

Richland County Job & Family Services and Local WIOA Area 10 Procurement Plan

Effective February 1, 2017

Richland County Job & Family Services and local Workforce Innovation and Opportunity Act Area 10 shall ensure that all purchases of service, supplies, and equipment funded by state or federal funds adhere to applicable federal and state statutes, regulations, rules and 2 C.F.R. Part 200, Appendix II and 45 C.F.R. 75, as in effect December 19, 2014. These requirements include, but not limited to, Chapter 125 of the Revised Code, and the guidelines and standards set forth in the Ohio Administrative Code, 5101:9-4-02(B) & 5101:9-4-07.1, and to the Central Purchasing Policy & Procedures for Richland County, Attachment 1. RCJFS will follow whichever policy is more restrictive. For purchases of \$0-\$3,000, RCJFS and local WIOA Area 10 will follow the Micro-Purchase procedures or the Central Purchasing Policy & Procedures for Richland County for purchases of \$100-\$2,499.99 (Attachment 1); for purchases of \$3,000-\$24,999.99, RCJFS and local WIOA Area 10 will follow the Small Purchase procedures or Tier 1 of the Central Purchasing Policy & Procedures for Richland County (Attachment 1); for purchases of \$25,000-\$99,999.99 RCJFS and local WIOA Area 10 will follow the Competitive Sealed Bidding or Request for Proposals procedures or Tier 3 of the Central Purchasing Policy & Procedures for Richland County (Attachment 1); for purchases over \$100,000 RCJFS and local WIOA Area 10 will follow the Competitive Sealed Bidding or Request for Proposals procedures.

Acquisition Standards and Guidelines

Procurement Methods

Richland County Job and Family Services (RCJFS) and local Workforce Innovation and Opportunity Act (WIOA) Area 10 shall use one of the following procurement methods when acquiring good and/or services paid in whole or in part with federal funds.

1. Micro-Purchases

- a. RCJFS and WIOA Area 10 may acquire by micro-purchase any supplies or services in which the aggregate dollar amount does not exceed the micro-purchase threshold of **\$3,000**, as set by the federal acquisition regulation at 48 C.F.R. subpart 2.1.
- b. Micro-purchases may be awarded without soliciting quotes for acquisitions of supplies or services if;
 - i. Richland County Central Services has not procured and contracted with a supplier for requested supplies and/or services; and
 - ii. Price is considered reasonable; and
 - iii. To the extent practical, micro-purchases are distributed equitably among qualified suppliers.

2. Small Purchase Procedures

- a. For purchases where price is the overriding factor and which involve standardized products or services (e.g., office equipment and supplies) and where the aggregate acquisition costs are greater than the micro-purchase threshold but do not exceed the small purchase threshold (set at \$25,000 by Richland County) RCJFS and WIOA Area 10 will follow Tier 1 of the Central Purchasing Policy & Procedures for Richland County.

- b. For purchases where price is not the overriding factor but are relatively simple and straight forward purchases that are greater than the micro-purchase threshold but do not cost more than the small purchase threshold (set at \$25,000 by Richland County), and where relative quality and performance must be evaluated (e.g., consultant services), RCJFS and WIOA Area 10 shall seek written proposals from an adequate number of qualified sources, but not less than three sources if available. RCJFS and WIOA Area 10 shall maintain a list of qualified sources from which to solicit proposals, and the list shall include qualified sources that have expressed an interest in providing products or services to RCJFS and WIOA Area 10. RCJFS and WIOA Area 10 shall identify and document the evaluation factors and their relative importance (See Attachment 3, Quote Form (\$3,000-\$24,999.99)). Awards will be made to the responsible source whose proposal is most advantageous to the program, with price and other factors considered.

3. Competitive Sealed Bidding

- a. For purchases where a complete, comprehensive, and realistic specification or purchase description is available (e.g., vehicle leases); two or more responsible bidders are willing and able to compete effectively for the business; and the procurement lends itself to a firm price contract and the selection of the successful bidder can be made principally on the basis of price, RCJFS and WIOA Area 10 will follow Tier 3 of the Central Purchasing Policy & Procedures for Richland County.

4. Competitive Request for Proposals

- a. For purchases where conditions are not appropriate for the use of competitive sealed bidding, micro-purchases, small purchases, or non-competitive proposals, and the complex and technical nature of the procurement cannot be described in a bid specification; and it is logical to award a contract on factors other than price, RCJFS and WIOA Area 10 shall competitively procure the good and/or services.
- b. RCJFS and WIOA Area 10 shall comply with the following procedural requirements in administering competitive proposal procurements, commensurate with the scope and complexity of the acquisition:
 - i. Competitive proposal identifying all evaluation factors and their relative importance will be publicized in the local newspapers and the RCJFS and WIOA Area 10 websites. Request for proposals (RFP) will be made available through the agency websites, mail or for pick up. Any response to publicized requests for proposals shall be honored to the maximum extent practical.
 - ii. Proposals will be solicited from an adequate number of qualified sources. RCJFS and WIOA Area 10 shall maintain a list of qualified sources and will solicit proposals from the qualified sources through email, phone and written communication.
 - iii. A written technical evaluation will be conducted to verify that all the technical requirements contained in the request for proposal are met and for selecting awardees.
 - iv. RCJFS and WIOA Area 10 will make awards to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.

- v. If after solicitation of adequate number of qualified sources, RCJFS or local WIOA Area 10 determines that competition is inadequate resulting in a failed competitive procurement, the small purchase procurement will be used, as outlined above.

