



CITY OF PORTSMOUTH, VIRGINIA

PROCUREMENT GUIDE

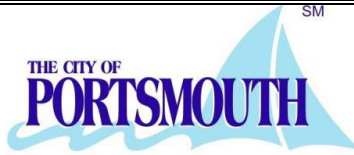
Purchase Orders

And Surplus Property Disposal

(excludes Construction and A&E)

Purchasing Division

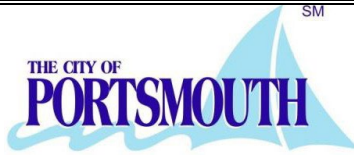
January 9, 2024



PROCUREMENT GUIDE

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I. General Methods of Procurement

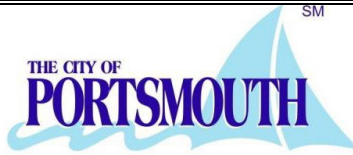
DELEGATED PROCUREMENTS

Departments may conduct any procurement up to \$5,000, after obtaining training on procurement, including training on conflict of interest and ethics in public contracting:

1. SINGLE QUOTATION:

\$0 - \$5,000

- a. For goods, equipment, services, maintenance and repair work, construction, and professional services which cost up to \$5,000, the buyer must utilize Virginia's e-procurement system (eVA) or obtain one (1) written quote and use a M/WBE vendor whenever possible. (Reports will be provided to City Council). The Purchasing Agent may require advertising these requirements using eVA when the opportunity for M/WBE vendors is considered more favorable for a particular commodity. When a non-M/WBE vendor is proposed, buyers must document their efforts to include M/WBEs. A list of M/WBE ("SWAM") certified businesses can be found at the Virginia Department of Small Business & Supplier Diversity: <http://www.sbsd.virginia.gov/directory>
- b. Ensure that quote information is scanned (if not already electronic) and attached to the MUNIS requisition. All the quotes obtained should be attached, including all vendor information such as name, address, telephone and email address. All requisitions not inclusive of this information will be rejected by the Purchasing Office.
- c. Ensure that price quotes include all charges including any shipping, handling and/or inside delivery charges.
- d. Use of credit or procurement cards for purchasing items under \$5,000 does not exempt department users from following all purchasing policy requirements.
- e. Leases: Departments do **not** have the authority to enter into leases for periods over 12 months and/or over \$5,000. Longer term leases create debt for the city and must be disclosed in the city's financial statements.

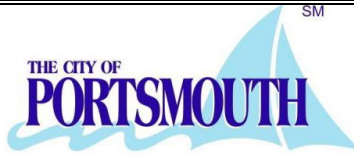


CENTRAL PROCUREMENT-PURCHASING DIVISION

2. QUOTES GREATER THAN \$5,000:

\$5,001 - \$50,000

- a. For goods, equipment, services, maintenance and repair work, construction, and non-professional services estimated to cost more than \$5,000 and up to \$50,000 (including professional services), then specifications for the goods or services shall be prepared and forwarded to the Purchasing Division attached to a MUNIS requisition. All informal solicitations will be advertised through the State's eProcurement System. Notification to available M/WBE firms is required. Solicit quotes from a minimum of three (3) vendors, by fax or electronic mail, quick quote, or informal bid. (**Note: documentation of non-response shall be included as part of the requisition record.**)
- b. The Purchasing Division shall include M/WBE aspirational goals as appropriate.
- c. Certified SWaM (Small, Women-owned, and Minority-owned) businesses must be contacted whenever possible. A list of SWAM certified businesses can be found at the Virginia Department of Small Business & Supplier Diversity: <http://www.sbsd.virginia.gov/directory>.
- d. The requesting department will provide detailed specifications, attachments, and suggested vendors with appropriate contact information.
- e. The requesting department shall enter a MUNIS requisition to pre-encumber the budget for this solicitation. The department should use their best estimate of pricing, as the final cost has not been determined. Since no vendor number is known at this time, that part of the requisition shall remain blank. The requisition shall then be released into MUNIS workflow for approval.
- f. The Purchasing Division will prepare the specifications and perform the bidding process to obtain pricing information via electronic mail, or informal bid.
- g. The Purchasing Division will review the bid responses and provide pricing and the recommended vendor to the requesting department. All bids will be awarded by the Purchasing Division to that bidder unless a written justification for non-award is prepared and signed by the Department Head.



