



Jefferson County
PUBLIC LIBRARY

PROCUREMENT MANUAL

Dollar Amounts and Requirements: Managers are responsible for spending within their established annual budget and may set requirements for the approval of purchases that meet their business needs. Please note the pre-purchase requirements listed below for price comparisons and formal bids. Attaining quotes under \$100,000 is the responsibility of the department seeking the services/goods. Requisitions / PO will need to be entered in Workday by department making purchases.

Up to \$25,000	• Competitive process discretionary. Informal documentation. • \$5,000+ may need a Requisition/PO in Workday entered by dept making purchase
\$25,000 - \$99,999	• Quotes from at least 3 suppliers; informal: such as emails from vendors with itemization. • \$5,000+ may need a Requisition/PO entered in Workday by dept making purchase.
\$100,000 and above	• Cooperative Agreement: such as piggybacking County or State Contract. • OR Procurement will lead a formal competitive solicitation, either RFP or RFQ • OR Sole source justification form completed and approved by Finance BEFORE purchase • Requisition/PO needs to be entered in Workday by dept making purchases.
CAPITAL CONSTRUCTION / CONTROLLED MAINTENANCE	
\$100,000 and above	• Lease or license of land, buildings, or a portion thereof for term of more than 30 days • Requisition/PO needs to be entered in Workday by dept making purchases.

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PROCUREMENT POLICY

I. PURPOSE

This procurement policy is intended for the internal use of the Jefferson County Public Library (JCPL) to ensure sound business practices, financial responsibility, accountability, budget control and efficiency, while creating a high quality of service and support, as well as promoting fiscal awareness. This document will provide end users with information and instructional guidelines for acquiring goods and services. Exceptions to these procedures will be considered on a case-by-case basis and must be approved in advance by the Chief Strategy & Operating Officer or his/her designee. This document will be revised and updated annually to promote accountability of use of public funds and to establish uniform practices.

II. RESPONSIBILITIES

The Jefferson County Public Library Executive Director is responsible for administering this policy. The Executive Director has delegated authority to issue guidelines to ensure compliance. In addition, the Executive Director is authorized by the Library Board of Trustees to direct the procurement of goods, services and capital items per JCPL's approved budget. (Reference [Policy Governance 2.4 Asset Protection](#), Sections 10 & 11).

The Chief Strategy & Operating Officer is responsible for decisions regarding any requested deviation from standard procurement practice, including requests for waiver of competition. Chief Strategy & Operating Officer is also responsible for budgetary approval of all contracts arising from procurement activities.

The Finance Department is responsible for assisting stakeholders with development and management of procurement instruments such as RFP, RFI and RFQ including development of quality, defensible Statements of Work, Requirements and/or Scope statements which are the basis of bids and quotations. The Finance Department is also responsible for guiding departments in obtaining bids and quotations, recommending procurement practice, developing and maintaining vendor information and relationships, handling procedural purchasing functions in accordance with accepted County practices, and coordinating with County the maintenance of an inventory of all fixed and controlled assets.

The JCPL Board of Trustees is responsible for approving procurements which legally obligate JCPL to expenditures beyond a single budget year except where such procurements contain the non-appropriation clause developed and provided by County Attorney's office. JCPL Board of Trustees is also responsible for approval of any contract in excess of \$100,000.

III. OBJECTIVES

- Observe that fairness and honesty between buyer and seller are fundamental to sound business practices, and are best achieved through mutual trust, respect, and cooperation.
- Establish and maintain multiple sources of supply and give equal opportunity to all qualified suppliers.
- Provide quality requirements and scope statements to ensure that all bidders have equal opportunity to understand service or product to be bid and to participate equally in such bid.
- Obtain "best value" terms to acquire the required quantity of goods and services from reputable suppliers, in such a manner to assure that business is not interrupted or impeded.
- Promote a process to emphasize overall value when evaluating suppliers' proposals by reviewing characteristics of products and services beyond price, giving due consideration to quality, safety, service, price, and other relevant factors.
- When practical, consolidate purchases of like or common items to obtain maximum economic benefits.
- Emphasize that negotiated procurement, cooperative purchasing & competitive bid process may be used.
- Use written contracts to document terms & conditions of relationship between buyer & seller.
- Emphasize that all procurement and vendor relationships are subject to County's interpretation of the [Colorado Constitution Article XXIX, Amendment 41](#) as mentioned in Code of Ethics. Such limitations apply to Board of Trustees and all staff.
- Conduct all business in such a manner to avoid the perception of impropriety or preferential treatment.

