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**OFFICE OF PURCHASING**  
**POLICIES AND PROCEDURES MANUAL**

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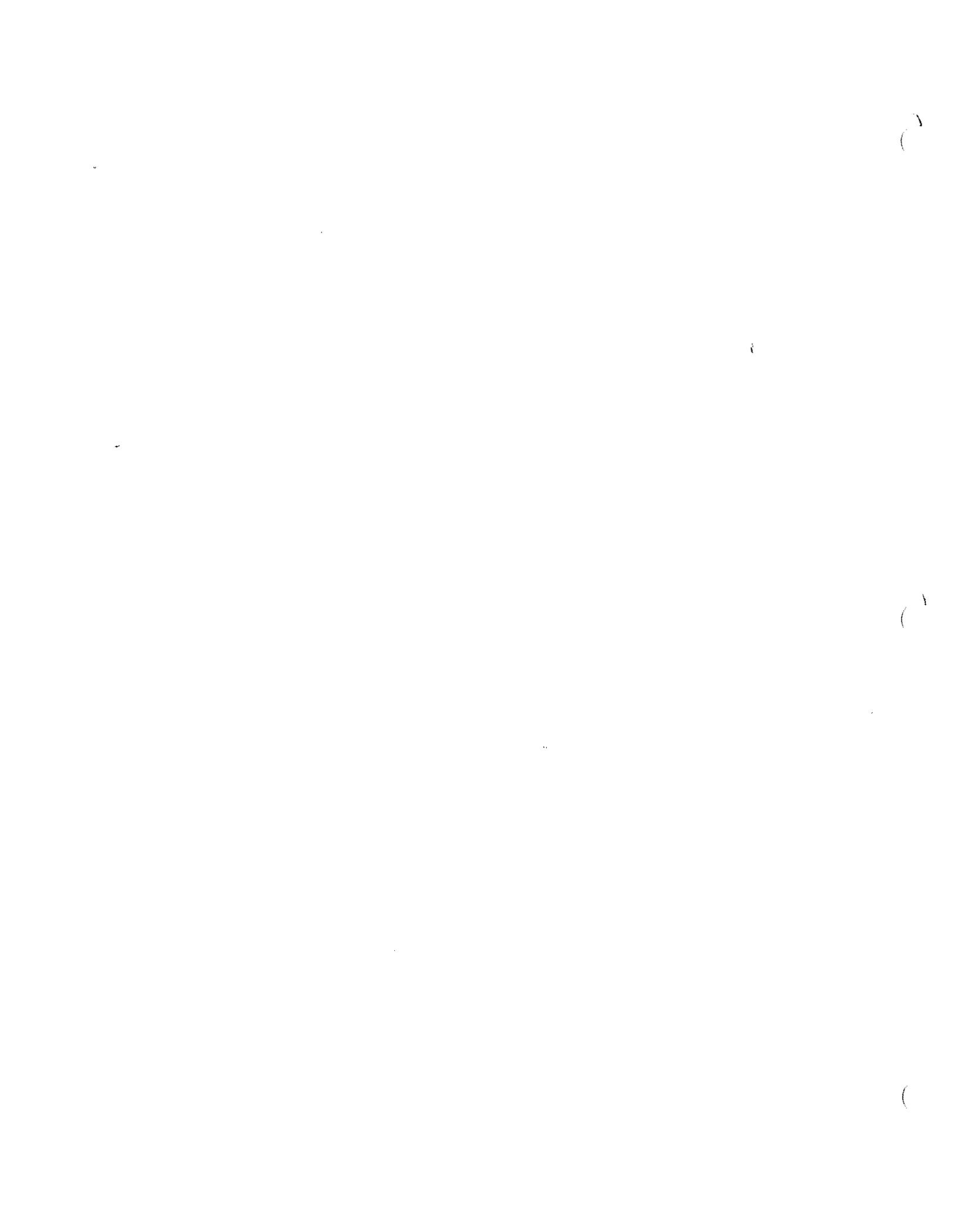
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## PURPOSE

The purpose of this manual is:

- A. To implement and make effective the purchasing policies set out in Article VIII of the Howard County Charter and Title 4 of the Howard County Code.
- B. To simplify, clarify, and modernize Howard County procurement practices.
- C. To permit the continued development of procurement policies and practices.
- D. To make the procurement procedures in the various user agencies as consistent as possible.
- E. To provide for public confidence in public procurement procedures.
- F. To ensure the fair and equitable treatment of all persons dealing with the County procurement system.
- G. To provide increased economy in County procurement activities.
- H. To maximize the purchasing value of County funds.
- I. To foster effective broad-based competition within the free enterprise system.
- J. To safeguard the high quality and integrity of the procurement system.
- K. To ensure that every expenditure of public funds (including State and Federal funds) complies with the terms and conditions of the funding source. If State or Federal requirements conflict with the provisions of this manual, nothing in the manual shall prevent the County from complying with the terms and conditions of the State or Federal requirements.

## ORGANIZATION OF OFFICE OF PURCHASING

### A. Purchasing Agent

1. The County Purchasing Agent (Chief Administrative Officer) is responsible to the County Executive for the performance of County purchasing policies as specified in Section 802 of the Howard County Charter and Sections 4.103 and 4.104 of the Howard County Code.
2. Except when the Code indicates that certain procedures are the sole responsibility of the Purchasing Agent, the Purchasing Agent may delegate any of the various purchasing functions in his/her office and under his/her supervision.

### B. Chief of Purchasing

The Chief of Purchasing is the Purchasing Administrator and shall function as the Purchasing Agent in those functions delegated by the Purchasing Agent, including the operation and direction of all purchasing activities.

### C. Assistant Chief of Purchasing

The Assistant Chief of Purchasing is the Assistant Purchasing Administrator and shall function as the Chief of Purchasing as required including the operation and direction of purchasing activities.

### D. Management Assistant

The Management Assistant aids in the administrative activities related to purchasing and performs other duties as assigned.

### E. Buyer

#### 1. Senior Buyer

The Senior Buyer gives technical direction and supervision to the buyers. The Senior Buyer assists the Chief of Purchasing in managing the functions of the office and represents the Chief of Purchasing as required. The Senior Buyer may also perform various technical duties in carrying out the provisions of centralized purchasing.

#### 2. Buyer

The buyer performs various technical duties in carrying out the provisions of centralized purchasing. The buyer is considered part of the professional technical staff.

F. Capital Projects Coordinator

The Capital Projects Coordinator performs various technical duties associated with the Office of Purchasing's role in various capital construction and architectural/engineering projects. The Capital Projects Coordinator may also perform various technical duties in carrying out the provisions of centralized purchasing.

G. Equal Business Opportunity (EBO) Coordinator

The Equal Business Opportunity (EBO) Coordinator performs various technical duties associated with the County's socio-economic policies. The Equal Business Opportunity (EBO) Coordinator may also perform various technical duties in carrying out the provisions of centralized purchasing.

## PURCHASING PRINCIPLES AND POLICIES

### A. Principles

Personnel associated with the purchasing function shall comply with the following principles:

1. In all transactions to consider first the interests of the County;
2. To believe and carry out the established policies of the County;
3. To be receptive to competent counsel from colleagues;
4. To be guided by counsel without impairing the dignity and responsibility of the office;
5. To strive consistently for knowledge of the materials and process of manufacture;
6. To establish practical methods for the conduct of the office;
7. To subscribe to and work for honesty and truth in buying and selling and to denounce all forms and manifestations of commercial bribery;
8. To accord a prompt and courteous reception to all who call on a legitimate business mission;
9. To counsel and assist fellow purchasing agents in the performance of their duties;
10. To cooperate with all organizations and individuals engaged in activities designed to enhance the development and standards of purchasing; and
11. To encourage participation in the Equal Business Opportunity (EBO) program in order to attain increased EBO participation in purchasing activities.

### B. Policies

#### 1. Centralized Purchasing

The objective of centralized purchasing in Howard County is to obtain the maximum benefit from every tax dollar spent. The Office of Purchasing is responsible for the centralized purchasing of all supplies and services for the County government.

#### 2. Ethics and Professional Conduct

- a. All employees of Howard County are prohibited from accepting any gifts, samples, entertainment, special personal price considerations, fees, commissions or other gratuities from any vendors or bidders except items of negligible value as indicated in 2.(b).

- b. Employees may accept items of negligible value used as obvious forms of advertisement such as pencils, calendars, notepads and key rings which shall not be considered gratuities.
- c. Vendors or bidders who offer gifts, entertainment, etc. may be declared irresponsible bidders and may be debarred from bidding.
- d. An employee who accepts a gift, entertainment, etc. shall be subject to disciplinary action.
- e. Each bidder shall sign a clause, made part of the bid, that he/she has not violated these provisions.

(see Howard County Gratuity Policy and Procedures Number 100.18 dated 1/24/77)

3. Relations With Vendors

- a. No officer or employee of the County (excluding employees in the Office of Purchasing) shall negotiate directly or indirectly for supplies or services, except where an emergency exists after normal working hours or with the approval of the Chief of Purchasing.
- b. In consideration of legal aspects and trade relations with vendors, the Office of Purchasing shall not purchase supplies or services for the private use of employees.
- c. In capital project contracts, it shall be the general practice that the contractor supply all required materials unless the use of materials from County inventories or direct procurement by the County will result in savings to the County.
- d. It is the responsibility of the Office of Purchasing and of all vendors to discourage uniform bidding.
- e. Vendor contact with employees in user agencies shall be through or with the knowledge of the appropriate purchasing representative. The intent is to prevent vendors from bypassing the Office of Purchasing in an attempt to influence employees and agencies.

4. Relations With Other Agencies

- a. The Office of Purchasing shall continuously familiarize itself with the particular requirements of the various agencies and be receptive to suggestions or comments.

- b. Whenever it is practical to do so, supplies and services shall be purchased through price agreements and requirements contracts. The County will benefit from quantity discounts, fewer purchasing transactions and minimal paperwork.
- c. Each agency shall file detailed estimates of future needs with the Office of Purchasing, so that price agreements and requirements contracts can be accomplished.
- d. All questions concerning any aspect of a contract, from initial requisition through final acceptance of the purchase, shall be addressed to the Office of Purchasing.

5. Cooperative Purchasing

The Office of Purchasing shall maintain a program for joint or cooperative purchasing with the Howard County Board of Education, Howard County Library, Howard Community College and with other public jurisdictions including surrounding cities, counties, state and the federal government.

6. Standardization

The process of establishing standard specifications for items of similar usage leads to savings for the County. Therefore, achieving cost savings through standardization shall be one of the major objectives of the Office of Purchasing.

a. Advisory Committee on Standardization.

