

City of Lewiston

PURCHASING POLICY



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SECTION 1: POLICY

To purchase goods and services in a fair and impartial manner and at a competitive price so that public dollars are expended in the most cost-effective manner possible, all while complying with any applicable federal, state, and local laws.

The City promotes a procurement environment based on the understanding that departments and divisions are in the best position to determine what they need to run their operations. The Purchasing Division is the single point of contact for all centralized procurement activities and is tasked with determining how purchases should be made. Policies, principles, processes, and procedures are meant to support the need to obtain products and services in a timely and cost-effective manner while also making sure that appropriate business and legal principles and processes are followed.

SECTION 2: PURPOSE

The purpose of the Purchasing Policy is to establish an overall philosophy for purchasing goods and services on behalf of the City while always being mindful that this is taxpayer money.

Considerable authority has been delegated to departments and divisions to make purchasing decisions and this requires that employees involved at every step of the process take full responsibility for understanding the City's policies, principles, processes, and procedures regarding purchasing, payments, and vendor relations.

This policy is intended to provide guidance for those making purchases on behalf of the City and is not meant to answer all questions. Refer to the Processes and Procedures appendices and related Standard Operating Procedures for guidance in following this policy.

SECTION 3: SCOPE

This policy applies to all City of Lewiston employees, City Council members, commission members acting on behalf of the City, and anyone acting as an agent of the City when making purchases with City funds.

SECTION 4: ENFORCEMENT

The responsibility for the day-to-day compliance with the Policy shall rest with the Purchasing Agent, under the general direction of the Administrative Services Director.

The Purchasing Agent shall see that each Department Manager, Division Manager, and other City employees involved in the purchasing process receive a copy of the Purchasing Policy. Certification of receipt of the Purchasing Policy shall be placed in the employee's personnel file.

SECTION 5: RESPONSIBILITIES

A purchasing system cannot function properly without the cooperation and assistance of all involved parties.

5.1: Director of Administrative Services

The Director of Administrative Services' responsibility is to:

- Recommend approval of Purchasing Policy and Procedures
- Oversee the Purchasing Agent
- Promote an intelligent and harmonious relationship between the Purchasing Agent and other City Departments relative to purchases

5.2: Purchasing Agent

The Purchasing Agent's responsibility is to:

- Administer purchasing policies
- Participate on all evaluation committees for IFBs, RFPs, and RFQs
- Institute reports necessary to permit analysis of purchasing performance
- Assist Legal and City Departments with contract term negotiations
- Consolidate purchase of like or common items when feasible and beneficial
- Analyze prices paid for materials and equipment
- Request reconsideration of specifications or quantity of material if it appears that the interests of the City may be better served
- Define how to obtain savings and to coordinate purchasing procedures
- Forward useful information from sales representative interviews and direct mail to the appropriate City Departments

5.3: Department Directors

The Department Director's responsibility is to:

- Determine the need for goods or services using prudent judgment, within budgetary restrictions.
- Forward useful information from sales representative interviews to the Purchasing Agent
- Direct sales representatives to the Purchasing Agent's office as their first point of contact with the City
- Negotiate contract terms and conditions with Legal and Purchasing assistance

5.4: Employees

Employee's (involved with purchases) responsibility is to:

- Become familiar with the purchasing policy, principles, processes, and procedures
- Stay within authorized spending and contract levels

5.5: City Council

The council's responsibility is to:

- Take action on contracts upon the recommendation of the Purchasing Agent as supplemented by Department Managers, if required

SECTION 6: PRINCIPLES

6.1: Vendor Relations

- The Purchasing Division will promote a program of fairness and professionalism with all vendors.
- The Purchasing Division will receive sales representatives as promptly and courteously as time permits
- During evaluation and negotiation periods, prices and other specific information received from vendors will not be divulged to other vendors
- The Purchasing Division will advise unsuccessful Bidders as to the disposition of their bids
- Bidding participants may protest to the City that they were prejudiced by the City's procurement or award procedures.
- City employees will interact with employees from other companies in a professional manner that will reflect well on the City and the State of Idaho.

6.2: Sources of Supply

The Purchasing Division shall, with the input of the appropriate department, select sources of supply in accordance with Idaho Code §§ 67-2801 through 67-2809 and any other applicable state and federal code. This shall be accomplished with a view toward creating good vendor relations and promoting the best interests of the City. The City recognizes that frankness and fair dealings are the cornerstones of strong and lasting relationships with suppliers. In no event will favoritism be shown to vendors.

6.3: City Business License

City Code Chapter 21 requires that all vendors having a business or doing business within the City of Lewiston have a City of Lewiston business license. Where an out-of-town business solicits our business by salesperson or by submitting a bid or proposal in response to an Invitation for Bid or Request for Proposals, a business license would be required.

A City business license will not be required for out-of-town consultants who are invited into the city to perform personal or professional services, regardless of the dollar amount of the contract. Personal and professional services are: 1) architectural, 2) engineering, 3) accounting, 4) legal, 5) financial, 6) insurance, 7) labor negotiations, 8) artistic, and 9) medical.

6.4: Prohibited Conduct

There are several statutes that regulate the conduct of those who make or approve purchases on behalf of the City. Every employee or City official who makes or approves purchases on behalf of the City is required to familiarize him/herself and act in accordance with the following statutes:

1. Bribery and Corrupt Influence Act: Idaho Code Title 18, Chapter 13 and § 67-5726
2. Misuse of Public Moneys: Idaho Code Title 18, Chapter 57
3. Willful Avoidance of Procurement Statutes: Idaho Code § 59-1026
4. Ethics in Government: Idaho Code Title 74, Chapter 4
5. Prohibitions against Contracts with Officers: Idaho Code Title 74, Chapter 5

All employees and City officials must refrain from unethical or illegal purchasing practices. It is important to protect decision impartiality, including appearances affecting impartiality, in order to earn and maintain the public's and vendor community's confidence in the integrity of government.

Below are some of the acts prohibited by the above-listed statutes. However, the following list is not a complete list of all conduct prohibited by such statutes. It is the responsibility of each employee and City official to read and understand the statutes listed above. Any questions as to whether conduct is prohibited and/or unethical should be directed to the Purchasing Agent and/or the City Attorney.

6.4.1: Gifts & Gratuities (I.C. §§ 18-1356, 18-1359)

City employees, city council members, board or commission members, and anyone acting as an agent of the city are expressly prohibited from soliciting or accepting any rebate, merchandise, money, entertainment, gift, travel, meals, or gratuity, of any amount, no matter how trivial it may seem, from any person, company, firm, or corporation to which any purchase order or contract is, or might be, awarded. Therefore, while Idaho Code §§ 18-1356(5) and 18-1359(1)(b), do not prohibit trivial gifts or benefits valued less than \$50.00 if they are incidental to personal, professional or business contacts and do not affect official impartiality, City policy does prohibit these if you are in a position to steer business in the direction of the gift giver.

6.4.2: Accepting a Bribe (I.C. § 18-1352)

Accepting a bribe is a felony. Do not accept or solicit money, gifts, merchandise, or other benefits from a vendor or contractor in exchange for a favorable decision, opinion, or recommendation to said vendor or contractor. It is not a defense that the person whom the vendor or contractor attempted to influence did not have the authority to act in the desired way.

6.4.3: Bid Splitting & Avoidance of Competitive Bidding and Procurement (I.C. § 59-1026)

Intentionally splitting a procurement to avoid competitive procurement dollar thresholds is illegal. Likewise, it is illegal to willfully or knowingly avoid compliance with procurement or competitive bidding statutes; for example, falsifying an emergency situation to avoid the

competitive bid process. Violation can result in civil penalties of up to \$5,000 per violation and the reasonable costs incurred by the entity bringing the enforcement action.

Perceptions, correctly or incorrectly, play a huge part in determination of bid splitting. The question at hand is: “Would a reasonable person, in the same circumstances, have been able to foresee the additional expenses needed for the project or task, which were purchased at a later date?” If “yes”, then the probability is high that the additional procurement is a case of intentional bid splitting.

6.4.4: Conflict of Interest (I.C. Title 74, Chapters 4 and 5)

6.4.4.1 Conflict of Interest: Any official action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which would be to the private pecuniary benefit of the person, an immediate family member, a member of the person’s household, or a business with which the person, an immediate family member, or a member of the person’s household is associated.

The City will not tolerate circumstances that produce, or reasonably appear to produce, conflicts between the personal interest of an employee and the interests of the City. Therefore, no employee, officer, immediate family member, board or commission member, council member, or agent may participate in the selection, award, or administration of a contract if a conflict of interest, real or apparent, would be involved.

Any conflict of interest, real or apparent, must be reported to the Purchasing Agent or designee and, if an employee, to the employee’s immediate supervisor. After careful review of the situation, the person may be disqualified from participating in selection, award, and/or administration of the contract involved.

6.4.5: Organizational Conflicts of Interest:

An organizational conflict of interest may exist when:

- The activities, relationships, or other contracts of a contractor makes the contractor unable, or potentially unable, to render impartial assistance or advice to the city;
- A contractor's objectivity in performing the contract work is, or might be, otherwise impaired for any reason. An example is a study performed by an engineering firm where there is possible additional work, such as design or construction work, as a result of firm’s recommendation on current study work; or
- A contractor has an unfair competitive advantage for any reason (such as when the contractor assists in writing the specifications).

City employees involved in contracting are required to attempt to identify real and apparent instances of organizational conflict and to discuss such with the Purchasing Agent and immediate supervisor before contracting with a contractor. After careful review of the situation, the contractor may or may not be disqualified from providing services.

6.4.6: Those knowing about or suspecting a violation of these standards of conduct must pursue their concerns with appropriate supervisory and management staff.