IV. CODE OF ETHICS

Any person employed by JCPL who engages in purchasing activities for the County will abide by this code and will:

- 1) Avoid engaging in activities that could be perceived as immoral, illegal or unethical behavior in relationships, actions and communications.
- 2) Conduct all purchasing activities in accordance with governing laws and regulations and in keeping with sound business ethics, professional courtesy, and competence.
- 3) Demonstrate loyalty to JCPL by diligently adhering to Library policies and procedures.
- 4) Adhere to authority granted them by the JCPL.
- 5) Avoid any private or professional activity that would create a conflict between personal interests and interests of JCPL.
- 6) Disclose in writing to their Department Director any potential conflict of interest.
- 7) Refuse, directly or indirectly, gifts, gratuities or any other thing of value from present or potential suppliers that might influence or reasonably appear to influence procurement decisions.
- 8) Afford suppliers equal opportunity to compete for County business, striving to maintain maximum value for each dollar of expenditure.
- 9) Adhere to and protect the supplier's business and legal rights to confidentiality for trade secrets and other proprietary information subject to public record requirements.
- 10) Enhance the proficiency and stature of the Purchasing Profession by adhering to the highest standard of ethical behavior.

No employee of JCPL, or member of the employee's immediate family, or firm owned by same, will be allowed to sell to the Library goods or services of any kind without the prior written consent of the Board of Trustees for expenditures of over \$1,000. Such procurement of goods or services costing \$1,000 or less can be approved by the Executive Director or designee.

No member of the Board of Trustees, or member of the Board of Trustees' immediate family, or firm owned by same, will be allowed to sell to JCPL goods or services of any kind, at any cost, without the prior written consent of the Board of Trustees. Members of the Board of Trustees will follow all rules of conduct as outlined in [C.R.S. \(Colorado Revised Statutes\) Title 24; Article 18.](#)

[Excerpt: Subsection C.R.S. 24-18-108.5.: "Rules of conduct for members of boards and commissions.

- (1) Proof beyond a reasonable doubt of commission of any act enumerated in this section is proof that the actor has breached his fiduciary duty. A member of a board, commission, council or committee who receives no compensation other than a per diem allowance or necessary and reasonable expenses shall not perform an official act which may have a direct economic benefit on a business or other undertaking in which such member has a direct or substantial financial interest."]

No Public Officer, member of the General Assembly, local government official or government employee will either directly or indirectly as the beneficiary of a gift or thing of value given to such person's spouse or dependent child, shall solicit, accept or receive any gift or other thing of value having either a fair market value or aggregate cost greater than Fifty-Nine Dollars (\$59, 2018 amount) in any calendar year, including but not limited to gifts, loans, rewards, promises or negotiations of future employment, favors or services, honoraria, travel, entertainment, or special discounts, from a person without the person receiving lawful consideration of equal or greater value in return from the Public Officer, member of the General Assembly, local government official or government employee who solicited, accepted or received the gift of other thing of value. Accepting any amount of cash is also prohibited.

V. OPEN RECORDS

Jefferson County Public Library adheres to the [Colorado Open Records Act \(CORA\)](#) (C.R.S. 24-72-201 to 24-72-309). JCPL procedure on receipt of a formal CORA request is to inform the Director of Strategy & Engagement and respond as follows:

- 1) Bid tabulation (including company name and total bid amount for each bidder) will be provided to any interested party on request.
- 2) Requests for copies of all bids or proposals fall under CORA and require a formal request. Request is to specify exactly what information is desired.

