

**FLOYD COUNTY  
BOARD OF COMMISSIONERS  
PURCHASING DEPARTMENT  
POLICIES AND PROCEDURES**



**January 2012**

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**FLOYD COUNTY BOARD OF COMMISSIONERS  
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## **Introduction**

- A.** The purpose of this manual is to deal with standard operating guidelines used in implementing the Floyd County Ordinance associated with the purchasing of goods and services.
  
- B.** Purchasing Authority
  - 1.** Only employees that have been approved by their Department Head, County Manager or Constitutional Officer are able to requisition or purchase goods and services for Floyd County.
  
  - 2.** The Purchasing Department is authorized to amend requisitions in regard to price and vendor in the best interest of the County. Specifications of the requisition will not be changed without first consulting with and informing the affected department manager.
  
  - 3.** The operation of and training in the policies and procedures for the Purchasing of goods and services is the requirement of the Purchasing Department. The method utilized for the training of personnel should be at the discretion of the Purchasing Department.
  
- C.** Purchasing Card, purchases made using the P-Card must follow the same guidelines as any other purchase.

## Purchase Orders

- A. Purchase requisitions will be initiated by the user department.
- B. Materials, services, and supplies shall be purchased only when monies for their cost have been appropriated and included in the annual budget. Sufficient funds must be available before any action can be taken by the Purchasing Department.
- C. Purchases with an estimated total cost equal to or greater than \$40,000 require formal sealed bids, require advertising electronically and/or in local newspaper and require approval by Board of Commissioners. Purchases equal to \$20,000 but less than \$40,000, require informal bids, electronic advertisement, and require approval by the Board of Commissioners. Purchases equal to \$4,000 but less than \$20,000 shall be made in the open market. Purchases under \$10,000 may be made with or without advertisement, a minimum of electronic advertising is suggested, but shall have written quotations from three to five prospective bidders. The requesting department may obtain the written quotes themselves. When the minimum of three written quotes is not met, the requisition must be approved by the County Manager. Purchases equal to \$2,000 but less than \$4,000 shall be made in the open market, but shall have written or verbal quotations from three to five prospective bidders. When the minimum of three verbal quotes is not met, the requisition must be approved by the Purchasing Director. Purchases estimated to be less than \$2,000 shall be made in the open market. Buyers are to use their best judgment as to source of supply.
- D. Purchases shall not be split to avoid threshold limits.
- E. Prior to issuance of the purchase order, the requests will be checked by Purchasing to determine if purchasing requirements are met. The Finance Department will verify account coding, budget compliance, and reasonableness.
- F. Requisitions must be approved and purchase orders issued **PRIOR** to making any purchases. Purchase orders will be issued daily by the Purchasing Department.
- G. Once issued, the Purchasing Department will notify the supplier, or email the purchase order number, or hard copy purchase order, if required, to the requesting department, which then forwards the purchase order to the vendor.
- H. The Purchasing Department will match invoices that have been received for payment with the purchase order. Usually purchase order related invoices are to be sent directly to the Purchasing Department by the vendor and then forwarded to the end user for signature and verification of receipt. Some departments still receive their own invoices and will send to Purchasing for payment once project is complete.
- I. Before authorizing payment the Finance Department will compare invoice quantities and the accuracy of the calculations with those indicated on the packing slips, and also quantities, prices, and terms with those on the purchase orders, where applicable.

- J.** When all appropriate items have been matched, the Finance Department will issue payment. As payments are recorded in the system, purchase orders will either be “closed” or “adjusted” if an open or blanket purchase order was issued.
- K.** Purchase orders may not be amended without approval of the Purchasing Department.
- L.** If a purchase order must be voided or canceled the department manager must notify the Purchasing Department via email to cancel or modify the PO. Be sure to identify the PO# and reason for closing the PO.
- M.** Purchase orders will be issued during normal working hours only. If a situation arises where an emergency purchase must be made, the Purchasing Department must be notified within two working days of making the purchase. Department may be required to complete Emergency Justification Form. A purchase order will be issued to the vendor for billing purposes. These situations should, however, be rare.
- N.** If an invoice is received by the Finance Department without a purchase order number (if applicable), it will be forwarded to purchasing for research and then to the appropriate department for approval. The invoice will then be returned to the Finance Department for final approval before payment is made.
- O.** Blanket purchase orders should be issued to vendors who are used frequently during the month or fiscal year. Blanket purchase order requests will be submitted in the same manner as any other. The Purchasing Director will have the authority to decide when and if blanket purchase orders will be issued. Most blanket purchase orders have been replaced with the use of the Purchasing card.
- P.** As with all others, when submitting invoices to Purchasing to be paid against a blanket purchase order, the purchase order number must be clearly identified on the invoice.
- Q. Funds Not Appropriated or Available**
  - 1. If funds are not available in the current fiscal year budget, the computer system will hold the purchase order until a budget transfer is approved or Finance does an override on the PO.
  - 2. The responsibility for action to initiate additional funds rests with the user department. Budget transfer requests should be completed and forwarded to the Finance Director, County Manager, appropriate Committee, and/or the Board of Commissioners as applicable for approval, then returned to the Finance Department for processing.

## Methods of Purchasing

- A. Quote** – to be used for smaller dollar items, not requiring a formal process and when County’s requirements are clearly defined. This method may be used by departments other than purchasing. Two types of quotes, verbal and written.
- B. Bid** – to be utilized when the County’s requirements are clearly defined. It is awarded to the most responsive and responsible bidder who offers the lowest price meeting the conditions of the bid document (e.g. tangible items - vehicles, equipment, etc). Two types of bids, informal and formal.
- C. Pre-Qualification** – to be utilized when the County’s requirements are defined; however, there may be unique services or criteria involved that create the need to determine whether a (potential) bidder is indeed a qualified bidder (e.g. architectural, construction, consultants, growth management plan, etc). Once the Pre-Qualification list has been determined and approved by the Board of Commission (the Board), the County’s bid procedures will then be followed.
- D. RFP** – to be utilized when the County’s requirements are defined, but the means or methods to meet the objectives cannot be clearly established. It is awarded to the highest ranked provider meeting the established criteria. (E.g. unknown solution – Inmate Phone System, Communication Project, Commissary Services, insurance products, etc).
- E. Negotiated Contracts** – Purchasing encourages the use of the first 3 methods; however, negotiated contracts for professional services can be used when a formal Bid, Pre-Qualification, or RFP was not completed (e.g. Legal, Engineering, Architectural, Insurance, Audit, Surveying, etc). This is typically used when additional services are needed on an existing contract or when recurring services are needed (i.e., engineering) and a relationship has been established with an existing vendor and cost associated with changing vendors may be more than savings achieved through the Purchasing process.

**F. Submitting a Response**

Each vendor must carefully follow all instructions included within the formal solicitation documents regarding the proper submission of a response. **Failure to comply with conditions set forth in the solicitation may result in disqualification.** All Floyd County solicitations require the vendor to submit a sealed bid/proposal to a physical address, the sealed bid/proposal must be delivered in a separate envelope or package, completed in ink or typewritten, signed in ink, sealed, and include the following information on the outside of the package/envelope:

<b>To:Floyd County Purchasing 12 East 4<sup>th</sup> Ave Suite 106 Rome, Ga 30161</b>	<b>From: Name of Vendor/Company</b> <b>Bid/Proposal Closing Date:</b> _____ <b>Time:</b> _____ <b>Solicitation Number:</b> _____
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It is imperative that the bidder/offeror place the solicitation closing date, time, and the solicitation number on the outside of the envelope since this is the means by which it is to be identified as an offer.

### **TYPES OF PURCHASES:**

Small Purchases (purchases which involve amounts less than \$20,000) are classified as small purchases and require differing process based on dollar amount:

Small Purchases – under \$2,000 -	May be solicited by user department or purchasing buyers decision
\$2,000 – \$3,999	verbal quotes
\$4,000 - \$19,999	written quotes
Large Purchases - \$20,000 - \$39,999	Solicitation issued by purchasing informal bid
\$40,000 and up	formal sealed bid

### **Quote Process**

- A. Purchases that involve amounts less than \$20,000 do not require a formal bid process. However, the process used for any such purchase will include as much competition as is consistent with the anticipated cost of Purchasing. The larger the value of the purchase the more attention should be made to competition
- B. \$0 - \$1,999 **Small Dollar**
- Discretion of the using department or purchasing,
  - Multiple quotes are not required
    - Quote Tab Form (optional)
  - Effort should be made to ensure the price is fair and reasonable
  - Buyers are to use their best judgment as to source of supply
  - Requisition for PO or P- Card
  - Process may be handled by user department or by purchasing when requested by user department
- C. \$2,000 - \$3,999 **Verbal Quotes**
- Minimum of three verbal quotes
    - Quote Tab Form or listed on requisition
  - Requested and Received by Telephone, Fax , Email or Supplier location
  - Less than three quotes require approval of the purchasing department
  - Purchasing at their discretion may obtain additional quotes
  - Documentation required with requisition or P-Card Statement
    - Quotes received, with name of supplier and person giving quote

- Process may be handled by user department or by purchasing when requested by user department.

**D. \$4,000 - \$19,999 Written Quotes**

- Minimum of three written quotes
  - Quote Tab Form
- Written request for quote sent to suppliers which includes , but not limited to
  - scope of work and/or specification.
  - instructions as delivery requirements (FOB Destination / Rome),
  - deadline for submission of quote(should allow at least 5 days if at all possible),
  - request for delivered prices or estimated shipping charges to be included in quote,
- Supplier should supply details as to what is being offered (manufacture number, spec sheet, brochure of product)
- Posted on purchasing quotes page and/or State of Georgia E-Source site if over \$10,000
- Written quotes may be received by email, fax or mail
- Less than three written quotes require approval of County Manager prior to issuance of Purchase Order Purchasing has discretion to obtain additional quotes
- All documentation submitted to purchasing with purchase order request
- Process may be handled by user department or by purchasing when requested by user department.