6.5: Competitive Procurement

To promote fairness for vendors and wise use of taxpayer dollars, all goods and services will be obtained through competitive processes, unless exempted (Idaho Code §§ 67-2801 – 67-2809 and § 67-2320). Process to be followed will be determined by total estimated costs, including shipping, delivery, installation, length of contract, contract extensions, additional project tasks and phases, etc. Purchase will not be split to avoid competitive procurement requirements (Idaho Code § 59-1026).

6.6: Emergency Purchases

Idaho Code § 67-2808 permits the purchase (without competitive procurement processes) of any supplies or services for which immediate procurement is essential in an emergency. Idaho Code defines an emergency as a great public calamity (flood, fire, epidemic, other disaster); necessary for national or local defense; or necessary to safeguard life, health, or property. Before any procurement may occur, the City Council must declare the emergency by resolution.

6.7: Grants

When purchases are fully or partially funded by state or federal dollars, it is the City's intention to follow all applicable federal and state guidelines where required. The typical process is to follow the most stringent applicable procedures. This may result in a combination of federal, state and local requirements. It is the responsibility of the department receiving the grant to become familiar with and follow any procurement requirements mandated by the grant while also following all city and state requirements.

6.8: Business Preferences

6.8.1: The City believes in open competition and does not have any preferences, quotas, or goals for purchasing from small, minority, or disadvantaged businesses, except with some federal funding. However, departments are encouraged to notify these businesses of available bid/quote opportunities and to purchase goods or services from them when possible.

6.8.2: Idaho Code allows, and sometimes requires, preferences for an Idaho vendor over an out-of-state vendor. Such preferences are dependent on various factors and applicability needs to be determined with each purchase.

6.9: Tax Exemption

The City of Lewiston is an Idaho Municipal Corporation and therefore is exempt from all federal excise taxes, regardless of seller's location, and exempt from all Idaho state sales tax for items purchased in, or shipped to, Idaho.

Employees need to be sure to mention the City is tax exempt. If the vendor requests verification, please contact Purchasing for an exemption certificate.

If employee is physically obtaining goods or services in another state, the purchase is subject to that state's and locality's tax policies.

6.10: Workers Compensation and General Liability Insurances

All contactors, subcontractors and businesses providing a service to the City that is performed on City property or on someone else's property at the direction of the City must provide the City with proof of Worker's Compensation and General Liability insurances. The Workers Compensation policy must comply with Idaho Code Section§ 72-102(11) and 72-318(2). No waiver for coverage is permitted and no other type of insurance can be used as a substitute for Worker's Compensation Insurance.

There are certain occupational exemptions from coverage allowed and listed under Idaho Code, Section 72-212. If there is a qualified exemption, a written statement indicating the occupational category must be submitted to Purchasing prior to work beginning. NOTE: Even though certain vendors are exempted from carrying workers compensation coverage, the requirement for workers compensation coverage does not go away: It shifts to the City.

The City pays a premium tax for all vendors performing services on city property (or other's' property at the City's request) that do not have workers compensation coverage on file with the Idaho Industrial Commission at the time work is performed. The City is also responsible for any claims. These costs may be chargeable to the department that used the uninsured vendor.

6.11: Encumbrances

Funds are to be encumbered by Purchase Order, using the appropriate expense account, as soon as an expense is known or anticipated. Application of this principle helps to ensure funds are available for obligations and reduces the chances of exceeding available budget.

6.12: Petty Cash Purchases

Purchases of forty dollars (\$40) or less may be made through Petty Cash.

Use of the Petty Cash system will be on a reimbursement basis only, according to established procedures. Invoices must be signed by the Department Manager or his or her designee, and include any relevant comments and the correct accounting code before presenting to the cashier for reimbursement. The employee receiving the reimbursement must sign their own Petty Cash Receipt verifying receipt of the money.

6.13: Fixed Asset Accounting

Items purchased with a minimum value of one thousand dollars (\$1,000) and a useful life of at least three (3) years must be recorded and inventoried. Items with a value of five thousand dollars (\$5,000) or higher will be capitalized and depreciated.

6.14: Surplus, Scrap, and Recyclable Property

Purchasing is charged with disposal of surplus property and will do so in a manner to obtain the maximum benefit for the City. All surplus property, except scrap metal and recyclable materials, must be declared surplus by the City Council before disposal. The Purchasing Agent then shall have authority to sell by auction all such surplus property or to transfer property to another city department. No City asset, supplies, materials, or equipment shall be sold or otherwise disposed of, without prior approval of the Purchasing Agent.

Sales of surplus property shall be formally advertised and conducted by public auction. City employees are prohibited from bidding on surplus city property.

Scrap metal and recyclable materials shall be disposed of by the Purchasing Agent, or as delegated to departments, in such a manner and at such times to obtain the highest possible price from interested scrap dealers or recyclers. Those with delegated authority to dispose of scrap metal and recycle materials will submit a monthly scrap/recycle report to the Purchasing Agent.

Scrap and recyclables collected as part of the Sanitation Division's waste collection programs are not included in this policy and will be handled according to policies and procedures established by the Sanitation Division.

6.15: Suggestions

Suggestions that will help reduce costs, promote efficiency, or improve supplier service are both welcome and requested. Cost reduction ideas should reduce costs without a corresponding reduction in quality of service.

SECTION 7: SANCTIONS

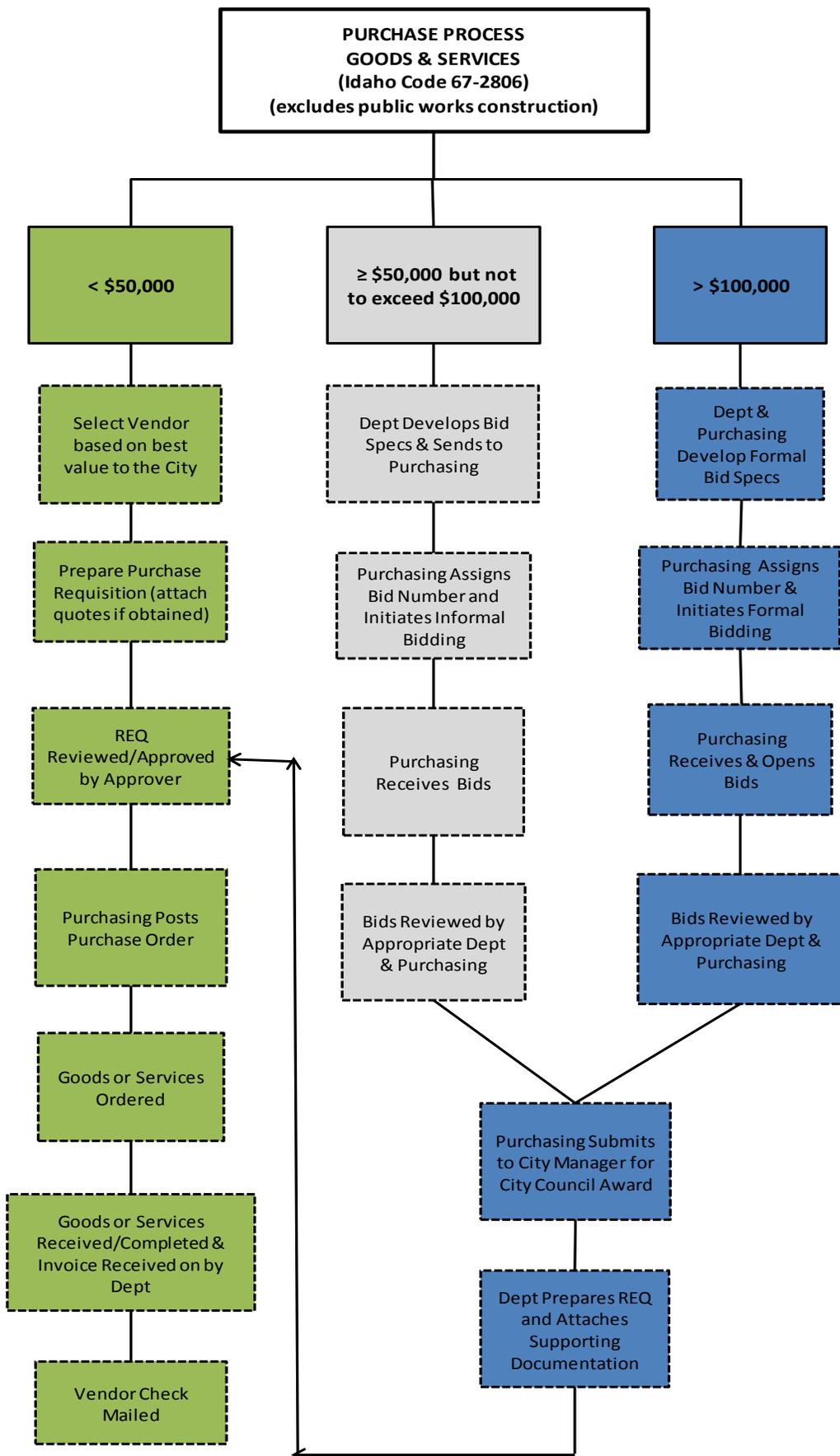
Employees having been investigated and found to have violated the purchasing policy will be disciplined in accordance with the City of Lewiston Personnel Policy and/or any applicable collective bargaining agreement to which they are subject.

SECTION 8: SUPPLEMENTAL MATERIALS

The following currently adopted City policies, as amended from time to time, will apply to certain purchasing actions: Credit Card Policy, Travel Policy, Fuel Card Policy, Pool Car Use Policy, and Petty Cash Policy.

