Haywood County Procurement Process Overview

Presented to BOCC 11/2/09
Updated 1/31/18
Prepared by
Haywood County Finance Department

Julie Davis, Finance Director

Donna Corpening, Purchasing Manager

with special thanks to
Frayda Bluestein and Eileen Youens
School of Government, UNC-CH
The County purchases in accordance with North Carolina laws so that the taxpayer will receive full value for each dollar of public funds spent.

To that end, the County’s procedures conform to open, ethical and sound procurement policies.
Agenda

- Bidding requirements
- Entities covered
- Types of contracts covered / not covered
- Competitive bidding process
- Terms & acronyms
- Doing business with Haywood County
- Responding to requests
- Standard bid requirements
Bidding Requirements

- Requirements for government purchasing can be found in the North Carolina General Statutes.

- Chapter 143, article 8 (Public Contracts) contains most of the provisions governing competitive bidding of public contracts.

- Specifically G.S. 143-129 describes the formal and G.S. 143-131 describes the informal bidding requirements.
Entities Covered by N.C. Competitive Bidding Statutes

- The state government
- Any institution of the state
- Any political subdivision of the state, including counties, school units and municipalities
Types of Contracts Covered by N.C. Competitive Bidding Statutes

- Contracts for purchasing “apparatus, supplies, materials, and equipment”

- Contracts for construction or repair work
Types of Contracts Not Covered by N.C. Competitive Bidding Statutes

- Contracts for Services (personal performance of work vs. delivery of a tangible item)
  - Engineers
  - General attorneys
  - Bond attorneys/special counsel
  - Surveyors
  - Auditors
Competitive Bidding Process

- **Formal bidding process required**
  - For construction $500,000 and above
  - For purchases $90,000 and above
  - G.S. 143-129

- **Informal process required**
  - For construction and repair $30,000 to the formal range
  - For purchases $30,000 to the formal range
  - G.S. 143-131

- **Differences in Formal and Informal bidding**
  - Advertising
  - Form of Bids
  - When bids become public information
  - E-Verify Affidavit
Competitive Bidding Process (continued)

- **Amounts under the informal range**
  - Few requirements
  - Public record when received

- **Applies to total amount of the contract to be awarded to one contractor**

- **Prohibition against dividing contracts to avoid competitive bidding**
Terms & Acronyms for Solicitation Documents

- Invitation for Bid (IFB)
- Request for Bid (RFB)
- Request for Quotation or Request for Qualifications (RFQ)
- Request for Proposal (RFP)
Terms & Acronyms for Solicitation Documents (continued)

- Terms are not mentioned in the statutes
- Procurement may involve a two-step process
  - Qualifications
  - Cost component
Doing Business with Haywood County

Vendor registration and inquiries

• On the county website:

  www.haywoodnc.net

  You can find the following:
  ► Postings of any current Bid Notices for RFPs/RFQs, etc.
  ► Vendor Guide
  ► Vendor Registration Form
  ► IRS W-9 (Required for all Bidders/Suppliers with Haywood County)

• County purchasing office:

  Purchasing Manager
  Haywood County Finance Department
  215 N. Main Street
  Waynesville, NC 28786
  (828) 356-2612
  donna.corpening@haywoodcountync.gov
Marketing To Individual Departments

- Certain County departments have specific purchasing needs
- Departments instrumental in prescribing specifications for the equipment/supplies required
- Marketing/vendor contacts recognized as experts at educating users on capabilities and varieties of products
Responding to IFBs / RFPs

To enable preparation of a bid or proposal, a formal Invitation for Bid (IFB) or Request for Proposal (RFP) provides:

- All the necessary instructions
- A complete description of the requirements for submission
- Specifications of the product
- Terms and conditions
Responding to IFBs / RFPs (continued)

- North Carolina governments must award bids to:
  the lowest responsible, responsive bidder, per G.S. 143-128

- A responsible bidder has the skill, judgment, and ability to perform.

- A responsive bidder complies with the requirements in the RFP.
Responsible Bidders/Suppliers

- Responsibilities of Bidders/Suppliers
  - Should be financially sound
  - Should carefully read the IFB/RFP and understand its contents
  - Should be able to fully perform all the requirements
**Responsible Bidders**

- **Standard Bid Requirements**

  o **Questions about the IFB/RFP**
    - Questions prior to submitting a bid, contact the Purchasing Manager.
    - Once the bid opening has occurred, no changes by the vendor will be permitted unless through County-originated negotiation.

  o **Conferences/Site Inspections**
    - Such requirements are intended to supply vendors with valuable information or visual inspection.
    - This will help to ensure the completeness and accuracy of all bids.
Responsive Bidders/ Suppliers

- **Bid Bonds/ Deposits**
  - Formal bids or proposals will not be considered or accepted unless accompanied by a deposit of equal to no less than 5 percent of the proposal amount.
  - Bid deposits of unsuccessful bidders will be returned following an award of the specific contract.