**Bid Process**

**A.** The Bid process is used for the purchase of goods / services when the County's requirements are clearly defined. The bid is awarded to the most responsive and responsible bidder who offers the lowest price and whose bid meets the requirements and criteria set forth in the solicitation.

**B.** The Purchasing Department is a facilitator that is responsible for:

1. Protecting the integrity of the Bid process
2. Determining if a pre-bid conference is necessary and if it should be mandatory or non-mandatory
3. Finalizing the Bid document to ensure all necessary components are included
4. Submitting the bid advertisement, posting bid documents, and receiving the bid responses
5. Reviewing and approving all bid addenda prior to release to potential bidders
6. Preparing the evaluation summary to be included with agenda item to be presented at the user department's oversight committee for the Board's approval



### C. Essential Elements / Characteristics of a Bid

1. A Bid is primarily used for the purchase of tangible goods (e.g. vehicles, equipment, etc). However, there is no limitation on the use of the bid process.
2. The using department will be responsible for preparing the specifications / scope of work for what is required. This information will be sent to Purchasing for formal preparation into the final bid document(s).
3. Bids contain all the usual boilerplate language and the following:
  - Purchase description and quantity
  - Time and place for receipt of bids
  - All contractual terms and conditions applicable to the purchase
  - Procedures for submitting bid
  - GA Security and Immigration Compliance Act / Contractor affidavit (to be completed if providing Floyd County with a service)
  - Required compliance with all applicable laws and regulations

### D. Outline of Bid Process

#### \$20,000 - \$39,999 **Informal Bid**

- Written documents issued to include but not limited to
  - detailed specifications
  - scope of work
  - detailed boiler plate language
- Posted on purchasing web site and may also be placed on Ga. Procurement Registry.
- Minimum of two weeks should be allowed between issuance and deadline, if possible.
- Approval required by Board of Commissioners
  - Bid Tab Form
  - Recommendation from purchasing or user department
- Bids may be received by email, fax, or mail
- Process will be handled by purchasing, with assistance of user department
  - provide specifications
  - scope of work
  - special terms and conditions requirements
  - pre-bid conference requirements

#### \$40,000 – **Formal Sealed Bid**,

- Similar to Informal Bid with the exception of time frame and type of advertisement.
- Detailed written documents to be issued,
- advertised Newspaper, County web site, GPR a minimum of two weeks,
  - Public Works Construction, Road Const., Water may require longer advertising period see O.C.G.A

- Bids must be received by purchasing in sealed envelope
  - Supplier Name
  - Bid Name and Bid #
  - Date and Time of Opening
- Approval required by Floyd County Board of Commissioners
  - Letter of recommendation user department and purchasing
  - Bid Tab
- Process will be handled by purchasing, with assistance of user department
  - provide specifications
  - scope of work
  - special terms and conditions requirements
  - pre-bid conference requirements
  - bonding requirements

**Above processes may be altered if a different process is mandatory by State Code, Grant, or Federal requirements.**

#### E. General Guidelines

1. These guidelines are to be used as an aid in the Bid process. They may be adjusted by the Purchasing Department depending on their application to specific solicitations.
2. The Bid process should be initialized by submitting a Bid Request with all required information, specifications and/or scope of work to Purchasing, approximately six to eight (6-8) weeks prior to the project's anticipated start date.
3. All County documents necessary to ensuring a proper bid response (i.e., scope of work, specifications, construction drawings, engineer reports, etc.) shall be submitted to Purchasing along with the bid request prior to the bid being advertised.

#### F. Pre-Bid/Proposal Conferences

1. Pre-Bid/Proposal Conferences answer vendor questions or clarify any confusion concerning difficult specification/SOW requirements.
2. Pre-Bid/Proposal Conferences ensure that all interested parties to a bid/proposal have equal access to uniform information. If any changes/additions/deletions are necessary, Purchasing will issue an Addendum addressing the revisions.
3. If an Engineer or Architect is handling the project the Bid Documents and Addenda will be prepared by such, but issued and received by Purchasing.
4. It is at the discretion of the Purchasing Department and requesting department to determine if a Pre-Bid/Proposal Conference is necessary. Normally the decision is dependent upon the complexity of the Bid/RFP.

5. If a Pre-Bid/Proposal Conference is made MANDATORY, only those vendors who attended and signed the appropriate Sign-In Sheet during the meeting are eligible to submit a bid/proposal.
6. Typically a Pre-Bid/Proposal Conference is made MANDATORY if county staff necessitates the vendors to physically “see” a specific item/location, etc., such as a construction site or county facility.
7. When a MANDATORY Pre-Bid/Proposal Conference is scheduled, the date of the conference must be at least two business days following the **LAST** required published advertisement.

### **Receiving the Bid**

- A. Bid Opening – Sealed bids shall be opened publicly in the presence of one or more witnesses at the time and place designated in the solicitation. The amount of each bid, and such other relevant information as may be specified by regulation, together with the name of each bidder shall be recorded; the record and each bid shall be open to public inspection. The official time of bid opening shall be stated in the bid documents and as determined by the clock in the room designated for the formal bid opening. If no clock is available, time shall be determined as stated by the presiding official. No bid or bid corrections will be accepted after the stated time deadline.
- B. Bid Acceptance and Evaluation - Bids shall be submitted in a sealed opaque envelope. Outside of the submitted envelope shall contain the full name of the bidder with applicable license numbers, the date of the bid, and the name and number of the project. Bid adjustments shall be allowed on the face of the envelope (for lump sum bids only) if deemed necessary by the bidder provided adjustments are made and submission is complete by the stated time deadline.
- C. In the event that the pre-qualification process is utilized by the owner, no bids will be accepted from bidders not previously approved by the owner. Notification of pre-approval or disapproval will be made to potential bidders no later than fourteen days prior to the bid date.
- D. Correction or Withdrawal of Bids; Cancellation of Award - Correction or withdrawal of inadvertently erroneous bids before or after award, or cancellation of awards or contracts based on such bid mistakes, shall be permitted. After bid opening, no changes in bid prices or other provisions of bids prejudicial to the interest of the County or fair competition shall be permitted. All decisions to permit the correction or withdrawal of bids, or to cancel award or contract based on bid mistakes, shall be supported by a written determination made by the Purchasing Department and presented to the Board. The final decision shall be from the Board.
- E. Award - The contract shall be awarded with reasonable promptness to the most responsible and responsive bidder with the lowest cost whose bid meets the requirements

and criteria set forth in the solicitation. The recommended award shall be presented to the Board. The final decision shall be from the Board.

- F. The Bid process does NOT include negotiations with bidders after the receipt and opening of bids. In the event all bids for a construction project exceed available funds, the user department is authorized to negotiate an adjustment of the bid price, including changes in the bid requirements in order to bring the bid within the amount of available funds.
- G. Each Bid shall state the County's right to reject any or all bids and waive any irregularities or informalities therein.
- H. Tie Bids - Tie bids are low responsive bids from responsible bidders that are identical in price and which meet all the requirements and criteria set forth in the solicitation. In the event of a tie bid, award shall be made in the best interest of Floyd County as determined by the Board of Commissioners.
- I. Bid / Proposal Bonds
  - 1. Bid bonds will be indicated in public notices inviting bids/RFPs (legal advertisement). The amount of such bonds will be a minimum of 5% the bid/proposal, and will be in the form of one or any combination of the following: bid bond, certified check, cashier's check or cash.
  - 2. An irrevocable letter of credit issued by a bank may be substituted for the above deposits, unless otherwise noted on legal advertisement, only if the amount of the bid/proposal bond does not exceed \$750,000.
  - 3. If a vendor submits a bid/proposal with an **INCORRECT** bid/proposal bond amount specified in the legal advertisement, the bid/proposal amount will **NOT** be disclosed and the bid/proposal will be disqualified and not considered.
  - 4. When it appears that the use of the bid/proposal bond is not advantageous to the County, the Purchasing Director may waive this requirement unless required by State Code.
  - 5. Unsuccessful bidders will be entitled to return of the surety within 30 days after opening of the bids/proposals.
  - 6. Upon failure of the awarded vendor to enter into a contract within ten calendar days after the County tenders the proposed contract, the vendor forfeits the bid/proposal bond.

## **Request for Proposal**

- A.** The Request for Proposal (RFP) process is primarily used when the County's requirements are defined, but the means or methods to meet the objectives cannot be clearly established. Requests for Proposals utilize the best value technique and consider cost as just one of several evaluation criteria necessary to make an award.
- B.** The RFP process requires a contractor to prepare a written proposal that explains in detail how he plans to meet the County's requirement. Innovative ideas and techniques that the contractor feels may benefit the County may be included in the proposal.
- C.** Concurrently, the RFP process may also be applicable to the acquisition of commodities when the need for an evaluated technical performance, service or value added service component, or any related technical solution component exists.
- D.** An award made under the RFP process is based on a variety of evaluated factors which may include: contractor references, business approach, technical superiority, overall cost effectiveness, etc. The evaluation criteria are set-forth in each RFP.
- E.** The Purchasing Department may act as a non-voting facilitator that is only responsible for:
  - 1.** Protecting the integrity of the RFP process.
  - 2.** Determining if a pre-proposal conference is necessary and if it should be mandatory or non-mandatory
  - 3.** Finalizing the RFP document to ensure all necessary components are included
  - 4.** Submitting the RFP advertisement, posting RFP documents, and receiving proposals.
  - 5.** Reviewing and approving necessary RFP addenda prior to release to potential proposers
  - 6.** Determining which proposals "Pass / Fail" minimum requirements
  - 7.** Facilitating all committee meetings
  - 8.** Performing reference checks
  - 9.** Collecting all evaluation documents and or committee notes for RFP file
  - 10.** Preparing the evaluation summary to be included with agenda item for Board approval
- F.** Essential Elements / Characteristics of an RFP

1. RFP's are usually reserved for large dollar value requirements. The process is complex and time consuming and is not feasible for smaller requirements.
2. The using department will be responsible for preparing the specifications / scope of work for what is required. This information will be sent to Purchasing and used by the Evaluation Committee to assist in the preparation of the RFP.
3. RFP's contain all the usual boilerplate language and the following:
  - General Requirements / Purpose (Statement of Work / Services)
  - Mandatory Requirements for Proposal
  - Procedures for submitting Proposals
  - Evaluation criteria - criteria on which the proposal will be evaluated including the weighting for each criteria to avoid criticism for manipulating, favoritism, etc, the evaluation criteria should be stated up front within the RFP.
  - Standard terms and conditions
  - County's standard draft contract
  - GA Security and Immigration Compliance Act / Contractor affidavit

## **RFP EVALUATION INSTRUCTIONS**

### **A General**

The evaluation criteria in this form are general in nature and not intended to apply to all projects. Purchasing shall revise the form to match each solicitation being evaluated by adding or deleting criteria as appropriate. The inclusion of criteria not described or referenced in the original solicitation is prohibited.

