



CAMDEN COUNTY  
PUBLIC SERVICE  
AUTHORITY  
**PURCHASING POLICY**

December 2018

# TABLE OF CONTENTS

<u>Chapter 1: Purpose &amp; Intent; Mission &amp; Vision Statement; Duties &amp; Authorization</u>	<u>3</u>
1. Purpose and Intent	3
2. Mission and Vision Statement	4
a. Mission	4
b. Vision	4
3. Duties of the Finance Department	4
4. Authorization	6
<u>Chapter 2: Purchasing Forms</u>	<u>6</u>
1. Purchase Order	6
a. Field	6
b. Standard	7
2. Requisition	7
3. Request for Proposal/Invitation to Bid	7
4. Purchase Order Register	7
5. Fixed Asset Form	7
6. Travel Form	7
<u>Chapter 3: Purchasing Card Procedures and Purposes</u>	<u>8</u>
1. Cardholders Responsibilities	8
2. Purchasing Card Administrator Responsibilities	9
a. Erroneous Declines	9
b. Security and Storage	9
i. Purchasing Cards	9
ii. Program Documentation	9
3. Vendor Blocking	9
4. Attachment 1: Purchasing Card Cardholder Agreement	11
<u>Chapter 4: Types of Expenses</u>	<u>12</u>
1. Expenses NOT requiring a purchase order	12
a. Travel Expenses/Training	12
b. Utilities/Fuel/Propane	12
c. Lease/Contract Payment	12
d. Professional Services	12
i. Auditor Selection Process	12

e. Software Renewal	13
f. Dues/Memberships/Registrations	13
2. Expenses requiring a purchase order	13
a. Purchases \$250 up to \$999.00	13
b. Purchase Orders over \$999.00	13
3. Emergency Purchases	14
<u>Chapter 5: Invitation to Bid/Requests for Proposals</u>	<u>15</u>
1. Bidding Methods	15
a. Invitation to Bid	15
b. Request for Proposal	15
2. Bidding Process	16
<u>Chapter 6: Vendors</u>	<u>20</u>
1. Defaults	20
2. Records	20
3. Local Vendor Preference	20
4. Outstanding Fees	20
5. State Contracts	20
6. Single Source Items	21
7. Sole Sources Items	21
8. Conflict of Interest	21
9. E-Verify Requirements	21
<u>Chapter 7: Disposal of Obsolete, Surplus, or Scrap Property</u>	<u>22</u>
<u>Chapter 8: Ethics</u>	<u>23</u>
1. Overview	23
2. Conflict of Interest	24
3. Gratuities and Kickbacks	24
4. Criminal Penalties	24
5. Sanctions	24

# CHAPTER 1

## Purpose & Intent, Mission & Vision Statement, Duties and Authorization

### 1. Purpose and Intent

The purpose and intent of this manual is to establish operational policies and purchasing procedures for the Camden County Public Service Authority (PSA). The PSA Executive Director shall maintain a Finance Division, which shall be headed by the Senior Accountant and include the Assistant Director, or other designee. This Division shall be responsible for the review of requisitions presented by each PSA Division for the purpose of assuring that the highest quality products and services are provided to the PSA at the lowest reasonable cost for the best value. The Finance Division strives to provide quality service through effective communication and a cooperative working relationship with all departments and vendors; to fulfill the needs of the PSA for goods and services in a professional, responsive, timely and cost effective manner; and in accordance with all legal requirements and ethical standards. (National Institute of Government Purchasing (NIGP) Section C, 13, 17b)

Divisions must keep a current copy of the Purchasing Policy and any official updates and applicable memos issued by the Finance Division. Procedures contained herein are applicable to all PSA personnel involved in the requisitioning, procuring of goods and services, receiving, transferring and replacement of supplies, materials, services, equipment, and invoice processing.

The objectives of the Finance Division and this Manual are:

- A. To clearly establish that the responsibility for day to day purchasing rests with each division's designated employee with the assistance of the Finance Division.

- B. To procure supplies, materials, equipment, contractual labor and services as requested by departments, in accordance with the Purchasing Manual, at the most appropriate cost and best quality consistent with the goods and services required.
- C. To exercise positive financial accountability in the expenditure of funds.
- D. To provide an efficient means for disposal of surplus property.
- E. To establish and maintain high standards of quality based on suitability of use in all purchasing transactions.
- F. To ensure the fair and equitable treatment of all persons who deal with the purchasing system.
- G. To provide safeguards for the maintenance of a purchasing system of quality and integrity.
- H. To ensure that all parties involved in the negotiation, performance or administration of contracts act in good faith.

## 2. Mission and Vision Statement

### (NIGP Section A, 3.)

**Mission:** The mission of the Finance Division is to provide for fair and equitable treatment of all persons involved in public purchasing by the PSA with the highest level of customer service, to strive to maximize the purchasing value of public funds in procurement and to provide safeguards for maintaining a procurement system of quality and professional integrity.

**Vision:** Knowledgeable and professional personnel working together in trust and with open, honest communication to maintain the integrity of purchasing and to provide good, effective customer service in procuring products and services at the best value.