- Requestor may make an appointment with the Finance Staff to review the document(s) to be provided in person on a public computer. *There is no charge for viewing documents in person by appointment.*
- Per JCPL policy, a charge of \$.25/page, may be charged for providing in excess of 5 pages total, with the first 5 pages free. *This charge applies in the event that information is photocopied, scanned or e-mailed.* The actual cost for postage, if any, is to be paid by the requestor. If a request takes more than an hour to fulfill, a fee of \$25/hour for compiling requested information may be charged. The requestor must be provided with a cost estimate and may be requested to pay all or a portion prior to compiling information. Information that is indicated as proprietary in a vendor's proposal may, at the discretion of The Chief Strategy & Operating Officer, be redacted from the copies provided.

GENERAL PROCUREMENT GUIDELINES

I. VENDOR/PRODUCT SELECTION

A purchase award will be made to the bidder proposing "best value", considering all factors including quality, delivery, terms, service, warranty, vendor factors and life expectancy -- in addition to price and discount. Selection of specific products or services that have been rated high in product performance evaluations may be justified as best buys for JCPL. JCPL reserves the right to reject any or all bids and to accept the bid that appears to be in its best interests in its sole determination.

II. SOLE SOURCE PURCHASES

A sole source purchase may be made if it has been determined that only one vendor is capable of meeting all specifications and purchase requirements or that it is in JCPL's best interests. Purchases may then be made on the basis of prices established by negotiation. All sole source purchases **must** have written justification and approval by the Chief Strategy & Operating Officer or her/his designee.

III. SELECTION BY VENDOR

Certain products and services, such as books and other library materials, supplies, and printing services, may be bid by vendor rather than item by item. Selection of vendor will be based on written proposals that include terms and discount rates. Wherever possible, a competitive process should be used in the selection of the vendor, after which a Purchase Order may be issued in order to encumber funds for purchases to be made throughout the calendar year or the agreement term. Where selection by vendor is utilized and where vendor is not sole source, the competitive process should be repeated every 5 years.

IV. PROFESSIONAL/PERSONAL SERVICES

Agreements for professional or personal services, including but not limited to architectural, engineering, legal and consulting services, shall be negotiated on the basis of demonstrated competence and qualifications at fees not in excess of market rates. A secondary service provider may be selected on the advice of a primary service provider, e.g. the Library Legal Counsel may recommend bond counsel; the financial advisor may recommend an appraiser. An agreement for performance of services may be extended to include a wider or expanded scope of services if the extension is within two years of the initial agreement, the fee does not exceed market rates, and the process is not in violation of any Colorado law or Constitutional regulation.

V. STATE AND COOPERATIVE PURCHASE PROGRAMS

JCPL is eligible to purchase various commodities under the Colorado State Purchasing Program. Contracts and price agreements that have been awarded by the state are acceptable as satisfying bid and quotation requirements of JCPL. JCPL may also participate in joint bidding and/or other cooperative purchasing ventures with other library organizations and government agencies if it is deemed in the best interests of JCPL, and on approval by Chief Strategy & Operating Officer.

VI. EMERGENCY PURCHASES

If operations are impeded or there is a threat to Public Health, Welfare, Safety or imminent damage to JCPL Facilities or Real Property as in an unforeseen emergency, purchases may need be needed immediately. If

the existence of such conditions creates an immediate and serious need for supplies, equipment, materials and services that cannot be made through normal channels and the lack of which would threaten the functionality of our facilities, portions of this policy need not be applied. However, the policy will be adhered to as closely as conditions permit. Given situational constraints, any acceptable form of solicitation (written, faxed, email, phoned, etc.) may be used to obtain services, bids or proposals for an emergency purchase.

Following an emergency, purchases that have exceeded authority levels must be validated. A statement detailing the nature of the emergency and explanation or reasoning for the immediacy of purchase must accompany the requisition, as written justification for deviation from this policy will be required. (*See Waiver of Competition Form.*) Emergency purchases are confined to a limited quantity of those supplies, services or construction items necessary to meet the emergency and not to meet long term requirements. Emergency purchases will not be a substitute for a lack of proper planning.