- **Terms/ Conditions**
  - All solicitation documents are subject to the specified terms and conditions.
  - The bidder specifically agrees to the terms and conditions specified in the IFB/RFP by signing the “execution” page.
Responsive Bidders
- Standard Bid Requirements

- Additional Information
  - For those bids requiring price lists, product literature or other information, such material must be provided according to IFB/RFP instructions.

- Bid Delivery
  - Bids will be received at the address cited in the IFB/RFP on or before the date and exact time specified.
  - The bid will not be considered for evaluation if delivered after deadline.

- Price Alterations or Withdrawal of Bid Prior to Bid Opening
  - Any price corrections on bids should be individually initialed in ink.
  - Price corrections may only be made or a bid withdrawn prior to opening.
EXAMPLES

Formal Request

Informal Request
Formal Request for Proposal
New Landfill Expansion - Cell Three

- Formal bidding procedures used - construction over $500,000
- (G.S. 143-129)
- Professional service contract awarded to Engineering firm
  - Request for Qualification process utilized
  - Interviews and ultimate choice of BOCC
Formal Request for Proposal
New Landfill Expansion - Cell Three
(continued)

- Engineering firm then became responsible for
  - RFP for contractor
  - Preliminary meeting – Required prequalification meeting
  - Qualifying license/certification of contractor
  - Sealed bid opening – Public opening
  - Recommendation to BOCC

- Board of County Commissioners approved
Informal Request for Proposal
Janitorial Supplies

- Combination of service contract and purchasing contract
- Informal process used - purchases under $90,000
- RFP issued
- Sealed bids
- Analysis of services/product prices
- Award of bid
<table>
<thead>
<tr>
<th>VENDOR</th>
<th># CONS, HIGHER PRICES</th>
<th># PROS/ BEST PRICES AND IMPLEMENTATION PLAN</th>
<th>RESULTS OF LOWEST RESPONSIVE RESPONSIBLE BIDDER</th>
<th>NOTES ON PRICES ETC</th>
<th>IMPLEMENTATION PLAN</th>
<th>PROPOSED SERVICE CONTRACT</th>
<th>CHEMICAL PROPORTION SYSTEM</th>
<th>ORDERING OPTIONS</th>
<th>DELIVERY ARRANGEMENTS</th>
<th>TRAINING, TECH SVC, INCL. IMPROVEMENTS &amp; TOOLS</th>
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<td>17</td>
<td>PRODUCTS VERY CONCENTRATED REDUCING QUANTITY</td>
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<td>INFO</td>
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<td>INCLUDED</td>
<td>2 WKS W/</td>
<td>CUST/DURAGN</td>
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<td>ECO FRIENDLY</td>
<td>VENT PROVIDE 16,000 FT WAREHOUSE</td>
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**JANITORIAL RFP ANALYSIS SUMMARY**

- **Venue:** Raywood County
- **Date/Time:** 10 AM 5/5/09 - Conference Room

**Final Results from Unit Comparison & This Summary**

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<th>MEDS MATERIAL &amp; CHEM PRODCTS</th>
<th>RISK ASSESSMENT</th>
<th>PRIORITY PERFORM</th>
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**TOTALS**

- **Cons, Higher Prices:**
- **Pros/Best Prices/Green Items:**
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<th>ITEM #</th>
<th>COMMODITY DESCRIPTION</th>
<th>UNIT PRICE</th>
<th>UNIT</th>
<th>BRAND</th>
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<td>OIL BASE STAINLESS STEEL CLEANER</td>
<td>CASE 55.90</td>
<td>BRILLIYARD</td>
<td>20 oz/12=240 oz</td>
<td>0.25</td>
<td>PER OZ</td>
<td>RTU 31.64</td>
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<td>7</td>
<td>WOODEN MOP HANDLES</td>
<td>CASE 115.00</td>
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<td>9&quot; JUMBO TOILET TISSUE 2-PLY</td>
<td>CASE 34.50</td>
<td>ADVANTAGE</td>
<td>1000'/2 ply/12</td>
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<td>PER ROLL</td>
<td>24.20</td>
<td>SPRING GROVE</td>
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<td>VICTORIA BAY</td>
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<td>28.53</td>
<td>PER CASE</td>
<td>21.53</td>
<td>JACDCORE</td>
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<td>15&quot;X9&quot;X2&quot; (OR 24&quot;X32&quot;) WHITE CAN LINERS</td>
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<td>MAIN PRO</td>
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Recap

Haywood County
Procurement Process

- **Formal bidding process required**
  - For construction $500,000 and above
  - For purchases $90,000 and above
  - G.S. 143-129

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