



Policy Number: 31 Effective: September 17, 2012 Revised: August 25, 2014
Subject: Procurement

**PURPOSE:**

It is the policy of Camden County Developmental Disability Resources to implement sound procurement management practices that allow for competitive solicitations and fair determinations when awarding business services, products, and contracts to individuals or companies that wish to do business with CCDDR. All procurement management practices of the board shall comply with applicable state and federal laws.

**POLICY:**

I. Procurement Process

The Procurement Procedure shall identify the detailed process and descriptions of the process in which the Procurement Policy shall be applied. All conditions of the Procurement Policy, Procurement Procedure, and procurement activities shall adhere to and comply with Policy #17, Financial Management Practices, and shall not conflict with any other Board policy or its Bylaws. The Board shall reserve the right to utilize existing State or County contracts for specific products or services through a resolution if the Board deems it necessary. All records of procurement activities shall be kept on file at CCDDR for the prescribed time allotted by law.

II. Procurement Officer

The Executive Director shall appoint a designated Procurement Officer for procuring products or services on behalf of CCDDR. In the absence of an appointed Procurement Officer, the Executive Director shall serve as the Procurement Officer.

III. Procurement Guidelines

It is not necessary to obtain bids or proposals on any purchase in the amount of \$4,500 or less. For all purchases of products or services costing more than \$4,500 but less than \$6,000, the designated Procurement Officer should make a legitimate attempt to obtain three bids or proposals from three potential sources; however, if three bids or proposals cannot be obtained from three potential sources, the Procurement Officer shall provide a written explanation as to why three bids or proposals could not be obtained and must receive written authorization from the Executive Director before procuring the products or services. Faxed or emailed bids and proposals or quotes directly from a potential source's Web site or catalog may be obtained. If the product or service for which bids or proposals are being solicited has been included as a budget item in the

current annual budget approved by the Board, the Executive Director shall have the authority to select the vendor based on cost and quality. If the product or service has not been included in the approved annual budget, the board shall review the purchase through resolution by a vote with a quorum present at the next scheduled Board meeting.

A formal competitive bid process shall be used for any purchase of a product, equipment, or service of \$6,000 or higher. A Request for Proposals (RFP) or a Request for Quotes (RFQ) shall be published in a local newspaper and shall be posted on the CCDDR Web site. The RFP or RFQ can also be submitted directly to potential sources; however, direct submissions must be made to at least three potential sources. Bidders shall be given the guidelines for their responses contained within the RFP and RFQ and an appropriate amount of time in which to develop and submit a proposal based on the requirements contained in the RFP or RFQ. The responses shall be sealed and shall remain sealed until the deadline for the RFP or RFQ has passed. All responding parties shall be notified of the date for opening the sealed responses. Sealed responses for the procurement of short-term and one-time purchases of services or products in excess of \$10,000, long-term and on-going purchases of products or services requiring the holding or investment of CCDDR funds, long-term and on-going purchases of products or services requiring CCDDR legal counsel, and long-term and on-going purchases of products or services in excess of \$10,000 shall be opened during a regularly scheduled CCDDR Board meeting. Otherwise, no less than three CCDDR representatives shall be present in opening sealed responses. Under normal circumstances, this would be the CCDDR Executive Director, designated Procurement Officer, and one Board member. In the absence of a Procurement Officer, the Executive Director and two Board members shall be present. In the absence of the Executive Director, the designated Procurement Officer and two Board members shall be present. In the absence of the Executive Director and the Procurement Officer, the sealed responses shall be opened at the next regularly scheduled Board meeting. Once the sealed responses are opened, the respondents shall sign an acknowledgment that the contents were the original responses contained therein. If any respondent is not present at the opening of the respondent's sealed response, all CCDDR representatives present shall sign an acknowledgment that the original response was contained therein and the respondent was not present for the opening of the sealed response. A copy of the signed acknowledgments will be sent via certified mail to the respective respondents, whether present or not.