### **B Assigning Points**

Points are assigned according to the degree of responsiveness of the information presented in the responses. The points indicate the quality of the response. **"0" represents an unacceptable response, "1" -- poor, "2" -- satisfactory, "3" -- average or good, "4" -- very good, "5" -- excellent.** Purchasing can assign other numerical values to the range of points allowed for grading the quality of the response. The "0" to "5" grading point range is recommended for use because committee members easily can relate the quality of the response to this range of numbers.

Only the best proposal for each category shall receive the maximum possible points for that category. The remaining responses receive fewer points for that category. Although the scoring of points is a matter of subjectivity, the committee member's judgment must be based on the information presented in the proposer's proposal.

A proposer shall not be penalized due to lack of experience with the County or given a point advantage because of previous contract relationships with the County. The relevancy of such experience in terms of the RFP's scope of work may be judged as with any other reference of the proposer. When the County is used in this manner as a "reference", a reference check form must be completed and made part of the record. Point scores always shall be assigned in an impartial and objective manner.

**C Weighing Scores**

Some criteria in the evaluation form may be given more importance (weight) than others by assigning a higher multiplier or weight factor to that criterion. Weights of "5", "10", or "15" or similar series of values are used to calculate the final score for the criterion. In the range 5/10/15, the factor "5" represents "moderately important", "10"-- "important", and "15" -- "very important". Assigned weights must correspond to the relative importance of the evaluation criteria as specified in the RFP. Once a weight for an evaluation criterion is established, it cannot be interpolated or otherwise changed by the committee members.

**D Scoring Columns**

This sample form has four main columns (A, B, C, and D). Column A identifies the maximum quality points allowed for each criterion preprinted on the form ("5" if the "0" to "5" range is used). Column B is the weight column with the *relative importance* weights of each criterion ("5", "10", or "15") preprinted on the form (Weights were previously calculated by Purchasing). The weight used in column B also is preprinted in the spaces in columns C and D of that criterion. Other forms may be utilized depending on the particular project.

Column A	Column B	Column C							Column D						
Max Points	Item Weight	Independent Review Assigned Points X Weight / Max Points = Score							After Committee Discussion Assigned Points X Weight / Max Points = Score						
5	5		X	5	/	5	=	0		X	5	/	5	=	0

During independent review (before the meeting of the full committee), each committee member reads the proposer's response and inserts a point score for each criterion in the "POINTS" space in Column C. The best response for each criterion listed receives the highest point value for that criterion. The responses for that criterion from the remaining proposers receive fewer points according to their relationship to the "best" response. The committee member then multiplies the points assigned by the preprinted weight factor and then divides that by the maximum number of points (5). The result is the score for that criterion.

Negative or "0" point values can be assigned to evaluation criteria by the committee member. If a proposer did not address an RFP requirement, a point value of "0" is entered in the form.

Insert brief comments under each criterion, explaining the reason for any unusually low or high scores. These notes may be needed for reference during the full committee discussions if the points assigned are questioned by another committee member, or to justify the committee member's score in the event of a protest by an unsuccessful proposer. When finished with the independent review, total the scores for each proposer.

When the full committee meets to review the responses, new information received by a committee member from the discussions of the full committee may result in the committee member deciding that a score requires changing. It is not unusual to have a committee member's original score changed because of new information discovered at the full committee meeting. For example, one member could have "discovered" information that other members thought was apparently missing from a response because the proposer put the information in an attachment instead of in the main section of the proposal. The revised score then is entered by the committee member in column D (full committee review) and calculated in the same manner as for Column C. If there are no changes to the independent review (Column C), the same point value is transferred to column D. After committee discussions are complete, the scores in column D are totaled.

The "0" to "5" point values assigned by a committee member in column D must always be independently arrived at and must not represent a consensus of the committee. The only exception occurs when points are assigned as a result of a single person review (for example, when the Finance Director assigns the score to use for an proposer when reporting on the financial stability of that proposer or when references are checked by one person.)

#### **G. General Guidelines**

1. These guidelines are to be used as an aid in the evaluation process. They may be adjusted by the Purchasing Director depending on their application to specific solicitations.
2. A proposal cannot be evaluated effectively unless each Committee member is familiar with the original RFP. The Evaluation Committee must review the guidelines carefully to be certain that they are operating within their constraints. If changes to the guidelines are desired, the Evaluation Committee shall contact the Purchasing Director who may (providing the changes desired do not conflict with existing regulations, resolutions, policies or procedures) adapt the guidelines to the specific needs of the solicitation. No changes to the guidelines may be made without the advance approval of the Purchasing Director.
3. Each RFP shall state the County's right to reject any or all bids and waive any irregularities or informalities therein.

#### **H. Developing Effective Proposal Evaluation Documents**

1. Characteristics of Effective Evaluations:



- Uniform criteria and process established and set forth in solicitation document.
- Evaluation criteria shall be established during the proposal preparation and shall not be changed once the proposal is released to the public.
- Actual proposal evaluation considers, but is not limited to, Proposer's responsiveness to the Statement of Work, resources, and capability to provide the required commodities, services, performance history, and cost.
- Evaluation criteria stated in solicitation document coincides with information the proposers are instructed to provide in their proposals.
- Evaluation committee comprised of appropriate balance of subject matter experts and nontechnical staff.
- Results in fair and comprehensive assessment of Proposer responses.
- Technical staff can review proposal components if necessary and report findings to the committee for their evaluation and rating
- Brief 10 – 15 minute presentation submitted via DVD or email
- Optional Oral Interview/Optional Site Visit

## 2. Developing the Evaluation Document

- Establish Minimum Requirements (Pass/Fail) as identified in the Solicitation Document
- Proposer's Qualifications:
  - Length, Scope and Depth of Past Experience (Contractor & Staff)
  - Types of Skills Staff Must Possess
  - Financial Capability (Financial Statement Analysis, Dun & Bradstreet Reports, Credit reports, 10K Report Review, etc.)
  - Licensing Requirements
- Technical/Management Approach to Providing Required Services - how will the Proposer provide the required commodities or services?
- Project Methodology/Innovation
  - Compliance with specifications and/or performance outcomes
  - Suitability and appropriateness of how services will be provided or work will be performed
  - Quality control plans and methods
  - Error rates, testing capability, process controls
  - Use of technology
  - Equipment capabilities
  - Management reports
  - Implementation plans and timing
  - Ability to meet deadlines
  - Learning curves
  - Compliance with regulations
  - Alternatives (exceptions or recommended improvements)
  - Value added
- Project Schedule/Work Plan
- Personnel Considerations:
  - Desirable Staff Qualifications & Experience
  - Certification(s) Staff Must Possess & Maintain
  - Types of Training/Certifications Staff Must Possess

- Personnel turnover
- Availability and location of management and project staff
- Proposer's Office Location/Contingency Planning
- Cost/Pricing
- Exceptions to Terms and Conditions

I. A Pre-Proposal Conference is normally held to allow the potential proposers to ask questions and clarify any ambiguities. The questions and answers are prepared as an amendment to the RFP and sent to all potential proposers. Purchasing will determine whether a pre-proposal conference should be mandatory or non-mandatory. Pre-proposal conferences should remain non-mandatory unless the vendors actually need to "see" something (e.g. site visit). If the using department requests a mandatory pre-proposal conference, it will need to be justified.

#### J. Evaluation Criteria

1. The only award criteria that can be used in the evaluation process are those included in the original RFP.
2. Evaluation Criteria should be all of the following:
  - **Objective:** Criteria should not be subject to diverging interpretation.
  - **All-encompassing:** Criteria should address all key elements of the contract.
  - **Clear:** Criteria should separate best, average, and weaker proposals.
  - **Non-discriminatory:** Criteria should be fair and reasonable.
  - **Realistic:** Criteria should be within reason, given the contract nature and/or value.
  - **Measurable:** Criteria should have measurable standards.
3. Evaluation Criteria point structure and weighting
  - Recommend scale of 100 points
  - Cost shall be up to 50 points
  - Category and criteria weighting, which may be different for each RFP, should reflect importance of those factors related to a Proposer's ability to meet the County's requirements
  - Some categories such as references and financial capability analysis typically require an independent source to gather the information and report back to the committee so they can arrive at a score
  - Informed Average scoring (thorough discussion and debate, and then by averaging the numerical ratings)

#### K. Evaluation Committee Member Selection

1. Minimum of 3 to maximum of 5 members, unless special circumstances are present.
2. Composition of Evaluation Committee - Annually, a representative from each division and from county administration shall be selected and trained on these policies and procedures. As the need for an RFP arises, 3 – 5 members will be selected from this pool by Purchasing, the division directors, and county

administration based on each individual member's strengths and value to the RFP in question.