## 3. Duties of the Finance Department:

One of the functions of the Finance Division is to purchase and contract for the supplies, materials, equipment, and services required by the PSA staff in a reasonable

time frame that meets their needs and to ensure that maximum value is obtained for each dollar spent. The Finance Division is responsible for ensuring that all PSA divisions comply with federal, state, and local statutes regulating competitive sealed bids, sealed proposals, professional services, cooperative purchases, emergency and sole-source purchases in a manner to yield the maximum value for each dollar spent.

Other duties include, but are not limited to:

- A. Observe and enforce the policy and procedures as outlined in the purchasing policy;
- B. Advise and assist in the formulation of policies and procedures connected with the purchasing activities of the PSA and assist with conducting regular training sessions for employees involved in the purchasing process;
- C. Establish and enforce specifications for supplies, materials, and equipment to be procured for the PSA to ensure that specifications are written concisely and are not written in an exclusive manner;
- D. Contract for, purchase, or issue purchase authorizations for all supplies, materials, equipment, contractual labor and services for the divisions, offices and agencies of the PSA; provided that, before the purchase of or contract for any supplies, materials, equipment, contractual labor, services or insurance, ample opportunity for competitive bidding, under such regulations and with such exceptions as the Board may provide;
- E. Have charge over Central Supply Inventory;
- F. Transfer to or between departments, offices and agencies or sell surplus, obsolete or unused supplies, materials and equipment;
- G. Once the bid process is complete, verifies the successful vendor has submitted an occupation license, proof of insurance and bonds (if applicable), along with proper Immigration and IRS forms to Finance Division, the requesting division will be responsible for administering the agreement. The Finance Division will act as Contract Administrator for the PSA. (NIGP Section, C, 17c) Contract Administration includes, but is not limited to, the following activities: monitoring time lines for completion; addressing billing/payment issues; documenting compliance issues and steps taken to address these issues with the vendor. Divisions must submit Vendor Complaint Forms to Finance, in case of a dispute or cause for termination of an existing contract;
- H. The Finance Division, Executive Director and the Chairman of the PSA, will be the only signature(s) that can bind the PSA into a contract lasting more

than one year. This signature will be authorized by a majority vote by the PSA Board.(NIGP Section C, 17i, p)

- I. The Finance Division shall have the authority to join with other units of government in purchasing activities when it meets the best interest of the PSA. This is also known as Cooperative Purchasing. (NIGP Section J, 64);
- J. The Finance Division will maintain all procurement records, including all contract files. All determinations and other written records pertaining to the solicitation, award, and or performance of a contract shall be maintained by the Finance Division. All procurement records shall be retained and disposed of by the Finance Division in accordance with records retention guidelines and schedules approved by the PSA Board.
- K. When the procurement involves the expenditure of federal assistance or contract funds, the procurement shall be conducted in accordance with any mandatory applicable federal law and regulations. Nothing in this policy shall prevent any public agency from complying with the terms and conditions of any grant, gift, or bequest that is otherwise consistent with law.
- L. When the procurement involves the expenditure of State assistance or contract funds, the procurement shall be conducted in accordance with any mandatory applicable State law and regulations. Nothing in this policy shall prevent any public agency from complying with the terms and conditions of any grant, gift, or bequest that is otherwise consistent with law.
- M. When the procurement involves Public Works Projects, as defined by O.C.G.A. § 36-91-2(10), exceeding \$100,000; the procedures shall comply with the provisions of the Georgia Local Government Public Works Construction Law, O.C.G.A. § 36-91-1 *et. seq.* The purchase of road construction contracts are subject to the requirements of O.C.G.A. § 32-4-1 *et. seq.* O.C.G.A. § 36-91-2(12).

#### **4. Authorization (NIGP Section B, 11)**

All budgeted items are approved by the PSA Board in the annual budget. Authorization levels below authorize the designee to proceed with the procurement process as outlined in this policy. However, all contracts (any amount) and bid awards in excess of \$5,000 shall be presented to the PSA Board for approval and award of successful bidder.

Authorization for all budgeted items is as follows:

Division Manager:	Up to \$999.00
PSA Executive Director:	Up to \$4,999.00**
PSA Board	\$5,000.00 and above; and all contracts

*\*\*In an emergency (as defined in chapter 3), Executive Director may purchase items above \$5,000 each\*\**

## CHAPTER 2

### PURCHASING FORMS

The PSA Finance Division will be authorized to develop all the forms needed to implement this Policy. There are six (6) main forms that will be used as a part of the PSA Purchasing Policies and Procedures. All goods received by or on behalf of PSA must be acknowledged by a legible signature on the receiving slip (or invoice) at the time the goods are received, specifying the condition they arrived in and noting any discrepancies in quantity. No invoice will be paid without a signed receiving slip or signed invoice verifying that the item(s) was received in good condition.

