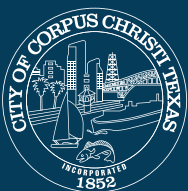# FINANCE & PROCUREMENT
PROCUREMENT MANUAL

A GUIDE TO POLICY & PROCEDURE

CITY OF CORPUS CHRISTI

VERSION 1.0

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Preface

I am pleased to present the first edition of the Finance and Procurement Department Procurement Policy & Procedures Manual, your desktop reference for City of Corpus Christi purchasing employees. This manual is a guide designed to assist staff members in the complex and technical areas of purchasing.

The manual of the Finance and Procurement Policy & Procedures Manual includes revisions to procurement policy and law through the 87th Texas Legislative Session. This document is available online and will be up-dated periodically to reflect policy and procedural changes. For convenience, the table of contents has been designed with "clickable" link as a quick reference guide and a summary of contents. Throughout the manual you'll also find "hyperlinks" that will direct you to more detailed section specific information. I think you will find this manual a convenient tool to assist you.

This handbook furnishes information for all activities related to the Procurement Division of Finance to acquire goods and services. The information presented is directed to internal personnel engaged in the procurement process, as well as those departmental staff members with procurement responsibilities.

This information is not intended to be used as a substitute for State Statutes, City Charter and City Ordinance provisions. In all cases when there may be a conflict, the State Statutes, City Charter and City Ordinance provi-sion direction will rule.

I am confident you will find this manual to be a valuable resource to guide and assist you with all your pro-curement activities. Thanks for all that you do for the City of Corpus Christi.

Sincerely,

_____

Joshua Chronley
Assistant Director
Finance & Procurement

Introduction

The Procurement Division of Finance & Procurement is the central authority for all procurement guidelines, education, and city-wide contract development. It is the goal of the Procurement Division to increase value and reduce risks by having Department officials, employees, and suppliers come together to work under an acquisition process that is consistent, fair, transparent, and effective. The information provided herein is intended to guide your efforts in the acquisition process such that your purchase is accomplished in accordance with City Policies and laws of the State of Texas.

The policies and procedures in this manual primarily focus on the implementation of Title 8 of the Local Government Code as well as Title 10 of the Texas Government Code. Other procurement authority is addressed in the manual to provide a broad working knowledge of commonly utilized procurement methods, but this is not meant to be exhaustive. The policy section focuses on the governing rules and regulations, whereas the procedures provide the application of those rules into practices.

The content of this manual is generally organized to align with the procurement activities specified in the Procurement Cycle to facilitate a better understanding of the roles performed by City Department employees during the various procurement activities, this manual differentiates between procurement and purchasing. The term procurement refers to all aspects of the sourcing activities, including drafting and issuing the solicitation, evaluation of responses, selection of successful respondents, the negotiation of contracts, and the actual purchasing of goods or services. By contrast, the term purchasing refers to the mechanical or administrative process of how goods and services are ordered. Purchasing can usually be described as the transactional function of the procurement process, whereas procurement is, essentially, the overarching or umbrella activity within which purchasing can be found.

This manual cites state and local statutes as well as administrative rules issued by the state as support for its guidance and includes essential and recommended contract clauses. A department shall comply with such guidance unless it has an exemption to the underlying law. However, although this guide serves as a reference manual for implementing the requirements of the governing procurement laws included within it, it is not an exhaustive compilation of every statute, rule, and standard that may pertain to a particular transaction. Furthermore, this Guide is not intended to be a manual on the law of contracts or constitute legal advice. Departments are expected to coordinate with the Procurement Division on all activities above the thresholds specified in this manual.

This manual also includes guidance that is not supported by a citation to statutes or administrative rules. All guidance that is not supported by a legal citation is provided to ensure robust and fair competition, transparency, integrity, fiscal restraint, and the other values underlying the statutory procurement system.

Please consider this information as your introduction to the essentials needed for purchasing goods and services on behalf of the City of Corpus Christi. It is intended to reflect best practice procurement methods and will be updated as laws or practices change.

Procurement Process

Before engaging in a procurement, it is important to understand that there are common characteristics between all procurements and following the processes outlined below ensures that the procurement is conducted in a transparent and efficient manner.

The Procurement Cycle identifies the five major steps performed by public procurement professionals for every procurement.

The steps of the **Procurement Cycle** are summarized as follows:

1. **Procurement Planning**: Define the business need and establish the procurement objectives

2. **Procurement Method Determination**: Identify the appropriate Procurement Method and issue a solicitation

3. **Vendor Selection**: Fairly and objectively select the vendor based on solicitation criteria

4. **Contract Development & Award**: Ensure that the awarded contract complies with applicable procurement law and contains provisions that achieve the procurement objectives

5. **Contract Management**: Administer and enforce the terms of the contract

The remainder of the Guide is organized to provide practical suggestions as well as best practices for the procurement activities associated with each step of the Procurement Cycle

Procurement Planning

Overview

Procurement planning is the process of translating a need or desire to purchase a good or service into a solicitation that will yield the projected results. Through careful planning, stakeholder input, timeline development and strategic sourcing a methodical scope can be developed that best translates the request into a positive outcome. Procurement planning enables more deliberate and cohesive strategic decision making. In addition, procurement planning can be used as an excellent opportunity to identify potential consolidation of procurement activities to achieve economies of scale and give our organization an overview of the magnitude of the procurement activity. The benefits to a solid procurement plan include:

1. Better scope or requirements, which increase the probability of receiving more responsive offers, thus facilitating the evaluation process, leading to more appropriate products, which lead to better fulfilling the needs of the client, which in turn could ease contract management.

2. Improved sourcing, ensuring the right suppliers and potentially the right number of suppliers are bidding. This increased competition could potentially lead to stronger offers at more favorable prices.

3. Minimized impact on staff. Unplanned procurements developed outside established processes typically yield subpar results and require additional work.

4. Lower the risk of delays and optimize agenda readiness.

5. Potential for greater value achieved through consolidated acquisitions.

Planning Prerequisites

The requesting/originating department should consider the following pre-procurement activities when planning a procurement:

1. The purpose of the purchase

2. The history of purchasing similar goods and/or services

3. Any special considerations such as compatibility with existing systems and equipment, scheduling requirements or performance constraints

4. Funding availability

5. Potential risks, and identifying potential solutions to reduce them, or including alternatives

6. Availability of procurement methods

Market Research

Market research is essential to sound procurement planning and helps determine:

1. What goods and/or services are available

2. What suppliers/vendors/firms are available

3. How to clearly state requirements

4. Estimated price/costs

Requirement Analysis

The requesting/originating department is responsible for analyzing and specifying the quality and technical requirements including delivery times for all procurements. This includes but is not limited to:

1. Product descriptions, specifications, and/or scope of service/work

2. Quality assurance requirements

3. Inspection, testing, and acceptance criteria

4. Safety parameters and requirements

Initiating the Procurement

Preliminary Kick-off Meeting

It is not uncommon for a department to ask for a meeting with Procurement Staff to discuss their upcoming or potential purchases. These meetings usually involve all the stakeholders that are or could be involved.

Departments are encouraged to engage with their assigned Procurement Team at every stage of procurement. The team can provide helpful information and guidance to ensure all the necessary steps are followed and urgencies considered.

Creating a Requisition.

The Procurement Office is officially engaged once a department as created requisition. Requisitions provide all the necessary information for the Procurement Team to facilitate a purchase.

Requisitions contain information including but not limited to funding sources, scope of work, urgency, contact information, and the assignment of a contract manager.

The detailed guide to creating a requisition can be found in Appendix 1.

Sourcing

The requesting/originating department may make suggestions for possible sources, but the Procurement Team is responsible for determining the sources to be solicited for any requisitions that have been submit for processing. When planning the solicitation Procurement's main goal is to assure that the required quality and quantity of goods and services is obtained when requested, and that the City receives the best value for its dollar while adhering to applicable procurement rules and regulations.

Procurement Method Determination

Procurement Authority

The City's Procurement Division of Finance is authorized to govern all procurements for the City of Corpus Christi. Both centralized and decentralized purchases must follow the Policies outlined in PRO-001S1. Departments are responsible for communicating with the Finance Procurement Division on all purchases that meet the criteria outlined by Policy. All purchases made outside the preview of Finance Procurement are still subject to the laws governing the City.

Procurement Record Requirements

Regardless of procurement method, all procurement steps must be documented and included in the procurement record. These documents will be held and subsequently disposed of according to the retention schedule provided by the City's Secretary's Office.

Competitive Procurement Methods

All procurements must adhere to City Procurement policies and procedures, in addition to any governing code established by the State or Federal Government. The following methods of procurement are used to purchase items and services needed by the City. Templates are available for all these solicitation documents through the Procurement Division.

Choosing a method: There is no golden rule for choosing a procurement method. Individual goods or services may fall into a category that has additional requirements or fall into an exempted class. All centralized procurements will be vetted by Procurement staff and methodology recommendations and any statutory requirements will be provided. There are multiple factors that must be considered when choosing a procurement method.

The following list includes the most common factors:

- Statutory Requirements
- Price/Cost
- Delivery/Lead Time
- Procurement Time
- High-Profile/Complexity
- Urgency/Department Need
- Product/Service Availability

These factors all need to be considered when choosing the procurement method. The Procurement recommendation will factor these into consideration. If a method is requested, and subsequently approved, that is not in-line with the Procurement Recommendation (Made by the Procurement Staff) the reasons for the deviation must be documented and included in the agenda background if applicable.

Cooperative Purchasing

Cooperatives are member purchase programs that help their members lower costs by aggregating their collective purchasing power through competitive solicitations. In order to have access to these programs the City has to have a membership. All Cooperative Memberships are managed and maintained by the City's Procurement division.

Appendix X – Cooperative Memberships

Request for Bid

A Request for Bid (RFB) is a formal written competitive <u>sealed bid</u> method used to obtain written bids. An RFB must be used for procurements exceeding $50,000 and may be used for procurements of $50,000 or less. If the total value of a solicitation is greater than $50,000 an RFB must be posted on the Supplier Portal and all eligible vendors within the NIGP Class and/or Class/Items designated for the procurement that are active on the Supplier Portal will be solicited for a formal bid. Additionally, a formal advertisement must be issued no fewer than 14 days before the public bid opening and run in a local newspaper published in the municipality. If no newspaper is available, the notice must be posted at city hall for 14 days prior to the public opening.

While 14 days is the minimum statutory posting period for an advertisement, it is recommended that advertisements run longer. It is best practice for solicitations to run for 30 days or longer to allow interested eligible vendors the opportunity to submit quality proposals. Failure to allot adequate time for a solicitation may have the effect of artificially limiting the vendor pool or impact the quality of proposals received.

Factors such as holidays, complexity of the procurement, and any additional statutory requirements due to the nature or type of solicitation should be considered in the procurement timeline.

A public bid opening requires all bids be read aloud and must take either in person at a location open to the public, or by virtual meeting broadcast via WebEx or similar means open to the public via weblink.

The City uses **Low Bid** as the primary determinate factor in RFB evaluations. Additionally, bidders must prove both responsible and responsive. Those factors are based on present and historical performance, required insurances, bid/construction bonds, minimum experience requirements, and the completion of required forms provided within the RFB solicitation.

RFB's are not subjective and are measured against requirements outlined directly in the solicitation and are ranked by price.

Please reference <u>Local Preference</u> for information on how local preference is to be applied to RFBs.

For detailed instructions on performing an RFB please reference the guide below:

A Formal Request for Bid (RFB) solicitation is required for purchases of more than $50,000 for all goods or non-professional services, except for cooperative purchases or emergency, sole source, professional service contracts or other exemptions as allowed by Chapter 252 of the Local Government Code. In this process, the solicitation must be advertised in a newspaper published in the municipality, and the ad must appear at least once per week for two consecutive weeks. The advertisement must state the time and place at which bids will be opened and publicly read aloud. This process is used when the requirements are clearly defined, and price is the major determining factor for selection. The RFB uses the competitive sealed bid method, and the award is made to the lowest responsive and responsible bidder conforming to the specifications. Negotiations or changes to bid pricing are not permitted.

Cooperative purchases utilize competitively bid contracts awarded by another contracting entity in accordance with federal, state, and local procurement rules and has been extended for use by other governmental entities. The terms and conditions of the cooperative become a part of and superior to the contracting entity's terms and conditions.

Request for Information

Texas law authorizes the exchange of information between an agency and a vendor related to future solicitations Vendors are often experts in their respective fields and can offer insight on potential purchases, such as current trends, industry practices, and available products or solutions The procurement team should develop a plan to obtain any needed vendor input, which may include issuance of a

Request for Information (RFI) or directly contacting industry leaders. The result of these interactions may lead to increased competition, a more detailed and up-to-date description of technical requirements or scope of work, and ultimately better value for the City.

Requests for Information are used as a planning tool. The RFI is a method that may be used to gather information in order to prepare a complete and accurate solicitation document when a department does not have the necessary information to do so. RFIs are used to identify industry standards, best practices, potential performance measures, and cost or price structures or to generally ascertain the level of interest of prospective respondents. A preliminary solicitation document which provides an initial description of the program objectives and specifications usually accompanies an RFI for review by potential respondents. Departments may use the information derived from the responses to finalize their solicitation document. Departments are not required to incorporate any or all the comments or suggestions made by the respondents, but the hope is that the respondents will provide useful information that can be used in the solicitation development process.

All requests for information related to the solicitation process by the media or other interested parties must be coordinated with the originating department, Communications, Finance, and any other appropriate departments. Requests for information include all verbal and written requests regarding the solicitation process, including names of respondents.

Request for Price Quote

A Request for Price Quote (RFPQ) is a solicitation issued by the City for the cost of a good or service (Section X). A single quote is required for all purchases from $0 to $3,000 and three (3) quotes are required for all purchases from $3,000 to $50,000. Any purchase above $50,000 needs to be formally solicited and must be facilitated by procurement staff.

While verbal quotes are allowable for purchases under $3,000 it is required that when collecting multiple quotes to request a written quote or document the multiple quotes to be included as backup for the selection. This includes the required HUB search for quotes greater than $3,000.

One-time purchases more than $3,000 up to and including $50,000 require an informal Request for Price Quote (RFPQ) solicitation for goods or non-professional services in most instances. Procurements within this dollar range require the originating department to create a shopping cart/purchase requisition, generate other appropriate documents/technical specifications, obtain the proper approvals, and forward to Purchasing for processing. Purchasing is required to obtain quotes from a minimum of two (2) Historically Underutilized Businesses (HUBs) from the State of Texas Central Master HUB's List.

Request for Proposals

A request for proposal (RFP) is a solicitation document that announces a project or service, describes it, and solicits bids from qualified contractors to complete it.

Generally, an RFP is recommended when factors other than price are to be considered, negotiations are desired, requirements cannot be described by detailed specifications included in a PO, or the vendor is expected to provide innovative ideas. This solicitation type must be used when an RFB is not practicable or advantageous. One of the key differences between an RFB and an RFP is that negotiations are allowed in an RFP and not allowed in an RFB.

The RFP must include the criteria that will be used to evaluate the proposals in the City's selection process. Factors to be used shall include any or all, but not be limited to, comparable projects; experience of the firm and individuals within the firm who will be performing the work; capacity to perform the work in relation to overall workload; performance on past City projects and other clients; overall qualifications of the firm, and specific project approach.

A staff committee may be appointed by the department head or the purchasing official to review proposals, select a short list of the most highly qualified firms and interview them. In making the decision for the short list, selection criteria identified in the RFP must be considered. Firms shortlisted will then be invited to make an oral presentation to the selection committee.

A council agenda item will then be created recommending the highest responsible and responsive proposer. Once approval has been obtained, Staff shall negotiate a contract with the selected firm. If the City is unable to negotiate a satisfactory contract with the most highly qualified firm, the City shall formally end negotiations with that firm and begin negotiations with the second most highly qualified firm. Negotiations shall be undertaken in this sequence until a contract is made.

Please reference Local Preference for information on how local preference is to be applied to RFPs.

Guide to Performing an RFP/RFQ

Request for Qualifications

A request for qualifications (RFQ) is a solicitation document that lists the criteria and requirements of a project or service and requests that potential offerors submit statements of qualifications, including a demonstration of their ability to complete the project or service.

A Request for Qualifications (RFQ) is generally used for professional services wherein the respondents are evaluated based solely on their qualifications and skills This solicitation method is more like an application process, where it is very clear what is expected from the vendor Price is negotiated after the agency selects its preferred respondent based on how well the respondents met the published qualifications.

Vendors must respond to an RFQ by submitting their qualifications to perform specified work The submissions are reviewed to deter mine the qualified

respondent(s) who are requested to prepare a proposal to perform the specific work as may be embodied in an RFQ Price is not a factor until after the vendor is selected.

Please reference Local Preference for information on how local preference is to be applied to RFQs.

Guide to Performing an RFP/RFQ

Printing & Graphic Design Services

Departments are authorized to provide for their own incidental copying needs by using available local and networked printers and office copy machines either purchased or leased. Procurement establishes and manages citywide contracts for these purposes. Incidental copying is day-to-day production and copying of documents within a quantity limit and job specification that does not reasonably require high-volume duplication equipment or services.

Departments are not authorized to contract out to full-service print shops without the approval of Procurement. The City Printshop (Located in the basement of City Hall) has a **first right of refusal** on all print related requests.

For a list of available services and print options please see Appendix 5.

Historically Underutilized Businesses (HUB)

All solicitations for goods >$3,000 but ≤ $50,000 must include at least 2 HUB vendors. A Historically Underutilized Business (HUB) is a business in which at least 51 percent of the business is owned, operated, and controlled by one or more minority groups (American Women, Black Americans, Hispanic Americans, Asian Pacific Americans, or Native Americans or Service-Disabled Veterans) who are economically disadvantaged and who have been historically underutilized because of their identification as members of these groups.

The City's Comptroller's Office maintains the catalog of HUB organizations and the online searchable database can be found at the link below:

https://mycpa.cpa.state.tx.us/tpasscmblsearch/tpasscmblsearch.do

To perform a HUB Search the following steps must be followed.

- Find the NIGP Commodity Class Code(s) that ties the type of good or service you require
    a. Commodity Book - Commodity Book (state.tx.us)
    b. You can drill into the general description to see specific item numbers
        i. The first 3 digits are the category
        ii. The second 2 digits are the item number
- Navigate to the Centralized Master Bidder List – HUB Directory
    a. Search For Vendors (state.tx.us)
- In the "Search For" section select "HUBs Only"
- Select the Multiple Vendor Search dropdown
    a. Enter the NIGP Class Code(s) into the first column
    b. Enter the Item Number (if needed) into the second column
    c. Leave the Highway District Code Blank
- Next select the Business Category/Vendor Location dropdown
    a. Under County location select Nueces
- Finally Select Search towards the bottom of the menu

The output will be a list of all HUB vendors tied to the selected commodity code(s) and fall within Nueces County. A minimum of 2 HUBs must be contacted for all quotes greater than $3,000 but less than $50,000. For instances where only 1 HUB or no HUB vendors exist the City is exempt from this requirement. A minimum of 3 quotes still needs to be made, but the HUB requirement is exempt.

Either print to PDF (Preferred) or screenshot the results for the HUB search and attach to the records for this procurement. Please note exactly which vendors were contacted from this list (if applicable).

The Procurement Team assigned to your department is available to assist with any HUB searches.

List of department assigned Procurement Teams.

Local Preference

There are 2 local preference rules that should be applied to all procurements. The State preference policy, and our City Local Preference Ordinance. Both policies work in conjunction with our local policy being applied first, and the state allowed preference to be applied as needed.

City Local Preference Policy

It is the policy of the City Council of Corpus Christi to maximize the effectiveness of local tax dollars by ensuring a portion of citizens' tax dollars remain in the local economy for economic benefit of the citizens by using all available legal opportunities to contract with local businesses.

Council Policy 26

Professional Services Policy

The Local Preference Ordinance allows the award of additional points, when multiple evaluation criteria are used in the award of professional service contracts, where the selection process is not governed by statute. A business meeting the definition of Local Business stated below may be awarded up to 10 points for being headquartered within the city or having a local office within the city. Moreover, the program recognizes joint venture agreements and allows for apportioning of points based upon the percentage of ownership of joint ventures by Local Businesses responding to solicitations for which up to 5 discretionary points may be applied.

All decisions regarding the application of points under this policy reside with the procurement official conducting the solicitation. If a department feels it is not in the best interest of the City to apply a local preference for a solicitation, a memo of justification should be submit to Procurement from the Director of the originating department. This memo will not be attached to the council agenda item, but a summary of the memo contents may be used in the item detail.

Point System

In procuring professional services under the Professional Services Procurement Act, Government Code § 2254.004, the managing department may, when appropriate, award up to twenty (20) points to a respondent based upon knowledge of, and experience regarding, local conditions as part of the qualification's determination. Points must be included in the rubric of the corresponding RFQ.

In procuring other professional services not governed by statute, revenue and concession contracts, the managing department may, when appropriate, award ten (10) points to a respondent that is a city business headquartered within the incorporated limits of the city, or five (5) points to a respondent that is a city business not headquartered within the incorporated limits of the city.

For respondents submitting responses as a joint venture to solicitations for professional services not governed by statute, revenue and concession contracts, the following is applicable: (1) For joint ventures, ownership and location of the individual entities entering into a joint venture relationship may be considered in the award of points. To be considered for points, at least one of the entities must be a city business; and (2) Allocation of points for joint ventures may be determined by the percentage of ownership by a city business(es). If the city business entity(ies) is (are) headquartered within the incorporated limits of the city for one year or more, the managing department may, when appropriate, allocate a percentage of ten (10) points based upon the percentage of city business ownership in the joint venture. If the city business entity(ies) is (are) not headquartered within the incorporated limits of the city for one year or more, the managing department may, when appropriate, allocate a percentage of five (5) points based on the percentage of city business ownership in the joint venture.

State Local Preference Rules

The State of Texas provides 4 avenues to apply a local preference.

Tie Bids

If two or more bidders have bids identical in nature and amount, with one bidder being a resident of the city and the other bidder or bidders being non-residents, the city council must select the resident bidder.

3% >$500k real/personal property

If a local government receives one or more bids from a bidder whose principal place of business is in the local government and whose bid is within three percent of the lowest bid price received by the local government from a bidder who is not a resident of the local government, the local government may enter into a contract with [either]…the lowest bidder; or…the bidder whose principal place of business is in the local government if the governing body of the local government determines, in writing, that the local bidder offers the local government the best combination of contract price and additional economic development opportunities for the local government created by the contract award, including the employment of residents of the local government and increased tax revenues to the local government.

5% <$500k real/personal property

The City is authorized to enter into a contract with either: (1) the lowest bidder; or (2) a bidder whose principal place of business is in the city and whose bid is within five percent of the lowest bid price, if the governing body determines that the local bidder offers the city the best combination of contract price and additional economic development opportunities, including the employment of residents of the local government and increased tax revenues. Except for only up to $100k for construction services and not applicable to certain telecommunication services.

Reciprocal Preference Law

The City must give a preference to local businesses if there are out-of-state bidders that have bid on the contract and the out-of-state bidder or manufacturer is located in a state that discriminates against out-of-state bidders in its bid awards in favor of local bidders. If the non-local bidder is from a state where in-state bidders are not given preference over Texas bidders, then the Texas bidder does not have any advantage over the non-Texas bidder.

Exceptions

The City maintains the right to reject any or all bids.

This program does not apply to any contract in which the federal government participates in the form of a grant or loan, or the city acts as a conduit for federal money.

This program does not apply to contracts in which the contracting department has determined that it would unduly interfere with contract needs. In such cases, the department director shall make this exception known in writing to the procurement official managing the solicitation.

This section does not apply to the purchase of telecommunications services or information services, as those terms are defined by 47 U.S.C. Section 153.

Procurement of Goods

Under $3,000 – Can be purchased by P-Card (No Professional Services) or Purchase Order (PO) and requires one verbal or written quote.

$3,000 – $50,000 requires at least three written quotes and must include two Historically Underutilized Businesses (HUBs), if available, so a PO or a temporary P-Card increase can be issued.

Over $50,000 requires formal advertised bids facilitated by Procurement Staff and are Approved by Council. Payment for goods rendered typically should be paid by PO, but conditions may warrant using a P-Card if vendor is willing to absorb all merchant charges.

Summary of Signature Authority

Assistant Director of Contracts & Procurement	Contracts for the purchase of goods and services in the amount up to and including $50,000. Contracts after City Council approval over $50,000.
Director of Engineering	Contracts constituting a public work in the amount up to and including $25,000.
Executive Leadership Team	Contracts constituting a public work in the amount greater than $25,000 not to exceed $50,000.

The current list of signature authority is maintained by the legal department and is available by request.

Requisitions

Requisitions are required to request a purchase orders/supply or service agreements or for formal solicitations.

For decentralized/informal purchasing the departments will submit a requisition that includes all documents needed to demonstrate that procurement procedures were followed and will recommend the lowest, responsive, responsible vendor.

If a supply or service agreement is needed, the Procurement Division will complete these agreements and work with the vendor to get the agreement executed.

If a formal solicitation is needed the requisition will be used to provide the scope of work/specifications and other requirements needed so that the solicitation can be prepared by the Procurement Division. The Procurement Division will work closely with the Department to develop the solicitation and will include the Department in all aspects of the process.

High-Profile Procurement (Goods)

All High-Profile procurements need to be coordinated with the sponsoring department's Executive Leadership Team Lead.

High-Profile procurements include but are not limited to:

1. Purchases with an estimated value greater than $1,000,000

2. High level of community interest or other exceptional interest

3. Highly complex or technical in nature, or contract terms and conditions are non-standard or complex

The requisition form has been updated to include a checkbox for High-Profile procurements, and it is the responsibility of the department to make that determination.