3. **FORMAL SOLICITATIONS:**

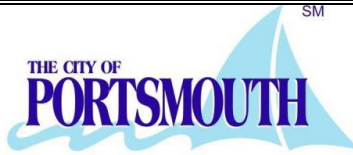
\$50,001 and above

- a. The requesting department will provide detailed specifications, attachments, and suggested vendors with appropriate contact information. The requesting department and the Purchasing Division shall identify M/WBE aspirational goals.
- b. Certified SWaM (Small, Women-owned, and Minority-owned) businesses must be contacted whenever possible. A list of SWAM certified businesses can be found at the Virginia Department of Small Business & Supplier Diversity: <http://www.sbsd.virginia.gov/directory>.
- c. The requesting department shall enter a MUNIS requisition to pre-encumber the budget for this solicitation. The department should use their best estimate of pricing, as the final cost has not been determined. Since no vendor number is known at this time, that part of the requisition shall remain blank. The requisition shall then be released into MUNIS workflow for approval.
- d. The Purchasing Office will prepare the solicitation and forward it via mail and/or email, and will publish the solicitation on the City's website, at www.demandstar.com and www.eva.virginia.gov.
- e. Bids will be opened and tabulated in the Purchasing Division at a designated time. The results are forwarded to the requesting department, specifying the lowest responsible and responsive bidder.
- f. The Purchasing Division will review the bid responses and recommend award to the lowest responsive and responsible bidder. All bids will be awarded to that bidder unless a written justification for non-award is prepared and signed by the Department Director. The Purchasing Division will make the final award to the selected vendor.

4. **COMPETITIVE NEGOTIATIONS (REQUEST FOR PROPOSALS):**

Used for professional and non-professional services when competitive sealed bidding is not practicable or not fiscally advantageous to the public body, as determined by the Purchasing Agent.

- a. The requesting department will provide detailed specifications, attachments, and suggested vendors with appropriate contact information. The Purchasing Division shall identify M/WBE aspirational goals.



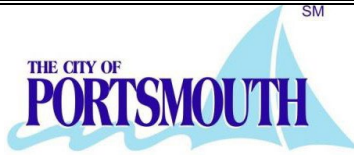
- b. The requesting department shall enter a MUNIS requisition to pre-encumber the budget. The department should use their best estimate of pricing, as the final cost has not been determined. Since no vendor number is known at this time, that part of the requisition shall remain blank. The requisition shall then be released into MUNIS workflow for approval.
- c. The Purchasing Division shall prepare a written determination that the competitive negotiation process is advantageous to the City.
- d. The Purchasing Division will prepare the solicitation and forward it via mail or email, and will publish the solicitation in the local newspaper, on the City's website, at www.demandstar.com, and at www.eva.virginia.gov.
- e. Offers will be received in the Purchasing Division at the designated time. The Purchasing Office will perform an initial review to determine if the submitted proposals have met the initial requirements.
- f. An evaluation committee comprised of members of the requesting department and a member of the purchasing staff will conduct interviews of short-listed vendors to determine selection. The Purchasing Division will make the final award.

5. **COOPERATIVE PROCUREMENTS**

The City of Portsmouth uses cooperative contracts as a method of procurement to reduce administrative burdens on procurement offices. Use of these contracts are governed by both City Code and State law and must meet the standards outlined and detailed by those regulations. The department shall forward all solicitation documents, including the original bid or request for proposal documents and a copy of the awarded contract. The Purchasing Office shall review and provide written approval to the department for use of these contracts. In addition, the department shall annotate on the MUNIS requisition that this individual transaction is a result of a cooperative procurement.

6. **GRANT PURCHASES**

This section addresses items that are purchased with Federal or State Grant Funds. These purchases must adhere to these Purchasing Guidelines, the City's Uniform Grant Guidelines, and any supplemental guidelines of the granting agency. Prior to awarding any contracts or bids, the City's Purchasing Office shall use the System for Award Management (SAM) to determine if a vendor has been disbarred, suspended, or is otherwise prohibited from entering any federal contracts. Documentation of the search shall be included in the procurement file. Vendors found to be ineligible shall be notified in writing. Subsequent actions shall be in accordance with the City's procurement guidelines governing the solicitation.



7. **EMERGENCY PURCHASES**

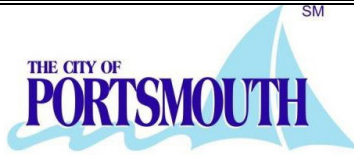
Occasionally, city departments may need goods or services immediately without a full procurement process. This should be the exception, not as part of regular departmental operations. An Emergency Procurement justification should be provided to the Purchasing Division for approval. The Purchasing Division will post emergency purchases.

The department will conduct the procurement process by obtaining quotes for the Purchasing Division review and award.

A checklist of the process for an emergency purchase is in APPENDIX D.

