

POLICY #: F-06
Procurement of Goods and Services



**Clackamas
Workforce
Partnership**

ISSUED: May 20, 2021

PURPOSE:

To provide guidance on the procurement and purchase of goods and services. The intent of this policy is to ensure open competition while securing the best possible price.

REFERENCES:

- Uniform Grant Guidance 2 CFR 200

POLICY:

Procurements will include the following:

1. Be conducted in a manner that provides fair and open competition regardless of method or dollar amount, and an appropriate analysis to determine which procurement method will be the most economical.
2. Avoid purchasing unnecessary or duplicate items and consider lease vs. purchase options when appropriate.
3. Solicitations for goods and services will include:
 - a. Clear and accurate written descriptions of the requirements for the goods or services to be procured,
 - b. Criteria for contractor selection or rejection,
 - c. Written protest procedure, negotiation procedure and settlement process.
4. Contracts will be awarded to responsive and responsible bidders who possess the potential ability to perform successfully under the terms and conditions of the procurement. Small businesses, minority-owned firms, and women's business enterprises will be used to the fullest extent practicable.
5. Purchasing processes comply with the provisions of applicable federal, state and local laws, rules, and regulations.

EXCLUSIONS: Purchase of the following items is excluded from this procurement policy:

1. On-the-Job-Training (OJT)
2. Customized Training contracts
3. Training provided by Eligible Training Providers
4. Support Services

CODE OF CONDUCT:

All procurements must comply with Board Policy A-01 Code of Conduct.

PROCUREMENT METHODS:

Micro Procurements: Procurement of goods or annual services not exceeding \$10,000.

1. Contracts may be awarded in any manner deemed practical or convenient, including by direct selection or award.
2. Not intended to eliminate competitive quotations, but rather to expedite the purchasing process, as dollar values may not justify further solicitation efforts.
3. Written documentation of solicitation or quotes not required.

Small Procurements: Procurement of goods or annual services exceeding \$10,000 but less than \$150,000.

1. Obtain at least three (3) informally solicited competitive price quotes. If three quotes are not reasonably available, fewer will suffice, but a written record of the effort made to obtain the quotes or proposals must be kept.
2. Keep a written record of the sources of the quotes or proposals received.

Competitive Sealed Bids:

1. Publicly solicited Invitation For Bids for firm, fixed-price contracts when specifications can adequately be defined.
2. Award made to responsive bidder with the lowest price.
3. Price analysis required if purchase of \$150,000 or more.

Competitive Proposals:

1. Publicly solicited RFP identifying all significant evaluation factors and their relative importance.
2. Type of solicitation where negotiation is used and cost is not the overriding consideration.
3. Cost analysis is required if purchase of \$150,000 or more.

Sole source Procurements: Non-competitive procurement of goods or annual services from a single source

1. May only be used when it has been determined that competition is not feasible because one of the following circumstances applies:
 - a. Goods or service is available from only one source.
 - b. Public exigency exists and will not permit a delay.
 - c. Awarding agency authorizes non-competitive procurement.
 - d. A negotiated procurement solicitation results in less than two qualified responses.
2. Sole source purchasing is to be minimized. Written justification and cost or price analysis is required.

Subawards: When the grant, law or regulations do not require subrecipient awards be competitively procured and CWP is the pass-through entity, CWP may choose to award

subrecipient agreements where a defined program outline or statement of work has been developed and clearly shows:

1. The subrecipient determines who is eligible to receive services paid with the grant resources.
2. Performance will be measured based on whether the grant objectives are met.
3. The subrecipient has responsibility for programmatic decision making, is responsible for adhering to applicable grant program requirements and uses grant resources to carry out a program for a public purpose.

In making subaward decisions and selections, the following risk assessment elements must be considered and documented:

1. The subrecipient has a record of acceptable performance relative to similar projects funded by CWP or by other pass-through entities or jurisdictions.
2. A budget is developed that can be analyzed to determine that costs are reasonable, allowable and necessary to achieve the program outcomes.
3. Auditing and monitoring results for the previous two years are reviewed to determine and assure that the organization has a past record of compliance and has no outstanding findings that would preclude them from performing under CWP's subaward.

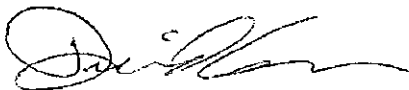
PURCHASING AUTHORITY:

Any signatory named under board resolution #RS-002 Power to Execute Contracts may authorize Micro and Small procurements.

Recommendations of committees evaluating Competitive Sealed Bids and Competitive Proposals will be brought before the board of directors for approval.

Sole Source procurements and subawards need board officer approval.

Approved:



Clackamas Workforce Partnership Board Chair

Date