Sole Source (Goods)

There are many reasons a purchase might be practical from only one vendor:

1. There is no competitive product. The good is a one-of-a-kind or patented product, a copyrighted publication available from only one source or a unique item such as an artwork

2. The product is only available from a regulated or natural monopoly. For example, utilities, gravel from the only gravel pit in the area or some similar situation

3. The product is a component of an existing system that is only available from one supplier. The replacement of a component

Sole-source purchases are handled the same as other purchases, with these exceptions:

If the requisitioning party determines that the item is a sole-source purchase, two statements must be attached to the requisition:

- A statement from the Vendor on their letterhead explaining why they are a Sole-Source Vendor.

- A statement from the using Department explaining why that Vendor is the only Vendor that satisfies their needs.

Procurement of Services

Services can be broken down into two categories, Professional Services and Non-Professional Services (aka Services).

Professional services have additional procurement rules associated with their solicitation. Please see PRO-005 for a list of services governed by the professional services act (TGC 2254).

Request for Bids

Competitive solicitation (RFBs) is recommended for all non-professional services up to and including $50,000. Justification is required as to how the firm was chosen and a record of negotiation on the price agreed must be included. Exemptions do apply.

Request for Proposals or Qualifications

Formal solicitation (RFP & RFQ) is required for all professional and non-professional services over $50,000. Selection and award will be based on criteria and type of solicitation.

Guide to Performing an RFP/RFQ

Exemptions

Competitive bidding process is prohibited to obtain services of architects, engineers, certified public accountants, land surveyors, physicians, optometrists, landscape architects, geoscientists or state-certified real estate appraisers, or the services of those providers that are members of disciplines requiring special knowledge or attainment and a higher order of learning, skill, and intelligence. Texas Government

Code 2254 defines which fields are covered by the Professional Services Act.

High-Profile Procurement (Services)

All High-Profile procurements need to be coordinated with the sponsoring department's Executive Leadership Team Lead.

High-Profile procurements include but are not limited to:

1. Purchases with an estimated value greater than $1,000,000

2. High level of community interest or other exceptional interest

3. Highly complex or technical in nature, or contract terms and conditions are non-standard or complex

The requisition form has been updated to include a checkbox for High-Profile procurements, and it is the responsibility of the department to make that determination.

Sole Source (Services)

There are many reasons a service might be practical from only one vendor:

1. There is no competitive service. The service is a one-of-a-kind, a patented process, or servicing for a sole sourced good.

2. The repair or servicing of a product is a component of an existing system that is only available from one supplier typically the original supplier.

Sole-source services are handled the same as other purchases, with these exceptions:

If the requisitioning party determines that the item is a sole-source purchase, two statements must be attached to the requisition:

- A statement from the Vendor on their letterhead explaining why they are a Sole-Source Vendor.

- A statement from the using Department explaining why that Vendor is the only Vendor that satisfies their needs.

Capital and Public Works Procurement

For all city construction projects, Engineering Services acts like a Program Management Office tasked with managing capital projects. In that capacity, Engineering will identify stakeholders, develop project requirements, communicate project constraints, sequence activities, gain required approvals, monitor construction projects, ensure contractor performance, process payments to contractors and commercially close out projects. As an integral part of project delivery,

Engineering Services manages all City Contracts associated with Architects, Engineers and Construction Contractors. Engineering Services will ensure that capital projects receive the requisite plan approvals and code inspections from Development Services. Engineering Services will coordinate on all procurements of design professionals and construction bids for capital projects.

When there is difficulty with the determination of whether a project is a capital project or a maintenance project the Director of Engineering will decide the appropriate procurement strategy.

See Capital Programs User Guide for detailed instruction on project solicitations.

Emergency Procurement

In order to allow the City to respond to an emergency the City Manager has created a protocol for waving the bidding requirements for emergency procurements.

There are two thresholds governing emergency procurements: $0-$50,000 and >$50,000.

The Assistant Director of Finance & Procurement has discretion in waiving bidding requirements for emergency procurements less than $50,000.

The City Manager has discretion in waiving the bidding requirements for all emergency procurements greater than $50,000 which shall be reported to the council.

Categories of Emergency

Public Calamity

Made because of a public calamity that requires the immediate appropriation of money to relieve the necessity of the municipality's residents or to preserve the property of the municipality.

Public Health or Safety

Necessary to preserve or protect the public health or safety of the municipality's residents.

Unforeseen Damage

Necessary because of unforeseen damage to public machinery, equipment, or other property

Emergency Memorandums

Under $50,000 – The Department Director will submit an emergency memorandum to the Assistant Director of Finance – Procurement, outlining the circumstances and requesting a waiver of statutory bidding requirements. The memorandum must define the conditions that exist, give a background on the circumstances, cite the exemption in the statute that allows for the waiver, identify the estimated expenditure level that is requested and provide for legal review and approval of the emergency.

Over $50,000 – The Department Director will submit an emergency memorandum to the City Manager with a copy to the Assistant Director of Finance – Procurement, outlining the circumstances and re-questing a waiver of statutory bidding requirements. The memorandum must define the conditions that exist, give a background on the circumstances, cite the exemption in the statute that allows for the waiver, identify the estimated expenditure level that is requested and provide for legal review and ap-proval of the emergency.

Solicitation Development

The solicitation drafting phase of the Procurement Cycle involves coordination and collaboration. For these procurements, it is common for there to be a kick-off meeting with the key stakeholders (such as the Procurement Staff, end-user, subject-matter ex-perts, Contract Manager, legal personnel, and infor-mational technology representatives, if applicable) to discuss the requirements for administering the contract from solicitation issuance to contract close-out. The number of key stakeholders involved in the solicitation drafting activities increases relative to the complexity of the procurement.

Each solicitation is unique, so for the solicitation to be successful, the Procurement Staff must not only be familiar with the requirements of the department's needs, in terms of what is being procured, but also the applicable industry standards as well as the stat-utory requirements and procurement practices asso-ciated with the selected procurement method.

Procurement Lead Times

One of the first steps in the solicitation process is to consider the procurement lead time. Procurement lead time is the interval between a decision to pur-chase a product or service to when the contract is awarded. The suggested lead time is 75 days from requisition to completion, but this time frame will vary depending on the specific requirements of the department and the complexity of the procurement.

Lead Times by Activity

Activity	Days
Planning & Scope Development	10
Submit Requisition	1
Procurement Method Determination	2
Solicitation Development	5
Advertising Solicitation	30
Vendor Questions & Answers	3
Evaluation of Responses	10
Contract Negotiation (if allowed)	2
Council Action	20
Contract Execution	3
Total Including Department Activities	**86**

Additional Time Constraints

Several factors can add to the lead times on a pro-curement. These factors include but are not limited to:

- Technical Nature
- High-Profile
- Multi-Department
- Extended Advertising
- Time of Year
- Rescoping
- Grant Funding

The time required for Procurement Staff to finalize the solicitation document can vary depending on how well the scope of work or specifications are written by the end users.

Ethical Behavior

Department purchasers are the gatekeepers for the proper expenditure of the City's limited financial re-sources. They are entrusted to uphold the highest ethical standards and be good stewards of public

funds with every purchasing decision they make. Ethical behavior and integrity are fundamental tenets of the public officials that derive from values like "fairness," "honesty," and "accountability". When an individual's official duties clash with the individual's personal interests, a "conflict of interest" may occur. This conflict may impair one's judgment when trying to determine the proper course of action. Any erosion of public trust or perception of impropriety is detrimental to the integrity of the procurement process; therefore, all City employees involved in procurement activities must act in an ethical, impartial, transparent, and professional manner.

HR Policy 40 outlines the rules and responsibilities each employee is expected to follow. This policy specifically builds upon the City's municipal code Article V – Division 1 Rules of Conduct.

When in doubt please contact HR or your Department Director for guidance. You may be asked to be removed from the procurement if a conflict of interest exists. If you cannot be excused additional paperwork will be required to be kept in the procurement file.

Vendor Communication

Communication between purchasers and vendors is imperative and encouraged. If used effectively, communication with industry representatives is a vital resource for departments. Steps must be taken, however, to maintain a fair opportunity to compete for all vendors and avoid any appearance of favoritism. Department personnel must be mindful that one-on-one communications with vendors occurring prior to contract award are subject to enhanced scrutiny due to the importance of maintaining a "level playing field" among all eligible vendors during competitive procurements. If there is any doubt about appropriate communications with vendors, consult with Procurement and or department legal counsel.

Communication After Solicitation Posted

When the solicitation is issued, only vendor communication methods established in the solicitation are permitted. Designated points of contact should be established within the solicitation by the soliciting department to receive inquiries from vendors.

Opportunities for formal communication including pre-bid conferences that are open to all interested parties, and written question and answer (Q&A) periods are recommended. These opportunities are the only times when Procurement or the department can benefit from vendors' input after a solicitation is issued to make any necessary corrections to the solicitation through the addendum process.

Late Responses

Solicitation responses must be received by the due date and time established in the solicitation. If a response is received after this published date and time, it is considered a late response. Late responses will not be opened and the respondent will be notified that the response was rejected because it was not timely received.

Withdrawal of Response

A respondent may withdraw its response at any time prior to the closing date and time for the solicitation. The respondent's request to withdraw its response must be made in writing on company letterhead or by utilizing the vendor portal via Infor located on the supplier portal (digital submissions only).

Cancellation of Solicitation

The City may cancel a solicitation at any time prior to the closing date of the solicitation. If a solicitation is cancelled, the City must provide notice of the cancellation in the same manner as the issuance of the solicitation.

Vendor Selection

Overview

The third step of the procurement process is to select the vendor. Selection must be based on the criteria outlined in the solicitation. Evaluations must be conducted in a fair and impartial manner consistent with Texas law and in accordance with either the evaluation procedure published in the solicitation or, for informal bidding situations, established by the City's written procedure.

Administrative Review of Responses

After the responses are opened and recorded, Procurement staff must determine whether the submitted responses are responsive to the solicitation, and the firm has demonstrated their responsibility. Only responses that are both responsive to the solicitation and determined to be responsible are evaluated.

Responsive

To be considered responsive only if the response includes all the requested information in the format required by the solicitation. Each solicitation is drafted with minimum qualifications, and these must be demonstrated by each respondent to be considered. During the review procurement staff will score on a "pass/fail" basis for these qualifications.

Responsible

Depending on the nature of the solicitation additional factors may be considered in determining the responsibility of a respondent. This determination is based on, but not limited to, historical records, litigation history, current performance, bonding capability, and reference checks.

Single Responses

Prior to the evaluation of the bids, the procurement staff may investigate why the City received only one response to a competitive solicitation by inquiring with potential respondents to determine why they chose to not submit a response.
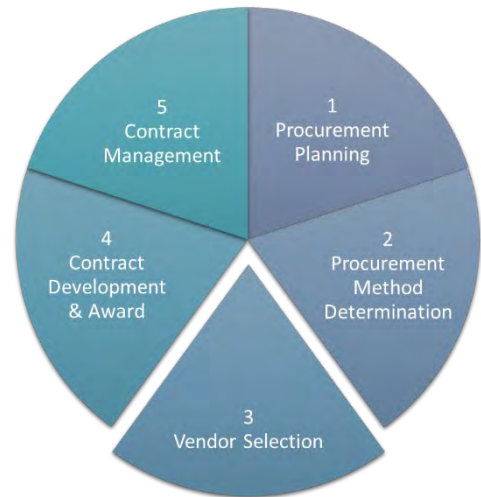
Evaluation – Bid Tabulation

Because RFBs are to be evaluated solely on objective criteria, the evaluation may be conducted by the Procurement Staff. As a general rule, bids must be tabulated when opened, but there are times when this is not practical. It is recommended that the bid tabulation be prepared within a maximum of three business days from the bid opening.

Care should be taken to ensure that the raw data is accurately transcribed into the mathematical formulas and that the mathematical formulas are properly loaded into electronic spreadsheets/workbooks when such electronic aids are used.

After contract award, the bid tabulation is subject to public disclosure under the Texas Public Information Act.

It is best practice for the bid tabulation to be reviewed by a second procurement staff member prior to finalization to ensure that the evaluation was conducted in conformance with applicable purchasing procedures and no errors were made during tabulation.

Tabulation Conflicts

As consistent with Chapter 252 of the Local Government Code **no changes** to Bid Price are accepted

after a bid opening. Bidders must either honor their bid price or withdraw their bid, recognizing they forfeit their bid bond.

Unit Price and figures column will be used to compute the actual Bid price, plus any combination of Add or Deduct Alternates.

In the case of discrepancy between the unit price and the total price, the unit price is presumed to be correct, and totals recalculated accordingly.

Evaluation – Committee

The evaluation committee is composed of subject matter experts and stakeholders. The committee should have a diverse relevant disciplinary expertise and knowledge of the product or service being procured. Because service on an evaluation committee involves a significant time commitment, care should be taken to ensure that each member selected as a scoring member is able to attend the committee meetings and oral presentations.

Evaluation committee selection should occur prior to receipt of the responses. This is especially critical for high-profile procurements. It is common for the evaluation committee members to have been involved in the procurement planning activities. Assigned Procurement staff member is usually designated as the committee chair, serving as a non-scoring member of the evaluation committee. Depending on the procurement, the Contract Manager may participate as either a scoring or non-scoring member. The scoring and non-scoring members of the committee must be noted in the procurement file.

The recommended size of an evaluation committee is three to five scoring members. To avoid potential individual bias, the committee should not have fewer than three scoring members. Depending on the procurement, the department may determine that a larger committee is necessary. There is no restriction as to how many individuals the department may include on an evaluation committee; however, good judgment dictates that the number of individuals on the committee be limited to the minimum required to accomplish its purpose.

Technical Review

Prior to evaluating the responses, Procurement Staff will schedule a meeting with the evaluation committee and any authorized technical advisors to provide initial procurement training and guidance on the evaluation process and the scoring matrix. Committee members will be assigned a number to use in place of their name to identify themselves on score sheets, this system should also be explained during the initial meeting. This meeting may be held as a separate meeting before the first committee meeting or at the beginning of the first committee meeting.

The committee members should be instructed as to their responsibilities including the critical nature of confidentiality and the integrity of the evaluation process. Care must be taken not to divulge information about other responses with a respondent. If any member of the committee is from outside the City, a non-disclosure agreement must be signed before the discussions may commence.

The evaluation committee members must be provided with the following documents, as applicable to the specific procurement:

- the entire solicitation, including all issued addenda and Q&A documents

- a list of responses submitted

- a copy of each response determined to be responsive and responsible

Each response must be evaluated independently against the evaluation criteria published in the solicitation and not compared to any other submitted response. The evaluation committee members must not conduct independent research; each member's evaluation must be based solely on his or her personal review of the response and other information specifically authorized by Procurement Staff or assigned legal counsel that is consistent with the solicitation (*e.g.*, written clarifications received from the

respondents, oral presentation material, and reference check information).

Discussion of the responses must only occur at an evaluation committee meeting with all scoring members present. It is common for the evaluators to conduct their evaluations at the same time in the same room; this can facilitate questions by committee members with each other as well as to Procurement Staff and technical advisors. However, it is an acceptable practice for the evaluators to review the responses from their respective workspaces and to engage in group discussions only at scheduled meeting times.

Scoring Matrix

The scoring matrix is a standardized form used by all the evaluation committee members to record the scores for each the response based on the evaluation criteria and weights published in the solicitation and, if applicable, unpublished sub criteria.

An example of the scoring matrix can be found in Appendix 9.

Technical Advisors

Depending on the procurement, the evaluation committee may seek assistance from technical experts within the agency to gain a better understanding of certain aspects of the responses. Technical Advisors are generally used when a particular area of subject matter expertise is not within the skill set of the evaluation committee members.

Technical advisors to the evaluation committee comply with the same non-disclosure and conflict of interest restrictions applicable to the evaluation committee. Accordingly, the technical advisors should not discuss the solicitation with anyone, even evaluation committee members, outside the committee meetings. Procurement Staff must coordinate all communication between the evaluation committee and authorized technical advisors to ensure the integrity of the evaluation process.

Price Component

The price component of the response is typically assessed as objective criteria. If the price criterion is to be evaluated using only a mathematical formula, such as for an RFB, then it may be scored by Procurement Staff. Unless prohibited by statute, it is recommended that the Procurement Staff review and score the price component as the last scoring element only after committee scores have been finalized or kept sealed from the committee until scores are finalized.

Clarification of Responses

As part of the initial evaluation, the evaluation committee may determine that clarification of a response is necessary prior to scoring. Accordingly, the evaluation committee may pose clarifying questions to a respondent in order to resolve conflicting information, apparent ambiguities, or minor clerical errors within the response. If a clarification to the response is necessary, Procurement Staff or legal counsel will contact the applicable respondent and distribute to the evaluation committee the written clarifications provided by the respondent. A respondent's clarification must be in writing and signed by an authorized representative.

The evaluation committee should be mindful that a respondent's clarifications may not be used to "cure" deficiencies in the response or to revise the response. The clarifications may only be used to understand the information provided in the response. It is important to note that a request for a respondent to clarify its response is not the same as negotiations of the specifications or terms and conditions as long as the request to clarify does not provide one respondent an advantage over another. Therefore, care must be taken not to inadvertently engage in negotiations

Competitive Range

After the technical evaluation scoring, Procurement Staff will determine the competitive range. The competitive range refers to those responses determined to be reasonably considered for award selection and is an objective means of narrowing the field of

respondents that will participate in subsequent evaluation activities such as interviews or oral presentations.

Agencies should look for a "natural break" in the scores that will determine the competitive range. The rationale for the competitive range determination should be documented in the procurement file.

Interviews – Oral Presentations

Oral presentations may be scheduled for all respondents or limited to the top ranked vendors in the competitive range. Procurement Staff must follow the process outlined in the solicitation to notify the respondents of the time and place for the oral presentations. If needed, before the oral presentation, the evaluation committee may prepare a list of clarification questions for the presenting respondents.

Oral presentations and demonstrations must be fair to all parties. The time allowed and the agenda format should be the same for all presenters. Because some presenters may believe there is an advantage to the order in which they present, it is best practice to draw names for the presentation order to ensure impartiality of the process.

Best and Final Offers

After any oral presentations or demonstrations are completed, discussions may be held. If discussions are held, respondents must be given equal opportunity to discuss and submit revisions to proposals. Revisions of proposals are normally accomplished by formally requesting Best and Final Offers (BAFOs) at the conclusion of discussions with a deadline set for receipt of BAFOs and including instructions as to exactly what should be submitted in response to the BAFO. After consideration of all BAFO responses, agencies may choose to down select to a smaller number of respondents with which to commence negotiations.

Evaluation Committee Recommendations

Once the evaluation process is completed, the committee chair will prepare, sign and date the master scoring matrix, and proceed with a recommendation to either award the contract to the highest ranked respondent without discussion, tentatively award the contract to the highest ranked respondent subject to successful completion of negotiations or not award the solicitation. It is recommended that each committee member review the master score sheet to verify the accuracy of the scoring. Particular care should be taken to ensure that the raw data is accurately transcribed into the mathematical formulas and that the mathematical formulas are properly loaded into electronic spreadsheets/workbooks when such electronic aids are used. If the solicitation allows, the evaluation committee may recommend a contract award to more than one respondent; provided, however, that the awarded respondents are the highest ranked in the evaluation.

Preferences

It is important to remember that any applicable preference must be considered in the scoring. See Local Preference section for more information.

Contract Development & Award

Overview

The fourth step of the procurement process is to enter into a legally enforceable contract that not only meets the department's business need but is also compliant with Texas procurement law. The contract between the department and the selected vendor may be in the form of either a PO or formal signed agreement. If a formal signed agreement is used, the PO documents the encumbrance of funds by the agency for the transaction.

Negotiations

An agency may negotiate terms and conditions during the procurement process. Not all procurement methods, however, allow for negotiation (RFBs). Prior to commencing negotiations, Procurement Staff must verify that negotiations are permitted under the applicable procurement method.

The end goal in a negotiation focused on performance results is a mutually beneficial agreement where the successful respondent makes a reasonable profit but also delivers the products/services on time with the highest possible quality.

Contract Formation

When negotiations are complete, a contract documenting the parties' negotiation and the terms and conditions of the performance must be finalized. Texas courts define a contract as a promise or a set of promises to which the law attaches legal obligation. The law regards the performance of these promises as a duty and provides a remedy for the breach of this duty. Contracts that deviate substantially from requirements defined in the solicitation are open to challenge from unsuccessful respondents.

Contract Contents

The essential elements necessary to form a binding contract are usually described as follows:

- Offer
- Acceptance
- Legal Purpose
- Consideration
- Certainty of Subject Matter
- Competent Parties

Offer – An offer is defined as the manifestation of the willingness to enter into a bargain so made as to justify another person in understanding that his assent to the bargain is invited and will conclude it.

Acceptance – Acceptance of an offer is a manifestation of assent to the terms thereof made by the offeree in a manner invited or required by the offer. An acceptance must not change the terms of an offer If it does, there is no "meeting of the minds" and the offer is rejected. A material change in a proposed contract constitutes a counteroffer, which must be accepted by the other party for there to be a binding contract between the parties.

Legal Purpose – The objective of the contract must be for a legal purpose.

Consideration – Consideration is present when each party receives something under the contract. The same concept can be described as "mutuality of obligation". Mutuality of obligation refers to the idea that both parties make binding promises under the contract.

Certainty of Subject Matter – To be enforceable, the parties must have agreed on the essential terms of the contract. A contract is legally binding only if the essential terms are sufficiently defined to enable a court to understand the parties' obligations.

Competent Parties – Parties to a contract must be competent and authorized to enter into a contract

Contract Award & Amendment

Once the contract or contract amendment has been finalized, Procurement must determine whether review by City Council is required and, if applicable, obtain the requisite approval(s) prior to execution of the contract or amendment.

See Council Agenda Process for information and estimated timelines.

Option Periods

If option periods were included in the contract terms, then departments have the option to extend on a term basis. A notice to extend or exercise option must be sent to contractor and agreed upon for extension to be valid. Please contact your procurement team for assistance on this process.

Contractor's Ethical Behavior Form

Part of the required paperwork included in our RFB, RFP, and RFQ packets is a ethics form. This form is to educate potential bidders that by submission of their bid they are agreeing that the Bidder's officers, employees, and agents will not attempt to lobby or influence a vote or recommendation related to the Bidder's bid. This essentially is a communication

blackout period bidders are agreeing to not contact City Council or other City Officials.

Violation of this ethics clause are grounds for the rejection of their bid, and they could be considered for disbarment.

This does not mean that bidders don't have the ability to voice concern over a procurement. The next few paragraphs describe the avenues bidders have to protest an award.

Protest of Award

These procurement protest procedures are applicable to procurement of goods or services by the City of Corpus Christi including where federal funds are used in whole or in part. These protest procedures are also made applicable to recipients awarded a grant of federal funds through the city of Corpus Christi who intend to provide such funds to sub recipients pursuant to an approved plan, project or activity. This protest process does not create any due process rights, but is intended to allow bidders/proposers to raise concerns regarding actions taken pertaining to a bid or other form of competitive solicitation.

The City's Chief Procurement Officer has the authority to settle or resolve any claim of an alleged deficiency or protest. The procedures for notifying the City of Corpus Christi of an alleged deficiency or filing a protest are listed below. If you fail to comply with any of these requirements, the Procurement Officer may dismiss your complaint or protest.

Grounds for Protest

Only protests alleging an issue concerning the following subjects will be considered:

1. Violation of local, state or federal regulation.
2. Issues with the solicitation document that creates an unfair advantage or unleveled playing field.
3. Errors in computing the tabulation or evaluation of a bid or proposal.
4. Discrepancies with material differences or quality of items or services

Protest Procedures

Prior to Bid/Proposal Due Date: If you are a prospective Bidder/Proposer and you become aware of the facts regarding what you believe is a deficiency in the solicitation or solicitation process before the Due Date for receipt of bids/proposals, you must notify the City in writing of the alleged deficiency no later than five days before the Due Date for bids/proposals, giving the City an opportunity to resolve the situation prior to the bid/proposal Due Date.

After Bid/Proposal Due Date: If you submit a bid/proposal to the City and you believe that there has been a deficiency in the solicitation process or the award, you have the opportunity to protest the solicitation process or the recommended award as follows:

1. You must file written notice of your intent to protest within five calendar days of the date that you know or should have known of the facts relating to the protest. If you do not file a written notice of intent within this time, you have waived all rights to protest the solicitation process or the award.

2. You must file your written protest within seven calendar days of the date that you notified the City of your intent to protest.

3. You must submit your protest in writing and must include the following information:

   a. your name, address, telephone, and fax number; and

   b. the solicitation number; and

   c. a detailed statement of the factual grounds for the protest, including copies of any relevant documents; and

   d. signature of the protestor and its representative and evidence of authority to sign; and

   e. the form of relief requested.

4. Your protest must be concise and presented logically and factually to help with the City's review.

5. When the City receives a timely written protest, the Procurement Officer will determine whether the grounds for your protest are sufficient. If the Procurement Officer decides that the grounds are sufficient, the Contracts and Procurement Office will schedule a protest hearing, usually within five (5) working days. If the Procurement Officer determines that your grounds are insufficient, the City will notify you of that decision in writing.

Informal Protest Hearing - The protest hearing is informal and is not subject to the Open Meetings Act. The purpose of the hearing is to give you a chance to present your case, it is not an adversarial proceeding. Those who may attend from the City are: representatives from the department that requested the purchase, the Legal Department, the Contracts and Procurement, and other appropriate City staff. You may bring a representative or anyone else that will present information to support the factual grounds for your protest with you to the hearing.

Protest Decision – A written decision will usually be made within 15 calendar days after the hearing. The City will send you a copy of the hearing decision after the appropriate City staff has reviewed the decision.

Exceptions; Restrictions – When a protest is filed, the City usually will not make an award until a decision on the protest is made. However, the City will not delay an award if the City Manager or the Procurement Officer determines that:

1. the City urgently requires the supplies or services to be purchased, or

2. failure to make an award promptly will unduly delay delivery or performance.

