall require master certification as a condition of licensure or certification of electrical, plumbing and heating, ventilation and air conditioning contractors.
- 2.1.10 **Debarment**: An action taken by the County Administrator to determine an person or firm to be ineligible and disqualified from contracting with the County for particular types of goods and/or services for a specified period of time.
- 2.1.11 **Default**: Failure of a Contractor to comply with the terms and conditions of a contract, or of a bidder or offeror to enter into a contract following award.
- 2.1.12 **Design Specification**: A description setting forth the essential characteristics the item bid must possess to be considered for award.
- 2.1.13 **Direct Purchase**: The purchase of goods or services not expected to cost more than \$ 5,000.00 made by a department without the issuance of a purchase order.
- 2.1.14 **Emergency Procurement**: The purchase of goods or services necessary to restore or continue an essential service when the delay which would result from normal purchasing procedures would reasonable be expected to endanger the safety, health or welfare of the public or of the County's employees or facilities. Emergency procurement shall be made with such competition as is practicable under the circumstances. **SEE SAMPLE FORM A-11 IN APPENDIX.**
- 2.1.15 **Formal Written Quote**: A quote obtained by the Purchasing Department staff for which a written solicitation is issued. A minimum of four sources must be solicited
- 2.1.16 **General Terms and Conditions**: Standard clauses included or referenced in contracts and procurement documents. These terms and conditions are part of the contract, upon award. This phrase is also used to describe portions of a contract, other than technical specifications, for services such as construction.
- 2.1.17 **Informal Departmental Quote**: A quote obtained by the using department or Purchasing staff when a written solicitation is not issued. Informal quotes may be either telephone or written quotes. Informal quotes may be obtained for the purchase of goods/services expected to cost in the range of \$ 5,000.01 - \$ 15,000.00 except for emergency and sole source procurements and sealed proposals. A minimum of three quotes is required.
- 2.1.18 **Informal Purchasing Department Quote**: A quote obtained by the Purchasing Department staff. Informal quotes may be either telephone or written quotes. Informal quotes may be obtained for the purchase of goods/services expected not to exceed \$ 30,000.00. A minimum of three quotes are required for purchases between \$ 5,000.01 - \$ 30,000.
- 2.1.19 **Informality**: A minor defect or variation of the bid or proposal from the exact requirements of the Invitation to Bid or the Request for Proposals, which does not affect the price, quality, quantity, or delivery schedule for the goods, services or construction being procured.

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PART TWO - REGULATIONS

Approved by County Administrator: January 22, 2010

- 2.1.20 **Invitation to Bid**: A document issued by the Purchasing Department which contains or references the specifications and contractual terms and conditions applicable to a specific procurement of goods or services.
- 2.1.21 **Labor and Material Payment Bond**: A guarantee by a Contractor and Surety to assure fulfillment of the Contractor's obligation to pay all persons supplying labor or materials in the performance of the work provided for in the contract. The bond is executed subsequent to award and is usually for the full contract amount. The bond is secured by a Surety company licensed to do business in Virginia, certified check, cashier's check, cash, letter of credit approved by the Purchasing Department or such other security as may be approved by the County Administrator.
- 2.1.22 **Late Bid or Proposal**: A bid or proposal that is received at the place designated in the Invitation to Bid or Request for Proposals after the deadline established in the solicitation.
- 2.1.23 **Liquidated Damages**: A sum stated in a contract to be paid as ascertained damages for failure to perform in accordance with the contract. The damage figure stipulated must be a reasonable estimate of the probable loss to the County, and not be calculated simply to impose a penalty on the contractor.
- 2.1.24 **Multiple Award**: Award of a contract to more than one bidder or offeror, pursuant to one solicitation. Provision to award to more than one bidder or offeror must be contained in the solicitation.
- 2.1.25 **Notice of Award**: Written notification to a contractor that the contractor has received an award.
- 2.1.26 **Notice of Contract Award**: A notice posted outside the Purchasing Department office following award of a contract that contains the solicitation name, name of winning bidder or offeror, and amount of award.
- 2.1.27 **Nonprofessional Services**: Those services not specifically identified as professional services in the Virginia Public Procurement Act. The use of competitive negotiation for nonprofessional services requires advance written justification that the use of competitive bidding is not practicable or fiscally advantageous to the public.
- 2.1.28 **Offeror**: A person or firm that makes an offer in response to a Request for Proposals.
- 2.1.29 **Payment Date** - The latter of (i) the date on which payment is due under the terms of a contract for provision of goods or services; or (ii) if such date has not been established by contract, (a) thirty days after receipt of a proper invoice by the state agency or its agent or forty-five days after receipt by the local government or its agent responsible under the contract for approval of such invoices for the amount of payment due, or (b) thirty days after receipt of the goods or services by the state agency or forty-five days after receipt by the local government.
- 2.1.30 **Performance Bond**: A guarantee by a Contractor and Surety to protect the County from loss due to the Contractor's failure to complete the contract in accordance with its terms and conditions. The bond is executed after award and is usually for the full contract amount. The bond may be supplied by a Surety company licensed to do business in a, certified check, cashier's check, cash, letter of credit approved by the Purchasing Department or such other security as may be approved by the County Administrator.
- 2.1.31 **Performance Specification**: A description of a good or service setting forth the minimum requirements for the item bid.
- 2.1.32 **Potential Bidder or Offeror**: A person who, at the time of negotiation and award or the proposed award of a contract, is engaged in the sale or lease of goods, or the sale of services, insurance or construction of the type to be procured under such contract, and who at such time is eligible and qualified in all respects to perform that contract, and who would have been eligible and qualified to submit a bid or proposal had the contract been procured through competitive sealed bidding or competitive negotiation.

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PART TWO - REGULATIONS

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- 2.1.33 **Prebid or Preproposal Conference**: A meeting held with potential bidders or offerors prior to the submission of bids or proposals to review, discuss and/or clarify bid terms and conditions, specifications and standards relative to the proposed solicitation.
- 2.1.34 **Prequalification**: A procedure to prequalify products or contractors and limit consideration of bids or proposals to only those products or contractors which have been prequalified. Prequalification must be conducted on the basis of written procedures.
- 2.1.35 **Procurement**: The act of obtaining goods/services.
- 2.1.36 **Procurement transaction** - All functions that pertain to the obtaining of any goods, services or construction, including description of requirements, selection and solicitation of sources, preparation and award of contract, and all phases of contract administration.
- 2.1.37 **Proposal**: An offer made by one party to another, which is used as a basis for entering into a contract.
- 2.1.38 **Professional Services**: Work performed by an independent contractor within the scope of the practice of accounting, actuarial services, architecture, land surveying, landscape architecture, law, medicine, optometry, pharmacy or professional engineering.
- 2.1.39 **Proprietary Specification**: A specification that restricts the acceptable product(s) or service(s) to that of one or more manufacturer(s) or vendor(s). A common example would be the use of a "brand name" specification that would exclude consideration of proposed "equals."
- 2.1.40 **Protest**: A complaint by a bidder or offeror about some part of a procurement process.
- 2.1.41 **Public Solicitation Opening**: Process of reading bid responses or the names of offerors submitting proposals, which is open to the public.
- 2.1.42 **Public Posting**: Displaying procurement notices in a place readily available to the public during regular business hours. All required Public Posting notices are put on the bulletin board outside the Purchasing Department, Wickham Building, 7497 County Complex Road, Hanover, VA 23069, 2nd floor.
- 2.1.43 **Purchase Order**: A document authorizing the purchase and payment of items requisitioned by the department or agency. **SEE SAMPLE FORM A-7 IN APPENDIX.**
- 2.1.44 **Purchase Requisition**: The form on which the using department communicates to the Purchasing Department the need for a specific good or service. The purchase requisition should contain or be accompanied by a complete description of what is to be procured, including complete bid specifications or the Scope of Services. **SEE SAMPLE FORM A-2 IN APPENDIX.**
- 2.1.45 **Request for Proposals**: A written document (RFP) which describes what is to be procured in general terms, solicits proposals from vendors/contractors and is the basis, through negotiations, for the subsequent contract.
- 2.1.46 **Responsible Bidder/Offeror**: A person or firm with the capability, in all respects, to perform fully the contract requirements and the moral and business integrity and reliability which will assure good faith performance and who has been prequalified if required. A responsible bidder meets the following non-inclusive requirements. The bidder should:
- 2.1.46.1 Be a manufacturer, dealer, supplier or, if required in the solicitation, an authorized dealer of the goods/services offered

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- 2.1.46.2 Have the necessary facilities, organization, experience, technical skills and financial resources necessary to fulfill the requirements of the contract, including the ability to provide future maintenance and service for the goods/services being procured
- 2.1.46.3 Be able to comply with the required delivery or performance schedule
- 2.1.46.4 Have a satisfactory record of business integrity
- 2.1.46.5 Have a satisfactory record of past performance on previous contracts
- 2.1.46.6 Be qualified and eligible by law or regulation
- 2.1.47 **Responsive Bidder/Offeror:** A person or firm submitting a solicitation response that conforms in all material respects to the requirements of the solicitation. The Purchasing Department may make the determination that a bidder/offeror is non-responsive should the bidder/offeror:
 - 2.1.47.1 Offer a product that does not meet the specifications or other requirements in the invitation. A bidder may not substitute an item not in the bidder's original bid for consideration after the bid opening.
 - 2.1.47.2 Be unable to conform to the required delivery schedule given in the invitation
 - 2.1.47.3 Substitute its terms and conditions for those of the County that appeared in the invitation, or delete or delete or the County's terms and conditions
 - 2.1.47.4 Not sign the bid
 - 2.1.47.5 Fail to submit any required bid surety
 - 2.1.47.6 Qualify the bid prices so the bid price cannot be determined; for example, "price in effect at the time of delivery"
 - 2.1.47.7 Qualify the bid so as to nullify or limit his liability to the County
- 2.1.48 **Services:** Any work performed by an independent contractor wherein the service rendered does not consist primarily of acquisition of equipment or materials, or the rental of equipment, materials and supplies.
- 2.1.49 **Small Purchase:** The purchase of goods and services not expected to exceed \$ 50,000.00.
- 2.1.50 **Sole Source:** A written determination, on a form approved by the Purchasing Department, that there is only one source practicably available for that which is to be procured. **SEE SAMPLE FORM A-14 IN APPENDIX.**
- 2.1.51 **Solicitation:** A telephone call, Informal or Formal Quote, Invitation to Bid, Request for Proposals or any other means used by the County to obtain bids or proposals for the purpose of entering into a contract to purchase or lease goods or services.
- 2.1.52 **Specification:** A concise statement of a set of requirements to be satisfied by a product, material or process. Specifications are intended to assure that items purchased have the essential quality and performance characteristics without being unnecessarily restrictive to the end that they needlessly inhibit competition.

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- 2.1.53 **Subcontractor**: Any entity that has a contract to supply labor or materials to the contractor to whom the contract was awarded or to any subcontractor in the performance of the work provided for in such contract.
- 2.1.54 **Surplus Property**: Real or personal County property which is not needed by the County.
- 2.1.55 **Valid Quote**: A quote response from a qualified vendor, received within the required time limit, and submitted on the prescribed form or in the prescribed manner.
- 2.1.56 **Vendor**: A person or firm that sells goods and/or services.

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SECTION 3 RESPONSIBILITY OF USER DEPARTMENTS

3.1 Determine Goods and Services Needed and Plan For Their Acquisition

- 3.1.1 Determine the goods and services needed by the department to carry out its assigned duties and to adequately plan for the acquisition of the necessary goods and services and allow sufficient time for their acquisition.
- 3.1.2 Ensure that in exercising the authority delegated by the Board of Supervisors for the acquisition of goods and services by the department, the laws, policies, regulations and procedures, and directives of Hanover County and the Virginia Public Procurement Act are not violated or circumvented.

3.2 Consolidate (Group) Purchase of Similar Items

- 3.2.1 Group purchases of like items or groups of items that can be obtained from the same type of vendors. This avoids the appearance of arbitrarily "splitting" orders and generally results in less repetitive work and better prices.

3.3 Contract Administration

- 3.3.1 Once a contract is signed and/or Purchase Order is issued, contract administration is required. Contract administration is necessary to assure a contractor's performance with the terms and conditions of a contract.
- 3.3.2 Since the user department receives goods ordered, has services provided directly to it by the contractor and authorizes payment, the using department also has the primary responsibility for contract administration. In that case where a contract is established that is used by multiple County departments (such as office supplies), the Purchasing Department may assume primary responsibility for contract administration. Contract administration includes such things as:
 - 3.3.2.1 Reviewing the purchase order issued and immediately notifying Purchasing if you detect errors on the PO.
 - 3.3.2.2. Following up on orders if not received on time or request that Purchasing follow up by:
 - 3.3.2.2.1 Notifying Purchasing, in writing, of any complaints against the vendor, in order to allow enforcement of contract terms. It is difficult to substantiate problems with vendors if written records are not maintained.
 - 3.3.2.2.2 Checking goods/services for compliance with specifications as soon as possible after receipt.
 - 3.3.2.2.3 Not increasing or decreasing the quantity ordered without the issuance of a Change Order issued by the Purchasing Department.
 - 3.3.2.2.4 Not allowing the vendor to substitute items for those ordered.
 - 3.3.2.3 Identifying problems with contractor performance and coordinating efforts to resolve those problems.
 - 3.3.2.4 Making sure the department pays for only those items it received and at the agreed upon contract price. Invoice pricing must be checked against contract prices to ensure appropriate payment. Making sure the contractor receives payment in accordance with the terms of the contract.

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3.4 Vendor Contact After Issuance of Solicitation

Contact between user department employees and vendors, after the Purchasing Department issues a solicitation, should be limited to the employee(s) listed in the solicitation as the contact person(s) and requests for information from vendors should be referred to the Purchasing Department. Department employee contact related to existing contacts is not intended to be restricted by this section. This should not be interpreted to restrict any informal contacts that the department might wish to participate in to gather information prior to the solicitation being issued or informal quotes being obtained. Departments should, however, emphasize to vendors that these contacts are informal and any prices or conditions discussed are strictly preliminary. After a purchase requisition has been properly processed and a purchase order issued authorizing the vendor to proceed with supplying the goods or services, the user department is responsible for monitoring all aspects of the order to ensure proper fulfillment. Should any problems arise, it is the department's responsibility to make the initial attempt to resolve such problems with the vendor. If the vendor is not responsive to departmental requests, then it is the responsibility of the department to document the problems in writing and inform the Purchasing Department of the situation.