**1. Purchase Order** - to be utilized by the PSA for all purchases as described:

**A. Field** - A two part Field Purchase Order will be issued by the division for amounts that exceed \$250 and are below \$999.00. The white copy is retained by the division and the pink copy must be sent to the Finance Division as soon as possible attached to supporting documentation. (I.e. signed and coded invoice and/or packing slip.)

**B. Standard** – Also referred to as a “Large PO”. An eight (8) digit Purchase Order will be signed by the Director for amounts that exceeds \$999.99 up to \$4,999.00 after a requisition (see below) is submitted and purchase is approved at appropriate levels. (NIGP Section C, 17i). Departments are required to write the Purchase Order number and account number on the invoice and attach a copy of the Purchase Order when submitting to the Finance Division for payment.



NOTE: The amount of the purchase order or contract, upon completion, will be encumbered within the appropriate division and account number to accurately reflect the reporting information. Purchase Orders will be valid until June 30<sup>th</sup> of the current fiscal year or 45 (forty-five) days after the end of each Fiscal Year, after which will be cancelled out of the system and a new PO will have to be requested to encumber funds for the current fiscal year. NO EXCEPTIONS.

**2. Requisition** – One page electronic form that will be prepared by the department to explain or describe a request prior to all total purchases that exceed \$999.00. Requisitions are then faxed or emailed to the Finance Division for issuance of an eight (8) digit Purchase Order number. Division will retain a copy of requisition and will submit the original white copy with approving Division Head signature (initials) and Executive Director signature (initials) to the Finance Division.

**3. Request for Proposal/ Invitation to Bid** - Official bidding opportunity for vendors to return bids/proposals to the PSA Finance Division where quotes will be required by sealed bid. (See Chapter 4)

**4. Purchase Order Register** - A brief record of all field purchase orders (\$250 up to \$999.00) issued to departments and all purchases made by divisions under \$250 which will be kept in the Finance Division.

**5. Fixed Asset Form** - a detailed record of an item, in excess of \$5,000 individually, which will be entered into the PSA computer system by the Finance Division.

**6. Travel Form** – Electronic or paper form utilized to show expenses incurred while on travel with PSA related business. Form must be signed by DivisionHead/designee and detailed receipts attached. Attached receipts must be signed and coded appropriately. The Bank of America card is the preferred tender while traveling on PSA related business. No Purchase Order is needed for travel related expenses. (See separate Travel Policy)

## Chapter 3

### Purchasing Card Procedures and Purpose

The purpose of the Purchasing Card is to facilitate the purchase of low-dollar value items when paying via check is not an option.

#### CARDHOLDERS RESPONSIBILITIES

The Card holder shall use the Purchasing Card for official Camden County PSA Leisure Services' purposes only. The Purchasing Card shall not be used for cash and other categories as included in the List of Blocked Vendors (under "Vendors" section). Misuse of the card will subject the Card holder to disciplinary action in accordance with Camden County PSA Policies and Procedures relating to disciplinary action and is cause for termination.

The Card holder must:

- Ensure the Purchasing Card is used for legitimate business purposes only.
- Maintain the Purchasing Card in a secure location at all times.
- Adhere to the purchase limits and restrictions of the Purchasing Card and to obtain a Purchase Order, if needed, prior to purchase.
- Obtain all detailed sales slips, register receipts, and/or email confirmations for purchases made and provide same to the Finance Division for reconciliation, approval, and allocation of transactions. Repeated failure to do so will result in a payroll deduction for the amount of purchase that is missing documentation.
- Advise the Finance Division of disputes or billing errors directly.
- Never accept cash in return for a purchase made with the Purchasing Card account. Doing so will result in disciplinary action and is cause for termination.
- Ensure no sales tax will be charged for transactions. The Sales-Tax exemption form will be kept with the card.
- Immediately notify the Finance Division of a lost or stolen Purchasing Card at the first opportunity during normal business hours.

## **PURCHASING CARD ADMINISTRATOR RESPONSIBILITIES**

The Finance Division is responsible for the over-all Purchasing Card program.

Responsibilities Include:

- Have card holders sign Card Holder Agreement (Attachment 1), signifying agreement with the terms of the Purchasing Card program.
- Handle disputed charges/discrepancies not resolved by Card holder.
- Review all receipts and verify signatures.
- Compile all receipts for the month, and forward to the Camden County Board of Commissioners Finance Department.
- Provide vendors with Department of Revenue Tax Exemption Form when necessary.
- Prepare check to Camden County Board of Commissioners for reimbursement, after the invoice is received.

### **Erroneous Declines**

Should the Purchasing Card be erroneously declined by a vendor, the Card holder should immediately contact the Finance Department for assistance. If purchase is being made outside of normal Camden County PSA Leisure Service business hours, the employee must find an alternate payment method, or terminate the purchase and contact the Finance Department during normal hours.

### **SECURITY AND STORAGE**

**Purchasing Cards** – Card holders should always treat the Purchasing Card with at least the same level of care as one does their own personal credit cards. The card should be maintained in a secure location and the card account number should be closely guarded. The only person to use the card, should be the person who signed it out. The card may not be lent to another person for any reason.