In those instances, the City will notify you and make every effort to resolve your protest before the award.

Federal Agency Review – Every protestor must exhaust all administrative remedies with the City of Corpus Christi as are provided in this Protest Procedure before pursuing a protest to the appropriate federal agency. Reviews of protests by the federal agency are limited to:

1. violations of federal law or regulations and the standards set out in the relevant regulations (44 CFR § 13.36.10, 24 CFR § 85.36(b)(12), 24 CFR § 84.41 or as otherwise may be applicable); and

2. violations of the City's Protest Procedures for failure to review a complaint or protest.

Any protests received by the federal agency other than those specified above will be referred to the City for handling and resolution.

Contract Management

General Guide to Contract Management

Contract Management is vital to ensure the contract is performed satisfactorily and the responsibilities of both parties are properly discharged. Effective contract management prevents, minimizes, and resolves problems and potential claims and disputes. For contract management to be successful, the Contract Manager must be involved throughout the Contract Cycle.

Contract Management Responsibilities

The Contract Manager is responsible for ensuring that all contract terms and requirements are satisfied, that the product and or services are delivered in a timely manner, and that the financial interests of the City are protected.

List of Primary Responsibilities

The primary responsibilities of the Contract Manager including but not limited to the following:

- Serving as the Point of Contact for all communications to and from the contractor regarding all matters pertaining to the contract

- Implementing quality controls and monitoring contract processes and performance

- Keeping records of previously stated contract performance and findings

- Consulting with the City legal counsel to address legal concerns and or issues

- Managing, proposing, and documenting any changes to the contract through the amendment process authorized by the terms of the contract

- Inspecting and approving the products and or services before accepting any deliverable or request of receipt.

  o Responsible for documenting, or collecting documents from end user, if inspection and approval of goods requires end user input

- Verifying accuracy of invoices prior to authoring payments subject to the terms of the contract

- Monitoring contract budget to determine sufficient funds are available throughout the term of the contract

- Maintaining contract records in accordance with the rules outlined by the City's Secretary for said records

- Performing contract closeout or renewal process

  o Closeout

    ▪ Ensuring records are updated both physical and digital

    ▪ Recording vendor performance

o Renewal

- New Contract - Sending requisition requests to Procurement Department

- Pursuing Option - Notifying agency of intent to enact any approved options

Contract Management Restrictions

Contract managers are not authorized to:

- Allow the contracting agency to commence work or deliver goods prior to full execution of the contract

- Change the scope or extend the terms of the contract without complying with the formal amendment process outlined by the contract

- Authorize the contracting agency to perform work outside the terms defined/expressed or that are not funded through the terms of said contract

- Allow the contractor to recover costs incurred prior to the effective date outline in the contract

- Allow the contract to recover costs above the budgeted limit set by the contract

Contract Payment

Purchase Order (PO)

Most contracts will be setup to be paid by purchase order. A requisition is entered with the good or service description. The requisition is then sent to Procurement staff to write/develop the PO that will be submit to the contractor.

Payment Card (P-Card)

A contract can be setup to have payment authorized via a P-Card. These payments need to be coordinated between the P-Card holder and Procurement staff to ensure the payment can be processed.

Payment Disputes

Circumstances where it may be necessary to withhold payment include, but are not limited to, the following:

- Invoice Errors

- Undocumented and or Unsupported Costs

- Remediation for Overpayment is under review

- Performance is Non-Conforming or Unacceptable as outlined in the Contract

Contract Performance Reporting

Performance reporting is an essential function of contract management. The Contract Manager/Contract Coordinator is responsible for performing evaluations of each contract under their purview. It is important to note that all contract performance should primarily be measured against the terms and requirement outlined in the contract.

In an effort to simplify the reporting process 2 forms have been developed to record performance evaluations. The first form is for service contracts and the second for commodity contracts.

Service Contract Evaluation Form

Commodity Contract Evaluation Form

Link to fillable PDF – Intranet

Contractor Debarment

Contractor Debarment is the formal process for excluding or prohibiting a contractor from participation in contracting with the City. Debarment can occur because of direct/indirect actions by a contractor and are outlined in the sections below.

Appendix 8 is an outline of the debarment process.

Causes for Debarment

Including but not limited to:

- Conviction, plea of guilty or nolo contendere to, civil judgement for, or public admission to:

  o Fraud or criminal offense in connection with obtaining, attempting to obtain, or performing a public contract or subcontract

  o A crime or offense related to business of the contractor, or affecting the responsibility of the contractor

  o Any offense indicating a lack of business integrity or business honesty that seriously and directly affects present responsibility

- Based on evidence for the following:

  o Any serious, significant, or material breach of a contract

  o Failure to complete a contract or abandoning work

  o Failure to promptly correct defective or substandard work discovered within the contract period or before the end of the warranty period

  o Failure to perform work in accordance with the terms of the contract

  o Based on a history of failing to perform in a good and workmanlike manner, or of unsatisfactory performance

  o Failure to comply with federal, state, or local laws or regulations

  o Failure to pay its employees as required by law or otherwise engaging in theft of services

  o Failing to complete the work on any public works contract within the time allowed

  o Knowingly fail to timely disclose to the city overpayment

  o Any other cause so serious or compelling that it affects the present responsibilities of the contractor

See Article IV Section 41 for additional causes or detail.

Procedures for Debarment

The process for debarment of all commodity and services contracts is the same for construction and public work contracts. The only deviation is commodity and service contracts go to the Finance Procurement Department, whereas the construction and public work contracts go through Engineering. The procedural documentation for this process can be found here.

A summary of the steps in the process they are as follows:

1. A complaint is sent to Assistant Director of Finance Procurement

2. If previously stated complaint warrants a debarment, a notification of proposed debarment will be sent to the contractor

3. A debarment hearing will be held

4. The debarment decision is then made by the AD of Finance Procurement

5. If debarred, a contractor can make an appeal to the City Manager within a 30-day period

6. If the previous decision is upheld by the City Manager a further appeal can be made to the City Council, but only if the City Manager or a Council Member requests its review.

Effects of Debarment

Debarred Contractors are excluded from:

- Receiving City contracts

- Conducting business with the City as agents or representative of other contractors

- Acting as individual sureties

- Acting as subcontractors or suppliers

- Any activity in connection with any City contract or project

Excluded Parties List (EPL)

The Finance Procurement office operates the list of excluded parties, also known as the EPL.

This list includes the names, addresses, and termination dates for all contractors debarred from City contract participation.

Contract Amendments

Contract amendments fall into two major categories:

Minor Amendments – Amendments that are zero sum changes or add time to a contract no greater than 25% of the term not to exceed 6 months.

Major Amendments – Amendments that increase or decrease a contract value or add time greater than 25% or exceed 6 months.

Minor Amendments can be processed by Contract Administrators and do not require Procurement Authorization.

Major Amendments require Procurement Authorization and could require Council Consideration.

Documentation on the Contract Amendment Process is under development due to the impending upgrades to the Infor System. Please contact Procurement for Information or Questions regarding Amendments.

Additional Procurement Procedures

Procurement Cards (P-Card)

The Purchase Card (P-Card) program is intended to ease the administrative burden for small-dollar purchases that are not on an annual contract. P-Cards are bank cards used by authorized City employees to procure authorized goods and services.

Card Types

- **Purchase Cards** – General Use cards for purchases up to established limits.

- **Travel Cards** – Cards to be used for or during work authorized travel

- **Executive Cards** – Cards issued to City Executive team members

- **Fuel Cards** – Cards issued specifically to purchase fuel for City vehicles

Card Limits

All P-Cards have a single swipe limit of up to $3,000 and a monthly limit of up to $12,000

Card Restrictions

General Restrictions (Applies to all P-Cards)

- Professional Services

- Materials and Services under and existing annual contract

- High technology items

- No component, separate or sequential purchases (State Law)

- Payment systems that require a purchase to create an account and deposit funds

- Gift Certificates, Store Value Cards/Gift Cards

- Cash advances, money orders, or cash refunds

- Internet gambling, alcoholic beverages, cash refunds, tobacco products, and other items blocked specifically by MCC.

P-Cards shall not be used to circumvent any existing Corpus Christi purchasing policy or guideline. If recurring purchases of the same services or commodity will be made throughout the fiscal year, notify Procurement, and inquire about procuring an annual contract for that good or service.

Unique Restrictions (Applies to Specific Card Types)

Purchase Cards

- Travel & Transportation

- Dine-In Restaurants (catering services allowed)

- Fuel for any vehicle

Travel Cards

- Non-Travel related purchases

- Fuel for personal vehicles

Executive Cards have no unique restrictions

Fuel Cards – May ONLY be used for fuel for authorized City vehicles

Receipts & Records Retention

Receipt Requirements – At a minimum, receipts must include the date of the transaction, the supplier's name, time of transaction, and location of the supplier.

Receipt Tracking – All receipts must be submitted, either directly from the purchaser or through the reconciler, into the Wells Fargo account.

Lost Receipts – For purchases where a receipt is obtained but later lost, Cardholders should first request a duplicate copy from the supplier. If a copy is no longer available, Cardholders must complete and submit a Missing Receipt Form.

See Retention Requirements

Sales Tax

Sales Tax – The City of Corpus Christi is provided an exemption from franchise tax and sales tax. P-Card users should make every effort to not pay sales tax on purchases. Repeat offenses for not removing sales tax could result in the removal of P-Card privileges.

Sales Tax Exemption Forms

Exemptions

Emergency Situations – As determined by the Assistant Director of Finance or designee, the restrictions placed on the use of purchase cards may be waived. This includes the ability to raise the transaction limits.

Pre-Approval – A memo, sent to Procurement, requesting a temporary or premiant limit increase or restriction removal may be authorized if a justification can be established. Departments are asked to copy executive leadership on the requesting memo.

Misuse of P-Card

Monthly Audits – Card data will be monitored and audited monthly to ensure compliance. All restricted purchases will be flagged and reported to department heads, and the executive leadership team.

Disciplinary Measures – Depending on the seriousness of the purchasing violation, repercussions could include deactivation of P-Card, and up to a referral to Human Resources that could result in Employee Termination.

Repair of City Vehicles and Equipment

No repairs, appraisals or alterations to City vehicles will be conducted without the authorization of the **City's Fleet Manager**. The following bullets only outline the quoting and bid requirements for repairs and do not define the steps needed to attain the repair. For those requirements, please refer to the City's Fleet Policies.

Procurement Requirements for Repairing City Vehicles & Equipment

- Under $3,000 – One written quote/estimate

- $3,000 – $50,000 requires at least two written quotes/estimates and must include two Historically Underutilized Businesses (HUB), if available, so a PO can be issued.

- Over $50,000 requires formal advertised bids facilitated by Procurement Staff and are Approved by Council.

- Repairs that are paid for by private insurance companies for damages caused by others do not require multiple estimates at the discretion of Fleet Management.

High Technology Procurement

Any purchase of High Technology products/services need to be coordinated through the City's Information Technology Department. High Technology items include but are not limited to software applications, telecommunication devices, radio communication devices, electronic distributed control systems, computers, and any technical services tied to any of the forementioned devices/applications. When seeking to purchase any technology items a department should first consult with the IT Department and may be referred to procurement if requested item does not meet the criteria needed for their involvement. Email or written documentation will be required by procurement staff in order to initiate procurement outside of IT. The IT Department may group items for larger orders in the event multiple departments have

the need for the same equipment/services. If the procurement reaches the threshold either individually or combined for Council Approval, Department Directors will all be asked to be present when the procurements are presented to City Council and may be called upon to help justify the procurement or field questions about the funding mechanism.

City Surplus/Salvaged Property Disposal or Sale

City departments shall comply with section 17-6 of the City's Code of Ordinances when disposing of surplus/salvaged property owned by the City, except for library books and museum artifacts. The department director must determine that the item is of no further use; the city manager or designee must determine any further City use or public use, determine value and notify Financial Services Assistant Director of Procurement to dispose of the property.

Disposal or Sale of Surplus & Salvaged Property

Delegation of Responsibility

The Assistant Director of Finance has been delegated by the City Manager as the responsible party for matters pertaining to the disposal of surplus & salvaged property.

Steps for Disposal or Sale

- Initial Notification
  If a department identifies property for disposal or sale, they shall send written notification to the AD of Finance indicating it has personal property belonging to the City which is of no further public use and wishes to have it sold off or disposed of.
- Determinations
  The AD of Finance will determine if identified property may have use to another department, and or if the value of the property is more or less than the amount set by Chapter 17 Section 6

- Polling of City Departments
  The department may be instructed to send an email out City Wide offering the identified property to all departments.

  If interest is showed by a department the two parties will coordinate the transfer of property and provide written notice to Asset Management

- Further Action
  If identified property does not receive any interest, the originating department shall notify the AD of Finance. At that time the AD of Finance will determine if identified property must be publicly sold/salvaged or if it may be disposed of as garbage.
  If equipment is to be sold pictures and a general description of the item will be provided by the initiating department and must be held/stored until it's sale/salvage.

Vending Machine Acquisition and Responsibilities

Vending Machine Acquisition

The City's Procurement Division will coordinate all contracts related to vending machines with the City.

Vending Machine Operation Responsibilities

Reporting

Each vendor contract will identify the responsible department for maintaining records for the commissions earned from vending machines and proving a monthly record to the Finance Accounts Receivable Division, as well as ensuring the revenues are recorded to the proper general ledger account and fund.

Restocking

The vendor on contract will be responsible for re-stocking machines, and the managing department will be the point of contact for any issues regarding stock levels.

Purchase Order Authorization

Only Procurement Division staff is authorized to issue Purchase Orders.

Instructions for creating a Purchase Order (PO)

Procurement Record Retention

Procurement Records Retention Information for bid requisition/authorizations, invitations to bid or propose, bid specifications, awarded and unawarded bids, and bid tabulation/evaluations.

The "Record Copy" of all, Procurement Initiated, bid documents are the digital files and folders held on the Procurement Department's OneDrive.

Competitive Solicitation Documents (Bids)

Bid Documentation 09/01/2015 and After

After Closed (or terminated, completed, expired, or settled) plus 7 years.

Bid Documentation 08/31/2015 and Prior

Fiscal Year End plus 3 Years.

Invalid Bids

After Closed (or terminated, completed, expired, or settled) plus 2 years.

Requests for Information

After Closed (or terminated, completed, expired, or settled).

Vendor Records (W-9)

After Closed (or terminated, completed, expired, or settled) plus 3 years.

Contract Administration Files

Contracts, leases, and agreements include general obligation, land lease, utilities, and construction except for buildings. Documents include specifications, affidavits of publication of calls for bids, performance bonds, contracts, purchase orders, inspection reports, and correspondence.

Infor (Rich Client & Laserfiche) is the system of record for all contract, lease, and agreements. A "Convenience Copy" of these records is housed on the Procurement OneDrive system.

Contract Administration Files 09/01/2015 and After

After Closed (or terminated, completed, expired, or settled) plus 7 years.

Contract Administration Files 08/31/2015 and Prior

After Closed (or terminated, completed, expired, or settled) plus 4 years.

Purchase Card Receipts

Under Record Series Item No. (RSIN) 4.1 General Accounting Records under section 4.8.001 Banking Records the retention schedule for credit card statements, reconciliations, and other records is Fiscal Year End plus 3 Years.

https://www.tsl.texas.gov/slrm/rrs

The "Record Copy" for each transaction will be the digital record kept on the Wells Fargo Commercial Electronic Office. A storage agreement has been established with Wells Fargo that they will maintain records for up to 7 years from the transaction date.

When a record has reached its retention close all record dispositions will be consistent with the current rules and regulations as outline by state law and by policy set by our City Secretary's Office.

Physical receipts upon their digitization will become "working" or "convenience" copies that can be disposed of in accordance with the guidelines provided by the policy set by our City Secretary's Office.

Departments may maintain a "Record Copy" for purposes outside the retention needs defined in this section. Those records will be maintained and stored in accordance with the rules governing them and are not governed by this Policy.

Process Workflows

Procurement Flowchart

It's important to note that when a procurement becomes high-profile the assigned executive leadership member essentially replaces the role of the department at decision points. This does not mean the department will be excluded from the process.

Summary Process including days:

Normal Request
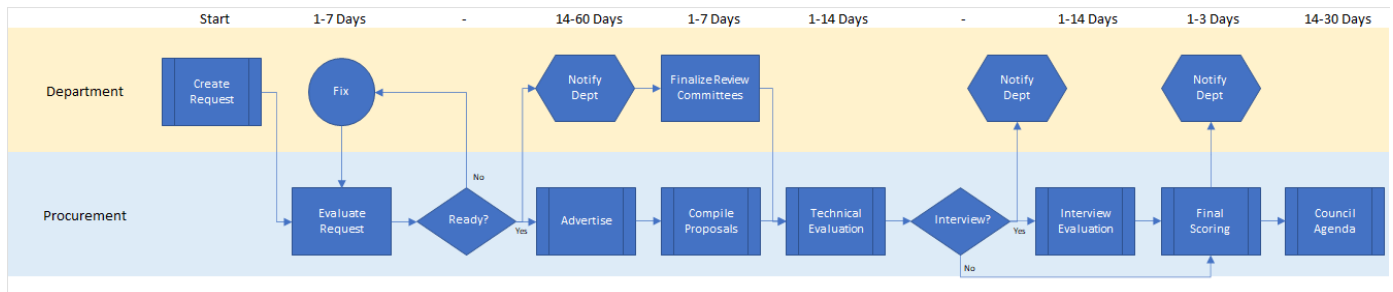
High Profile Request
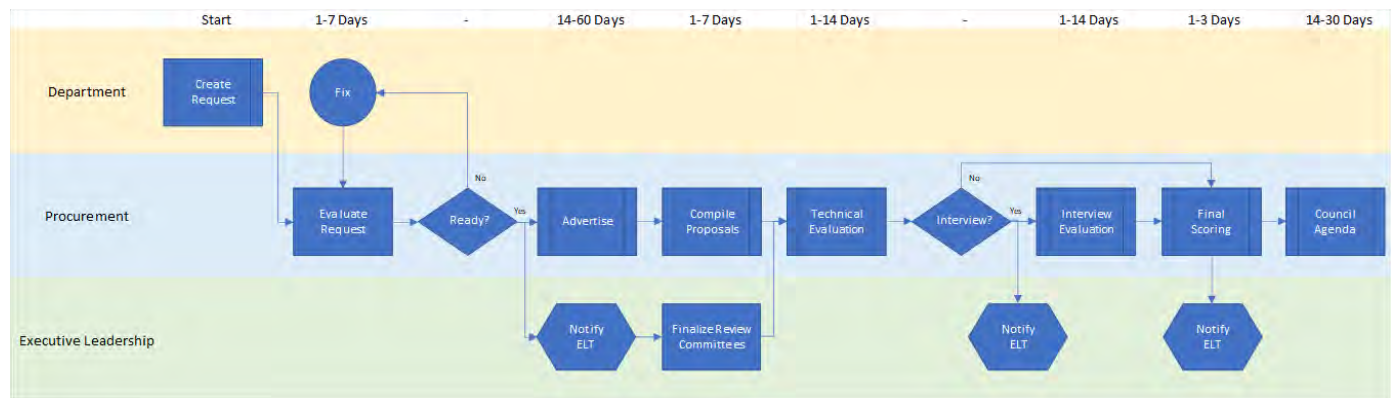
Agenda Process Overview

Our agenda development workflow utilizes our Legistar software system. Once a procurement is completed the procurement officer will develop a Legistar item number. This number will be provided to the requesting/originating department for tracking purposes. Procurement staff will then use an Agenda template and populate the basic item information as well as the procurement detail section. This section will include all the details of the procurement including but not limited to the type of solicitation, sourcing information, number of responses, any deviation to our standard procurement practices, and any other information pertinent to the procurement. The item will then be uploaded to a unique workflow based on the requesting/originating department, including any special considerations, to the approval process. The basic workflow should be as follows:

- Procurement – Procurement details

- Requesting/Originating Department – Item detail, background, history, alternatives, and fiscal impact

- Legal – Confirms validity of council action requested and develops motion/ordinance/etc.

- Finance – Validates funds availability/certifies funding

- Budget – Validates purpose of funds/source chosen

- Department Leadership – Final department review

- Finance & Procurement Management – Final procurement review

- Executive Leadership – Review of request

- Agenda Coordinator – Review of request

- City Manager – Final review before publishing/inclusion on agenda

Legistar tracks items through this approval process, which allows management to identify delays, approvals, and rejections before its presented for review to the City Manager. With the Managers approval the item is then placed on the City Council Agenda for council consideration.

Upon approval from the City Council the item is placed on record with the City Secretary's Office, and the procurement officer over the solicitation begins development of the formal award notifications.

Forms & Templates

Requisition Forms

RFP/RFQ Template

Active Cooperative List

Award Letter (Informal)

Award Letter (Formal)

Bond Checklist

Insurance Checklist

Agenda Memo Template

High Profile Purchases / Contracting

Score Matrix Summary Template

Score Matrix Individual Template

Local Preference Guide

Pre-Bid/Submittal Conference Agenda

Interview Invitation Letter

Emergency Memo Template

Procurement Policy Compendium
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PRO-001 Procurement Authority

> **ℹ** City Charter Article X Sec. 1 – General Powers (Ord. No. 030930, § 16, 11-8-2016) & Sec. 2 – Contracts (Ord. No. 030930, § 17, 11-8-2016)

The City's Procurement Division is authorized to govern all procurements for the City of Corpus Christi. Procurement responsibilities include ensuring compliance with all federal, state, and local laws, the oversight of all City procurement practices, the documentation of City-wide procurement policies, and the administration of all procurements.

PRO-002 Procurement Legal Requirements

> **ℹ** City Charter Article X Sec. 2 – Contracts & Texas Government Code Chapter 252 Purchasing and Contracting Authority of Municipalities & Texas Government Code Chapter 271 Purchasing and Contracting Authority of Municipalities, Counties, and Certain Other Local Governments & Texas Government Code Chapter 2161 Historically Underutilized Businesses & Texas Government Code Chapter 2252 Contracts with Governmental Entity & Texas Government Code Chapter 2254 Professional and Consulting Services

The City shall comply with all Procurement related provisions of all Texas State statues, the City Charter, and City Procurement Policies. Texas State statutes include Local Government Code, Chapters 252 and 271 establishing the requirements that control the solicitation, evaluation and award of contracts exceeding the $50,000 level established by state law and Government Code, Chapters 2252 and 2254, establishing the requirements for contracts with government entities and procurement processes for professional consulting services. The City Charter's Article X, Section 2 supports the requirements established by the State of Texas statutes. City policies establish the specific methods and programs used by the City to carry out the procurement function.

PRO-002.1 Approved Competitive Procurement Methods

All procurements must adhere to City Procurement policies and procedures, in addition to any governing code established by the State or Federal Government. The following methods of procurement are used to purchase items and services needed by the City. Templates are available for all of these solicitation documents through the Procurement Division.

PRO-002.1.1 Cooperative Purchasing

The State has granted the City the ability to utilize purchasing cooperatives that have procured goods and services on a state or national basis. If a cooperative is used, the purchasing requirements have already been met. Please contact the Procurement Division for an updated list of cooperatives that are approved for use and the process to access those cooperatives.

PRO-002.1.2 Request for Bid

A request for bid (RFB) is a solicitation document issued by the Procurement Department to potential offerors for the cost associated with the purchase of equipment or supplies as described in the document.

PRO-002.1.3 Request for Proposals

A request for proposal (RFP) is a solicitation document that announces a project or service, describes it, and solicits bids from qualified contractors to complete it.

PRO-002.1.4 Request for Qualifications

A request for qualifications (RFQ) is a solicitation document that lists the criteria and requirements of a project or service and requests that potential offerors submit statements of qualifications, including a demonstration of their ability to complete the project or service.

PRO-002.1.5 Request for Quote

A request for quote is a solicitation issued by the City for the cost of a good or service (Section X).

PRO-002.2 Historically Underutilized Businesses (HUB)

All solicitations for goods >$3,000 but ≤ $50,000 must include at least 2 HUB vendors. A Historically Underutilized Business (HUB) is a business in which at least 51 percent of the business is owned, operated, and controlled by one or more minority groups (American Women, Black Americans, Hispanic Americans, Asian Pacific Americans, or Native Americans or Service-Disabled Veterans) who are economically disadvantaged and who have been historically underutilized because of their identification as members of these groups.

The City's Comptroller's Office maintains the catalog of HUB organizations and the online searchable database can be found at the link below:

https://mycpa.cpa.state.tx.us/tpasscmblsearch/tpasscmblsearch.do

PRO-003 Local Preference

> ℹ️ Texas Local Government Code, Section 271.901 (b), Texas Local Government Code, Section 271.905, Texas Local Government Code, Section 271.9051, Reserved for Local Preference Ordinance

When it is the desire of the City to allow for local bidder preference, the City must adhere to the following four situations addressed in the Texas Local Government Code:

PRO-003.1 Tie Bids

If two or more bidders have bids identical in nature and amount, with one bidder being a resident of the city and the other bidder or bidders being non-residents, the city council must select the resident bidder.

PRO-003.2 3% >$500k real/personal property (2023)

If a local government receives one or more bids from a bidder whose principal place of business is in the local government and whose bid is within three percent of the lowest bid price received by the local government from a bidder who is not a resident of the local government, the local government may enter into a contract with [either]...the lowest bidder; or...the bidder whose principal place of business is in the local government if the governing body of the local government determines, in writing, that the local bidder offers the local government the best combination of contract price and additional economic development opportunities for the local government

created by the contract award, including the employment of residents of the local government and increased tax revenues to the local government.

PRO-003.3 5% <$500k real/personal property (2023)

The City is authorized to enter into a contract with either: (1) the lowest bidder; or (2) a bidder whose principal place of business is in the city and whose bid is within five percent of the lowest bid price, if the governing body determines that the local bidder offers the city the best combination of contract price and additional economic development opportunities, including the employment of residents of the local government and increased tax revenues. Except for only up to $100k for construction services and not applicable to certain telecommunication services.