- (1) The Chief of Purchasing shall establish a purchasing advisory committee on standardization composed of the Chief of Purchasing and the officials or employees of the Executive Branch of the County government as may be designated. The Chief of Purchasing shall serve as chairperson. The members of the committee shall serve without additional compensation.
- (2) The committee shall advise the Chief of Purchasing on:
  - (a) The need to establish standard items of equipment, supplies, or materials to promote economy and efficiency in County operations;
  - (b) The minimum number of quantities, sizes, and varieties of supplies consistent with the efficient operation of the County government;
  - (c) The development of standard specifications; and

- (d) The preparation, adoption and issuance of written specifications so that effective competition in bidding is encouraged.
- (3) The Chief of Purchasing and the committee may:
  - (a) Make use of the County's staff and technical facilities in the development of specifications and in the testing of supplies received under the standard specifications; and
  - (b) Arrange for the testing of supplies through the facilities of testing laboratories.
- (4) The Chief of Purchasing shall, to the maximum extent possible, adopt for the County's use the standard specifications of other government jurisdictions and standards setting entities.

7. Types of Contracts

- a. The preferred type contract to use for all procurements is firm fixed price or lump sum. It requires minimum administration and provides maximum incentive to the supplier. However, any type of contract that will promote the best interest of the County may be used.
- b. A cost-not-to-exceed or cost-reimbursement contract, with an upper limit, may be used only when the Chief of Purchasing concludes that such a contract is likely to be less costly to the County than any other type or that it is impractical to obtain the supplies, services, or construction required except under a cost-not-to-exceed or cost reimbursement contract.
- c. Firm fixed price plus incentive contract may be used when the Purchasing Agent determines use of such a contract will result in a savings for the County. Contractors may be offered an incentive to complete a project sooner than projected.
- d. The use of a cost-plus-a-percentage-of-cost contract is prohibited. Contracts based upon percentage discounts from or percentages added to prices listed in a manufacturer's published price list, in general distribution, are not considered to be cost-plus-percentage-of-cost contracts.

8. Local Purchasing

Provided that cost, quality and service are equal, purchasing of supplies or services from vendors physically located in the County will be given priority. Buyers should encourage local vendor participation in every solicitation.

9. Leasing and Rental Agreements

- a. The Office of Purchasing is responsible for equipment rental and lease agreements where the County's equipment requirements may be provided more economically by rental or lease than by purchase.
- b. Equipment may be leased for varying periods of time when in the best interest of the County. Due to the susceptibility of special or technical equipment to obsolescence, it may be to the County's advantage for the vendor to lease the equipment to the County and to provide maintenance.

10. Purchasing Forms

The Office of Purchasing shall develop and prescribe the forms used by agencies for the purchasing process and may amend or eliminate such forms as necessary.

11. Purchasing Files and Records

The Office of Purchasing shall maintain complete files consisting of, but not limited to, the following:

- a. requisitions;
- b. purchase orders alphabetically by vendor;
- c. sealed bids;
- d. price agreements and requirements contracts;
- e. vendor's catalogs;
- f. specifications;
- g. bidder's list;
- h. general correspondence;
- i. emergency report files;
- j. capital project contract encumbrances;
- k. confidential purchasing files; and
- l. urgent procurement files, etc.

The Office of Purchasing shall manage its files in accordance with the County's Records Retention and Disposal Schedule.

12. Formal Purchase Report to County Council

- a. During the 1st and 3rd calendar quarters of each fiscal year, the Office of Purchasing shall submit to the County Council a report of all purchases awarded through the formal bidding process. The report shall list:
- (1) contracts awarded during the reporting period;
  - (2) the contract amounts;
  - (3) the lowest bid price;
  - (4) the name of the successful bidder; and
  - (5) the contracts awarded where security requirements were waived.
- b. A listing of all contract modifications shall be required annually following the 4th quarter.

13. Public Access to Bidding Materials

Purchasing documents which are open to inspection pursuant to Subtitle 6, Title 10 of the State Government article of the Annotated Code of Maryland are subject to the following:

- a. Proposals submitted in response to requests for proposals and other specialized procurement methods shall be open for public inspection after award has been made or a decision has been made to cancel the procurement except for those documents that are considered confidential;
- b. Other documents, including Invitation to Bid, shall be available for public inspection upon written request during normal business hours;
- c. Copies of appropriate records are available to the public subject to a copying charge;
- d. While the documents are being reviewed in the Office of Purchasing, a purchasing employee shall be present during the review; and
- e. Invitations to Bid may be open for public inspection, pursuant to the Freedom of Information Act, following the bid opening, providing time permits. Otherwise, appointments may be made to inspect the bids as soon as possible thereafter.

14. Purchasing Manual Distribution

The Office of Purchasing maintains the Purchasing Manual and issues it to agencies including, but not limited to, the following:

- County Executive
- Department of County Administration
- Department of Citizen Services
- Department of Corrections
- Department of Finance
- Office of Law
- Department of Inspections, Licenses, and Permits
- Department of Planning and Zoning
- Department of Police
- Department of Fire & Rescue Services
- Department of Recreation and Parks
- Department of Public Works
- Board of Supervisors of Elections
- County Council
- Circuit Court
- States Attorney's Office
- Sheriff's Office
- Cooperative Extension Services
- Soil Conservation Service
- Howard County Library
- Health Department

The Office of Purchasing shall have copies of the Manual in its office for user, vendor and citizen reference and for the use of Purchasing personnel.

## PROCEDURES

### Section A. Equal Business Opportunity (EBO)

Recognizing that an active program of research, technical assistance and procurement from Minority Business Enterprise (MBE), Women Business Enterprise (WBE), and Disabled Business Enterprise (DBE) is essential to the realization of progressive social and economic development goals, the following is designed to express the County's intent to foster participation by MBEs, WBEs, and DBEs as part of its procurement process.

It is the policy of the Office of Purchasing to assure all persons of an equal opportunity to participate in the procurement of all commodities and services.

The EBO effort is an extension of current Purchasing procedures and is practiced on an on-going basis. Furthermore, as a function of this program, assistance will be provided to firms whenever and wherever possible.

#### 1. MBE, WBE, and DBE Procurement Guidelines and Procedures

The Office of Purchasing will:

- a. Provide maximum opportunity for MBEs, WBEs, and DBEs to participate in the County's procurement process through dissemination of bid information and solicitations; and
- b. Comply with monitoring and reporting requirements.

#### 2. Program Practices

- a. Encourage MBE/WBE/DBE participation in every solicitation by:
  - (1) soliciting at least three MBE/WBE/DBE on the bidders list for all transactions of \$10,000 or less;
  - (2) soliciting at least six MBE/WBE/DBEs on the bidders list for all transactions from \$10,000 to less than \$30,000; and
  - (3) soliciting all MBE/WBE/DBEs on the bidders list for all transactions of \$30,000.00 or more.
- b. If there are no MBE/WBE/DBEs on the bidders list, the Office of Purchasing will seek qualified MBE/WBE/DBEs through neighboring jurisdictions.
- c. Encourage MBEs/WBEs/DBEs to be prime contractors.
- d. Encourage the use of MBE/WBE/DBE subcontractors by contractors who are awarded County construction projects.

- e. Submit appropriate reports and cooperate fully in studies or surveys as required by the MBE/WBE/DBE program.
- f. Include equal business opportunity clauses in all solicitation/contracts as appropriate.
- g. Assure that MBEs, WBEs, and DBEs on the Bidders List are minimally given the same opportunity as others.
- h. Identify specific commodities and services for which MBEs, WBEs, and DBEs are not currently being used and encourage MBE/WBE/DBE participation in the solicitation process.
- i. Identify qualified MBE/WBE/DBEs through participation in business opportunity fairs, meetings, trade shows; communications with other procurement personnel; and through directories that identify MBEs, WBEs, and DBEs.
- j. Meet with MBE/WBE/DBEs on a scheduled basis to discuss recurring procurement opportunities and acquaint such vendors with Howard County procedures, needs, and the procurement approach.
- k. During pre-bid conferences, the Office of Purchasing will review the "equal business opportunity" clause; and explain the County's policy encouraging the use of MBE/WBE/DBEs. Requirements for federally and state funded projects will be explained as appropriate.
- l. Provide technical assistance to potential MBE/WBE/DBE suppliers, as necessary, to ensure that they are given sufficient information regarding bid requirements and procedures.
- m. Maintain records on all procurements that would identify:
  - (1) Name of vendor awarded contract and/or purchase order;
  - (2) Amount of the award;
  - (3) Names and addresses of all vendors contacted for each solicitation and their MBE/WBE/DBE code;
  - (4) Service or commodity code of the item purchased; and
  - (5) Total amount of all awards to MBEs, WBEs, and DBEs.
- n. The Office of Purchasing will advertise in minority publications for all solicitations which have high number of minority suppliers.

3. Records and Reports

The Office of Purchasing shall maintain records to determine compliance with MBE/WBE/DBE procedures. Such records will include:

- a. The commodity or service capability of each MBE, WBE, and DBE. This information shall be entered into the Purchasing system database upon receipt of a bidders application;
- b. All contracts awarded, type of service or commodity purchased, amount of award and ethnic code of awardee; and
- c. Documentation of solicitations made to obtain services of MBE/WBE/DBEs.

The County's Equal Business Opportunity Officer will maintain a list of participation obtained through subcontracting to include subcontractors, amount of subcontract, type of product or service and fiscal year in which work was performed.

Section B. Purchase of Recycled and Environmentally Preferable Products and Equipment

The Office of Purchasing recognizes that an active program of buying products made from recycled materials is essential to reducing the amount of material added to the waste stream and that it aids in the preservation of our natural resources.

Purchasing products made from recycled and environmentally preferable materials is an extension of the current purchasing procedures and will be practiced on an ongoing basis.

See page 138, Subtitle 5. Purchase of Recycled and Environmentally Preferable Products and Equipment for guidelines and procedures.