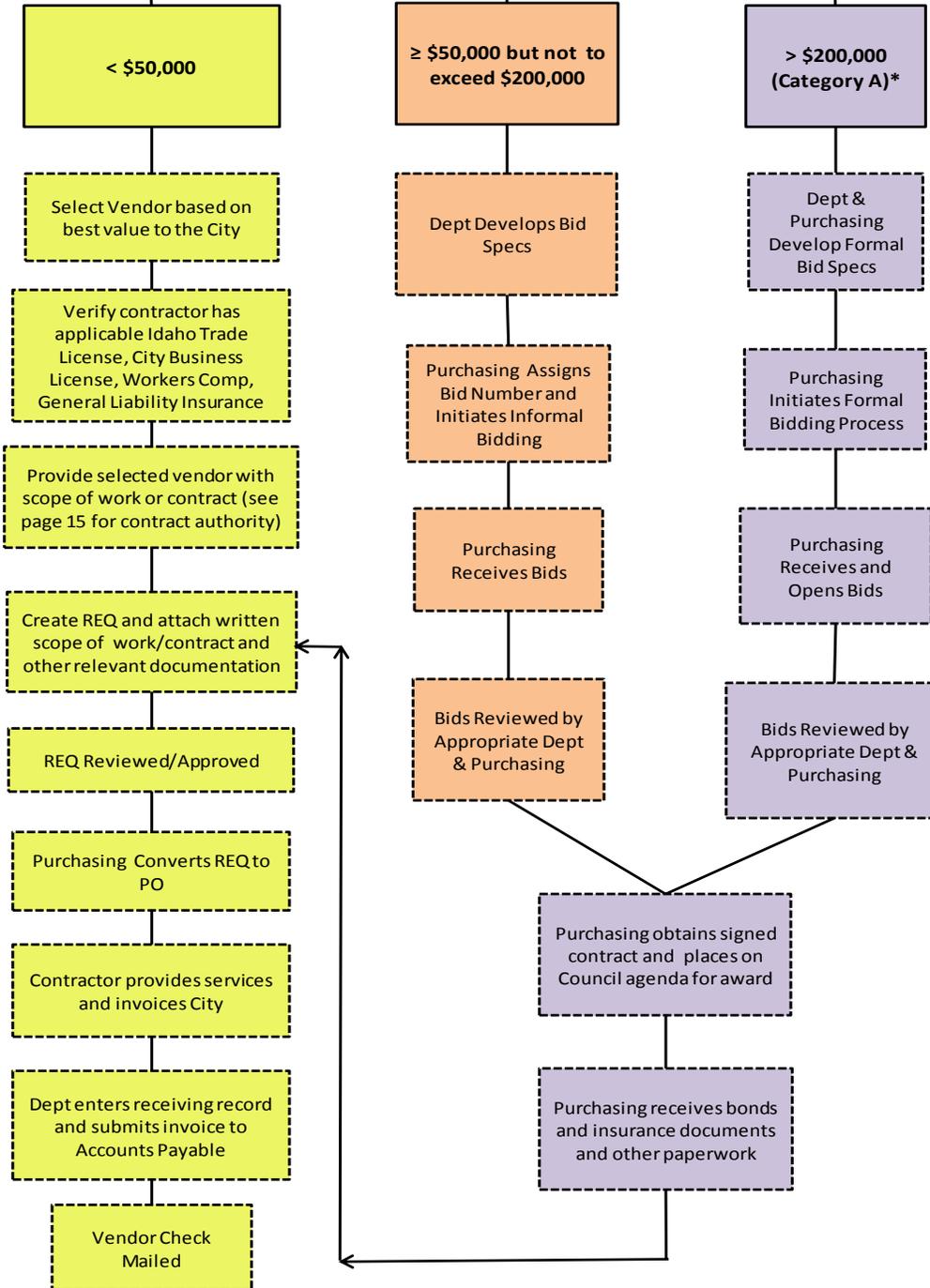
APPENDICES

Purchasing Processes



**PURCHASE PROCESS
PUBLIC WORKS CONSTRUCTION
(Idaho Code 67-2805)**

For any project greater than or equal to \$50,000, an Idaho Public Works Contractors License is required for bidding (I.C. 54-1903) and City must file notice of project award to the Idaho Tax Commission (I.C. 54-1904A). Plans and specifications for public works construction projects \geq \$10,000 must be prepared by, and construction reviewed by, a licensed professional engineer (I.C. 54-1218) or architect.



*This flow chart shows Category A bidding. For information regarding the Category B process, please contact Purchasing.

FORMAL COMPETITIVE PROCUREMENT SPECIFICATION DEVELOPMENT

>\$100,000 for general goods and services

>\$200,000 for Public Works construction

Department/Division -

- Originates, prepares technical specifications, provides vendor list, checks available funds

Public Works and Building Maintenance -

- Forward to Public Works and Building Maintenance for review if project involves any public facility or infrastructure

Purchasing Division -

- Reviews general format, proper notices and time frames - contacts the Legal Department if there are any questions

City Attorney -

- Checks general format, legality of wording, etc.

Department/Division -

- Prepares sufficient copies of specifications and plans

Purchasing Division -

- Advertises legal notices, distributes specification packages and notices, maintains plan-holder list, distributes addenda, opens submittals

Department/Division -

- Co-evaluates submittals with Purchasing
- Creates recommendation for award

Purchasing Division

- Submit recommendation for award to the City Council

**GUIDELINES FOR ACQUIRING PROFESSIONAL SERVICES
(Idaho Code § 67-2320)**

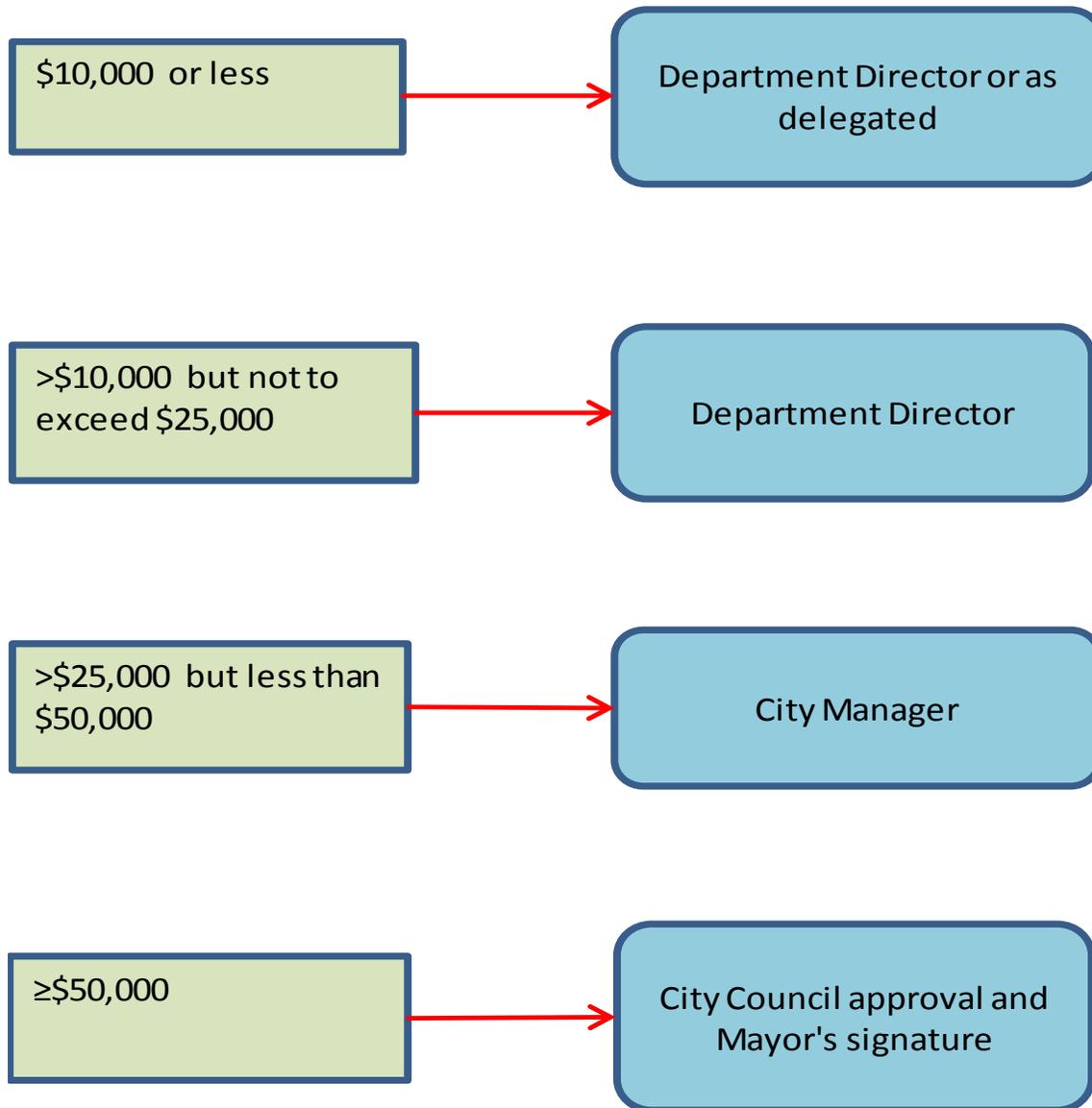
**Engineering, Architectural, Landscape Architectural, Construction
Management, & Land Surveying Services**

Selection based on qualifications only. Cannot ask for prices.

| <i>Anticipated Fees</i> | <i>RFQ Option(s)</i> | <i>Minimum # of Firm(s) or Person(s) Considered</i> | <i>Minimum # of Evaluators</i> | <i>Interview Required⁴</i> | <i>Approval/Signing of Contract</i> |
|---------------------------------------|--|---|--------------------------------|---------------------------------------|--|
| \$0-\$25,000 | 1. Direct Request ¹ 2. Consultant Roster 3. Published Public Notice | 1 | 1 | No | Department Director |
| >\$25,000 but not to exceed \$200,000 | 1. Consultant Roster ² 2. Published Public Notice | 3 | 1 ³ | Optional | City Manager ≥\$50,000: City Council |
| >\$200,000 | 1. Published Public Notice | 3 | 3 | Yes | City Council |

- 1 Even though we are not required to use competitive selection for services valued below \$25,000, we are still required to select a consultant that is well qualified to provide the services.
- 2 If anticipated fees are over \$100,000 and using roster, send abbreviated RFQ with more specific project information to at least three firms on roster.
- 3 If the evaluator has expertise in the services being obtained, then a single evaluator is acceptable. If the evaluator does not have expertise, at least two evaluators are required.
- 4 Interviews, when optional, may be conducted by phone, video conference, web, or in person. When interviews are required, they must be conducted in person.