PRO-003.4 Professional Services, Revenue, and Concession Contracts

In procuring professional services under the Professional Services Procurement Act, Government Code § 2254.004, the managing department may, when appropriate, award up to twenty (20) points to a respondent based upon knowledge of, and experience regarding, local conditions as part of the qualification's determination.

In procuring other professional services not governed by statute, revenue and concession contracts, the managing department may, when appropriate, award ten (10) points to a respondent that is a city business headquartered within the incorporated limits of the city, or five (5) points to a respondent that is a city business not headquartered within the incorporated limits of the city.

For respondents submitting responses as a joint venture to solicitations for professional services not governed by statute, revenue and concession contracts, the following is applicable: (1) For joint ventures, ownership and location of the individual entities entering into a joint venture relationship may be considered in the award of points. To be considered for points, at least one of the entities must be a city business; and (2) Allocation of points for joint ventures may be determined by the percentage of ownership by a city business(es). If the city business entity(ies) is (are) headquartered within the incorporated limits of the city for one year or more, the managing department may, when appropriate, allocate a percentage of ten (10) points based upon the percentage of city business ownership in the joint venture. If the city business entity(ies) is (are) not headquartered within the incorporated limits of the city for one year or more, the managing department may, when appropriate, allocate a percentage of five (5) points based on the percentage of city business ownership in the joint venture.

PRO-003.5 Texas Government Code, Section 2252

The City must give a preference to local businesses if there are out-of-state bidders that have bid on the contract and the out-of-state bidder or manufacturer is located in a state that discriminates against out-of-state bidders in its bid awards in favor of local bidders. If the non-local bidder is from a state where in-state bidders are not given preference over Texas bidders, then the Texas bidder does not have any advantage over the non-Texas bidder.

PRO-003.6 Exceptions

The City maintains the right to reject any or all bids.

- This program does not apply to any contract in which the federal government participates in the form of a grant or loan, or the city acts as a conduit for federal money.

- This program does not apply to contracts in which the contracting department has determined that it would unduly interfere with contract needs. In such cases, the department director shall make this exception known in writing to the procurement official managing the solicitation.

- This section does not apply to the purchase of telecommunications services or information services, as those terms are defined by 47 U.S.C. Section 153.

PRO-004 Procurement of Goods

> ℹ️ Texas Government Code Chapter 252 Purchasing and Contracting Authority of Municipalities & Texas Government Code Chapter 271 Purchasing and Contracting Authority of Municipalities, Counties, and Certain Other Local Governments & Texas Government Code Chapter 2161 Historically Underutilized Businesses

- Under $3,000 – Can be purchased by P-Card (No Professional Services) or Purchase Order (PO) and requires one verbal or written quote.

- $3,000 – $50,000 requires at least three written quotes and must include two Historically Underutilized Businesses (HUBs), if available, so a PO can be issued. (Section PRO-002.2)

- Over $50,000 requires formal advertised bids facilitated by Procurement Staff and are Approved by the City Council.

PRO-004.1 Signature Authority

Summary of Authority

Assistant Director of Finance & Procurement	Contracts for the purchase of goods and services in the amount up to and including $50,000. Contracts after City Council approval over $50,000.
Director of Engineering	Contracts constituting a public work in the amount up to and including $25,000.
Executive Leadership Team	Contracts constituting a public work in the amount greater than $25,000 not to exceed $50,000.

The current list of signature authority is maintained by the legal department and is available by request.

PRO-004.2 Requisitions

Requisitions are required to request a purchase orders/supply or service agreements or for formal solicitations.

For decentralized/informal purchasing the departments will submit a requisition that includes all documents needed to demonstrate that procurement procedures were followed and will recommend the lowest, responsive, responsible vendor.

If a supply or service agreement is needed, the Procurement Division will complete these agreements and work with the vendor to get the agreement executed.

If a formal solicitation is needed the requisition will be used to provide the scope of work/specifications and other requirements needed so that the solicitation can be prepared by the Procurement Division. The Procurement Division will work closely with the Department to develop the solicitation and will include the Department in all aspects of the process.

PRO-005 Procurement of Professional and Non-Professional Services

> ℹ️ Texas Government Code Chapter 2161 Historically Underutilized Businesses & Texas Government Code Chapter 2252 Contracts with Governmental Entity & Texas Government Code Chapter 2254 Professional and Consulting Services

The City shall procure Professional and Consulting Services, in compliance with the Texas Government Code Chapter 2254, also known as the Professional Services Procurement Act. Professional services include accounting, architecture, landscape architecture, land surveying, medicine, optometry, professional engineering, real estate appraising, and nursing. A professional service also includes a service that is mental or intellectual, rather than physical or manual, and/or a service that requires special knowledge or attainment and/or special technical training that results in a high level of expertise and judgment.

PRO-005.1 Request for Bids

Competitive solicitation (RFBs) is recommended for all non-professional services up to and including $50,000. Justification is required as to how the firm was chosen and a record of negotiation on the price agreed must be included. Exemptions to a competitive solicitation can be found in section 5.3.

PRO-005.2 Request for Proposal or Request for Qualifications

Formal solicitation (RFP & RFQ) is required for all professional and non-professional services over $50,000. Selection and award will be based on:

1. The proposal or qualification that best demonstrates the ability to perform the services; and

2. Fair and reasonable price.

PRO-005.3 Exemptions

Competitive bidding process is prohibited to obtain services of architects, engineers, certified public accountants, land surveyors, physicians, optometrists, landscape architects, geoscientists or state-certified real estate appraisers, or the services of those providers that are members of disciplines requiring special knowledge or attainment and a higher order of learning, skill, and intelligence. Texas Government Code 2254 defines which fields are considered to be Professional Services.

PRO-006 Capital and Public Works Procurement

> ℹ️ City Charter Chapter 41 Sec. 41-1 to 41-20 – Public Works (Ord. No. 030533, § 1, 6-16-2015)

For all city projects, Engineering Services acts like a Program Management Office tasked with

managing capital projects. In that capacity, Engineering will identify stakeholders, develop project requirements, communicate project constraints, sequence activities, gain required approvals, bid construction projects, ensure contractor performance, process payments to

contractors and commercially close out projects. As an integral part of project delivery,

Engineering Services manages the procurement of all Architects, Engineers and Construction

Contractors. Engineering Services will ensure that capital projects receive the requisite plan approvals and code inspections from Development Services. The determination of whether projects are capital or maintenance is based on the project's scale and complexity. Engineering Services will manage the procurement of design professionals and construction bids for capital projects. When there is difficulty with the determination of whether a project is a capital project or a maintenance project the Director of Engineering will decide the appropriate procurement strategy.

PRO-007 Emergency Procurement

> **i**   City Charter Article X Sec. 2 – Contracts

The City Manager has discretion in waiving the bidding requirements for all emergency procurements greater than $50,000 which shall be reported to the council as stated in the Texas Government Code Chapter 252.022 and City Charter, Article X, Section 2. The Assistant Director of Financial Services for Procurement has discretion in waiving bidding requirements for emergency procurements less than $50,000.

PRO-007.1 Emergency procurements:

PRO-007.1.1 Public Calamity

Made because of a public calamity that requires the immediate appropriation of money to relieve the necessity of the municipality's residents or to preserve the property of the municipality.

PRO-007.1.2 Public Health or Safety

Necessary to preserve or protect the public health or safety of the municipality's residents.

PRO-007.1.3 Unforeseen Damage

Necessary because of unforeseen damage to public machinery, equipment, or other property

PRO-007.2 Emergency Memorandums

Under $50,000 – The Department Director will submit an emergency memorandum to the Assistant Director of Finance – Procurement, outlining the circumstances and requesting a waiver of statutory bidding requirements. The memorandum must define the conditions that exist, give a background on the circumstances, cite the exemption in the statute that allows for the waiver, identify the estimated expenditure level that is requested and provide for legal review and approval of the emergency.

Over $50,000 – The Department Director will submit an emergency memorandum to the City Manager with a copy to the Assistant Director of Finance – Procurement, outlining the circumstances and requesting a waiver of statutory bidding requirements. The memorandum must define the conditions that exist, give a background on the

circumstances, cite the exemption in the statute that allows for the waiver, identify the estimated expenditure level that is requested and provide for legal review and approval of the emergency.

PRO-008 Contract Management

> ℹ️ City Charter Article X Sec. 2 – Contracts, Article IV – Contractor Debarment

Contract Management is vital to ensure the contract is performed satisfactorily and the responsibilities of both parties are properly discharged. Effective contract management prevents, minimizes, and resolves problems and potential claims and disputes. For contract management to be successful, the Contract Manager must be involved throughout the Contract Cycle.

PRO-008.1 Contract Management Responsibilities

The Contract Manager is responsible for ensuring that all contract terms and requirements are satisfied, that the product and or services are delivered in a timely manner, and that the financial interests of the City are protected.

PRO-008.1.1 List of Primary Responsibilities

The primary responsibilities of the Contract Manager including but not limited to the following:

- Serving as the Point of Contact for all communications to and from the contractor regarding all matters pertaining to the contract

- Implementing quality controls and monitoring contract processes and performance

- Keeping records of previously stated contract performance and findings

- Consulting with the City legal counsel to address legal concerns and or issues

- Managing, proposing, and documenting any changes to the contract through the amendment process authorized by the terms of the contract

- Inspecting and approving the products and or services before accepting any deliverable or request of receipt.

- Responsible for documenting, or collecting documents from end user, if inspection and approval of goods requires end user input

- Verifying accuracy of invoices prior to authoring payments subject to the terms of the contract

- Monitoring contract budget to determine sufficient funds are available throughout the term of the contract

- Maintaining contract records in accordance with the rules outlined by the City's Secretary for said records

- Performing contract closeout or renewal process

  o Closeout

    ▪ Ensuring records are updated both physical and digital

    ▪ Recording vendor performance

o   Renewal

- New Contract - Sending requisition requests to Procurement Department

- Pursuing Option - Notifying agency of intent to enact any approved options

PRO-008.1.2 Contract Management Restrictions

Contract managers are not authorized to:

- Allow the contracting agency to commence work or deliver goods prior to full execution of the contract

- Change the scope or extend the terms of the contract without complying with the formal amendment process outlined by the contract

- Authorize the contracting agency to perform work outside the terms defined/expressed or that are not funded through the terms of said contract

- Allow the contractor to recover costs incurred prior to the effective date outline in the contract

- Allow the contract to recover costs above the budgeted limit set by the contract

PRO-008.2 Contract Payment

PRO-008.1.1 Purchase Order (PO)

Most contracts will be setup to be paid by purchase order. A requisition is entered with the good or service description. The requisition is then sent to Procurement staff to write/develop the PO that will be submit to the contractor.

PRO-008.1.2 Payment Card (P-Card)

A contract can be setup to have payment authorized via a P-Card. These payments need to be coordinated between the P-Card holder and Procurement staff to ensure the payment can be processed.

PRO-008.1.3 Payment Disputes

Circumstances where it may be necessary to withhold payment include, but are not limited to, the following:

- Invoice Errors

- Undocumented and or Unsupported Costs

- Remediation for Overpayment is under review

- Performance is Non-Conforming or Unacceptable as outlined in the Contract

PRO-008.3 Contract Performance Reporting

Performance reporting is an essential function of contract management. The Contract Manager/Contract Coordinator is responsible for performing evaluations of each contract under their purview. It is important to note that all contract performance should primarily be measured against the terms and requirement outlined in the contract.

In an effort to simplify the reporting process 2 forms have been developed to record performance evaluations. The first form is for service contracts and the second for commodity contracts.

PRO-008.3.1 Service Contract Evaluation Form

PRO-008.3.2 Commodity Contract Evaluation Form

While the links above takes you to a fillable forms via our intranet repository, sample forms can be found in Appendix 7.

PRO-008.4 Contractor Debarment

Contractor Debarment is the formal process for excluding or prohibiting a contractor from participation in contracting with the City. Debarment can occur because of direct/indirect actions by a contractor and are outlined in the sections below.

PRO-008.4.1 Causes for Debarment

- Including but not limited to:

    o Conviction, plea of guilty or nolo contendere to, civil judgement for, or public admission to:

    o Fraud or criminal offense in connection with obtaining, attempting to obtain, or performing a public contract or subcontract

    o A crime or offense related to business of the contractor, or affecting the responsibility of the contractor

    o Any offense indicating a lack of business integrity or business honesty that seriously and directly affects present responsibility

- Based on evidence for the following:

    o Any serious, significant, or material breach of a contract

    o Failure to complete a contract or abandoning work

    o Failure to promptly correct defective or substandard work discovered within the contract period or before the end of the warranty period

    o Failure to perform work in accordance with the terms of the contract

    o Based on a history of failing to perform in a good and workmanlike manner, or of unsatisfactory performance

    o Failure to comply with federal, state, or local laws or regulations

    o Failure to pay its employees as required by law or otherwise engaging in theft of services

    o Failing to complete the work on any public works contract within the time allowed

    o Knowingly fail to timely disclose to the city overpayment

    o Any other cause so serious or compelling that it affects the present responsibilities of the contractor

See Article IV Section 41 for additional causes or detail

PRO-008.4.2 Procedures for Debarment

The process for debarment of all commodity and services contracts is the same for construction and public work contracts. The only deviation is commodity and service contracts go to the Finance Procurement Department, whereas the construction and public work contracts go through Engineering. The procedural documentation for this process can be found in the attachment below.

Debarment Process in Appendix 8.

To summarize the steps in the process they are as follows:

1. A complaint is sent to Assistant Director of Finance Procurement

2. If previously stated complaint warrants a debarment, a notification of proposed debarment will be sent to the contractor

3. A debarment hearing will be held

4. The debarment decision is then made by the AD of Finance Procurement

5. If debarred, a contractor can make an appeal to the City Manager within a 30-day period

6. If the previous decision is upheld by the City Manager a further appeal can be made to the City Council, but only if the City Manager or a Council Member requests its review

PRO-008.4.3 Effects of Debarment

Debarred Contractors are excluded from:

1. Receiving City contracts

2. Conducting business with the City as agents or representative of other contractors

3. Acting as individual sureties

4. Acting as subcontractors or suppliers

5. Any activity in connection with any City contract or project

PRO-008.4.5 Excluded Parties List (EPL)

The Finance Procurement office operates the list of excluded parties, also known as the EPL.

This list includes the names, addresses, and termination dates for all contractors debarred from City contract participation.

PRO-008.5 Contract Amendment Process

Contract amendments fall into two major categories:

Minor Amendments – Amendments that are zero sum changes or add time to a contract no greater than 25% of the term not to exceed 6 months.

Major Amendments – Amendments that increase or decrease a contract value or add time greater than 25% or exceed 6 months.

PRO-009 Procurement Card (P-Card) Program

> ℹ️ Texas Tax Code Title 3. Local Taxation, Subtitle C. Local Sales and Use Tax, Chapter 321. Municipal Sales and Use Tax Act, Subchapter A. General Provisions, Texas Administrative Code, Title 13, Chapter 6, Section 6.10

The Purchase Card (P-Card) program is intended to ease the administrative burden for small-dollar purchases that are not on an annual contract. P-Cards are bank cards used by authorized City employees to procure authorized goods and services.

PRO-009.1 Definitions

- Reserved for Definitions

PRO-009.2 Card Types

Purchase Cards – General Use cards for purchases up to established limits.

Travel Cards – Cards to be used for or during work authorized travel

Executive Cards – Cards issued to City Executive team members

Fuel Cards – Cards issued specifically to purchase fuel for City vehicles

PRO-009.3 Card Limits

All P-Cards have a single swipe limit of up to $3,000 and a monthly limit of up to $12,000

PRO-009.4 Card Restrictions

General Restrictions (Applies to all P-Cards)

- Professional Services

- Materials and Services under and existing annual contract

- High technology items

- No component, separate or sequential purchases (State Law)

- Payment systems that require a purchase to create an account and deposit funds

- Gift Certificates, Store Value Cards/Gift Cards

- Cash advances, money orders, or cash refunds

- Internet gambling, alcoholic beverages, cash refunds, tobacco products, and other items blocked specifically by MCC.

P-Cards shall not be used to circumvent any existing Corpus Christi purchasing policy or guideline. If recurring purchases of the same services or commodity will be made throughout the fiscal year, notify Procurement, and inquire about procuring an annual contract for that good or service.

Unique Restrictions (Applies to Specific Card Types)

Purchase Cards

- Travel & Transportation

- Dine-In Restaurants (catering services allowed)

- Fuel for any vehicle

Travel Cards

- Non-Travel related purchases

- Fuel for personal vehicles

Executive Cards have no unique restrictions

Fuel Cards – May **ONLY** be used for fuel for authorized City vehicles

PRO-009.5 Receipts & Records Retention

Receipt Requirements – At a minimum, receipts must include the date of the transaction, the supplier's name, time of transaction, and location of the supplier.

Receipt Tracking – All receipts must be submitted, either directly from the purchaser or through the reconciler, into the Wells Fargo account.

Lost Receipts – For purchases where a receipt is obtained but later lost, Cardholders should first request a duplicate copy from the supplier. If a copy is no longer available, Cardholders must complete and submit a Missing Receipt Form.

PRO-009.5.1 Texas State Records Retention Schedule

Under Record Series Item No. (RSIN) 4.1 General Accounting Records under section 4.8.001 Banking Records the retention schedule for credit card statements, reconciliations, and other records is Fiscal Year End + 3 Years.

https://www.tsl.texas.gov/slrm/rrs

The "Record Copy" for each transaction will be the digital record kept on the Wells Fargo Commercial Electronic Office. A storage agreement has been established with Wells Fargo that they will maintain records for up to 7 years from the transaction date.

When a record has reached its retention close all record dispositions will be consistent with the current rules and regulations as outline by state law and by policy set by our City Secretary's Office.

Physical receipts upon their digitization will become "working" or "convenience" copies that can be disposed of in accordance with the guidelines provided by the policy set by our City Secretary's Office.

Convenience copies of receipts may be uploaded into Laserfiche for easy access in accordance with previously mentioned policies set by the City Secretary's Office.

PRO-009.6 Sales Tax

Sales Tax – The City of Corpus Christi is provided an exemption from franchise tax and sales tax. P-Card users should make every effort to not pay sales tax on purchases. Repeat offenses for not removing sales tax could result in the removal of P-Card privileges.

PRO-009.7 Exemptions

Emergency Situations – As determined by the Assistant Director of Finance or designee, the restrictions placed on the use of purchase cards may be waived. This includes the ability to raise the transaction limits.

Pre-Approval – A memo, sent to Procurement, requesting a temporary or premiant limit increase or restriction removal may be authorized if a justification can be established. Departments are asked to copy executive leadership on the requesting memo.

PRO-009.8 Misuse of P-Card

Monthly Audits – Card data will be monitored and audited monthly to ensure compliance. All restricted purchases will be flagged and reported to department heads, and the executive leadership team.

Disciplinary Measures – Depending on the seriousness of the purchasing violation, repercussions could include deactivation of P-Card, and up to a referral to Human Resources that could result in Employee Termination.

PRO-010 Repair of City Vehicles, and Heavy Equipment

> **i**   City Charter Article X Sec. 2 – Contracts

No repairs, appraisals or alterations to City vehicles will be conducted without the authorization of the City's Fleet Manager. The following bullets only outline the quoting and bid requirements for repairs and do not define the steps needed to attain the repair. For those requirements, please refer to the City's Fleet Policies.

PRO-010.1 Procurement Requirements for Repairing City Vehicles & Equipment

Under $3,000 – One written quote/estimate

$3,000 – $50,000 requires at least two written quotes/estimates and must include two Historically Underutilized Businesses (HUBs), if available, so a PO can be issued. (Section PRO-002.2)

Over $50,000 requires formal advertised bids facilitated by Procurement Staff and are Approved by Council.

Repairs that are paid for by private insurance companies for damages caused by others do not require multiple estimates at the discretion of Fleet Management.

PRO-011 High Technology Procurement

Any purchase of High Technology products/services need to be coordinated through the City's Information Technology Department. High Technology items include but are not limited to software applications, telecommunication devices, radio communication devices, electronic distributed control systems, computers, and any technical services tied to any of the forementioned devices/applications. When seeking to purchase any technology items a department should first consult with the IT Department and may be referred to procurement if requested item does not meet the criteria needed for their involvement. Email or written documentation will be required by

procurement staff in order to initiate procurement outside of IT. The IT Department may group items for larger orders in the event multiple departments have the need for the same equipment/services. If the procurement reaches the threshold either individually or combined for Council Approval, Department Directors will all be asked to be present when the procurements are presented to City Council and may be called upon to help justify the procurement or field questions about the funding mechanism.

PRO-012 City Surplus/Salvaged Property Disposal or Sale

> **ℹ** City Code of Ordinances Chapter 17 Article 1 Sec. 6 – Sale of City Property (Conditions)

City departments shall comply with section 17-6 of the City's Code of Ordinances when disposing of surplus/salvaged property owned by the City, except for library books and museum artifacts. The department director must determine that the item is of no further use; the city manager or designee must determine any further City use or public use, determine value and notify Financial Services Assistant Director of Procurement to dispose of the property.

PRO-012.1 Disposal or Sale of Surplus & Salvaged Property

PRO-012.1.1 Delegation of Responsibility

The Assistant Director of Finance has been delegated by the City Manager as the responsible party for matters pertaining to the disposal of surplus & salvaged property.

PRO-012.1.2 Steps for Disposal or Sale

1. Initial Notification

If a department identifies property for disposal or sale, they shall send written notification to the AD of Finance indicating it has personal property belonging to the City which is of no further public use and wishes to have it sold off or disposed of.

2. Determinations

The AD of Finance will determine if identified property may have use to another department, and or if the value of the property is more or less than the amount set by Chapter 17 Section 6

3. Polling of City Departments

The department may be instructed to send an email out City Wide offering the identified property to all departments.

If interest is showed by a department the two parties will coordinate the transfer of property and provide written notice to Asset Management

4. Further Action

If identified property does not receive any interest, the originating department shall notify the AD of Finance. At that time the AD of Finance will determine if identified property must be publicly sold/salvaged or if it may be disposed of as garbage.

If equipment is to be sold pictures and a general description of the item will be provided by the initiating department and must be held/stored until it's sale/salvage.

PRO-013 Vending Machine Acquisition and Responsibilities

> **i** NOTE: Each Facilities Department Director is responsible for identifying all vending machines at their facility and identifying and removing any machines not authorized under contract. Please contact Procurement immediately if a vending machine is installed without request.

PRO-013.1 Vending Machine Acquisition

The City's Procurement Division will coordinate all contracts related to vending machines with the City.

PRO-013.2 Vending Machine Operation Responsibilities

PRO-013.1.1 Reporting

Each vendor contract will identify the responsible department for maintaining records for the commissions earned from vending machines and proving a monthly record to the Finance Accounts Receivable Division, as well as ensuring the revenues are recorded to the proper general ledger account and fund.

PRO-013.1.2 Restocking

The vendor on contract will be responsible for restocking machines, and the managing department will be the point of contact for any issues regarding stock levels.

PRO-014 Purchase Order Authorization

> **i** City Charter Article X Sec. 2 – Contracts

Only Procurement Division staff is authorized to issue Purchase Orders.

PRO-014.1 Reserved.

Glossary

Addendum

A written addition, change or supplement to a solicitation issued prior to the opening date.

Amendment

Written addition or change to a contract.

Appropriation

Legislative authorization to expend public funds for a specific purpose.

Assignment

Transfer of contractual rights from one party to another party.

Award

The act of accepting an offer, thereby forming a contract between the City and a vendor.

Bid

An offer to contract with the City, submitted in response to an RFB.

Bid Bond

A guarantee to the City that the entity will complete the work if selected.

Bid Tabulation

The recording of bids and bid data submitted in response to an RFB. The bid tabulation is used for comparison, analysis, and record keeping.

Bidder

An individual or entity that submits a bid. The term includes anyone acting on behalf of the individual or entity that submits a bid, such as an agent, employee or representative. See Respondent

Bidders List

A list of all vendors, suppliers, and entities that have expressed an interest in doing business with the City. See CCMBL.

Breach of Contract

Failure to perform a contractual obligation.

Change Order

An amendment, clarification, change, or deletion to the original scope of work to a contract.

City of Corpus Christi

City of Corpus Christi (hereinafter referred to as "The City") is a political body with power to exercise all powers of local self-government.

Class and Item

The classification system found in the National Institute Governing Procurement (NIGP) Commodity Book.

Closing Date

The date and time that offers or proposals are due in response to a solicitation. Used interchangeably with the term "Opening Date".

Commodity

Generally, the term means supplies, materials or equipment.

Commodity Book

A list of all NIGP class and item numbers maintained on the Texas Comptrollers website.

Competitive Sealed Bidding

Process of advertising a Request for Bids (RFB), the evaluation of the submitted bids, and awarding of the contract in accordance with state and local laws.

Competitive Sealed Proposals

Process of advertising a Request for Proposals (RFP), the evaluation of the submitted proposals, and awarding of the contract in accordance with state and local laws.

Competitive Solicitation

The process of inviting and obtaining responses from competing vendors in response to advertised competitive specifications, by which an award is made based on the terms of the solicitation. The process contemplates giving potential vendors a reasonable opportunity to compete, and requires all vendors be placed on a level playing field. Each respondent must demonstrate their responsibility and responsiveness when responding to the advertisement. All specifications, terms and conditions must be met to be considered.

Component Purchases

Purchases of the component parts of an item that in normal purchasing practices would be made in one purchase.

Consultant

A person or entity that provides or proposes to provide the service of studying or advising the City under a contract that does not involve the traditional relationship of employer and employee.

Consulting Services

The service of studying or advertising the City under contract that does not involve the traditional relationship of employer and employee.