3.5 Procurement Planning

Departments must allow adequate time for the required procurement process to be carried out when planning for needed goods/services. Scheduling recommended by the Purchasing Department, in work days prior to contract completion, are the following:

- 3.5.1 1 – 5 days. **Informal Departmental Quote.** Review of quotes and issuance of a Purchase Order for routine goods/services where the department has obtained the required number of valid quotes.
- 3.5.2 5 – 15 days.* **Informal Unsealed Proposals.** Review of draft proposals prepared by the department, review of unsealed proposal responses, development of a written contract, and issuance of a Purchase Order for services. The department may have obtained the required number of proposals, but the evaluation of the proposals may require the gathering of additional information by or the detailed review of information by the Purchasing staff.
*Add 5 days if Purchasing staff solicits proposals.
- 3.5.3 5 – 10 days.* **Informal Purchasing Department Quote.** Review of draft specifications prepared by using department, solicitation of quotes, evaluation of quotes received, development of written contract (if required), and issuance of Purchase Order.
*Add 5 days if Purchasing staff must develop/rewrite specifications.
- 3.5.4 10 – 20 days.* **Formal Written Quote.** Review of draft specifications prepared by user department, solicitation of quotes, evaluation of quotes received, development of written contract (if required), and issuance of Purchase Order.
*Add 10 days if Purchasing staff must develop/rewrite specifications.
- 3.5.5 30 – 45 days.* **Sealed Bid.** Review of draft specifications prepared by using department, solicitation of bids, evaluation of bids received, development of written contract (if required), and issuance of Purchase Order.
*Add 10 days if Purchasing or IT staff must develop/rewrite specifications. Add an additional 10 days if Board of Supervisor approval needed.
- 3.5.6 45 – 60 days.* **Competitive Negotiation (Sealed Proposal).** Review of draft specifications prepared by using department, solicitation of proposals, evaluation of proposals received, development of written contract (if required), and issuance of Purchase Order.
*Add 10 days if Purchasing or IT staff must develop/rewrite scope of services. Add an additional 10 days if Board of Supervisor approval needed.

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3.6 Receipt and Inspection of Goods

- 3.6.1 The receiving department must arrange for review of each delivery for conformance with the Purchase Order and any other relevant contract documents and shall verify that the contractor has complied with the terms of the order.
- 3.6.2 Inspection should be made at the time of delivery, if possible, or within two business days thereafter. The quicker the inspection is made, the more likely any problems can be resolved in any claims against the contractor or shipper. The receiving Purchase Order copy is the receiving report and must be signed by the department and sent to the Finance Department with the final payment request.
- 3.6.3 In the case of suspected damage; e.g., the original shipping carton is materially damaged, the department, if unable to inspect immediately, should write on the delivery ticket that "Possible Concealed Damage" exists.
- 3.6.4 The department must promptly report all discrepancies in the receipt of goods to the contractor, shipper and Purchasing Department.
- 3.6.5 Any over shipments accepted by the department must be reflected in Change Orders. If not accepting an over shipment, the department shall notify the Purchasing Department and contractor that the over shipment will not be accepted and advise the contractor to have the excess goods picked up.
- 3.6.6 If warranted for significant problems, a "COMPLAINT ABOUT COUNTY VENDOR" form may be filed by the department. **SEE SAMPLE FORM A-21 IN APPENDIX.**
- 3.6.7 The Fleet Services Department shall be the location for delivery and inspection of all motor vehicles and heavy equipment, unless otherwise agreed to by the Director of Fleet Services. The receiving copy of the Purchase Order for all vehicles and heavy equipment shall be sent to the Fleet Services Department and a copy will be sent to the department. The Fleet Services Department shall process payment for such purchases and shall notify the department when the vehicle or equipment is ready for use.

3.7 Term Contracts – Contractor Performance Report

- 3.7.1 The person in each respective department who has responsibility for overseeing a term contract used by the department shall complete and send to the Purchasing Department a "Term Contractor Performance Report" form. The form shall be submitted prior to each renewal or rebid of the contract. **SEE FORM A27 IN APPENDIX.**

3.8 Reporting of Surplus Property

- 3.8.1 Each department is responsible for reporting items it wishes to have disposed of to the Purchasing Department.
- 3.8.2 The County holds a public auction from time to time to dispose of surplus property. Each department shall submit items it wishes to include in the auction to the Purchasing Department using the form prescribed herein. **SEE SAMPLE FORM A-25 IN APPENDIX.**
- 3.8.3 Items included on the County's Capital Assets shall be specifically identified by asset number in the list of items submitted for disposal.

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SECTION 4 METHODS OF PROCUREMENT

4.1 General Information:

- 4.1.1 When determining the proper method of procurement, purchases may not be arbitrarily split to qualify for another method of procurement. Evidence of repetitive splitting of orders shall be cause for revocation of the department's delegated purchase authority.
- 4.1.2 Any document required to be signed to establish a credit account with a vendor shall be approved by the Purchasing Department.
- 4.1.3 For those methods of procurement that allow the department to obtain quotes:
 - 4.1.3.1 Since the Purchasing Department must approve award, and may obtain additional quotes, vendors shall not be given authorization to deliver goods/services and vendors shall not be given competitors names, competitors quoted prices, or be notified of the apparent low quote until the Purchase Order has been issued.
 - 4.1.3.2 The department shall complete all information requested on the back of the purchase requisition form for each vendor contacted, including those who are contacted, but choose not to quote. Copies of catalog price sheets, order forms, and internet web pages are not valid quotes unless pricing has been currently verified and the sheet contains the date verified.
 - 4.1.3.3 The department may submit its requirements to the Purchasing Department and request that the Purchasing Department obtain the required quotes.
- 4.1.4 Although Purchase Orders will generally not be issued for purchases below \$ 5,000, a Purchase Order will be issued for such purchases if requested by the department or vendor.
- 4.1.5 If a written contract is used in any procurement method, the contract shall be prepared, or approved, by Purchasing Department staff and is subject to approval by the County Attorney's Office.
- 4.1.6 If multiple price quotes are obtained, except for an Informal Unsealed Proposal or Request for Proposals, award shall be made to the lowest responsive and responsible bidder.
- 4.1.7 If specifications submitted by the department are written with only a single "brand name" description, or written based upon the specifications of a single product, a written justification signed by the department head stating why additional brands are not acceptable and/or could not be used in specification development must be submitted with the purchase requisition. Purchasing Department staff will review and either approve or reject the justification. If rejected, Purchasing Department staff will explain the reasons for rejection and work with the department to modify the specifications to make them acceptable.

4.2 Small Purchase Procedures \$ 50,000.00 and less (Professional Services \$ 30,000 and less)

4.2.1 Direct Purchase: \$ 50.00 and less

- 4.2.1.1 The purchase of goods/services not exceeding \$ 50.00 when the vendor is paid by the employee at the time of sale.
- 4.2.1.2 Direct purchases should be kept to a minimum and should be used only for essential goods and services. Examples of direct purchases are payment of toll charges, parking fees, library copy costs, etc.

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- 4.2.1.3 Reimbursements for direct purchases are made to the employee by the Finance Department upon presentation of an approved receipt, or by County check if the employee submits a request for reimbursement. The receipt should be coded with the proper budget code(s), signed and dated by the department head and a brief note made as to the nature of the purchase. Reimbursement will not be made without an approved receipt.
- 4.2.1.4 Prior approval of the Purchasing Department is not required.
- 4.2.2 Direct Purchase - Vendor Account: \$ 5,000 and less – Purchase Order Not Required
- 4.2.2.1 Any document that must be signed to establish credit must be reviewed by the County Attorney's Office or Purchasing Department prior to the purchase.
- 4.2.2.2 Departments must check for appropriate contractor's insurance and licensing.
- 4.2.2.3 The purchase of goods/services not exceeding \$ 5,000.00 when the vendor charges the County on an open charge account.
- 4.2.2.4 Use the County's Purchasing Card when possible. Be sure to get a receipt or acknowledgement when using the purchasing card because documentation of the purchase must be kept in the department files. Payment for such goods and services should be made by payment voucher, unless the Purchasing Card was used. All purchases made using the County's Purchasing Card are subject to the County's Purchasing Card Policies and Regulations.
- 4.2.3 Informal Departmental Quote: \$ 5,000.01 - \$ 15,000.00 – Purchase Order Required
- 4.2.3.1 **THIS METHOD OF PROCUREMENT MUST NOT BE USED TO ESTABLISH TERM CONTRACTS.**
- 4.2.3.2 Departments or Purchasing staff may obtain three valid quotes for any purchase of goods or services not expected to cost more than \$ 15,000.00. **Award must be made to the lowest responsive and responsible bidder.**
- 4.2.3.3 Although written specifications are preferable, they are not required if the desired good/service is relatively standard so there is little chance of confusion over what is required and the time and expense of specification preparation is not warranted.
- 4.2.3.4 Where a service is involved, departments must define the character, quality and scope of the service. For goods, departments must develop a brief summary of the desired characteristics and quality of the commodity. This can be done in reference to performance, physical characteristics, or both performance and physical characteristics.
- 4.2.3.5 The Purchasing Director may waive the \$ 15,000 maximum limit for quotes obtained by departments when the Director determines, based on documentation provided by the initiating department, that there has been adequate provision for competition and that the waiver is in the County's best interest. Such determination shall be in written form and kept in the solicitation file.

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4.2.4 Informal Purchasing Department Quotes: \$ 15,000.01 - \$ 30,000: Goods and Services

4.2.4.1 **THIS METHOD OF PROCUREMENT MUST NOT BE USED TO ESTABLISH TERM CONTRACTS IF THE TOTAL VALUE OF THE CONTRACT, INCLUDING ALL YEARS OF RENEWALS, WILL EXCEED \$30,000.**

4.2.4.2 **ONLY** Purchasing staff may use this procedure to obtain informal quotes when a formal written solicitation is not required. Informal quotes may be obtained by telephone, facsimile, or email, with or without written confirmation. Departments must submit a purchase requisition with a description of the goods/services to be procured and the Purchasing Department staff will obtain the required quotes.

4.2.4.3 Three quotes are required for purchases expected to cost between \$ 5,000.01 and \$ 30,000. The Purchasing Director may waive the requirement for the third quote on a case by case basis when the Director determines, based on documentation provided by the initiating department, that there has been adequate provision for competition and that the waiver is in the County's best interest. Such determination shall be in written form and kept in the solicitation file.

4.2.4.4 A written two-party contract may be required at the discretion of the Purchasing staff.

4.2.4.5 Written documentation of the quotes obtained must be kept in the procurement file.

4.2.5 Formal Written Quote: \$ 30,000.01 - \$ 50,000.00: Goods and Services

4.2.5.1 **THIS METHOD OF PROCUREMENT MUST NOT BE USED TO ESTABLISH TERM CONTRACTS IF THE TOTAL VALUE OF THE CONTRACT, INCLUDING ALL YEARS OF RENEWALS, IS ESTIMATED TO EXCEED \$ 50,000.**

4.2.5.2 Issued by the Purchasing Department **ONLY**.

4.2.5.3 A minimum of four sources shall be solicited.

4.2.5.4 For services only, a written two-party contract may be required at the discretion of the Purchasing staff.

4.2.5.5 Any information the department has available, such as specifications obtained from vendors and solicitations issued by the State or other municipalities should be submitted with the purchase requisition. .

4.2.6 Informal Unsealed Proposals: \$ 50,000 and less: GOODS AND SERVICES

4.2.6.1 **THIS METHOD OF PROCUREMENT MUST NOT BE USED TO ESTABLISH TERM CONTRACTS IF THE TOTAL VALUE OF THE CONTRACT, INCLUDING ALL YEARS OF RENEWALS, WILL EXCEED AMOUNTS STATED IN 4.2.6.**

4.2.6.2 The Purchasing Department must approve the issuance of Informal Unsealed Proposals.

4.2.6.3 Informal Unsealed Proposals shall be sent to a minimum of four offerors selected from the eVA bidder/offeror list maintained by the Commonwealth of Virginia, and to prospective offerors developed from other sources.

4.2.6.4 The department may develop a scope of services with or without the assistance of offerors selected in 4.2.6.3 above, provided that offerors shall not be paid for their assistance. The Purchasing staff will review and approve the scope of services and send it to at least the four vendors **selected in 4.2.6.3 above**.

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Departments shall also provide Purchasing staff the criteria to be used for evaluation prior to proposals being sent to prospective offerors. Criteria should include vendor qualifications, the proposed schedule, and proposed fees, and may include other applicable criteria. A weighted point value must be assigned for each criterion and the sum of the point values must equal 100 points.

- 4.2.6.5 Departments may conduct telephone or personal interviews with each prospective offeror. During the interview/negotiation, discuss the scope of services and obtain sufficient information to evaluate the vendor on the criteria listed. A written score from 0 – 100 must be assigned to each vendor, based on the established criteria, and award recommended to the vendor with the highest score. The evaluation of price must be made in the same manner as in the formal RFP process.
- 4.2.6.6 After the interviews/negotiations are held, obtain written confirmation of each offerors final offer. The confirmation must include at least the scope of services, fee and schedule. Submit these confirmations, the award recommendation, and the written score sheets listing the evaluation criteria and score assigned for each criteria with the purchase requisition. If only one response is received, the department shall contact the vendors who did not respond and attempt to determine why no response was submitted. Documentation stating why these vendors did not respond must be submitted prior to a contract being awarded.
- 4.2.6.7 A written two-party contract is required.

4.3 Sealed Bid: **Above \$ 50,000 Goods, Services, and Construction**

- 4.3.1 Issued by the Purchasing Department staff **ONLY**. Upon a determination made in advance by the using department and approved by Purchasing Department staff, goods, services, construction or insurance may be procured by competitive negotiation. The writing shall document the basis for this determination, and the findings and determinations shall be retained in the procurement file.
- 4.3.2 Competitive sealed bidding is a method of vendor selection that includes the following elements:
 - 4.3.2.1 Issuance of a written invitation to bid by the Purchasing Department containing or incorporating by reference the specifications and contractual terms and conditions applicable to the procurement. The invitation shall also include a statement of any requisite qualifications of potential vendors.
 - 4.3.2.2 Public notice of the invitation to bid at least 10 days prior to the date set for receipt of bids by posting in a designated public area, or publication in a newspaper of general circulation, or both. In addition, bids may be solicited directly from potential contractors. Any such additional solicitations shall include businesses selected from a list made available by the State Department of Minority Business Enterprise.
 - 4.3.2.3 A pre-bid conference may be scheduled to allow the County to present the details of the proposed procurement and to allow prospective bidders to ask questions. If a pre-bid conference is held, the bid Invitation and any advertisement issued must include notice of the conference. If the pre-bid conference is "mandatory", those attending are required to sign an attendance sheet and bids will be accepted from only those vendors signing. Mandatory pre-bid conferences should be used only in instances where crucial information must be given to prospective bidders. Points of contention are noted and, if deemed necessary by the Purchasing Department, a written addendum to the invitation is sent to all bidders. Only written addenda issued by the Purchasing Department change the requirements of the invitation issued. Bidders should note receipt of all addenda in their bid response.
 - 4.3.2.4 Public opening of bids where all bids received are read aloud.
 - 4.3.2.5 Evaluation of bids based upon the requirements set forth in the invitation, which may include special qualifications of potential contractors, life-cycle costing, value analysis, and any other criteria such as inspection, testing, quality, workmanship, delivery, maintenance/service costs, warranties/guarantees and

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suitability for a particular purpose may be considered in evaluating a bid only if these special requirements are described accurately and completely in the bid invitation. No changes affecting the determination of award are permitted either in the requirements of the bid or the bid price.