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Section C. Requirements, Specifications, and Bidder's List

1. Advance Requirements Notification

a. Definition

An advance requirements notification is a document prepared by a user agency indicating the agency's future requirements for supplies and services.

b. Purpose

To enable the Office of Purchasing to:

- plan purchases
- develop requirements contract
- realize quantity discounts on volume purchases
- make fewer purchase transactions
- eliminate some emergency purchases

c. Time Frame

User agencies shall give advance requirements notification to the Office of Purchasing as soon as needs have been determined and in ample time for the office to use the contents of the notification for planning purposes.

d. Form of Notification

Since most major purchasing transactions are known upon approval of budgets, the user agency shall inform the Office of Purchasing with their needs well in advance of requirement date. "

Advance requirements notifications shall be in the form of an automated purchase requisition from the user agency to the Office of Purchasing and shall contain the following information:

- type of supplies/services
- projected quantity required
- delivery date
- storage capacity (where applicable)
- other pertinent information

2. Specifications

a. Definition

Specifications are a description of the physical characteristics, functional characteristics or the nature of supplies or services.

b. Purpose

- (1) to fulfill the requirements of the user agency
- (2) to assure maximum practicable competition
- (3) to obtain the best performance at the lowest possible cost

c. Time Frame

User agencies shall send specifications as part of (or as an attachment to) an automated Purchase Requisition in sufficient time for the Office of Purchasing's review and approval prior to the bidding process.

d. Preparation of Specifications

- (1) User agencies prepare specifications. The Office of Purchasing works with user agencies so that the specifications will be as accurate and complete as possible.
- (2) In the case of specifications for capital projects, the Director of Public Works, or his/her designee, determines whether or not the specifications shall be prepared within the Department of Public Works or by contract with an architect/engineering consultant.

e. Form of Specification

Specifications shall be clear and accurate descriptions with sufficient detail to provide for suitable purchases and shall include:

- functions and standards
- characteristics
- preparation for shipment
- delivery point
- quality assurance and acceptance tests (where applicable)
- warranties, guarantees, and service support requirements

f. Review and Approval

The Office of Purchasing will review submitted specifications to ensure that all necessary information is included and that there are no requirements which unnecessarily restrict or limit competition. The Chief of Purchasing, or his/her designee, is responsible for final approval of the specifications.

3. Bidder's List

a. Definition

An automated Bidder's List is a current list of persons capable of providing supplies and services which may be purchased for County use. The list contains:

- (1) bidder's name and addresses;
- (2) the types of supplies or services provided;
- (3) the date of entry onto bidder's list; and
- (4) bid response history including bid number, date of issuance of bid package and type of response.

b. Purpose

- (1) To provide a list of persons to be contacted for competitive bids on supplies or services.
- (2) To provide a history of bid responses from persons on the list.
- (3) The County may use authorized bidder's lists from other governmental entities.

c. Bidders Application

The Office of Purchasing sends bidder's list applications to all persons:

- (1) who request to be on the Bidder's List; and
- (2) requesting bid documents when those persons are not already on the bidder's list

Bidder's list applications may also be downloaded from the Office of Purchasing web site.

Prospective bidders complete the bidders application form and return it to the Office of Purchasing for review.

d. Maintenance of Bidder's List

- (1) The Office of Purchasing enters the bidder's list information into the County's database, including the date of entry.

- (2) Prospective bidders are informed when specific supplies or services are needed by the County.
- (3) After the bid opening, bidder responses (no response, no bid) are noted on the Bidder's List.

e. Removal from Bidder's List

The Office of Purchasing may remove the names of persons from the Bidder's List under the following conditions:

- (1) When the person makes a written request for removal.
- (2) When the person has failed to respond to a bid notice 3 or more consecutive times. The Office of Purchasing will give written notification of removal to bidders removed for non-response.
- (3) When the Chief of Purchasing declares the person to be an irresponsible bidder for:
  - (a) failing, upon written request, to provide proof of responsibility; or
  - (b) having repeatedly made slow or unsatisfactory delivery of supplies or services to the County; or
  - (c) having violated any provisions of Title 4, of the Howard County Code or any provisions of the Howard County Charter; or
  - (d) having been found by a court of competent jurisdiction, within the previous 12 months, to have engaged in unlawful employment practices.

Irresponsible bidders shall be removed from the Bidder's List for at least 1 year. The Office of Purchasing shall notify irresponsible bidders of their removal from the list.

f. Reinstatement on Bidder's List

- (1) Bidders who have requested removal of their names from the Bidder's List and bidders whose names have been removed from the list for lack of response to invitations to bid, may apply for reinstatement at any time.
- (2) Other bidders removed from the list may apply for reinstatement whenever the term of their ineligibility is complete, by completing a new Bidder's List Application Form.

g. Debarred Bidder's List

The Office of Purchasing maintains a Debarred Bidder's List consisting of debarred bidders. The list includes the names and addresses of debarred bidders, the reasons for debarment, and the effective date of the removal period. A determination to debar may be based on the debarment list of other governmental entities.

4. Authorized Signatures

Each agency head shall designate individuals in the agency who are authorized to sign purchase documents. The Office of Purchasing maintains an automated listing of authorized signatures which is used to control authorization. All documents received in the Office of Purchasing without the proper authorized signature will be returned to the user agency for correction.

Section D. Requisitioning of Supplies or Services

User agencies requisition supplies or services by using the appropriate form listed below:

1. Automated Purchase Requisition Form

a. Definition

An automated Purchase Requisition is a form normally completed by user agencies requesting supplies or services.

b. Processing of Automated Purchase Requisition

- (1) User agency accesses automated purchase requisition system on the intranet and completes the form.
- (2) User agency obtains all internal approvals then sends completed electronic form through the Office of Budget and the Department of Finance for verification with appropriations and agency objectives.
- (3) Office of Purchasing receives automated purchase requisition.
- (4) Office of Purchasing reviews automated form for completeness. The Office of Purchasing is responsible for questioning any item(s) on the automated requisition which may be unnecessary or unreasonable. If an item is questioned, the Chief of Purchasing may require the user agency to substantiate the validity of the order in writing.
- (5) The Office of Purchasing reviews the request to determine if surplus property or requirements contract may be utilized to fulfill the request. If so, the requisition is returned to the user agency with that notation.
- (6) The automated requisition is assigned to a Buyer and downloaded into the purchasing system. After review, the method of procurement is determined.
- (7) After completion of the bidding process, the Buyer, in conjunction with the user agency, analyzes the bid results and determines the successful bidder.
- (8) The Office of Purchasing enters the prices, terms of payment, FOB point, delivery date, successful bidders name and reason for award on the requisition.
- (9) The Buyer issues a Purchase Order and indicates this Purchase Order number on the requisition.

(10) The Chief of Purchasing or designee authorizes the Purchase Order and returns it to the Buyer.

(11) The Office of Purchasing distributes the Requisition and the Purchase Order as follows:

Original of Requisition and copy of on-line requisition - attached to Office of Purchasing (vendor file) copy of Purchase Order;

1st Copy of Requisition and copy of on-line requisition - attached to Department of Finance copy of Purchase Order and sent to Department of Finance; and

2nd Copy of Requisition - attached to Agency copy of Purchase Order and sent to Agency.

(12) After completion of the bidding process, for those transactions totaling less than the formal bid threshold, buyer may place an order utilizing their PDQ card as payment. All recordkeeping shall be in accordance with the Office of Purchasing Policy/Procedure.

## 2. Automated Change Order Requisition Form

### a. Definition

An automated Change Order Requisition is used to make changes in a Purchase Requisition that has already been processed.

### b. Process

(1) User agency identifies amount to be changed.

(2) User agency accesses automated on-line purchase requisition system on the intranet and fills in all information that is unchanged from the original Purchase Requisition.

(3) The user agency fills in the changed amount in the appropriate places on the automated change order requisition.

(4) The automated change order requisition then goes through steps 2, 3, 4, 6, 10, and 11 of the processing of a Purchase Requisition.

c. Policy

Change order requisitions that increase the original amount of the purchase order by 15% or more must be accompanied by a memo addressed to the Chief of Purchasing further explaining the request and may not be executed until the following conditions have been met:

- (1) Cost Analysis: A technical appraisal of the estimated costs of additional labor and materials has been performed;
- (2) Availability of Funds: Written certification that funds are available has been obtained from the Director of Finance; and
- (3) Notification: A copy of the change order requisition in which the price has been increased and written justification supporting the need for the change has been approved by the Chief Administrative Officer.

d. Limitation On Use Of Change Order Requisitions

- (1) A change order requisition is needed to pay overruns or underruns when deemed necessary by the using agency or the Office of Purchasing.
- (2) A change order requisition is not needed to pay reasonable freight charges on other than prepaid F.O.B. destination.
- (3) Change order requisitions that increase a purchase order may only be submitted during the fiscal year of the original purchase order. Change order requisitions that decrease a purchase order may be submitted at any time.
- (4) The County may change or cancel a purchase order at any time as long as the change or cancellation is within the legal boundaries of contract law.
- (5) Changes or cancellations may be submitted after visible physical work has been performed or services rendered.
- (6) A vendor may not make the change or cancellation until receipt of the change order form.
- (7) A vendor may request the County to initiate a change order requisition.

3. Automated Capital Project Purchase Requisition Form

a. Definition

A capital project purchase requisition is a form normally completed by user agencies requesting supplies or services.

b. Processing Of Capital Project Purchase Requisition

- (1) User agency accesses automated purchase requisition system on the intranet and completes the form.
- (2) User agency obtains all internal approvals and then sends completed form through the Office of Budget and the Department of Finance for verification with appropriations and agency objectives.
- (3) Office of Purchasing receives automated purchase requisition.
- (4) Office of Purchasing reviews automated form for completeness. The Office of Purchasing is responsible for questioning any item(s) on the automated requisition which may be unnecessary or unreasonable. If an item is questioned, the Chief of Purchasing may require the user agency to substantiate the validity of the order in writing.
- (5) The Office of Purchasing reviews the request to determine if surplus property or requirements contract may be utilized to fulfill the request. If so, the requisition is returned to the user agency with that notation.
- (6) The automated requisition is assigned to a buyer and downloaded into the purchasing system. After review, the method of procurement is determined.
- (7) After completion of the bidding process, the buyer, in conjunction with the user agency, analyzes the bid results and determines the successful bidder.
- (8) The Office of Purchasing enters the prices, terms of payment, FOB point, delivery date, successful bidder's name, and reason for award on the requisition.
- (9) The buyer issues a purchase order and indicates this purchase order number on the requisition.
- (10) The Chief of Purchasing or designee authorizes the purchase order and returns it to the buyer.

- (11) The Office of Purchasing distributes the requisition and the purchase order as follows:

Original of requisition and copy of on-line requisition - attached to the Office of Purchasing copy of the purchase order;

1st copy of requisition and copy of on-line requisition - attached to Department of Finance copy of purchase order and sent to Department of Finance; and

2nd copy of requisition - attached to agency and receiving copy of purchase order and sent to agency.

- (12) After completion of the bidding process, for those transactions totaling less than the formal bid threshold, buyer may place an order utilizing their PDQ card as payment. All recordkeeping shall be in accordance with the Office of Purchasing Policy/Procedure.

#### 4. Automated Capital Project Change Order Requisition Form

##### a. Definition

A capital project automated change order requisition is a form used to request changes or cancellations in purchase orders involving capital projects.