Contract Approval and Execution

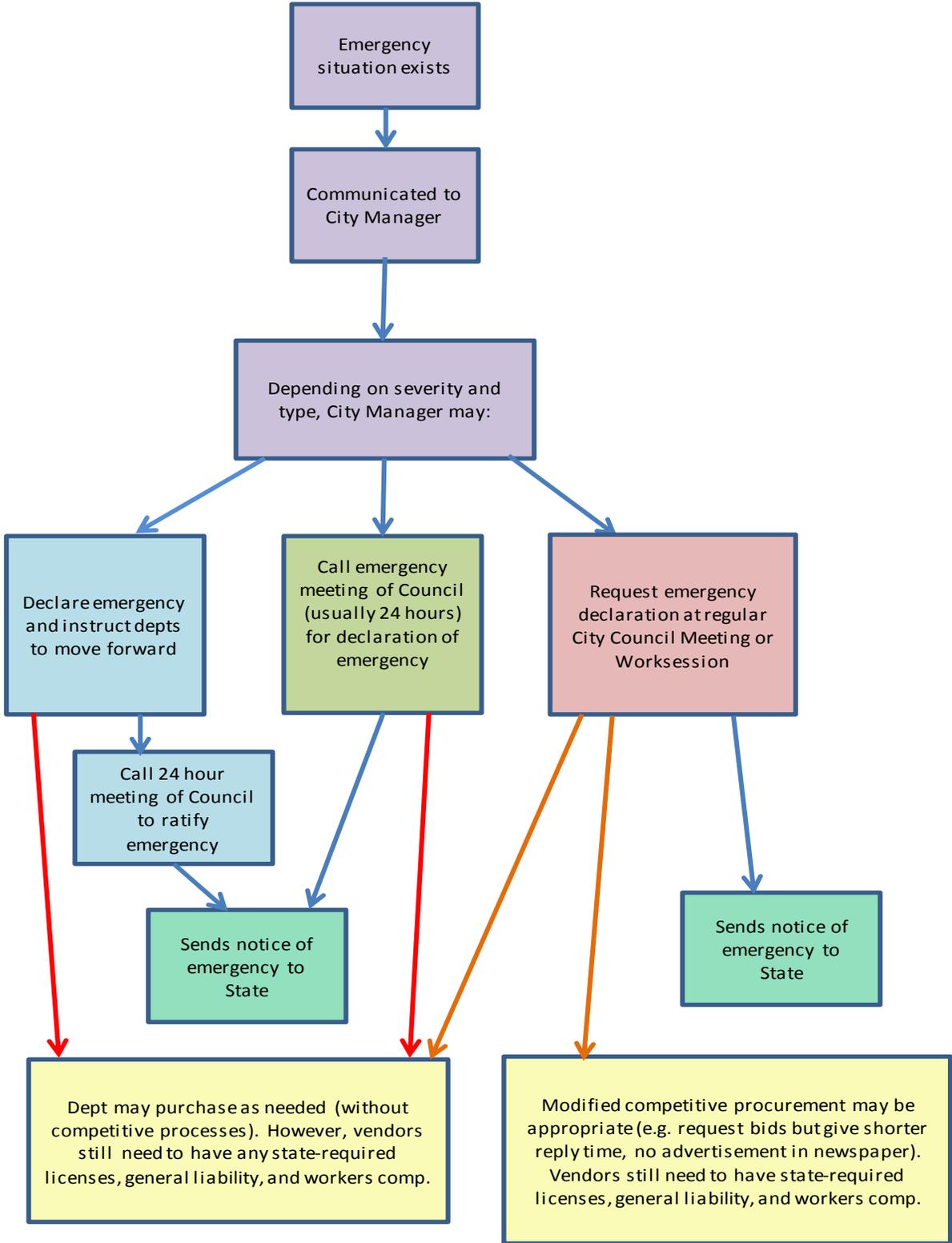


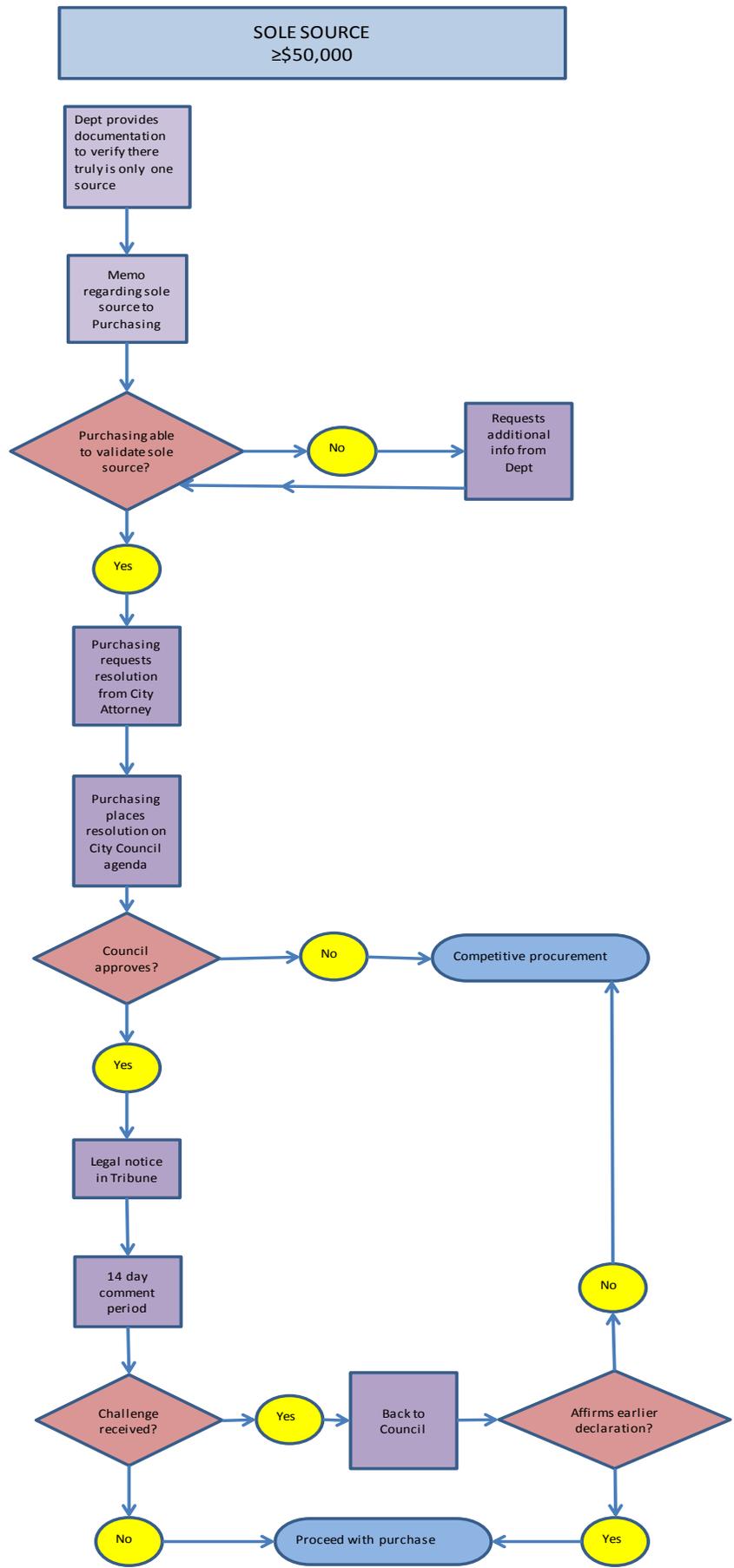
**CHANGE ORDER PROCESS
(for any contract or agreement)**