5. Noncompetitive Procurement Methods

- a. RCJFS and local WIOA Area 10 may use noncompetitive procurement methods only when the award of a contract is infeasible under the micro-purchasing threshold, small purchase procedure, competitive sealed bidding or competitive proposals, and one of the following conditions applies:
 - i. The item is only available from one source. Prior approval is not required.
 - ii. The public exigency or emergency, caused by natural disasters, for the requirement will not permit a delay resulting from competitive solicitation. Prior approval is not required.
 - iii. The federal awarding agency or ODJFS authorizes noncompetitive procurements.
 - iv. The purchase for equipment or services where the prices are established by law for technical equipment requiring standardization and interchangeability of parts with existing equipment.
- b. For noncompetitive proposals in excess of the small purchase threshold, RCJFS and local WIOA Area 10 shall maintain written documentation justifying why a noncompetitive proposal was used; including the following items:
 - i. Copies of the public advertisement;
 - ii. Copies of any responses received;
 - iii. Any other justification; and
 - iv. A cost analysis.

6. State Purchasing Contract

- a. RCJFS and local WIOA Area 10 may participate in state purchasing contracts if a certified copy of a resolution by the Richland County Board of County Commissioners is filed with the department of administrative services (DAS) office of state purchasing. The resolution will contain language requesting that the agencies be authorized to participate in the State purchasing contracts, will agree that the agencies are bound by the terms and conditions set by DAS, and will agree that the agencies will directly pay the contractor under each State purchase contract. However, RCJFS and local Area 10 will not access state purchasing contracts when competitive bidding by the county has already occurred unless the state purchasing contract has the same terms, conditions, and specifications at a lower price.

State Term Schedules, which are non-competitive schedules of products or services will be treated only as a pre-qualified contract list. Purchases made by the agencies using the State Term Schedule to obtain a pre-qualified vendor list will follow either the Micro-Purchase, Small Purchase, Competitive Sealed Bidding, or Request for Proposals requirements.

7. Supporting Documentation

- a. RCJFS and local WIOA Area 10 will maintain records sufficient to detail the history of procurement. These records will include, but are not necessary limited to the following:

- i. Rationale for the method of procurement, as listed above.
- ii. Documentation of method used to solicit bids or proposals. RCJFS and local WIOA Area 10 will solicit bids and/or proposals through legal ads and agency websites. Written communication will be sent to all prequalified lists of persons and/or firms.
- iii. RCJFS and local WIOA Area 10 will keep copies of all bids and/or proposals received.
- iv. Selection of contract type. RCJFS and local WIOA Area 10 contract on a reimbursement basis only.
- v. Contractor selection or rejection. RCJFS and local WIOA Area 10 will use a Checklist for Submitting Competitive Proposals, identifying all factors used in evaluating bids or proposals and a copy of the Rating Scale, identifying all factors that bids or proposals will be rated against.
- vi. Basis for contract price. RCJFS and local WIOA Area 10 will negotiate final contract price with provider selected.

County Code of Standards of Conduct

All employees of the Richland County Job and Family Services shall maintain prudent judgement in procurement matters involving the Job and Family Services agency. The code of conduct will provide for disciplinary actions when a county agency employee or agent violates the code of standards, and must include the following:

1. County agency employees or agent shall not solicit or accept gratuities, favors, or anything of monetary value from contractors or potential contractors. However, this does not prevent employees from participating in institutional fund-raising activities.
2. No employee, agent, or beneficiary shall participate in the selection, award or administration of a contract if a conflict of interest could arise. A conflict of interest could arise if any of the following individuals or organizations has a financial, personal, or other interest in the individual or company selected for the award of a contract.
 - A. The employee or the employee's immediate family;
 - B. The employee's business associates;
 - C. Any organization which employs or is about to employ the employee, a member of the employee's immediate family or the employee's business associates.
3. Any employee who is unsure as to whether any particular course of conduct violates the requirements of this section may obtain an advisory opinion from the Ohio Ethics Commission so long as the opinion is obtained before the employee engages in the conduct.
4. Any employee who violates the requirements of this section will be subject to disciplinary action including suspension or removal from employment.
5. No employee shall sell or attempt to sell any goods or services to OJFS, a county department of job and family services (CJFS), a local Workforce Innovation and Opportunity Act Area (WIOA), a public children's services agency (PCSA) or a child support enforcement agency (CSEA).

6. No employee shall act in a representative capacity before a public agency for any contractor or person on any matter in which the employee personally participated through decision, approval, disapproval, recommendation or other substantial exercise of administrative discretion.
7. No contractor or individual, company or organization seeking a contract or seeking to sell goods or services to county agencies will promise to give to any county agency employee anything of value that could appear to exert a substantial and improper influence upon the employee within the scope of his or her job duties. No contractor or individual, company or organization seeking to sell goods or services to county agencies will ask an employee to violate any of these conduct requirements. Any contractor acting on behalf of county agencies will refrain from activities, which could result in violations of this section.
8. Any contractor or potential contractor who violates the requirements and prohibitions of paragraph (7) of this section or ORC Section 102.04 is subject to having the contract terminated or having a county agency refuse to enter into a contract. County agencies reserve the right to exercise civil remedies against a contractor who violates paragraph (7) of this section.
9. Employees and contractors who violate ORC Sections 102.03, 102.04, 2921.42 or 2921.43 may be prosecuted for criminal violations.
10. Any employee who signs a requisition, an invoice, or other document requesting or approving the purchase of or payment for purchases of goods or services shall consider that his or her signature is a certification that he or she has complied with the requirements and prohibitions of this section.
11. All personal services contracts and grants shall contain a provision requiring the contractor to refrain from conflicts of interest and agreeing to comply with state ethics laws. The contract shall also include a certification by the contractor of compliance with this provision.

Small and Minority Businesses and Women's Business Enterprise and Labor Surplus Area Firms.