VII. SALES TAX

JCPL is a tax-exempt organization utilizing Colorado Tax Exempt Number 98-02810. When making a purchase, please inform the vendor of our governmental exemption status.

VIII. STANDARDIZATION

Materials, supplies and equipment will be standardized, as much as possible, for better prices through centralized, quantity purchase of fewer varieties of materials and to increase proficiency in evaluating product and vendor performance.

IX. SPLIT PURCHASES

Requisitions MUST NOT be split into smaller purchases to circumvent established approval authorities or competitive bid thresholds.

X. FORMAL CONTRACTS AND AGREEMENTS

A purchasing contract or agreement is a legally binding document between two or more parties to perform and/or exchange something of value (goods, services, money). A contract or agreement is required in a purchase transaction where the rights and obligations of the parties are spelled out and fulfillment of the obligations is required in order to complete the purchase transaction. The requirements and obligations go beyond the normal buying routine (Purchase Requisition, Order, delivery and payment). The use of a contract or agreement is not limited to a specific type of purchase, but most contracts involve an exchange of services. Library staff does not have authority to commit to the Library in a contract or agreement. All contracts need to be processed through the Finance Department and ultimately signed and executed by the Executive Director. Contracts of \$100,000 or more require JCPL Board of Trustees (BOT) approval.

XI. CONTRACT CHANGE ORDERS

Per BOT Governing Policy 2.3.7: Library must not expend more on a capital project than the amount previously authorized by the Board. However, small transfers (no more than 10% of the total cost of the project or up to \$100,000, whichever is less) between individual project funds may be necessary, as they are completed.

PROCUREMENT PROCEDURES

I. PURCHASING MECHANISMS

Purchasing Requisition

A Purchasing Requisition is most frequently utilized for one-time purchases of non-capital furniture, equipment and supplies. The requisition requires entry of information such as supplies, services or materials required, quantity, delivery location and account code. The actual commitment to purchase is made by the Purchasing agent or other as designated by the Chief Strategy & Operating Officer after appropriate approvals are made. Except as outlined in Procard policies and procedures, JCPL staff is not authorized to commit JCPL to any

purchase. A requisition is approved by the appropriate Cost Center Manager and/or Director and forwarded to the Procurement Department for Processing.

JCPL Requisitions in Workday

Requisitions should be entered into Workday by the department needing the goods and/or services for an approved purchase. Entry requires vendor information, specific item information, exact pricing, Cost Center and Spend Category, as well as project and/or program codes (where applicable). All quotes, informal and formal should be uploaded as attachment in Workday.

JCPL Amazon Business Account

Each cost center has the opportunity to request access from Finance for an account within our JCPL Account. Staff members will be required to have permission from the Cost Center Manager who will also choose which staff member(s) to be account holders. The JCPL Amazon account utilizes pay by invoice feature and does not require use of p-cards for purchases. All orders are approved by Finance before processed and shipped.

JCPL P-Card Purchases

The Jefferson County Procurement Card (P-Card) Program was created to provide an efficient, cost effective alternative to transact goods and services. The card can be used to purchase those items requiring accelerated acquisition and emergency purchases required to maintain operations. The cards are issued to specific personnel for the purpose of making authorized purchases on behalf of JCPL. No one other than the Card Holder whose name is on the card is authorized to use the card. County Policies related to P-Card use change from time to time and should be reviewed by users at the [Jeffco Employee Network](#).

Fraudulent or misuse of the Procurement Card shall result in disciplinary action under standard JCPL Disciplinary Policy as stated by People and Culture Department up to and including termination. Misuse of a JCPL Procurement Card is misappropriation of public funds.

Employees are required to:

- Comply with P-Card Policy and Procedures, including proper safekeeping, acceptable use and accountability for non-compliance
- Review account statements
- Submit verification for each transaction in Workday
- Report immediately to Finance to determine acceptability and accountability for accidental misuse
- Contact the Finance Department to determine whether a purchase is within bounds of the policy

Acceptable P-Card Usage:

- Expenses: operating supplies while out in the field or on an emergency basis.
- Books, Dues, Memberships and Subscriptions
- Tools and Accessories
- Computer peripherals and accessories
- Short term equipment rentals
- Small parts, hardware and supplies
- Special Event materials (print, supplies, decorations)
- Training and Conference expenses
- Catering

Pro Cards **cannot** be used for:

- Personal charges
- Travelers Checks or Cash Withdrawals
- Gift Cards
- Construction, renovation and installation services

- Capital equipment
- Annual contract maintenance

Finance Department Responsibility

- Reviews will be performed monthly by Finance staff to verify appropriate card use.
- Cancellation and reconciliation of accounts for any cardholders who have separated from employment.