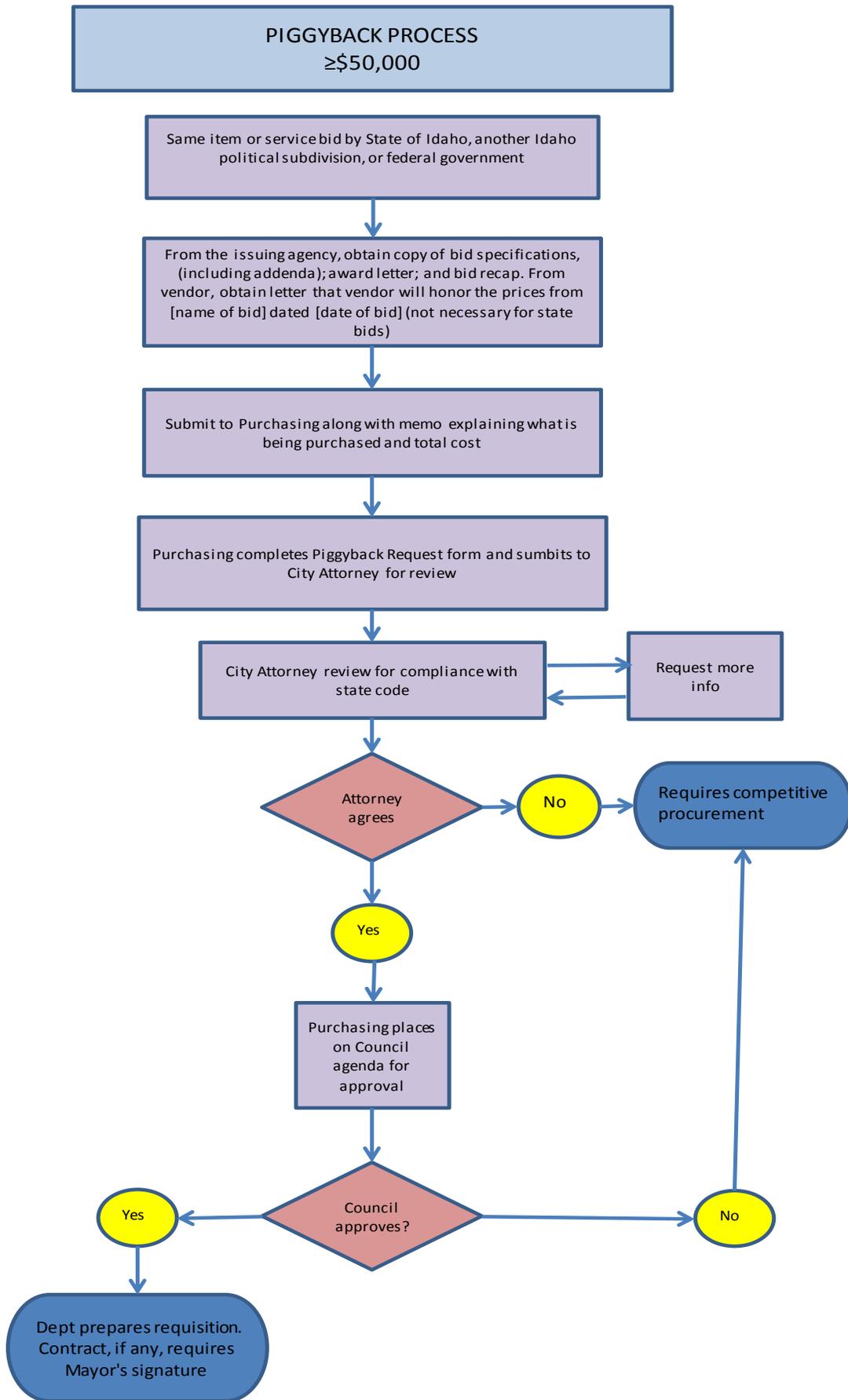
| Original Contract Signed by: | % increase (singularly and accumulatively) over original contract is: | AND amended total contract value is: | Who signs change order: |
|-------------------------------------|--|---|--------------------------------|
| Department | 10% or less | any amount | Dept Director or Delegate |
| City Manager or Mayor | 10% or less | any amount | Dept Director |
| Dept or City Manager | >10% | > \$25,000 but less than \$50,000 | City Manager |
| Dept, City Manager, or Mayor | >10% | ≥ \$50,000 | Council with Mayor's signature |

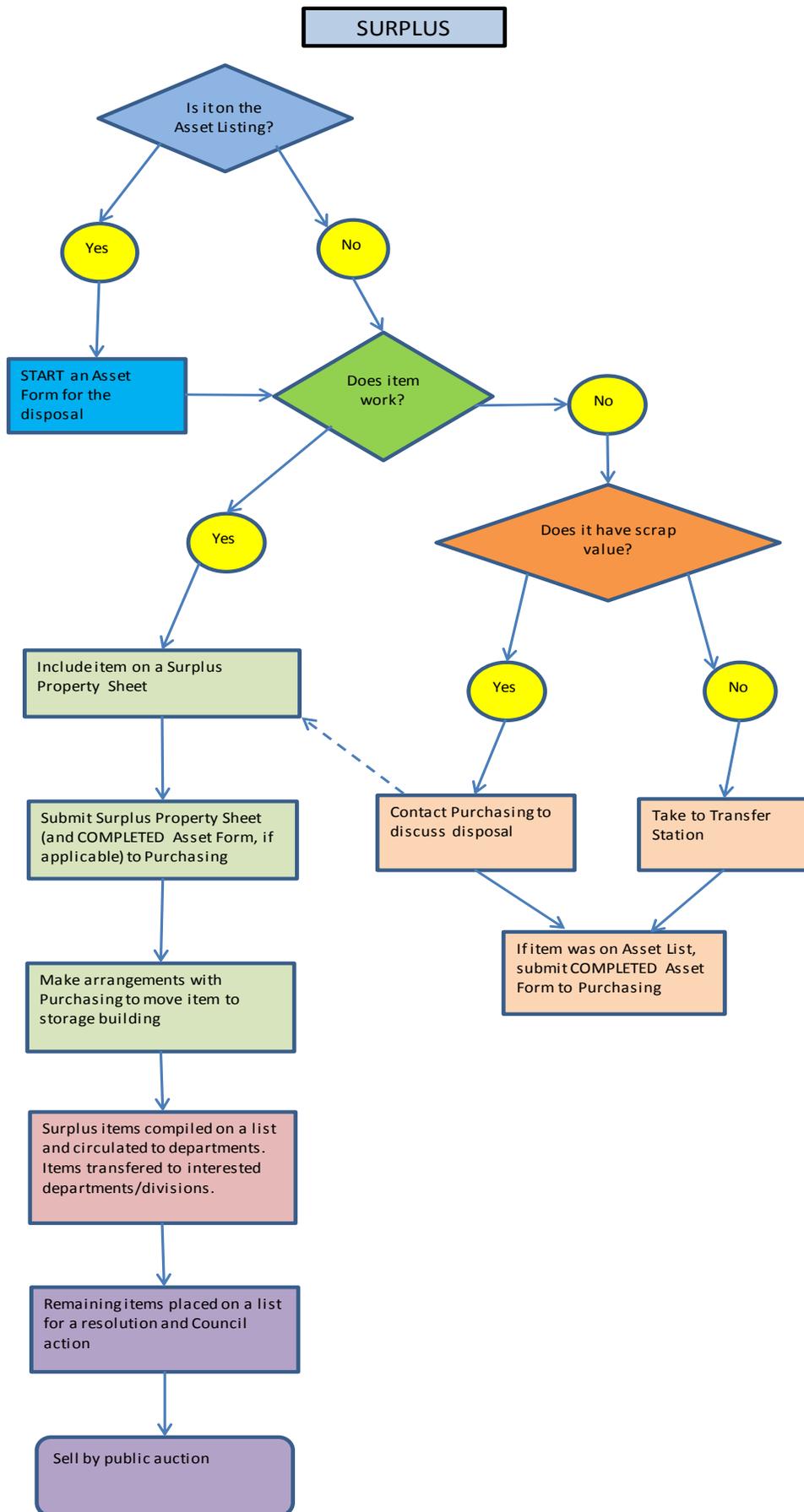
- Unless an emergency situation, no work or services pertaining to a change order or contract amendment may begin until change order has been approved.
- For an emergency situation, change order documentation needs to be completed within three days, or as soon as possible if an extended emergency situation.
- All change order documentation must include a budget impact statement and reason for the change order.
- Copy of approved change order or contract amendment must be attached to the purchase order change order request.
- For agreement modifications with design professionals, see also page 24 (1.5.6 Phased or Associated Project) and page 31 (5.3.4 Contract Extension).
- Following Council approval of a change order, the total contract amount incorporating all change orders up to that point will reset the “base” contract amount used when processing additional change orders. When using the chart above, the new “base” amount will be used in place of “original contract” amount.

**EMERGENCY PROCESS
≥\$50,000**









Purchasing Procedures

PURCHASING PROCEDURES

This portion of the manual briefly outlines the City's purchasing procedures and the forms designed to complement this system. The City acquires various types of property and services: goods and services; public works construction; and professional services.

"Cost" is determined based on the WHOLE project, purchase, or contract and may include shipping, delivery, maintenance, consultant travel, multiple years, anticipated additional tasks & phases, etc. **Do not split amounts to stay under competitive procurement thresholds as this is considered bid splitting and is prohibited by Idaho Code § 59-1026.**

When possible, the City will endeavor to use businesses with a significant Idaho economic presence.

SECTION I: TYPES OF PURCHASES

I.1: Purchases of Goods or Services (except public works construction)

<\$50,000 May be conducted with any vendor believed to provide the best value. Obtaining competitive quotes is not required, but is encouraged. When applicable, these purchases should be spread out over the various local vendors who are able to provide the same item(s) or service(s) at comparable prices. City Manager signs any contracts greater than \$25,000 but less than \$50,000.

≥\$50,000 but not to exceed \$100,000:

I.C. § 67-2806(1) Must provide written specifications to a minimum of three vendors able to provide the good or service. Responses must be in written form: mailed, faxed, emailed, or delivered. Specifications and responses must be attached to the electronic requisition (in Munis). Records must be maintained for a minimum of six months. City Council approval required. Mayor signs any contract.

Over \$100,000:

I.C. § 67-2806(2) Must be formally bid (see Invitation for Bid or Request for Proposals). Notice will be published at least twice in the local newspaper, with the second publication not less than seven days before the opening date. Detailed specifications must be available and Bidders have up to 3 days prior to bid opening to object to specifications. Requirement of a bid bond is at the discretion of the City. Bonding requirements, when exercised, are 5% of the bid for the bid bond and 100% of contract price for the performance bond and payment bond. An independent cost estimate must be performed before receiving bids or proposals. City Council approval required. Mayor signs any contract.

I.2 Purchases of Public Works Construction Services

Public Works construction is basically all construction and maintenance on city property buildings, roads, and facilities with non-city personnel. Plans and specifications for projects >\$10,000 must be prepared by, and construction reviewed by, a licensed professional engineer (Idaho Code § 54-1218) or architect.

<\$50,000: May be conducted with any contractor believed to provide the best value for the City; however, contractor must have Idaho trade license to perform services (e.g. electrical, plumbing, HVAC, general contractor, etc.). Obtaining competitive quotes is not required, but is encouraged. Contracts above \$25,000 must be signed by the City Manager.