8. **SOLE SOURCE AWARDS**

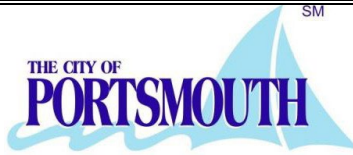
Occasionally, only one vendor is able to supply certain goods and services, See APPENDIX E for the Sole Source Checklist. A sole source justification should be provided to the Purchasing Division for approval. The Purchasing Division will post all sole source awards.



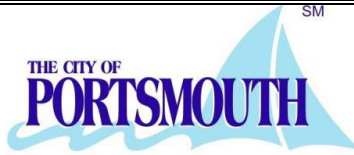
II. GENERAL DOs AND DON'Ts

DOs

1. Do determine what procedure is to be used for procurement of the goods/services. This can usually be done by knowing the amount of money you intend to spend on the goods/services during the existing budget year. Remember that purchases cannot be arbitrarily **split** to qualify under a specific procurement method.
2. Do be familiar with Conflict of Interest and Ethics in Public Contracting.
3. Do solicit Small, Woman and Minority (SWaM) Businesses whenever possible in furtherance of City Council policy.
4. Do get a completed W-9 for new vendors. Forward this information to the Purchasing Office so that a record can be established.
5. Do list the vendor's name, address, telephone number, email address, fax number and contact person when getting phone quotes.
6. Do require all quotes to be submitted by a given deadline and do not accept quotes after the set deadline.
7. Do learn as much as you reasonably can about what is available before you seek quotes. Seeking help in developing specifications or just finding out what products are available from vendors is encouraged, but be sure to:
 - a. Seek help from more than one vendor and/or vendors offering competing goods/services. Remember that vendors are salespeople representing their company and may try to persuade you to include language in your quote that favors them.
 - b. Make sure each vendor understands that any assistance they provide is free of charge. Their assistance will be used to help develop specifications from which quotes will be requested. This assistance does not give the vendor any competitive advantage over other vendors and quotes are not being sought at this time.



- c. Quoting by brand name may result in reducing competition and may cost more. If you must quote by brand name, try to state more than one brand that is acceptable. Remember that “OR EQUAL” products must be considered if available.
 - d. Remember that the Code of Virginia states that “All qualified bidders have access to public business and that no offeror be arbitrarily or capriciously excluded” and that “It is the intent of the General Assembly that competition be sought to the maximum feasible degree”.
8. Do, when getting quotes, inform vendors that you are seeking competitive price quotes only (no ordering is being done at this time) and provide necessary information such as:
- a. Complete specifications/descriptions of goods or services sought, and accurate quantities needed.
 - b. When goods/services are required, be reasonable. Remember that not all vendors stock all items all the time.
 - c. State where delivery is to be made and any special delivery requirements such as inside delivery.
 - d. Ask for FOB destination terms to your delivery location (state inside delivery) if required. This way you don’t have to file freight claims for damaged goods.
9. Do allow a reasonable amount of time to complete the procurement transaction. Remember that goods/services needed “immediately” usually restrict your sources of supply and raise the cost.
10. Do check to see if the goods/services are on a Cooperative Agreement or State Contract. This usually results in a quicker turnaround and saves money. If the item is on a State Contract, be sure to indicate the State Contract number on the purchase requisition. Contact the Purchasing Office for more information.
11. Do be sure you have appropriate approval to purchase the item. If not, you must get the approval of the Department Director or his/her designee.
12. Do be sure you have funds available for the purchase of the goods and/or services. Always use a requisition entered into MUNIS for all procurements over \$5,000.
13. Do contact the Purchasing Office for a list of any vendors registered for the goods/services you need.



14. Do document and keep on file all procurement transactions. Vendors providing “no quote” should also be documented to show effort in seeking competition.
 - a. Any documentation for purchases not required to go through the Purchasing Office should be kept on file by the using department for three (3) years.
 - b. All quotes and documentation for purchase orders must be attached to the MUNIS requisition.

15. Do ensure that all grant purchases follow these guidelines, the City’s Uniform Grant, and all supplemental guidelines from the granting entities.



DON'Ts

1. Don't tell any vendor how many price quotes you are getting.
2. Don't share the project budget with any vendor.
3. Don't tell any vendor the name of any other vendor from whom you have or intend to get quotes.
4. Don't tell any vendor how he/she stands during the quote process. Remember that Purchasing may verify quotes and/or obtain additional quotes so the procurement process is not complete until the Purchasing Office makes an award.
5. Don't sign anything other than a delivery ticket and be sure to read what you sign. If in doubt, have the document reviewed by the Purchasing Office.
6. Don't split orders for goods/services to avoid compliance with procurement laws, regulations, and procedures. This includes splitting orders to keep procurement within delegated purchasing authority or to keep purchases below the threshold requiring competition.
7. Don't accept gifts, trips, tickets, lunches, or anything of value from prospective vendors or contractors. Anyone participating in a procurement transaction will be held to the highest ethical standards and even the appearance of impropriety is unacceptable.