- 4.3.3 The bid invitation is issued to vendors selected from eVA, any prospective bidders furnished by the department, and to other vendors identified by the Purchasing staff. When the bid invitation is issued, the department is sent a copy of the invitation issued. Bids are posted on the Purchasing Department web page.
- 4.3.4 Bids are accepted in the Purchasing Department prior to the time fixed for the opening of the bid. Bids not received in the Purchasing Department prior to the time set for the receipt of bids are not considered. Should the County administration offices be officially closed on the date and at the time set for a bid opening, the bid opening shall be postponed until the same time on the next day the County is officially open for business. While the apparent low bidder may be announced at the bid opening, formal award occurs only after the bids have been evaluated by the using department and the Purchasing Department. This includes receipt and evaluation of all documents necessary to determine responsiveness and responsibility.
- 4.3.5 Following the bid opening, the department is sent a copy of the Bid Summary which shows all bidders, their bid prices, and payment terms. The actual bids are kept in the Purchasing Department. Bids may be reviewed in the Purchasing Department. Copies will be made for the department upon request. The department should carefully evaluate the bids, beginning with the apparent low bid, and upon completion, send the Purchasing Department a recommendation of award. The Purchasing Department will review the department recommendation and proceed with the award process, if it concurs, or otherwise, contact the department.
- 4.3.6 The reasons for any determination of non-responsiveness and/or non-responsibility shall be documented in the Purchasing Department bid file.
- 4.3.7 A minimum of four sources must be solicited unless a written waiver is approved by the Director of Purchasing.
- 4.3.8 For services only, a written two-party contract is required.
- 4.4 **Request for Proposals (RFP): Above \$ 50,000 (Goods and Services)**
- 4.4.1 Requires the issuance of a written Request for Proposals (RFP) by the Purchasing Department staff **ONLY**.
- 4.4.2 There are two types of services procured through the use of sealed proposals:
- 4.4.2.1 **Professional services** is defined as work performed by an independent contractor within the scope of the practice of accounting, actuarial services, architecture, land surveying, landscape architecture, law, medicine, optometry, pharmacy or professional engineering. Where a need to utilize the services of one of these professions is established and where small purchase procedures are inapplicable, it shall be the responsibility of the department for which the services are to be performed to prepare a written RFP.
- 4.4.2.2 **Non-professional services** are defined as any services not specifically identified as professional services in the definition of professional services. Prior to making use of the competitive negotiation process for non-professional services procurement, a determination must be made by the Department Head, in writing, sent to the Director of Purchasing, that competitive sealed bidding is either not practicable or not fiscally advantageous to the public. The writing shall document the basis for the determination, be signed by the department head, or designee, and be retained in the purchasing file.
- 4.4.3 Goods and nonprofessional services not expected to cost more than \$ 50,000 may be procured under the applicable Small Purchase Procedures.

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- 4.4.4 For services only, a written two-party contract is required.
- 4.4.5 A contract for architectural or professional engineering services relating to construction projects may be negotiated for multiple projects provided (i) the projects require similar experience and expertise, (ii) the nature of the projects is clearly identified in the Request for Proposal, and (iii) the contract term is limited to one year or when the cumulative total project fees reach the maximum cost authorized in this paragraph, whichever occurs first. Such contract may be renewable for four additional one-year terms upon mutual written consent. Under such contract, (a) the fair and reasonable prices, as negotiated, shall be used in determining the cost of each project performed, (b) the sum of all projects performed in one contract term shall not exceed five million dollars; and (c) the project fee of any single project shall not exceed \$ 1,000,000. Any unused amounts from the first contract term shall not be carried forward to the additional term. Competitive negotiations for such contracts may result in awards to more than one offeror provided (1) the Request for Proposal so states and (2) the following procedure for distributing multiple projects among the selected contractors is used.
- 4.4.5.1 The County shall distribute projects for services relating to construction among architectural or professional engineering contractors that have received an award pursuant to a multiple award process based on a written determination by the using department of which contractor is best suited to perform the respective task. The department shall base its evaluation on each A/E's qualifications, expertise, current workload, capabilities, performance record, location with respect to the project, and other factors as may be pertinent to the particular task. The written determination shall be kept in the department's project file.
- 4.4.6 The RFP is issued to vendors selected from eVA, any prospective vendors furnished by the department. The RFP shall also be sent to other vendors identified by the Purchasing staff. Advertisement, a minimum of 10 days prior to the date of opening, in a newspaper having general circulation in Hanover County is required.
- 4.4.7 In general, an RFP should contain the following elements:
- 4.4.7.1 Project Title
- 4.4.7.2 General Information, Background and Description of the Project - give a brief summary of the project which may include history, goals and objectives.
- 4.3.7.2.1 Any preproposal conferences or site visits must be mentioned in the RFP and the advertisement of the RFP.
- 4.3.7.2.2 Identify any information which will be supplied by the County.
- 4.4.7.3 Scope of Work - the RFP must include specific requirements to be addressed by offerors which will be used in evaluating the proposals and specify and describe the activities for which the contractor will be responsible, including any unique capabilities or qualifications which will be required of the contractor. Be consistent in using terminology. Use the word "contractor" to describe the person/firm performing the requirements of the contract.
- 4.4.7.3.1 Care must be exercised in placing mandatory provisions in an RFP. The use of terms such as "shall" and "must" indicate a mandatory provision and cannot be waived during negotiations.
- 4.4.7.3.2 Specify optional provisions through use of terms such as "should" and "may", or "preferred".
- 4.4.7.4 General Terms and Conditions - include applicable contractual terms and conditions. These must include general terms and conditions supplied by the Purchasing Department.
- 4.4.7.5 Schedule for Completion - include a schedule of completion dates or times after Notice to Proceed for contractor's work.

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- 4.4.7.6 Proposal Format - outline the format to be used for proposal responses from offerors. Keep in mind the evaluation criteria when establishing the format and requiring or requesting information. Remember that you should ask for information that will allow you to evaluate based on the evaluation criteria listed in the RFP.
- 4.4.7.7 Criteria for Review of Proposals - the RFP must contain the criteria to be used in the evaluation of proposals. Remember that proposals must be evaluated based on the criteria listed and that information must be requested or required in the format section that will allow evaluation based on the information included in the evaluation criteria. Include the names of selection committee members and the RFP evaluation criteria "weights" when submitting the draft RFP to the Purchasing Department. Weights must be assigned prior to issuance of the RFP and the weights assigned should measure the relative importance of the respective criteria. No factor should be assigned less than 5 percent and the sum of all weights must equal 100 percent. Evaluation criteria weights are not put in the RFP and must not be discussed with prospective offerors.
- 4.4.7.7.1 For non-professional services RFP's, price may (and probably should) be an evaluation criteria and may (and probably should) be requested in the RFP, but price need not be the sole or determining factor.
- 4.4.7.7.2 For professional services RFP's, price may (and probably should) be an evaluation criteria but **cost of services (price) and estimates of man-hours cannot be requested in the RFP**. Price is not the sole determining factor. In the professional services negotiation process, **non-binding estimates of project cost and professional fees, which may include estimates of man-hours** may be discussed at the discussion/interview stage.
- 4.4.7.8. Submission of Proposals and Contact Person - the department should provide the name of a staff member knowledgeable about the proposal who would be able to answer questions about the proposal.
- 4.4.7.9 Appendices - attach any information which may be of assistance to the firm in understanding the project and in preparation of their proposal response.
- 4.4.7.10 Contract - include a sample form contract to be used as a basis for beginning negotiations.
- 4.4.8 Evaluation of proposals
- 4.4.8.1 **After receipt of proposals in the Purchasing Department, the only information available to offerors and general public, until an award is made, are the names of those submitting proposals.**
- 4.4.8.2 Selection committee members are sent copies of the RFP issued, forms containing the evaluation criteria and the RFP POINT VALUE assigned to each evaluation criteria listed in the RFP. Each proposal is evaluated by each member of the selection committee on the basis of the information submitted in the proposals and each committee member should complete a Proposal Evaluation Form. **SEE SAMPLE FORM A-17 IN APPENDIX.** Proposals must be evaluated using these criteria items. Proposals should not be evaluated against one another but rather against the evaluation criteria. The basic procedure to be followed in using the proposal evaluation form is on the back of the Proposal Evaluation Form. Prior to the committee member's review of proposal responses, the committee chairman should review the procedures for evaluating the proposal responses with the committee.

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- 4.4.8.3 The Selection Committee should meet as a group after having read and individually evaluated the proposals, to allow committee members to discuss their respective reasons for their scoring based upon the relative merits and/or deficiencies of each proposal. At this meeting, the Selection Committee should arrive at a consensus score for each offeror and record the scores on the Summary Evaluation Form.
- 4.4.8.4 If references are contacted during the evaluation process, it is preferable to have all committee members present to hear what is discussed and to ask the same questions of each reference. This will help eliminate misunderstandings between members and offerors. One way to accomplish this would be to contact the references, by speaker phone call, when the committee meets. The Committee Chairman must submit a written record of the reference checks with the final evaluation forms. The record of reference checks should include at least the name of the reference, date contacted, contact person and phone number and summary of the conversation.
- 4.4.8.5 Committee members should not discuss the status of the evaluations with any offeror until the Purchasing Department has reviewed and approved the evaluation process. Questions from offerors should be directed to the Purchasing Department. Following each evaluation of the proposals, the Committee Chairman is responsible for completing the Summary Evaluation Form and submitting it, along with the negotiated fees used in the evaluation, to the Purchasing Department for review and approval as to procedure. The Committee Chairperson should indicate on the Summary Evaluation Form, those offerors to be interviewed (shortlisted). Any information received from offerors after the original proposal submittal (e.g., project costs, non-binding fee estimates, proposed changes in scope, etc.) must be submitted with the Summary Evaluation Form. Once the evaluation forms have been approved by the Purchasing Department, the Committee Chairman will be notified that the selection process may continue.
- 4.4.8.6 **A minimum of two firms must be involved in the discussions/interviews, unless only one offer was received.**
- 4.4.8.7 Upon approval of the process by Purchasing, the Committee Chairman will be notified that shortlisted offerors may be contacted to establish interview/discussion appointments. To be able to respond to questions from offerors about the status of the selection process, the dates, times and location for the all interviews must be submitted to Purchasing once appointments have been set. Repetitive interviews are allowed.
- 4.4.8.8 When evaluating and scoring the prices in proposals, every attempt must be made to establish a direct relationship between the proposal price offered and the number of points assigned. For example, if the RFP POINT VALUE for price is 10 points and the prices stated by the respective firms are A = \$ 10,000, B = \$ 13,250 and C = \$ 14,200, barring mitigating circumstances (which must be documented and submitted with the evaluation forms), price should be evaluated by a method similar to the following:

<u>Lowest Offerors Price</u>			RFP POINT		Evaluation
Offerors Price	X		VALUE	=	Score
<u>\$10,000</u>					
\$10,000	= 1	X	10	=	10
<u>\$10,000</u>					
\$13,250	= .754	X	10	=	8 (rnd)
<u>\$10,000</u>					
\$14,200	= .704	X	10	=	7 (rnd)

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4.4.8.9 It is important that the same committee members participate throughout the entire process in order to maintain consistency in the evaluations. Please be aware that the completed forms are kept in the proposal file and are available for public inspection after an award recommendation has been made.

4.4.9 Conducting Negotiations (discussions/interviews)

4.4.9.1 The methods of selection for professional services RFP's and other than professional services RFP's are different.

4.4.9.1.1 Professional Services - The County shall engage in individual discussions with two or more offerors it deems fully qualified, responsible and suitable on the basis of initial responses and with emphasis on professional competence, to provide the required services. Repetitive informal interviews shall be permissible. The offerors shall be encouraged to elaborate on their qualifications and performance data or staff expertise pertinent to the proposed project, which may include alternative concepts. **At the discussion stage**, the County may discuss nonbinding estimates of total project costs, including, but not limited to, life-cycle costing, and where appropriate, nonbinding estimates of price for services. Proprietary information from competing offerors shall not be disclosed to the public or to competitors. At the conclusion of discussions, on the basis of evaluation factors published in the request **and** all information developed in the selection process to this point, the County shall select **in the order of preference** two or more offerors whose professional qualifications and proposed services are deemed most meritorious. **Negotiations shall then be conducted, beginning with the offeror ranked first.** If a contract satisfactory and advantageous to the County can be negotiated at a price considered fair and reasonable, the award shall be made to that offeror. Otherwise, negotiations with the offeror ranked first shall be formally terminated and negotiations conducted with the offeror ranked second, and so on until such a contract can be negotiated at a fair and reasonable price. Should the County determine in writing and in its sole discretion that only one offeror is fully qualified, or that one offeror is clearly more highly qualified and suitable than the others under consideration, a contract may be negotiated and awarded to that offeror.

4.4.9.1.2 Non-Professional Services - Selection shall be made of two or more offerors deemed to be fully qualified and best suited among those submitting proposals, on the basis of the factors involved in the Request for Proposals, including price if so stated. **Negotiations shall then be conducted with each of the offerors so selected.** Price shall be considered, but need not be the sole determining factor. After negotiations have been conducted with each offeror so selected, the County shall select the offeror which, in its opinion, has made the best proposal, and shall award the contract to that offeror. Should the County determine in writing and in its sole discretion that only one offeror is fully qualified, or that one offeror is clearly more highly qualified than the others under consideration, a contract may be negotiated and awarded to that offeror.

4.4.9.2 When holding discussion (interviews) with, or conducting negotiations with offerors, information provided by one offeror, including price, shall not be discussed with or made available to other offerors.

4.4.9.3 Written documentation confirming any changes to proposals that were agreed to during negotiations must be obtained from each offeror with whom negotiations are conducted and submitted to the Purchasing Department with the other evaluation information. This documentation becomes part of the permanent RFP file.

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- 4.4.9.4 Should any offeror fail to attend a scheduled discussion appointment, the appointment should be rescheduled provided the offeror provided satisfactory and advance notification of his inability to keep the appointment. However, should an offeror fail to attend a scheduled appointment and fail to provide satisfactory or advance notice, the offeror may be disqualified.
- 4.4.9.5 Proposals may contain proprietary materials and trade secrets. There is specific language in the RFP that states the requirements for submission of such materials. Should the proposal comply with the stated requirements, care must be exercised by committee members in the handling of the proprietary materials to avoid the disclosure of proprietary material. Should there be questions about proprietary materials in a proposal response, please contact the Purchasing Department.

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SECTION 5 SPECIAL PROCUREMENT PROVISIONS

5.1 Standardization of Products

- 5.1.1 The County Administration has determined that in the interests of the County to control the cost of maintenance and operation, training, quality and reliability of certain products, certain brand name products shall be purchased as “no substitute” items.
- 5.1.2 To qualify as a standardized product and be bid as a “no substitutes” commodity, a written justification supporting the request for standardization must be submitted to and approved by the Director of Purchasing, or by the County Administrator.

