

SOUTH BAY CITIES COUNCIL OF GOVERNMENTS PURCHASING AND PROCUREMENT POLICY

SECTION 1: PURPOSE

Notwithstanding any other provision of this Policy, if a purchase or procurement is funded in whole or in part by state or other grant funds and the grant requires the South Bay Cities COG to use specific purchasing procedures that are inconsistent with the requirements of this Policy, SBCCOG's general counsel shall be consulted regarding contract requirements for purchases with state or federal funds.

SECTION 2: PROCUREMENT OF GOODS AND NONPROFESSIONAL SERVICES

Comparing Prices for Goods and Services

For purchases of goods and nonprofessional services which are within the adopted budget and whose cost is between \$1,000 and \$4,999, staff shall perform an informal comparison of prices from at least three vendors. Price comparisons may be done by telephone or internet. The results of the price comparison research shall be documented and retained for a period of 5 years. For purchases within budget and up to \$5,000, the Executive Director is authorized to make the purchase which will be approved at the Steering Committee with the payment of the invoices.

For everyday items, such as office supplies, which are purchased in bulk, staff will perform a price comparison study of at least three vendors. The approved vendor will be used for normal purchases under a blanket purchase order of an annual not to exceed limit. The price comparison should be updated at least every three years.

Purchases of goods or nonprofessional services whose cost is \$5,000 or greater, but less than \$25,000, shall require three comparisons with written documentation of staff evaluation. If fewer than three proposals are received, and an award is made, a justification must be documented. The purchase or contract shall be approved by the Board of Directors. Proposals must be documented in accordance with the Competitive Informal Bidding Procedures below.

Purchases of goods or nonprofessional services of \$25,000 or greater shall be put out for competitive bid.

Competitive Informal Bidding Procedures

For purchases of supplies, equipment, or nonprofessional services with a value of \$5,000 or greater, but less than \$25,000, staff shall solicit and receive bids/proposals from at least three prospective vendors. Further, the contract for such purchases shall be awarded to the lowest responsible vendor, consistent with the quality, quantity, and delivery requirements. The lowest responsible bidder shall be determined by such factors as reputation, ability, references, quality of supplies and equipment, and price.

SECTION 3: PROFESSIONAL SERVICE CONTRACTS PROCEDURES

Professional services are defined as services provided by any specially trained and experienced person or firm, including but not limited to, persons or firms in the areas of accounting, administration, architecture, computer information systems, construction management, design, economics, engineering, environmental analysis, finance, law, planning, surveying, or other matters involving specialized expertise or unique skills.

Contracts awarded for the performance of services shall be approved by the Board of Directors unless they have been specifically delegated to the Steering Committee. Awards will be made on the basis of the demonstrated competence of the contractors, and on the contractor's professional qualifications necessary for the satisfactory performance of the services required, and on the fairness and reasonableness of the cost of the services to the SBCCOG, and shall not be awarded solely on the basis of cost. SBCCOG may reject all bids in its sole discretion.

The bidding/proposal requirements set forth below apply to the awarding of professional services contracts.

1. Professional services contracts for over \$25,000 shall be awarded using these formal procedures:
 - a. Administrative staff shall mail or email notices inviting formal bids/proposals. The notices shall be mailed or emailed to qualified vendors on SBCCOG, other regional agencies, and professional organizations' bid lists, unless the service is proprietary.
 - b. The notice/request for proposal shall be mailed or emailed no later than fifteen (15) calendar days before the bid/proposal due date. The notice shall describe the scope of work, how to obtain more detailed information, and state the time and place for submission of bids/proposals.
 - c. Notice/Request for proposal may be posted in places for placing public notices.
 - d. Electronic submissions are allowed with hard copies requested at the discretion of the Executive Director. Bids/proposals shall be opened by the designated staff and distributed to the Executive Director, designee, and committee.
 - e. Bids/proposals shall be reviewed by a committee. Interviews may or may not be required and/or held. Proposals will be scored, based on written criteria included in the request for bid/proposal. The committee will offer a recommendation to the Board. The decision of the Board is final.
 - f. In its discretion, the Board of Directors may reject the recommendation, abandon the purchase, or advertise again.
 - g. Typically, no sooner than 24 hours after concluding any evaluation/interview or negotiation the SBCCOG issues (mail or e-mail) the Notice of Intent to Award, consistent with applicable State and Federal codes or rules. Unsuccessful bidders will have 5 days from the Notice's issuance to protest the award.

2. The SBCCOG may request the consultant to provide a Microsoft Word redlined version or PDF, or plain text version of the consultant's proposal. The SBCCOG will remove any marketing material the consultant may have included as part of their RFP. The SBCCOG will only include minor adjustments to clarify the scope of work that resulted from interviews or any negotiations/discussions.. A contractor shall be selected by the Board with a recommendation from the Steering Committee based on the Evaluation Committee's recommendation re: the bid's/proposal's compliance with written criteria established for each contract and included in the solicitation.
3. If no bids/proposals are received, the contract may be let by the informal procedures stated above.
4. With documentation justifying the reason and where bidding is impractical, inefficient or otherwise not in the best interest of the SBCCOG, the Executive Director, or his/her designee, may recommend the Board enter into and execute sole source contracts for professional services.