≥\$50,000 but not to exceed \$200,000:

Idaho Code § 67-2805(2). A minimum of three (3) written bids from Idaho Public Works licensed contractors is required. The request must be in writing with a reasonable description and allow the potential vendors at least three days for response and an opportunity to object to the specifications. Bid security of at least 5% is required. Response is required to be in written form: by mail, fax, email, or delivered. The specifications and quotes must be attached to the requisition. Records must be maintained for a minimum of six months. City Council makes award and Mayor signs contract. Payment and performance bonds at 100% of contract value are required.

Over \$200,000:

Idaho Code § 67-2805(3). Formal bid required (see Invitation for Bid). Code allows two categories of competitive processes: Category A permits any Idaho-licensed public works contractor to submit a bid. Category B involves pre-qualifying contractors and only those contractors may submit a bid for a project. (Contact Purchasing for additional information on Category B bidding.) For both categories, notice will be published at least twice in the local newspaper, with the second publication not less than seven days before the opening date.

Detailed specifications must be available and Bidders have up to 3 days prior to bid opening to object to specifications. Bid security of at least 5% of bid is required. Performance and payment bonds at 100% of the contract value are also required. An independent cost estimate must be performed before receiving bids. City Council makes award. Mayor signs contract.

I.3: Purchases of Information Technology

Purchases or services related to information technology must be submitted to the Information Technology Manager for review and authorization to purchase. Purchase must also follow applicable purchasing process in I.1 based on total expected costs.

I.4: Purchases of Professional Design Services

Idaho Code § 67-2320 governs acquisition of engineering, architectural, landscape architectural, land surveying, and construction management services. All professional services obtained by the City shall be based on demonstrated competence and qualifications of the firm(s) or person(s).

The City shall establish a consultant roster by publishing a public notice requesting Statements of Qualification (SOQ). The City's Purchasing Agent shall retain these SOQs until such time as the next consultant roster is established.

Anticipated fees for determining selection process encompasses all anticipated stages of a project: preliminary study, conceptual design, final design, construction bidding, construction oversight, project closeout and any anticipated additional phases or tasks. When the anticipated fees are:

\$25,000 or less: Selection based on the evaluation of a single firm's or person's qualifications is permitted to allow timely response to small projects.

>\$25,000 but not to exceed \$200,000:
Selection is based on the evaluation of a minimum of three firms' qualifications. These qualifications shall be obtained from the Consultant Roster **OR** through the publishing of a public notice of Request for Qualifications (RFQ).

>\$200,000: Selection is based on the evaluation of firms' qualifications obtained by publishing a public RFQ notice.

NOTE: Professionals selected to perform services pertaining to tasks or phases of a larger project, selected outside of a competitive process for the overall project, may be excluded from participation in later phases of the project if the earlier services allowed access to information that would give the firm an unfair competitive advantage over other firms or could be perceived as avoidance of competitive procurement statutes. See Organizational Conflict of Interest (page 5) and Bid Splitting & Avoidance of Competitive Bidding and Procurement Statutes (page 4).

I.5: Purchases Exempted from Competitive Procurement

I.5.1 Emergency

An emergency exists if there is a great public calamity for which delay can impact the security, life, health, or property of Lewiston's citizens. For amounts \geq \$50,000, the City Council must make the emergency declaration (Idaho Code § 67-2808(1)(a)). Once Council declares an emergency, purchases of materials, equipment, and services necessary to mitigate the immediate emergency are not required to follow competitive processes.

I.5.2 Sole Source

Situations where there is only one vendor reasonably able to provide a good or service. For amounts \geq \$50,000, only City Council may make a sole source declaration (Idaho Code § 67-

2808(2)). Declaration is followed by a publication in the Lewiston Tribune and a fourteen (14) day comment period.

1.5.3 Joint Purchasing

Idaho Code § 67-2807. The City may participate in joint bidding with other public agencies. One of the agencies will be designated as the Lead Agency and will conduct the bid process.

1.5.4 Cooperative Contracts

Idaho Code § 67-2807. Contracts in which the City is a member and purchasing from the contracts is as if it were our own contract. It does not require bidding but does require some due diligence that the pricing offered in the co-op is a good price compared to what the City would likely pay if it was bid. Only Council may approve membership in a co-op. Council approval of purchase required if $\geq \$50,000$.

1.5.5 Piggybacking

Idaho Code § 67-2803(1) & (10). If the contract allows it and the vendor is agreeable to do so, the City may purchase off an existing contract that was formally bid by the State of Idaho, another political subdivision of Idaho, or the federal government. The most common contracts piggybacked by the City are State of Idaho contracts. Amounts $\geq \$50,000$ require City Attorney review and Council approval.

1.5.6 Phased or Associated Project (pertains to Professional Services only)

Idaho Code § 67-2320(4). If a project is related to or is another phase of a previous project that was awarded by Council as a result of a competitive selection process, the City may enter into a new professional services contract or amend the previous contract for the additional services. If the additional amount is over \$25,000, City Attorney review of “phased or associated” determination required prior to City Manager executing contract. If $\geq \$50,000$, City Attorney review and Council approval required.

1.5.7 Other exemptions listed in Idaho Code § 67-2803

Such as:

- Utilities;
- Ongoing maintenance and licensing of software previously procured through a formal competitive process
- Repair of heavy equipment
- Purchase of used property

SECTION 2: REQUISITIONS & PURCHASE ORDERS

2.1: Requisition

The Requisition (REQ) shall be used to request the purchase of supplies or services and to ensure funds are available and set aside (encumbered) for the total cost of the purchase.

Prior to requesting that a vendor provide goods or services, and prior to entering a REQ, ensure the intended vendor is already a vendor within MUNIS and that the vendor has all required licenses and insurances.

To create a REQ, open the City's MUNIS software and complete a "Requisition Entry". Use the appropriate expense account. When the form is completed click "Release" which will start the approval workflow process. The approver is responsible to ensure the correct vendor, description, expense account, and amount are on the REQ and that that vendor possesses any required licenses and insurances. Once approved, the REQ will be forwarded to the Purchasing Agent who will create the Purchase Order (PO).

2.2: Annual Requisition

In instances where monthly payments are made to a vendor during the year, create one REQ listing the months and payment amount at the start of the fiscal year or contract term.

In instances where payments of varying amounts will be made to a vendor during the year (such as office supplies or copier maintenance agreements), create one REQ with a lump sum amount as the quantity and a unit price of \$1.00. This will be turned into a Blanket PO for use to pay invoices as needed throughout the year. A blanket PO is ideal when you know you will need to purchase items from a particular vendor throughout the year, but you do not know what will be purchased each time nor do you know what the costs will be. In these cases, it is beneficial to set up a fairly generic PO with a lump sum amount that will be "used up" during the year. When remaining balance gets low, more funds may be added to it via change order.

2.3: Purchase Order

All Purchase Orders (PO) will be processed by the Purchasing Division . No PO will be issued without a properly processed REQ. For requisitions under \$5,000, the final requisition approver may convert the REQ to a PO. The approver is responsible to ensure the correct vendor, description, expense account, and amount are on the REQ and that that vendor possesses any required licenses and insurances.

2.4: Purchase Order Receiving

When items listed on the PO are received and verified, the originator will enter a receiving record for the PO. Using the MUNIS system, open "Purchase Order Receiving", complete the form, and "Accept". Write the PO number on the invoice and send it to Accounts Payable for payment processing. When an item is backordered, receive only on the items received and write "Do Not Close PO" on the invoice. When the backordered item is received, enter a receiving record for the item. **Do not pay for goods or services before they have been delivered.**

SECTION 3: COMPETITIVE PROCUREMENT FOR GOODS AND SERVICES

3.1: Informal Bid (IIFB) or Informal RFP (IRFP) – Goods and Services (not public works construction) ≥\$50,000 but not to exceed \$100,000 (Idaho Code §§ 67-2806(1) and 67-2806A)

- Written specifications (to include description of what is needed, quantity, due date and time for bids or proposals, and any other terms/conditions required of the

bidder or proposer) must be provided to at least three (3) vendors able to supply the goods or services. Bidders/Proposers must be provided adequate time to respond, but not less than three (3) business days.

- Responses must be in writing and be returned to the Purchasing Division by the designated time.
- Award is to the lowest responsive bidder for an IIFB or to the highest-ranked proposer for an IRFP.

3.2: Formal Bids (IFB) – Goods and Services greater than \$100,000 (Idaho Code § 67-2806(2))

- Notices inviting bids shall include a general description of the supplies or services to be purchased, the place where bid forms and specifications can be obtained, the time and place for opening bids, whether a bid deposit or bond will be required, and whether payment and performance bonds will be required.
- The notice shall be published twice in the Lewiston Tribune with the second publication at least seven (7) days from the first publication and the second publication at least seven (7) days prior to the date set for final receipt of bids. Notice will also be posted to the city's website. Notices may only be published by the Purchasing Division.
- When deemed necessary by the purchasing officer, bids shall be accompanied by bidder's security in the form of cash, a cashier's check made payable to the city, or a surety bond in favor of the city, in such amounts as determined by the purchasing officer to be adequate for protection of the city's interests. Bidders shall be entitled to return of their bid security. A successful bidder shall forfeit his or her bid security upon failure or refusal to execute a contract and/or to provide payment and performance bonds within the required time. The city council may, on failure or refusal of the successful bidder to execute the contract and/or provide payment and performance bonds, award it to the next lowest responsive bidder, in which event, the lowest bidder's security shall be applied by the city first to the difference between the low bid and the second lowest bid, then toward payment of any other costs, expenses or damages incurred by the city as a result of such failure or refusal, and the balance of the security, if any, shall be returned to the lowest bidder.
- Sealed bids shall be submitted to the purchasing officer and shall be identified as bids on the envelope. Bids received after the deadline for submitting the same shall not be accepted and shall be returned to the bidder unopened. The bids shall be opened in public at the time and place stated in the public notice or as stipulated by addendum to the IFB.
- If, in the opinion of the city council, none of the bids is satisfactory, the council may reject all bids and either re-advertise for new bids or, by resolution, purchase the supplies or services in the open market.
- A contract shall generally be awarded to the lowest responsive bidder.
- If two or more bids received are for the same total amount or unit price, quality and service being equal, and if a delay for re-advertisement would not be in the public interest, the city council may accept the bid it chooses.
- Payment and performance bonds may be required to be furnished before entering into a contract with a successful bidder. Bonds shall be in a form satisfactory to the

city attorney. Bond amount will be satisfactory to the purchasing officer and in compliance with the contract specifications.