Contract

A legally enforceable agreement between two or more parties.

Contractor

An individual or business entity that has a contract to provide goods or services to the City.

Cooperative Purchasing

A cooperative purchasing program allows State and Local governments to purchase products and services through specific scheduled contracts. These contracts leverage a larger buying volume than one local entity could achieve, which has the potential to allow for more favorable pricing. Each cooperative must adhere to competitive solicitation guidelines set by the state in order to be used by the City.

Corpus Christi Master Bidders List (CCMBL)

A digital directory, maintained by Procurement, containing contact information and service/product categories of vendors registered to receive procurement opportunities from the City.

Debarment

An exclusion from contracting or subcontracting with the City on the basis of any cause set forth in statute or by Procurement rule, commensurate with the seriousness of the offense, performance failure, or inadequacy to perform.

Equivalent Product

A product that is comparable in performance and quality to the specified product.

Escalation Clause

A clause in a contract providing for a price increase or decrease under certain specified circumstances.

Executive Leadership Team

The City of Corpus Christi's Executive Leadership Team made up of the City Manager, Chief of Staff, Chief Operating Officer, Chief Financial Officer, and Assistant City Managers.

Fiscal Year (FY)

A period of 12 consecutive months, beginning October 1 of each year and ending on September 30 of the next year.

Goods

The term means supplies, materials or equipment.

Grant

An award of financial assistance, including cooperative agreements, in the form of money, property in lieu of money, or other financial assistance paid or furnished by the state or federal government to carry out a program in accordance with rules, regulations and guidance provided by the grantor agency.

High Technology Equipment/Services

Equipment or Services of a specialized technology or that is highly technical nature, especially one that involves complex electronics or computing.

Historically Underutilized Business (HUB)

A business as defined by Chapter 2161 of the Texas　Government Code and 34 TAC § 20.282.

Informal Solicitation

An unsealed, competitive solicitation used to obtain offers submitted verbally or in writing for purchases with a value of $50,000 or less.

Inspection

Examination and/or testing of merchandise to determine whether it has been received in the proper quantity and condition and to verify that it conforms to the applicable specifications.

Inspection Report

A report made as a result of the agency's inspection, informing the buyer of a product's compliance with advertised specifications

Interlocal Agreement (aka Interlocal Contract)

Written understanding between local government entities, a local government entity and a federally recognized Indian tribe, or a local government entity and a state agency of Texas or another state as authorized by Chapter 791 of the Texas Government Code.

Invoice

Document from a contractor requesting payment for goods delivered and/or services rendered.

Late Response

A response that is received after the date and time established for receipt of responses to a solicitation.

Lease Purchase

An installment sale which gives the lessee the right to purchase equipment or other fixed assets at an agreed upon price under certain conditions. Title passes from seller to agency if and at the time the option to purchase is exercised.

Life-Cycle Costing

A procurement cost analysis technique which considers operating, maintenance, acquisition price, and other costs of ownership in the award of contracts to ensure that the item acquired will result in the lowest total ownership cost during the time the item's function is required.

Liquidated Damages

A specified contract provision that entitles the State to demand a set monetary amount determined to be a fair and equitable repayment to the State for loss of service due to contractor's failure to meet contract requirements.

Local Area

An area within the Corpus Christi city limits.

Local Business

A business with a principal place of business in the local area.

Manufacturer's Price List

A price list published in some form by the manufacturer and available to and recognized by the trade.

The term does not include a price list prepared especially for a particular solicitation.

Minor Technicality

A requirement in a solicitation which, if waived or modified by the agency when evaluating responses, would not give a respondent an unfair advantage over other respondents or result in a material change in the contract.

Multiple Award Contract Procedure

A purchasing procedure by which Procurement establishes one or more levels of quality and performance and makes more than one award at each level.

Negotiations

A consensual bargaining process in which the parties attempt to reach agreement on a disputed or potentially disputed matter. In a contractual sense, negotiation means the "dealings conducted between two or more parties for the purpose of reaching an understanding".

Notice of Award

An official announcement of an executed contract. For Procurement, the term also refers to a letter signed by the AD of Finance & Procurement or designee which creates a contract.

Offer

A proposal to contract with the City submitted in response to a solicitation.

Opening Date

The date and time that bids are due in response to an RFB. Used interchangeably with the term "Closing Date".

Operating Lease

A contract granting the lessee the use of equipment or other fixed assets for a specified time in exchange for payment. Title remains with the contractor.

Out of State Bidder

For purposes of the reciprocal preference law, a person whose principal place of business is not in Texas.

Payment Bond

A deposit, pledge, or contract of guaranty supplied by a contractor to protect the City against loss due to the contractor's failure to pay subcontractors and or material suppliers.

Performance Bond

A deposit, pledge, or contract of guaranty supplied by a contractor to protect the City against loss due to the contractor's inability to complete the contract as agreed.

Posted Date

The date a document is made available online to the public.

Purchase Card (P-Card)

A commercial charge card that is predominantly used for transactions that require payment upfront. Departments may only use commercial charge cards under regulations established by Policy.

Professional Services

Services that involve labor & skill that is predominately mental or intellectual, rather than physical or manual; disciplines requiring special knowledge or attainment and a high order of learning, skill, and intelligence. Services directly related to the professional practices specified by the Professional Services Procurement Act, Chapter 2254, Subchapter A, of the Texas Government Code.

Proposal

An offer to contract with the City, submitted in response to an RFP.

Protest Procedures

Procedures for resolving vendor protests relating to purchasing issues.

Public Opening

The public opening of bids, offers, or proposals, in which the names of the respondents to a solicitation are publicly read and recorded. No prices are divulged at an qualification or proposal opening as these types of solicitations are subject to negotiation. Typically these are conducted via webcast.

Purchase Order

A document issued by a customer to a seller, indicating types, quantities, and agreed prices for products or services the seller will provide to the customer.

Request for Bid (RFB)

A written solicitation requesting the submission of bids; also referred to as a bid invitation.

Request for Information (RFI)

A general invitation to the vendor community requesting information that may be used in a potential future solicitation.

Request for Price Quote (RFPQ)

An informal request to a vendor or vendors requesting a price for a good or service. If the quotes exceed $50,000 a formal solicitation must be issued.

Request for Proposals (RFP)

A written solicitation requesting the submission of proposals.

Request for Qualifications (RFQ)

A written solicitation requesting the submission of qualifications or specialized services. Typically used for the procurement of professional services.

Responsive

The bid, offer, or proposal complies with all material aspects of the solicitation document, including submission of all required documents.

Responsible

The bidder must be able to demonstrate they meet the minimum criteria to be considered. This includes but is not limited to historical performance and bonding.

Scope of Work

A section of a solicitation that provides a detailed description of the products and services to be provided by the vendor.

Sealed Bids or Proposals

A response which is kept secure and unopened until after the due date and time specified in the solicitation.

Separate Purchases

Purchases, made separately, of items that in normal purchasing practices would be made in one purchase.

Sequential Purchases

Purchases, over a period, of items that in normal purchasing practices would be made in one purchase.

Service

The furnishing of skilled or unskilled labor or professional work.

Solicitation

A document such as an RFB, RFPQ, RFP or RFQ requesting responses from vendors to provide specified goods and services. The term also refers to the process of obtaining responses from vendors to provide specified goods and services.

Specifications

The "line item" descriptors within a solicitation that define the good or service that the vendor must offer to be considered for award.

Standard

The established and fixed measure used in assessing quality or performance.

Statute

A law enacted by the state or federal government.

Texas Bidder

For the preference to resolve tie bids, "Texas bidder" means a business (1) incorporated in Texas, (2) that has its principal place of business in Texas, or (3) that has an established physical presence in Texas.

Unit Price

The price for a good or service in accordance with the unit of measure provided in the solicitation.

Vendor

A potential provider of goods or services to the City.

APPENDIX

Requisition Guide
REQUISITION GUIDE TABLE OF CONTENTS

Introduction to Requisitions

The Infor Requisition Center (RQC) module will bring many exciting changes to the way the City will process requisitions, purchase orders, receiving, and payments. These changes will help expedite the purchasing process and empower sites with many new reports and tracking features.

Using RQC you will be able to enter, approve, and receive orders online. Orders using City money, grants, and tax credits can all be entered through RQC.

Designating Requester(s) and Approver(s)

Each site must designate a "Requester"; the Requester is the person responsible for entering requisitions into RQC. The Requester will obtain quotes, check for HUB vendors and follow the Purchasing policies. Each site may also designate an alternate "Requester(s)".

Requisitions will now flow through the Purchasing Division for approval. A Buyer from the Purchasing Division will review all requisition documentation and verify that the purchasing procedures are being followed.

Each site will also need to designate an "Approver"; this person is responsible for approving RQC requisitions. Each site may also designate an alternate "Approver(s)". Personnel who would generally fill that role include Assistant Directors, Financial Superintendents, or Division Managers. The Purchasing Manager's electronic signature will be at the bottom of all Purchase Orders.

Each site will also need to designate a "Receiver"; this person is responsible for entering receivers into RQC. The Receiver will verify that all merchandise is in acceptable condition and the correct quantity is entered. Personnel who generally fill this role are field personnel, Work Coordinator, or other Clerical Staff.

Please contact the Purchasing Department if you need assistance or have further questions regarding site "Requesters", "Approvers", and "Receivers".

Important Changes

Along with the Infor system came a few changes in roles and processes. New roles and responsibilities were created, we are streamlining the purchasing process to ensure departments understand and follow Purchasing policies and procedures. Commodity Codes are replacing Category Codes, Accounting Units are replacing how you enter the accounting string, and each accounting unit will contain a Mission Element. Example: 4200-33000-042 will be a part of a single field rather than breaking up the accounting string into three different fields. Knowing your Mission Element will affect your budget. Budgets will be checked at the requisition stage and not PO stage. The "Requester" will enter a Requisition and the "Approver" will be responsible for approving or rejecting the requisition.

Notes, Tips, Cautions

This User Guide incorporates "Notes, Tips and Cautions" visual cues throughout to indicate an important note, a helpful tip, or to denote a caution or warning.

📄 Note ☑ Tip 💣 Caution/Warning

Purchasing Procedures

Below are the Purchasing Procedures set in place by the Purchasing Division. The procedures are not optional and should be followed for every departmental purchase.

1. **Quotes are not required for purchases of $3,000 or less.** Pending available funds, using departments may obtain supplies and services from the vendor that has the item available for immediate shipment, without having to obtain pricing from another vendor. However, departments are instructed to be price cognizant of the item they are purchasing to ensure the City is obtaining the best value for the purchase. Additionally departments should utilize a rotational system that allows all vendors the opportunity to supply the city's needs for these incidental purchases. Vendors are encouraged to contact City departments that use their products or services, to be placed on the rotation list (bidders list) for the items they would like to supply the City. An "Incidental Purchasing Contact List" is provided for reference.

   For requisitions less than $3,000.00 you are still required to load some sort of support document containing the vendor's contact information the price quoted, special fees, and the delivery date. When then invoices are submitted to Accounts Payable and there is a discrepancy your Jr. Buyer will need a document to reference. Vendor quotes or screen shots of online catalogs are preferred.

2. **For purchases >$3,000 and <=$50,000** three written quotes must be solicited, and a Purchasing division Buyer must be contacted to obtain a list of Historically Underutilized Businesses (HUBs) that sell the product or service the department is buying. State law requires the City to contact at least two HUBs, on a rotating basis, for purchases of more than $3,000, but less than $50,000.

   Exceptions to the above procedures are as follows:

   - Capital Outlay items (=>$5,000) are to be sent to the Purchasing Division for processing.

   - Items under supply or service agreement are to be purchased from the vendor under contract.

   - Items purchased through state or federal agencies are to be sent to Purchasing. Examples include items purchased through: CPA – Texas Comptroller of Public Account's state term contracts

     o TXMAS – Texas Multiple Awards Schedule

     o DIR – Department of Information Resources

     o TIBH – Texas Industries for the Blind and Handicapped

     o GSA – General Services Administration, Schedules 70 and 84

   - Items purchased through cooperative purchasing programs (Coops) are to be sent to Purchasing. Co-ops currently used by the Purchasing Division are:

     o HGAC – Houston Galveston Area Cooperative

- o BuyBoard

- o TCPN – the Cooperative Purchasing Network

- o U.S. communities

- o TIPS/TAPS

- o National Joint Powers Alliance Cooperative Purchasing

All Purchases >$50,000 must be sent to the Purchasing Division for advertising and award by City Council (When you create the requisition in Infor you will select that a Sourcing Event is required on the Basic tab.)

Item Type/Item Master

Item types are the categories in which an item is being requested. The use of these item types and how they are set up is done in the Inventory Control file. Below are the definitions of each item types:

1. Non-Stock ("N") – Ordered frequently but not enough to be considered an inventory item. These are items that are on a master contract.

2. Special Item ("X") – Referred to as a good. These items are not set up as an inventory or on a master contract.

3. Services ("S") – Referred to as a service. These items are not set up anywhere and require a manual entry requisition. When selecting a service, Requesters must indicate whether you will be charged for the service by dollar "Amount" or a "Quantity and Cost". All Service requests being performed on City Property will require valid proof of insurance. Contact Risk Management prior to the service being performed on City Property; Risk will provide you with an outline of the insurance that is required.

Hot Keys in Smart Office

There are many hot keys or "shortcut" keys that can be used to speed up the navigation and/or processing on a screen.

Esc	→ Closes context menus, opened windows and messages
Spacebar	→ Selects and clears checked boxes and radial buttons
Tab	→ Moves the cursor forward between open fields and buttons
Shift + Tab	→ Moves the cursor backward between open fields and buttons
Ctrl + R	→ Moves the cursor to the Start of the open fields in the title bar
Ctrl + Tab	→ Switches to the next application in the taskbar
Ctrl + Shift + Tab	→ Switches to the previous application in the taskbar
Ctrl + Shift + F10	→ Shows the Canvas context menu
Ctrl + Shift + U	→ Toggles the visibility of the Magnifier
Ctrl + W	→ Switches to the next Information Widget on the Canvas
Ctrl + Shift + W	→ Switches to the previous Information Widget on the Canvas
Ctrl + Alt + Space	→ Minimize or restore all open windows
Alt + F4	→ Shut down/Log off
Ctrl + Shift + K	→ Blanks the form from where the cursor is and forward
Ctrl + Shift + X	→ Clears the entire form
Ctrl + Shift + Y	→ Clears the field that the cursor is sitting in

Major Purchasing Classes – Approval Flow

Depending on the dollar amount thresholds you will be required to list a purchasing class on your requisition. The following codes will follow a different approval process: General Purchase (GEN), Inventory (INV), Sole Source (SS), Service (SERV), Capital (CAP), Contract (CON), Cooperative Purchase (COOP), Municipal Information Systems (MIS), Change Order (CO), Lease (LEAS), and Capital Programs (CPG).

General Purchase Order **(GEN)**
Requisitions that are for a Special Type Items must have GEN as the purchasing class. When creating a requisition that requires both a Special item and Service to be performed from the same vendor for a project you will use the major purchasing class of SERV for each line item to include the special type item.

Sole Source **(SS)**
Requisitions that are for a Sole Source vendor must have SS as the purchasing class. You will still need to provide Sole Source documentation. Sole Source items are items protected by patents, copyrights, secret processes, and or natural monopolies.

Service **(SERV)**
Requisitions that are for a Service, not under a current Purchasing contract must have SERV as the purchasing class.

Capital **(CAP)**

Requisitions that are for Capital Equipment (An item that has a life expectancy of one (1) or more years and a purchase price of five thousand dollars ($5,000) or more.) must have CAP as the purchasing class.

Contract **(CON)**

Requisitions for items or Services under contract by the Purchasing Division must have CON as the purchasing class.

Cooperative Purchase **(COOP)**

Requisitions for items purchased through cooperative purchasing programs (coops), state or federal agencies must have COOP as the purchasing class.

Municipal Information Systems **(MIS)**

Requisitions for technology equipment, under the responsibility of the Municipal Information Systems (MIS) Department, such as desk top computers, laptops, cell phones, IP phones, servers, etc. must have a purchasing class of MIS.

Change Order **(CO)**

Only a Purchasing Division Buyer will be able to create a change order to a purchase order. If a quantity needs to be increased on a purchase order item, then the initial Requester will create a new requisition. Purchase orders will not be revised at the department level in Infor.

Lease **(LEAS)**

Requisitions for Real Estate leases must have the purchasing code of LEAS.

Capital Programs **(CPG)**

The CPG purchasing class is for Capital Programs Department. The requester will select the CPG purchasing class. Once the requisition is released by the requester, it will be routed to the Capital Budget Officer approver for approval. This code will solely be used by the Engineering department.

Requisition Overview

The Requisition Approval Flow takes place once a requisition has been released by the Department's "Requesters". Funds are budget checked and pre-encumbered ("held") at this time and the money is no longer available. Funds are encumbered when the purchase order is created by the Buyer.

Requisition Center "RQC" Quick Reference

Log In
Portal: —————————————————————————
User ID/Password: Same as your City network user ID/password.

Set Up Requesters, Buyers, and Approvers
Contact the Purchasing Department for set up information.

Create an Order: Requisitions Self-Service>Shopping

Basic Tab • Reference Number (optional) • Requisition Description (optional) • Requested Delivery Date (required) • Deliver To (optional) *Detail Profile Tab* • From Location (required) • Buyer (required) • Cost Default Vendor (required for Special Item, Service, Blanket PO, or Open PO order) • Purchase From (for Special Item, Service, Blanket PO, or Open PO order if available) • Taxable (Select No)	*Accounting Tab* • Accounting Unit (required) • Account (required) • Activity (Projects and Grants Only) • Account Category (if applicable) *Comments Tab* • Comment Code (to print on header of PO or notes for internal document)

Find/Shop Method

- **Search Catalog:** Use to search for items from Non-Stock contract items.

- **Special/Service:** Use to create an order for any item that isn't stocked or on a contract. You will also select to create an order for a service.

Check Order Status

Requisition Center: Bookmarks>Requisition Center>Status

- From the RQC menu, select **Status**.

- Search by order number, creation date, or status.

- From this page you can get the PO number by clicking on the icon to view the Requisition.

Receive an Order: Requisitions Center>Receiving

- Enter **PO Number** and click **Search**.

- Click **View PO** to review information.

- Click **Receive**.

- Enter bill of lading number, received date, and received time.

- Mark **Received** check box for lines received.

- Click **Review** to add a comment.

- From the **Release Options** drop-down menu, select **Release.**

How to prepare the Requisitions

Basic questions to ask:

1. How much money is being spent? If over $3,000.00, was your purchasing division Buyer contacted?
2. Are quotes or bids required?
3. What is the purchase?
   Straight PO for a Special Item or Service?
   Contract?
   Construction?
4. What funds are being used?
   Grant → Ask for a copy of the grant to review its requirements
   Capital → Is it an asset?
5. Is there an existing contract? State contract? Cooperative purchase contracts?
6. Does this purchase require a formal solicitation by the Purchasing Department? (Over 50K)

Log In

You access the Infor Portal through your Internet browser. In the address field enter: **Inforusers/.** The Infor User Page opens, select #1 Infor – Financials, Procurement, Payroll.
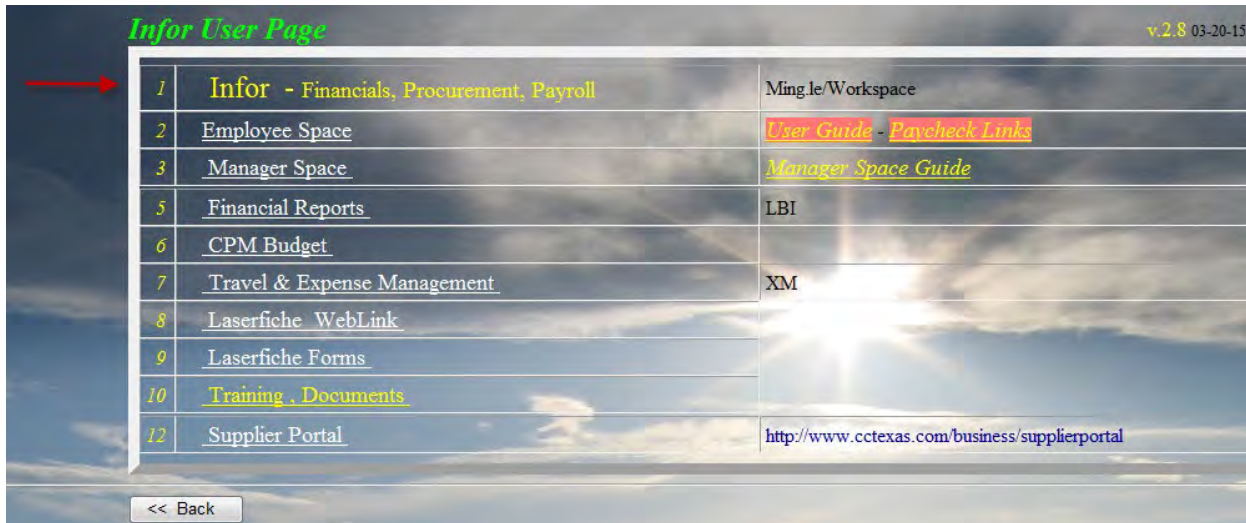
🧨 **IMPORTANT:** <u>You must have Internet Explorer version 7.0 - 9 installed on your computer to use RQC.</u> If you need help upgrading or down grading your version of Internet Explorer, contact the Help Desk at (361) 826-3766.

☑ **Tip:** If this is your first time logging in, once the Infor Portal appears you can add the destination to your Internet Explorer Favorites menu for easy access in the future.
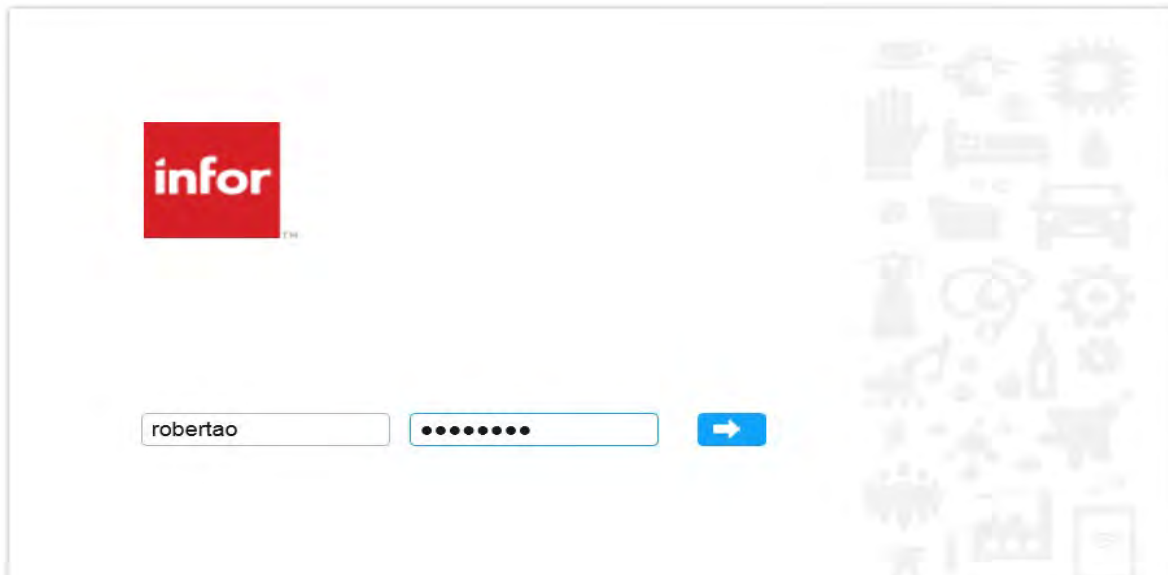
1. In the portal log-in window, enter your Username and Password. Your Username and Password are the same as you use to sign on to the City network.

2. Click the Log in icon or press the Enter key.

The Infor Home page will open in your web browser. Your name appears in the upper right corner. You will work in the **LSF Portal** to perform your job functions. Click on the LSF Portal to get started. From the LSF Portal you will create Bookmarks for quick access to the Forms you will use regularly.
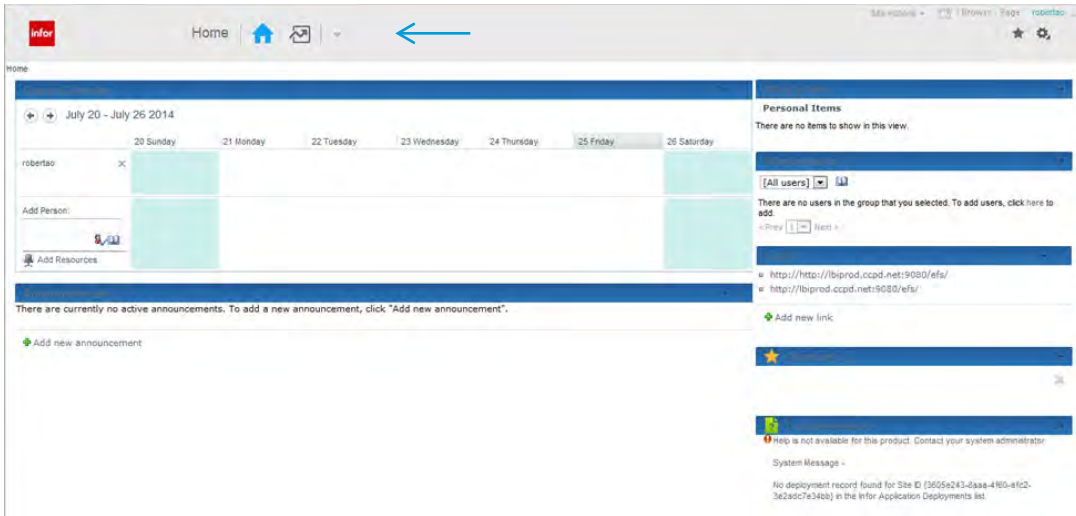
☑ **Tip:** You can maximize the Portal window by pressing F11. This will hide the browser bar and increase the amount of the Portal that is visible on your computer screen. To return to the original view, press F11 again.