**Program Documentation** – The Finance Division will receive the Card holder's vendor receipts, packing slips, and charge slips. The Card holder will be responsible for signing and coding the receipt and remitting them to the Finance Department within three (3) days of receipt of goods. Copies of items may be kept in each department for reference.

## VENDOR BLOCKING

Transactions will be blocked at the point-of-sale for the types of vendors included on the listing of blocked vendors below:

- 4411 Steamship/Cruise Lines
- 4829 Wire Transfer – Money Orders
- 6010 Financial Institutions – Manual Cash Disbursements
- 6011 Financial Institutions – Automated Cash Disbursements
- 6012 Financial Institutions – Merchandise & Sees
- 6051 Non-Financial Institutions – Foreign Currency, Money Orders (not wire transfer), and Travelers Checks
- 6211 Security Brokers/Dealers
- 6611 Overpayments
- 6760 Savings Bonds
- 7012 Timeshares
- 7995 Betting (including lottery tickets, Casino Gaming Chips, off-track betting & wagers)

Attachment 1  
PURCHASING CARD CARDHOLDER AGREEMENT

Requirements for Use

The Purchasing Card is to be used only to make purchases at the request of and for the legitimate business benefit of the organization.

The Purchasing Card must be used in accordance with the provisions of the Purchasing Card Policy and Procedures established by Camden County PSA Leisure Services for Purchasing Card use.

Violations of these requirements may result in revocation of use privileges and/or disciplinary action up to and including termination of employment. Employees who are found to have inappropriately used the Purchasing Card will be required to reimburse Camden County PSA Leisure Services for all costs associated with such improper use.

Purchasing Card Account Number:

Received by:

(Please Print Name)

Signature:

Date

## CHAPTER 4

### TYPES OF EXPENSES

#### 1. Expenses NOT requiring a purchase order.

Certain expenses will not require a purchase order, however verify with the Finance Division prior to purchase to confirm.

##### A. Travel Expenses/Training

Any expenses incurred due to PSA related travel are to be submitted with a Travel Expense Form. The Travel Expense Form is used in place of the purchase order and should be submitted with signed and coded receipts attached. **See *Travel Policy* for detailed information regarding travel expenses.**

##### B. Utilities/Fuel/Propane

Electric, phone, water, gasoline, diesel and propane bulk purchases. Invoices must be signed, coded and turned in to the Finance Division.

##### C. Lease/Contract Payments

Any payments due resulting from a Capital/Operating lease or monthly maintenance agreements and contracted services.

##### D. Professional Services

Professional services are described as unique, technical, and/or infrequent functions performed by an independent contractor qualified by education, experience, and/or technical ability to provide services. In most cases, these services are of a specific project nature, and are not a continuing, ongoing responsibility of the institution. The services rendered are predominately intellectual in character even though the contractor may not be required to be licensed. Examples are engineering, architect, and lawyer and Auditor. Dependent upon the cost of services will determine if the Executive Director or Board is required for approval.

##### I. Auditor Selection Process:

- i. **Request to bid on the annual PSA Audit will be sent out the second Monday in July.**
- ii. **The Board will determine the criteria that will be used in selecting an Auditor.**
- iii. **Accounting Firms within a 100 mile radius will be considered.**
- iv. **If there are no firms with in the first 100 miles, the search parameter will be extended to 250 Miles.**
- v. **The Bid period will end on the second Friday in August.**
- vi. **The PSA Board will review the bids and chose the auditing firm by majority vote in the August Board meeting.**
- vii. **This selection process will take place on an annual basis with new bids requested every year.**
- viii.

#### **E. Software Renewal**

Any renewal of software/licensing that is currently in use, unless over \$5,000 annually.

#### **F. Dues/Memberships/Registrations**

Note: Ultimate decision of whether an item/service needs a purchase order or not, resides with the Finance Division and the Executive Director.

## **2. Expenses requiring a purchase order.**

### **A. Purchases \$250 up to \$999.00**

To expedite the purchase of goods up to \$999.00, divisions must obtain at least **two quotations** and add them to the Field Purchase Order. (Purchases totaling under \$250 will not need additional quotes.)

(1). The Field Purchase Order must include the following information:

- (i) Date order was placed
- (ii) Name of the Vendor
- (iii) Description of goods/services
- (iv) Price, shipping charge and total of purchase
- (v) Department of where item will be used

- (vi) Division code and appropriate Account Number to be expensed
- (vii) Division Head/Authorized Agents Approving Signature
- (viii) Two quotes for purchases from \$250-\$999
- (viii) In the event that two or three quotes are not obtainable, Staff must document this with support material.

(2). The pink copy of the Field Purchase Order is to be attached to the signed and coded packing slip/email confirmation or invoice and sent to the Finance Division. The white copy is kept in the department's files with supporting documentation.

(3). Purchases shall not be divided into smaller quantities of the same product or submitted on multiple purchase orders to circumvent the purchasing system.

#### **B. Purchase Orders Over \$999.00**

Requisitions for purchases over \$999.00 must be submitted to Purchasing to generate a system assigned eight digit purchase order number **PRIOR** to securing the goods/services requested.