RCJFS and local WIOA Area 10 shall make efforts to utilize small and minority-owned businesses, women's business enterprises and labor surplus area firms when they are potential resources for supplies, equipment, construction, and services. These efforts include:-

1. Placing qualified small and minority businesses, and women's business enterprises on solicitation lists, and assuring that those businesses are solicited whenever they are potential resources.
2. Dividing total requirements into small tasks or quantities to permit maximum small and minority businesses and women's business enterprises participation when economically feasible. When tasks are divided to allow small businesses and women's business enterprises to compete, the separation cannot be done to avoid competitive bidding requirements.
3. Establishing delivery schedules which will encourage participation by small and minority businesses, and women's business enterprises where the requirement permits.

4. Using the services and assistance of the small business administration, the office of minority business development agency of the U.S. department of commerce, the community services administration, and other entities, as appropriate.
5. Requiring the prime contractor to take affirmative steps as listed in paragraphs (a) to (e) of this rule if any subcontracts are to be let.
6. Encourage contracting with consortiums of small business and minority-owned firms and women's business enterprises when a contract is too large for one of these firms to handle individually.
7. Assuring that small and minority businesses and women's business enterprises are solicited whenever they are a potential source.

Procurement and contract requirements.

The following are general procedural requirements applicable to all procurements unless deemed exempt:

Contract Cost and Price analysis

1. RCJFS and local WIOA Area 10 shall perform a cost or price analysis in connection with every procurement action in excess of the small purchase threshold, including contract modification. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point the RCJFS and local WIOA Area 10 will make independent estimates before receiving bids or proposals. Written documentation to support any procurement action based on cost or price analysis will be maintained.
 - a. A cost analysis shall be performed when the bidder is required to submit elements of the estimated cost, (e.g., under professional consulting and architectural engineering services contracts.) A cost analysis is the verification of proposed cost data and projections of the data, and the evaluation of the specific elements of costs and profits. A cost analysis will be necessary when adequate price competition is lacking. A cost analysis will also be necessary for sole source procurements, including contract modifications or change orders, unless price reasonableness can be established on the basis of catalog or market price of commercial product sold in substantial quantities to the general public; or based on prices set by law or regulation.
 - b. A price analysis will be used in all other instances to determine the reasonableness of the proposed contract price.
2. RCJFS and local WIOA Area 10 shall negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. To establish a fair and reasonable profit, consideration will be given to the complexity of the work to be performed; the risk borne by the contractor; the contractor's investment; the amount of subcontracting; the quality of its record of past performance; and industry profit rates in the surrounding geographical area for similar work.
3. Costs or prices based on estimated costs for contracts under grants will be allowable only to the extent that costs incurred or cost estimates included in negotiated prices are consistent with

federal cost principles. CFSA's and local WIOA areas may reference their own cost principles that comply with the applicable federal cost principles.

4. The cost plus a percentage of cost and percentage of construction cost methods of contracting shall not be used.

Full and Open Competition

1. RCJFS and local WIOA Area 10 will conducted procurement transactions in a manner providing full and open competition. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:

- a. Placing unreasonable requirements on firms in order for them to qualify to do business;
- b. Requiring unnecessary experience and excessive bonding;
- c. Non-competitive pricing practices between firms or between affiliated companies;
- d. Non-competitive awards to consultants that are on retainer contracts;
- e. Organizational conflicts of interest;
- f. Specifying only a "brand name" product instead of allowing an "equivalent" product to be offered and describing the performance of other relevant requirements of procurement; and
- g. Any arbitrary action in the procurement process.

Written Selection procedures

1. RCJFS and local WIOA Area 10 will have written selection procedures for all procurement transactions.

2. Written procedures will ensure that all solicitations:

- a. Incorporate a clear and accurate description of the technical requirements for the materials, products or services to be procured. Such description will not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured, and when necessary, shall set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications will be avoided if at all possible. When it is impractical or uneconomical to make a clear and accurate description of technical requirements, a "brand name or equivalent" description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the brand name which must be met by bidders must be clearly stated.

- b. Identify all requirements that the bidder must fulfill and all other factors to be used in evaluating bids or proposals. All solicitations will include a Checklist for Submitting Competitive Proposals, identifying all factors used in evaluating bids or proposals and a copy of the Rating Scale, identifying all factors that bids or proposals will be rated against.

Prequalified Lists

1. RCJFS and local WIOA Area 10 will ensure that all prequalified lists of persons, firms or products, which are used in acquiring goods and services, are current and include enough qualified sources to ensure maximum open and free competition. RCJFS and local WIOA Area 10 will not preclude potential bidders from qualifying during the solicitation period.

Avoiding Duplicative and Unnecessary Purchases

1. All proposed procurements by both RCJFS and local WIOA Area 10 will be reviewed by the Business Administrator to avoid purchase of unnecessary or duplicative items. Consideration will be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, the Business Administrator for both RCJFS and local WIOA Area 10 will conduct an analysis of lease versus purchase alternatives and any other appropriate analysis to determine the most economical approach. Breaking out procurements will only be done to obtain a more economical price and will not be done to avoid procedural requirements.

State Requirements for Services with Disabled

1. If permissible under federal law for procurements involving federal funds, then before determining which method of procurement to use, RCJFS and local WIOA Area 10 will determine whether a product or service is on the procurement list for products and services provided by persons with severe disabilities as described in section 4115.33 of the Revised Code. If the product or service is on the procurement list and is available within the period required by agencies, the agencies will procure the product or service at the price established by the state use committee from a qualified nonprofit agency.
2. If the provision of the product or service cannot be made in either the time period required or in the amount specified by the agencies, RCJFS and local WIOA Area 10 will pursue either the Micro-Purchase, Small Purchase, Competitive Sealed Bidding or Request for Proposal method of procurement.

Geographic preference

1. For purchases made in whole or in part with federal funds, or with state or local funds required for match, RCJFS and local WIOA Area 10 will conduct procurement in a manner that prohibits the use of statutorily or administratively imposed in-state or local geographical preferences in evaluation of bids or proposals, except in those cases where applicable federal statutes expressly mandate or encourage geographic preference.