##### b. Process

- (1) User agency identified amount to be changed.
- (2) User agency accesses automated purchase requisition system on the intranet, selects capital change in action field, and fills in all information that is unchanged from the original purchase requisition.
- (3) User agency fills in description, reason for change, and all summary information fields.
- (4) Based on the information contained in the purchase order and in the capital project change order requisition, the Office of Purchasing prepares a change order from the automated change order requisition.

##### c. Policy

- (1) Only the Chief of Purchasing or designee is empowered to execute a change order on behalf of the County.

- (2) Change order requisitions that increase the original amount of the purchase order by 15% or more must be accompanied by a memo addressed to the Chief of Purchasing further explaining the request and may not be executed until the following conditions have been met:
  - i. Cost Analysis: A technical appraisal of the estimated costs of additional labor and materials has been performed;
  - ii. Availability of Funds: Written certification that funds are available has been obtained from the Director of Finance;
  - iii. Change Order Documentation: A supplemental agreement reflecting an adjustment in the contract terms, in addition to the change order form, has been prepared; and
  - iv. Notification: A copy of the change order requisition in which the price has been increased and written justification supporting the need for the change has been approved by the Chief Administrative Officer.

d. Limitation On Use Of Change Order Requisitions

- (1) A change order requisition is needed to pay overruns or underruns when deemed necessary by the using agency or the Office of Purchasing.
- (2) A change order requisition is not needed to pay reasonable freight charges on other than prepaid F.O.B. destination.
- (3) The County may change or cancel a purchase order at any time as long as the change or cancellation is within the legal boundaries of contract law.
- (4) Changes or cancellations may be submitted after visible physical work has been performed or services rendered.
- (5) A vendor may not make the change or cancellation until receipt of the change order form.
- (6) A vendor may request the County to initiate a change order requisition.

Section E.     Determining Price

Price of supplies/services is generally determined by a bidding process. Among methods of determining price are:

1.     Formal Competitive Bidding - Invitation For Bid (IFB) Non-Capital Projects

a.     When Used

Formal competitive bidding is the procedure used:

- (1)    To purchase supplies or services involving an expenditure of \$30,000 or more; or
- (2)    To sell surplus property with an estimated value of \$30,000 or more.

b.     Multi-Step Purchasing Methods

Multi-step purchasing methods may be used in formal competitive bidding when the solicitation is an Invitation For Bid (IFB). This approach may be used whenever it is in the best interest of the County. The multi-step procedure must be disclosed at the beginning of the solicitation process. Potential bidders are told the number of steps that will be used in the solicitation.

(1)    Multi-Step Purchasing Method - Invitation For Bid

(a)    When Used

The multi-step method (usually 2 steps) may be used when it is not practical to initially prepare a definitive purchase description which will be suitable to permit an award based on price. Samples may be required and are permissible in this solicitation approach.

(b)    Multi-Step Purchasing Process

- i.     Under this method, technical proposals are received and opened on the date and time indicated. Only the names of the responding firms are identified and tabulated.

- ii. The technical proposals received are evaluated against pre-established criteria that was stated in the solicitation. The evaluation may be conducted by Purchasing, the user agency and other knowledgeable persons. The County may, as necessary, request more refined technical information from the accepted firms. The technical proposals received from unacceptable firms are returned immediately following the evaluation determination.
- iii. Bidders who submitted technically acceptable bids are invited to submit competitive sealed price bids. Price bids are received at the predetermined date and time when they are opened and read. Under the multi-step method for Invitation For Bid, price negotiation is not permitted.

(2) Multi-Step Purchasing Method - Request for Information

A 3-step method is a method under which, in addition to the technical and price proposals, a Request for Information (RFI) may be required and is an acceptable multi-step procurement method.

In all multi-step procurements, after technical proposals or samples or both have been evaluated, prices shall be solicited only from those vendors whose technical offers or samples or both have been accepted.

In all other respects, multi-step sealed purchasing methods shall be treated in the same way as other purchasing methods.

c. Bid Package and Preparation

- (1) Upon receipt of a purchase requisition and completion of proper specifications, the Office of Purchasing prepares the bid package.
- (2) The bid package consists of an original of each of the following:
  - (a) Title page and table of contents;
  - (b) Bid Document A: Notice of letting which advises bidders of the time and place the bid will be publicly opened, where the bid documents may be obtained, and a description of the bid;
  - (c) Bid Document B: Terms and conditions applying to purchase orders;

- (d) Bid Document C: General conditions applying to all sealed bids, providing bidders with general instructions on bidding with Howard County and the method to determine the amount of the bid deposit; and
  - (e) Bid Document D: Specifications which include at least the following, where applicable:
    - scope of bid
    - application of bid, including delivery point
    - contract period
    - quantities required
    - pricing and price escalation and de-escalation clause
    - bid deposit requirements
    - performance bond
    - insurance requirement
    - method of award identifying the specific basis for determining the award
    - technical description of the goods or services.
- (3) The bid package consists of a bid envelope for return of bids to Office of Purchasing and an original complete bid package containing the following:
- (a) Bid Document E: Proposal. Completed by the bidder specifying unit prices, total prices where applicable, delivery, terms of payment where applicable, and amount of bid deposit if applicable. This document is signed by the bidder's authorized representative.

- (b) Bid Document F: Affidavit/Signature. To be signed under oath by the bidder. Non-Collusion: Requires each bidder to state that he/she has not been a party with other bidders to an agreement to bid a fixed or uniform price. Disclosure of Interest: Requires each bidder to declare that there is no conflict of interest involved. Bribery: Requires each bidder to state that he/she has not been convicted of bribery, attempted bribery or conspiracy to bribe after July 1, 1977. Fair Employment Practice: Requires each bidder to declare that he/she has not violated any of the fair employment practices set forth in the "Ethics and Fair Employment Practices" of the Howard County Code.
- (c) Bid Document G: Equal Business Opportunity Certificate. When the bid is estimated at \$50,000 or more, the Equal Business Opportunity Certificate shall be completed by the bidder.
- (d) When buying products involving wood, the Rain Forest Protection Act Certification may be included.

d. Notice

- (1) Notice includes a general description of the supplies or services to be purchased or sold, the source of bid blanks and specifications, any bid deposit, if required, and the time and place of bid opening.
- (2) The Office of Purchasing posts a notice on the bulletin board of each bid solicitation for purchase or supplies or services or sale of surplus supplies.
- (3) Each bid solicitation notice is published in at least 1 issue of a local newspaper. Advertisement of multiple bids in any issue of a newspaper shall be consolidated as much as possible, with information common to each bid appearing only once.
- (4) The Office of Purchasing sends a notice to each bidder on the appropriate bidders list.

e. Submission of Bids and Exceptions to Technical Specifications

- (1) Bidders shall return all copies identified for return, including, but not limited to, Proposal, Affidavit/Signature Page, Equal Business Opportunity Certificate, and any exceptions the bidder may take (on company letterhead), to the Office of Purchasing prior to the time of bid opening.
- (2) The bidder submits any required bid deposit with the bid.

- (3) Each bid shall be submitted in a sealed envelope marked with the bid name and number.
- (4) Bidders may withdraw or change bids and resubmit them before bid opening time. The bidder may make corrections on the original bid by initialing the change and resealing the bid.
- (5) The Office of Purchasing shall retain bids in a secure place prior to opening.
- (6) All exceptions or objections to the technical specifications of the bid documents shall be in writing and shall be submitted to the Office of Purchasing no later than 5 days prior to the bid opening date. The Chief of Purchasing shall review each such exception or objection to determine whether an addendum to the specifications is required.

f. Cancellation of Invitation for Bid Before Opening

If it becomes necessary to correct an inadequate, deficient or ambiguous invitation for bid, then the invitation shall be canceled and a new invitation shall be issued.

- (1) When an invitation is canceled, bids that have been received shall be returned unopened to the bidders with a notice of cancellation.
- (2) Notice of cancellation shall also be sent to all prospective bidders to whom invitations were issued. The notice shall explain why the invitation is being canceled.

g. Bid Opening

- (1) The bid opening shall be held on the date and at the time and place announced in the bid or the date, time, and place announced in any changes.
- (2) The determination that the time of official bid opening has been reached shall be solely that of the Chief of Purchasing, or designee.
- (3) After bid opening time, all bids are considered the property of the County and will not be released. Bidders may not withdraw bids after bid opening time.
- (4) The Chief of Purchasing, or designee, shall publicly open the bids at the specified time, date and place with at least 1 other County employee present.
- (5) The Chief of Purchasing, shall reject all bids received after the scheduled bid opening.

- (6) The Office of Purchasing posts a bid summary on the bulletin board after the bid opening.
- (7) All bids received shall be reviewed by the buyer of record.
- (8) The Office of Purchasing sends a copy of each bid and a copy of the bid summary to the user agency for review and award recommendation.
- (9) User agency returns recommendation for award within 10 working days.
- (10) Individual bidders may inspect the bids pursuant to the Freedom of Information Act following the bid opening, provided this does not interfere with subsequent bid openings. A bidder may arrange an appointment for this purpose.
- (11) A mistake which is discovered after the bid opening may not be corrected unless the mistake is an obvious and apparent error on the face of the bid such as a typographical error, transposition error or an arithmetical error.
- (12) In situations where the Chief of Purchasing determines that the low bid submitted is so low due to a demonstrable mistake other than a mistake in judgement that the bidder may incur severe loss, and that a potential unconscionable contract may be formed, the bidder may be allowed to withdraw the bid subject to forfeiture of the bid deposit, if any.

h. Cancellation of Bid After Opening

When it is determined before an award but after opening that the invitation for bid contains inadequate, deficient or ambiguous specifications; does not provide for consideration of all factors; or the scope of the work needs to be modified; then the bid shall be canceled.

- (1) Each bidder shall be notified of the cancellation.
- (2) The notice shall state the reason for such action.

i. Evaluation of Bids

- (1) All bids are reviewed in terms of criteria to be considered in determining "lowest responsive, responsible bidder" and "highest responsive, responsible bidder."
- (2) The Office of Purchasing and the user agency evaluate each bid in terms of the criteria stated in the invitation to bid.