1. Divisions must solicit at least **three bids/quotes** from vendors.
2. Requisition, clearly specifying goods desired and listing alternate quotes, are submitted to Purchasing via fax or email.
3. Include all copies of the quotes with requisition.
4. Requisitions shall not be divided into smaller quantities of the same product or submitted on multiple purchase orders to circumvent the purchasing system.

Purchases up to \$4,999 are approved by the Executive Director.

Purchases \$5,000 and over and all contracts are additionally approved by the PSA Board of Directors. Informal bids for amounts less than \$5,000 do not require formal advertising and a public notice of bid opening shall not be required.

### **3. Emergency Purchases**



An emergency purchase is made to alleviate a situation in which there is a threat to health, welfare, or safety, under certain conditions defined below, that does not allow time for normal, competitive purchasing procedures. (NIGP Section C, 17k)

When is a purchase considered an emergency? Division directors are responsible for determining that a situation warrants an emergency purchase before the Finance Division is contacted.

Some examples of emergency situations are:

- (1) The operation of the division would be seriously hampered.
- (2) The protection or preservation of public property would not be possible by following normal purchasing procedures.
- (3) Issuing a regular purchase order would adversely affect the service provided by the department.

**Obtaining an emergency purchase order does not require normal bidding procedures; however, it is prudent on the part of the department to obtain bids, if possible, or reference a recent purchase that did have quotes.**

If an emergency arises before/after regular business hours, the department head may authorize the necessary purchase. On the next working day, an emergency requisition must be submitted to the Finance Division detailing the emergency situation and steps taken. The Bank of America Visa should be used whenever possible.

## CHAPTER 5

### INVITATION TO BID/REQUESTS FOR PROPOSALS

The PSA utilizes Invitations to Bid (ITB) and Request for Proposals (RFP) when procuring professional services (architects, engineers, consultants, etc.) or for large transactions where other factors, in addition to cost, are considered in the evaluation process. (Section C, 171). The competitive bidding process allows greater flexibility in selecting the most qualified and experienced firm to provide these specialized services for the Agency. Invitations to Bid (ITB) and Requests for Proposals (RFP) will be advertised as defined by Georgia State Law. The Board prohibits entering into

contracts or making purchases for the purpose of evading requirements of competitive bidding.

**1. Bidding Methods** – Purchases or Projects/Services exceeding \$5,000 should be made utilizing either of the two following methods:

**A. Invitation to Bid** – The bid documents and specifications are definite and specific. Awards shall be made to the bidder offering the lowest cost who is most responsive to the requirements of the bid documents, without material exception, and who is responsible and capable of providing the item(s) or service(s) to be purchased/contracted. Evaluation and award are limited to cost, determination of compliance with the specifications and conditions specified in the bid documents, the value offered by the bidder and the responsibility of the bidder. Negotiations are not permitted. The Finance Division may use judgmental consideration to determine if the bidder's offer complies with the specifications and conditions, if such considerations can be demonstrated to be reasonable, appropriate, and fairly applied. This method does not permit comparison of the relative specifications of competing bidders, but only comparison to the specifications contained in the bid documents.

**B. Request For Proposal** – This method can be used whenever detailed specifications cannot be determined, whenever several possible methods may satisfy the PSA's requirements, or whenever the nature of the requirements is such that subjective evaluation of criteria other than cost is necessary. A scope of work is required, which makes comparison of competing proposals relative to each other appropriate. This method permits negotiations and discussion with competing vendors to determine the best solution to the PSA's needs. Proposals may be revised or modified at the request of the Board. Subjective criteria shall be used in the evaluation of competing proposals. The relative value of evaluation criteria and method of evaluation shall be established in the Request for Proposal documents published by the PSA. While proposals are opened publicly, only the names of the offerors are read aloud. Neither prices nor other information is public until after a Notice of Intent to Award is posted or all proposals have been rejected.

**2. Bidding Process**

A. The process begins when the requesting division submits a detailed scope of work and evaluation criteria to the Finance Division. The division may also submit a cost estimate for the project list to Finance. The bid documents may contain a basic contract that may be used, if appropriate, for a particular service. Parts of the contract may be modified (insurance requirements, bonding requirements, etc.) depending on the type of service.

B. The Finance Division will assist the requesting department in determining the need for a contract and, if so, the necessary elements of the contract. Based on the information provided, Purchasing will formalize the ITB or RFP and submit the document to the requesting division for approval prior to issuance. (NIGP Section C, 17m, Section E 27) The Division Head, or designated representative, shall establish an Evaluation Committee consisting of an odd number of participants, prior to the date proposals are due. The Finance Division will chair the Evaluation Committee and assist throughout the review process.

C. According to Georgia Code 50-22-3, public notice of each proposed project requiring professional services may be given at least 15 (fifteen) days prior to the selection of the three or more most highly qualified offerors.