Nothing in the paragraph (1.) of this rule preempts state licensing laws. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criteria

provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

2. When only state and/or local funds are used for a purchase, the board of county commissioners, by resolution, may adopt the model system of preferences for products mined or produced in Ohio and for Ohio-based contractors (formerly "Buy-Ohio"). The resolution shall specify the class or classes of contracts to which the system of preferences apply. While the system of preferences is in effect, no county officer or employee shall award a contract in violation of the preference system.

Debarment and Suspension

1. RCJFS and local WIOA Area 10 will ensure that no contracts are entered into with or purchases made from a person or entity which is debarred or suspended or is otherwise ineligible for participation in federal assistance programs. RCJFS and local WIOA Area 10 will search the System for Award Management (SAM) prior to entering into contracts with any person or entity.

State Finding for Recoveries

1. RCJFS and local WIOA Area 10 will prohibit the awarding of contracts, paid for in whole or in part with state funds, to a person against whom a finding for recovery has been issued by the auditor of state on or after January 1, 2001, if the finding for recovery is unresolved. RCJFS and local WIOA Area 10 will search the Ohio Auditor of State's website prior to entering into contracts with any person or entity.

Contractor Performance / Monitoring

1. RCJFS and local WIOA Area 10 will maintain a contract administration system that ensures that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. See Attachment 2, Contract Monitoring Policy 2017.

General contract requirements

1. RCJFS and local WIOA Area 10 contracts will contain the following provisions:
 - a. Administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as may be appropriate.
 - b. Termination for cause and for convenience by RCJFS and local WIOA Area 10 including the manner by which it will be effected and the basis for settlement.
 - c. Compliance with executive order 11246 of September 24, 1965, entitled "Equal Employment Opportunity," as amended by executive order 11375 of October 13, 1967, and as supplemented in DOL regulations (41 C.F.R. chapter 60). This applies to all federally assisted construction contracts awarded in excess of ten thousand dollars by RCJFS and local WIOA Area 10 and their contractors or sub-grantees.
 - d. Compliance with the Copeland "Anti-Kickback" Act (18 U.S.C. 874 and 40 U.S.C. 3145) as supplemented by DOL regulations (29 C.F.R. part 3).

- e. Compliance with the Davis-Bacon Act as amended (40 U.S.C. 3141 - 3148) as supplemented by DOL regulations (29 C.F.R. part 5). This applies to all construction contracts in excess of two thousand dollars.
- f. Compliance with sections 3702 and 3704 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 3701 - 3708) as supplemented by DOL regulations (29 C.F.R. part 5).
- g. Compliance with "Rights to Inventions" clause 37 C.F.R. part 401 pertaining to patent rights with respect to any discovery or invention which arises or is developed in the course of or under such contract.
- h. Access by the Ohio department of job and family services (ODJFS), RCJFS and the local WIOA Area 10, the federal grantor agency, the comptroller general of the United States, or any of their duly authorized representatives to any books, documents, papers, and records of the contractor which are directly pertinent to that specific contract for the purpose of making audit, examination, excerpts, and transcriptions.
- i. Compliance with all applicable standards, orders, or requirements issued pursuant to the Clean Air Act as amended (42 U.S.C. 7401 - 7671) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251 - 1387). This is applicable with any contract in excess of one hundred and fifty thousand dollars.
- j. Financial, programmatic, statistical, and recipient records and supporting documents must be retained for a minimum of three years after the submittal of the final expenditure report for the grant or as otherwise provided by any minimum retention requirements specified by applicable state or federal law. If any litigation, claim, negotiation, audit or other action involving the records has started before the expiration of the three-year period, the records must be retained until the completion of the action and resolution of all issues that arise from it, or until the end of the regular three-year period, whichever is later.
- k. Certification that a contractor has not and will not use federal funds to pay for any lobbying activities as defined in the Byrd Anti-lobbying Amendment (31 U.S.C. 1352). Certification is required for contractors that apply or bid for an award of one hundred thousand dollars or more.

Responsible Contractors

1. RCJFS and local WIOA Area 10 will only award contracts to responsible contractors possessing the ability to perform successfully under the terms and conditions of the proposed procurement. Consideration will be given to contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

Attachment 1

**CENTRAL PURCHASING
POLICY AND PROCEDURES
FOR
RICHLAND COUNTY**

Effective 09/12/05

Revised 01/2017

ABSTRACT

The vast area and populace covered by Richland County necessitates a well-organized government for leadership and a qualified team of people working together to efficiently and economically operate the functions that provide good service to the citizens of the County. Purchasing is just one of the important functions of the County operations. The responsibility of this department is to acquire materials, supplies, services and equipment necessary for the proper and efficient operating procedures, considering the best price and quality. It is not involved in capital improvements, (in excess of \$25,000). The fundamental goal of the Purchasing Department is to obtain the maximum value for the tax dollar.

HOW ESTABLISHED

The Purchasing policies of the County are established and approved by the Board of County Commissioners and administered by the Purchasing Department. Bidding procedures are established by State Statute.

PURPOSE OF MANUAL

This policy and procedure manual has been designed and adopted by the Board of Commissioners to set forth in detail the rules, regulations and necessary **procedures to adhere** to these policies.

This manual will address the Policy and immediately after give an outline of necessary procedures followed in order to successfully purchase materials, equipment and services for our county.