- (3) The Chief of Purchasing has the authority to either accept or reject all bids, or any part of the bids when, in his/her judgement, it is in the best public interest. If all bids are rejected, the supplies or services may be re-bid.
- (4) If only 1 bid is received for a project valued at less than \$1,000,000 and there is not sufficient time to resolicit, the Office of Purchasing may negotiate a final offer with the supplier.
- (5) Any project exceeding \$1,000,000 shall have at least 3 responsive bids or obtain approval by the Contract Review Committee.
- (6) If the required number of responsive bids is not received, the supplies or services may be re-bid, after the Office of Purchasing coordinates with the user agency on specifications, etc. to encourage greater response.

j. Award

- (1) Based on information received from the user agency, the Office of Purchasing recommends the lowest responsive, responsible bidder and the highest responsive, responsible bidder. Input from user agency may be critical to this decision.
- (2) If there is a tie bid and quality and service are equal, the award goes to the local bidder. If there is no local bidder, or more than 1 local bidder, the Office of Purchasing draws lots to determine the award.
- (3) The Office of Purchasing issues an award notification to the successful bidder and sends copies to all unsuccessful bidders.
- (4) The Chief of Purchasing may allow multiple awards for the same goods or services if they cannot be provided, in the fashion and time required, from 1 vendor.
- (5) The Office of Purchasing returns bid deposits to all unsuccessful bidders, within 10 days following the award notification or within 65 days following the public opening of the bid, whichever first occurs.
- (6) If the bid is not awarded to the lowest bidder (for purchases) or the highest bidder (for sales), the Office of Purchasing secures well-documented and fully substantiated written reasons for this decision.
- (7) If the successful bidder fails to execute a contract within 10 working days of receiving the notification of award, the County Purchasing Agent may take any bid deposit and consider it as liquidated damages for failure to execute the contract, and not as a penalty.

- (8) The Office of Purchasing prepares a Purchase Order. This may be issued with the award notification if a performance bond or insurance certificate is not required of the bidder.
- (9) The Purchase Order is held until any performance bond or insurance certificate is received from the bidder.
- (10) The County reserves the right to cancel the award of any contract at any time before the contract is executed by all parties, without any liability against the County.

k. Protest

- (1) Bidders may deliver a written protest to the Office of Purchasing within 10 days of issuance of award notification.
- (2) The Chief of Purchasing reviews the protested decision, examines any additional information provided by the bidder and responds to the bidder within 7 days of receipt of the protest.
- (3) The Chief of Purchasing's decision relative to the protest shall be final.

2. Formal Competitive Bidding - Capital Projects

a. When Used

To purchase supplies or services involving an expenditure of \$30,000 or more for capital projects.

b. Preparation of Specifications

- (1) The Director of Public Works, or his/her designee, determines whether a project is to be constructed by contract or by County employees.
- (2) If the project is to be constructed by contract, the Director of Public Works determines whether the plans and specifications are to be prepared by the Bureau of Engineering or whether they are to be prepared by an architectural/engineering consultant firm. If the preparation is to be done by a consultant firm, the procurement of the consultant's services shall be accomplished through procedures outlined in this manual for Professional Services - Capital Projects.
- (3) Plans and specifications for the project are completed.
- (4) The Department of Public Works prepares a bid package.

c. Bid Package

The bid package consists of the following:

- (1) Title page and table of contents.
- (2) Notice of letting, which advises bidders of the time and place the bid will be publicly opened, where the bid documents may be obtained and a description of the bid.
- (3) Information to bidders applying to all sealed bids, providing bidders with general instructions on bidding with Howard County and the method to determine the amount of the bid deposit.
- (4) Terms and conditions applying to Purchase Orders.
- (5) Proposal, completed by the bidder and signed by the bidder's authorized representative:
  - Unit Prices
  - Delivery
  - Terms of Payment
  - Amount of Bid Deposit
  - Contract Period
- (6) General conditions of contract, including at least the following:
  - Scope of Bid
  - Pricing
  - Performance Bond
  - Insurance Requirement
- (7) General Specifications
- (8) Technical Specifications
- (9) Equal Business Opportunity Information
- (10) Contract Form
- (11) Affidavits
- (12) Bond Forms:
  - (a) Bonding information and bond forms for construction contracts of \$50,000 or less may be included at the County's option.

(b) Construction contracts exceeding \$50,000:

- i. A bid bond may only be required when construction contract bids are estimated to equal or exceed \$50,000. When required, the bid deposit shall not exceed 2% of the bid amount for contracts with an estimated value equal to or exceeding \$50,000 but not exceeding \$100,000. For contracts with an estimated value exceeding \$100,000, the bid deposit shall not exceed 5% of the bid amount.
- ii. Performance Bond: For the protection of the County and in accordance with state law, the Office of Purchasing shall require a performance bond in an amount deemed adequate to cover the completion of work in the event of default.
- iii. Payment Bond: The Office of Purchasing shall require a payment bond for the protection of all persons supplying labor and materials in the prosecution of the work provided for in the contract. The payment bond shall be for 100% of the total amount payable by the terms of the contract. Any contractor receiving a progress or final payment under a contract subject to this subsection shall certify in writing that the contractor has made payment from proceeds of prior payments, and that the contractor will make timely payments from the proceeds of the progress or final payment then due to the subcontractors and suppliers in accordance with the contractual arrangements between them. No contractor will be paid a second or subsequent progress payment or final payment until such written certification is presented.
- iv. Release of Security: Upon written request, the Office of Purchasing shall release 50% of the security interest on the contract when 70% of the contractor's obligations has been completed. Before releasing the security, the Chief of Purchasing shall consider whether the unreleased portion of the security is sufficient to cover the remaining contract obligations, including subcontractors. The contractor shall furnish an affidavit agreeing that the partial release of the security does not relieve the contractor of his obligations under the contract. A contractor may be excluded from utilizing the procedures in this subparagraph if any of the following causes exists:

- a) Failure to fulfill the obligations under any bonds;
- b) Any false or misleading statements or representation on a bond; or
- c) Any other cause of a compelling nature which may warrant exclusion.

(13) Construction Plans and Drawings

(14) Bid Envelope

d. Notice

- (1) Notice includes a general description of the capital project, the source of bid blanks and specifications, any bid deposit, if required, and the time and place of bid opening.
- (2) The Office of Purchasing posts a notice of each bid solicitation for a capital project on the bulletin board.
- (3) Each bid solicitation notice is published in at least 1 issue of a local newspaper. Advertisement of multiple bids in any issue of a newspaper shall be consolidated as much as possible, with information common to each bid appearing only once.

e. Submission of Bids and Exceptions to Technical Specifications

- (1) Bidders submit 1 copy of the bid on the Howard County bid blank to the Office of Purchasing prior to the advertised time of bid opening.
- (2) The bidder submits any required bid deposit along with the bid.
- (3) Each bid shall be submitted in a sealed envelope marked with the bid name and number.
- (4) Bidders may withdraw or change their bids and resubmit them before bid opening time. The bidder may make corrections on the original bid, by initialing the change and resealing the bid.
- (5) The Office of Purchasing shall retain bids in a secure place prior to opening.

- (6) All exceptions or objections to the technical specifications of the bid documents shall be in writing and shall be submitted to the Chief of Purchasing no later than 5 days prior to the bid opening date. The Chief of Purchasing shall review each such exception or objection to determine whether an addendum to the specifications is required.

f. Cancellation of Invitation for Bid Before Opening.

If it becomes necessary to correct an inadequate, deficient or ambiguous invitation for bids, then the invitation shall be canceled and a new invitation shall be issued.

- (1) When an invitation is canceled, bids that have been received shall be returned unopened to the bidders with a notice of cancellation.
- (2) Notice of cancellation shall also be sent to all prospective bidders to whom invitations were issued. The notice shall explain why the invitation is being canceled.

g. Bid Opening

- (1) The bid opening shall be held on the date and at the time and place announced in the notice or the date, time, and place announced in any changes.
- (2) The final determination that the time of official opening has been reached shall be solely that of the Chief of Purchasing or designee.
- (3) After bid opening time, all bids are considered the property of the County and will not be released. Bidders may not withdraw bids after bid opening time.
- (4) The Chief of Purchasing, or a designee, will publicly open the bids at the specified date, time and place. At least 1 other County employee shall be present.
- (5) The Chief of Purchasing, or a designee, shall reject all bids received after the scheduled bid opening.
- (6) The Office of Purchasing posts a bid summary on the bulletin board after the bid opening.
- (7) The Office of Purchasing sends a copy of the bid and a copy of the bid summary to the Department of Public Works for review and award recommendation.

- (8) Individual bidders may inspect the bids pursuant to the Freedom of Information Act following the bid opening, provided this does not interfere with subsequent bid openings. A bidder may arrange an appointment for this purpose.
- (9) A mistake which is discovered after the bid opening may not be corrected unless the mistake is an obvious and apparent error on the face of the bid such as a typographical error, transposition error or an arithmetical error.
- (10) In situations where the Chief of Purchasing determines that the low bid submitted is so low due to a demonstrable mistake other than a mistake in judgement that the bidder may incur severe loss if awarded the bid, and that a potential unconscionable contract would be made, the bidder may be allowed to withdraw the bid, subject to forfeiture of the bid deposit.

h. Cancellation of Bid After Opening.

When it is determined before an award but after opening that the invitation for bid contains inadequate, deficient or ambiguous specifications; does not provide for consideration of all factors; or the scope of the work needs to be modified; then the bid shall be canceled.

- (1) Each bidder shall be notified of the cancellation.
- (2) The notice shall state the reason for such action.

i. Evaluation of Bids

- (1) The Department of Public Works evaluates each bid in terms of criteria stated in the invitation to bid to determine the "lowest responsive, responsible bidder."
- (2) The Chief of Purchasing has the authority to accept or reject all bids or any part of the bids, when it is in the best public interest. If all bids are rejected, the supplies or services may be re-bid.
- (3) If only 1 bid is received for a project valued at less than \$1,000,000 and there is not sufficient time to resolicit, the Office of Purchasing may negotiate a final offer with the supplier.
- (4) Any project exceeding \$1,000,000 shall have at least 3 responsive bids or obtain approval by the Contract Review Committee.

- (5) If the required number of responsive bids is not received, the supplies or services may be re-bid after the Department of Public Works adjusts the specifications, etc. to encourage greater response.

j. Award

- (1) The Department of Public Works recommends the lowest responsive, responsible bidder.
- (2) The Department of Public Works completes an Intent to Award letter.
- (3) Department of Public Works prepares the award notification and forwards it to the Chief of Purchasing for signature. The Office of Purchasing shall return all bid deposits to all unsuccessful bidders within 10 days following the award notification or within 65 days following the public opening of the bids, whichever first occurs.
- (4) If the successful bidder fails to execute a contract within 10 working days of receiving the notification of award, the County Purchasing Agent may take any bid deposit and consider it as liquidated damages for failure to execute the contract, and not as a penalty.
- (5) All pertinent paperwork, including contracts, are also forwarded to the Office of Purchasing. The Department of Public Works prepares a purchase requisition and forwards it through the Office of Budget and Department of Finance to the Office of Purchasing.
- (6) The Office of Purchasing secures signatures and related documents from the contractor and forwards them to the using agency, the County Solicitor, the Director of Finance, the Budget Administrator, the Chief Administrative Officer, and the County Executive for execution.
- (7) The Office of Purchasing prepares a purchase order.
- (8) The County reserves the right to cancel the award of any contract at any time before the contract is executed by all parties, without any liability against the County.

k. Protest

- (1) Bidders may deliver a written protest to the Chief of Purchasing within 10 days of issuance of award notifications.