5.2 Fee Paid Instructional Services

- 5.2.1 In order to promote competition in the provision of fee-paid instructional services to the citizens of Hanover County, the procedures listed below shall be followed in acquiring any such services:
- 5.2.1.1 For instructional services, where the payment to the instructor for an individual contract does not exceed \$ 5,000, the staff of the Department shall select an instructor based upon considerations such as the proposed instructional fee, the qualifications of the instructor, and other factors it deems relevant to the particular situation. Documentation of the reasons for selecting a particular vendor shall be kept in the permanent files of the Department and the Department shall send a summary list of these transactions to the Purchasing Department monthly. The Department shall also keep in its permanent files, a copy of the approved and signed contract between the instructor and the County. The contract shall be in a form approved by the County Attorney's Office.
- 5.2.1.2 For instructional services where the payment to the instructor for an individual contract is expected to exceed \$ 5,000 but not expected to exceed \$ 15,000, the Department or Purchasing Department shall solicit informal quotes or proposals and may advertise or take other measures necessary to solicit a minimum of two quotes or proposals for the desired instructional service. A record of the procurement transaction shall be maintained in the permanent files of the Department. This record shall reference details such as the desired qualifications of the instructor, the names, addresses and telephone numbers of those individuals contacted, the quoted prices, and a copy of the approved and signed contract between the instructor and the County, and any other information relevant to the transaction. No contract shall be entered into for instructional services for an individual contract in excess of \$ 5,000 until the procurement process has been approved by the Purchasing Department.
- 5.2.1.3 For instructional services where the payment to the instructor for an individual contract is expected to exceed \$ 15,000 but not expected to exceed \$ 50,000, the Purchasing department shall solicit quotes or proposals and may advertise or take other measures necessary to solicit a minimum of three quotes or proposals for the desired instructional service. A record of the procurement transaction shall be maintained in the permanent files of the Department. This record shall reference details such as the desired qualifications of the instructor, the names, addresses and telephone numbers of those individuals contacted, the quoted prices, a copy of the approved and signed contract between the instructor and the County, and any other information relevant to the transaction. No contract shall be entered into for instructional services for an individual contract in excess of \$ 5,000 until the procurement process is approved by the Purchasing Department.

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5.2.1.4 For instructional services where the payment to the instructor for an individual contract is expected to exceed \$ 50,000, the Department staff shall prepare detailed written specifications or a detailed scope of services. These specifications shall be submitted to the Purchasing Department and shall serve as the basis for solicitation of Sealed Bids or Request for Proposals by the Purchasing Department.

5.2.2 Prior to the selection of instructors (not less often than once per year), the Department shall advertise in a newspaper of general circulation within the County for the purpose of soliciting the interest of potential instructors. The Department shall maintain a list of vendors, send a copy to the Purchasing Department and shall utilize the list in its solicitations.

5.3 Emergency Purchases: **SEE SAMPLE FORM A-11 IN APPENDIX.**

5.3.1 Many emergencies may be avoided by proper planning. It is the responsibility of each department to anticipate future requirements and to plan accordingly. The use of emergency purchases for failure to anticipate normal requirements must be avoided, particularly where:

5.3.1.1 Depletion of stock occurs because of lack of foresight in anticipating needs;

5.3.1.2 Repairs that have been needed for some time on buildings or equipment suddenly can no longer wait and must be immediately resolved;

5.3.1.3 The emergency ordering of materials occurs for a project immediately prior to the time for the use of such materials, despite the fact the department could and should have anticipated such requirements weeks or months in advance.

5.3.2 When it is necessary to make an emergency purchase, the procedures to be used are as follows:

5.3.2.1 During office hours, the user department shall immediately notify the Director of Purchasing, who shall either purchase directly or authorize the purchase of needed supplies or services.

5.3.2.2 During other than office hours, the user department shall purchase directly any supplies or services needed to meet an existing emergency.

5.3.3 Immediately following the purchase of any goods or services under this emergency purchase procedure, the department shall complete the NOTICE OF EMERGENCY PURCHASE CONTRACT AWARD, items 1-4, and the information on the back of the form.

5.4 Sole Source Procurement **SEE SAMPLE FORM A-14 IN APPENDIX.**

5.4.1 Upon a determination in writing, on a form approved by the Purchasing Department, that only one source is practicably available for that which is to be procured, a contract may be negotiated and awarded to that source without informal quotations, formal quotations, competitive sealed bidding or competitive negotiation. This differs from a proprietary procurement where there is a single manufacturer of a required good/service but competitive prices are available from several vendors.

5.4.2 Factors which are utilized in evaluating the practicable availability of a product or service include technology, specialization and unique character.

5.4.3 Approval of sole source procurements is the responsibility of the Purchasing Department. The department requesting a sole source procurement shall be responsible for completing the NOTICE OF SOLE SOURCE PROCUREMENT CONTRACT AWARD form, items 1-3, and the information on the back of the form.

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5.5 Purchase of Used Equipment

5.5.1 Used equipment is defined as that equipment which has been previously owned and used.

5.5.2 The purchase of used equipment expected to cost \$ 50,000 or less shall be purchased in accordance with the following guidelines:

5.5.2.1 For purchases expected to cost \$ 5,000 or less, the department and/or Purchasing Department shall negotiate with the vendor(s) and shall obtain competition whenever practical. Price reasonableness shall be considered in making the award.

5.5.2.2 For purchases expected to exceed \$ 5,000 but not exceed \$ 50,000, proposals shall be solicited from a minimum of two potential sources. Proposals shall be obtained in writing and shall be evaluated by the department and/or Purchasing Department staff and award shall be made to the vendor making the offer deemed to be in the best interest of the County. Price reasonableness shall be considered in making the award.

5.5.3 For purchases expected to exceed \$ 50,000, a sealed bid or sealed proposal shall be issued.

5.5.4 Prior to the award of a contract for used equipment, a person technically knowledgeable of the type equipment sought shall document in writing to the Purchasing Department the condition of the goods stating that its purchase would be in the best interests of the County. The Director of Fleet Services, or his designee, should document all vehicles and motorized equipment. Price reasonableness shall be considered in making the award.

5.5.5 A purchase order shall be issued for the purchase of used equipment following the same procedures as that for new equipment.

5.6 Bidding Procedures for Projects When Credits Are to be Given

If departments give "credits" to developers for completion of projects, certain bidding guidelines must be followed. These guidelines are set out in memorandum form to the department head and revised from time to time as procedures change. It is the department's responsibility to see that the bidding procedures are followed and appropriate documentation of such is kept on file in the department.

5.7 Two-Step Competitive Sealed Bidding

5.7.1 This process may be considered when it is impractical to initially prepare a definitive purchase description to support award based on price.

5.7.2 **Step One:** An Invitation to Bid is prepared stating requirements in general terms and asking for a technical proposal response describing how the bidder intends to meet the requirements stated in the bid invitation, including what goods, services and/or equipment will be provided. The bid invitation shall distinguish between any mandatory and optional requirements and any information required to be submitted by the bidder. The bid invitation shall explain the two-step process and that pricing is not to be included with the technical response. The responses are publicly opened but only the names of the bidders are announced. Responses are then evaluated and those meeting the mandatory requirements are selected. Bidders may be contacted for clarification information submitted. Responses shall be based upon the technical proposal submitted - NEGOTIATION OF CONTENT IS NOT PERMITTED. Only bidders selected under the above procedures are allowed to participate in step-two.

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5.7.3 **Step Two:** An Invitation to Bid is prepared which includes a pricing schedule and references the original step one bid invitation by title and bid number. The bid responses are publicly opened, evaluated and award is made to the lowest responsive and responsible bidder. The contract shall reference both bid invitations and the technical response submitted by the bidder.

5.8 Cooperative Procurement and Contracts of Other Public Bodies

5.8.1 Cooperative Procurement

5.8.1.1 Any public body may participate in, sponsor, conduct, or administer a cooperative procurement agreement on behalf of or in conjunction with one or more other public bodies, or public agencies or institutions or localities of the several states, territories of the United States, or the District of Columbia, for the purpose of combining requirements to increase efficiency or reduce administrative expenses in any acquisition of goods and services.

5.8.1.2 Any public body that enters into a cooperative procurement agreement with a county, city, or town whose governing body has adopted alternative policies and procedures pursuant to subdivisions 9 and 10 of Va Code § [2.2 - 4343](#) shall comply with the alternative policies and procedures adopted by the governing body of such county, city, or town.

5.8.2 Purchase from other contracts awarded by another public body:

5.8.2.1 Except for contracts for professional services, a public body may purchase from another public body's contract even if it did not participate in the request for proposal or invitation to bid, if the request for proposal or invitation to bid specified that the procurement was being conducted on behalf of other public bodies.

5.8.2.1.1 A public body may purchase from any authority, department, agency or institution of the Commonwealth's contract even if it did not participate in the request for proposal or invitation to bid, if the request for proposal or invitation to bid specified that the procurement was being conducted on behalf of other public bodies.

5.8.2.1.2 County Purchasing Department staff must approve all purchases made from another public body's contract(s) once the sum of the department purchases for similar or related commodities or services exceeds the County's single quote limit.

5.8.2.1.2.1 Purchases may not be split to avoid exceeding the single quote limit.

5.8.2.1.2.2 A Purchase Order is required for purchases from other public bodies if the sum of all purchases from the contract is expected to exceed the County's single quote limit.

5.8.2.1.3 Prior to approving purchases from another public body's contract, the Purchasing Department will generally require documentation that assures compliance with statutes governing such procurements. This documentation will generally include following:

5.8.2.1.3.1 A copy of the bid issued by the public body;

5.8.2.1.3.2 A copy of the signed contract, or copy of a signed Purchase Order;

5.8.2.1.3.3 Documentation of contract pricing.

5.8.2.2 The County may purchase from "GSA" contracts, or "US Communities" contracts, if the bid or request for proposal meets the requirements in this Section 5. Unfortunately most GSA schedules are awarded as the

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result of a process that does not comply with the VPPA.

SECTION 6 SPECIFICATIONS

6.1 Responsibility

- 6.1.1 Department - It is the responsibility of the user department to prepare specifications for the products or materials needed which are clear, concise, definitive and not be restrictive to limit competition. If requested, the Purchasing Department will gladly assist the department in gathering information and preparing specifications. The preparation of good specifications is essential if the Purchasing Department is to obtain the required products or materials within a time generally acceptable to the using department. Incomplete and restrictive specifications cause delays processing the procurement.
- 6.1.2 Purchasing Department - It is the responsibility of the Purchasing Department to review, modify if necessary and approve specifications. The Purchasing Department will make every effort to ensure that specifications are not restrictive to the detriment of securing the maximum feasible degree of competition. Specifications that the Purchasing Department determines to be proprietary shall not be issued and the department shall be required to develop nonproprietary specifications.

6.2 Composition of a Good Specification

Specifications are intended to assure that items purchased have the essential quality and performance characteristics without being unnecessarily restrictive and inhibit competition. Every effort should be made in specification development to prepare specifications that encourage competition to the maximum feasible degree. It is through the specification process that a particular level of quality of goods or services is established, and thus it is very important that appropriate emphasis be placed on specification development to ensure quality control. Specifications should never be written to favor a particular vendor. Specifications should be detailed to afford a basis for full and fair competitive bidding upon a common standard.

A good specification should:

- 6.2.1 Identify reasonable minimum requirements. Non-essential requirements such as size, weight, color, etc. should be used only if absolutely essential to the usefulness of the product or material.
- 6.2.2 Be as simple as possible while being as specific as necessary to prevent loopholes which would allow a bidder to evade its provisions and take advantage of another bidder of the County. A good specification should be capable of being checked.
- 6.2.3 Be capable of being met by several vendors.
- 6.2.4 Indicate where and when the product or material is needed.

6.3 Types of Specifications

- 6.3.1 **Generic specification** - A generic specification describes the required features (performance) and/or characteristics (design) of the product or material rather than stating a brand name. A generic specification is the preferred type of specification.
- 6.3.2 **Brand name or equal specification** - A brand name or equal specification states a specific manufacturer's brand, make and model name for a specific product or material in order to convey the general style, type, character and quality of the desired article. The use of brand name or equal specifications should be used sparingly.

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6.3.2.1 Unless stated otherwise in the bid invitation, the use of a specific brand, make or manufacturer does not restrict bidders to the specific brand, make or manufacturer named. Any product or material that the County, in its sole discretion, determines to be the equal of that specified, considering quality, workmanship, economy of operation and suitability for the intended purpose, shall be accepted.

6.3.2.2. For solicitation of products or materials expected to cost in excess of \$ 15,000, more than one brand name, make or manufacturer should be named. If only one brand is provided, it is the responsibility of the using department to substantiate why only one brand will fulfill its needs. Failure to know of other available products or material, without documented efforts to establish other sources, is not generally sufficient substantiation. If such substantiation can be made, the purchase is a proprietary specification.

6.3.3 **Proprietary specification** - A proprietary specification restricts the acceptable product or material to those of one manufacturer. This is the least preferred type of specification since it generally results in higher costs. If this type specification is used, every effort should be made to solicit competition among different distributors who carry the product or material.

6.3.4 **Design specification** - A description setting forth the essential characteristics the item must possess to be considered for award.

6.3.5 **Performance Specification** - A description setting forth the minimum requirements the item bid must be able to accomplish to be considered for award.

6.4 Vendor Assistance in Specification Preparation or Review

6.4.1 Whenever vendor assistance is solicited in establishing specifications, the vendor must be told that this help is being sought to develop specifications which may be included in a competitive solicitation and that the vendor will not receive favorable treatment in determining the award. The vendor must also be made aware that there will be no compensation for assistance provided.

6.4.2 When a department has receives vendor assistance in preparing specifications, the department must identify to the Purchasing Department the vendor who supplied assistance. This information is helpful in eliminating restrictive or proprietary provisions from the specifications, and in making sure that vendor is included in the list of potential bidders.

6.5. Comments Concerning Specifications

Any prospective bidder or offeror wishing to make comments concerning specifications or other provisions of a County issued Formal Quote, Invitation to Bid or Request for Proposals may do so by submitting such comments in writing to the Director of Purchasing not later than the time so specified in the solicitation, or if not so specified in the solicitation, not later than seven County work days prior to the date specified for the opening of bids or receipt of proposals.

6.6 Additive Bid Items for Construction Projects

6.6.1 The Architect/Engineer is responsible for the development and design of the project to conform to the scope and to be within the Design Not to Exceed Construction Budget identified in the A/E contract. The Work included in the Total Base Bid shall provide a complete and functional facility meeting all requirements of the specifications, including Building Code, accessibility and safety requirements.