OBJECTIVES TO BE ATTAINED THROUGH STANDARD PROCEDURES

1. To reduce the number of negotiations with vendors and to be fair with them. To deal fairly and equitably with our contractor and supplier and their authorized representatives and to extend to all responsible organizations and individuals an equal opportunity to share in providing materials and services in accordance with our requirements.
2. To reduce the number of items used by the County. To avoid duplications, waste and obsolescence.
3. To eliminate time-consuming contacts with department managers.
4. To eliminate specialty items and adhere to commercial standards where possible. To maintain standards of quality in materials based on suitability for use. Standard specifications will be used wherever practicable.
5. To procure materials at the lowest cost consistent with the quality and service required.
6. To make purchases on the basis of competition, unless an emergency situation requires immediate action for the preservation of our organization's property, or the protection and convenience of the public, or if the requirement can be satisfied by only one source.
7. To conduct the entire process of public purchasing in such an absolutely impeccable and crystal-clear manner, and without conflict of interest, as to eliminate any possibility or appearance of improper business relationships.
8. To reduce paperwork, the cost of securing materials, equipment, etc.
9. To consolidate services.
10. To be efficient.

RESPONSIBILITIES

The Purchasing Department is a service department under the Richland County Commissioners. Purchasing functions as a team effort and mutual benefits involved for the good of the County and depends upon joint cooperation. This manual may prove helpful as a guide to each department's responsibility in making purchases.

PURCHASING DEPARTMENT RESPONSIBILITY

1. Know and become acquainted with the needs of all departments.
2. Procure a product that will meet the department requirements at the least possible cost to the County.
3. Know the source and availability of needed product.
4. Cooperate with and aid all departments in meeting their needs for supplies or equipment through obtaining quotes or bidding.
5. Process requisitions with the least possible delay for Central Purchasing line items.
6. Work with the suppliers in correlating all the steps involved in completing a purchase.
7. Provide assistance and administer online auction

END USER DEPARTMENT RESPONSIBILITY

1. Quotes must be obtained for purchases under \$2,500 unless items are currently contracted.
2. Allow ample time to place order and supplier to deliver.
3. Make full and accurate description of material and equipment to be purchased.
4. Prepare specifications that require a technical or engineering background.
5. List anticipated requirements in advance when requested, allowing sufficient time for proper purchasing procedure.
6. Discourage and keep to a minimum, on an invitational basis, the making of direct contact with suppliers or informing suppliers of contemplated purchases. Under no circumstances is the Purchasing Department to be obligated in any manner whatsoever.
7. Advise the Purchasing Department of any known qualified supplier.

AUTHORITY AND DUTIES

The Purchasing Director shall have the authority to administer the Central Purchasing program, and it shall be the Director's duty, unless otherwise provided by State Law, to purchase or contract for supplies, materials, and equipment, under the authority of the Board of Commissioners.

1. The terms supplier, material, and equipment as used in this manual shall be construed to mean any and all articles, which shall be furnished to or used by end user.
2. The Purchasing Director shall establish and amend, if necessary, rules and regulations necessary to perform the operation of the Purchasing office and duties subject to the approval of the Board of Commissioners.
3. The Purchasing Department shall maintain, at all times a list of vendors from whom the bid specifications were requested for various types of equipment and material used by the County.
4. Open competition is encouraged on all purchases and bids.
5. Upon receipt of a written request for purchase along with a purchase order number, the Purchasing Department shall estimate the cost of such purchases and make a purchase with the least possible delay, after having first performed the following:
 - a. Solicit competitive quote if the purchase is more than twenty five hundred dollars (\$2,500).
 - b. Solicit/advertise sealed bids if the purchase is twenty-five thousand dollars (\$25,000) or more in accordance with Ohio Law.

EXCEPTIONS

The Purchasing Director has no responsibility in the acquisition of land, repairs of bridges, street, sewers, buildings, etc. and insurance or specialized services.

ALLOTTED TIME

The time to be allowed to secure such competitive prices shall be not less than the following after receipt of a written request for purchase along with a purchase order number and correct specifications by the Purchasing Department.

Two weeks for items upon which advertising is not required.

A minimum of four to eight weeks for items upon which advertising is required (formal bids).

TIER 1. Competitive Quote Policy, \$2,500 through \$24,999.99

Any single purchase between \$2,500 through \$24,999.99 require three written quotes. Purchases under \$2,500 still require the same procedures as currently utilizing. The end user will provide the source of funds.

The Purchasing Department shall process all quotes for all departments under the Board of Commissioners authority. Independent County agencies and elected officials may use the Purchasing Department to process their quotes if they desire. All departments should check with Purchasing prior to ordering to determine if there exist a state and/or local contract with a vendor. The using agencies will not enter into negotiations with any supplier for the purpose of purchasing supplies, materials or equipment, with exception (as outlined) in the "Emergency Purchase Procedure" TIER 4a.

If the scope of service/purchase requires a vendor to perform work, repairs, installation, etc. on County property or for the County a certificate must be filed prior to performing work; affirmative action, form of non-collusion affidavit, certificate of insurance, compliance with OSHA standards, personal property affidavit, certificate of unresolved debt and workers compensation certificate.

TIER 1a. Competitive Quote Procedure, \$2,500 up to \$24,999.99

1. End user should allow ample time for purchasing to secure competitive quotes, place order and end user receive purchase.
2. End user completes a written request for purchase along with the purchase order number, including an estimated cost and send to Purchasing to obtain quotes. **Note:** Attach vendor certification of insurance and workers compensation certification if applicable to this purchase. Advise Purchasing of any known qualified supplier.

Purchasing will solicit three quotes based on the complete and accurate description an acceptable request for purchase.

Purchasing will verify price, determine and evaluate quotes and place the order upon end user approval.

When goods are received they should be inspected by the end user.

Purchase Order, receipt documents and invoices are reconciled by end user. **Note:** Any discrepancies in prices should be reported to the vendor. Vendors MAY NOT change prices. If the vendor states otherwise, please contact the Purchasing Department.

End user completes the process of preparing PO, warrant and invoice; and submits to Auditor's office for payment.

Emergencies under \$24,999.99. **Note:** There may be a time where a Purchase can be expedited in case of a true emergency. Poor planning by the end user does not exempt end users from following established procedures.

9. In some instances, the end user department will be required to review quotes to compare "apples to apples" and submit a letter of recommendation.