3. Commitment of Evaluation Committee Members - Members need to be able to commit to the timeframe for evaluation process (review time and meetings). If any member is unable to commit the required time to ensure a complete process, then another member shall be selected. If any member is unable to attend any part of the process, that member must excuse himself from the evaluation process.
4. Integrity of Evaluation Committee Members - Members should not have any actual or perceived conflict of interest situations.
5. Evaluation Committee members are responsible for more than just identifying technically qualified contractors. Committee members must endeavor to select a firm that also can function effectively as an integral part of the County service team.
6. Technical staff can review proposal components if necessary and report findings to the evaluation committee for their evaluation and rating.
7. The Evaluation Committee shall:
  - a. Prepare or assist in the preparation of the technical specifications and criteria for evaluation;
  - b. Review the original Request For Proposal (RFP);
  - c. Review and score the responses received and compare the content of each against only those criteria established in the solicitation;
  - d. Participate in the oral presentations;
  - e. Participate as a member of or assist other members of the negotiation team in conducting negotiations with one or more of the top ranked finalists;
  - f. Evaluate the best and final offer(s) of the finalist(s);
  - g. Make a positive contribution to the Committee's mission of producing a professionally sound recommendation for award.
  - h. Give to the Purchasing Department all the Committee member's files, records, correspondence, completed RFP evaluation forms, and minutes of meetings, for inclusion in the master RFP file in the event the Committee's decision is questioned or challenged;
  - i. Conduct the evaluation and selection process in strict accordance with the Purchasing rules of the County, ensuring that the final recommendation is without bias, and is legally defensible;
  - j. Provide information and assistance to the Purchasing and legal staff if protests are filed by unsuccessful proposers;
  - k. Maintain the confidentiality of the identities of the proposers and the security of the contents of the proposers' responses until the award is made.

#### **L. Purchasing Evaluation Process**

1. Pass / Fail
2. Adherence to submission deadline
3. Proposer has not been debarred by the County
4. Met minimum requirements as set forth in the Solicitation Document

## M. Committee Evaluation Process

### 1. Initial Orientation Meeting

- All committee members will meet with Purchasing to discuss which firms responded and the evaluation approach.
- The Purchasing Department will be responsible for:
  - Providing overview and general principles of the process, solicitation document, preparing and distributing RFP evaluation documents, target dates, time commitments, etc.
  - Reviewing confidentiality requirements during and after the evaluation process
  - Distributing copies of the “Passed” responses received. Proposals that did not meet the minimum requirements will NOT be given to Committee members.

### 2. Independent Evaluation by Committee Members

- Each member should independently review and score the proposers' responses before meeting or discussing the responses with any other Committee members. The Committee member should make notes of their observations directly on the RFP Evaluation Form so that they may defend any challenge to their scoring during the full Committee review.
- The Purchasing Department retains the original copies of all members' RFP evaluation forms.

### 3. Meet with Full Committee

- The full Committee meets to discuss the scores assigned by each member during the independent review to determine which firms will move on to the next step. The score for each firm will be determined by averaging the independent review scores given by each committee member. Only the firms with a score higher than the median score will proceed.

### 4. Site Visits / Oral Interviews

- If conducting site visits and/or oral interviews as part of the process, all committee members must be present at all events or their evaluation score will not be considered. If any member is unable to attend any part of the process, that member must excuse himself from the evaluation process.

### 5. Additional Information via Outside Sources

- Reference checks will be completed by the Purchasing Department, not by committee members.
- Financial information can be reviewed by the Finance Director or other knowledgeable party, if necessary.

### 6. Final Review by Full Committee

- During the final review discussion, each committee member acquires a better insight into the qualifications of each proposer by examining the additional information obtained for each firm. It is not unusual to have a dramatic change in a Committee member's independent scoring of a proposer because of this added information. If, because of the discussions, a Committee member feels that a score for one or more entries requires adjustment, the adjusted score is utilized as the final score in the second column of the RFP Evaluation Form. No changes are made to the independent score in the first column.

- The Purchasing Department retains the original copies of all members' RFP evaluation forms. They will be kept in the RFP file with the Committee's final award recommendation.
7. Determination of Recommended Provider
- The final scores given by the Evaluation Committee members will be averaged and added to the formulated score for cost. The firm with highest score is the recommended provider. If any firm disagrees with the scores given, they are entitled to appeal the recommendation and submit a formal protest in accordance with the County's protest policy.
8. Approval of Recommended Provider by the Board
- The using department will present the recommended provider to the Floyd County Board for approval. The Board's decision is final. If for some reason the awarded vendor is unable to complete the agreed upon tasks, Floyd County will proceed with the second highest ranked provider.

## **Pre-qualification Process**

### **A. Request for qualifications**

1. Pre-Qualification may be utilized when the County's requirements are defined; however, there may be unique services or criteria involved that create the need to determine whether a (potential) bidder is indeed a responsible bidder (e.g. architectural, construction, consultants, growth management plan, etc). Once the Pre-Qualification list has been determined and approved by the Board (the Board), the County's bid procedures will then be followed.
2. A formal Request for Qualifications (RFQ) for a proposed project will be prepared and distributed to a select list of firms. Respondents will indicate their interest in the project and illustrate their relevant project experience and overall capabilities to perform the services required for the project.
3. The initial RFQ, which is to be submitted by the using department, should include the following:
  - A brief description of the proposed project
  - Any special expertise or unusual services that might be required
  - A time schedule for the project, including the selection process to retain a firm
  - A list of selection criteria (location of firm, past experience, financial standing, current workload, references, brief 10-15 minute presentation submitted via DVD or email, etc.)

### **B. Evaluation of firms**

1. The written qualifications of the firms will be evaluated by the Evaluation Committee as discussed in the RFP process based on, but not limited to, the following factors:
  - Individual qualifications of personnel as a team
  - Overall experience of personnel as a team
  - Ability of team to perform within time constraints based on firm workload
  - Firm's awareness of project's issues, opportunities and constraints
  - Project team's experience on similar projects
  - Quality of past work
  - Financial stability of firm
  - Project control measures to monitor schedule and budget
  - Location and quality of office facilities
  - Performance evaluation from past clients (References)
  - Brief 10-15 minute presentation, if required

### **C. Determination of pre-qualified firms**

1. After evaluation of the firms as discussed in the RFP process, each firm will be deemed either qualified or NOT qualified. The recommended list of qualified firms

will be presented to the Board for approval. If the firm was deemed NOT qualified, a detailed explanation as for the reason for disqualification will be provided.

2. The disqualified firm is entitled to appeal the recommendation and submit a formal protest in accordance with the County’s protest policy.

**D. Approval of pre-qualified firms by board**

1. The recommended list of qualified firms will be presented to the Floyd County Board for approval prior to the dissemination of the bid.
2. The Board’s decision is final.

**E. Bid process**

The firms who are deemed qualified by the Board will then follow the County’s bid procedures.

**F. Advertisement Requirements**

No formal advertisement requirements exist for the prequalification process. Therefore, the window of advertisement will be at the sole discretion of the using department and Purchasing. Once a prequalification decision is made, all bid time requirements will be followed.

**Advertisement Requirements  
May be Electronic Notices**

<b>TYPE</b>	<b>ADVERTISEMENT REQUIREMENT</b>
NON PUBLIC WORKS (\$4,000 -\$20,000)	Advertise at least <b><u>ONE</u></b> week...
NON PUBLIC WORKS (Over \$20,000)	Advertise at least <b><u>TWO</u></b> week...
PUBLIC WORKS (\$40,000 - \$99,999)	Advertise <b><u>THREE</u></b> weeks...
PUBLIC WORKS (\$100,000+)	Advertise <b><u>FOUR</u></b> weeks...
ROADWAY (NO DOLLAR LIMIT)	Advertise <b><u>FOUR</u></b> weeks...
PURCHASE INVOLVES STATE OR FEDERAL FUNDS	Advertise <b><u>FOUR</u></b> weeks...

MANDATORY PRE-BID / RFP CONFERENCE	<p>Last required ad <b><u>MUST</u></b> be published at least two business days prior to Mandatory Pre-Bid / RFP Conference.</p> <p>Pre-Bid / RFP Conference <b><u>MUST</u></b> be at least five business days prior to opening.</p>
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- A. Purchasing shall have plans and specifications available on the first day of the advertisement and shall be open to inspection by the public. If handled by Construction and Maintenance Services or approved Engineer or Architect, the plans will be available in their respective offices. The plans and specifications shall indicate if the project will be awarded by base bid or base bid plus selected alternates.
- B. Purchasing shall issue any addenda modifying plans and specifications no less than 72 hours prior to the advertised time for the opening of bids/proposals, excluding Saturdays, Sundays, and legal holidays. However, if the necessity arises to issue an addendum modifying plans and specifications within the 72 hour period prior to the advertised time for the opening of bids/proposals, excluding Saturdays, Sundays, and legal holidays, then the opening of bids/ proposals shall be extended at least 72 hours, excluding Saturdays, Sundays, and legal holidays, from the date of the original bid or proposal opening without the need to re-advertise.
- C. The Purchasing Department will contact all potential vendors referred by the requesting department as well as seek additional suppliers. All vendors are encouraged to register on the Georgia Department of Administration Services webpage to be notified via email of upcoming Quotes/Bids/RFP's.
- D. In the event no bids/proposals are received, the Purchasing Director in conjunction with the requesting department will revise the specifications/SOW and solicit bids/RFPs once again by mail, telephone, facsimile, newspaper, or by any other reasonable manner in order to secure a responsible bidder/proposer.
- E. Additional purchases based on prior bids, excluding Public Works projects, are allowed as long as ALL of the following conditions are met:
  - 1. Low bidder/highest ranked provider agrees to maintain its price.
  - 2. Quantity ordered is the same or less.
  - 3. Specifications/SOW and items ordered are identical to originals.
  - 4. Market conditions remain the same.
  - 5. Funds have been budgeted for the specific expenditure.
  - 6. Request takes place during a twelve-month period from date bids/proposals were opened.