III. SCORING CRITERIA

For Use In All RFP Evaluations

FOR SERVICES

	<u>POINT VALUE</u>
1. Organizational Experience, References, Staffing Expertise and Capabilities	30
2. Concept/Approach to providing services	30
3. Proposed Fees and Charges	30
4. Small Business Subcontracting Plan	10
TOTAL	<u>100</u>

FOR GOODS

	<u>POINT VALUE</u>
1. Quality of goods and maintenance support	30
2. Experience and qualifications of personnel	30
3. Price	30
4. Small Business Subcontracting Plan	10
TOTAL	<u>100</u>



IV. RESPONSIBILITIES FOR ADMINISTERING CONTRACTS

1. Responsibilities of Initiating City Department:

- A. Contact Purchasing to initiate procurement/bid processes.
- B. Determine appropriate aspirational goals for WMBE for this procurement.
- C. Initiate contract document or proposal.
- D. Obtain Training and sign certification Form.
- E. Sign Public Procurement Ethics and Conflict of Interest Agreement Form
- F. Certify contract content and forward in accordance with contract review procedures.
- G. Monitor contractor performance.
- H. Initiate payment processing in accordance with the contract.
- I. Initiate and maintain control of change orders and contract extensions.
- J. Complete Contract Evaluation Form

2. Responsibilities of Purchasing:

- A. Coordinate WMBE aspirational goals for the procurement.
- B. Assist in the development of contract language and specifications.
- C. Ensure distribution of all copies of contract document.
- D. Maintain original contract file, including all attachments, exhibits, insurance certificates, and administrative documents.
- E. Sign Contract Certification

3. Responsibilities of Risk Management:

- A. Review contracts and certify as to insurance/bonding requirements, etc.
- B. Monitor compliance with contract insurance/bonding requirements throughout the term of the contract

4. Responsibilities of City Attorney:

- A. Review/edit contracts and change orders for legal issues and compliance.
- B. Sign Contract Certification

5. Responsibilities of the Finance Department (CFO):

- A. Certify availability of funds and encumber funds for all contracts/ change orders.
- B. Make payment upon receipt of documentation from the initiating department.



V. CONTRACT ROUTING AND REVIEW PROCEDURES

1. All contracts shall use the information identified in Section IV. NOTE: A contract is created when the vendor requires terms and conditions that are not included in the original Invitation for Bids or the original Request for Proposals.
2. For contracts up to \$5,000, the Department Director may review and certify the contract for its form and content and availability of sufficient funding by electronic signing forwarded to the Purchasing Division (and the City Attorney's office and the Finance Department for processing).
3. For all contracts in excess of \$5,000 the initiating department shall follow the contract routing and review procedures outlined below:
 - A. The initiating department, with the assistance of the Procurement Division will develop the specific requirements and language of the contract for goods or services, including appropriate aspirational goals for M/WBE participation.
 - B. Upon completion, the original contract will be electronically signed and forwarded to the Contractor for signature. When the contract is returned to the City:
 - (1) The initiating department will use electronic signature to forward the contract to the Purchasing Division and Risk Management for review of the contract for content and form.
 - (2) The contract, using electronic signature, is forwarded to the City Attorney's Office. The City Attorney, or his/her designee, shall review the contract for legal issues and shall certify the contract as legal by signing the appropriate section on the certification/routing page using electronic signature, and forward the contract to the City's Chief Financial Officer (CFO).
 - (3) The CFO shall certify that sufficient funds are available to fund the cost of the contract by electronic signature. If the contract is for \$50,000 or less over the entire term of the contract (not to exceed 5 years), the CFO or designee may execute the contract.
 - (4) If the contract cost exceeds \$50,000 over the term of the contract but is less than \$100,000, the CFO shall use electronic signature and forward the contract to the Deputy City Manager for execution. The Deputy City Manager shall then electronically return the contract to the Purchasing



Division for processing and mailing.

- (5) If the contract exceeds \$100,000 over the term of the contract, the CFO shall electronically forward the contract to the City Manager for execution. The City Manager's Office shall electronically sign and forward the contract to the Purchasing Division for processing and mailing.
- (6) The original contract shall be retained by the Purchasing Division, including all attachments, insurance certificates, bonds, and correspondence.

NOTE: Where construction projects take place in a Historic District, or on a historically significant site, the contract review process may require a sign-off from the Engineering Department, including inspection of the construction site by the City Engineer; the project may be delayed until such time as a determination as to historical significance is made.