- (2) The Chief of Purchasing reviews the protested decision, examines any additional information provided by the bidder and responds to the bidder within 7 days of receipt of the protest.
- (3) The Chief of Purchasing's decision relative to the protest shall be final.

3. Informal Competitive Bidding

a. When Used

- (1) To purchase supplies or services with an estimated value less than \$30,000; or
- (2) To sell surplus supplies with an estimated market value of less than \$30,000.

b. Written Request for Quotation

(1) When Used

- (a) To purchase supplies/services when the estimated value of the purchase is between \$5,000 and \$30,000.
- (b) To sell surplus when the estimated value of the sale is between \$5,000 and \$30,000.

(2) Process

- (a) The user agency submits a purchase requisition.
- (b) Based upon the information received, the Office of Purchasing prepares the written request for quotation form, sending it to at least 3 approved vendors.
- (c) The bidder is responsible for completing the following items on the written request for quotation form:

- Terms
- Method of Shipping
- Unit Price
- Total Weight
- Promised Delivery Date
- Signature of Bidder and Date of Quotation

- (d) The bidder returns the completed Request for Quotation form to the Office of Purchasing.

- (e) The buyer records all pertinent bid information on the buyers copy of the request for quotation and holds the copy until all replies are in or until the reply date.

c. Telephone Solicitation

(1) When Used

- (a) To purchase supplies or services where the estimated value of the purchase is less than \$5,000. This is an optional procedure.
- (b) When a critical time element dictates, to purchase supplies and services with an estimated value of less than \$30,000.

(2) Process

- (a) User agency submits a purchase requisition.
- (b) Based upon this information, the Office of Purchasing fills out the telequote form.
- (c) The buyer then selects 3 or more approved vendors and solicits quotations.
- (d) The vendor will send written confirmation of the telephone quotation to the Office of Purchasing when the total value exceeds \$5,000.

d. Evaluation and Award

- (1) After receipt of bids, the Office of Purchasing evaluates them in terms of the criteria to be used in determining "lowest responsive, responsible bidder" or "the highest responsive, responsible bidder."
- (2) After evaluation of the prices, terms, and of the qualifications of the bidder, the Office of Purchasing determines the lowest responsive, responsible bidder or the highest responsive, responsible bidder.
- (3) The Office of Purchasing prepares and executes a Purchase Order.

4. Formal Competitive Requests for Proposal

a. Professional Services and Other Procurements for Non-Capital Projects

(1) When Used

- (a) To purchase services involving an expenditure of \$30,000 or more for non-capital projects.

- (b) To solicit proposals for supplies or services of individuals or organizations which possess a high degree of technical skill such as attorneys and physicians where competitive selection is used.
- (c) When the Chief of Purchasing determines that competitive sealed bidding is not practical or not advantageous to the County and that a contract should be entered into by competitive sealed proposals to provide supplies or services.
- (d) The County Council is exempt from competitive bidding when awarding professional service contracts.

(2) Multi-Step Purchasing Methods

Multi-step purchasing methods may be used in competitive bidding when the solicitation is a Request For Proposal (RFP). This approach may be used whenever it is in the best interest of the County. The multi-step procedure must be disclosed at the beginning of the solicitation process. Potential bidders are told the number of steps that will be used in the solicitation.

(a) Multi-Step Purchasing Method - Technical and Cost Proposals Separately at Different Times

i. When Used

The multi-step method (usually 2 steps) under which technical and price proposals are submitted separately at different times may be used when the County wishes to award a contract based on evaluation criteria and price. Samples may be required and are permissible in this solicitation approach.

ii. Multi-Step Purchasing Method

1) Under this method, technical proposals are received and opened on the date and time indicated. Only the names of the responding firms are identified and tabulated.

2) The technical proposals received are evaluated against pre-established criteria that was stated in the solicitation. The evaluation may be conducted by Purchasing, the user agency or other knowledgeable persons. The technical proposals received from unacceptable firms are returned immediately following the evaluation determination.

- 3) Proposers who submitted technically acceptable proposals are invited to submit competitive sealed price proposals. Price proposals are received at the predetermined date and time when they are publicly opened. Only the respondent's name is read at this time. Negotiation is acceptable in this procurement method and shall be conducted with the assistance of purchasing personnel. The negotiation process may be determined prior to the dissemination of the solicitation.

(b) Multi-Step Purchasing Method - Technical and Cost Proposals Submitted Separately But Simultaneously

i. When Used

A multi step method (usually 2-steps) under which both technical and price proposals are submitted simultaneously in separate sealed envelopes may be used when the County wishes to award a contract based on evaluation criteria and price. Each envelope must identify whether it is technical or price information.

ii. Multi-Step Purchasing Method

- 1) Under this method, technical proposals are received and opened on the date and time indicated. Only the names of the responding firms are identified and tabulated.
- 2) The technical proposals received are evaluated against pre-established criteria that was stated in the solicitation. However, the price information may not be opened until the technical evaluation is complete. The evaluation may be conducted by Purchasing, the user agency or other knowledgeable persons. The firms found unacceptable during the technical evaluation shall not be given further consideration. The County may, as necessary, request more technical information from the accepted firms.

- 3) Price proposals from the technically accepted firms are opened following the technical evaluation. Proposer selection is made based on the evaluation criteria. Negotiation is acceptable in this procurement method and shall be conducted with the assistance of Purchasing personnel. The negotiation process may be determined prior to the dissemination of the solicitation.

(c) Multi-Step Purchasing Method - Request for Information

A 3-step method is a method under which, in addition to the technical and price proposals, a Request for Information (RFI) may be required and is an acceptable multi-step procurement method.

In all multi-step procurements, after technical proposals or samples or both have been evaluated, prices shall be solicited only from those vendors whose technical offers or samples, or both, have been accepted.

In all other respects, multi-step purchasing methods shall be treated in the same way as other purchasing methods.

(3) Proposal Package and Preparation

- (a) Upon receipt of a Purchase Requisition and technical requirements, the Office of Purchasing prepares the proposal package.
- (b) The proposal package consists of an original of the following:
  - i. Title page and table of contents;
  - ii. Proposal Document A: Notice of letting which advises proposers of the time and place the proposal will be publicly opened, where the proposal documents may be obtained, and a description of the proposal requirement;
  - iii. Proposal Document B: Terms and conditions applying to purchase orders;
  - iv. Proposal Document C: General conditions applying to all sealed proposals, providing proposers with general instructions on proposals with Howard County;

- v. Proposal Document D: Requirements which may include the following, where applicable:

- scope of proposal

- application of proposal, including delivery point

- contract period

- quantities required

- pricing and price escalation and de-escalation clause

- insurance requirement

- method of award identifying the specific criteria for evaluation and determining the award and a statement that price will not be the sole evaluation factor

- technical requirement of the goods or services

- the relative importance of price and other evaluation factors

- numerical ratings may be used at the discretion of the Chief of Purchasing

- vi. Proposal Envelope: For return of proposals to Office of Purchasing.

- (c) The proposal package consists of a proposal envelope for return of proposals to the Office of Purchasing and an original complete proposal package to include:

- i. Proposal Document E: Proposal to be completed by the proposer specifying unit prices, total prices where applicable, delivery, terms of payment where applicable. This document is signed by the proposer's authorized representative;

- ii. Proposal Document F: Affidavit/signature to be signed under oath by the proposer. Non-collusion: requires each proposer to state that he/she has not been a party with other proposers to an agreement to bid a fixed or uniform price. Disclosure of interest: Requires each proposer to declare that there is no conflict of interest involved. Bribery: Requires each proposer to state that he/she has not been convicted of bribery, attempted bribery or conspiracy to bribe after July 1, 1977. Fair employment practice: requires each proposer to declare that he/she has not violated any of the fair employment practices set forth in the "Ethics and Fair Employment Practices" of the Howard County Code;
- iii. Proposal Document G: Equal Business Opportunity Certificate. When the proposal is estimated at \$50,000 or more, the Equal Business Opportunity Certificate shall be completed by the proposer.
- iv. When buying products involving wood, the Rain Forest Protection Act Certification may be included.

(4) Notice

- (a) Notice includes a general description of the supplies or services to be purchased or sold, the source of proposal blanks and specifications, any bid deposit, if required, and the time and place of proposal opening.
- (b) The Office of Purchasing posts a notice on the bulletin board of each proposal solicitation for purchase of supplies or services or sale of surplus supplies.
- (c) Each proposal solicitation notice is published in at least 1 issue of a local newspaper. Advertisement of multiple proposals in any issue of a newspaper shall be consolidated as much as possible, with information common to each proposal appearing only once.
- (d) The Office of Purchasing sends a notice to each proposer on the appropriate vendors list, if any.

(5) Cancellation of Solicitations

The County Purchasing Agent shall cancel a solicitation when:

- (a) The solicitation specifications are inadequate, ambiguous or deficient;

- (b) The request for proposal does not adequately address or provide for consideration of all factors;
- (c) The scope of the work needs to be modified; or
- (d) When it is in the best interest of the County.

If it becomes necessary to correct an inadequate, deficient or ambiguous solicitation, then the solicitation shall be canceled and a new solicitation shall be issued.

- (a) When a solicitation is canceled, proposals that have been received shall be returned unopened to the proposers with a notice of cancellation.
- (b) Notice of cancellation shall also be sent to all prospective proposers to whom invitations were issued. The notice shall explain why the solicitation is being canceled.

(6) Submission of Proposals and Exceptions to Technical Requirements

- (a) Proposers shall provide the County with 1 original and as many copies of the proposal as requested in the proposal package including, but not limited to, proposal response, affidavit/signature page, and any exceptions the proposer may take (on company letterhead), to the Office of Purchasing prior to the advertised time of proposal opening.
- (b) Each proposal shall be submitted in a sealed envelope marked with the proposal name and number.
- (c) Proposers may withdraw or change proposals and resubmit them before proposal opening time. The proposer may make corrections on the original proposal by initialing the change and resealing the proposal.
- (d) The Office of Purchasing shall retain proposals in a secure place prior to opening.
- (e) All exceptions or objections to the technical requirements of the proposal documents shall be in writing and shall be submitted to the Chief of Purchasing no later than 5 days prior to the proposal opening date. The Chief of Purchasing shall review each such exception or objection to determine whether an addendum to the requirement is required.