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- 6.6.2 When the project cost estimate indicates that the Total Base Bid for the project scope may not be within the available funds, the appropriate County department, and A/E, as appropriate, should consider what features would be negotiated out if bids are over budget and include that Work as Additive Bid Items for cost or budget control. After the department and A/E have incorporated reasonable cost containment measures in the design, Additive Bids Items may, with the approval of the Director of Purchasing, be used for budget control subject to the following limitations:
- 6.6.2.1 Additive Bid Items shall be sequenced so the most essential Additive is listed first, and so on.
 - 6.6.2.2 When the project bids are received and opened, the low bidder shall be determined based on the lowest **cumulative** bid for the Total Base Bid plus the total amount of the Additive Bid Items, taken in the sequence listed in the Bid Document as the Owner in its sole discretion decides to accept/award, giving consideration to preferences as provided for in the Code of Virginia.
 - 6.6.2.3 Only the term Additive Bid Item shall be used. Use of the term Alternate should not be used.
 - 6.6.2.4 Additive bids shall not be used to provide essential elements of the project, such as connection to water supply, required lighting levels, or adequate HVAC capacity, or Work without which the project would not be in conformance with applicable Building Code requirements, functional or safe.
 - 6.6.2.5 Each Additive Bid Item shall be independent of other Additive Bid Items.
 - 6.6.2.6 None of the Additive Bid Items shall compromise the work in the Base Bid and other Additive Bid Items for compliance with Building Code, accessibility or safety requirements.
 - 6.6.2.7 Negotiations may include both Base Bid Work and/or Additive Bid Items.

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SECTION 7 EXCEPTIONS TO REQUIREMENTS FOR ISSUANCE OF PURCHASE ORDERS

- 7.1 The following purchases shall be made without issuance of a purchase order:
- 7.1.1 Membership fees, dues, registration fees to attend conferences, tuition.
 - 7.1.2 Advertising in newspapers, magazines, journals, radio and television.
 - 7.1.3 United States Postal Service postage.
 - 7.1.4 Governmental permit fees.
 - 7.1.5 Utilities (only natural gas and electricity).
 - 7.1.6 Real estate transactions.
 - 7.1.7 Purchases used solely for testing and evaluation (limited to minimum quantity necessary to perform tests/evaluation).
 - 7.1.8 Purchases from governmental entities.
 - 7.1.9 Books, pre-printed materials, reprints and subscriptions, pre-recorded audio and video cassettes, compact discs, slide presentations, etc., when only available from the publisher/producer.
 - 7.1.10 Academic/research consulting services.
 - 7.1.11 Honoraria, entertainment (speakers, lecturers, musicians, performing artists).
 - 7.1.12 Training that is specialized, proprietary, not typically available to the general public for which competition is generally unavailable, off-site, and requires a registration fee.
 - 7.1.13 Royalties and film rentals when only available from the producer of protected distributors.
 - 7.1.14 Accreditation fees and academic testing services.
 - 7.1.15 Energy sources including gasoline, fuel oil, diesel fuel and propane gas - but these are not exempt from procurement regulations.
 - 7.1.16 Purchases from established contracts if approved by the Director of Purchasing.

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Approved by County Administrator: January 22, 2010

SECTION 8 BIDDER/OFFEROR LIST

- 8.1 A Bidder/Offerors list available through eVA, and maintained by the Commonwealth of Virginia, shall be used by the Purchasing Department to select prospective bidders/offerors for written solicitations. Selection of prospective bidders/offerors is not restricted to those registered with eVA. Additional vendors may be notified by the Purchasing staff.
- 8.2 To use the purchasing procedure “Informal Unsealed Proposal”, the offerors chosen to participate must be registered in eVA.8.6.

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Approved by County Administrator: January 22, 2010

SECTION 9 PUBLIC POSTING OF NOTICES

- 9.1 Notice of the issuance of all written solicitations shall be posted outside the Purchasing Department and on the Purchasing Department web page. The official posting shall be the posting outside the Purchasing Department.
- 9.2 Notices of issuance of Sealed Proposals shall be advertised in the Richmond Times-Dispatch newspaper at least 10 days prior to the date set for opening.
- 9.3 Notices of issuance of Sealed Bids and Sealed Proposals shall be posted outside the Purchasing Department for at least 10 days prior to the date set for opening and shall remain posted for 10 days.
- 9.4 Notice of the award of all written solicitations shall be posted outside the Purchasing Department and on the Purchasing Department web site. The official record shall be the posting outside the Purchasing Department.
- 9.5 Notice of award of all written solicitations shall remain posted outside the Purchasing Department for a period of at least 10 days.

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Approved by County Administrator: January 22, 2010

SECTION 10 ADVERTISING BIDS AND PROPOSALS

- 10.1 Advertising of bids and proposals is generally used in limited circumstances. The need for advertising shall be evaluated on a case-by-case basis; however, advertising is generally used under the following circumstances:
- 10.1.1 When a sealed bid is issued for a construction project estimated to cost in excess of \$ 100,000.00.
 - 10.1.2 When an adequate bid list does not exist for the required commodity or service.
 - 10.1.3 When a legal requirement exists for the procurement to be advertised; e.g., competitive negotiation procurements.
 - 10.1.4 When it would otherwise be advantageous for the County to advertise.
- 10.2 The Purchasing Department will place all advertisements for the procurement of goods and services for which an Invitation to Bid or Request for Proposals is issued.
- 10.3 Payment for advertisements for specific projects; e.g., capital projects, and those whose use is limited to a single department will be charged to the project or department budget by the Purchasing Department.

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Approved by County Administrator: January 22, 2010

SECTION 11 WITHDRAWAL OF BID

11.1 Withdrawal of Bid Due to Error (Construction)

- 11.1.1 Upon proper request and identification, bids may be withdrawn at any time prior to the date and time for the bid opening.
- 11.1.2 The attention of all Bidders is directed to the Code of Virginia, Section 2.2-4330A(i) for the procedure to be followed for withdrawal of bids due to error.
- 11.1.3 No bid may be withdrawn under this section when the result would be the awarding of the contract on another bid of the same bidder or of another bidder in which the ownership of the withdrawing bidder is more than five percent.
- 11.1.4 If a bid is withdrawn under the authority of this section, the lowest remaining bid shall be deemed to be the low bid.
- 11.1.5 No bidder who is permitted to withdraw a bid shall, for compensation, supply any material or labor to or perform any subcontract or other work agreement for the person or firm to whom the contract is awarded or otherwise benefit, directly or indirectly, from the performance of the project for which the withdrawn bid was submitted.
- 11.1.6 If the Director of Purchasing denies the withdrawal of a bid under the provisions of this section, the Bidder shall be notified in writing stating the reasons for the decision and award of the contract shall be made to the Bidder at the bid price, provided the Bidder is a responsive and responsible bidder.

11.2 Withdrawal of Bid Due to Error (Other Than Construction)

- 11.2.1 Upon proper request and identification, bids may be withdrawn at any time prior to the date and time set for the bid opening. If the Director of Purchasing denies the withdrawal of a bid, the Bidder shall be notified in writing stating the reasons for the decision. Award of the contract shall be made to the Bidder at the bid price, provided the Bidder is a responsible and responsive bidder.
- 11.2.2 Bidders may request withdrawal of their bid from consideration if the price bid was substantially lower than the other bids due solely to a mistake therein. The bidder shall give written notice to the Director of Purchasing of a claim to withdraw the bid prior to the award of the contract or issuance of the purchase order. The cause and nature of the mistake shall be stated in the claim to withdraw.
- 11.2.3 A minor defect or variation, ("an informality not affecting price, quantity, quality, delivery or contractual conditions"), in a bid or proposal that does not prejudice other bidders may, at the discretion of the Director of Purchasing, be waived or the bidder required to correct the informality.
- 11.2.4 If a bid is withdrawn under the authority of this section, the lowest remaining bid shall be deemed to be the low bid.
- 11.2.5 No bid may be withdrawn under this section when the result would be the awarding of the contract on another bid of the same Bidder or of another bidder in which the ownership of the withdrawing bidder is more than five percent. No bidder who is permitted to withdraw a bid shall, for compensation, supply any material or labor to or perform any subcontract or other work agreement for the person or firm to whom the contract is awarded or otherwise benefit, directly or indirectly, from the performance of the project for which the withdrawn bid was submitted.

County of Hanover Purchasing Manual

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Approved by County Administrator: February 8, 2010

SECTION 12 RECEIPT OF SOLICITATIONS

- 12.1 Solicitations shall be received at the location, and by the method, stated in the solicitation. The time a bid is received shall be determined by the time stamped by the time clock in the Purchasing Department. Bidders are responsible for ensuring that Purchasing Office personnel stamp their bids by the deadline indicated. In the event this time clock is not functioning, the time shall be determined by time displayed on the landline telephone near the time clock. The time on the telephone will be written on the bid by hand, by County staff in the Purchasing Department.
- 12.2 Solicitation responses received after the deadline stated for receipt shall be marked with the date and time received and the word "LATE". The solicitation will be returned to any bidder/offeror requesting such within 7 days after the due date, at the expense of the bidder/offeror.
- 12.3 Telegraphic, facsimile or other electronic methods of submitting a solicitation response are not allowed unless the solicitation specifically states they are allowed. .
- 12.4 For solicitations other than a Request for Proposals, solicitation responses shall be publicly opened and read aloud.
- 12.5 The County does not conduct public opening of a Request for Proposals; however, the names of those submitting proposals is public information after the deadline for submittals.
- 12.6 Should the County be officially closed at the time a solicitation is due or prebid conference is scheduled, the solicitation due date or prebid conference date shall automatically be changed to the same time on the next day the County is officially open at that time.

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SECTION 13 AWARD OF SOLICITATIONS

13.1 Award - General

The County reserves the right to accept, reject or cancel any or all solicitations or parts of thereof, to waive informalities, and to reissue solicitations. The County also reserves the right to award the contract as it deems will best serve its interests. It further reserves the right to award the contract on a lump sum basis, individual item basis, or such combination as shall best serve the interests of the County unless otherwise specified by the County. This may include multiple awards if so provided for in the solicitation.

13.2 Splitting Awards

If award is made on an individual item basis (splitting the bid award), the award will not be "split" unless the award to each additional vendor will save the County at least \$200. Should the award in question be the award of a term contract, the additional savings needed to split the award shall be calculated as \$200 times the total potential years of the contract.

13.3 Alternate Bids

An alternate bid is a bid submitted in knowing variance from the specifications and must be clearly distinguished as an alternate by the bidder. Frequently, alternate bids incorporate the latest in technology and can result in substantial savings, not only in monetary terms, but also in system wide operational efficiencies. The County may not accept alternate bids; however, all bids may be rejected and rebid with a revised specification incorporating features of the alternate.

13.4 Protest of Award or Decision to Award

The County shall follow the provisions of the Virginia Public Procurement Act, section 2.2-4360, in handling protests of award or decisions to award.

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Approved by County Administrator: January 22, 2010

SECTION 14 NEGOTIATION WITH THE LOWEST RESPONSIBLE BIDDER

- 14.1 Unless canceled or rejected, a responsive bid from the lowest responsible bidder shall be accepted as submitted, except that if the bid from the lowest responsible bidder exceeds available funds, the County may negotiate with the apparent low bidder to obtain a contract price within available funds.
- 14.2 The following paragraph must be summarized in the Invitation to Bid: "If a responsive bid from the lowest responsible bidder exceeds available funds, the County may, with the approval of the Director of Purchasing, negotiate with the lowest responsible bidder to obtain a contract price within available funds. The term "available funds" shall mean those funds appropriated prior to the opening of the Invitation to Bid. Such negotiation may include, but is not necessarily limited to, adjustment of the bid price and changes in the bid scope or requirements in order to bring the bid within the amount of available funds. The Director of Purchasing shall notify the apparent lowest responsive and responsible bidder, in writing, that the bid exceeds available funds and the County wishes to negotiate. Negotiations shall be conducted by the user department, with the assistance of the Purchasing Department, if requested. If the County and the Bidder are unable to successfully negotiate the scope of work and/or bid price so the price is within available funds, all bids shall be rejected.

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Approved by County Administrator: January 22, 2010

SECTION 15 PURCHASE REQUISITION

- 15.1 The purchase requisition is the form on which the using department communicates to the Purchasing Department the need for a specific good or service. The purchase requisition should contain or have attached a complete description of what is to be procured, including complete bid specifications or the Scope of Services. **SEE SAMPLE FORM A-2 IN APPENDIX.** Purchase requisitions may be keyed into the County's automated purchasing software and submitted electronically in lieu of being submitted as a paper requisition.
- 15.2 A requisition is required for all purchases above \$ 5,000.00.
- 15.3 It is important that all sections of the requisition be completed, including estimated cost. Requisitions should be prepared far enough in advance of the date needed to enable the Purchasing Department to conduct any necessary research, secure competitive prices, and for the vendor to make delivery.
- 15.4 Although not required, departments submitting paper requisitions should assign requisition numbers to their requisitions to make tracking them easier.
- 15.5 The department should keep a copy of each paper purchase requisition for its files and submit the original to the Purchasing Department.
- 15.6 To be accepted by the Purchasing Department, the purchase requisition must have the appropriate signature approval (or appropriate field checked if submitted electronically), index and sub object codes and have appropriately budgeted funds for the purchase. Purchase requisitions must be signed by a department representative authorized by the department head and whose signature is on file with the Finance Department.

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Approved by County Administrator: January 22, 2010

SECTION 16. PURCHASE ORDER

- 16.1 A purchase order is a legal document authorizing the purchase and payment of items requisitioned by the department or agency. Purchase Orders are prepared on preprinted forms and are issued only by the Purchasing Department. **SEE SAMPLE FORM A-7 IN APPENDIX.**
- 16.2 A Purchase Order is issued pursuant to a Purchase Requisition for goods/services having been submitted to the Purchasing Department by the using department.
- 16.3 A purchase order contains the following copies:
- Original: Contractor copy. This copy is sent to the contractor by the Purchasing Department unless the department requests otherwise (e.g., return to the department for hand delivery so goods can be picked up at contractor's site).
 - Copy 1: Purchasing Department copy. This copy is kept in the "open" purchase order file until final payment has been made.
 - Copy 2: Department copy. This copy should be retained in department files.
 - Copy 3: Receiving copy. In the lower right corner, the signature of the person receiving the goods/services and the department head signature and date areas must be completed. The department shall sign this copy in the spaces provided on the copy and send it, with original invoice attached to the Finance Department.
- 16.4 The purchase cost of goods/services on the Purchase Order may be encumbered. The amount encumbered appears in the area on the bottom left corner of the Purchase Order. Partial payments against Purchase Orders shall be made using Payment Vouchers. Be sure to put the Purchase Order number on the Payment Voucher; otherwise, the payment will reduce your unencumbered balance **and** the encumbrance will still be outstanding, thus doubling the reduction to your unencumbered balance.