4. If it is necessary to revise the scope and/or monetary value of the contract before the end of the contract term, the following procedures for routing changes to the contracts are outlined below:
 - i. The initiating department shall email the change order request to the Purchasing Division using the Form shown in APPENDIX C, which details the changes to be made and the cost. The contract change language and specifications will be drafted by the initiating department.
 - ii. The City Attorney, or his/her designee, shall review the proposed change and shall certify legal approval electronically signing the certification page and then forwarded to the CFO for processing.
 - iii. The CFO shall electronically certify the availability of funds by. If the amount of the requested change order(s) does not violate the contract and, if the total amount of all change order(s) exceeds \$10,000 of change order(s) AND does not exceed 25% of the original contract, then the CFO shall forward it to the Deputy City Manager or City Manager, as appropriate, for his/her execution. The Deputy City Manager or City Manager shall then electronically return it to the CFO for encumbering of the funds.

Note: The cumulative amount of all change orders must not exceed 25% of the original contract amount over the term of the contract.



VI. STANDARD CONTRACT FORM

Contract Number: _____

This contract entered into this ____ day of _____ by _____ hereinafter called the “Contractor” and the City of Portsmouth called the “City”.

WITNESSETH that the Contractor and the City, in consideration of the mutual covenants, promises and agreements herein contained, agree as follows:

SCOPE OF SERVICES: The Contractor shall provide the services to the City as set forth in the Contract Documents.

PERIOD OF PERFORMANCE: From _____ through _____ (with _____ year renewals).

COMPENSATION AND METHOD OF PAYMENT: The Contractor shall pay the City in accordance with the Proposed Compensation Fees; Contractor’s Concurrence letter dated _____.

CONTRACT DOCUMENT: The contract documents shall consist of this signed form, Letter dated _____, Contractor’s Concurrence Letter; Contractor’s Proposal dated _____--; Request for Proposal # _____ dated _____, all of which contract documents are incorporated herein and attached hereto.

IN WITNESS WHEREOF, the parties have caused this Contract to be duly executed intending to be bound thereby.

CONTRACTOR

CITY OF PORTSMOUTH

By: _____
Type/Print Name _____
Title: _____
Date: _____

By: _____
Title: _____
Date: _____



VII. REVIEW AND SIGNATORY AUTHORITY SUMMARY

There are different levels of authorization for electronic review and approval of contracts involving the expenditure of funds:

Dollar Value	Using Department	Purchasing (Procurement Oversight)	Risk Management (Insurance Compliance)	City Attorney (Legal Form)	Chief Financial Officer (Fund Certification)	Deputy City Manager	City Manager Or Designee
Up To \$5,000 Single Quote	R/S	R					
\$5,001 – \$50,000 Small Purchases	R	R	R	R	R/S		
\$50,001-\$100,000 Informal Bid or Formal Bid	R	R	R	R	R	R/S	
\$100,001 And over Formal bid	R	R	R	R	R	R	R/S

NOTES:

- (1) Dollar Value of Contract is the total contract price, including any renewals.
- (2) **R** – Designates personnel authorized to review the contract for content and compliance with City Codes and other statutory requirements, including but not limited to reviews for bonding, insurance, and indemnification requirements.
- (3) **S** – Designates personnel authorized to sign the contract.
If prior approval of a bid has been made by the City Council, the approval of the Deputy City Manager is for content and contract form.
- (4) Record Retention: Department shall maintain its own records of all quotes of \$5,000 and below. All others (small purchases, informal and formal bids and RFPs) shall be maintained by the using department and Purchasing Division.

Using Department shall ensure all funds are available before a contract can be executed.

Approved by City Manager, May 16, 2023



VIII. SURPLUS PROPERTY DISPOSAL GUIDELINES

Purpose: It is the intent of the Purchasing Division to protect City assets by actively seeking the most effective means to dispose of all materials, supplies, equipment or other personal property that is considered excess, obsolete, unusable or extensively damaged.

Definition of Surplus Property: Surplus property shall be defined as property including but not limited to, excess, obsolete, salvageable, or non-salvageable, recyclable, materials, supplies, equipment, Capital or Non-Capital property which is sold, replaced through the budget process, transferred or loaned to another department or agency, discarded, scrapped, traded in or otherwise removed from service by any other means of disposal. Disposal of surplus property does not apply to real estate as defined in the code of Virginia §2.2-1147 (real property or real estate), that is determined to be surplus.

Departmental Responsibility: Department heads shall be responsible for the maintenance, care, custody and control of City property assigned to their department. Written authorization shall be obtained from the Purchasing Division prior to disposing of any surplus property over \$5,000. Written authorization is not required for the disposal of surplus property purchased \$0-\$5,000.