(7) Proposal Opening

- (a) The proposal opening shall be held on the date and at the time and place announced in the proposal or the date, time, and place announced in any changes.

- (b) The determination that the time of official bid opening has been reached shall be solely that of the Chief of Purchasing, or designee.
  - (c) After proposal opening time, all proposals are considered the property of the County and will not be released. Proposers may not withdraw proposals after proposal opening time.
  - (d) The Chief of Purchasing, or a designee, shall publicly open the proposals at the specified time, date and place with at least 1 other County employee present. Proposals shall be opened so as to avoid disclosure of contents to competing proposers. A register of proposals shall be prepared showing the names of proposers who have submitted and shall be open to the public.
  - (e) The Chief of Purchasing shall reject all proposals received after the scheduled proposal opening.
  - (f) The Office of Purchasing may post a proposal summary on the bulletin board after the proposal opening.
  - (g) The Office of Purchasing keeps 1 complete copy of the proposal and forwards the remaining copies and the proposal summary to the user agency for review and award recommendation.
  - (h) A mistake which is discovered after the proposal opening may not be corrected unless the mistake is an obvious and apparent error on the face of the proposal such as a typographical error, transposition error or an arithmetical error.
  - (i) In situations where the Chief of Purchasing determines that the low proposal submitted is so low due to a demonstrable mistake other than a mistake in judgement that the proposer may incur severe loss, and that a potential unconscionable contract may be formed, the proposer may be allowed to withdraw the proposal.
- (8) Evaluation of Proposals
- (a) All proposals are reviewed in terms of the evaluation factors stated in the evaluation criteria including price and their relative importance. Numerical rating systems may be used but are not required. Only those factors specified in the request for proposal will be used for evaluation.

- (b) Discussions may be conducted with responsive, responsible proposers who submit proposals determined by the Chief of Purchasing to be reasonably susceptible of being selected for award. Discussions may be held for purposes of clarification to assure full understanding of and responsiveness to the solicitation requirements. Proposers shall be afforded fair and equal treatment with respect to any opportunity for discussion of proposals and discussion may be permitted after submission and before award for the purpose of obtaining best and final offers. In conducting discussion there shall be no disclosure of any information derived from proposals submitted by competing proposers.
  - (c) Except as provided below, the Chief of Purchasing has the authority to either accept or reject all proposals, or any part of the proposals when, in the Chief of Purchasing's judgement, it is in the best public interest. If all proposals are rejected, the supplies or services may be re-solicited.
  - (d) Any project exceeding \$1,000,000 shall have at least 3 responsive bids or obtain approval by the Contract Review Committee.
  - (e) If the required number of responsive bids is not received, the supplies or services may be re-solicited, after the Office of Purchasing coordinates with the user agency on requirements, etc. to encourage greater response.
- (9) Award
- (a) The Office of Purchasing recommends the proposer based on the evaluation criteria. Award shall be made to the proposer whose proposal is the best offer which best meets the terms and conditions set forth in the request for proposal.
  - (b) If there is a tie proposal and quality and service are equal, the award goes to the local proposer. If there is no local proposer, or more than 1 local proposer, the Chief of Purchasing draws lots to determine the award.
  - (c) The Chief of Purchasing issues an award notification to the successful proposer and notifies all unsuccessful proposers.
  - (d) The Office of Purchasing returns proposal deposits to all unsuccessful proposers, within 10 days following the award notification or within 65 days following the public opening of the proposal, whichever first occurs.
  - (e) If the successful proposer fails to execute a contract within 10 working days of receiving the notification of award, the County Purchasing Agent may take any bid deposit and consider it as liquidated damages for failure to execute the contract, and not as a penalty.

- (f) The Office of Purchasing prepares a Purchase Order. This may be issued with the award notification, if a performance bond or insurance certificate is not required of the proposer.
  - (g) The Purchase Order is held until any performance bond or insurance certificate is received from the proposer.
  - (h) The County reserves the right to cancel the award of any contract at any time before the contract is executed by all parties, without any liability against the County.
- (10) Protest
- (a) Proposers may deliver a written protest to the Chief of Purchasing within 10 days of issuance of award notification.
  - (b) The Chief of Purchasing reviews the protested decision, examines any additional information provided by the proposer and responds to the proposer within 7 days of receipt of the protest.
  - (c) The Chief of Purchasing's decision relative to the protest shall be final.

b. Professional Services Solicitations - Capital Projects - Expression Of Interest for Miscellaneous Professional Services Estimated To Cost Less Than \$100,000

Phase I - Expression of Interest

- (1) When Used
- (a) To solicit Expression of Interest for the services of individuals or organizations which possess a high degree of technical skill such as architects and engineers where competitive selection is used.
  - (b) The Expression of Interest solicitation may be the first phase of a capital project effort and may be followed by the request for proposal.
- (2) Process
- (a) The user agency prepares an outline of the intended scope and desired result of professional services and forwards it to the Office of Purchasing.

- (b) The Office of Purchasing, based on the outline from the user agency, places advertisements in various media, soliciting Expressions of Interest from qualified professionals. The advertisements will contain description of the services needed, the closing date, time and place and request, when determined appropriate by the County, completed Standard Forms 254 and 255 or other qualifications related statements.
  - (c) The Office of Purchasing shall have an Expression of Interest package available for any interested firm and will provide the package to firms upon request. In addition to the description of the services needed, the Expression of Interest will also include any special requirements i.e, Equal Business Opportunity, federal/state requirements and insurance needs.
- (3) Submission of Expression of Interest
- (a) Each consultant submits their Expression of Interest to the Office of Purchasing prior to the closing time for Expression of Interest.
  - (b) Each Expression of Interest shall be submitted in a sealed envelope marked with the project number and name.
  - (c) The Office of Purchasing shall retain the Expression of Interest in a secure place prior to opening.
  - (d) The consultant may withdraw or change the Expression of Interest prior to Expression of Interest opening. The consultant may make corrections on the original Expression of Interest by initialing the changes and resealing the Expression of Interest.
- (4) Opening of Expression of Interest
- (a) On the date, time and place indicated, the Chief of Purchasing or designee opens the Expression of Interest with at least 1 other County employee present.
  - (b) The determination that the time of official Expression of Interest opening has been reached shall be solely that of the Chief of Purchasing or designee.
  - (c) After Expression of Interest opening, all Expressions of Interest are considered County property and may not be withdrawn by the firm.
  - (d) The Office of Purchasing forwards the Expression of Interest to the director of requesting agency or his/her designee to coordinate the review of the Expression of Interest by an evaluation committee.

(5) Evaluation of Expression of Interest

The evaluation committee, composed of at least 2 persons with appropriate experience and background, will separately evaluate and score each Expression of Interest. The evaluations and rankings will be presented to the director of the requesting agency, or his/her designee. That individual shall make formal recommendation to the Chief of Purchasing for at least 5 firms to be short listed and to receive Request(s) for Proposal.

(6) Appeal

Firms who have not been short listed may appeal the County's decision, in writing, within 10 days of notification. The Office of Purchasing will be responsible for responding within 7 days of receipt of the appeal. The Chief of Purchasing's decision relative to the appeal shall be final.

Phase II - Request for Proposal

(1) After Approval of Expression of Interest

- (a) Following the approval of the Expression of Interest short list by the Consultant Selection Committee, the user agency prepares a Request for Proposal which may include: Scope of Work; Contract Agreement; Federal, State and Local Requirements and Insurance Requirements and forwards to the Office of Purchasing for review and approval.
- (b) The Office of Purchasing sends each consultant on the short list a request for proposal.

(2) Submission of Proposal

- (a) Each consultant submits their detailed technical and cost proposal to the Office of Purchasing prior to the closing time for proposals.
- (b) Each proposal shall be submitted in a sealed envelope marked with the project number and name.
- (c) The Office of Purchasing shall retain proposals in a secure place prior to opening.
- (d) The consultant may withdraw or change the proposal prior to proposal opening. The consultant may make corrections on the original proposal by initialing the changes and resealing the proposal.

(3) Opening of Proposals

- (a) On the date, time and place indicated, the Chief of Purchasing or designee opens the proposals with at least 1 other County employee present.
- (b) The Chief of Purchasing or designee shall reject all proposals received after the scheduled opening.
- (c) After proposal opening, all proposals are considered County property and may not be withdrawn by the firm.
- (d) The Office of Purchasing forwards the proposals to the Secretary of Capital Project Consultant Selection Committee to coordinate the evaluation of the proposals. The Office of Purchasing tabulates all proposals and forwards the proposals and tabulations to the Secretary of the Consultant Selection Committee.

(4) Evaluation and Award

- (a) The Selection Committee evaluates the replies to the request for proposal and recommends the contract award to the County Consultant Selection Committee.
- (b) After approval by the County Consultant Selection Committee, the user agency prepares the contract, if applicable, and the purchase requisition and forwards them to the Office of Purchasing for execution and issuance of a purchase order. Prior to contract award, the selected consultant shall present proof of the required insurance coverage. The Office of Purchasing notifies all participating consultants of the award decision.

(5) Appeal

Firms who were not selected may appeal the County's decision, in writing, within 10 days of notification. The Office of Purchasing will be responsible for responding within 7 days of receipt of the appeal. The Chief of Purchasing's decision relative to the appeal shall be final.

c. Professional Services Solicitation - Capital Projects - For Architectural/Engineering Services With An Estimated Value Of \$100,000 Or More and Competitive Negotiation is Required

Accepted firms may only be required to qualify once a year to provide services on approved projects for a specific fiscal year.

Phase I - Expression of Interest

(1) When Used

To solicit Expression of Interest for the services of individuals or organizations with a high degree of technical skill such as architects and engineers (A & E) when the estimated contract value is \$100,000 or more and competitive negotiation is required. It may also be used, when circumstances require so, for values less than \$100,000 as determined by the Chief of Purchasing.

(2) Process

(a) The user agency prepares an outline of the intended scope with summary description of the project and the type of services required.

(b) The Office of Purchasing, based on the outline from the user agency, places advertisements in various media, soliciting Expressions of Interest from qualified professionals. The advertisements will also contain opening date, time and place and, when determined appropriate by the County, request the completion of Standard Forms 254 and 255, as applicable.

(c) The Office of Purchasing shall have an Expression of Interest package available for any interested firm and will provide the package to firms upon request. In addition to the description of the service need, the Expression of Interest will also include any special requirements, i.e., Equal Business Opportunity, federal and state requirements and insurance needs.