Creating Bookmarks
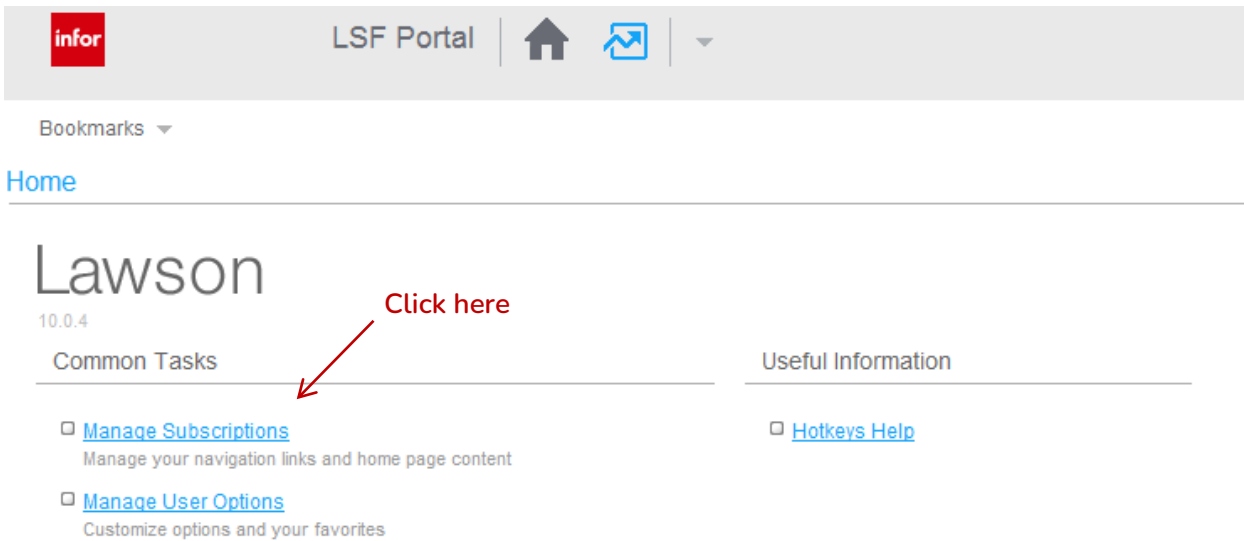
Creating Bookmarks is similar to creating a Favorites list. You will use your Bookmarks for quick navigation to the Forms you will use everyday to perform your job duties.

1. Once you are in the LSF Portal click <u>Manage Subscriptions</u>.

2. From the Content page use the right arrow key from the menu bar to display more subscriptions.

3. Look down the list, when you see **Requisition Center** double click and the Subscription will move over to the Layout section.

4. Click on the <u>Save</u> icon located on the top left of the Menu bar. (Your screen should look like the screen shot below.)

5. Click Close.
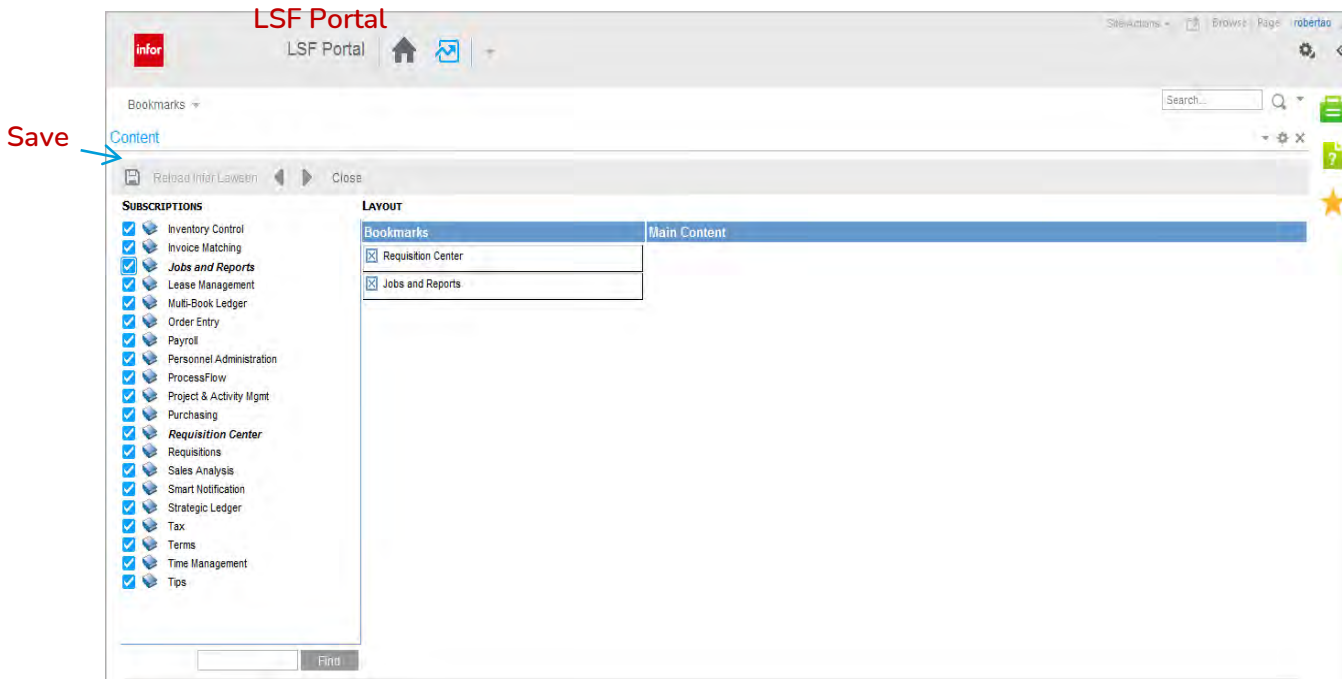
☑ **Tip:** Your Subscriptions will not be added to your Bookmarks if you do not click on the Save icon.
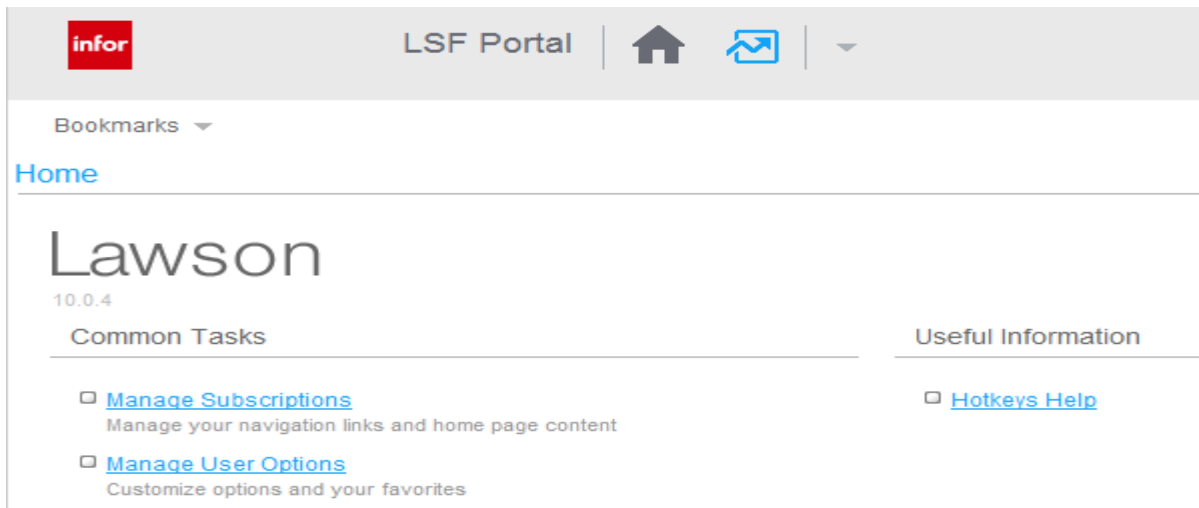
Below the Infor logo in the LSF Portal you will see the word Bookmarks, click on the down arrow to view your saved Subscriptions. You will use the subscriptions to complete all of your work.

Creating a Requisition

Create a Special "X" Type Item Requisition

A "Special" (X) type item is any item (Goods) that is not stocked, or is not on a contract or agreement. You will use the Major Purchasing Class of GEN, SS, COOP, MIS, CO,or CAP.

1. Go to your Bookmarks, click on the down arrow. Hover over **Requisition Center** to open the menu box.

Click **Shopping**.

When the Requisition Center "RQC" window opens, click the **New** button, located on the bottom right side of the page. This will clear the last requisition entered or any drafts you were working on.

📄 **Note:** If you were working on a requisition and did not release your requisition, that data will display.

The RQC window consists of two main sections: the **Tabs** for order information and the **Requisitions Lines** section that will contain the ordered items.
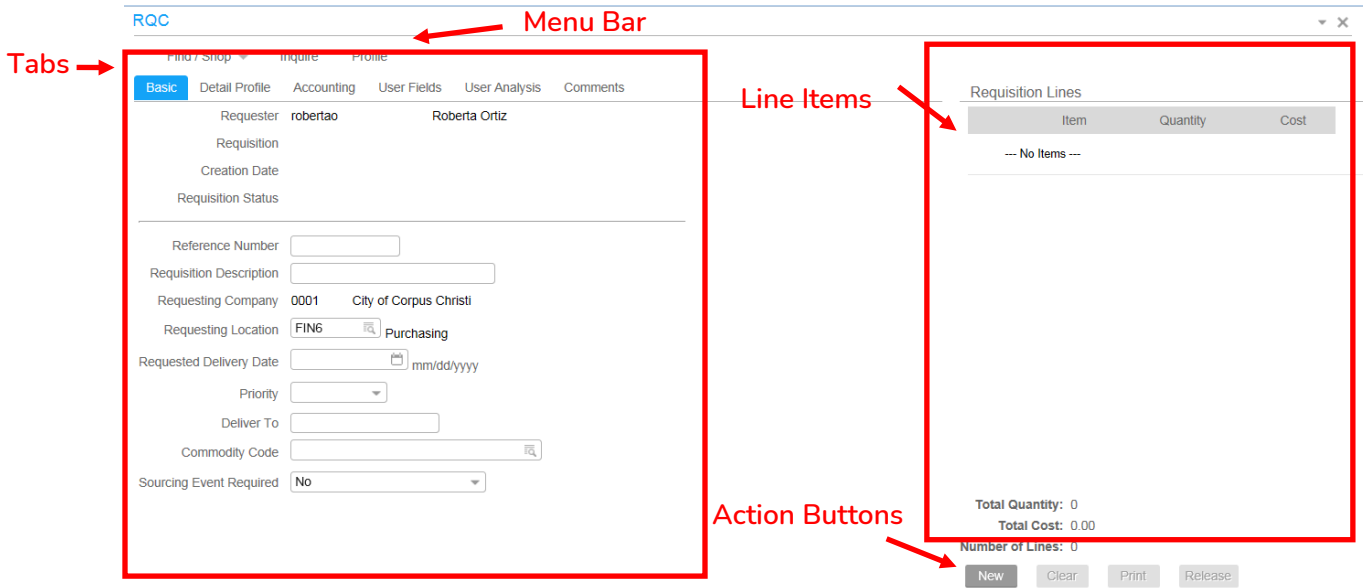
💣Action buttons in the lower right corner include **New**, **Clear**, **Print**, and **Release**.

- **New** clears your screen of unreleased Requisition data and puts the Requisition in a draft state for you to work on it later.

- **Clear** will complete clear all traces of your unreleased requisition; you will not be able to retrieve any of the requisition data.

- **Print** you can print your unreleased requisition or released requisition.

- **Release** will release your requisition to the first level approver for review/approval.

Please note that once you Release the Requisition modifications cannot not be made if the requisition is in the "Needs Approval" state. This includes, adding additional items to the requisition, changing the accounting unit, etc. You can modify a requisition only if the Department Approver or Buyer un-releases the requisition and it is routed back to you.

The menu bar at the top of the window, **Find/Shop** allows you to select the method for finding or adding items. **Profile** returns you to the **Basic** tab so you can change requisition header information.

Profile Header Tabs

You will only put data in four of the tabs on the main profile section. This information will default to all of the requisition line items.

Completing the Basic Tab

The Basic Tab is the general information you enter to cover the entire requisition and not for any one specific line item.

1. **Reference Number:** You can leave the Reference Number field blank or enter data of your choice. There is only enough room for 10 characters.

2. **Requisition Description:** Enter a description for your requisition. What are you purchasing?

3. **Requesting Company:** This filed will auto populate with 0001 City of Corpus Christi.

4. **Requesting Location:** Your requesting location was established at the time your profile was setup in Infor. This field will auto populate and is tied into your Requester ID. You are able to edit this field if necessary. Some requesters will create requisitions for multiple Requesting Locations, please be sure change the location if necessary.

5. **Requested Delivery Date:** Enter date of no less than 5 days from the creation of the Requisition or the estimated delivery date provided on your quote.

6. **Priority:** This filed should be left blank; it does not prioritize your requisition in the queue.

7. **Deliver To:** This is a free typing field. Suggestion, you can use this field to type in the person that has made the request for the purchase or who will be receiving the item.

8. **Commodity Code:** Use the search Icon to find the commodity code for your item, if you are ordering an inventory item or non-stock item this field will default from the item master.

9. **Sourcing Event Required:** You will only select 'Yes' when the Purchasing Division is soliciting bids for you and establishing Service or Supply Agreements.

Below is what your screen could look like after all fields are entered.

Completing the Detail Profile Tab

In the detail tab you select the vendor you are purchasing the item(s) from, verify the first level of approver = System "Buyer" ID is correct (some requesters will have multiple first level approvers depending on what organization number they are submitting the item request for). The system titled "Buyer" ID will auto populate but can be changed. You will also note if this request requires a Quote, keep in mind any requisition that is over $3,000 will require that quotes are obtained.

1. **From Company:** This field will auto populate according to the Requesting Location on the Basic tab. If you changed the Requesting Location on the Basic Tab this field will not have data, enter 0001 and hit your tab button on the keyboard.

2. **From Location:** This field will auto populate according to the Requesting Location on the Basic tab. If you changed the Requesting Location on the Basic Tab and this field is empty type in the Requesting Location from the Basic Tab.

3. **Cost Vendor Default:** If you know the vendor number you can enter the number here. To search for the vendor ID click on the search icon to complete a vendor search. (This is the corporate location.)

4. **Purchase From:** Click on the search icon to find your specific purchasing location.

5. **Currency Code:** Leave Blank

6. **System Buyer:** This field will auto populate; it's tied to your Requester profile. Some requesters will have multiple department approvers (system title "Buyer") depending on the organization number they are charging.

7. **PO Code:** Leave Blank

8. **Taxable:** Leave Blank

9. **Tax Code:** Leave Blank

10. **Quote Required:** If the requisition is under $1,000 leave the field at "No" if the requisition is over $1,000 select "Yes".

11. **Single Document to PO:** Not Applicable

12. **Bill Code:** Normal

Below is what your screen should look like after your fields are entered.

Completing the Accounting Tab

The Accounting Tab holds the general accounting information for the line item(s) you are purchasing. You will enter your accounting unit which contains your Fund, Organization number and Mission Element. The Accounting Unit is different from the accounting string you entered in PeopleSoft. It is important that you understand your Mission Element. The Account field contains that account that will be charged against; the accounts will be familiar to you and have not changed. Your department financial consultant should be able to provide you with a list of your organization charge accounts.

1. **Accounting Unit:** Enter your accounting unit in the following format Fund-Org. number-Mission Element. (Should look like: 5010-10900-185.) You can also search for the Accounting Unit by using the search icon. For grants or projects you will only use the Fund and Mission Element. (Should look like: 5010-185.)

2. **Account:** Enter your account number. If you don't have a budget account chart you can search for the account by using the Search Icon. (Typically, you can get with the Financial Consultant for your department to supply you with your department budget, this will include the accounts that you have available.)

3. **Activity:** If you are working with a Grant or Project enter the number here.

4. **Account Category:** You will only use the Account Category field if you enter an Activity number for a Grant or Project. The account category number is the account number minus the first number. Example. If you are using account 520030 then the Account Category will be 20030.

5. **Asset Code:** Leave Blank

6. **Asset Template:** When requesting a purchase of a Capital Outlay item you will get with your accountant to obtain the Asset Template.

📄 **Note:** If you are using Multiple Distributions for a single you will need to enter at least one Accounting Unit and Account on the Header Accounting Tab. When you get to the line level you will be able to list all of your distributions; distributions must be broken down by percent.

Below is what your screen should look like after your fields are entered.

Comments Tab

The comments entered on the Comments Tab relate to the entire Requisition or Purchase Order and are not line item specific. You can elect that the Comments print only on internal documents or print on the Header section of the Requisition or Purchase Order.

Create a Comment

1. To enter the comments you will a) Select the radial button -Comments to Print on Headers of Internal Documents – these will be internal comments for the requisition approvers to view or b) Select the radial button - Comments to Print on a PO as Trailer Comments – these comments will print on your purchase order for the vendor to read. (Bid information should not be listed on the PO as Trailer Comments, that information is confidential.)

2. Type free text in the Text box.

3. Click on the Update Button, you will receive a message that the comment has been updated, click on OK.

Adding your Line Item(s) – Special "X" Type

Now that all of the requisition header information is complete you are ready to add your line items. Click on Find/Shop located on the upper left side of your screen. For a Special type item select Special/Service.

The individual item line screen becomes available. This is the screen where you will enter the individual item information. You will add one item to the requisition at a time.

📄 *Special/Service Item*

Most of the fields will be familiar to you, and not all fields require data. Two fields that are important on the page are: Item Type and Major Purchasing Class. For this example you will use the GEN Major Purchasing Class. Please become familiar with the Purchasing Classes, knowing what Major Purchasing class to use is important for the workflow approval process.

Note: Be sure to use the scroll bar within the Item information screen to view and populate all necessary fields.

1. **Item:** Enter a short item description

2. **Description:** Enter the details of the item you are requesting to purchase.

3. **Item Type:** There are three options, select Special for "X" Special type items and "N" for non-stock type items. (If you are creating a requisition for a Service, you can either select Amount Service or Quantity Service. You will use Amount Service if the vendor will be performing a service that does not have a set quantity but will charge a set amount. Use Quantity Service if there is a specific quantity at a specific cost.)

4. **Quantity:** Enter the item quantity you are requesting.

5. **UOM:** Enter the Unit of Measure, the Unit of Measure is 2 characters. Use the Search Icon if necessary. If you use a UOM that is not in the system, you will get an error.

6. **Cost:** Enter the single item amount. If you are creating a requisition for a Service and using Amount Service you will entire the entire amount of the Service that is going to be invoiced. Whether it will be invoiced at one time or with multiple invoices.

7. **Cost Default Vendor:** This information will default from the Basic tab in the Requisition Profile; if you did not enter the Cost Default Vendor in the Profile section you must enter it here.

8. **Purchase From:** Click on the search icon to select the specific purchasing location.

9. **Currency Code:** Leave Blank

10. **Accounting Unit:** This information will default from the Accounting Tab in the Requisition Profile. If you are using a different Accounting Unit for this specific line item enter the Accounting Unit now. (If you are using multiple distributions, you will enter the additional Accounting Unit in a different area. Instruction is in another part of the guide.)

11. **Account:** This information will default from the Accounting Tab in the Requisition Profile. Enter the account number if it is different from the default.

12. **Sub Account:** Leave Blank

13. **Activity:** This field is for requisitions using Grant monies or Projects. Enter the Grant or Project number if applicable.

14. **Account Category Asset Code:** Leave Blank

15. **Asset Template:** Leave Blank or if you are creating a requisition for a capital item use the search icon to select your template. Contact your accountant to get your template.

16. **Major Purchasing Class:** Enter GEN or use the search icon and select a Major Purchasing Class that best fits your means of procurement from the list.

17. **Minor Purchase Class:** Leave Blank

18. **Cost Option:** Will default. Some vendors want to see everything you are ordering on a Purchase Order even though there is no charge for a specific item. You will use the No Charge option only in those cases.

19. **Requested Delivery Date:** This date will default from the Basic Tab in the Profile. You can change the date here if necessary.

20. **Late Deliver Date:** Leave Blank

21. **PO Code:** Leave Blank – Only Engineering will use this option

22. **Commodity Code:** This information will default from the Basic Tab in the Profile.

23. **Sourcing Event Required:** This information will default from the Basic Tab; you can change the option here if necessary.

24. **Taxable:** No – This will auto populate

25. Click **Add** to save the line, the line will be added to the Requisition Item section of the page.

26. To add additional lines repeat Steps 1-25.

The next page shows a screen shot of what your screen should look like when all fields are complete.

The Major Purchase Class varies depending on how you procured the good. Use the drop down to determine the best Major Purchase Class. All requisition lines must have a Major Purchase Class selected.

Once you have entered all of your item(s) information and you are ready to send your requisition to the 1st level approver to create a purchase order, you can print your requisition or simply Release the requisition to initiate the approval process. You will do these steps for all item types.

1. Click **Print** if you would like a copy of the unreleased requisition. The order will open up in a PDF format. You can print the order or save the order to your computer.

Click **Release** to release the requisition for approvals and processing. ***The requisition cannot be modified or deleted after it is *Released* unless it is returned by the approver for corrections.

A confirmation pop-up message appears: "Requisition has been successfully submitted." You will also see the requisition status; it should say "Approval Needed".

Click **OK**.
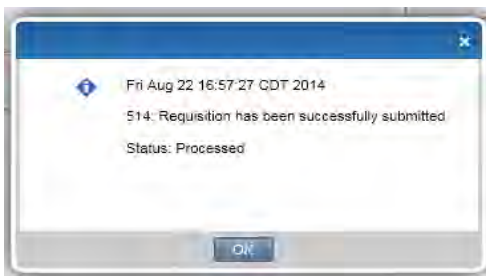
Modify an Item in the Requisition Item section

You are able to modify an item only if your requisition is in the **Unreleased** state. Go to the **Requisition Item** section; click the item number/name in blue highlight. From the item screen you have several Tabs to work with, you are able to change the quantity, accounting units, add multiple distribution lines or add your Vendor Agreement to order off of a contract. Click the **Change** button when complete.

Correcting Error Messages

Error messages will need to be corrected before the order can be released for approvals and processing. Place your cursor over the **Error Message** icon (black circle with an exclamation point) next to the item to view the message. Make the necessary corrections on the item and click **Change**.

Create a Service "S" Type Item Requisition

The following would be considered a **Service**:

- Maintenance Agreements
- Repair Requests
- Internet Subscription
- Lease/Purchase Agreements
- Licenses, New/Renewals
- Magazines/Newspaper Subscriptions
- Entry Fees

- Memberships for Organizations
- Professional Development/Training, On-Site
- Professional Services/Consultants
- Registrations, Conferences/Training, Off-Site
- Rentals of Vehicles/Equipment

When you create a requisition for a Service you will complete the Header tabs just as you would for a "X" type item requisition. When you go to the Find/Shop selection and select **Special/Service**. When you come to the Item Type you will determine whether the Service will be billed by Amount or Quantity.

1. When you click on Find/Shop, select Special/Service.

Enter a general item description in the Item field.

Enter a detailed description in the Description free text box.

For a Service type item, you will choose from either **Amount Service or Quantity Service**. If your service is being invoiced with multiple invoices to draw down the amount until the PO is fully liquidated you will select Amount Service. Select Quantity Service when there is a fixed quantity for the service and, the invoices will be sent to accounts payable referencing quantities.

Scroll down to the Major Purchasing Class field and enter SERV. <u>If the service is under contract enter the Major Purchasing Class of CON.</u> (Examples of services under contract are Uniform Rental Service and Custodial Service.)

After adding all lines, click on the Release button to submit your requisition for approval.

 The best option to select, if you are not sure how the vendor is going to invoice, is **Amount Service**.

Creating a Non-Stock "N" Type Item Requisition

. The Purchasing Division will be responsible for sending out notifications when new contracts are established.

IMPORTANT: You cannot create a requisition combining special items and contract items. When you requisition for a Non-stock item you must enter a Vendor Agreement Reference to each line item to tie your non-stock items to a current agreement.

When you create a requisition for a Non-Stock item you will complete the Basic and Accounting **Header tabs**. When you go to the Find/Shop selection you will select **Search Catalog.**

1. When you click on **Find/Shop**, select **Search Catalog**.

Enter the item number or a key word in the Item field, click on Search. Below is a screen shot of what you will see when you enter an item number for a non-stock item.

There are several differences from the search results between non-stock items and items that are in inventory. **Non-Stock items will not have a value under the Available column**, the icon with the green checkmark and plus sign are not displayed.
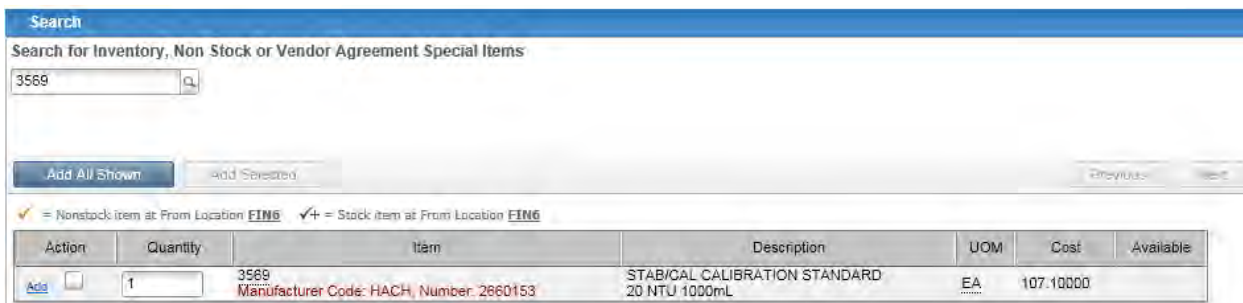
When you see your item go to the **Quantity box** and enter the quantity amount you would like to order.

