

requirements for the material, product, or service to be procured, the requirements the bidder must fulfill, factors to be used in evaluating bids or proposals, a description, when practical, of technical requirements in terms of functions to be performed, and the specific features of "brand name or equal" descriptions that the bidders are required to meet. The request for proposals will be published in at least two newspapers which will include significant evaluation factors including price and cost, technical evaluation, determination of responsible bidders and selection of the contract. Efforts will be made to utilize small businesses, minority-owned businesses, and women's business enterprises. The award will be made to the responsive bidder whose proposal is most advantageous to the agency with all factors considered.

Non-competitive negotiation through solicitation of proposal from only one source, or after solicitation of a number of sources, competition is determined inadequate. Non-competitive negotiation may be used when the award of a contract is feasible under small purchase, competitive bidding (formal advertising) or competitive negotiation procedures. Circumstances under which a contract may be awarded by non-competitive negotiation are limited to items or services that is available from one single source, a public emergency, when the urgency for the requirement will not permit a delay incident to competitive solicitation, the Administration on Aging authorizes non-competitive negotiations or after solicitation of a number of sources, competition is determined inadequate.

No officer, employee, or his/her partner, immediate family or agent of this agency will participate in the selection, awarding or administration of a contract, if a conflict of interest, real or apparent, would be involved. Such a conflict would arise if the officer, employee, agent or an organization which employs, or is about to employ, any of these persons has a financial or other interest in the firm selected for the award. To the extent permissible under state or local laws, rules, and regulations, such standards shall provide for appropriate penalties, sanctions, or other disciplinary actions to be applied for violations of such code of standards of conduct.

Generally, it is the policy of this agency the employees or officers of this agency will not solicit or accept gratuities, favors or anything of monetary value from clients, contractors or potential contractors. If any employee or officer does not comply with this code of conduct, disciplinary action shall be taken in accordance with this agency's disciplinary policies. All purchases of goods and services will be authorized by the public health administrator, director of support services or director of community nursing. They will take all reasonable steps to ensure that all purchases are necessary, not duplicative and purchased with propriety.

If a capital item in excess of \$600,000 would be anticipated, a capital expenditure plan will be used to identify in detail the anticipated sources of financing. If the financing source of any capital project includes federal funds, the agency will demonstrate compliance with all applicable regulations.

Effective 09-21-98	Reviewed 10-99 11-02 11-00 11-03 11-04 11-05 11-06 11-07 11-08 11-09 11-10 11-11 10-12	Revised 10-01 03-02
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PROCUREMENT PROCEDURE

PURPOSE:

To ensure that expenses in excess of \$2000 will be in compliance with all state and federal rules governing procurement and bylaws of the agency.

POLICY:

The procurement of all expense will identify the sources of funding. If the expenditure included federal or state funds, the agency will demonstrate compliance with all applicable regulations.

PROCEDURE:

All equipment to be purchased will be bought by the public health administrator, provided the cost is less than \$2000 and within budget. All avenues will be examined to analysis if leasing or purchasing is the most economical.

If the cost exceeds \$2000, but is less than \$3000, the public health administrator will obtain sealed bids, for the consideration of the Board of Health to award the purchase.

If the estimated cost of the purchase is in excess of \$3000 the public health administrator will solicit sealed bids by public advertisement in at least two local newspapers. The advertisement will clearly define the terms of service needed, will allow two weeks to submit bids and establish a date and time at the health department for bids to be opened publicly.

Small purchases are defined as the procurement of services, supplies or other property costing not more than \$10,000 in aggregate and will comply with state small purchase dollar limits under \$10,000. These purchases will include price or rate quotations being obtained from an adequate number of qualified sources and include justification through documentation when less than three sources of price quotations are obtained.

A firm fixed-price contract will be made by written notice to the responsive bidder whose bid, conforming to the invitations for bids, is lowest. Any and all bids may be rejected when there are sound documented business reasons in the best interest of the agency. Contracts awarded on the basis of lowest cost only do not require justification. Notification on unsuccessful bidders will be prompt.

If competitive negotiation for procurement under a grant is required, proposals are solicited from at least two qualified suppliers. Competitors' qualifications are evaluated and the most qualified bidder is selected for the procurement of architectural and/or engineering professional services and procurement in the subject to negotiation of fair and reasonable compensation. Competition will be obtained to the maximum extent possible in the absence of circumstances justifying negotiation.