#### IV. Awards for Services and Products

A panel of CCDDR representatives will be assigned to review all responses before an approved respondent is selected or a contract offered. CCDDR may require respondents to provide additional assurances, insurances, bonds, and supplementary information during the procurement process. If a solicitation for products or services exceeds \$10,000, exceeds an approved budgeted amount for its respective category, or is not a budgeted item previously approved by the Board, the Board must approve the product or service awarded or contracted and, if applicable, the term of the award through a resolution. If there is only one respondent to an RFP or RFQ that exceeds \$6,000, a second solicitation may or may not be offered. All proposals may be rejected and new solicitations issued. Awards and contracts for RFP's shall not be solely based on price. Other considerations will be utilized based on the premise of the services or products contained within the RFP. Preference shall be applied to those respondents who employ Camden County resident who are developmentally disabled and may be part of the requirements contained within the RFP.

Awards and contracts for RFQ's shall be based solely on price unless a preference has been announced in the RFQ which incorporates the employment of Camden County residents who are developmentally disabled.

V. Awards for the One-Time Purchase of Products or Services

One-time purchases of products or services are considered to be fulfilled at the time of the purchase. The purchase of equipment, supplies, printing services, etc. are to be considered one-time purchases and will be identified as such within the applicable RFP or RFQ.

Supplemental service agreements to a purchase shall be considered separate purchases under the Procurement Policy unless the supplemental service agreement is part of the one-time purchase obtained through the procurement process.

VI. Awards for Short-Term Purchase of Products or Services

Short-term purchases of products or services are considered to be the procurement of a product or service that will typically occur over a specified length of time lasting less than one year and will not be on an on-going basis. These types of awards for purchase may identify a beginning date and ending date for a specific product or service that is to be implemented or delivered in its entirety. A contract or agreement to the terms may be a requirement of the procurement process, depending on the product or service being procured. Supplemental service agreements to a purchase shall be considered separate purchases under the Procurement Policy unless the supplemental service agreement is part of the short-term purchase obtained through the procurement process.

VII. Awards for Long-Term or On-Going Purchase of Product or Services

Long-term and on-going purchases of products or services are considered to be the procurement of a product or service that will typically occur over a specified length of time lasting longer than one year or on an on-going basis over a specified period of time. Long-term and on-going awards for purchase shall not exceed four years. Awards shall typically be for an initial term of two years with an option for CCDDR to extend the term for an additional two years. Supplemental service agreements to a purchase shall be considered separate purchases under the Procurement Policy unless the supplemental service agreement is part of the long-term or on-going purchase obtained through the procurement process.

VIII. Contracts/Agreements for Services or Products

A signed contract/agreement for the purchase of one-time and short-term purchases may be required, depending on the product or service that is purchased. A signed contract/agreement shall be executed for all long-term and on-going services or products that CCDDR purchases. At a minimum, all CCDDR contracts/agreements shall specify services to be performed by the awardees, awardees' billing schedules to CCDDR, CCDDR funding schedules to awardees, documentation requirements of awardees, indemnification clauses, standards of products and/or services to be provided, delivery and monitoring of products and/or services, termination clauses,

notice information, terms of agreements, general liability insurance requirements, additional insurance requirements, and other applicable information/requirements as needed. All agreements shall be signed by authorized representatives of CCDDR and the awardees.

IX. Emergency Procurement

CCDDR may waive all procurement requirements when there has been an “Emergency Declaration” issued by the Executive Director in conjunction with the approval of the Board Chairman. If the Board Chairman is unavailable, the Executive Director shall seek the approval from the Board Vice Chairman. If the Chairman and Vice Chairman are unavailable, the Executive Director shall seek approval from no less than two Board members. If the Executive Director is not available, any two members of the board in conjunction with the Chairman or Vice Chairman (if the Chairman is unavailable) can issue an “Emergency Declaration”. An “Emergency Declaration” can be issued if it has been determined that there exists a threat to life, property, public health, or public safety; when immediate expenditure is necessary in order to protect against loss of or damage to CCDDR property; in order to prevent or minimize serious disruption in CCDDR services; or to ensure the integrity of CCDDR records. Emergency procurements shall be made with as much competition as is practicable under the circumstances. A detailed report and accounting of the “Emergency Declaration” shall be provided to the Board for review at the next regularly scheduled Board meeting or at a convened emergency Board meeting (if necessary).

**REFERENCES:**

- Chapter 50, Revised MO Statutes
- Chapter 34, Revised MO Statutes