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Approved by County Administrator: January 22, 2010

SECTION 17 CHANGE ORDER

- 17.1 A change order is a legal document authorizing a change to a purchase order. Change Orders are issued only by the Purchasing Department. Contractors are not authorized to proceed with work covered under a Change Order until the Change Order is issued by the Purchasing Department, unless the contract documents specifically state otherwise. The County's Change Order should not be confused with the change order form used for construction projects. These forms are usually American Institute of Architects (AIA) or Engineer's Joint Council Document Committee (EJCDC) documents generated by the project Architect or Engineer, signed by the Contractor and sent to the County - resulting in the issuance of a County Change Order.
- 17.2 Change Orders are issued using the County's Purchase Order form with a number in the upper right corner, below the box titled "Change Order Number", indicating that the order is a Change Order. The words "Change Order" are also printed in the upper left corner on the Change Order.
- 17.3 The department must submit a Purchase Requisition detailing, by attachment if necessary, the requested change and the reason the change is being requested. Change Orders are generally used to:
- 17.3.1 Increase or decrease the number of units originally ordered.
 - 17.3.2 To change the delivery date, change the delivery location or extend the contract term.
 - 17.3.3 To cancel all or part of a Purchase Order. The department must state on the Purchase Requisition the reason the cancellation is requested.
 - 17.3.4 To change the Scope of Work of the original Purchase Order.
 - 17.3.5 To correct clerical errors.
 - 17.3.6 For other similar purposes approved by the Purchasing Department.
- 17.4 A Change Order contains the following copies:
- Original: Contractor copy. This copy is sent to the contractor by the Purchasing Department unless the department requests otherwise (e.g., return to the department for hand delivery).
 - Copy 1: Purchasing Department copy. This copy is kept in the "open" purchase order file, attached to the original Purchase Order, until final payment has been made.
 - Copy 2: Department copy. This copy should be retained in department files.
 - Copy 3: Receiving copy. The department shall attach this copy to the original receiving Purchase Order copy and send it, with the original invoice attached, to the Finance Department.
- 17.5 Although a Change Order issued by the Purchasing Department authorizes any change to a Purchase Order or Contract, it should not be confused with a formal contract addendum (which must be signed by all parties to the contract) or the document usually used in construction contracts (also called a "change order") that is prepared by the Architect/Engineer to identify proposed changes to a construction project (this "change order" precedes the issuance of the County's Change Order form which authorizes the changes to be made).

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- 17.6 A public contract may include provision for modification of the contract during performance, but no fixed-priced contract may be increased by more than 25 percent of the amount of the contract or \$ 100,000, whichever is greater, without the approval of the County Administrator. In no event may the amount of any contract, without adequate consideration, be increased for any purpose, including, but not limited to relief of an offeror from the consequences of an error in its bid or offer.
- 17.7 The purchase cost of goods/services listed in the area on the bottom left corner of the Change Order is the amount encumbered. Partial payment against Change Orders shall be made using Payment Voucher forms.
- 17.8 A Change Order is not required when the final payment against an encumbered Purchase Order results in the payment of less than the amount encumbered, provided the amount is not a material deviation from the original Purchase Order amount. For example, assume a Purchase Order is issued for a \$ 1,000 item plus estimated freight not-to-exceed \$25. If the invoice shows the \$ 1,000 item but only \$15 in freight charges, this is within the amount of the not-to-exceed estimate and is not a material change; thus the department should process the payment as a final payment without requesting a Change Order to authorize the \$10 reduction. The \$10 will be automatically unencumbered when payment is made properly.

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Approved by County Administrator: January 22, 2010

SECTION 18 CONTRACTOR LICENSING REQUIREMENTS

- 18.1 In certain instances, contractors must be licensed to perform certain work.
- 18.2 Contractors must, in addition to being licensed, possess the appropriate classification for the type of work they are offering to perform. Classifications are too lengthy to cover in this manual and those having questions about contractor classifications should contact the Purchasing Department.
- 18.3 This may apply to contracts as small as \$ 1,000. Please check with the Purchasing Department if you have any questions. The Purchasing Department has a copy of the regulations of the Department of Professional and Occupational Regulation, Virginia Board for Contractors and will assist in determining the appropriate requirements for the work being performed.
- 18.4 When soliciting their own quotes, departments should ask for the contractor's license number, classification and expiration date and include this information on the Purchase Requisition.
- 18.5 State statute and regulatory agencies require that some other contractors be properly registered, licensed or hold a specific permit to perform specific types of work. Some of those are listed below:
- 18.5.1 Construction Department of Professional & Occupational Regulation
 - 18.5.2 Pesticide Application.....Department of Agriculture and Consumer Services
 - 18.5.3 Asbestos Service and Security Service Department of Commerce
 - 18.5.4 Treatment, Storage, Handling, Transportation or Disposal of Hazardous Waste or Hazardous Radioactive Material Department of Environmental Quality
 - 18.5.5 Electronic Security Business (any person who engages in the business of or undertakes to (i) install, service, maintain, design or consult in the design of any electronic security equipment to an end user)..... Department of Criminal Justice Services

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Approved by County Administrator: January 22, 2010

SECTION 19 IMPROPER PRACTICES

19.1 IMPROPER PRACTICES

- 19.1.1 County employees and volunteers conducting procurement functions shall comply with all applicable Federal, State, and Local laws and regulations, and with the provisions of this Manual.
- 19.1.2 County funds may be expended only for authorized public purposes.
- 19.1.3 No County employee or volunteer shall accept vendor paid trips to vendor sites or other locations if the trip of any expenses associated with the trip are paid by anyone other than the employee, volunteer or County without prior written approval of the County Administrator.

19.2 IMPROPER PROCEDURES INQUIRY

- 19.2.1 On a periodic basis, the Purchasing Department reviews County payables to assess compliance with purchasing procedures. Should cases of **apparent** non-compliance be discovered, an Improper Procedures Inquiry is sent to the department that authorized payment. **SEE SAMPLE FORM A-23 IN APPENDIX.**
- 19.2.2 The types of activities that may result in issuance of an Improper Procedures Inquiry are purchases exceeding the small purchase limit delegated to departments, splitting purchases in order to qualify for a different procurement method, purchases that are inconsistent with contract terms, improperly documented emergency purchases, etc.
- 19.2.3 Departments should understand that the issuance of an Improper Procedures Inquiry is an attempt by the Purchasing Department to determine the circumstances of an **apparent** event of non-compliance. Departments should examine the circumstances surrounding the apparent non-compliance, complete the appropriate section of the Improper Procedures Inquiry (which may explain why the event was in accordance with procedures) and return the report to the Purchasing Department within 14 workdays of its issuance.
- 19.2.4 Should a department repeatedly be determined to be in violation of procurement procedures, the Director of Purchasing may rescind its delegated purchasing authority.
- 19.2.5 Consequences for non-compliance may include disciplinary measures and employee financial responsibility for unauthorized purchases. The Purchasing Department shall report repeated cases of non-compliance to the Deputy County Administrator who shall be responsible for appropriate actions.

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SECTION 20 DEBARMENT

- 20.1 Debarment is an action taken by the County to exclude a person or firm from contracting with the County for particular types of goods and/or services for a specified period of time. Debarment is applicable to prospective bidders, offerors and existing contractors. .
- 20.2 Debarment does not relieve a contractor from its responsibilities for existing obligations to the County.
- 20.3 A debarred contractor may be reinstated by the County during the term of debarment at any time it is in the best interest of the County.
- 20.4 Causes for Debarment
- 20.4.1 The Director of Purchasing may, with the approval of the County Administrator, debar a prospective contractor for any of the causes in this subsection, using the procedures in the following subsection. The existence of a cause for debarment; however, does not necessarily require that the contractor be debarred. The seriousness of the contractor's acts or omissions and any mitigating factors should be considered in any debarment decision. Debarment may be instituted for:
- 20.4.1.1 Conviction of or civil judgment for (1) commission of fraud or a criminal offense in connection with (i) obtaining, (ii) attempting to obtain, or (iii) performing a public contract or subcontract; (2) violation of federal or state antitrust statutes relating to the submission of offers; (3) commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statement, or receiving stolen property; or (4) commission of any other offense indicating a lack of business integrity or business honesty that seriously and directly affects the present responsibility of a government contractor or subcontractor.
- 20.4.1.2 Violation of the terms of a government contract or subcontract, including but not limited to (1) willful failure to perform in accordance with the terms of one or more contracts; or (2) a history of failure to perform, or of unsatisfactory performance of one or more contracts.
- 20.4.1.3 Sale or attempted sale to the County of goods/services under an existing contract if the goods/services are not provided for under the contract when the contractor knew or should have known that the goods/services are not provided for in the contract.
- 20.4.1.4 Unwillingness or inability to honor a binding quote, bid or proposal.
- 20.4.1.5 Falsifying or misrepresenting product specifications.
- 20.4.1.6 Any other cause of so serious or compelling a nature that it affects the present responsibility of the contractor.
- 20.5 Procedures for Debarment
- 20.5.1 Debarment shall be initiated by a notice from the Director of Purchasing advising the contractor, by certified mail, return receipt requested, that debarment is to become effective ten days from the date of notice. Such notice shall include the reasons for the proposed debarment in terms sufficient to place the contractor on notice of the conduct or transaction upon which the debarment is based.

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- 20.5.2 The contractor may, in the initial ten day period, present a written request for reconsideration, including additional specific information relating to the reasons given for debarment. The Director of Purchasing, in consultation with the County Administrator, shall consider such additional information in reaching a decision as to whether the decision to debar should be delayed or revised. Should it be decided that the original decision to debar is proper and justified based upon the information contained in the notice to the contractor, the contractor shall be debarred and the only remedy of appeal available to the contractor shall be that contained in the Virginia Public Procurement Act.
- 20.5.3 A debarred contractor may not apply to the County for rescission of debarment earlier than one year from the final debarment date. The term of debarment shall last until the contractor is reinstated by the County, and during the debarment term the contractor shall not be permitted to competitively quote, bid or propose on goods or services solicited by the County.
- 20.5.4 To be reinstated, the contractor shall be required to submit a list of at least three references with whom the contractor has satisfactorily conducted business in the past year. The contractor shall not be reinstated until the required references have been supplied and the references contacted and information verified by Purchasing staff, and the Director of Purchasing determines this action is in the best interest of the County.

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Approved by County Administrator: January 22, 2010

SECTION 21 DISPOSAL OF SURPLUS PROPERTY

21.1 Surplus Personal Property

- 21.1.1 Hanover County employees are not eligible to purchase surplus personal property from the County, regardless of the method of sale.
- 21.1.2 An item of County personal property no longer needed by any County department or agency shall be considered surplus personal property.
- 21.1.3 Each department/agency head shall report to the Purchasing Department items assigned to the department that are surplus to the department. Items of heavy equipment must also be declared surplus by the Director of Fleet Services. The County Administrator shall approve a list of all items proposed for disposal prior to its disposal, if the fair market value of the item(s) is estimated to exceed \$5,000.
- 21.1.4 The Purchasing Department shall be responsible for the disposal of all County surplus personal property. In disposing of surplus personal property, the Purchasing Department will attempt to provide for competition whenever practical.
- 21.1.5 An item or group of items having an estimated fair market value of \$5,000 or less shall be sold by the Director of Purchasing through competitive pricing whenever possible, or the Director of Purchasing may approve the transfer of such personal property to another government entity.
- 21.1.6 An item or group of items having an estimated fair market value in excess of \$5,000 shall be sold to the highest bidder by sealed bid or at public auction, including sale through online auction.
- 21.1.7 The Director of Purchasing may withdraw any offer of sale on any personal property at such time as, in his opinion, it is in the best interest of the County to do so.
- 21.1.8 Sales of unclaimed property in the possession of the Sheriff's Office shall be sold by the Sheriff.
- 21.1.9 The County Administrator may approve donation and transfer of surplus personal property to eligible organizations pursuant to applicable statutes.
- 21.1.10 The County may hold a public auction from time to time to dispose of surplus personal property. Each department is responsible for reporting items it wished to have placed in the sale using the LIST OF ITEMS FOR SURPLUS SALE form. **SEE SAMPLE FORM A-25 IN APPENDIX.** It is very important to accurately describe the item and include the serial number and, if appropriate, the FIXED ASSET ITEM NUMBER so proper identification can be made and the item removed from the fixed asset inventory. **IF THE ITEM CANNOT BE IDENTIFIED, IT WILL NOT BE REMOVED FROM THE FIXED ASSET INVENTORY LIST.**

21.2 Surplus Real Property

The County may dispose of surplus real property, only with the approval of the Board of Supervisors, following any required public hearing.

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Approved by County Administrator: January 22, 2010

SECTION 22 PREQUALIFICATION OF BIDDERS AND OFFERORS

- 22.1 The Director of Purchasing, after consultation with the requesting department, may authorize prequalification of bidders or offerors prior to the solicitation of bids or proposals. Prequalification limits consideration of bids or proposals to prequalified contractors. A written prequalification procedure shall be approved by the Director of Purchasing sufficiently in advance of its implementation to provide a prospective contractor the opportunity to complete the prequalification process.
- 22.2 In determining the prequalification status of each prospective contractor, the Director of Purchasing may consider such factors as whether there is reason to believe that the contractor possesses the management resources, financial stability and history of performance that indicate apparent ability to successfully complete the proposed work and shall also consider all factors stated in the prequalification document.
- 22.3 The prequalification process shall not constitute a determination that a contractor is responsible. Any contractor may later be determined to be nonresponsible on the basis of subsequent information.
- 22.4 Failure to prequalify or to seek prequalification for a specific procurement shall not bar a contractor from seeking prequalification for future procurements (except in a case where the specific procurement is canceled or all responses rejected and the solicitation is reissued within 90 days of cancellation or rejection).

END OF PART 2

APPENDIX

SAMPLE FORMS

TELEPHONE QUOTE RECORD

Quotes Obtained By: 35				
Vendor Name, Address, and Fed ID # or SS #	Remittance Name and Address (If Different)	Date	Phone	Name of Person Giving Quote
1 36	37	38	Area () 39	40
2			Area ()	
3			Area ()	

Item	Qty	Description	Vendor 1 Price	Vendor 2 Price	Vendor 3 Price
1	41	42	43		
2					
3					
4					
5					
6					
7					
Enter Freight Cost (Enter "PID" if price is includes delivery)			44		
Enter Vendor Payment Terms (e.g., Net 30 days)				45	
Enter delivery date promised					46

Catalog prices, order forms, and Internet web pages are not acceptable unless currently verified.

PURCHASE REQUISITION

Purchase Requisitions may be submitted electronically or using paper forms, and may be emailed, faxed, mailed, or hand delivered to the Purchasing Department. The directions below apply to paper requisitions. Contact Purchasing staff to learn about using electronic purchase requisitions. To properly complete a requisition, the department should furnish the following information:

1. Requisition Number-Dept. – a department requisition number is not required, but is recommended for departmental record-keeping purposes.
2. Requisition Number-Purch. - the Purch. requisition number is assigned automatically when the purchase requisition is entered into the system as an electronic requisition.
3. Vendor Name and Mailing Address - if applicable, provide name and address of previous vendor from whom product was purchased or name and address of vendor furnishing lowest valid quote to the department.
4. Bill to - enter the name and address to which the vendor should send invoices.
5. Vendor Remittance Name and Address (If Different) – if applicable, provide the name and address where payment should be made if different from the address listed immediately above.
6. Ship to - enter the name and location where the goods/services should be delivered, including street address, building name, department, room number, etc.
7. Phone #. - enter vendor area code and number.
8. Fax # - enter vendor area code and number.
9. Vendor # - enter the County's assigned vendor number, if available.
10. FED ID # enter vendor Federal Employer Identification number, or, if an individual, the individuals Social Security Number. Purchase Orders will not be issued without the proper ID number.
11. Date Submitted - enter day, month and year the requisition is sent to Purchasing.
12. Date Required - enter the date delivery is desired. Do not use ASAP; provide a specific date.
13. P. O. # - fill in purchase order number **only** if using the requisition to request a change to an existing purchase order.
14. Contractor's License Number - if applicable, give Contractor's license number. **Call Purchasing, for additional information on this subject.**
15. Department Contact Person – insert the name of the person within the using department that Purchasing staff should contact if additional information about the purchase requisition is needed.
16. Item - if more than one type of item is listed, identify each different item with a different number.
17. Qty - enter the number of items needed.
18. Unit - enter a description of how the quantity is measured; e.g., each, set, boxes, cartons, dozen, pounds, etc.
19. Description - provide a clear, concise description of the desired item(s) giving such things as size, color, type, grade and other descriptive features. Also, list any special requirements such as inside delivery, etc. If necessary, specifications may be prepared as a separate document and emailed, faxed, or attached to the requisition. If specifications or other attachments are sent separate from the paper requisition, be sure to put clearly identify to which requisition the supplemental information applies.
20. Unit Price - enter the known, estimated or budgeted amount for each unit of each unit requested. Unit price times quantity must equal the Total Price column.