3

TIER 2. Unit Pricing Purchase Policy

For anticipated purchases from \$2,500 up to \$24,999, with one vendor per calendar year, utilize the Unit price Purchase Policy. Unit pricing pertains to items that need purchased at a given unit price for a specific period of time. (ie: pagers, 2-way radios, etc.) A unit price agreement is the acceptance of a vendor's promise to furnish a specific item(s), or service(s) at a firm or fixed unit price for a specific period of time, do not follow the Competitive Bid Policy. Agreements are good for the current calendar year and may not be multi-year unless formally bid if over \$25,000 or total purchases for the total of multi-year agreement will not be \$25,000+.

The Purchasing Department shall be responsible for renewing or renegotiating all price agreements. The end-using department shall advise the Purchasing Director of the need for renewing the price agreement, giving an estimate of their anticipated requirements. The notification by the using department should be in the form of a written request for purchase and in the hands of the Purchasing Director at least (30) thirty days prior to the need of unit pricing.

Tier 2a. Unit Price Purchase Procedure

Unit Price Purchases exceeding \$2,500 up to \$24,999.99 requires three (3) written quotes; the end user funds the purchase. End user must complete a written request for purchase along with the purchase order number, including an estimated cost and sent to Purchasing to obtain quotes.

Purchasing in conjunction with the end users department will tabulate a cost and product comparison to determine the lowest responsive and responsible vendor.

In some instances, the end user department will be required to review quotes to compare “apples to apples” and submit a letter of recommendation.

TIER 3. Competitive Bid Policy, \$25,000+

Purchases/requests for services totaling \$25,000+ require formal bidding, except those items under exemptions under 307.86.

The Board of Commissioners are obligated to the competitive bidding requirements of Ohio Revised Code section 307.86-307.91.

End user shall allow approximately eight weeks for submission of request to award. Note: Allow additional time for mandatory walk through, pre-bid conference, complex bid etc.

TIER 3a. Competitive Bid, \$25,000+ Procedure

End user completes and submits a written request for purchase along with the purchase order number, including estimated cost and a reason why this purchase is necessary, along with complete specifications to Purchasing. Note: Include any special instructions or conditions on the written request such as the need for pre-bid conference, mandatory walk through and extended bid opening time table. All requests must be received by Purchasing one week prior to Commissioner approval and legal ad being placed in the local newspaper.

The preparation of specifications is the responsibility of the using department, subject, however, to the review and examination of the Purchasing Department. They shall be definite and certain and permit competition except on non-comparative types and kinds of materials or services. Content for Good Specifications are as follows:

1. State exactly what is wanted clearly, definitely and completely without the use of name brands.
2. Provide the means or basis for testing deliveries for conformance with the specifications. Without this check, the specifications lose much of its force as a purchasing tool.
3. Avoid nonessential quality restrictions and to difficulty in Procurement without adding utility and value.
4. Avoid definition that unnecessarily restricts competition.
5. Conform, as much as possible, to establish commercial and industrial standards.
6. Examples of equipment that meet specifications can be included.
7. State the scope of service, payment terms, ownership issues, termination, delivery and warranties.

End user may submit a list of interested vendors.

SPECIFICATION PROCEDURES

The invitation to bid is a formal notice to bidders, and the notice shall contain the following instructions and information:

1. Bids must be sealed.
2. The time dates and place of opening bids.
3. The procedure for opening bids.
4. A full description of the materials/service required.
5. Bidders must state manufacturer's brand or trade name and catalog numbers when applicable.
6. Any changes in the specifications will be done by addendum.
7. Bids must specify any and all warranties and included literature when available.
8. Bids must indicate delivery requirements.
9. Bids must be plainly marked on the outside of envelope, the material/service bids and the time and date of bid opening.
10. Richland County reserves the right to reject any/or all bids, to waive any irregularities in the bid.
11. Bidders must certify with an officer's signature on the bid form that the items they are bidding meet the specifications.
12. Purchasing will prepare permission to advertise (legal notice) to present to the Board of Commissioners. Depending on the nature of the purchase/service, the end user may be required to attend the meeting.

Board of Commissioners approves permission to advertise.

Purchasing assembles the bid packet, by attaching the procurement invitation to bid template which contains, instructions to bidders, general conditions, legal notice, terms and conditions of contract, affidavits (non collusion affidavit, affirmative action certifications, personal property tax, compliance with OSHA standards) insurance requirements (workers compensation and certificate of insurance) in addition to end users required documentation.

Note: If the bid is in excess of ten thousand dollars (\$10,000), The County shall require a Bid Bond in accordance with ORC section 307.88, the bid shall be accompanied by a Bond or Certified Check, Cashier Check, or Money Order on a solvent bank or savings and loan association in a reasonable amount not to exceed five percent (5%) of the bid. Bid Bonds/Certified Check etc. shall be returned to the vendor once the Board of Commissioners has awarded the bid and the contract has been dully signed and in effect for 30 days (usually within 60 days).

5

Purchasing shall prepare and fax the legal notice to the local newspapers, and copy the department. The advertisements will be published in the local newspaper/s, of general circulation once a week for not less than two unless second notice is posted online or not more than four consecutive weeks as applicable by law proceeding the day of the opening of the bid.

Notice for anything to be purchased, leased, with the option or agreement to purchase and the maintenance, repair or service of equipment, at a cost estimated to be in excess of twenty-five thousand dollars (\$25,000) shall be posted in a public place, County Commissioners' Office, first floor, Administration Building.

Purchasing may mail upon request of the vendor a bid packet, but the vendor will be charged a ten dollar (\$10.00) fee. Bid packets may be obtained online at www.richlandcountyoh.us. End user is mailed a packet for their file.

Addendum. When necessary, Purchasing will mail addendum to all vendors if there are changes in the specifications/requirements, or will be posted on the website five days prior to bid opening. We are

required provide and addendum five days prior to bid opening date or we must extend the bid opening date an additional week.

