



Policy Number:

31

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Subject: Procurement

PURPOSE:

It is the policy of Camden County Developmental Disability Resources (CCDDR) 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 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 the purchase of a product or service from the same person or business in an amount less than \$12,000 within a 90-day period. The designated Procurement Officer is encouraged to make a legitimate attempt to obtain three bids or proposals from three potential sources if feasible. Faxed or emailed bids and proposals or quotes directly from a potential source's website or catalog may be obtained. The Procurement Officer and/or Executive Director can authorize purchases based on cost, quality, and other factors related to the purchases.

A formal competitive bid process shall be used for the purchase of a product or service \$12,000 or higher from the same person or business within a 90-day period. A Request for Proposals (RFP) or Notice of Funding Available (NOFA) shall be published in a local newspaper and shall be posted on the CCDDR website. The RFP OR NOFA can also be submitted directly to potential sources; however, direct submissions must be made to at least three potential sources, if available. Bidders shall be given guidelines for their responses contained within the RFP OR NOFA and an appropriate amount of time in which to develop and submit a proposal or quote based on the requirements contained in the RFP OR NOFA. The responses shall be unopened if mailed, hand-delivered, and/or emailed and shall remain unopened if mailed, hand-delivered, and/or emailed until the deadline for the RFP OR NOFA has passed. All responding parties shall be notified of the date for opening the responses. Responses shall be opened during a regularly scheduled CCDDR Board meeting. After responses are opened, the Board shall decide if awards and/or determinations, if any, shall be made by the Board, Executive Director, Board Chairperson, or the Executive Director and Board Chairperson.

A general NOFA for I/DD Direct and Community Inclusion Supports and Services may be issued annually to encourage providers to submit product or service applications for funding. Responses to the general NOFA will be opened by the CCDDR Administrative Team for review and consideration prior to submission to the Board. All documents will be made available for public inspection, but no decision relating to any potential funding award will be made at the application opening should the product or service be \$12,000 or higher from the same person or business within a 90-day period. In these cases, awards and/or determinations, if any, will be submitted to the Board for consideration at regularly scheduled monthly Board meetings.

Specific written agreements or contracts to purchase a product or service on an ongoing basis extending past a 90-day period will be considered a single purchase. Specific written agreements or contracts which do not obligate the Board to continue to purchase a product or service on an ongoing basis extending past a 90-day period will be considered separate purchases.

The Board may waive the requirement of competitive bids where there is a single feasible source for the purchase, and it makes the determination in writing and enters it in the Board meeting minutes. A "single feasible source" exists when:

1. Supplies are proprietary and only available from the manufacturer or a single distributor.
2. Based on past procurement experience, it is determined that only one distributor services the region in which the supplies are needed.
3. Supplies are available at a discount from a single distributor for a limited period.

When a single feasible source is to be procured, the Board shall post notice of the proposed purchase if the single feasible source purchase is \$12,000 or more. The Board shall post notice and advertise intent of the purchase in the local newspaper. Posted notices for single feasible source purchases shall include a paper notice posted on the primary place of business and on the CCDDR website. Notices posted and intents advertised for single feasible source procurement shall be done at least 10 days prior to purchase.

Supports and/or services for individuals served by CCDDR and paid by the Board through Medicaid Waiver agreements or other contracts with the Department of Mental Health, Division of Developmental Disabilities, shall be done in accordance with the guidelines established within

those agreements or contracts. Supports and/or services procured and paid solely or partially by the Board specifically for individuals served by CCDDR shall be done in a manner which represents the health, safety, and best interests of the individuals being served.

IV. Awards for Services and Products

A panel of CCDDR representatives will be assigned to review all responses before an approved respondent is selected. CCDDR may require respondents to provide additional assurances, insurances, bonds, and supplementary information during the procurement process. If there is only one respondent to an RFP OR NOFA, a second solicitation may or may not be offered. All proposals may be rejected and new solicitations issued. Awards and contracts for RFPs OR NOFAs shall not be solely based on price. Other considerations will be utilized based on the premise of the services and/or products contained within the RFP OR NOFA. Respondent references, respondent experience, respondent qualifications, proposal presentation, proposal accuracy, proposal clarity, timelines for project completion, quality of proposed goods/services, warranties, and other factors related to the product and/or service shall be considered during the procurement process. Preference shall be applied to those respondents who employ Camden County residents with developmental disabilities and may be part of the requirements contained within the RFP OR NOFA. All other preferences and guidelines identified in applicable Federal, state, and local law shall be recognized.

V. Banking Services

The Board shall issue an RFP and receive proposals from banking corporations or associations to be depositaries of funds every four years, with an option to rebid in odd numbered years. Proposals are to remain unopened and include the rate of interest for the specified period in the RFP. If there are no responses, the Board can choose any bank in the county or adjoining counties with interest of not less than 1.5%.

VI. Periodic Review of Existing Products or Services

CCDDR shall periodically review the cost of products and/or services utilized on an ongoing basis and previously awarded through the procurement process. If desired or necessary, CCDDR may seek to solicit new proposals for these products and/or services. In such cases, CCDDR shall follow the Procurement Guidelines in Section III.

VII. 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 to protect against loss of or damage to CCDDR property; if a legal matter prompts immediate attention or

response; 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
- Chapter 110, Revised MO Statutes