Departments may be responsible for moving or the expense of moving surplus items to the surplus property storage area. Departments may also be responsible for moving or the expense of moving surplus items purchased from other departments.

Authority: Unless otherwise directed by City Council or the City Manager, the Purchasing Administrator or other authorized staff of the Purchasing Department, shall have the sole authority to dispose of surplus property using the method of disposal deemed to be most cost effective to the City. The Purchasing Administrator shall report the final disposition of surplus property to the Finance Department

METHODS OF DISPOSAL:

Regardless of the method of disposal, the using department must submit a Fixed Asset Disposal Form that indicates the method of disposal, including those that were scrapped. No using department should perform an auction, or other forms of disposal without notification and approval of the Purchasing Administrator. In addition, one check per auction shall be made out to the City Treasurer and deposited immediately along with a copy of the sales report to the Department of Finance. No cash should be accepted from the sale. There should not be separate checks. The Finance department shall distribute the proceeds as needed.



The Purchasing Division may use any of the following methods to dispose of surplus property:

A. Public Auction

- 1) Can be held at the Auctioneer's site or at a specified location within the city.
- 2) Public auction to be held after an approval by the Purchasing Administrator.
- 3) Surplus Asset Disposal Form as well as receipt of funds must be reported to the Finance Department at the time of the sale.

B. Transfer:

- 1) Transfer of property within the city:
 - A department head may transfer surplus property from one division to another within their department, or to another department.
 - A department head may transfer surplus property from one department to another department within the City. Whenever a Capital Asset is transferred to another division with a department or to another department within the City, the department head shall submit a Surplus Asset Disposal form to the Purchasing Division and the Department of Finance, in order to update the Fixed Assets report, showing the transfer has taken place.
- 2) A Capital Asset is defined as any property acquired at the purchase price of \$5,000 or above. Regardless of the method of disposal, a Surplus Asset Disposal form must be submitted to the Purchasing Division. Capital Assets are assigned an asset number by the Dept. of Finance. A copy of the Surplus Asset form shall be maintained in the owner department's inventory files.

C. Donation:

- 1) In the event surplus property remains unsold, at the discretion of the Purchasing Administrator, that property may be donated to any non-profit or historical organization. With the approval of the City Manager, surplus property may be donated directly to a non-profit or historical organization without using other methods of disposal.

D. Cannibalization:

- 1) At the discretion of the department head of the owner department, obsolete, worn-out, inactive, or un-economical operating equipment may be used for parts for the repair of other equipment.

E. Scrap:

- 1) If no offers for purchase are received or requests made for donation of surplus property, the Purchasing Administrator may declare the asset void of any value to the City and in turn notify the department to dispose of the property as scrap at an appropriate landfill facility.



DISPOSAL OF COMPUTERS AND INFORMATION TECHNOLOGY (IT) PROPERTY:

Prior to the sale for reuse, recycling or other transfer of computers or other IT assets, each department shall ensure and certify to DGS (Department of General Services) that all policies for the equipment transfer, or other disposition complies with the data and information security policies developed by the Virginia Information Technologies Agency (VITA). Certification to DGS and adherence to VITA policies are to ensure the secure data removal of any confidential data or personal identifying information.

Departments can utilize a state contract which provides pick-up, data cleaning and disposal. This contract is administered by VITA.

Departments can perform data cleaning in-house per VITA standards. After data cleaning is performed, departments can surplus their computers by delivering them to one of the DGS/OSPM Distribution Centers, by utilizing an on-site City public auction, offering them on an approved on-line auction sale or recycling.

When computers and related equipment is obsolete, broken or does not have resale value as determined by DGS/OSPM, recycling, to the extent practicable, should be utilized in accordance with the Code of Virginia §2-2-1124.B.15 and in consideration of environmental regulations.

DISPOSAL OF SURPLUS FIREARMS: The Police Department is responsible for the disposition of all surplus firearms in accordance with the Code of Virginia §2.2-1124 B.

Surplus firearm procedures are outlined in the Agency Procurement and Surplus Manual (APSPM), section 12.13 and is available at www.eva.virginia.gov

DISPOSAL OF RECOVERED PROPERTY: The Police Department is responsible for the disposition of all confiscated and recovered property. The Chief of Police may request the Purchasing Administrator to sell such confiscated property during a scheduled public auction. All sales must be approved in advance by the Purchasing Administrator.

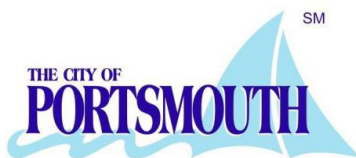
DAMAGED SURPLUS PROPERTY: When surplus property is damaged and subject to an insurance claim, the Purchasing Division and Risk Management will coordinate the disposal of the property.