Pre-bid Conference or walk through will be scheduled by Purchasing in coordination with the end user. The intent is for everyone involved, both county and vendor, to hear/see all information and questions/answers at the same time, not offering any bidder an advantage.

Bids shall be opened in public at the time and place stated in the public notice; a tabulation of all bids received will be made and available for public inspection.

Bid openings are usually scheduled seven days after the last legal notice and is at the discretion of the Purchasing Department. Many times this is coordinated with the end user department if the Purchasing Department is informed of the need to do so. Due to the complexity of the specifications/bids more time may be allowed to give the vendors a reasonable amount of time to prepare a bid.

Bid openings are public and usually held in the Richland County Commissioners' Boardroom, 50 Park Avenue East, Mansfield, Ohio. End user department and bidders are welcome but not required to attend.

Immediately after the bid openings, copies of the bids are distributed to the end user for evaluation as described in the specifications. The end user is to review the bids and submit an overview of the bids and recommendation in writing to Purchasing. If the end user is recommending other than the lowest responsive and responsible bidder... a detailed written explanation is required. The end user will be required to appear before the Board of Commissioners at a public meeting for discussion.

Purchasing prepares the letter of recommendation using the lowest responsive and responsible bid. All recommendations must be received by Purchasing one week prior to Commissioner approval.

The award of all contracts subject to sections 307.86 to 307.95 inclusive of the Ohio Revised Code shall be awarded to the lowest responsive and responsible bidder. The County reserves the right to reject any or all bids.

Once the award has been made by resolution, the purchasing department will prepare a contract and acquire signatures to complete the process. Bid Bonds are returned to non-awarding vendors if requested or within 30 days of contract commencement.

6

TIER 4.Exemptions to competitive bidding for procurement of equipment/services \$25,000+ Policy.

Exemptions to competitive bidding requires an action/resolution passed by the Board of Commissioners declaring an Exemption with explanation. Ohio law allows numerous exemptions, O.R.C. 307.86, to the competitive bidding process, listed are the exemptions Central Purchasing typically utilizes, other areas within the ORC are under the discretion of the Contracting Authority.

Emergency Purchase (Tier 4a.)

State of Ohio Contract Purchases (Tier 4b.)

Ohio Industries for the Handicapped, Ohio Penal Institute Purchases (Tier 4c.)

Single Source Provider (Tier 4d.)

Cooperative Purchasing (Tier 4e.)

TIER 4a. Emergency. Exemptions to Competitive bidding for procurement of equipment/services \$25,000+ procedures.

Emergency purchases are to be awarded by an end user only when the normal functions and operations of the department would be hampered in a manner or where life or equipment are endangered through unexpected circumstances and supplies or services are needed immediately.

End user needs to check and see that funds are available prior to submitting a request. If funds are not available....do not start the project.

Submit the following to Purchasing:

- A written request for purchase along with the purchase order number
- A reason explaining the emergency. Who, what, why, when and how?
- Written quotations. Must attempt to get three if over \$25,000.
- Purchasing prepares an emergency resolution for agenda for the Board of Commissioners' approval.
- Commissioners approve
- Purchasing will forward all information to end user department to complete project.

TIER 4b. State of Ohio Contract. Exemption to Competitive bidding for procurement of equipment/services \$25,000+ procedures.

Pursuant to ORC section 125.04, the State of Ohio, department of administrative services may permit a political subdivision to participate in contracts into which the department has entered for the purchase of supplies or service. Purchases made by a political subdivision under this division are exempt from any competitive selection procedures otherwise required by law.

End user prepares and submits a written request for purchase along with the purchase order number to purchasing with above contract information which includes contract number, vendor name, commodity, purchase price/written quotation from vendor and reason for purchase.

- Purchasing prepares a resolution for Board of Commissioners approval.
- Commissioners approve
- Purchasing will forward all information to end user department. End user will place order.
- Goods and services are received by the end user.
- Invoice paid by end user.

7

TIER 4c. OIH or OPI Exemptions to Competitive bidding for procurement of equipment/services \$25,000.

These two state agencies are preferred vendors under State Use Law, Ohio Revised Code Sections 4115.31-4115.35. County offices are mandated to use these facilities for services they provide unless the end user has notified the County offices that they are not interested in the commodity/service they provide.

End user must submit specifications to Purchasing for price quotation for OIH/OPI consideration

End user prepares and submits a written request for purchase along with the purchase order number to purchasing with above contract information which includes commodity, purchase price/written quotation from OIH/OPI and reason for purchase.

Purchasing prepares a resolution for Board of Commissioners approval.

Commissioners approve

Purchasing will forward all information to end user department. End user will place order.

Goods and services are received by the end user.

Invoice paid by end user.

TIER 4d. Single Source. Exemptions to Competitive bidding for procurement of equipment/services \$25,000.

ORC section 307.86 (c) Competitive bidding is not required when the purchase consists of supplies or a replacement or supplemental part or parts for a product or equipment owned or leased by the County, and the only source of supply for the supplies, part or parts is limited to a single supplier.

End user prepares and submits a written request for purchase along with the purchase order number to purchasing with above information which includes commodity, purchase price/written quotation from vendor and reason for purchase.

Purchasing prepares a resolution for Board of Commissioners approval.

Commissioners approve

Purchasing will forward all information to end user department. End user will place order.

Goods and services are received by the end user.

Invoice paid by end user.

TIER 4e. Cooperative Purchasing. Exemptions to Competitive bidding for procurement of equipment/services \$25,000.

Pursuant to ORC section 125.04 (c), Competitive bidding is not required when the purchase is from another political subdivision. A political subdivision has already competitively bid the commodity of service and has the option to participate in that contract.

End user must submit the specifications to Central Purchasing for a price quotation from another political subdivision.