**Quotes**  
**Items not Requiring Bids / Proposals**  
**Handled by Purchasing or User Department**

- A. All purchase items estimated to be equal to \$2,000 but less than \$20,000 will be made in the open market without observing the formal competitive bidding procedures, but will be contracted for or purchased in accordance with the procedures listed below:
1. All open market purchases will, whenever possible, be based on **THREE TO FIVE WRITTEN** quotations, verbal quotes are acceptable, if purchase is under \$4,000, but written quotes are always preferred.
  2. The user department or purchasing will solicit quotations by email, mail, telephone, facsimile, catalogs or any other viable means.
    - a. When submitting a requisition for an open market requests, the using department is to include the three to five written quotations that were received, RFQ Memo, as well as the general specifications that were given the supplier.
    - b. With the exception of emergency purchases as authorized, no officer or employee of the County will purchase any goods or services for the County except through proper procedures, and no voucher, check, or other method of payment will be honored.
  3. Public Works and Road Construction quotes may require additional documentation due to state code.
- B. State Contract Purchases
1. The requirement for three to five quotations for purchases equal to \$2,000 but less than \$20,000 may be waived by the Purchasing Director on items purchased through a contract that has been bid and negotiated by the State of Georgia Department of Administrative Services, WISCA, US Communities, or other published contracts that were competitively bid. However, Purchasing strongly recommends obtaining at least three quotes (using the contract price as one of the quotes) as we have been able to “beat” state contract pricing numerous times.
  2. The competitive bid procedures for purchases of \$20,000 or more may be waived on items purchased through a contract that has been bid and negotiated by the State of Georgia Department of Administrative Services or other competitively bid contracts *upon recommendation of the Purchasing Department to the County Manager.*
  3. State of Georgia contract bids will be subject to their respective bidding practices and requirements.

### C. Emergency Purchases

1. An “Emergency” is defined as any situation resulting in imminent danger to the public health or safety or the loss of an essential governmental service.
2. In the event of an emergency that threatens the public health, safety, or welfare of the County or the loss of an essential governmental service, the County Manager, Purchasing Director and/or Finance Director will have the authority to suspend formal competitive bidding procedures to the extent required to rectify the emergency.
3. In the absence of the Purchasing Director and Finance Director, the affected Division Director(s) will have the same authority, but will report such emergency purchases to the Purchasing Director promptly (within two working days if possible).

### D. Sole Source Purchases

1. Sole source is defined as those Purchases made pursuant to a written determination by a governing authority that there is only one source for the required supply, service, or construction item. Sole Source Purchases \$2,000 - \$4,000 must be approved by the Purchasing Director, Sole Source Purchases exceeding \$4,000 but less than \$20,000 must be approved by the County Manager. Sole Source over \$20,000 must be approved by the Board of Commissioners. Sole Source Justification form will be required and Sole Source over \$10,000 will be required to be posted as intent to award on GPR.
2. Departments are to contact Purchasing for verification of a “sole source” purchase.
3. Before making a determination of Sole Source, research must be conducted to determine if other products or service providers exist and can satisfy Purchasing requirements. Ga. Procurement Registry’s intent to award sole source posting is one method of research.
4. Sound Purchasing practice requires that Sole Source Purchasing be used when it is the only option and not as an attempt to contract with a favored service provider or for a favored product.

### E. Single Source Purchase

1. Procurement decision whereby purchases are directed to one source because of standardization, warranty, or other factors, even though other competitive sources may be available.
2. See Sole Source Requirements

## **Professional Services**

- A.** Although professional services are not required to be competitively procured, when determined to be in the best interest of Floyd County, requests for proposals may be issued for professional services.
  
- B.** A professional service is defined as any service performed by a person or firm that is registered with Georgia Secretary of State and required to maintain a valid State of Georgia license to provide their respective service, including but not limited to the following:
  - 1.** Engineering
  - 2.** Architectural
  - 3.** Surveying
  - 4.** Testing and Special Studies
  - 5.** Audit and Accounting
  - 6.** Insurance
  - 7.** Financial Management
  - 8.** Fiscal Advisor
  - 9.** Court Reporting
  - 10.** Legal
  
- C.** Purchases of goods and services including professional services should have a purchase order issued in order to help provide a good audit trail, encumber the funds, and avoid duplicating routine approval of timely invoices.
  
- D.** Purchasing strongly encourages to competitively seek all Professional Services \$20,000 or greater.

## **Other Purchases**

- A.** Computer Hardware and Software Purchases
  - 1.** Proposed purchases of computer hardware and software must be reviewed by the Management Information Systems (MIS) Department to ensure compatibility with the County's equipment and network system.
  
  - 2.** Requests to purchase computer hardware or software must follow appropriate Purchasing procedures. No reimbursement will be made for out-of-pocket purchases of unapproved software or equipment.
  
  - 3.** All software must be registered in the name of the County and not in the name of an individual user or user department. Registration documentation should be held by the IT Department.
  
- B.** Personal Use Purchases

Floyd County allows employees to purchase directly from suppliers as long as the following guidelines are followed:

1. The supplier must be willing to sell directly to employees; no supplier shall be coerced or pressured in any way to sell to employees, or to offer discounted prices to employees for its products.
2. The supplier must be made fully aware that the purchase will be for the individual employees use and not for the Floyd County Board of Commissioners.
3. The employee must arrange delivery and payment for purchase with the supplier; no deliveries or invoices for the personal purchases to the Floyd County Board of Commissioners will be permitted.
4. The employee must pay all applicable sales and use taxes to the supplier.

**C. Inventory**

1. A supply of Flags, Requisition Books, County Decals and other long lead time items will be maintained by the Purchasing Department.
2. All purchases of inventory items are initially charged to Purchasing "Inventory" line code. On a timely basis the user departments will be charged for the items requisitioned during the period. All charges for inventory items will be based on a unit price reflecting an approximate actual cost of the item (first-in, first-out basis).

**D. Purchases from Employees or Elected Officials**

Purchases of goods or services from Employees or Elected Officials in excess of \$100 must be approved by the Board of Commissioners, and must meet the same criteria as any other purchase.

**Protest Guidelines for RFPs/Bids**

- A. The following protest procedure is the sole administrative remedy for protesting Purchasing processes, recommendations, and/or decisions made regarding request for proposals (RFPs) and bids.
- B. It is not available to non-timely proposers/bidders or when all proposals/bids are rejected.
- C. Any responsive bidder or proposer submitting a bid or proposal in response to a solicitation may protest the apparent award or recommendation to award a contract by submitting such protest in writing via certified mail, hand delivery, facsimile transmission or email to the Purchasing Director no later than five (5) business days (the first business day to be the day after the notice is received) after notice from the Purchasing Department is received by protester of the recommendation to be made to the Board (BOC) or actual knowledge is obtained by the protester that a recommendation to

award to a proposer/bidder other than the protester will be made to the BOC, whichever occurs first, addressed as follows:

Purchasing Director  
Floyd County Board of Commission  
12 East 4<sup>th</sup> Ave.  
Suite 106  
Rome, Ga. 30161  
[lamn@floydcountyga.org](mailto:lamn@floydcountyga.org)

- D.** The written protest must be received in the Purchasing office no later than 5:00 p.m. on the fifth (5th) business day as set forth above. The protest should contain, at a minimum, the following:
- The protestor's company name, protestor's name, address, email address, telephone number and fax number;
  - The Bid / RFP number;
  - A detailed statement of all factual and legal grounds for protests;
  - Copies of relevant documents supporting protestor's statement;
  - Statement as to form of relief;
  - All information establishing that the protestor is an interested party for the purpose of filing a protest; and
  - All information establishing the timeliness of the protest.
- E.** The Purchasing Director, Finance Division Director, and Division Director of the division out of which the contract will be managed (Review Team) shall review the protest and supportive documents and issue a written decision within five (5) business days of receipt, where feasible, to the protestor via certified mail or email. The Review Team may take any action or make any requests he or she deems necessary in order to investigate the protest including extending the time to issue a decision in order to obtain all evidence and other pertinent information.
- F.** The decision of the Purchasing Review Team shall be included in the presentation/recommendation made to the BOC for final approval. No evidence or information may be introduced or relied upon in the appeal that has not been presented in the original written protest.

### **Suspension or Debarment of Vendor**

- A.** This regulation applies to all debarment or suspensions of persons, firms, or corporations from consideration for award of contracts imposed by the Floyd County Board of Commissioners.
- B.** Causes for Debarment or Suspension - The causes for debarment or suspension include the following:
- Deliberate failure without good cause to perform in accordance with the specifications or within the time limit provided in the contract;

- A recent record of failure to perform or of unsatisfactory performance in accordance with the terms of one or more contracts;
- Damage or destruction to County property.

**C. Suspension**

- Initiation - After consultation with Purchasing, and where practicable, the vendor who is to be suspended, and upon written determination by the County Manager and Purchasing Director that probable cause exists for debarment as hereinafter set forth, a recommendation shall be made to the Board of Commissioners upon which a final decision as to the proposed suspension shall be made. If the suspension is approved a notice of suspension including a copy of such determination shall be sent to the suspended vendor. Such notice shall state that:
  - The suspension is for the period it takes to complete an investigation into possible debarment including any appeal of a debarment decision but not for a period in excess of one hundred-twenty (120) days.
  - Bids or proposals will not be solicited from the suspended person, and, if they are received, they will not be considered during the period of suspension; and
  - A suspension may be appealed in accordance to the Protest guidelines set forth in this document.

**D. Effect of Decision** - A vendor is suspended upon issuance of the notice of suspension. The suspension shall remain in effect during any protest. The suspension may be ended at any time by the Floyd County Board of Commissioners but otherwise shall only be ended when the suspension has been in effect for one hundred-twenty (120) days or a debarment decision has taken effect.