Click on the **Add** link, the item you added will display on the right side of your screen under the Requisition Lines section. Below is a snap shot of the items selected on the requisition.

Once you have added all of your items you can click on the **Release** button to submit your requisition to the 1st level approver. If you have not Released your requisition and need to come back and work on it you can Print the unreleased requisition and close.

Using Search Icons

Commodity Code Search

The Commodity Codes are replacing category codes, you will notice that with Commodity Codes there are more options to choose from. The easiest way to complete a search is by Description.

1. Click the **search icon** in the Commodity Code field.

2. **Search Field:** use the drop down and select Description.

3. **Method:** Select Contains.

4. **Value:** Type in the item type.

5. Click on the **Search** button.

📄 **Tip:** If your item does not come up on the search list, enter another name for the item and Search again.
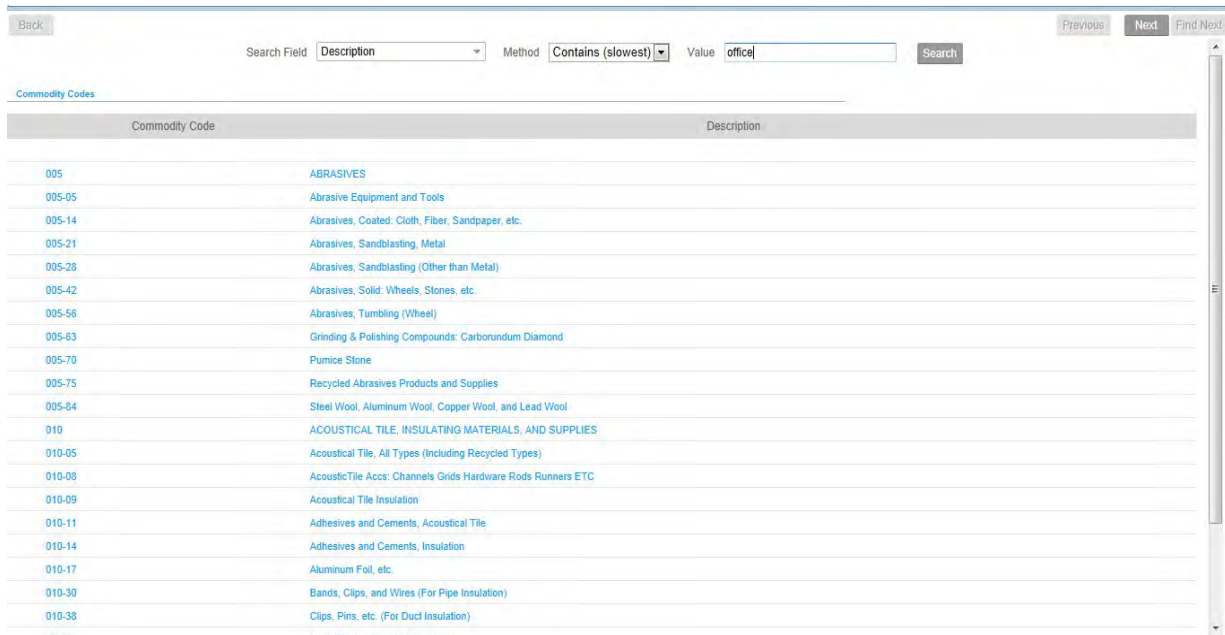
Cost Default Vendor Search

Click the drop-down arrow for the **Cost Default Vendor** box, Cost Default Vendor equals <u>Vendor</u>.

Click **Active Vendors By Name**.
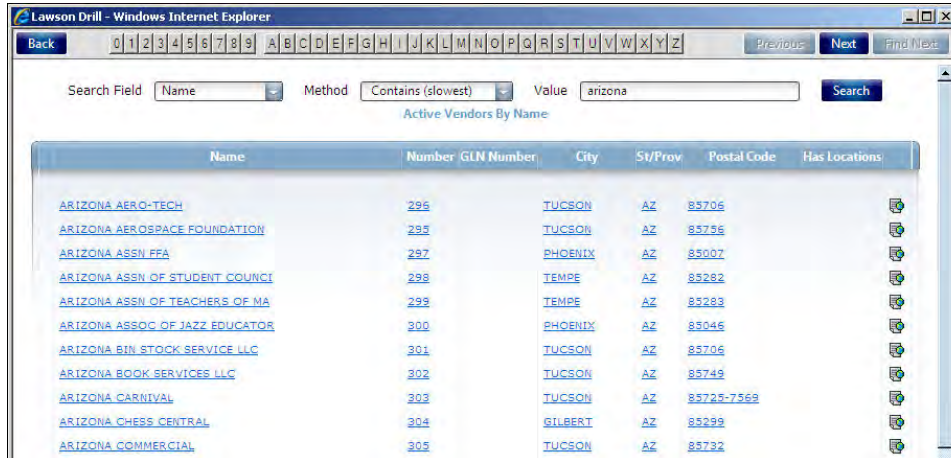
1. **Search Field**: Select Name

2. **Method**: Select Contains

3. **Value**: Enter a keyword

4. **Click Search** – The search results appear below your search criteria.

📄 **Note:** An asterisk (*) appearing in the **Has Locations** column on the right indicates that the vendor has additional locations. To select the additional location you will add the additional location on the Basic Detail Profile under the Purchase From field. On the Purchase From field you will select the Search icon and all of the locations will pull up for that vendor.

To view vendor information, including the address, click the icon located to the right. A window with links to additional vendor information opens.
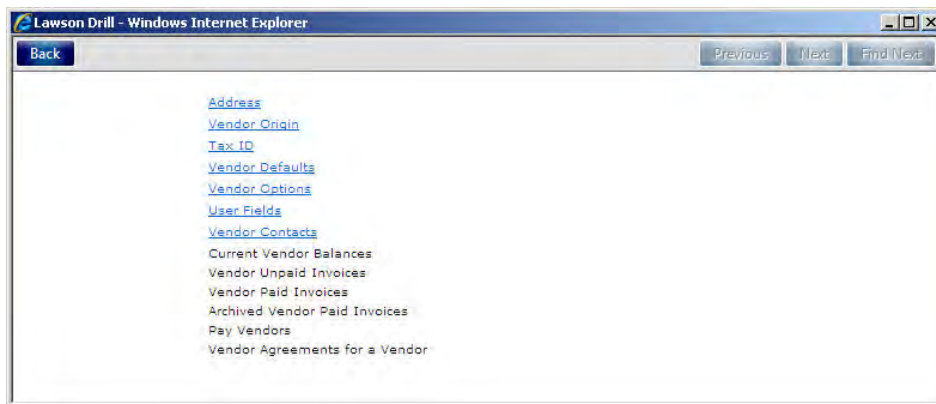
Select the appropriate vendor from your search results or click **Back** to continue with your search. Close the window when you are finished.

Buyer Search Window

When you click the **Buyer** drop-down box, a search window will open.

1. Use the drop down to change the Search Field to Name.

2. Use the drop down to change the Method to Contains

3. Type the Buyer's first name in the Value field and click Search.
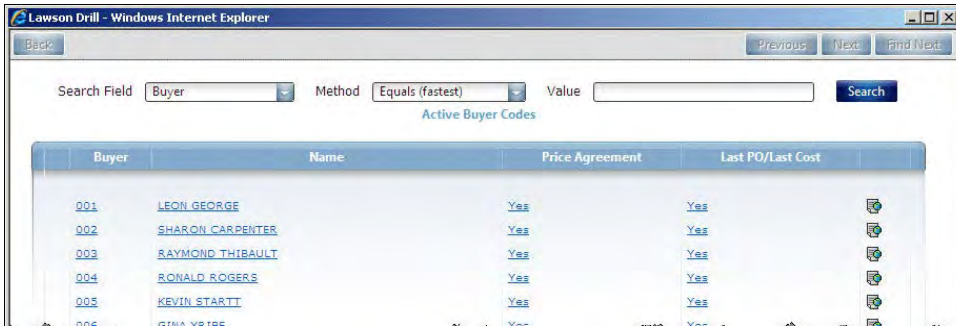
Click on the Buyer name to select a buyer and you will be returned to the **Details** tab.

Accounting

Under the Accounting Tab you will let the system know where to charge your purchase/service. The Accounting Unit is broken down between your Fund-Organization Number-Mission Element. Some Department/Orgs have more than one Mission Elements so please be sure to check with Budget Analyst if you need direction on how to apply your Mission Element(s). The chart of accounts has not changed.

1. Click the search icon in the Accounting Unit field.

2. Use the drop down by the **Method** field and select Contains (Slowest).

3. In the Value field enter –org-. Example - for Purchasing you would use -10900-.

4. Click on the **Search** button.
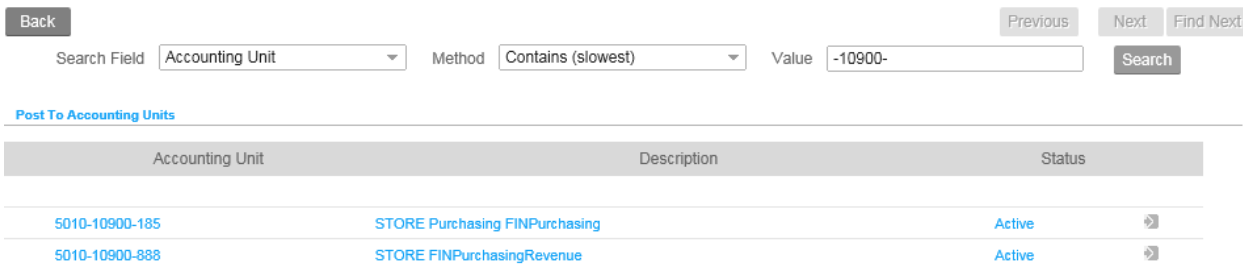
Modify or Copy a Requisition

Modify an Unreleased Requisition

Log in to Infor Portal and go to the Requisition Center "RQC" from your Bookmarks.

1. From the RQC menu, click **Shopping**.

When the RQC window opens, click the **New** button to clear the last order entered.

Click **Inquire** from the menu bar.

On the **Requisition Inquiry** tab select the inquire method – **Requisition Number**, **Description**, **Reference Number or Requesting Location**.

Uncheck the status boxes to refine your search.

Type all or part of your key word/number in the Search Box and click Find.

Click **Modify** in the **Action** column.

To modify an item in the *Requisition Item* section, click the item number/name in blue highlight. The line details will display to the left. Click **Change** when complete. You can also add new line items by using either using the Category Search, Special/Service or Template. To delete a line item click on the red X next to the item in the Requisition Item section.

Click Release when you have made all corrections or additions. A requisition status box will pop up. This is the requisition number. The requisition cannot be modified or deleted after **Release** has been selected unless it is returned for corrections.

A confirmation pop-up message appears: "Requisition has been successfully submitted. Requisition status: Approval Needed."

Click **OK**.

Copy a Requisition

Log in to Infor Portal and go to the Requisition Center "RQC" from your Bookmarks.

1. From the RQC menu, click **Shopping**.

When the RQC window opens, click the **New** button to clear the last order entered.

Click **Inquire** from the menu bar.
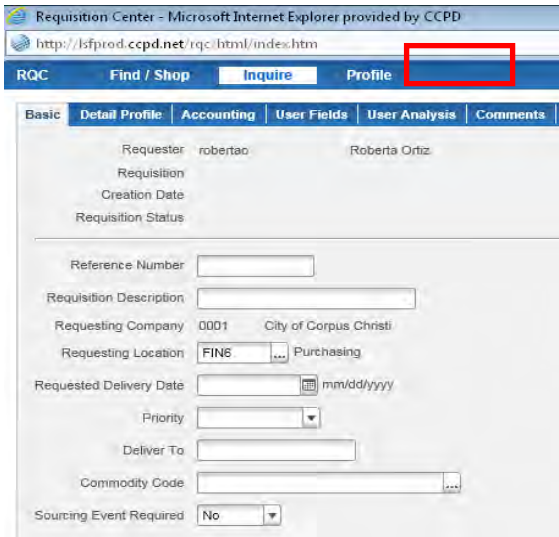
On the **Requisition Inquiry** tab select the inquire method – **Requisition Number**, **Description**, **Reference Number or Requesting Location**.
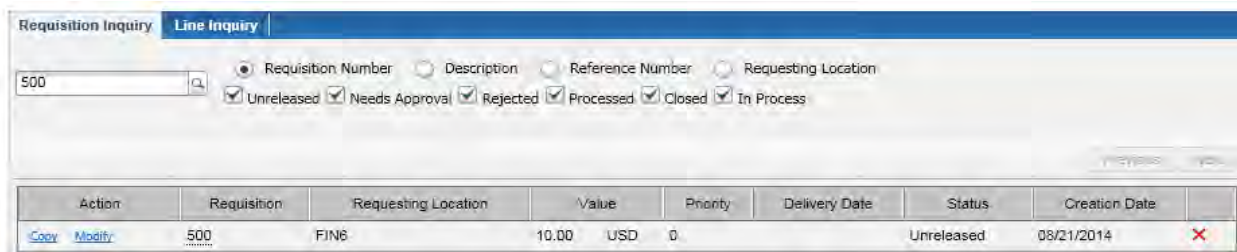
Uncheck the status boxes to refine your search.

Type all or part of your key word/number in the Search Box and click Find.

Click **Copy** in the **Action** column.

Click Check All to copy header and line information. Remove the check on the Header and Line comments box.
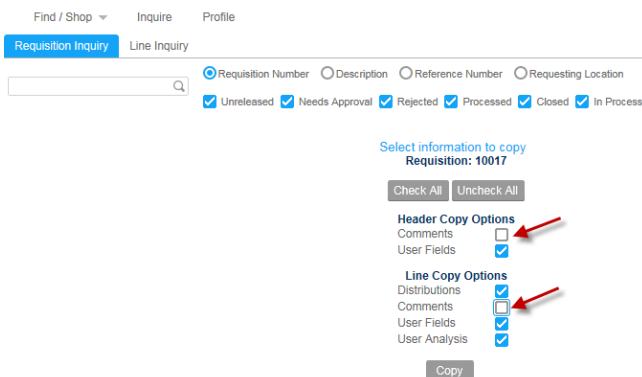
9. You will be returned to the RQC window. In the **Basics** tab, modify the **Requested Delivery Date** and other information as needed. Add, remove or correct items as needed.

10. To modify an item in the Requisition Item section, click the item number/name in blue highlight. The line details will display with the various tabs available. Make necessary changes and click **Change** when complete.

11. Click **Save**. An Order number will appear in the upper left of the page. This is the requisition number.

12. Click **Print** if you would like a copy of the requisition. The requisition will open up in a PDF format.

13. Click **Release** to release the requisition for approvals and processing. The requisition cannot be modified or deleted after *it has been Released* unless it is rejected by the approver for corrections.

14. A confirmation pop-up message appears: "Order has been successfully submitted. Order status: Needs Approval."

15. Click OK.

How to Delete an Unreleased Requisition

You can only delete requisitions that are in an Unreleased status. If your requisition has been Released and routed to the 1st level approver and you decided you do not need the service or item after all can notify your 1st level approver and ask them to Reject the requisition and the requisition will be cancelled.

1. From your Bookmarks go to RQC **Shopping**.

2. Click **Inquire** from the menu bar.

3. On the Order Inquiry tab **select** the **inquire** method – Requisition Number, Description, Reference Number, or Requesting Location.

4. From the requisition status row uncheck all except **Unreleased**.

5. Type all or part of your inquire word/number in the **Search** Box and click Find.

6. Click the **Red X** located to the right of the requisition.

7. A pop up box will display and ask for your confirmation; select **Yes** to continue.
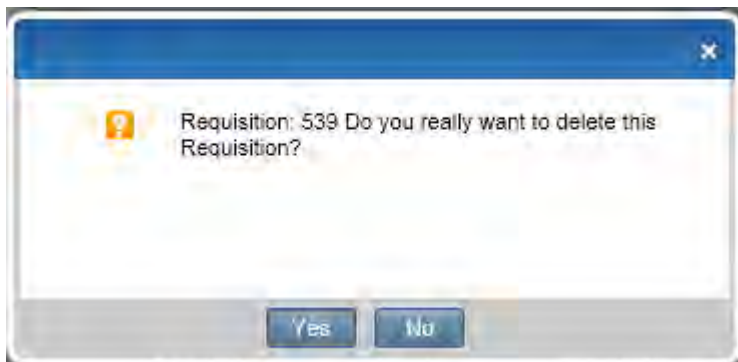
Entering Multiple Distributions

Multiple distributions allow you to split the funding for an item between several different accounting units.

CAUTION: When you distributed by percent - when invoices are paid each accounting unit is hit according to the percentage you used to distribute.

1. From the **Requisition Item** section click the item number/name in blue highlight. The line details will display to the left.

2. Click on the **Line Accounting** tab, the accounting page will open.
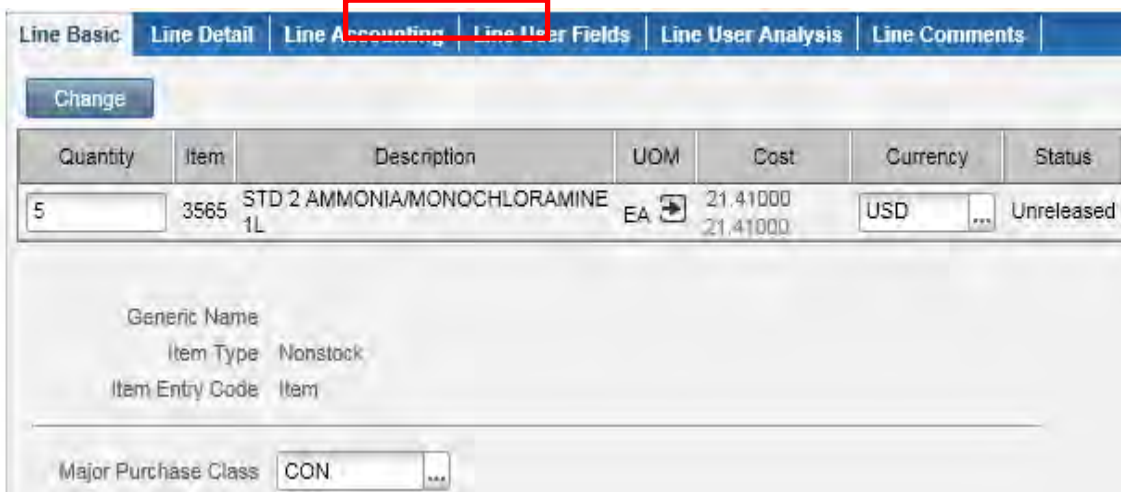
The accounting page will open, the original distribution will be at 100%. You will add the additional Accounting Units and Accounts dividing all by percent. The total in the percent column must equal 100%.

3. Click **Change** when complete. If you have made all changes Release your requisition.

Entering Add on Costs

All Add On Costs such as shipping, pick up, environmental fees, etc, need to be added as individual lines on your requisitions.

1. Enter a separate line for each type of AOC charge.

Example: Service charges will be entered as one line; Fuel charges as a separate line and so on.

2. If the Item type is Amount Service or Quantity Service on all of your requisition lines enter your AOC using the same Item type and Major Purchase Class.

3. If the Item type is Special on all of your requisition lines enter your AOC using the same Item type and Major Purchase Class.

4. If you have a combination requisition using both Item types enter your AOC as a Special Item type and use the same Major Purchase Class you used for all other lines.

5. If you entered your AOC as a Special Item type, you need to receive the AOC along with all the other lines.

Use these Commodity Codes on the AOC lines:

Freight - 962-86

Surcharges/Other - 963-79 for the following:

Fuel
Environmental
Pick up

Checking Your Requisition Status

You can check the status to see if a purchase order has been created or if your requisition is in an unreleased state for modifications.

1. From the RQC menu, click **Status** to bring up the **Requisition Status** window.

2. Enter the Requisition Number in the **Requisition** field. **If you order for multiple Requesting Locations you can clear the Requesting Location Field to see all of your Requisitions or enter the Requesting Location you are inquiring on.

   • You can also enter a **Creation Date** or select a **Requisition Status**.

3. Click **List Requisitions**. The status appears in the column on the right.

Note: If the status reads **Closed** for a vendor requisition, the purchase order was either cancelled or payment has been made.

4. Click the order icon (piece of paper).

5. If a requisition line has been processed into a purchase order, a number will appear. Click the PO number in blue highlight to view line information.


Note: If no purchase order is present but the status is **Processed**, the requisition has passed through all approvals; a purchase order will be generated after 4:30pm.

Note: If the line status is **Closed**, the line has either been cancelled or paid. Click the PO number in blue highlight to view additional information.

6. The Drill window will appear. Click an underlined blue link to view the selected information.
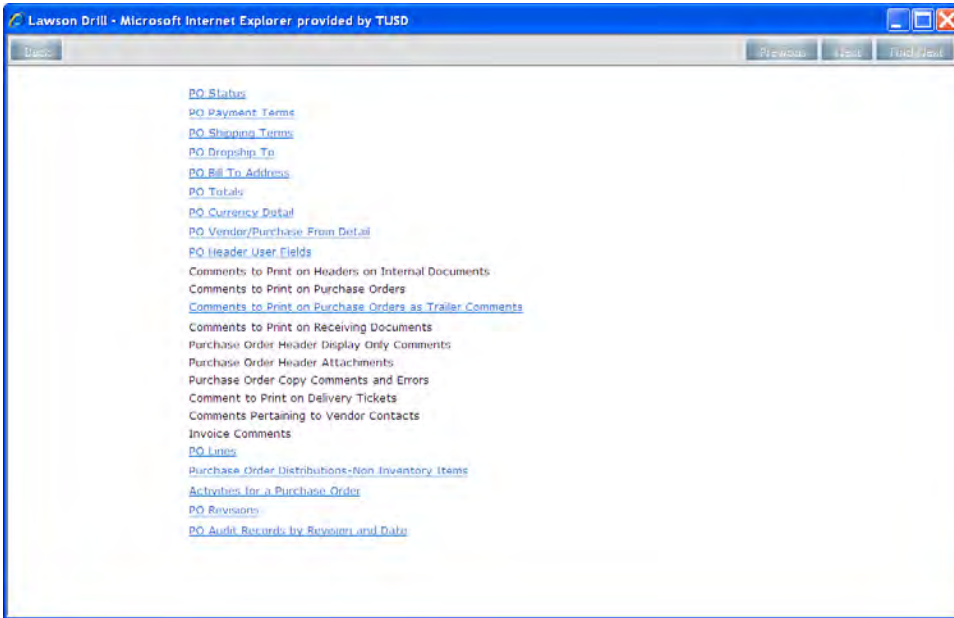
☑ Tip: Click **Purchase Order Distributions** to view accounting information.

☑

Tip: Click **PO Audit Records** to view cancelled lines.

7. Close the window when you are done.

Receiving Items and Cancelling Backorders

When goods are delivered you must create in Infor receiver for all Special and Non Stock items. If you receive a partial order from the vendor you create a partial receiver; if the vendor informs you that they will not deliver the rest of you items you can select cancel backorder.

1. From the RQC menu under Bookmarks, click **Receiving**.

2. **Enter** the **PO Number** or enter your requester ID to see a list of available POs that require receiving.

3. Click **Search**.

4. Click the **Receive** button next to the PO you are ready to work with. The receiving information appears in the window.

5. Mark the **Received** box for each line received.

    - The quantity will automatically populate. Make necessary changes to the number, you will only enter the quantity that the vendor actually delivered by the vendor.

    - If the vendor sent you more than what was requested, enter the total quantity received. A pop up box will display stating you have a Buyer Message. Contact your Jr. Buyer to inform them that the vendor delivered more than what was ordered and you either would like to keep the items or you want to send them back.

6. From the **Release Options** drop-down menu, select **Release.**

7. Click OK to continue.

You do not have to send your Bill of Lading to Accounts Payable; the vendor will send Accounts Payable an invoice to be paid. The buyer assigned for your department will work with the vendors on any invoice and receiver discrepancy.

You will not process receivers for Services, when you set up a requisition and use the Item Type Amount Service or Quantity Service you will not need to create a receiver.

📄 *HELPFUL FORMS*

Note: To see if a PO number has been assigned to your requisitions go to form RQ44 (Requisition Inquiry)

Note: To see if you have created a receiver for a specific line on a Purchase Order you can go to form PO64(PO Line Item History)

Note: To research which invoices have been paid for a vendor or view the invoice you can go to form AP90 (Invoice Search By Vendor/Invoice.

Note: To research which invoices were paid against a specific Purchase Order you can go to form AP90.4 (Invoice Search by Purchase Order)

City of Corpus Christi, Texas — Incorporated 1852

Requisition Document Upload Instructions

Go to http://laserficheforms/forms/Requisition

Log in using your Windows credentials

Click Log In

You will see the Requisition field to be entered and submitter information

Enter the Requisition number assigned in Infor

Click the Choose Files button

Browse to the document you want to upload and double-click

Requisition

Requisition #*   567896

Submitter   Wendy Contreras

Submitter email address   WendyC@cctexas.com

Date   09/26/2014

File Upload   Choose Files

TEST.docx   Complete

TEST.docx   10.01KB

Submit

When the file is successfully up-loaded it will show Complete

Click Submit

Thank you!

Your form has been submitted.

Close

Powered by Laserfiche Forms

A confirmation of your submission will appear, and an email will be sent to Purchasing

Request for Qualifications & Proposal Instructions

| Solicitation | Tech Evaluation | Preliminary Scoring | Interview | Final Scoring | Selection |

Overview

Prior to evaluating the responses, the Procurement Staff will schedule a meeting with the evaluation committee and any authorized technical advisors to provide initial procurement training and guidance on the evaluation process and the scoring matrix. This meeting may be held as a separate meeting before the first committee meeting or at the beginning of the first committee meeting.