Purchase Order (PO)

Purchase orders are used to pay for products and supplies that are repetitive or reoccur. This mechanism is used to eliminate administrative costs of issuing individual POs for recurring purchases, while allowing variability in the quantity of items purchased. Additionally, issuance of a purchase order encumbers the funds authorized, providing more accurate budget tracking and monitoring. As purchases are made on the purchase order, the encumbrances are released. Any unspent funds at the end of the fiscal year are unencumbered and returned to the fund balance.

A purchase order is utilized after a vendor has been selected through the proper competitive means, and can be initiated through one of the purchasing requisition methods outlined [above](#), or through a competitive process as outlined [below](#). Approved budget, price agreement and a complete description of goods or services that the vendor will supply must be included.

A PO that has exceeded its budget can be adjusted, provided there are funds in the department requesting, on Finance approval. The requesting department should work with the Purchasing Agent and/or the Budget Analyst for approval. The requesting department using a PO will upload attachments into Workday including packing slips, tickets, invoices and other attachments to the for payment. Those with procurement authority in Workday will formally “receive” the items against the PO as they are physically received.

A purchase order starts as a Requisition in Workday and should be entered directly by dept needing the services and/or goods. Entered requisitions/purchase orders over \$50,000 will flow to the JCPL Executive Director for final review and approval. On approval, a PO is generated by the Finance Office and may be provided to vendor by either requestor or Finance office. The approved PO reserves/encumbers the funds, removing them from “available” spending.

Adjustments to original orders can occur if the quantity or total dollar amount varies from the original PO request. A change order authorizes changes to the original order. If the dollar amount spent on the existing PO exceeds the budget, appropriate approvals are required. A revised purchase order will be developed if the description of the items ordered is changed to a degree that the items are reasonably interpreted to be a different product.

II. COMPETITIVE BID

Competitive bid is utilized wherever formal quotes are required or where assistance is needed in obtaining informal quotes. *While the RFQ process can be accomplished on a relatively short timeline, there are significant timeline considerations for some competitive bid processes, particularly where Board approval of a contract will be required. Please see the BUZZ for more information.*

The process follows this general flow:

- The requesting department lead consultations with the Finance Department regarding products or service required, timeline and budget availability.
- If appropriate, a selection/evaluation team is created. Selection team generally includes Requestor and two or more individuals from the requesting department or, if project will impact multiple units, other impacted unit(s).
- A request for information (RFI), proposal (RFP), or quotation (RFQ) – outline below - is developed collaboratively between requesting department and Procurement. The solicitation document includes detail about the products or services needed, the response process, and a process timeline listing dates, where applicable, for bid walks, vendor questions and JCPL responses, bid close and estimated

bid award. The solicitation document must clearly indicate selection criteria and whether there will be a formal bid opening and if so, when and where. Procurement will insert standard language required for all solicitation documents (JCPL's right to reject, modify, etc. . .) along with the bid response e-mail information. See [Appendix](#) for additional bid document requirements.