PROCEEDS FROM SURPLUS PROPERTY DISPOSITION: Proceeds from the disposition of surplus property shall be returned to the City's General Fund and not the departments fund account codes. A copy of the bill of sale and cash turn-in report shall be submitted to the Department of Finance in order to update the Fixed Assets Records. All proceeds must be in check form and deposited to the general fund with detail backup as to departmental assets sold.



PURCHASE OF SURPLUS PROPERTY BY CITY EMPLOYEES: Under no circumstances shall any City employee, whether permanent or temporary, use any surplus property, with or without salvage value for the personal use.

Under no circumstances shall any City employee, or any member of their immediate family, purchase surplus property. Surplus property may not be purchased by a City employee through a third Party as defined in the Code of Virginia §2.2-3106 of the Conflicts of Interest Act.



APPENDIX A

ANNUAL PUBLIC PROCUREMENT ETHICS AND CONFLICT OF INTEREST AGREEMENT

THIS FORM SHALL BE SIGNED AT LEAST ANNUALLY BY EACH DIRECTOR AND AT THE TIME THE DEPARTMENT PROCUREMENT STAFF IS PROVIDED AUTHORITY TO MANAGE PROCUREMENTS AT THE DEPARTMENT LEVEL

The procurement of goods and services by a public body from a private enterprise is a sensitive process governed by law. We must be assured that all public parties involved in the selection process do nothing to contribute to the “**fact**” or “**appearance**” of any impropriety or personal interest in the outcome of the procurement, and thus maintain public confidence in the objectivity of the evaluation process. To better make you aware of the sensitivity of public procurements, each person having official responsibility with the procurement shall be required to agree and comply with the following statements derived from *Article 6, Ethics in Public Contracting, Virginia Public Procurement Act*, and other laws and policy.

For purposes of the statements below, an “interested firm” includes any firm that may realize a reasonably foreseeable direct or indirect benefit or detriment as a result of the procurement. At a minimum, this includes any business entity that foreseeably may participate as a supplier, subcontractor, or consultant to such a vendor in connection with the procurement.

- A. I certify that I am not an officer or director of any interested firm. Similarly, no member of my immediate family is an officer or director of any interested firm.
- B. I certify that neither I nor any member of my immediate family owes any money or other obligation to any employee or officer of any interested firm.
- C. I certify that I do not have any funds invested in any interested firm. Similarly, neither I nor any member of my immediate family own or control an interest in any interested firm.
- D. I certify that neither I, nor any member of my immediate family, received lodging, entertainment, transportation, money, or anything else of nominal value offered by an employee or officer of any interested firm. (This includes tickets to sporting events or shows, meals or lodging, gifts, etc.). During and after the procurement process, I will not accept any of the forgoing from any employee or officer of any interested firm.
- E. I certify that I have not received any compensation from any interested firm. No member of my immediate family has received compensation, salary, or wages in excess of \$5,000 from any interested firm.



If at any time during any procurement process, including any sole source procurement process, I find that I, a member of my staff, or any member of my immediate family, have a personal interest in any interested firm, then I will promptly notify the agency head or designee and voluntarily remove myself from this sole source process and file any necessary official disqualification required by law.

I further agree to abide by all the policies/procedures contained in this document relative to this procurement as well as any other instructions and directions issued by the Procurement Officer.

Signature

Date

Printed Name
Department/Agency

Title



APPENDIX B

Designation and Responsibilities of Contract Administration

TO: Contract Administrator: _____

FROM: Procurement Officer: _____

The contract referenced below has been awarded and services or performance may be commenced. You have been assigned as the contract administrator for this contract and are assigned the following responsibilities. A copy of the contract, a performance evaluation report sample, and other related information are attached for your use. Review this information; if you have any questions, please call the contract officer.

Contract Number _____

Contractor: _____

Project Title: _____

Period of Contract: Start Date _____ to End Date _____ =

Contract amount \$ _____

Payment schedule or instructions: (i.e., monthly) _____

You, as contract administrator, are responsible for: (select or modify)

- Coordination of the delivery of this service (or goods).
- Assurance that services (or goods) are delivered in accordance with the contract terms and conditions.
- Obtaining and approving job estimates and verifying labor hours and classifications if required (time and materials contracts).
- Certifying receipt of services (or goods) billed were delivered in accordance with the contract terms and conditions.
- Prompt reporting of delivery failures or contractor performance problems to the Procurement Officer.
- Completing and submitting an evaluation of contractor performance (evaluation form attached).