PURCHASE REQUISITION (cont'd.)

21. Total Price - enter the product of the Qty times Unit Price columns. Enter EST. if giving estimated price.
22. Freight – enter the amount of freight or shipping charge, if any. Be sure to note if this charge is an estimated or not-to-exceed charge.
23. **TOTAL** – enter the sum of the “Total Price” column plus the “Freight” charges.
24. Item - enter the number(s) corresponding to the numbers entered for number 13 above. This identifies items to be charged to the budget code listed on the same line. If applicable, indicate by fixed amount or percentage how the charges for a purchase should be divided among different budget codes.
25. R/E - enter the appropriate code for the type of transaction (4 = Expense account; 3 = Revenue account and 0 = Balance Sheet account).
26. Fund - enter the 3 digit code that identifies the type fund to be used. For example, 100 = General Fund; 200 = Capital Outlay Fund; 350 = CSB; 400= Public Utilities, etc.
27. Dept - enter the 6 digit budget code that identifies the specific department. For example, 111005 = Board of Supervisors; 122713 = Purchasing, etc.
28. Obj - enter the 4 digit budget code that identifies the expenditure by type. For example, 3250 = Maintenance Service Contract; 5090 = Office Supplies, etc.)
29. Cost - enter the 4 digit budget code that identifies the expenditure by cost center.
30. Prog – if applicable, enter the 4 digit budget code that identifies the expenditure by program.
31. Proj – if applicable, enter the 4 digit budget code that identifies the expenditure by project.
32. Amount - enter the total amount to be charged to the budget code entered.
33. Signature - provide authorized signature (**at least last name must be spelled out, initials alone are not acceptable**). Names of people authorized to sign requisitions must be on file in the Purchasing Department.
34. Department - enter name of department submitting requisition.
35. Quotes Obtained By - enter the name of the person who solicited the quotes.
36. Vendor Name, Address, and Fed ID # or SS # - enter the name, address, and ID # for each vendor from whom quotes were solicited.
37. Remittance Name and Address (If Different) – enter the name and address where payment is to be made only if different from “Vendor Name and Address”.
38. Date - enter the date the quote was received.
39. Phone - enter the vendor area code and phone number.
40. Name of Person Giving Quote - enter the name of the person who quoted the item(s). Try to get a first and last name.
41. Qty - enter the number of items the vendor was asked to quote on.
42. Description - description vendor was given to quote on.
43. Vendor Price 1 (2, 3, 4) - enter the price(s) quoted by each respective vendor.

PURCHASE REQUISITION (cont'd.)

44. Enter Freight Cost - enter the total cost to have the goods/service provided where you need them. Press the vendor for fixed prices for freight (or at least not-to-exceed freight cost) so you can compare quotes.

45. Enter Vendor Payment Terms Quoted - enter when the vendor wants payment (number of days), and any discount for prompt payment or interest applicable to late payments. COD terms are not acceptable. Always state that the County wants 30 days to pay.

46. Enter Delivery Date Promised - enter a specific date the vendor promises to deliver. This date is put on the Purchase Order.

HANOVER COUNTY, VIRGINIA

Purchasing Department
 P.O. Box 470
 Hanover, Virginia 23069-0470
 Phone: (804) 365-6105
 Fax: (804) 365-6100

PURCHASE ORDER NO.	CHANGE ORDER NO.

Purchase Order Number must appear on all packages, invoices and shipping papers.

VENDOR:

BILL TO:

SHIP TO:

PH:

FAX:

VENDOR NO.:

FEI/SS NO.:

ISSUE DATE	DATE REQUIRED	REQ. NO.	F.O.B.	PAYMENT TERMS	

ITEM	QTY.	UNIT	DESCRIPTION	UNIT PRICE	EXTENDED PRICE

BUDGET CODES

AMOUNT

--	--

FOR QUESTIONS CONCERNING THIS ORDER, PLEASE CONTACT:

APPROVED BY: _____

VENDOR

PURCHASE ORDER

1. The purchase order is a legal document authorizing the purchase and payment of items requisitioned by the department or agency. Since the purchase order is a legal document, only the County Administrator, Deputy County Administrator, Director of Purchasing, Deputy Director of Purchasing, or Purchasing Officer may obligate the County. No other employee has the authority to obligate the County. All purchases shall be made by the Purchasing Department unless specific authorization exists to do otherwise.
2. A standard purchase order is used for all purchases over \$ 5,000 and contains an original and three copies.
Original (vendor) is mailed directly to the vendor by the Purchasing Department.
Copy 1 (purchasing) is maintained as a file copy in Purchasing.
Copy 2 (department) is sent to the using department for its files.
Copy 3 (receiving) is sent to the using department and is to be returned to Finance when requesting payment.
3. No instructions for completion of the Purchase Order form are included since all purchase orders are completed in the Purchasing Department.

PURCHASE ORDER RECEIVING COPY

The purchase order receiving copy sent by the Purchasing Department to the department at the time an order is placed is subsequently returned by the department to the Finance Department, with the appropriate invoice(s) when all items listed on the purchase order have been received. The information supplied by the department is:

1. Received By - signature of person receiving goods/services (**initials are not acceptable**).
2. Date - date items were received by person signing on above line.
3. Department Head - signature of department head or other person (other than the person signing the "Received By" line) authorized to sign purchase requisitions for department (**initials are not acceptable**).
4. Date - date department head or designee signed form.

If any differences exist between what was ordered and what was received, the department should include a note explaining the differences with the receiving copy.

When an invoice for the partial shipment of goods or services has been received by the department, payment shall be requested in accordance with the partial payment procedure in this manual.

COUNTY OF HANOVER

NOTICE OF EMERGENCY PURCHASE CONTRACT AWARD

In Accordance with Section 2.2-4303F of the Code of Virginia, notice is hereby given of the following emergency purchase contract award:

1. TYPE OF PRODUCT OR SERVICE: 1

2. NAME AND ADDRESS OF VENDOR: 2

3. DATE OF EMERGENCY: 3 / BASIS FOR THE EMERGENCY: 3

4. JUSTIFICATION FOR VENDOR SELECTION: (LIST VENDOR CONTACTS ON REVERSE) 5

4

6

DEPT. HEAD/ASST. DEPT. HEAD SIGNATURE

7

DATE SUBMITTED

FOR PURCHASING DEPARTMENT USE ONLY:

DATE OF AWARD/PURCHASE: 8

REQUISITION NO.: 9

PURCHASE ORDER NO.: 10

AMOUNT OF AWARD/PURCHASE: 11

COMMENTS: 12

13 YES NO
APPROVED

14
Director of Purchasing/Deputy Director of PURCHASING

VENDORS CONTACTED ABOUT THIS PURCHASE
(Other than listed on front)

1.	VENDOR:	15	
	ADDRESS:	16	
	DATE CONTACTED:	17	PHONE: () 18
	CONTACT NAME:	19	
	REASON NOT USED:	20	

2.	VENDOR:		
	ADDRESS:		
	DATE CONTACTED:		PHONE: ()
	CONTACT NAME:		
	REASON NOT USED:		

3.	VENDOR:		
	ADDRESS:		
	DATE CONTACTED:		PHONE: ()
	CONTACT NAME:		
	REASON NOT USED:		

NOTICE OF EMERGENCY PURCHASE CONTRACT AWARD

1. TYPE OF PRODUCT OF SERVICE - describe in detail the product/service procured. Be as specific as possible, noting characteristics and features of the product/service which will clearly identify it.
2. NAME AND ADDRESS OF VENDOR - provide name and address of vendor from whom goods/services are to be/were purchased.
3. DATE OF EMERGENCY/BASIS FOR EMERGENCY - date department first learned of emergency and description of the nature of the emergency, including specific factual information and the potential consequences of not taking emergency action.
4. JUSTIFICATION FOR VENDOR SELECTION - explanation of why this specific vendor should be/was chosen over other potential suppliers of the same type of goods/service. Where prices have been compared, please list. Where other considerations exist, please list and explain.
5. LIST VENDOR CONTACTS ON REVERSE - use back of form to list vendors other than the one selected who were contacted.
6. DEPT. HEAD/ASST. DEPT. HEAD SIGNATURE - form should only be signed by these individuals.
7. DATE SUBMITTED - date form given to Purchasing Department.
8. – 14. Purchasing Use Only
15. VENDOR - name of vendor contacted about this purchase.
16. ADDRESS - address of vendor listed on previous line.
17. DATE CONTACTED - date vendor contacted about this purchase.
18. PHONE - area code and telephone number of vendor contacted about this purchase.
19. CONTACT NAME - complete name of person contacted about this purchase.
20. REASON NOT USED – explanation of why this vendor was not selected to supply the needed goods/services.

Upon completion of the form by the department, the department head signs the form and forwards it to the Purchasing Department. The Director or Deputy Director of Purchasing reviews the form, approves or disapproves the determination of an emergency, makes notations as necessary, signs the form, and posts it on the County's bid board. The Notice remains posted for a period of ten calendar days, after which it is kept in the permanent files of the Purchasing Department. If not approved, the form shall be returned to the department with appropriate comments noted.

COUNTY OF HANOVER

NOTICE OF SOLE SOURCE PURCHASE CONTRACT AWARD

In Accordance with Section 2.2-4303E of the Code of Virginia, notice is hereby given of the following sole source procurement. Posting of this notice indicates a determination that only one source was ascertained to be practicably available:

1. TYPE OF PRODUCT OR SERVICE: 1 _____

2. NAME AND ADDRESS OF VENDOR: 2 _____

3. JUSTIFICATION FOR SOLE SOURCE PROCUREMENT: (LIST VENDOR CONTACTS ON REVERSE) 4
3 _____

5 _____
DEPT. HEAD/ASST. DEPT. HEAD SIGNATURE

6 _____
DATE SUBMITTED

FOR PURCHASING DEPARTMENT USE ONLY:

DATE OF AWARD/PURCHASE: 7 _____

REQUISITION NO.: 8 _____

PURCHASE ORDER NO.: 9 _____

AMOUNT OF AWARD/PURCHASE: 10 _____

COMMENTS: 11 _____

12 YES NO

APPROVED

13 _____
Director of Purchasing/Deputy Director of Purchasing

VENDORS CONTACTED ABOUT THIS PURCHASE
(Other than listed on front)

1.	VENDOR:	14	
	ADDRESS:	15	
	DATE CONTACTED:	16	PHONE: ()
	CONTACT NAME:	18	17
	REASON NOT USED:	19	

2.	VENDOR:		
	ADDRESS:		
	DATE CONTACTED:		PHONE: ()
	CONTACT NAME:		
	REASON NOT USED:		

3.	VENDOR:		
	ADDRESS:		
	DATE CONTACTED:		PHONE: ()
	CONTACT NAME:		
	REASON NOT USED:		

NOTICE OF SOLE SOURCE PURCHASE CONTRACT AWARD

1. TYPE OF PRODUCT OF SERVICE - describe in detail the goods/services to be procured. Be as specific as possible, noting characteristics and features of the product/service which will help to clearly identify it.
2. NAME AND ADDRESS OF VENDOR - provide name and address of vendor from whom goods/services may be purchased.
3. JUSTIFICATION FOR SOLE SOURCE PROCUREMENT - state the reasons why only one source was determined to be practicably available for the specified goods/services. Where applicable, refer to any unique product/service characteristics, established product/service standardization policies or other factors to substantiate the sole source procurement, along with an explanation of why this vendor should be selected.
4. LIST VENDOR CONTACTS ON REVERSE - use back of form for additional vendors contacted (other than the one listed on the front of the form).
5. DEPT. HEAD/ASST. DEPT. HEAD SIGNATURE - form should only be signed by these individuals.
6. DATE SUBMITTED- date form given to Purchasing Department.
7. – 13. Purchasing Use Only
14. VENDOR - name of vendor contacted about this purchase.
15. ADDRESS - address of vendor listed on previous line.
16. DATE CONTACTED - date vendor contacted about this purchase.
17. PHONE - area code and telephone number of vendor contacted about this purchase.
18. CONTACT NAME - complete name of person contacted about this purchase.
19. REASON NOT USED – explanation of why this vendor was not selected to supply the needed goods/services.

Upon completion of the form by the department, the department head signs the form and forwards it to the Purchasing Department. The Director or Deputy Director of Purchasing reviews the form, approves or disapproves the determination of a sole source, makes notations as necessary, signs the form, and posts it on the County's bid board. The Notice remains posted for a period of ten calendar days, after which it is kept in the permanent files of the Purchasing Department. If not approved, the form shall be returned to the department with appropriate comments noted.

Where sole source situations are evident, there is a tendency to accept the pricing of the vendor without questioning its appropriateness. A price investigation should be conducted of similar items or of the same item sold to other customers in order to ascertain what a reasonable and acceptable price may be. Assuming information can be obtained from other customers of the vendor or from persons with knowledge of the cost of the desired product or service, such information should be used in negotiating with the sole source vendor to obtain a fair price. Documentation of the price reasonableness investigation shall be kept in the permanent file of the Purchasing Department.

HANOVER COUNTY PROPOSAL EVALUATION FORM

RFP TITLE: 1 _____

RFP NO.: 1 _____

NAME OF FIRM: 2 _____

EVALUATOR NAME: 3 _____

EVALUATION DATE: 4 _____

GUIDELINES ARE ON THE BACK OF THIS FORM

Evaluation: Make as many copies of this form as you think you will need prior to filing in any missing information above. The offeror listed above must be rated on each evaluation criteria listed below. Complete a separate form for each offeror. **The criteria listed below may be an “abbreviated” form of what was listed in the RFP issued (refer to the RFP for the full description).** The evaluation criteria were assigned the point values listed below prior to the release of the responses to the Selection Committee. Please read and record your evaluation of the offeror listed on this form and take all the completed forms with you to the Selection Committee meeting.