- If appropriate (usually this is required), Finance staff will request a sample contract from the Jefferson County Attorney's office to incorporate into the solicitation document. Such sample also includes insurance and bonding requirements and can only be requested once preliminary RFP/RFI draft is complete. *(Sample contract timeline can be as short as a few days to several months, depending on the complexity of the project.)*
- Procurement coordinates release of the solicitation. Requestor coordinates bid walk, if any, and provides responses to vendor questions to Procurement. JCPL follows procurement best practice that vendor questions are accepted only via email and are answered and posted thru bidnetdirect.com for all vendors to access. All responses to vendors must go through Procurement to ensure the integrity of the process.
- Prior to bid response deadline, selection team (described above) develops an evaluation matrix to allow each member to independently evaluate responses. Procurement is available to assist with development of the matrix.
- Bid responses are received in procurement e-mail, accessible only to procurement staff. NO bids are opened or viewed by the selection team prior to bid close.
- At bid close, Procurement notifies any late arrivals of their disqualification and notifies the selection team of the number of bids received.
- Procurement compiles a completed evaluations for filing:
 - If selection criteria weighs heavily on price (50% or more), the tabulation may be provided to evaluators with vendor name removed. Procurement can provide each vendor with a modified copy of evaluations, without evaluator names.
 - If selection criteria weights price at less than 50%, the full record bid tabulation and each vendor response is provided to each evaluator.
- Selection team independently reviews and ranks responses. If desired, Procurement will compile individual responses to a team score sheet. As a part of evaluation, team develops lists of follow-up questions for vendors in 2 categories: 1) clarifications before short-list is determined and 2) questions to ask at interview
- Clarification questions can be sent to vendors by team lead or by Procurement.
- Team short-lists vendors for follow-up and conducts interviews as necessary. *If ["Best and Final Offer"](#) procedure is used, it will be inserted here.* (If RFQ or RFI is used to prequalify vendors, RFP may be issued here.)
- Procurement notifies non short-listed vendors.
- Vendor is selected and recommendation forwarded to appropriate Chief or Director and Chief Strategy & Operating Officer for approval. Notification to selected vendor can be by selection team or Procurement, at the discretion of the requestor. Procurement notifies unsuccessful bidders.
- On approval, the contract is executed and, on receipt of satisfactory insurance and bonding requirements a Purchase Order is issued to the Vendor.
- A copy of all documentation utilized by evaluation team should be submitted to Procurement. Team lead will be responsible for approving invoices, submitting required documentation to Finance, and working with the vendor on contract terms or scope of work details that may differ from the sample contract.
- Procurement maintains all record documentation. Any requests for copies of bid documents should be directed to the Purchasing Agent.
- See ["Contracting"](#) process later in this document.

The frequently used competitive bid instruments are the RFQ, RFI and RFP, each individually detailed below.

RFI – Request for Information

A RFI is generally used during early stages of a project, to gather information about potential vendors, technical specifications, offerings and pricing. A RFI may be used to prequalify a broad group of potential vendors and/or to create a smaller proposal group. RFI pricing, where included, is not considered contractual, but is generally used as the basis for later final pricing through RFQ or RFP. In practice, RFI pricing can often

be used as a “worst-case” estimate for project pricing. It is often relevant to offer a pre-response walk or conference and to entertain and respond to questions. A sample contract may be attached to the RFQ document to shorten contract negotiations.

To increase competition, the RFI may be issued by Procurement both to known vendors and through Bidnet. Responses are returned to an internal mailbox accessible only to Finance staff, and are not viewed until after the response due date. Bid tabulation is not typically completed with a RFI, but an evaluation form, prepared in advance of the response deadline, is completed by the designated evaluation team and compiled by Procurement. Follow-up questions can be sent to respondents and interviews may be scheduled with a short-list of vendors, at the discretion of the evaluation team.

Procurement will assist the team throughout the RFI process, advising about communications to vendors and proper procedures.

RFQ – Request for Quotes

RFQ is a request for line item pricing of a known or variable quantity of specific known products or services, where the selection criteria is strictly price. Requestors may specify some minimum requirements with regard to experience, references or financial standing of respondents. An RFQ can be used as the competitive basis for later issuance of a Purchase Order.

A RFQ can be issued by submitting a specifications list (item, quantity, finishes, delivery location) to one or more vendors and requesting a quote. The requestor’s willingness to or not to accept alternates must be clearly stated.

On return of quotes, Procurement will compile a tabulation of bids for the requestor, assist with negotiation of any terms, issue the appropriate procurement documents for approval, and issue the order to the selected vendor. The bid tabulation may also be copied to all responding vendors.

RFP – Request for Proposal.