End user prepares and submits a written request for purchase along with the purchase order number to purchasing with above contract information which includes commodity, vendor, purchase price/written quotation from political subdivision and reason for purchase.

Purchasing prepares a resolution for Board of Commissioners approval.

Commissioners approve

Purchasing will forward all information to end user department. End user will place order.

Goods and services are received by the end user.

Invoice paid by end user.

Tier 5 Online Auction Policy/Procedure

As previously provided and adopted by the Richland County Board of Commissioners.

Attachment 2

Richland County Job & Family Services

Local Workforce Innovation and Opportunity Act Area 10

Monitoring Policy

2017

Purpose of Monitoring

Richland County Job & Family Services (RCJFS) and local Workforce Innovation and Opportunity Act Area 10 (local WIOA Area 10) have established this monitoring policy in order to ensure that contracted activities funded through the agency conform to the established policies, procedures and systems of the Agency, the State Regulations and the Federal Regulations. The Monitoring Policy has been designed to achieve four objectives:

1. To determine if contractor(s) are in compliance with the Agency's procedures, State and Federal Procedures and the negotiated contract with the entity.
2. To provide program guidance and direction to the particular projects in order to ensure quality services to the clients.
3. To enable contractors to improve services.
4. To collect and disseminate best practice information within the county and to other counties as requested.

Monitoring Responsibilities

Responsibility for monitoring will rest with the administrator providing oversight of the contracts. The administrator will assign staff or select contractors to implement the monitoring component based upon their knowledge of the APM and relevant federal circulars. Additional monitoring will occur through the fiscal department in their routine examination of invoices presented for payment.

Methods of Monitoring

The monitoring effort will include both desk top and on-sight monitoring of the projects. In addition, the contractors will self-report on a quarterly basis providing information on their accomplishments, problems and providing a forum to request technical assistance. Forms are provided for their use.

Frequency of Monitoring

Desk top monitoring will take place monthly upon submission of an invoice by a project operator. On-site monitoring will occur at a minimum of once during the life of the contract.

Monitoring Tools

Tools will be developed to provide a comprehensive format for monitoring on site. These tools in the form of a questionnaire will capture the salient points of the project requirements and the particular deliverables of the contract. Tools will provide an indication of compliance or non-compliance and will permit comments by the monitor.

Areas for Examination

Document Review - Prior to desk top or on-site reviews, the monitor will examine the proposal, contract and any modifications to the contract in order to become familiar with the scope of the deliverables.

Fiscal Review - Fiscal reviews will occur monthly comparing the invoices to authorized spending levels, verifying that the appropriate backup has been provided to justify the invoice, and reviewing the required roster for completeness.

Contract Compliance Review – On-site compliance review will include examination of a random sample of applications for appropriate completion, review of approval and denial forms for completion, review of deliverables in terms of quantity to ensure that the contractor is operating within the confines of the contract.

Prior Findings - Each monitoring review will carry forward findings from previous desk top or on site reviews. The monitor will ensure compliance with any prior corrective action plans.

Service Quality Review - The on-site review will also examine the quality of the service being delivered, provide technical assistance to the contractor and provide the Agency with a view of the effectiveness of the contracted project.

Monitoring Reports

Desk Top Monitoring - Issues arising from the monthly desk top reviews will be dealt with immediately and informally. Personal contact via phone or visit by agency staff will be utilized to request corrections, additions or clarifications to invoices. Invoices will not be authorized for payment until the monitor and Administrator receive any requested information and initial the invoices for forwarding to the fiscal department.

On-Site Reviews - A written report will be developed within thirty (30) working days of each monitoring visit. The report will be forwarded to the Administrator and the contractor. The report will include a copy of the questionnaire with the monitor's findings and a summary report that indicates any findings.

Corrective Action Plans

Monitoring reports will indicate the need, if any, for a corrective action plan to address findings. Corrective action plans must be submitted in writing by the contractor within ten (10) working days of receipt of the monitoring report. All such plans must have a timeline for implementation. Corrective actions plans will be accepted in writing by the Administrator and a follow up monitoring visit will be scheduled according to the plan's timeline to ensure compliance.

Complaints, Grievances, Termination of Contracts for Non-Compliance

Each contract will in its assurances provide for the resolution of complaints or grievances in case of dispute of monitoring findings. In addition, each contract will provide for suspension and termination of contracts for non-compliance with contract terms as determined through monitoring visits.

Monitoring Visits - Scheduled and Unscheduled

RCJFS and local WIOA Area 10 will routinely schedule monitoring visits to the mutual convenience of the monitor and contractor. The Agency does reserve the right to make unscheduled visits at any time the Administrator deems appropriate for the purpose of assessing the compliance and quality of the project.

Distribution of Policy

The Agency will ensure that all potential and actual contractors become familiar with this policy in order to assist them in their preparation for monitoring and to solicit their cooperation.

Attachment 3

Quote Form Purchase of Items \$3,000.00 – 24,999.99

Contacted Central Purchasing: Date: _____ Contract Available? Yes or No
Circle One

Methods of Procurement (solicitation of competitive quotes through three (3) written quotes required)

- Email (requires computer printout with the vendor's letterhead)
- Catalog/newspapers/advertisements (requires copies of ads)
- Written (requires quotes be on letterhead from vendors)

Product/Service/Item Specifications (detailed description of product/service/item being procured)

Quotes Received (attach copies of written quotes received)

| <u>Vendor Name</u> | <u>Quote Amount/Per Unit Price</u> |
|--------------------|------------------------------------|
| 1. _____ | _____ |
| 2. _____ | _____ |
| 3. _____ | _____ |

Vendor Selected: _____

Rational for Selection (check all that apply)

Price _____

Service _____

Delivery Date _____

Other _____

Requested/Submitted by: _____ Date: _____

Approved by: _____ Date: _____