<u>EVALUATION CRITERIA</u>	<u>RFP POINT VALUE</u>	<u>SCORE</u>	<u>COMMENTS</u>
A. 5 _____	6	7	8 _____
_____	_____	_____	_____
B. _____	_____	_____	_____
_____	_____	_____	_____
C. _____	_____	_____	_____
_____	_____	_____	_____
D. _____	_____	_____	_____
_____	_____	_____	_____
E. _____	_____	_____	_____
_____	_____	_____	_____
F. _____	_____	_____	_____
_____	_____	_____	_____
G. _____	_____	_____	_____
_____	_____	_____	_____

PROPOSAL EVALUATION SCORE: 9 *(PUT SCORE ON SUMMARY SHEET)*

GUIDELINES FOR COMPLETING HANOVER COUNTY PROPOSAL EVALUATION FORM

1. If not already on the form, refer to the RFP and complete these items. If the VALUE column is not already filled in, contact Purchasing to get the proper values for each criterion and put them on this form. Make as many copies of this form as you think you will need before filling in the information for each offeror requested on the front of the form.
2. Enter the name of the Offeror being evaluated.
3. Enter the name of the person completing the evaluation.
4. Enter the date the evaluation is being done.
5. If not already filled in, refer to the RFP and enter the evaluation criteria.
6. If not already filled in, enter the criteria point values. Contact Purchasing if you don't know the proper values.
7. The proposals must be evaluated using the EVALUATION CRITERIA listed. Put **your ranking** of the offeror in relation to the maximum VALUE listed beside each EVALUATION CRITERIA. Your score for each respective EVALUATION CRITERIA must not exceed the VALUE listed that criteria, and the sum of your scores must not exceed 100. If the proposal being evaluated is a solicitation for Professional Services, you will not be able to evaluate a price criteria until offerors are asked for nonbinding fee estimates, if price is a criteria. We are not allowed to request pricing to be submitted with the offerors proposal response. Nonbinding price estimates are usually requested at the interview/discussion phase of the evaluation process.
8. Optionally, list comments relevant to the score assigned.
9. Put the sum of your scores at the bottom of the SCORE column.

Take this form, and the forms you completed for all other offerors, to the first Selection Committee meeting. At that meeting, you should be prepared to discuss your scores and help the Selection Committee members come to a consensus SCORE for each EVALUATION CRITERIA. The Committee Chairperson will record the consensus scores on the Summary Evaluation Form, indicating which offerors it wishes to include in the interview/discussion/negotiation process (shortlisted), and submit that form to Purchasing for approval. Once Purchasing concurs with the list of offerors to be included in the interview/discussion/negotiation process, the Selection Committee may proceed.

After the interview/discussion/negotiation process is complete, you may use this same form to record your scoring, but as before, the Selection Committee Chairperson will submit consensus scoring on a Summary Evaluation Form.

RFP SUMMARY EVALUATION FORM

RTP TITLE: **1** RFP NO.: **2**

EVALUATION CRITERIA

This submittal is _____ Interim _____ Final

3

Selection Committee Chairperson
Signature / Date

4

4

4

4

4

4

4

Press Here to Rank Firms

10

EVALUATION CRITERIA VALUES

TOTAL BY OFFEROR

RANK

INCLUDE

	NAME OF OFFEROR	0	0	0	0	0	0	0	TOTAL BY OFFEROR	RANK	INCLUDE
1	5								8	1	X
2										2	X
3										3	
4										4	
5										5	
6										6	
7										7	
8										8	
9										9	
10										10	
11										11	
12										12	
13										13	
14										14	
15										15	
16										16	
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18										18	
19										19	
20										20	
21										21	
22										22	
23										23	
24										24	
25										25	
26										26	
27										27	
28										28	
29										29	

6

7

9

SUMMARY PROPOSAL EVALUATION FORM

1. The SUMMARY PROPOSAL EVALUATION FORM is used to group evaluation scores of the entire selection committee on one form.
2. A summary form shall be completed following each step in the evaluation process; e.g., one summary after offerors are shortlisted, one after each interview/discussion phase.
3. The form shall be turned to the Purchasing Department after each respective phase in the evaluation process and approval shall be given by the Purchasing staff prior to initiating the next evaluation phase.

COMPLETING THE FORM

1. RFP TITLE – insert name from RFP document
2. RFP NO. – insert RFP number from RFP document
3. INTERIM OR FINAL – check appropriate space for Interim or Final Submittal of this form
4. EVALUATION CRITERIA – if not already filled in, list the RFP evaluation criteria from the RFP document
5. NAME OF OFFEROR – if not already filled in, list the names of the offerors being evaluated at this stage of the process
6. CRITERIA VALUES – if not already filled in, insert the RFP criteria values
7. COMMITTEE CONSENSUS SCORES – the Committee Chairperson should fill in the consensus scores of the committee for each respective offeror
8. TOTALS BY OFFEROR – add the scores across each row and enter the sum for each respective offeror
9. RANK - enter the highest sum as rank #1, second highest as #2, etc.
10. INCLUDE – put an “X” beside each offeror intended to be included in the next phase of the evaluation, and submit this form and any other documentation such as pricing sheets to Purchasing

COMPLAINT ABOUT COUNTY VENDOR

HANOVER COUNTY, VIRGINIA

[See back for instructions](#)

Full Legal Name of Vendor 1		Vendor Contact Person 2	
Vendor Address 3		Vendor Phone Number 4	
		Date This Form Initiated 5	
Department Name 6		Department Contact Person 7	
Dept. Phone Number 8		Printed Name: 11	
Department Fax Number 9		Signature: 11	
P. O. #: 10		BID/RFP/QUOTE # (last 6 #'s): 12	

VENDOR WAS SENT COPY OF THIS COMPLAINT FORM :	NO 13	YES	DATE 14	CONTACT PERSON

VENDOR WAS PHONED ABOUT THIS COMPLAINT:	NO 15	YES	DATE 16	CONTACT PERSON 17

VENDOR WAS SENT LETTER ABOUT THIS COMPLAINT : (Attach Copy of Each Letter Sent to Vendor)	NO 18	YES	DATE 19	DATE	DATE

COMPLAINT ABOUT DELIVERY 20 ^	Required Delivery Date	Actual Delivery Date	Partial Delivery Date	Not Received As Of	Other (Explain) :

COMPLAINT ABOUT INVOICE PRICE 21 ^	Invoice Does Not Match Quote	Invoice Does Not Match Contract	Invoice Does Not Match P. O.	Other (Explain):

COMPLAINT ABOUT ITEM QUALITY (BE SPECIFIC) 22 ^	

OTHER COMPLAINT (BE SPECIFIC) 23 ^	

DEPARTMENT REQUEST: ^ **24** STATE BELOW WHAT RESPONSE OR ACTION YOU EXPECT FROM THE VENDOR

VENDOR RESPONSE ^ **25** Respond within 7 days after receipt STATE YOUR RESPONSE BELOW OR ATTACH ADDITIONAL SHEET(S) AND FAX TO THE DEPARTMENT (get fax # above) AND TO PURCHASING AT 804-365-6100

	Date	Purchasing Action		Vendor Contact Person	Copy Attached	
			Date		Yes	No
COPY OF THIS FORM RECEIVED FROM DEPT.		Filed Only				
VENDOR RESPONSE RECEIVED IN PURCHASING		Phoned Vendor				
COPY OF VENDOR RESPONSE SENT TO DEPT.		Wrote Vendor			Yes	No

COMPLAINT ABOUT COUNTY VENDOR

The COMPLAINT ABOUT COUNTY VENDOR form may be used to register a formal complaint about a vendor with the vendor and/or the Purchasing Department.

COMPLETION OF THE FORM

1. FULL LEGAL NAME OF VENDOR - the full name of the vendor as it appears on the contract or purchase order.
2. VENDOR CONTACT PERSON - the name of the person at the vendor's address to whom the complaint is to be sent.
3. VENDOR ADDRESS – enter the complete mailing address of the vendor.
4. VENDOR PHONE NUMBER – enter area code and phone number.
5. DATE FORM INITIATED - the date the form is completed.
6. DEPARTMENT NAME – enter the department name
7. DEPARTMENT CONTACT PERSON, PRINTED NAME – print or type the department contact person’s name
8. DEPARTMENT PHONE NUMBER – enter the department area code and phone number.
9. DEPARTMENT FAX NUMBER – enter the department area code and fax number.
10. P.O. # - include the purchase order number, if applicable.
11. SIGNATURE the name of the person in the department the vendor should contact.
12. BID/RFP/QUOTE # – enter the appropriate solicitation number related to this complaint.
- 13.-14. VENDOR WAS SENT COPY OF THIS COMPLAINT FORM – enter yes or no, as applicable, and the date copy was sent.
- 15.-17. VENDOR WAS PHONED ABOUT THIS COMPLAINT – enter yes or no, as applicable, and the date(s) vendor was called, and the name of the person spoken to.
- 18.–19. VENDOR WAS SENT LETTER ABOUT THIS COMPLAINT – enter yes or no, as applicable, and the date(s) of each letter.
20. COMPLAINT ABOUT DELIVERY – if related to delivery, enter the appropriate information here.
21. COMPLAINT ABOUT INVOICE PRICE – if related to invoice pricing, enter the appropriate information here.
22. COMPLAINT ABOUT ITEM QUALITY – if related to the quality of the item(s) received, enter the appropriate information here.
23. OTHER COMPLAINT – if not related to other areas previously mentioned, enter nature of complaint here.
24. DEPARTMENT REQUEST – enter what action the department wishes the vendor to take.
25. VENDOR RESPONSE - leave this blank.

REMAINDER OF FORM IS FOR PURCHASING DEPARTMENT USE ONLY.

HANOVER COUNTY PURCHASING DEPARTMENT

IMPROPER PROCEDURES INQUIRY

TO:

FROM: Alan Wright, Director of Purchasing and General Services

DATE:

SUBJECT:

COPY:

The Purchasing Department has identified the following *apparent* incident of non-compliance with County purchasing procedures involving your department:

1

In the space provided below, please provide an explanation of why this is not a violation of purchasing procedures **or** state what you plan to do to avoid future non-compliance of the nature described above.

Please return this notice, with your comments, within 14 days of the notice date.

2

Please be aware that repeated violations may result in rescission of your departmental authority for procuring goods and services. Thank you for your prompt attention to this matter.

3

4

Department Head Signature

Date Signed

IMPROPER PROCEDURES INQUIRY

1. An IMPROPER PROCEDURES INQUIRY is issued by the Purchasing Department to document cases of apparent non-compliance with County purchasing procedures and to prompt the department to implement corrective measures to avoid recurrence of non-compliant activities. Generally, identification of non-compliant activities arises from regular audit reviews of County payables. Actions which typically prompt issuance of an Improper Procedures Inquiry include unauthorized purchases in excess of the small purchase limit delegated to departments, contract purchases made in a manner inconsistent with contract terms, and emergency purchases made without proper emergency purchase documentation having been prepared.
2. The suspected non-compliant activity and the dollar amount involved are stated on the top portion of the form by the Purchasing Department and the form is forwarded to the Department Head.
3. Once returned by the department, the form is kept is on file in the Purchasing Department.

COMPLETION OF THE FORM

1. The Purchasing staff will complete the information about the apparent incident of non-compliance.
2. The Department Head or designee should provide an explanation of why the suspected non-compliant activity was not a violation of purchasing procedures or state what action the department will take to avoid future repeated activity of a similar nature.
3. Department Head or designee signature.
4. Date the form is signed.

LIST OF ITEMS FOR SURPLUS SALE

Use this form to report to the Purchasing Department items for which the department requests disposal in a County surplus personal property sale.

COMPLETION OF THE FORM

1. DEPARTMENT - name of department completing form.
2. CONTACT PERSON – type or print name followed by signature of department person knowledgeable of location of items listed on form.
3. TELEPHONE NUMBER – enter the phone number of the department contact person.
4. QTY - enter the number of items, if all items are the same. If items have serial numbers, use a separate line for each item.
5. ITEM DESCRIPTION – if applicable, use the Fixed Asset Report description; otherwise, give general item description.
6. SERIAL NUMBER – enter the item serial number.
7. CONDITION – enter the current condition of the item using this code: G = Good; F = Fair; P = Poor.
8. FIXED ASSET NO. – if listed on the department fixed asset report, you must enter the fixed asset number.
9. TOTAL NUMBER OF ITEMS FOR SALE – sum the number of items reported on this form. REMEMBER, THIS ITEM WILL NOT BE REMOVED FROM YOUR FIXED ASSET REPORT (AND THE DEPARTMENT WILL REMAIN RESPONSIBLE FOR IT) UNLESS PROPERLY IDENTIFIED BY FIXED ASSET NUMBER.

Contractor Performance Report

To be completed by department project manager.

1 Initial Year Option Year 1 Option Year 2 Option Year 3 Option Year 4

Period of Report: From _____ To _____ Interim _____ Final _____

Contractor Name: **2** _____

Description of Service: **3** _____

Solicitation #: **4** _____ PO #: **5** _____ Date Submitted: **6** _____

Evaluator Name (Printed): **7** _____ Evaluator Signature: **8** _____

Summarize Contractor performance. In the far right column, please mark the number that corresponds to the performance rating for each category.
Attach documentation supporting ratings of 0 or 1.

Timeless of Deliveries/ Performance: Late/Early/On Time	Comments: 9	Unsatisfactory = 0 Poor = 1 Fair = 2 Average = 3 Good = 4 Excellent = 5
Quality of Goods/Services:	Comments: 9	Unsatisfactory = 0 Poor = 1 Fair = 2 Average = 3 Good = 4 Excellent = 5
Business Relations: Complaints to Vendor Complaint Resolving Skills Billing Overall <u>Responsiveness</u>	Comments: 9	Unsatisfactory = 0 Poor = 1 Fair = 2 Average = 3 Good = 4 Excellent = 5
Customer Satisfaction: Overall <u>Performance</u>	Comments: 9	Unsatisfactory = 0 Poor = 1 Fair = 2 Average = 3 Good = 4 Excellent = 5

Mean Score: **10** (Add the ratings circled / divide by 4)

If it's time to renew term contract: Renew: **11** YES **12** NO* Rebid: _____ YES _____ NO

* If not renewing, explain why not: _____

Contractor Performance Report

Submission of a completed Contractor Performance Report is required prior to renewal or resolicitation.

Completion of the form:

1. Check the appropriate block to indicate whether the report is for the initial contract term or a renewal, list the time period covered by the report, and indicate whether an interim or final report.
2. Enter the Contractor's name as is appears on the contract.
3. Describe the goods or services covered by the contract.
4. Enter at least the last six digits of the solicitation number.
5. Enter the contract PO number.
6. Enter the date the form is submitted.
7. Enter the name of the person preparing the evaluation.
8. The evaluator must sign the form.
9. For each respective category, enter comments, if applicable, and in the far right column, mark the number corresponding to the appropriate rating.
10. Add the scores given in step 9 and divide by 4.
11. If it is time to renew, indicate your recommendation to renew, rebid, or neither. If requesting to resolicit, specifications/scope of services must be sent to the Purchasing Department.
12. If not renewing, briefly state why.