- The city council may waive any minor irregularities in the bids, based upon a determination that the same have no material impact upon the bidding process or other bids submitted.
- If no bids are received in response to the notice inviting bids, the city council may proceed to purchase the supplies or services without further competitive bidding.

3.3: Formal Request for Proposals (RFP) – Goods and Services greater than \$100,000 (Idaho Code § 67-2806A)

- Request for Proposals are to be used instead of Invitation to Bid if the items to be procured cannot be easily described or if factors other than price need to be considered to select the goods or services that will best meet the needs of the city.
- Notices requesting proposals shall include a general description of the supplies or services to be purchased or the problem to be solved, the place where specifications can be obtained, the time and place for opening proposals, whether a proposal security will be required, whether payment and performance bonds will be required, and time and place for any pre-proposal meeting.
- The notice shall be published twice in the Lewiston Tribune with the second publication at least seven (7) days from the first publication and the second publication at least seven (7) days prior to the date set for final receipt of proposals. Notice will also be posted to the city's website. Notices may only be published by the Purchasing Division.
- Specifications need to describe the items or services needed by the city and indicate how proposals will be evaluated and what proposers need to submit as part of their proposal.
- At the time and date specified in the RFP documents, proposals will be opened and the company name of proposers read. To protect the integrity of the evaluation process, proposals will remain confidential until an award recommendation is made to the city council.

SECTION 4: COMPETITIVE PROCUREMENT FOR PUBLIC WORKS CONSTRUCTION (Idaho Code § 67-2805)

4.1: Informal Bid (IIFB) – Public Works Construction ≥\$50,000 but not to exceed \$200,000 (Idaho Code § 67-2805(2))

- Written specifications prepared by a licensed design professional must be provided to at least three (3) contractors that have an Idaho Public Works Contractors License in the applicable category or categories. Specifications must include a description of what is needed, quantity, sample contract, due date, time, and location for bids, and any other terms/conditions required of the bidder. Bid Security is required. Bidders must be provided adequate time to respond, but not less than three (3) business days.

- Responses must be in writing and be returned to the Purchasing Division by the designated time.
- Award is to the lowest responsive bidder. Payment and Performance Bonds are required.

4.2: Formal Bids (IFB) – Public Works Construction greater than \$200,000, Category A (Idaho Code § 67-2805(3))

- Notices inviting bids shall include a general description of the supplies or services to be purchased, the place where bid forms and specifications can be obtained, the time and place for opening bids, time and place for pre-bid conference (if any), and requirements for bid security and payment and performance bonds.
- The notice shall be published twice in the Lewiston Tribune with the second publication at least seven (7) days from the first publication and the second publication at least seven (7) days prior to the date set for final receipt of bids. Notice will also be posted to the city's website. Notices may only be published by the Purchasing Division.
- Bids shall be accompanied by bidder's security in the form of cash, a cashier's check made payable to the city, or a bid bond in favor of the city, in such amounts as determined by the purchasing officer to be adequate for protection of the city's interests. Bidders shall be entitled to return of their bid security. A successful bidder shall forfeit his or her bid security upon failure or refusal to execute a contract and/or to provide payment and performance bonds within the required time. The city council may, on failure or refusal of the successful bidder to execute the contract and/or provide payment and performance bonds, award it to the next lowest responsive bidder, in which event, the lowest bidder's security shall be applied by the city first to the difference between the low bid and the second lowest bid, then toward payment of any other costs, expenses or damages incurred by the city as a result of such failure or refusal (not to exceed 25% of the bid security), and the balance of the security, if any, shall be returned to the lowest bidder.
- Sealed bids shall be submitted to the purchasing officer and shall be identified as bids on the envelope. Bids received after the deadline for submitting the same shall not be accepted and shall be returned to the bidder unopened. The bids shall be opened in public at the time and place stated in the public notice, or as stipulated by addenda to the IFB.
- If, in the opinion of the city council, none of the bids is satisfactory, the council may reject all bids and either re-advertise for new bids or pass a resolution that the supplies or services may be obtained more economically in the open market.
- A contract shall generally be awarded to the lowest responsive bidder.
- If two or more bids received are for the same total amount or unit price, quality and service being equal, and if a delay for re-advertisement would not be in the public interest, the city council may accept the bid it chooses.
- Payment and performance bonds are required to be furnished before entering into a contract with a successful bidder. Bonds shall be in a form satisfactory to the city attorney. Bond amount will be satisfactory to the purchasing officer and in compliance with the contract specifications.

- The city council may waive any minor irregularities in the bids, based upon a determination that the same have no material impact upon the bidding process or other bids submitted.
- If no bids are received in response to the notice inviting bids, the city council may proceed to purchase the supplies or services without further competitive bidding.

SECTION 5: COMPETITIVE PROCUREMENT FOR PROFESSIONAL SERVICES PERTAINING TO PUBLIC WORKS (Idaho Code § 67-2320)

All professionals, regardless of dollar value of the project, must be qualified to provide the services. A written agreement is required when total fees will exceed \$10,000. Legal review of the agreement is required for contracts exceeding \$25,000.

5.1: Direct Request – Professional Services < \$25,000

For projects under \$25,000, a department may make a direct request for services to a firm or person qualified to provide the needed design services.

5.2: Consultant Roster - Professional Services < \$200,000

The City shall establish a consultant roster every two years as a tool for obtaining professional engineering, architectural, landscape architectural, land surveying, and construction management services (Idaho Code § 67-2320) valued at \$200,000 or less. This roster shall be established by publishing a RFQ at least twice in the Lewiston Tribune. The Purchasing Agent shall retain SOQs until such time as the next consultant roster is established. A firm may submit an SOQ at any time for inclusion on the Consultant Roster.

The roster is intended to be very generic and submitted Statements of Qualifications may not be adequate for determining which firm is the best qualified for a specific project. Departments may wish to send additional information to possible firms to obtain a better idea of which firm would be the best for a task. For services estimated over \$100,000, the department must send an abbreviated RFQ to at least three seemingly qualified firms from the roster to provide the firms more information on the specific project and to allow the firms to provide a response tailored to the particular project.

If a department wishes to consider firms that are not on the roster, or if there is inadequate competition on the roster (less than three qualified firms), the formal RFQ process must be followed.

5.3: Formal Request for Qualifications – Professional Services greater than \$200,000 OR > \$25,000 if NOT selecting from Consultant Roster

- Process to be used if: 1) anticipated agreement amount will exceed \$200,000; 2) no firms, or an inadequate number of firms, on the Consultant Roster appear to meet the needs of the department; or 3) the department desires to issue a formal request.
- Request for Qualifications (RFQ) are to be used for obtaining the services of design professionals (engineers, architects, and landscape architects) and surveyors and

construction managers who must be selected on qualifications (Idaho Code § 67-2320). Costs are not an allowed factor during evaluation of firms.

- Notices requesting statements of qualifications (SOQ) shall include a general description of the proposed project and services needed, the place where specifications can be obtained, the time and place for receipt of SOQs, and the time and place of the pre-response conference, if any.
- The notice shall be published twice in the Lewiston Tribune with the second publication at least seven (7) days from the first publication and the second publication at least seven (7) days prior to the date set for final receipt of SOQs. Notice will also be posted to the city's website. Only the Purchasing Division may publish notices for Request for Qualifications.
- The RFQ will include a description of the project, required services, proposal content (including a description of firm, experience, personnel, project approach, and project schedule), selection criteria, contact name and contact information for questions, phone number, and proposal deadline.
- The Purchasing Agent may also solicit SOQs from firm(s) or person(s) by sending them a copy of such notice.
- The Purchasing Agent will send notice of the formal RFQ opportunity to all firms on the consultant roster in the relevant category(ies).

5.3.1 Selection Criteria (when using roster or evaluating formal SOQs)

Selection of professional services shall be based on the criteria developed by the requesting Department Manager and such criteria shall be included in the RFQ. The criteria shall include the following, but additional criteria may be included for specific projects:

- Firm History and Capability to Perform Project
- Relevant Project Experience
- Qualifications of Project Team Members
- Familiarity with Area and Project
- Project Approach and Schedule

5.3.2: Selection Procedure

Where consideration of a single firm's qualifications is permitted by this Policy, the Department Manager or their representative shall evaluate the qualifications to determine that the firm or person is qualified to perform the anticipated services.

When consideration of more than one firm's qualifications is required by this Policy for agreements valued at less than \$200,000, the qualifications shall be reviewed by 1) at least one person if that person has experience and expertise for the services being acquired; or 2) at least two persons if the evaluators do not have experience or expertise for the services being acquired. For the formal RFQ process (agreements valued over \$200,000), at least three persons must review the SOQs. Persons not on City staff may be selected when determined by the Department to be beneficial to the review process.

Reviewers shall independently review and rank the SOQs and shall complete an "Evaluation Form" for each firm considered from the roster or for each firm that submitted a SOQ to a formal RFQ request. Selection criteria are established prior to issuing a formal RFQ or looking

at the roster for possible firms. Each reviewer shall rank the firms in order of preference. The rankings of each reviewer shall then be combined to determine a final ranking. After each reviewer has ranked the firms, the committee will meet to discuss the scores.