**E. Initiation of Debarment Action** - Written notice of the proposed debarment action shall be sent by certified mail, return receipt requested, to the vendor. This notice shall:

- State that debarment is being considered;
- Set forth the reasons for the action;
- State that, if the vendor so requests, a hearing will be held, provided such request is received by the Purchasing Director within ten (10) days after the vendor receives notice of the proposed action;
- State that the vendor may be represented by counsel.
- Final decision will be made by the Board of Commissioners

**Contracts**

**A.** The Board must approve any lease-purchase agreement, long-term lease or contract. Exempted from this provision are short-term lease (rental) agreements, Copier Leases, routine maintenance or service agreements, and items otherwise identified herein, which may be signed by the department manager or county manager.

- B.** Change order is defined as an alteration, addition, or deduction from the original scope of work as defined by the contract documents to address changes or unforeseen conditions necessary for project completion.
- C.** Bid and contract documents may contain provisions authorizing the issuance of change orders, without the necessity of additional requests for bids or proposals, within the scope of the project when appropriate or necessary in the performance of the contract. Change orders may not be used to evade the purposes of the Purchasing Policies.
- D.** Contract Change Orders should be approved by the Board of Commissioners or County Manager.
- E.** The Board of Commissioners may, at their discretion, designate alternate signors unless prohibited by law with relation to the item being signed. However, no employee or official of the County has the authority to obligate the County in any manner without prior approval from the Board of the Commissioners.

### **Surplus Property Sales**

- A.** These procedures are intended to be used as a guideline under which Floyd County will dispose of surplus property.
- B.** The Floyd County Board of Commissioners, through the County Manager, has authorized the Purchasing Department to dispose of surplus items.
- C.** The Board of Commissioners is authorized to sell via GovDeals online auction any personal property belonging to the County that is deemed to be of any value. Options such as quotes or bids may also be utilized when deemed a more effective method for a specific item.
- D.** The Warehouse Manager and/or Assistant Warehouse Manager will be the point of contact for managers, staff, suppliers, consultants, and the public interested in information on Floyd County surplus property activities. All departments will complete the warehouse request form provided by Purchasing for any unneeded or unwanted materials, equipment, and supplies. Purchasing will then notify the Public Works Warehouse or Facility Maintenance Department to have items delivered to the warehouse or predetermined storage site.
- E.** Purchasing will attempt to utilize excess materials to satisfy other requirements whenever possible. Purchasing will oversee and supervise the disposal of all materials that are no longer of value to Floyd County.
- F.** An inventory of property must be submitted to the Board of Commissioners declaring the property surplus and approving the sale. The following departments are responsible for assisting Purchasing in ensuring that all items are the property of the County and do need to be declared surplus property:

1. Fleet Services – vehicles and heavy equipment
2. Management Information Systems – computer equipment
3. Maintenance – miscellaneous equipment / furniture

- G.** Either a sealed bid, on site auction or online auction may be utilized.
- H.** Purchasing Department personnel will be responsible for coordinating any sale action required in the disposal operations. All funds, cash, checks, or other negotiable instruments collected must be accounted for and turned over to the Finance Department as soon as possible after receipt.
- I.** It is essential the Purchasing Department personnel be well trained and acquainted with the legal requirements and regulations governing the disposal function. When potential conflict with an existing regulation is suspected, or legal assistance is advisable, it is the responsibility of the Purchasing Director to notify county officials of conflicts or potential conflicts, and/or that legal counsel is needed.
- J.** The Board of Commissioners retains the right to reject any and all bids/offers or to cancel any proposed sale.
- K.** The Board of Commissioners may sell, trade or donate a surplus asset in as-is condition to another government entity without going through the disposal process. Value may be determined as full trade-in value either as listed in the Kelley Blue Book for vehicles, the Green Guide for heavy equipment, or appraised by another independent entity. Cost of appraisal, if any, will be added to the cost of the asset.



## Relevant GA Code That May Apply to Purchases

O.C.G.A. Title 13: Retainage And Progress Payments  
O.C.G.A. Title 13: Immigration Compliance  
O.C.G.A. Title 32: Georgia D.O.T. Contracts  
O.C.G.A. Title 32: County Road Construction Law  
O.C.G.A. Title 36: Georgia Local Government Public Works Construction  
Contracts Law  
O.C.G.A. Title 48: Sales Tax Paid By Contractors  
O.C.G.A. Title 50: Georgia Procurement Registry  
O.C.G.A. Title 50: Open Records Law  
O.C.G.A. Title 50: Verification Of Lawful Presence Within United States

U.S.C. Title 8: Aliens And Nationality

## REFERENCE GUIDE

### A. American Bar Association's Model Procurement Code

**The ABA Model Procurement Code for State and Local Governments, will be the primary reference guide for circumstances that arise which are not covered in the Floyd County Purchasing Policy.**

## Ethics

- A. The Purchasing Department shall maintain multiple sources of supply for all purchases, and shall maintain the best possible source relationships. The goodwill of sources and the reputation of Floyd County will be promoted by:
1. Giving all sales personnel a full, fair, prompt and courteous hearing.
  2. Keeping competition fair and open.
  3. Soliciting source suggestions in the determination of standards and specifications assuring that the same are both fair and clear.
  4. Having consistent buying policies and principles.
  5. Observing strict truthfulness in all transactions and correspondence.
  6. Being scrupulous about maintaining the highest level of business ethics when dealing with sources and user divisions.
  7. Respecting the confidence of the sales personnel or their companies as to confidential or proprietary information.
- B. No affiliate or employee of Floyd County shall submit offers for, enter into, or be in any manner interested in entering into a contract for Floyd County purchases or contract for services in which they would be financially interested, directly or indirectly. Nor shall any affiliate or employee of Floyd County seek to influence in any manner, the award of a contract, purchase of a product or service from any offeror. Further, affiliates and employees must immediately disclose to Floyd County any silent partnership,

proprietorship, employment, other involvement or relationship in a prospective contract or purchase.

- C.** Acceptance of gifts by employees from sources or potential sources, or their salesmen or representatives, at any time is strictly prohibited, except for items of nominal value. Employees must not become obligated to any source and shall not conclude any transaction from which they may personally benefit, directly or indirectly.
- D.** Vendors shall be advised from time to time that employees may not solicit or accept gratuities such as any type of compensation, contribution, emolument (kick-backs), offer of employment, loan, reward, rebate, gift, money, lodging, service, or "other things of value", except as specifically exempted herein. Employees of Floyd County are not to participate in any type of extravagant entertainment with the supplier, customer, or consultant, or a contractor. These restrictions do not include entertainment such as business meals that are customary and proper under the circumstances; as long as they are consistent with good business ethics, and do not place the recipient under an obligation of any kind.
- E.** Noncompliance with this policy either from a vendor, customer, consultant, contractor, or employee will be justification for disciplinary action, including termination of said employee, and /or immediate termination of the business relationship.
- F.** In the event that employee visits to a vendor's plant or distribution center become necessary for technical or other reasons, trips must be made at Floyd County expense, unless provided contractually by the vendor.
- G.** No money shall be paid to any person, firm or corporation who is indebted to Floyd County.
- H.** It is essential that Purchasing Department personnel be well trained and acquainted with the legal requirements and regulations governing the purchasing function. When potential conflict with an existing regulation is suspected, or legal assistance is advisable, it is the responsibility of the Purchasing Director to notify management of conflicts or potential conflicts, and/or that legal counsel is needed.

## **Glossary of Common Purchasing Terms**

### **ACCEPTANCE**

The act of accepting by an authorized representative; an indication of a willingness to pay; the assumption of a legal obligation by a party to the terms and conditions of a contract.

### **ACQUISITION**

The act of acquiring goods and services (including construction) for the use of a governmental activity through purchase, rent, or lease. Includes the establishment of needs, description of requirements, selection of Purchasing method, selection of sources, solicitation of Purchasing, solicitation for offers, award of contract, financing, contraction administration, and related functions.

### **ADDENDUM**

An addition or supplement to a document; e.g., items or information added to a Purchasing document.

### **ADVERTISE**

To make a public announcement of the intention to purchase goods, services or construction with the intention of increasing the response and enlarging the competition. The announcement must conform to the legal requirements imposed by established laws, rules, policies, and procedures to inform the public.

### **AGREEMENT**

A duly executed and legally binding contract; the act of agreeing.

### **ALP**

Authority for Local Purchase: granted by the commissioner of Administration to an individual who has successfully completed all requirements established by the Materials Management Division.

### **ALTERNATE RESPONSE**

A substitute response; an intentional substantive variation to a basic provision or clause of a solicitation by a vendor.

### **AMENDMENT/CHANGE ORDER**

A written modification to a contract or purchase order or other agreements.

### **APPROPRIATION**

Sum of money from public funds set aside for a specific purpose.

### **ARO**

After Receipt of Order.

### **BEST VALUE**

A result intended in the acquisition of all goods and services. Price must be one of the evaluation

criteria when acquiring goods and services. Other evaluation criteria may include, but are not limited to environmental considerations, quality, and vendor performance.

### **BILL OF LADING**

A written receipt or contract, given by a carrier, showing a list of goods delivered to it for transportation. The straight bill of lading is a contract which provides for direct shipment to a consignee. The order bill of lading is negotiable; it enables a shipper to collect for a shipment before it reaches its destination (this is done by sending the original bill of lading with a draft drawn on the consignee through a bank). When the consignee receives the lading indicating that payment has been made, the lading will be surrendered to the carrier's agent, and the carrier will then ship the goods to the consignee, and the bill of lading will be surrendered to the carrier.

Note: Shippers frequently consign shipments to themselves on order bills of lading so that delivery is made only upon the shipper's order; the person or firm to be notified upon arrival of the shipment at destination must be designated.

### **BLANKET ORDER**

A contract under which a vendor agrees to provide goods or services on a purchase-on-demand basis. The contract generally establishes prices, terms, conditions and the period covered (no quantities are specified); shipments are to be made as required by the purchaser.