The committee members should be instructed as to their responsibilities including the critical nature of confidentiality and the integrity of the evaluation process. Care must be taken not to engage in technical leveling, technical transfusion, or other improper activities. The evaluation committee may not commence any discussions until each committee member has signed a non-disclosure statement and a preliminary assessment regarding actual and potential conflicts of interest has been conducted.

The evaluation committee members must be provided with the following documents, in digital or physical format, as applicable to the specific procurement:

- the entire solicitation, including all issued addenda and Q&A documents;
- a list of responses submitted; and
- a copy of each response determined to be responsive by the Procurement Staff following the Administrative Review

Each response must be evaluated independently against the evaluation criteria published in the solicitation and not compared to any other submitted response. The evaluation committee members must not conduct independent research; each member's evaluation must be based solely on his or her personal review of the response and other information specifically authorized by the Procurement Staff or assigned legal counsel that is consistent with the solicitation (e.g., written clarifications received from the respondents, oral presentation material, and reference check information).

Discussion of the responses must only occur at an evaluation committee meeting with all scoring members present. It is common for the evaluators to conduct their evaluations at the same time in the same room; this can facilitate questions by committee members with each other as well as to the Procurement Staff, but it is also an acceptable practice for the evaluators to review the responses individually from their respective workspaces and to engage in group discussions only at scheduled meeting times.

Committee members must attend all scheduled evaluation meetings and participate as required by completing all committee responsibilities in the time allotted. Absence from meetings or failing to meet deadlines to complete evaluations may result in the removal of a member from the evaluation committee or removal of the evaluator's scoring from consideration.

The evaluators will record their individual scores for each response on the scoring matrix provided by the Procurement Staff. If permitted by the solicitation, the agency may waive minor technicalities of submitted

responses. If an evaluator determines that a waiver of minor technicalities is appropriate during evaluation, this approach should be brought to the attention of the entire committee to ensure that all the evaluators are using the same evaluation standards. Some procurements may involve multiple scoring rounds to narrow the competitive field (e.g., second scoring round following oral presentations). Evaluators must record their scores on the scoring matrix following each scoring round. It is best practice to label each scoring matrix with the applicable scoring round number or date.

Committee

Evaluation Committee - The evaluation committee is composed of subject matter experts and stakeholders. The committee should have a diverse relevant disciplinary expertise and knowledge of the product or service being procured. Because service on an evaluation committee involves a significant time commitment, care should be taken to ensure that each member selected as a scoring member is able to attend the committee meetings and interview.

Scoring Matrix

The scoring matrix is a standardized form used by the evaluation committee members to record the scores for each the response based on the evaluation criteria and weights published in the solicitation and, if applicable, unpublished sub-criteria. It is best practice for the scoring matrix to be finalized prior to publishing the solicitation. However, if time does not permit the scoring matrix to be finalized prior to publication of the solicitation, the scoring matrix must be completed prior to the receipt of responses.

Technical Evaluation

Qualifications or Proposals will be evaluated by the Evaluation Committee based on the criteria list in the RFQ/RFP. Scores from all evaluators will be averaged and tabulated to form a ranking from highest to lowest scoring proposers. If any natural breaks or gaps exist in the ranking, only the highest-ranking proposers will be invited for interviews. If the natural break does not allow for adequate competition the City may include the next grouping of proposers to enter the interview phase to allow adequate competition to occur. If no natural breaks exist, the City may interview the entire group.

Interviews

Those proposers that are invited to Interview will be scheduled to participate and will be given a format and timeline for the interview. Typical interviews include a thirty-minute presentation by the firm and a fifteen-minute question and answer period for the panel. Interviews will be evaluated on the criteria listed in the RFQ/RFP. Interviewers will be required to provide a PowerPoint (or similar) presentation to the committee. Interview dates and a time range will be provided within the solicitation, and a calendar time-block will be sent to all committee members. These times will be non-negotiable, but exceptions can be made by Procurement Management or the Executive Leadership member overseeing the solicitation.

Final Scoring

Interview scores will then be added to Technical Proposal Review scores to refine the ranking of proposers. The proposer with the highest number of overall points will be recommended for award.

For RFPs procurement staff will look for any new natural breaks to occur as outlined in the technical evaluation instruction above and will determine the firms that will be considered for the final pricing step.

Price Component (RFP Only)

The price component of the response is usually assessed by using either a "reasonableness" standard or objective criterion. For a price criterion assessed using a reasonableness standard, the evaluation committee conducts the evaluation. If the price criterion is to be evaluated using only a mathematical formula, such as for an RFB, will be scored by the Procurement Staff.

Only after a determination has been made of the firms most qualified to provide the services needed will the pricing be evaluated. Pricing proposals will be opened for the qualified firms and the pricing scores will be evaluated and points distributed on a prorated bases with the lowest priced firm receiving the maximum pricing points. These pricing points will be added to the Technical Proposal and Interview scores for a final ranking.

Procurement staff will bring the digital scoresheet to the final committee meeting where all the scores can be tallied, and the totals will be provided to the committee.

Selection

The proposer with the highest number of overall points will be recommended for award. Should the highest-ranking firm be over budget, the City reserves the right to issue a Best and Final Pricing Proposal form to Proposers that passed interviews for further evaluation. Proposers will be notified at this point of their standing and offered an opportunity for a debriefing after the award is complete.

Reference Check

If required by the solicitation, respondents may submit customer references with their responses. The Procurement Staff may conduct the reference checks or authorize a subcommittee of the evaluation committee to conduct reference check activities. All information obtained during the reference checks must be documented in writing. The same script or format of questions must be used when conducting reference checks so that the results are consistent and fair to all respondents. The list of reference check questions must be prepared prior to the solicitation closing date. When developing the questionnaire, the Procurement Staff should keep in mind the types of questions to which its agency would respond. For example, many entities will not participate in business reference activities that involve a lengthy questionnaire or questions that appear to ask for an endorsement.

An agency should not request submission of customer references that the agency does not intend to verify. However, events following solicitation issuance may shorten the procurement timeline such that reference check activities cannot be conducted by the agency in a timely manner. When the solicitation requires the submission of references or references are considered as part of the evaluation criteria, the agency must decide whether or not it will verify customer references before the solicitation closing date. If reference checks will not be conducted by the agency, this determination should be documented and placed in the procurement file.

Clarification of Responses

As part of the initial evaluation, the evaluation committee may determine that clarification of a response is necessary prior to scoring. Accordingly, the evaluation committee may pose clarifying questions to a respondent in order to resolve conflicting information, apparent ambiguities, or minor clerical errors within the response. If a clarification to the response is necessary, the Procurement Staff or agency legal counsel will contact the applicable respondent and distribute to the evaluation committee the written clarifications received by the respondent. A respondent's clarification must be in writing and signed by an authorized representative. The evaluation

committee should be mindful that a respondent's clarifications may not be used to "cure" deficiencies in the response or to revise the response. The clarifications may only be used to understand the information provided in the response. It is important to note that a request for a respondent to clarify its response is not the same as negotiations of the specifications or terms and conditions as long as the request to clarify does not provide one respondent an advantage over another. Therefore, care must be taken not to inadvertently engage in negotiations.

Competitive Range Determination

After the initial scoring, the Procurement Staff will determine the competitive range. The competitive range refers to those responses determined to be reasonably considered for award selection and is an objective means of narrowing the field of respondents that will participate in subsequent evaluation activities such as oral presentations. Agencies should look for a "natural break" in the scores that will determine the competitive range.

Oral Presentations (Interviews)

If expressly permitted by the solicitation, an agency may elect, after reviewing the responses, to conduct oral presentations. Oral presentations, including reviews conducted during site visits, provide an opportunity for respondents to highlight the strengths and unique aspects of their responses and to provide answers to clarification questions the agency may have regarding the responses. Presentations which include demonstrations of product functionality are recommended when appropriate, such as information technology or solution-based purchases. Oral presentations may be scheduled for all respondents or limited to the top ranked vendors in the competitive range. The agency must follow the process outlined in the solicitation to notify the respondents of the time and place for the oral presentations. Before the oral presentation, the evaluation committee should prepare its list of clarification questions for the presenting respondents. Oral presentations and demonstrations must be fair to all parties. The time allowed and the agenda format should be the same for all presenters. Because some presenters may believe there is an advantage to the order in which they present, it is best practice to draw names for the presentation order to ensure impartiality of the process.

Following all oral presentations, the evaluation committee will complete a scoring matrix using the evaluation criteria and weights published in the solicitation. To protect the integrity of the evaluation process, the evaluation committee which evaluated the written responses should also evaluate the clarifying information obtained from the respondents during the oral presentations.

Best and Final Offers

After any oral presentations or demonstrations are completed, discussions may be held. If discussions are held, respondents must be given equal opportunity to discuss and submit revisions to proposals. Revisions of proposals are normally accomplished by formally requesting Best and Final Offers (BAFOs) at the conclusion of discussions with a deadline set for receipt of BAFOs and including instructions as to exactly what should be submitted in response to the BAFO. After consideration of all BAFO responses, agencies may choose to down select to a smaller number of respondents with which to commence negotiations.

Evaluation Committee Recommendation

After the final interview the Evaluation Committee will convene one final time to review content and finalize scores, this will typically be after the final interview. Once the evaluation process is completed, procurement staff send the master score sheet to the committee members to verify the accuracy of their scoring. Particular

care should be taken to ensure that the raw data is accurately transcribed into the mathematical formulas and that the mathematical formulas are properly loaded into electronic spreadsheets/workbooks when such electronic aids are used. If the solicitation allows, the evaluation committee may recommend a contract award to more than one respondent; provided, however, that the awarded respondents are the highest ranked in the evaluation.

Detailed Process Flow Diagram
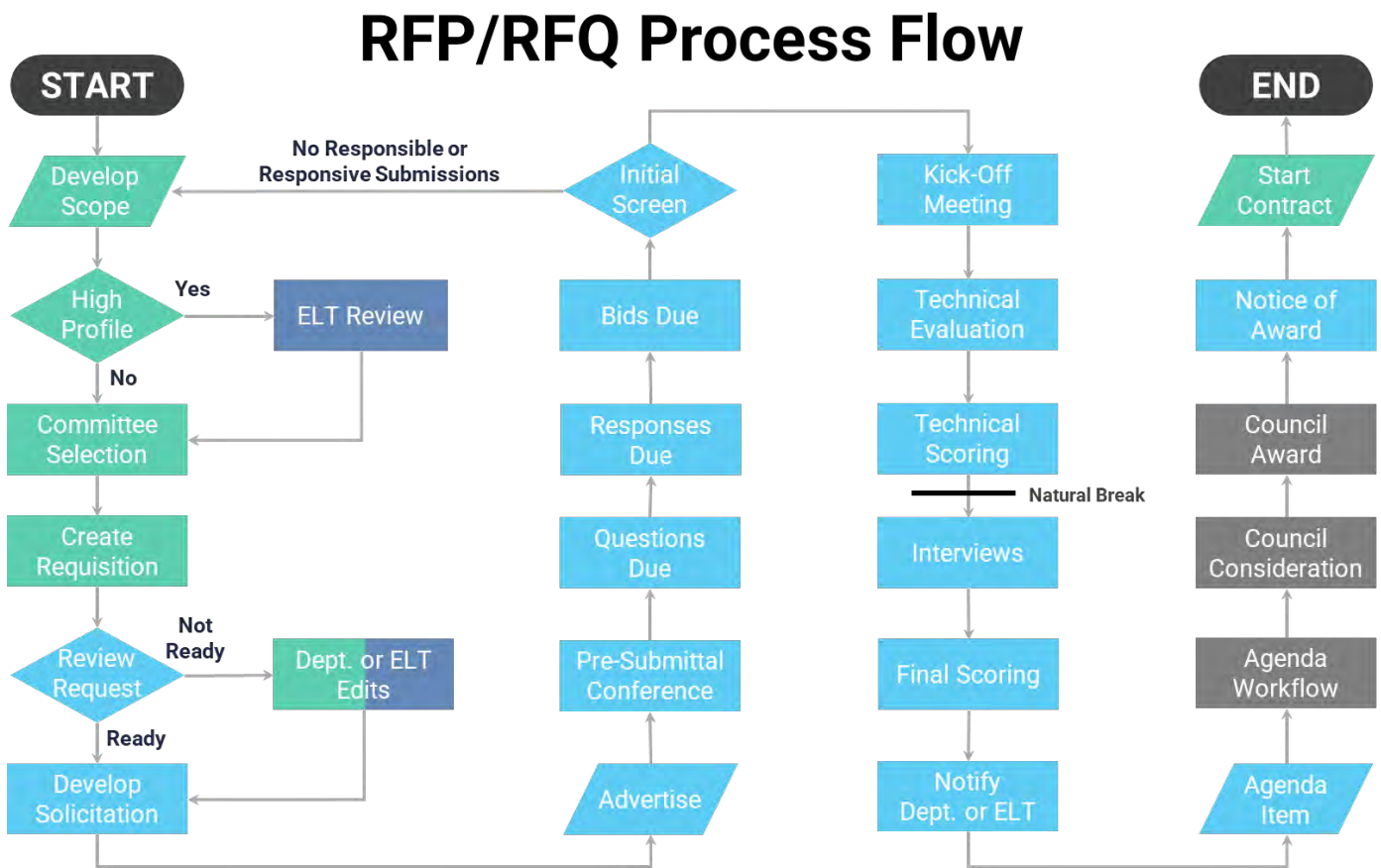
Procurement Team Assignments

Each team has a group email in outlook and can be contacted for any questions or concerns regarding your department procurements.

Procurement Team 1

City Attorney
City Auditor
Economic Development
Engineering Services
Gas Utilities
Management & Budget
Water & Wastewater

Procurement Team 2

Airport
Asset Management
Communications
Development Services
Finance & Procurement
Health
Information Technology

Procurement Team 3

Court Administration
Libraries
Municipal Court
Neighborhood Services
Parks & Recreation
Planning
Solid Waste

Procurement Team 4

City Manager's Office
City Secretary
Fire
Human Resources
Innovation
Police
Public Works

As of August 2022

Print Shop Services

Printing

- B/W Copies
- Color Copies
- Envelops
- Business Cards
- Brochures
- Flyers
- Posters
- Leaflets
- Photos
- Banners
- Post Cards
- Forms
- Menu
- Stationary
- Blueprints
- Letter Head
- Vinyl Signage

Specialty

- Door Hangers
- Bandit Signs
- Vinyl
- Newsletters
- Magazines
- Agendas
- Table Tents
- Name Tags
- Full Bleed Prints
- Calendars
- Stickers
- Labels
- Decals
- Laminating
- Etching
- Batch Numbering

Finishes

- Thermal Binding
- Coil Binding
- Two/Three Hold Punch
- Booklets
- Bi-fold/Trifold/Z-Fold
- Custom Paper Sizes & Stocks
- Tube Riveting
- Rounded Corners

Full Design Services

- Logos
- Branding
- Layouts
- Mockups
- Graphics
- Print Design

Cooperative List

DIR (Primarily IT/MIS items)

STATE OF TEXAS TXMAS (Massive List of Goods & Services)

STATE OF TEXAS SMARTBUY (Massive List of Goods & Services)

GSA (IT and LAW Enforcement, Emergency Management items)

HGAC (Mainly Equipment, vehicles, parks and rec and emergency contracts)

BUYBOARD (Massive List of Goods & Services)

OMNIA (Primarily Services Contracts – JOC)

TIPS (Primarily Educational Goods & Services)

SOURCEWELL (Primarily Service Contracts – JOC)

GOODBUY (Massive List of Goods & Services)

SERVICE CONTRACT EVALUATION

Date:	Contract No.:
Contractor:	
Contract Coordinator/Project Manager:	

Note: Please attach all relevant documentation, letters, or emails and reference them in the applicable comment section

	SERVICE CONTRACT EVALUATION:		PERFORMANCE RATING:		
			Unacceptable	Acceptable	Exceptional
1	Timeliness	Contractor's punctuality	☐	☐	☐
2	Reliability	All duties were completed by the Contractor	Unacceptable ☐	Acceptable ☐	Exceptional ☐
3	Responsiveness	Contractor's communication about the process	Unacceptable ☐	Acceptable ☐	Exceptional ☐
4	Quality	Rate the quality of work performed in key areas	Unacceptable ☐	Acceptable ☐	Exceptional ☐
5	Consistency	Rate the overall work the contractor performed	Unacceptable ☐	Acceptable ☐	Exceptional ☐
6	Costs	Rate the value of the contract	Unacceptable ☐	Acceptable ☐	Exceptional ☐
7	Vendor	Would you contract with this contractor again?	YES ☐		NO ☐
8	Other	Other comments.			

COMMODITY CONTRACT EVALUATION

Date:	Contract No.:
Contractor:	
Contract Coordinator/Project Manager:	

Note: Please attach all relevant documentation, letters, or emails and reference them in the applicable comment section

COMMODITY CONTRACT EVALUATION:			PERFORMANCE RATING:		
1	Timeliness	Delivery was timely	Unacceptable ☐	Acceptable ☐	Exceptional ☐
2	Reliability	All items ordered were received	Unacceptable ☐	Acceptable ☐	Exceptional ☐
3	Responsiveness	Vendor communications	Unacceptable ☐	Acceptable ☐	Exceptional ☐
4	Quality	Rate the quality of items	Unacceptable ☐	Acceptable ☐	Exceptional ☐
5	Consistency	All items were functional	Unacceptable ☐	Acceptable ☐	Exceptional ☐
6	Costs	Rate the value of the contract	Unacceptable ☐	Acceptable ☐	Exceptional ☐
7	Vendor	Would you contract with this vendor again?	YES ☐		NO ☐
8	Other	Other comments.			

Debarment Process

1. Assistant Director of Finance Procurement

    a. The Assistant Director receives a written complaint regarding a contractor.

    b. The Assistant Director will review the information provided and gather additional information from City resources to determine whether adequate information exists to debar the Contractor.

    c. If the Assistant Director determines that adequate information exists to debar the Contractor, the Assistant Director will send a Notice of Proposed Debarment to the Contractor and any specifically named affiliates.

2. Notice of Proposed Debarment.

    a. The Notice of Proposed Debarment will be sent to the contractor.

    b. The Notice will include:

        i.   A statement that debarment is being considered;

        ii. The reasons or causes for the proposed debarment in terms sufficient to put the contractor on notice of the conduct or transaction(s) upon which the proposed debarment is based;

        iii. Information regarding the contractor's right to submit in writing, within 20 days, information and argument in opposition to the proposed debarment. The information and argument may be done by the contractor or through a representative and should include any additional specific information that raises a genuine dispute over the material facts. The contractor's response must be concise and presented logically and factually.

    c. The contractor must respond in writing within 20 days or waives the right to object to the proposed debarment. If the contractor does not timely respond to the Notice of Proposed Debarment, a decision to debar the contractor will be without the contractor's objection and uncontested.

    d. In actions based upon a conviction or civil judgment, the Assistant Director will send a Notice of Debarment.

    e. In actions not based upon a conviction or civil judgment:

        i.   If the Assistant Director decides not to debar the contractor, the Assistant Director will send a written notice to the contractor.

        ii. If the Assistant Director decides to continue with the debarment process, the Assistant Director will send a written Notice of Hearing to the contractor.

3. Debarment Hearing.

   a. The Notice of Debarment Hearing will include:

      i. The time, date and place for the contractor to meet with the City regarding the contractor's opposition to debarment.

      ii. A statement that the contractor may be represented by counsel and may present evidence and testimony to support the factual grounds for the contractor's opposition.

      iii. A statement that the contractor can request a copy of the City's evidence that supports debarment.

      iv. A copy of the notice will be sent to the operating department and legal department.

   b. The following individuals from the City may attend the hearing:

      i. Representatives from the operating department;

      ii. Engineering Services staff;

      iii. Legal Department staff;

      iv. Other appropriate City staff or consultants as determined by the Assistant Director.

   c. Conduct of Hearing:

      i. The contractor will have an opportunity to present its case, call any witnesses and question any witnesses presented by the City.

      ii. The Assistant Director will hear the case presented by the contractor and any rebuttal evidence presented by the City.

      iii. The Assistant Director will have the ability to question the contractor and any witnesses.

      iv. The Assistant Director will have the ability to stop testimony that is not relevant to the debarment.

      v. The weight to be attached to witness testimony and documents presented will be at the discretion of the Assistant Director.

   d. At the conclusion of the hearing, the Assistant Director will cause written findings of fact to be prepared by an independent third party or consultant.

4. Debarment Decision.

   a. If debarment is imposed, the Notice of Debarment will:

      i. State the time period for debarment, including the effective dates;

      ii. Include any written findings of fact specifying the reason(s) for debarment;

    iii.   Notify the contractor of the ability to appeal the Assistant Director's decision by filing a Notice of Appeal with the Assistant City Manager of Engineering Services within 10 days of receiving the Notice of Debarment.

    iv.   Notify the contractor that, if they choose to appeal the Assistant Director's decision, within 30 days of receiving the Notice of Debarment, the contractor must submit, in writing, a clear and concise Statement of Appeal, detailing their objections to the debarment decision, specifically pointing out any of the particular findings and actions alleged to be in error. Such statement will include a brief and concise summary of all testimony of witnesses and exhibits presented at the debarment hearing.

5.   Appeal to City Manager or designee.

    a.   The contractor may appeal the debarment decision to the City Manager or designee (CM) by sending a written Notice of Appeal to the CM within 10 days of receiving the Notice of Debarment.

    b.   The contractor must submit their Statement of Appeal within 30 days of receiving the Notice of Debarment. The Statement of Appeal must be clear and concise and detail the objections to the debarment decision, specifically pointing out the particular findings and actions alleged to be in error.

    c.   The complete Debarment File will include:

        i.   the City's Notice of Proposed Debarment;

        ii.   all information gathered by the Assistant Director regarding the causes for debarment;

        iii.   all information submitted by the Contractor;

        iv.   the City's Notice of Hearing;

        v.   all evidence presented at the debarment hearing;

        vi.   the City's written Findings of Fact;

        vii.   the City's Notice of Debarment;

        viii.   the Contractor's written Notice of Appeal; and

        ix.   the Contractor's Statement of Appeal.

    d.   If the CM determines from the Debarment File that facts have been presented that might justify reversal of the debarment decision, the CM will schedule a date for the City and the Contractor to submit additional written information. The decision of the Assistant Director will be entitled to great deference and will be affirmed unless it is found to be clearly unreasonable or capricious.

    e.   The contractor will be notified in writing of the CM's decision.

6.   Appeal to City Council.

    a.   With reasonable promptness, after the appeal process has been exhausted, the decision to debar is upheld by the City Manager or designee and notice that the decision has been upheld is

provided to the contractor, either the City Manager or City Council may request City Council review by scheduling such review on an agenda of an upcoming regular meeting of the City Council.

b. City Council review should be scheduled within 90 days of the date of the letter to contractor providing notice that the City Manager or designee has upheld the decision to debar.

c. Upon the date of posting the agenda for the meeting at which City Council will review the debarment decision, the contractor will be removed from the Excluded Parties List (EPL).

d. After City Council upholds the decision to debar, the contractor will be listed on the EPL.

e. If the City Council overturns the decision to debar, the contractor's name will remain off the EPL.

f. The City Council's decision, if any, will be made in an open meeting. Therefore, after City Council renders a decision, no further notice to the contractor is required.

PROCUREMENT COMMITTEE EVALUATION FORM

Date:	Solicitation No.:
Contractor:	
Evaluation Type:	**Evaluator No.:**

Note: Please reference scoring key (separate attachment) – Scores are low to high (worst to best)

		EVALUATION CRITERIA:	PERFORMANCE RATING:				
			Low - High				
			0	1	2	3	4
1	Firm	Experience on projects of similar scope and complexity	☐	☐	☐	☐	☐
2	Firm	Demonstrated capability & capacity on comparable projects	☐ (0)	☐ (1)	☐ (2)	☐ (3)	☐ (4)
3	Firm	Past Performance	☐ (0)	☐ (1)	☐ (2)	☐ (3)	☐ (4)
4	Team	Team members with experience and qualifications	☐ (0)	☐ (1)	☐ (2)	☐ (3)	☐ (4)
5	Team	Team members experience with work of similar scope and complexity	☐ (0)	☐ (1)	☐ (2)	☐ (3)	☐ (4)
6	Team	Availability of Resources to accomplish the work	☐ (0)	☐ (1)	☐ (2)	☐ (3)	☐ (4)
7	Project	Demonstrated understanding of scope of services	☐ (0)	☐ (1)	☐ (2)	☐ (3)	☐ (4)
8	Project	Demonstrated understanding and experience with similar service with a public agency	☐ (0)	☐ (1)	☐ (2)	☐ (3)	☐ (4)

Evaluation Scale

Score of 0

Proposal or Qualifications do not meet evaluation criteria

Experience Provided not relevant to procurement

Proposal outside scope or request

Score of 1

Proposal or Qualification meet 25% of evaluation criteria

Experience Provided is marginally similar but significantly greater or lesser than project

Proposal would need significant modification to get in range to target scope

Team or Member does not have relevant experience

Score of 2

Proposal or Qualification meet 50% of evaluation criteria

Experience Provided is similar but not directly related to scope

Proposal would need modification to better target scope

Team or Member has not worked with firm on relevant experience

Score of 3

Proposal or Qualification meet 75% of evaluation criteria

Experience Provided is similar to scope but size or budget is greater or lesser than project

Proposal would still need minor modification to target scope

Proposal was not detailed to make full determination of compatibility

Team or Member did not demonstrate relevant experience to project scope

Score of 4

Proposal or Qualification meet 100% of evaluation criteria

Experience is very similar to size and scope of project

Proposal needs very minor to no modification to target scope

Team or Member demonstrates relevant experience to project scope