- Providing information to Procurement Officer for purpose of initiating Procurement Complaint Form if required.
- Assurance that the contract amount is not exceeded without proper authorization from Procurement Officer.
- Assurance that the contract terms and conditions are not extended, increased, decreased, or modified in any way without action through the Procurement Officer.
- Coordinating contract “start-up” activities with appropriate agency personnel (facilities management, security, etc.)
- Recommending solutions to Procurement Officer if performance problems or contract issues persist.

Signatures:

_____	_____
Contract Administrator	Date
_____	_____
Procurement Officer	Date



APPENDIX C

CONTRACT RENEWAL/EXTENSION and/or CHANGE ORDER FORM

Date: v

Department Representative: [name] Extension: [#####]

Agency Contract Administrator/Project Manager: [name] Extension: [#####]

Email _____

Purchasing/Buyer: [name]

Requisition/Solicitation No.: [#####] Contract No.: [#####] Contractor: [name]

Description: [title]

Original Contract Date: [date] Procurement Type _____

Current Period of Performance: [date] to [date] Renewal Option No. [#] of [#]

1. **Contract Renewal** *(please include the dollar amount)*

- Cost Participation Agreement: Renew for the current annual value of \$ _____
- M/WBE Participation Goal; Percentage Rate: _____ (NA if no goal).

If the contract includes a price increase within the appropriate PPI or CPI Price Index, or limit contained within the contract, does Purchasing have authorization to proceed without notifying the agency? Yes No

2. **Contract Extension ***

- Extend this contract
Extension Period: _____ additional days for the amount of \$ _____

**If the extension is over 180 days, the department director must approve.*

- Minority Participation Goal Percentage Rate: _____

3. **Change Order Amount** _____ % of contract _____

Reason for the Change Order _____

- M/WBE Participation Goal; Percentage Rate: _____ (NA If no goal).

Please return the completed and signed Contract Renewal/Extension/Change Order Form, and the Contractor Performance Report to the Purchasing Division by or before Date: [date]

Signed,

Agency Director or Designee (print or type) Date

Purchasing Agent Date

Documents to be attached.

Signed Renewal/Extension Form

Signed Contract Administration Form

Please Initial _____



APPENDIX D

EMERGENCY PROCUREMENT CHECKLIST

1. _____ Document Nature of Emergency and provide to the Purchasing Division.
2. _____ Contact Vendors
3. _____ Evaluate Quotes
4. _____ If obtaining a service, get information on terms and conditions.
5. _____ Complete Ethics and Conflict of Interest Form
6. _____ Request Purchasing Division to Award contract.



APPENDIX E

SOLE SOURCE CHECKLIST

1. Why is this vendor the only one that meets your department's needs for this good or service?
2. Explain why only this product or service meets the needs of your department.
3. Explain why this price is reasonable.
4. Describe the efforts made to conduct a non-competitive negotiation to obtain the best price for the taxpayers
5. Document your efforts to use a M/WBE vendor.



APPENDIX F
CONTRACTOR EVALUATION FORM
(non-construction)

This form is used to submit an evaluation of a city contractor for major outsource and term contracts.

Contract Number: _____

Goods/services provided: _____

Contractor: _____

Contract Administrator: _____

Procurement Officer: _____

Period of Evaluation: _____

Contract Expires: _____

As the Contract Administrator, please provide input on the following performance factors (add comments to clarify your answers under “remarks”). Your response will assist Purchasing in properly evaluating the performance of the contractor.

	<u>Yes</u>	<u>No</u>	<u>Remarks</u>
1. Does the quality of good/services provided conform to contract requirements. _____	<input type="checkbox"/>	<input type="checkbox"/>	
2. Is the contractor meeting agreed to contract schedules? _____	<input type="checkbox"/>	<input type="checkbox"/>	
3. Does Contractor submit/complete required paperwork			



including reports promptly and in proper form in accordance

with contract terms? _____

4. Does contractor correct deficiencies promptly?

5. Are you attending contract/project meetings

always frequently occasionally never

Does the Contractor attend contract/project meetings?

always frequently occasionally never

6. Any change in project manager or key personnel?

7. Are all licenses/certificates of insurance current?

8. Was the Contractor successful in managing/

coordinating approved subcontractors?

9. Are there any complaints about this Contractor from subcontractors/suppliers/City staff?

This includes use of SWaM/MWBE subcontractors.

10. Do you want the contract officer to meet with the contractor to discuss any matters?



11. Are invoices submitted on time?

- Are they substantially correct?

12. Is contractor being paid promptly?

13. Do you recommend retaining this contractor?

(If yes, please forward a requisition for this service.)

Please indicate any issues or comments you would like to bring to our attention.

Thank you for your cooperation.

Signed by Evaluator _____ Date ____

Evaluator Title _____

Signed by Procurement Officer _____

Date _____