### **"BRAND NAME OR EQUAL" SPECIFICATION**

A specification that uses one or more manufacturers brand names or catalog numbers to describe the standards of quality, performance and other characteristics needed to meet the requirements of a solicitation and provide for the submission of equivalent products.

### **BROKER**

A business that carries no inventory and that has no written ongoing agreement with any manufacturer or manufacturer's authorized distributor to sell the products of the manufacturer.

### **BUSINESS**

A contractor, subcontractor, supplier, consultant, or provider of technical, administrative, or physical services organized as a sole proprietorship, partnership, association, corporation, or other entity formed for the purpose of doing business for profit.

### **COMMODITY**

A transportable article of trade or commerce that can be bartered or sold.

### **COMMODITY/SERVICE CONTRACT**

Previously referred to as "M-contracts." Since the inception of MAPS, the contract number is a six-digit number assigned by the computer system. An "M" number is no longer assigned for these types of contracts.

### **CONSIDERATION**

Something of value given or done as recompense that is exchanged by two parties; that which binds a contract.

**CONTRACT**

Any written instrument or electronic document containing the elements of offer, acceptance, and consideration to which an agency is a party.

**CONTRACT ADMINISTRATION**

The management of all actions after the award of a contract that must be taken to assure compliance with the contract; e.g., timely delivery, acceptance, payment, closing contract, etc.

**CONTRACTOR**

A person who agrees to furnish goods or services for a certain price; may be a prime contractor or subcontractor.

**COOPERATIVE PURCHASING**

The combining of requirements of two or more governmental units to obtain the benefits of volume purchases and/or reduction in administrative expenses.

**DEALER, JOBBER OR DISTRIBUTOR**

A business that maintains a store, warehouse, or other establishment in which a line or lines of products are kept in inventory and are sold to the public on a wholesale or retail basis.

**DEBARMENT**

The disqualification of a person to receive invitations for bids or requests for proposals, or the award of a contract by a government body, for a specified time commensurate with the seriousness of the offense, the failure, or the inadequacy of performance.

**DEFAULT**

Failure by a party to a contract to comply with contractual requirements.

**DELIVERY**

The formal handing over of property; the transfer of possession, such as by carrier to purchaser.

**DEMURRAGE**

The detention of a ship, railroad, car or truck beyond a specified time for loading/unloading; the payment required and made for the delay.

**DESIGN SPECIFICATION**

A specification setting forth the required characteristics to be considered for award of contract, including sufficient detail to show how the product is to be manufactured.

**DESTINATION**

The place to which a shipment is consigned.

**DOCUMENT TYPE**

MAPS Purchasing uses document type to differentiate among different functions for a requisition, solicitation, contract, or order. The document type is a field to be entered on those screens that are for requisition solicitation, contract, or order.

**DROP SHIPMENT**

Merchandise which is shipped by a manufacturer directly to a customer in response to the seller who collects orders but does not maintain an inventory.

**EMERGENCY ACQUISITION**

A threat to public health, welfare, or safety that threatens the functioning of government, the protection of property or the health or safety of people.

**ENERGY STAR**

A federal standard applied to office equipment for the purpose of rating the energy efficiency of the equipment. Energy Star computers, monitors, and printers save energy by powering down and going to "sleep" when not in use, resulting in a reduction in electrical bills and pollution levels.

**ENVIRONMENTALLY PREFERABLE PRODUCT (EPP)**

A product or service that has a lesser or reduced impact on human health and the environment when compared with competing products or services that serve the same purpose. Such products or services may include, but are not limited to those which contain recycled content, minimize waste, conserve energy or water, and reduce the amount of toxics either disposed of or consumed.

**EQUAL OR APPROVED EQUAL**

Used to indicate that an item may be substituted for a required item if it is equal in quality, performance, and other characteristics.

**ESCALATION CLAUSE**

A contract provision which permits the adjustment of contract prices by an amount or percent if certain specified contingencies occur, such as changes in the vendor's raw material or labor costs.

**EVALUATION OF RESPONSES**

The examination of responses after opening to determine the vendor's responsibility, responsiveness to requirements, and other characteristics of the solicitation relating to the award.

**FISCAL YEAR**

The 12 months between one annual settlement of financial accounts and the next; a term used for budgeting, etc.

**FORMAL SOLICITATION**

A solicitation which requires a sealed response.

**GOODS**

All types of personal property including commodities, materials, supplies, and equipment.

**HAZARDOUS WASTE**

Any waste (solid, liquid, or gas) which because of its quantity, concentration, or chemical, physical, or infectious characteristics pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of.

**INFORMAL SOLICITATION**

A solicitation which does not require a sealed response.

**INSURANCE**

A contract between an insurance company and a person or group which provides for a money payment in case of covered loss, accident, or death.

**INVOICE**

A list of goods or services sent to a purchaser showing information including prices, quantities and shipping charges for payment.

**JOINT VENTURE**

The temporary association of two or more businesses to secure and fulfill a Purchasing bid award.

**LABOR SURPLUS AREA**

A civil jurisdiction designated by the U.S. Department of Labor, usually updated annually in the late fall. Used as one of the criteria for designating economically disadvantaged (ED) vendors.

**LEAD TIME**

The time that it would take a supplier to delivery goods after receipt of order.

**LEASE**

A contract conveying from one entity to another the use of real or personal property for a designated period of time in return for payment or other consideration.

**LESS-THAN-TRUCKLOAD (LTL)**

A quantity of freight less than the amount necessary to constitute a truckload.

**LESSEE**

One to whom a lease is granted.

**LESSOR**

One who grants a lease.

**LIFE CYCLE COSTING**

A Purchasing evaluation technique which determines the total cost of acquisition, operation, maintaining and disposal of the items acquired; the lowest ownership cost during the time the item is in use.

**LINE ITEM**

An item of supply or service specified in a solicitation for which the vendor must specify a separate price.

**LIQUIDATED DAMAGES**

A specific sum of money, agreed to as part of a contract to be paid by one party to the other in the event of a breach of contract in lieu of actual damages, unless otherwise provided by law.

**LIST PRICE**

The price of an article published in a catalog, advertisement or printed list from which discounts, if any, may be subtracted.

**LOWEST RESPONSIBLE VENDOR**

The vendor with the lowest price whose past performance, reputation and financial capability is deemed acceptable.

**MANDATORY**

Required by the order stipulated, e.g., a specification or a specific description that may not be waived.

**MANUFACTURER**

A business that makes or processes raw materials into a finished product.

**MARKET**

The aggregate forces (including economics) at work in trade and commerce in a specific service or commodity. To sell, analyze, advertise, package, etc.

**MATERIAL VARIANCE/MATERIAL DEVIATION**

A variance or deviation in a response from specifications of conditions that allows a responder a substantial advantage or benefit not enjoyed by all other responders or that gives the state something significantly different from what the state requested in the solicitation document.

**MATERIALS MANAGEMENT**

Embraces all functions of acquisition, standards, quality control and surplus property management.

**MODEL PROCUREMENT CODE (MPC)**

A publication approved by the American Bar Association which sets forth Purchasing statutory principles and policy guidelines for managing and controlling the Purchasing of supplies, services and construction for public purposes; administrative and judicial remedies for the resolution of controversies relating to public contracts; and a set of ethical standards governing public and private participants in the Purchasing process.

**MULTIPLE AWARD**

Contracts awarded to more than one supplier for comparable supplies and services. Awards are made for the same generic types of items at various prices.

**NAICS (NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM) CODE [FORMERLY KNOWN AS SIC (STANDARD INDUSTRIAL CLASSIFICATION) CODE]**

Classification of business established by type of activity for the purpose of facilitating the collection, tabulation, presentation, and analysis of data collected by various agencies of the United States government, state agencies, trade associations, and private research organizations for promoting uniformity and comparability in the presentation of statistical data relating to those establishments and their fields of endeavor.



**NAPM**

National Association of Purchasing Management. A nonprofit educational and technical organization of purchasing and materials management personnel and buying agencies from the public and private sectors.

**NASPO**

National Association of State Purchasing Officials. An organization of state Purchasing representatives for the purpose of promoting efficient and effective public purchasing policies and procedures at the state level. NASPO is an affiliate of the Control of State Governments (CSG).

**NEGOTIATION**

Requests for proposals are sometimes used as a starting point for negotiations to establish a contract. RFPs generally include more than just price considerations. This method is especially applicable when dealing with a single source manufacturer.

**NET PRICE**

Price after all discounts, rebates, etc., have been allowed.

**NIGP**

National Institute of Governmental Purchasing. A nonprofit, educational, and technical assistance corporation of public purchasing agencies and activities at the federal, state, and local levels of government.

**NO BID**

A response to a solicitation for bids stating that respondent does not wish to submit an offer. It usually operates as a procedure consideration to prevent suspension from the vendors list for failure to submit a response.

**OPTION TO EXTEND/RENEW**

A provision (or exercise of a provision) which allows a continuance of the contract for an additional time according to permissible contractual conditions.

**OSHA**

The Occupational Safety and Health Administration. Created by the OSHA Act.

**PACKING LIST**

A document which itemizes in detail the contents of a particular package or shipment.

**PARTIAL PAYMENT**

The payment authorized in a contract upon delivery of one or more units called for under the contract or upon completion of one or more distinct items of service called for thereunder.

**PER DIEM**

By the day.

**PERFORMANCE BOND**

A contract of guarantee, executed subsequent to award by a successful vendor to protect the buyer from loss due to the vendor's inability to complete the contract as agreed.

**PERFORMANCE SPECIFICATION**

A specification setting forth performance requirements determined necessary for the item involved to perform and last as required.

**PLANT-MATTER BASED OR BIO-BASED PRODUCT**

A product derived from renewable resources, including fiber crops, such as kenaf; chemical extracts from oilseeds, nuts, fruits and vegetables (such as corn and soybeans); agricultural residues, such as wheat straw and corn stover; and wood wastes generated from processing and manufacturing operations. These products stand in contrast to those made from fossil fuels (such as petroleum) and other less renewable resources (such as virgin timber).