An RFP is utilized when the need is fairly well defined, in order to get competitive pricing and to compare vendor offerings. A sample contract is included with RFP documents to minimize duration of later contract negotiations. Vendors are directed in the RFP to state any exceptions to the sample contract language so any points of contention be identified early in the process.

To increase competition, the RFP will be issued by Procurement through Bidnet. Known vendors may be notified and encouraged to bid. Responses are returned to an internal email accessible only to Finance staff, and are not viewed until after the response date. Bid tabulation is possible with a completed RFP. The project manager will prepare an evaluation form in advance of posting and completed evaluations will be filed by Procurement. Follow-up questions can be sent to respondents and interviews may be scheduled with a short-list of vendors, at the discretion of the evaluation team.

RFP pricing is considered contractual, though the RFP process can be defined to allow JCPL to request corrections or amendments to proposal language and pricing.

Best and Final Offer (BAFO)

Best and Final Offer is an optional step in the RFP selection process that can be used if disclosed as an option in the original solicitation document. It is critical when using BAFO that all potential vendors are treated fairly and that no information is provided to one vendor about another’s offer. The process, in general, is that after team evaluation of responses:

- 1) Vendors are notified of questions or deficiencies in their proposals and invited to discuss and then resubmit their proposal. They are provided with specific information on what is being requested. They may be asked to reduce cost or provide clarifications.
- 2) The modified portions of the revised proposal are re-scored.

Procurement will assist the team throughout the RFP process, advising about communications to vendors and proper procedures.

III. CONTRACTING

JCPL contracts are prepared and/or reviewed by County Attorney Office (CAO). Certain simple agreements are processed without CAO review, at discretion of Chief Strategy & Operating Officer.

Prior to contracting, details are analyzed including proposed contract language, risk, and authority of the individual to bind the vendor. The contracting process utilizes the following general flow:

- Contract request is sent to Contracts Coordinator or results from the RFP process. (A sample contract is developed as one of the first steps in producing an RFP).
- Contracts Coordinator reviews provided contract documents and acts as central communication conduit to forward all pertinent contract information and documents to CAO and work with the project manager on acceptable terms and conditions and potential modifications to the scope of service.
- As soon as acceptable contract is prepared, the Contracts Coordinator will forward the contract to the vendor with signature instructions.
- On return of executed contract from Vendor, Contracts Coordinator transmits partially executed contract to CAO, where applicable, for approval as to form, then
- Prepares and processes internal contract transmittal, gathering required signatures from Submitting Manager, Director, Chief Strategy & Operating Officer and, ultimately, JCPL Executive Director.
- If the JCPL's BOT approval is required, the Contracts Coordinator will inform the project manager so the item can be placed on the next meeting agenda. *In order to allow the BOT time to properly consider items for approval, JCPL practice is to present information at a Study Session and seek approval at the next regular Board meeting. Requestors are reminded that Study Sessions may not be held each month, so approval timelines should be planned accordingly. Please check the BOT Calendar to plan ahead.*
- On final execution, Contract Coordinator saves electronic copy to JCPL Contract files and provides electronic copy to
 - o Vendor, for their files
 - o Submitting Manager, for information
 - o ASU, for inclusion in monthly transparency report
 - o CAO, for their files
 - o Requisition entering staff of department requesting goods and/or services.

Please refer to *County Purchasing Procedures* for any topics not covered by this manual, or contact JCPL's purchasing agent (this is only used for vendors typically, not internal/staff questions.

APPENDIX

Better Bids

The single largest contributor to procurement problems relates to flaws or deficiencies in the Statement of Work (SOW). SOW gives potential vendors a clear understanding of the product or service desired and enables them to respond with quality information about their offerings. Procurement is available to work with JCPL teams to develop quality SOW and procurement documents. It should include the following elements, at a minimum:

- Background about project – is this a new project, have you tried this before and are trying a different approach, are you just exploring a concept, are there known risks that should be shared? Please remember that your vendor may or may not be versed in library terminology and/or have knowledge about our library in particular.
- Objectives/Requirements – what are you trying to purchase or accomplish? what quantifiable criteria must be met for the work or product to be accepted?
- *Scope of Work* – what is covered and not covered, including
 - o What is the work product or end result?
 - o Are there technical requirements to be met, or specific tasks to be completed in order? What should it do or look like at completion? (is your criteria measurable?)