D. Offerors must develop and provide a solution in response to the Scope of Services. The Bid/Proposal must be sealed, properly identified on the outside, submitted to the proper place and received no later than the time stated in the public notice. Faxed or emailed responses are not permitted and will be deemed non-responsive. At the time of the public opening of the Bid/Proposal, only the names of offerors are read; no pricing or other data is revealed to avoid conflicts during possible negotiations. The committee, selected by the requesting department, bases evaluation on variables outlined in the request. Finance Department will oversee the evaluation process.

E. The Committee reviews and ranks all proposals individually on their technical merits and according to the criteria established in the Bid/RFP documents. A Bid/Proposal Score/Ranking Sheet will be utilized to provide a clear overview. The Committee may contact offerors, if any clarification is needed on the proposal. Offerors whose proposals are ranked the highest by the Evaluation Committee (short listed) may be asked to participate in an interview process to ensure a mutual understanding of both the PSA's requirements and the offeror's proposal. Interviews may be conducted either in person or by telephone. However, the Committee may decide that interviews are not necessary and make recommendations for award based on the information provided in the proposal.

F. If deemed necessary in a RFP Process, the Evaluation Committee may enter into competitive negotiations with the firm or firms ranked highest after evaluations. This is a formal process that entails a written request for Best and Final Offers to be issued through the Finance Division. The Committee will review the BAFO response(s) and make a final recommendation based on this information.

G. The offeror that provides the PSA with the most reliable and cost effective services, based on the established evaluation criteria will be recommended to the PSA Leisure Services for approval. The award will be based on the best value, ***not necessarily the lowest price.***

H. The PSA reserves the right to accept or reject any or all bids.

I. Upon approval by the PSA Board in an open meeting, the Finance Division will issue a purchase order, if applicable, send a Notice of Award/Notice to Proceed and will execute the contract when appropriate.

J. Once the Notice of Award has been issued, all information submitted in response to the solicitation will be available for public inspection in compliance with federal, state, and local laws.

K. Non-Responsive or Unacceptable Bids - The Finance Division shall reject any bid or proposal, which is materially non-responsive to the requirements set forth in the bid documents. The Finance Division may re-solicit bids or proposals if, in his/her discretion, bids received as a result of a solicitation for bids or proposals are not acceptable for any reason. Such re-solicitation shall not be for the purpose of directing the award to a particular bidder. A Bid will be considered Unacceptable if a vendor/offerer owes any organization that provides funding to the Public Service Authority. These organizations include Camden County, The City of Kingsland, The City of St. Marys, and The City of Woodbine.

L. Certification of Appropriated Funds – The PSA Leisure Services requires the Finance Division to certify that funds are appropriated and unencumbered for any contract entered into by the PSA, and that such contract is valid and binding.

(1) Any contract amendment, addendum, or change order that increases the amount of any contract shall be certified thereon by the Executive Director that there are sufficient funds appropriated and unencumbered to pay for such increase.

(2) No contract made by the Finance Division shall be revised or modified in any manner unless and until such modification is approved by the Executive Director. The contract will be amended in writing by the Finance Division.

M. Correction or Withdrawal of Bids – Correction or withdrawal of erroneous bids after opening, or cancellation of awards or contracts based on such bid

mistakes, shall not be permitted. Bids shall indicate the unit price extended to indicate the total bid; in event of an error in extension, unit price shall govern, except when the bidder clearly indicates that total price is based on consideration of being awarded the entire lot. (NIGP Section C, 17u)

N. Competitive Bidding not Required – In the following cases, competitive bidding shall not be required:

- (1) Purchases from federal, state, or other local governmental units. (NIGP Section J, 65)
- (2) Recurring payments such as utilities, postage, telephone, principal and interest on debt.
- (3) Sole source items, as determined by the Finance Division. In sole source procurement, only one vendor possesses the unique and singularly available capability to meet the requirement of the solicitation, such as technical qualifications, ability to deliver at a particular time, services from a public utility or when there is a situation where a particular supplier or person is identified as the only qualified source available. While similar products may exist, the particular product may be proprietary. Justification for specifying and choosing such products is extremely important and must to be clearly explained.
- (4) Professional Services when only one Professional can be found in the local area, and less than \$5,000.
- (5) Purchases under \$250 – The Division Head, or designee can make purchases without competitive bids if the total of each purchase is less than Two Hundred Fifty Dollars (\$250).
  - (i) The Finance Division or designee shall establish procedures sufficient to insure compliance with the Board, the Code and proper purchasing practices for such purchases.
  - (ii) The Finance Division shall establish procedures sufficient to provide for the proper payment and accountability of such purchases authorized under this section.
  - (iii) Purchases shall not be divided into smaller quantities of the same product or submitted on multiple purchase orders to circumvent the Purchasing system.

O. Tie Bids - The Executive Director will make a recommendation of award to the Board in the event two or more bids are equal in cost. The Executive Director may also, unless the terms, conditions and specifications of the Invitation to Bid

state to the contrary, elect to divide the contract award between two or more bidders, if the Executive Director deems such action to be in the best interest of the PSA. Items that will be used to determine a tie break include, but are not limited to delivery time frame, prompt payment discounts, location of vendors' place of business.