When interviews are required and the number of firms submitting SOQs, or being considered from the roster, exceeds three, the evaluation and ranking of SOQs shall be used to determine the ranking for invitations to interview. Usually, the three highest-ranked firms will be interviewed. However, a competitive range may be established that will indicate the firms to be interviewed. Interviews for projects under \$200,000 may be conducted by phone, internet, or in person, at the discretion of the project lead. Interviews for projects with an anticipated design services value over \$200,000 will be in person with the project lead determining what the firms are to include in their presentation and/or what the firms need to be prepared to discuss. When interviews are required and the number of firms submitting SOQs is less than three, all firms submitting shall be interviewed. The reviewers shall evaluate the firms based upon their SOQs and information provided at the interview. Each reviewer shall complete an "Evaluation Form" listing each firm considered and the reviewer's evaluation of that firm against the selection criteria. Each reviewer shall rank the firms in order: highest score is ranked number 1, next highest score is number 2, etc. The rankings of each reviewer shall then be combined to determine a final ranking.

5.3.3: Negotiations

The Department Director, or designee, shall initiate negotiations for an agreement with the highest ranked firm, based on the selection procedure. Negotiations shall be to perform the project services at a price determined by the City to be reasonable and fair to the public considering the estimated value, scope, nature, and complexity of the services. If unable to negotiate a satisfactory agreement, negotiations shall be formally terminated by notifying the firm in writing by certified return receipt mail. Once negotiations have been formally terminated, negotiations with the next highest ranked firm may begin.

5.3.4: Contract Extension

Idaho Code § 67-2320(4). When the City Council has previously entered into a professional service agreement with a firm for an associated or phased project, an extended or new professional service agreement may be negotiated with that firm at the Department Director's discretion. In this case, it is not necessary to conduct the qualifications evaluation and selection process. City Attorney review required if amount is > \$25,000. City Manager signs agreement. If ≥\$50,000, Council approval also required. (Also reference Change Order Process chart, page 16).

DEFINITIONS

DEFINITIONS

Asset: All property owned by the City that has monetary value, including salvage value. Recordable assets are valued at greater than \$1,000 and have a useful life of at least three years. Depreciable assets are valued at greater than \$5,000.

Bid: 1. (*noun*) Written offer to provide goods or services for a stated price. 2. (*verb*) Process of obtaining written offers to provide goods and services. The terms “bid” and “proposal” are often used interchangeably, though each has a distinctive meaning.

Bid Security: A promise to pay that accompanies an IFB or RFP. It can be in the form of cash, a bid bond, cashier’s check, or certified check. The monetary value of the security is forfeited to the City if the awarded bidder or proposer fails to enter into a contract with the City or if the awarded bidder/proposer fails to provide payment and performance bonds following contract execution.

Bonds: Legal documents issued by surety companies guaranteeing performance by a contractor. There are bid bonds (see bid security above) and payment and performance bonds. Payment bonds are issued to protect subcontractors and suppliers on a project. If the general contractor does not pay its subcontractors or suppliers, the surety will honor the bond and do so. Performance bonds are issued to ensure the contractor will complete the project. While bonds appear to operate in a similar manner as insurance, they are not insurance policies.

Change Order: A change to an existing Purchase Order or Contract. Changes must be within the original scope of the purchase order or contract and be for unforeseen circumstances.

City: City of Lewiston, Idaho

City Department: Any Department of the City. Current departments are: Community Development, Executive, Administrative Services, Legal, Fire, Police, Parks & Recreation, Library, and Public Works.

Competitive Procurement: Selection of supplier, contractor, or firm to provide goods, equipment, services, construction services, or consulting services based on a process that allows participation (competition) by companies able to provide the needed goods or services. “Competitive procurement” methods include IFBs, RFPs, and RFQs.

Competitive Range: In regards to RFPs and RFQs, refers to Proposals and Statements of Qualifications that have a reasonable chance of being selected for award. Example for an RFP: A respondent may have a great price and receive a great score for pricing, but have a dismal technical proposal, and would therefore not be eligible for award. This company would not fall within the competitive range.

Contractor: Independent business providing services to the City. Often used interchangeably with the term *Vendor*.

Department Director: The manager responsible for a city department.

Department Manager: Refers to the Department Director or to their designated representative for a specific project

Emergency: A sudden, urgent, usually unforeseen occurrence or occasion requiring immediate action

Employee: A person legally occupying a position in City service, including, but not limited to, regular full-time employees, introductory/probationary employees, part-time regular employees, and temporary employees, as defined by the City of Lewiston Personnel Policy

Favoritism: The practice of giving unfair preferential treatment to one person or group at the expense of another

Firm: A firm or person offering professional services to the city.

Household Member: Spouse, dependent children, and any person the employee is legally obligated to support

IFB: Invitation for Bids.

IIFB: Informal Invitation for Bids.

Immediate Family Member: The spouse/partner, children, children of spouse/partner, spouses of children, parents, parents of spouse/partner, grandparents, grandchildren, siblings (including step brothers and sisters and half brothers and sisters), spouses of siblings, legal guardians, and legal wards, whether living in the same household of the employee or not.

Informal Invitation for Bids: Similar to an Invitation for Bids, but with a few notable differences: 1) does not require advertisement in the Lewiston Tribune; 2) still requires written specification documents but they are often not as detailed; 3) specifications must be sent to at least three qualified bidders. For regular goods and services, this method may be used for purchases under \$100,000. For public works construction, this method may be used for projects under \$200,000.

Informal Request for Proposals: Similar to a Request for Proposals, but with a few notable differences: 1) does not require advertisement in the Lewiston Tribune; 2) still requires written specification documents but they are often not as detailed; 3) specifications must be sent to at least three qualified proposers. This method may be used for purchases of goods and services under \$100,000, excluding public works construction and professional services requiring qualifications-based-selection (QBS).

Invitation for Bids: 1. A published request for submittal of prices for goods or services. 2. All documents associated with the request for prices.

IRFP: Informal Request for Proposals

On-Premise or On-Site: Any service work performed for the City on City property or on private property at the request of the City. This does not include work performed at the vendor's business location.

Personal Services: A service requiring a peculiar skill or ability. Examples: labor negotiations, financial, insurance, and artistic.

Piggybacking: Buying goods or services by utilizing a contract already bid by the State of Idaho, another political subdivision of the State of Idaho, or the federal government.

PO: Purchase Order

Professional Services: A service that requires a high level of training and proficiency. Examples: Architectural, engineering, accounting, legal, and medical.

Professional Services for Public Works: Professional services as defined by Idaho Code Title 67, Chapter 23, including professional engineering, architectural, landscape architectural, construction management, and professional land surveying services, including services by persons licensed pursuant to Idaho Code Title 54, Chapters 3 (architects), 12 (engineers and surveyors), 30 (landscape architects), and 45 (public works construction management).

Proposal: An offer to provide goods and/or services in response to a Request for Proposals (RFP).

PSA or Agreement: A professional service agreement or contract between the City and the professional services provider (firm)

Public Works Construction: The repair, maintenance, construction, or remodel of any City building, road, infrastructure, or facility with non-city personnel.

Purchasing Agent: Person responsible for providing purchasing support and coordination for the City, or a designee

Purchase Order: 1. Written document to a supplier formalizing a purchase transaction. Document includes a description of the requested items, cost of items, cost of delivery (if not included in price), delivery schedule, and other terms and conditions of the purchase. 2. In Munis, the document created following conversion of a Requisition that also encumbers budgetary funds to pay for the purchase.

QBS: Qualifications-Based-Selection

Qualifications-Based-Selection: A process by which firms are evaluated and selected based on qualifications and not price. This process is required for selection of engineers, architects, landscape architects, land surveyors, and construction managers.

Quotes: Prices obtained from vendors

REQ: Purchase Requisition. An electronic or written request or order for something that begins the purchasing process. Following approval, the requisition is converted into a Purchase Order.

Reciprocal Preference: When an Idaho bidder is competing against an out-of-state bidder that receives a preference in its home state, the percentage of the preference is added to the out-of-state bidder's bid for determination of low bidder (Idaho Code 67-2349).

Request for Information: A request for vendors to supply information regarding products and services available. A RFI is typically used to gather information for budgeting purposes and the preparation of formal IFB or RFP specifications. The RFI process does not result in an award but is a valuable tool to discover what is available on the market and possible solutions to an existing problem.

Request for Proposals: 1. Type of competitive procurement for complex goods or services for which bidding is not appropriate because needs cannot be easily defined and price should not be the primary means of award. Vendors are asked to provide solutions to the City's need and price is but one of several evaluation criteria. 2. All documents associated with the request for proposals.

Request for Qualifications: A written request for design firms (engineers, architects, etc.) to provide SOQs so the City may select the most qualified firm (from those submitting a SOQ) to provide professional design services for a particular project.

Request for Quotes: A very informal request, usually by phone or email, for a vendor to provide a price for a particular item or service. May only be used for purchases under \$50,000.

RFI: Request for Information

RFP: Request for Proposals

RFQ: Request for Qualifications (relates to professional services) or Request for Quotation (relates to goods and services)

Scrap Metal: Any material, equipment, or disposable supplies, no longer usable for City purposes and having only salvage value for metal content for recycling

Significant Idaho Economic Presence: Defined in Idaho Code 67-2349. A vendor is considered domiciled in Idaho if they have maintained a staffed office, sales office, sales outlet, manufacturing facilities, warehouse, or other necessary related property; and if a corporation, are registered and licensed to do business in the state of Idaho with the Office of the Secretary of State for at least one (1) year prior to submitting a bid.

SOQ: Statement of Qualifications

Sole Source: When a specific item or service is available from only one vendor

Statement of Qualifications: Documents submitted by professional design service providers (engineers, architects, etc.) in response to a RFQ that describe a firm's abilities and experience to provide a requested service.

Surplus: Any asset that is no longer useful for City purposes.

Vendor: Any person or company that sells or provides supplies or services. Often used interchangeably with the term *Contractor*.