- An outline of the extent of the work – list all work elements (for instance, acquire, build, manage, install, commission, warrant, service, etc) should be provided. Specifically list any work elements excluded.
- Requesting that bids include pricing for each component of the scope of work or desired product can help when comparing bids and in the event that a change in scope is desired.
- Reporting requirements, if any
- Project timeline or schedule
- A brief description of the methodology to be used, if required
- Description of the location of the work or the delivery location

Tests for evaluating your SOW include self-questions such as:

- Is the information complete?
- Is it consistent? Do any of the requirements conflict?
- Is it correct? Can the requirements be achieved?
- Is it clear? Could a stranger understand exactly what you want?
- Is it defensible? If you are requiring some specific attribute, is there a reason that an alternate would not meet your needs?
- Is it verifiable? Is it possible to prove whether your requirements have been met?
- Are you allowing your vendor to design a solution or are you providing the solution?

Insurance/Bond Requirements

Goods or services related to major projects, construction or professionally engineered specifications may require the addition of insurance or bonding.

Award of Bids

If the requestor recommends a supplier/vendor who did not submit a low bid, or is basing the recommendation on factors such as Best Value, written documentation is required. Notes in the team evaluation summary may be sufficient, but teams should review documentation to ensure that decisions are well documented.

Contract Duration

Awards will not exceed a total of 5 year duration. Contracts typically are offered to vendors as a one year initial contract with renewable option for up to four consecutive years (one initial year with four 1-year renewal options) unless mutually agreed upon by the using County Entities.

Protest of Bids

Any supplier who desires to protest the award of a bid or contract will submit such protest in writing via Procurement@jeffcolibrary.org no later than ten (10) days after the notice of award or intent to award. The written protest will include the basis for the protest and the relief sought. The Chief Strategy & Operating Officer will issue a decision in writing within 30 days after receipt of the protest stating the decision, reasons and action, if any taken. There will be no appeals.

Renewals of Bids

Awards may be renewed if the following conditions exits:

- 1) The original documentation contained a renewal option.
- 2) JCPL staff is satisfied with the product or service.
- 3) Supplier is not proposing an increase in price or alternate terms.
- 4) If the supplier proposes a price increase/change, the Finance Department will forward for review and approval by the Requestor.
- 5) If the Requestor recommends proceeding with the renewal, Procurement will contact JCPL Legal Counsel for preparation of any required legal documentation.

Non-appropriations Clause

All procurement that extends beyond the contract year must contain the following statutory language: “The payments of JCPL obligations hereunder in fiscal years subsequent to the current year are contingent upon funds for the Contract being appropriated and budgeted. If funds for the contract are not appropriated and budgeted in the year subsequent to the fiscal year of issuance of the contract or in any succeeding year covered under terms of this contract JCPL may terminate the Award. JCPL’s fiscal year is currently the calendar year. Additionally such cancellation must not impose penalty against JCPL in the event of a failure to appropriate sufficient funds.”

Statutory Guidelines for Bids

- 1) If a public opening is specified, date, time and location of opening should be stated in the solicitation. Bids are to be opened as designated.
- 2) Discussion may be conducted with responsible suppliers for the purpose of clarification to assure understanding of requirements and to clarify outlying responses. In these discussions, there will be no disclosure of any information from proposals submitted by competing suppliers.
- 3) Proposals will be evaluated based on requirements and evaluation criteria in the bid.
- 4) All proposals may be rejected and the project may be restructured or redesigned.
- 5) After the time of the award, all bids and documents are open to public inspection to the extent permitted by law. Bid tabulation (including company name and total bid amount for each bidder) will be provided on request. Requests for COPIES of all bids or proposals fall under CORA (Colorado Open Records Act) and require a formal request to the Chief Strategy & Operating Officer. See [Open Records](#) earlier in this document.