#### P. Bid Security

(1) Requirement for Bid Bond - Bid security may be required for competitive sealed bids, proposals and for other items as determined by the Executive Director. Bid security shall be a bond provided by a surety company authorized to do business in the State of Georgia, or the equivalent in cash, or otherwise supplied in a form satisfactory to the PSA. Failure to provide security when requested in the bid documents, will result in rejection of the bid. If the bidder fails to honor the bid for any reason, then such bid security may be retained by the PSA and deposited to the General Fund.

(2) Withdrawal of Bids - Bids or proposals may be revised, modified, or withdrawn by the bidder at any time **prior** to opening. Any such revision, modification, or withdrawal shall be in writing. After the bids are opened, they shall be irrevocable for the period specified in the bid documents. Bids or proposals may not be withdrawn or revised after opening, except as permitted under item F above with regards to negotiations. Once a bid or proposal is opened, all documents shall become the property of the PSA.

(3) Receipt of Bids - Bids or proposals will not be accepted after the deadline for submission regardless of the reason for such lateness, except for Acts of God. Bids or proposals received after the submission deadline may be returned to the offeror unopened.

(4) Performance, Maintenance and Payment Bonds - Performance, maintenance and payment bonds may be required for competitive sealed bids, proposals and for other items as determined by the Finance Division. Bid security shall be a bond provided by a surety company authorized to do business in the State of Georgia, or otherwise secured in a manner satisfactory to the PSA, in an amount up to 100 percent of the price specified in the bid or proposal.

Q. Right of Protest - Any bid protest must be filed within seven (7) business days of the date of Notification of Award. Protests must be received in the office of the Finance Division and must contain the following information:

- (1) Company name, address, phone number and signature of the authorized representative.
- (2) Solicitation number.
- (3) Detailed statement describing the grounds for the protest.
- (4) Supporting evidence or documents to substantiate the claim.

The Finance Division will review the information provided and render a decision within five (5) business days. If this decision is not satisfactory, the protest will then be forwarded to the Executive Director. The Executive Director has the right to either make a final decision or forward to the Board for a final decision. (NIGP Section C, 17y)

## CHAPTER 6

### Vendors

1. **Defaults** - Any vendor or contractor that defaults on their quoted price (sealed, written, or oral without just cause shall be considered an irresponsible bidder and will be disqualified from doing business with the PSA for a length of time to be determined by the Executive Director and/or Finance Division. (NIGP Section c, 17q)
2. **Records** - A record of the vendor's/contractor's performance in fulfilling the terms of the contract, will be kept on file in the Finance Division. A poor performance record may cause a vendor/contractor to be banned from doing business with the PSA for an indefinite period of time at the discretion of the Executive Director and/or Finance Division. (NIGP Section C, 17z)
3. **Local Vendor Preference** - To stimulate business and economic activity within Camden County area as well as for convenience, purchases may be made from local County vendors whenever their quotes are as low or lower than the other quotes received. Travel, time, shipping charges, etc. may be taken into account in determining the lowest cost. The chosen local vendor's qualifications and requirements of the contract must be the same as other vendors, unless otherwise deemed advantageous by the Executive Director and/or Finance Division. An opportunity to match may be given to local vendors for purchases, bids, proposals or contracts less than \$100,000 if the quotation or bid of the local vendor is within 5%

of the lowest price proposal by a non-local vendor. This provision does not apply to public works construction projects or road projects pursuant to the laws of the State of Georgia.

4. Outstanding Fees - A Bid will be considered Unacceptable if a vendor/offerer owes any organization that provides funding to the PSA. These organizations include Camden County, The City of Kingsland, The City of St. Marys, and The City of Woodbine.

5. State Contracts - When available, the use of State contracts is encouraged. State contract is not always the most advantageous for the PSA therefore appropriate quotes will still be required.

6. Single Source Items - Items that have only ONE distributor in the area for the requested item, Single Source shall be noted on the purchase order/requisition to provide justification.

7. Sole Source Items (No other items known to exist) - Any item to be purchased from a sole source vendor must be done in writing from the division stating that there is only a sole source vendor for the particular item or service. The reasons for the "sole source" status must be supplied and will be kept on file in the Finance Division. The reason(s) should also be kept in the initiating department. (NIGP Section C, 17j)

8. Conflict of Interest - Any elected official, appointed official, employee or relative of any of these, who is in the position to influence the procurement process whether directly or indirectly, shall not do any business with the PSA except in accordance with O.C.G.A. §§ 16-10-6, 45-10-3, and 36-62A-1. Any such transaction that is in violation, unless approved in advance by the PSA board, shall make any contract or other transaction null and void. Officials or employees of the PSA shall remove themselves from the decision making process when there is an apparent or actual conflict of interest.

\*No violation exists if:

1. Sale/purchase of property is less than \$200 per calendar quarter
2. Sale/purchase of property is done in accordance with the competitive sealed bid Process.

\*In the event that the \$200 threshold is met in any Calendar Quarter, the PSA must notify the Board member and notify the Citizens of Camden County with a Public Ad.