**POINT OF ORIGIN**

(shipping point)

The location where a shipment is received by a transportation line from the shipper.

**POLITICAL SUBDIVISION**

A subdivision of a state which has been delegated certain functions of local government. Can include counties, cities, towns, villages, hamlets, boroughs, and parishes.

**POST-CONSUMER MATERIAL**

A finished material which would normally be disposed of as a solid waste after its life cycle as a consumer item is completed. Does not include manufacturing or converting wastes. This refers to material collected for recycling from office buildings, homes, retail stores, etc.

**PRE-CONSUMER MATERIAL**

Material or by-products generated after the manufacture of a product but before the product reaches the consumer, such as damaged or obsolete products. Pre-consumer material does not include mill and manufacturing trim, scrap, or broken material which is generated at a manufacturing site and commonly reused on-site in the same or another manufacturing process.

**PREFERENCE**

An advantage in consideration for award for a contract granted to a vendor by reason of the vendor's residence, business location, or business classifications (e.g., minority, small business).

**PREPAID**

A term denoting that transportation charges have been or are to be paid at the point of shipment.

**PREQUALIFICATION OF VENDORS**

The screening of potential vendors in which such factors as financial capability, reputation and management are considered when developing a list of qualified vendors. See Vendors List, Qualified Vendor/Responsible Vendor.

**PRICE**

The amount of money that will purchase a definite weight or other measure of a commodity.

**PRICE AGREEMENT**

A contractual agreement in which a purchaser contracts with a vendor to provide the purchaser's requirements at a predetermined price. Usually involves a minimum number of units, orders placed directly with the vendor by the purchase, and limited duration of the contract. See Blanket Order and Requirements Contract.

**PRICE FIXING**

Agreement among competing vendors to sell at the same price.

**PURCHASING**

The combined functions of purchasing, inventory control, traffic and transportation, receiving, inspection, store keeping, and salvage and disposal operations.

**PROPRIETARY**

The only items that can perform a function and satisfy a need. This should not be confused with "single source." An item can be proprietary and yet available from more than one source. For example, if you need a camera lens for a Nikon camera, the only lens that will fit is a Nikon lens, thus, this lens is "proprietary." However, the Nikon lens is available from more than one source, thus, it is not single source.

**PUBLIC PURCHASING**

The process of obtaining goods and services for public purpose following procedures implemented to protect public funds from being expended extravagantly or capriciously.

**PURCHASE MANUAL**

A document that stipulates rules and prescribes procedures for purchasing with suppliers and other departments.

**PURCHASE ORDER**

The signed written acceptance of the offer from the vendor. A purchase order serves as the legal and binding contract between both parties.

**QUALIFIED VENDOR/RESPONSIBLE VENDOR**

A vendor determined by a buying organization to meet minimum set standards of business competence, reputation, financial ability and product quality for placement on the vendor list.

**QUALIFIED PRODUCTS LIST (QPL)**

A list of products that, because of the length of time required for test and evaluation, are tested in advance of Purchasing to determine which suppliers comply with the specification requirements. Also referred to as an "approved brands list."

**QUALITY**

The composite of material attributes, including performance features and characteristic, of a product or service to satisfy a given need.

**QUANTITY**

Amount or number.

**QUANTITY DISCOUNT**

A reduction in the unit price offered for large volume contracts.

**RECYCLED CONTENT**

The portion of a product that is made from materials directed from the waste stream; usually stated as a percentage by weight.

**RECYCLED PRODUCT**

A product that contains the highest amount of post-consumer material practicable, or when post-consumer material is impracticable for a specific type of product, contains substantial amounts of pre-consumer material.

**REMANUFACTURED PRODUCT**

Any product diverted from the supply of discarded materials by refurbishing and marketing said product without substantial change to its original form.

**RENT**

A rental contract giving the right to use real estate or property for a specified time in return for rent or other compensation.

**REQUEST FOR BID (RFB)**

A solicitation in which the terms, conditions, and specifications are described and responses are not subject to negotiation.

**REQUEST FOR PROPOSAL (RFP)**

A solicitation in which it is not advantageous to set forth all the actual, detailed requirements at the time of solicitation and responses are subject to negotiation. Price must be a factor in the award but not the sole factor.

**REQUIREMENT**

Materials, personnel or services needed for a specific period of time.

**REQUIREMENTS CONTRACT**

A form or contract that is used when the total long-term quantity required cannot be definitely fixed, but can be stated as an estimate or within maximum and minimum limits with deliveries on demand.

**REQUISITION**

An internal document that a functional department (stores, maintenance, production, etc.) sends to the purchasing department containing details of materials to meet its needs, replenish stocks or obtain materials for specific jobs or contracts.

**RESPONDER**

One who submits a response to a solicitation document.

**RESPONSE**

The offer received from a vendor in response to a solicitation. A response includes submissions commonly referred to as "offers," "bids," "quotes," or "proposals."

**RESPONSIBLE BIDDER**

A bidder whose reputation, past performance, and business and financial capabilities are such that the bidder would be judged by an appropriate authority as capable of satisfying an organization's needs for a specific contract.

**RESPONSIVE BIDDER**

A bidder whose bid does not vary from the specifications and terms set out in the invitation for bids.

**RESTRICTIVE SPECIFICATIONS**

Specifications that unnecessarily limit competition by eliminating items capable of satisfactorily meeting actual needs. See Performance Specification.

**REUSED PRODUCT**

Any product designed to be used many times for the same or other purpose without additional processing other than specific requirements, such as cleaning, painting or minor repairs.

**RFP OR RFB CONFERENCE**

A meeting arranged by a Purchasing office to help potential bidders understand the requirements of an RFB or an RFP.

**SALES TAX**

A levy on a vendor's sale by an authorized level of government.

**SEALED**

A method determined by the commissioner to prevent the contents being revealed or known before the deadline for submission of responses.

**SERVICES**

Unless otherwise indicated, both professional or technical services and service performed under a service contract.

**SINGLE SOURCE**

A procurement decision whereby purchases are directed to one source because of standardization, warranty, or other factors, even though other competitive sources may be available. Also see Sole Sourcing.

**SOLE SOURCE**

Selection of one particular supplier to the exclusion of all others. This decision may be based on lack of competition, proprietary technology, copyright or a supplier's unique capability. In government procurement, a sole source justification may be required from the requestor. Also see Single Sourcing.

**SMALL BUSINESS**

A designation for certain statutory purposes referring to a firm, corporation or establishment having a small number of employees, low volume of sales, small amount of assets or limited impact on the market.

**SOLICITATION**

The process used to communicate Purchasing requirements and to request responses from interested vendors. A solicitation may be, but is not limited to a request for bid and request for proposal.

**SOURCE REDUCTION PRODUCT**

A product that results in a net reduction in the generation of waste, and includes durable, reusable, and remanufactured products; products with no packaging or reduced packaging.

**SPECIFICATION**

A concise statement of a set of requirements to be satisfied by a product, material or process that indicates whenever appropriate the procedures to determine whether the requirements are satisfied. As far as practicable, it is desirable that the requirements are expressed numerically in terms of appropriate units, together with their limits. A specification may be a standard, a part of a standard, or independent of a standard.

**STANDARD**

An item's characteristic or set of characteristics generally accepted by the manufacturers and users of the item as a required characteristic for all such items.

**STANDARDIZATION**

The process of defining and applying the conditions necessary to ensure that a given range of requirements can normally be met, with a minimum of variety, in a reproducible and economic manner based on the best current techniques.

**SURPLUS PROPERTY**

Property in excess of the needs of an organization and not required for its foreseeable use. Surplus may be used or new, but it possesses some usefulness for the purpose it was intended or for some other purpose.

**TABULATION OF RESPONSES**

The recording of responses for the purposes of comparison, analysis and record keeping.

**TERMS AND CONDITIONS**

A phrase generally applied to the rules under which all bids must be submitted and the stipulations included in most purchase contracts; often published by the purchasing authorities for the information of all potential vendors.

**TITLE**

The instrument or document whereby ownership of property is established.

**TORT**

A wrongful act, other than a breach of contract, such that the law permits compensation of damages.

**UNIFORM COMMERCIAL CODE (UCC)**

A comprehensive modernization of various statutes relating to commercial transactions,

including sales, lease, negotiable instruments, bank deposits and collections, funds transfers, letters of credit, bulk sales, documents of title, investment securities and secured transactions.

#### **UNIT PRICE**

The price of a selected unit of a good or service (e.g., pound, labor hours, etc.).

#### **UNSUCCESSFUL VENDOR**

A vendor whose response is not accepted for reasons such as price, quantity, failure to comply with specifications, etc.

#### **VALUE ANALYSIS**

An organized effort directed at analyzing the function of systems, products, specifications, standards, practices, and procedures for the purpose of satisfying the required function at the lowest total cost of effective ownership consistent with the requirements for performance, reliability, quality, and maintainability.

#### **VENDOR**

Someone who sells something; a "seller."

#### **VENDORS LIST**

A list of names and addresses of suppliers from whom bids, proposals and quotations might be expected. The list, maintained by the purchasing office, should include all suppliers who have expressed interest in doing business with the government.

#### **VIRGIN PRODUCT**

A product that is made with 100 percent new raw materials and contains no recycled materials.

#### **VOLATILE ORGANIC COMPOUNDS (VOCs)**

Compounds that evaporate easily at room temperature and often have a sharp smell. They can come from many products, such as office equipment, adhesives, carpeting, upholstery, paints, solvents, and cleaning products. Some VOCs can cause cancer in certain situations, especially when they are concentrated indoors. VOCs also create ozone, a harmful outdoor air pollutant.

#### **WARRANTY**

The representation, either expressed or implied, that a certain fact regarding the subject matter of a contract is presently true or will be true. Not to be confused with "guarantee," which means a contract or promise by one person to answer for the performance of another person.