### **E-Verify Requirements**

The Georgia E-Verify law requires contractors and all sub-contractors on Georgia public contracts for services over \$2,499.99 in value to enroll in E-Verify, regardless of the number of employees. A contractor or sub-contractor may be exempt from this



requirement if the contractor or sub-contractor has no employees and does not hire nor intend to hire employees for the purpose of completing any part of the public contract. Certain professions are also exempt.

For a public contract, contractors must sign the [Contractor E-Verify Affidavit](#), all subcontractors must sign the [Subcontractor E-Verify Affidavit](#) and all Sub-subcontractors must sign the [Sub-Subcontractor Affidavit](#). The government agency is required to ensure that the Contractor E-Verify Affidavit is part of the contract; however, the contractor is responsible for all subcontractor affidavits and the subcontractors are responsible for the sub-subcontractors affidavits. E-Verify is not required for contracts solely involving the purchase of goods by a government agency.

## CHAPTER 7

### DISPOSAL OF OBSOLETE, SURPLUS, OR SCRAP PROPERTY (NIGP SECTION I)

Whenever departments have obsolete supplies, materials or equipment that are surplus to their needs, these items shall be disposed of by the Finance Division in compliance with this policy. (NIGP Section I, 58)

Divisions shall complete and forward to Purchasing a Surplus Notice Form (available from the Finance Division), providing detailed information on the item i.e., does it still work, what is wrong or why is the item surplus. The Finance Division will dispose of surplus property in the manner that is deemed most appropriate and that will provide the PSA with the greatest benefit. (NIGP Section C, 17c) This may be accomplished in any one or more of the following ways:

1. Redistribution to another department.

2. Public auction (Internet or local).
3. Donation – The Finance Division, with approval from the Executive Director, may donate surplus property to a requesting agency.
4. Scrap – In the event that none of the above methods is appropriate and the Finance Division deems the item to have no monetary value, it may be disposed of as scrap.

Proceeds from the sale of surplus property will be accounted for by fund and submitted to the Finance Division for processing.

## **CHAPTER 8**

<p style="text-align: center;"><b>ETHICS</b> <b>(NIGP Section C, 15)</b></p>
--

## 1. Overview

The Finance Division subscribes to the Code of Ethics of the National Institute of Governmental Purchasing (NIGP) and requires adherence to such ethical standards outlined in NIGP. The following ethical standards should govern the conduct of every person employed by a public sector procurement or materials management organization:

- A. Seeks or accepts a position as an employee only when fully in accord with the professional principles applicable thereto and when confident of possessing the qualifications to serve under those principles to the advantage of the Camden County PSA.
- B. Believes in the dignity and worth of the service rendered by the organization, and the societal responsibilities assumed as a trusted public servant.
- C. Is governed by the highest ideal of honor and integrity in all personal relationships in order to merit the respect and inspire the confidence of the organization and the public being served.
- D. Believes that personal aggrandizement or personal profit obtained through the misuse of public or personal relationships is dishonest and not tolerable.
- E. Identifies and eliminates participation of any individual in operational situations where a conflict of interest may be involved.
- F. Believes that members of the Board and its staff should at no time or under any circumstances accept, directly or indirectly, gifts, gratuities, or other things of value from suppliers, which might influence or “appear” to influence purchasing decisions.
- G. Keeps the governmental organization informed, through appropriate channels, on problems and progress of applicable operations by emphasizing the importance of the facts.
- H. Resists encroachment on control of personnel in order to preserve integrity as a professional manager. Handles all personnel matters on a merit basis, and in compliance with applicable laws prohibiting discrimination on the basis of politics, religion, color, national origin, disability, gender, age, pregnancy and other protected characteristics.
- I. Seeks or dispenses no personal favors. Handles each administrative problem objectively and empathetically, without discrimination.

- J. Subscribes to and supports the professional aims and objects of the National Institute of Governmental Purchasing, Inc.

## **2. Conflict of Interest**

It shall be unethical for any PSA employee, board member, or elected official to participate directly or indirectly in a procurement contract when he/she knows that:

- A. The PSA employee, board member, or elected official or any of their immediate family has a financial interest pertaining to the procurement contract; or
- B. Any other person, business, or organization with whom the PSA employee, board member, or elected official or any of their immediate family member is negotiating or has an arrangement concerning prospective employment is involved in the procurement contract.

## **3. Gratuities and Kickbacks**

It shall be unethical for any payment, gratuity, or offer to be made or accepted influencing any procurement process including, but not limited to, modification of specifications, bid award, and purchase.

## **4. Criminal Penalties**

To the extent that violations of the ethical standards of conduct set forth in this policy constitute violations of the Criminal Code of Georgia they shall be punishable as provided therein. Such penalties shall be in addition to the civil sanctions set forth in this policy.

## **5. Sanctions**

Any one or more of the following sanctions for violations of the ethical standards in this policy may be imposed:

- A. Oral or written warning or reprimands;
- B. Suspension with or without pay for specified periods of time;
- C. Termination of employment; or

D. Termination of contract.