(3) Submission of Expression of Interest

(a) Each consultant submits their Expression of Interest to the Office of Purchasing prior to the closing time for the Expression of Interest.

(b) The Office of Purchasing shall retain Expressions of Interest in a secure place prior to opening.

(c) Each Expression of Interest shall be submitted in a sealed envelope marked with the project number and name.

- (d) The consultant may withdraw or change the Expression of Interest prior to opening. The consultant may make corrections on the original Expression of Interest by initialing the changes and resealing the Expression of Interest.

(4) Opening of Expression of Interest

- (a) On the date, time and place indicated, the Chief of Purchasing or designee opens the Expression of Interest with at least 1 other County employee present.
- (b) The Chief of Purchasing or designee shall reject all Expressions of Interest received after the scheduled opening
- (c) After Expression of Interest opening, all Expressions of Interest are considered County property and may not be withdrawn by the firm.
- (d) The Office of Purchasing forwards the Expression of Interest to the designated leader of the Quality Based Selection (QBS) Committee (minimum 5 members) to coordinate the evaluation of the Expression of Interest.

(5) Evaluation

The designated leader of the Quality Based Selection (QBS) Committee will coordinate the evaluation of the Expression of Interest using the developed criteria. The leader of the QBS Committee will forward a memo to the Chief of Purchasing with the committee's findings including the identification of the firms (minimum 3) for interviewing. Each participating firm will be notified of their selection/non-selection by the Office of Purchasing.

(6) Appeal

Consultants not receiving pre-qualification status may appeal the County's decision, in writing, within 10 days of notification. The Office of Purchasing will be responsible for responding within 7 days of receipt of the appeal. The Chief of Purchasing's decision relative to the appeal shall be final.

Phase II - Interviews

(1) When Used

Subsequent to rankings derived from the Expression of Interest phase.

(2) Process

- (a) QBS Committee established dates and times for interviews for each competing firm/team (consultants).

- (b) Consultants complete interviews with the QBS Committee per promulgated guidelines.
- (c) QBS Committee notified Chief of Purchasing of selected consultant via memo.
- (d) Chief of Purchasing issues letter to selected/non-selected firms/teams.

### Phase III - Competitive Negotiation and Contract Award

#### (1) When Used

When the application, review and interview process have identified the most qualified consultant(s) for the requirement.

#### (2) Process

- (a) The top ranked firm(s) for the requirement will provide a scope of work consisting of technical specifications, architectural program, and any special requirements for the specific project. Budget cost estimate, proposed completion date and other pertinent information relative to the project may be provided by the County as applicable.
- (b) The selected firm shall prepare a proposal comprising the complete scope of work.
- (c) Prior to the start of negotiations, the selected firm shall submit the proposed scope of work, including special and unique management approaches, involvement of principals and consultants, and a proposed schedule, to the leader of the QBS Committee.
- (d) The leader of the QBS Committee arranges the initial negotiation meeting.
- (e) Negotiations will center upon mutual understanding of the scope of work to be followed by submittal of service fees by project phase, expectations as to specific architect and consultant costs, and the level of activity and fees for each phase by the firm to the Chief of Purchasing. Additional service rates, by discipline, will also be established during this negotiation. The type of fee shall be lump sum.
- (f) The Chief of Purchasing will instruct the leader of the QBS Committee to enter fee negotiations.

- (g) Should the committee be unable to negotiate a satisfactory contract with the firm ranked first at a price considered to be fair and reasonable after 2 tries, negotiations shall be formally terminated. Negotiations shall then be undertaken with the second-ranked firm, and if necessary, the third-ranked firm.

(3) Award of Contract

- (a) The finalized fee proposal with recommendations will be forwarded to the Director of Public Works, or his/her designee, for submission to the Chief of Purchasing. If either reject the recommendation, it will go back for review and further negotiation.
- (b) All firms under consideration during this phase will be notified by letter of the award of contract, award amount, and appeal rights.

(4) Appeal

Firms who were not selected may appeal the County's decision, in writing, within 10 days of notification. The Office of Purchasing will be responsible for responding within 7 days of receipt of the appeal. The Chief of Purchasing's decision relative to the appeal shall be final.

d. Professional Services for Which It Is Not Practical to Bid

Whenever practical, the purchase of professional services shall be made through a competitive bidding process. When it is not practical to purchase professional services using one of the methods mentioned above, then the user agency shall consult with the Chief of Purchasing to select a provider of professional services by using another method which will provide as much competition as is practical given the nature of the services and the circumstances under which the services are needed.

5. Sole Source Solicitation

a. When Used

When an analysis of the specifications determines that the specifications are not overly restrictive for the County's needs, and the product is made by a single manufacturer and distributed through a single dealer or vendor.

b. Process

- (1) The user agency determines that the need exists. The user agency completes a purchase requisition along with a written justification stating that the specifications for supplies/services are not overly restrictive for the County needs, and forwards it to the Office of Purchasing.

- (2) The Office of Purchasing analyzes the requisition and the justification to determine if alternative goods may be substituted.
- (3) The Office of Purchasing attempts to find more than 1 supplier of the requisitioned supplies or service. If the needed supplies or service is only supplied through 1 source, the sole-source solicitation method is used.
- (4) The Chief of Purchasing, or his/her designee, negotiates an order or contract with the sole-source supplier at prices and on terms most advantageous to the County.
- (5) The Office of Purchasing then prepares and executes a purchase order.

c. Extension of Sole Source Procurements

- (1) When it has been determined that it is in the best interest of the County to extend a sole source contract, the Chief of Purchasing may authorize contract extensions in 1 year increments, not to exceed 3 years.
- (2) Prior to each extension, a determination shall be made that the requirement is in fact still sole source.
- (3) Should the contract be extended beyond the 3rd year, the County Council must approve the extension by a resolution prior to the beginning of each subsequent contract year.
- (4) The Office of Purchasing shall prepare the necessary documentation for contract extensions.
- (5) When the contract requires County Council approval, the Office of Purchasing will prepare and submit the necessary documentation to the Legislative Coordinator, through the Department of County Administration, for the processes associated with a Council Resolution.

d. Contract Review Committee (CRC) for Sole Source Procurements

- (1) The Contract Review Committee (CRC) is a standing executive committee established to review certain purchasing actions.
- (2) The CRC is composed of the County Chief Administrative Officer or designee, the County Auditor or designee, and the Director of the Department of Finance or designee.
- (3) Sole source procurements greater than \$100,000 must be approved by majority vote of the CRC prior to execution of the purchase order.

6. Purchases Requiring Confidentiality

a. When Used

When the County requires services that are confidential in nature such as:

- (1) Legal services needed in conjunction with threatened or pending litigation;
- (2) Appraisal of certain property to be acquired; and
- (3) Collective bargaining.

b. Process

- (1) The user agency determines that the need exists.
- (2) The user agency seeks approval from the Chief of Purchasing.
- (3) The Chief of Purchasing authorizes the user agency to obtain competitive proposals, if available, for the requirement.
- (4) For the benefit of confidentiality, the advertisement and public notice are waived.
- (5) The user agency obtains written proposals from the potential bidders.
- (6) If there is only one respondent or a single source, the Chief of Purchasing may authorize the user agency to negotiate a best offer.
- (7) After determination of the low responsive, responsible bidder, the user agency prepares a purchase requisition and a Confidentiality Required Purchase Authorization Form. The requisition and authorization are forwarded through the Office of Budget and the Department of Finance to the Office of Purchasing.
- (8) The Office of Purchasing prepares and executes a purchase order.

7. Expedited Procurements

a. When Used

When a procurement action is needed that best serves the interest of the public and the procurement is not an emergency but one in which an expedited procurement process outweighs the benefits of either competitive sealed bidding or competitive sealed proposals, the expedited procurement method may be used. Examples of when this method may be used are when Federal or State revenues to the County may be lost if rapid procurement action is not taken, or in situations that would have an adverse impact on the economic welfare of the County or important economic development of the County.

b. Process

- (1) The user agency determines that the need exists.
- (2) The user agency obtains advance written approval from the Chief of Purchasing.
- (3) To the extent practicable Formal Competitive Bidding shall be utilized when making an expedited procurement. The Chief of Purchasing may waive the public notice requirements of newspaper advertising. The Chief of Purchasing may also approve written justification that supports noncompetitive selection if competitive solicitations cannot be made: due to insufficient time between when the need to make an expedited procurement first became known and when the contract must be performed; or for such other reasons that preclude the use of competition.
- (4) The user agency forwards a justification to the Office of Purchasing.
- (5) The Office of Purchasing takes the appropriate procurement action based on the estimated dollar amount.
- (6) After determination of the low responsive, responsible bidder, the Office of Purchasing prepares and executes a purchase order.

c. Recordkeeping and Reporting

- (1) The Purchasing Agent submits a monthly expedited procurement report prepared by the Office of Purchasing to the County Executive tabulating all expedited procurements for the previous month. The report shall explain the circumstances of each purchase.
- (2) The Office of Purchasing maintains current files supporting expedited purchases. The file is arranged chronologically and contains copies of:

justifications for expedited purchases  
corresponding purchase requisitions  
corresponding purchase orders  
monthly reports to the County Executive

8. Solicitation Through Other Governmental Purchasing/Supply Agencies

a. When Used

- (1) To purchase goods or services through contracts or surplus lists established by other governmental purchasing/supply agencies such as the U.S. Government, State of Maryland, or the government of other municipalities, when a pricing advantage may be obtained or when it is to the County's advantage.

- (2) To purchase goods or services through contracts with a state or federal agency created to assist local governments with particular types of projects.

b. Process

- (1) User agency completes purchase requisition and sends it to the Office of Purchasing, noting the recommended agency/contract.
- (2) The Office of Purchasing determines that request may be filled through contracts of other governmental purchasing/supply agencies.
- (3) Office of Purchasing notes on purchase requisition that the purchase will be filled through other governmental contracts or supply lists. Buyer indicates contract number on purchase requisition and obtains copy of the contract.
- (4) The Office of Purchasing prepares and executes a purchase order using the prices and terms of the other governmental contract.

9. Emergency Purchases

a. When Used

The emergency purchase procedure is used to make purchases in an emergency, i.e.:

a dangerous condition caused by a breakdown in machinery;

a dangerous condition caused by a threatened termination of essential services; or

an unforeseen circumstance causing curtailment or diminution of an essential service.

b. Process During Business Hours

- (1) Agency head (or authorized representative) determines that an emergency purchase is required.
- (2) The agency head (or authorized representative) notifies the Office of Purchasing of the need for an emergency purchase.
- (3) Office of Purchasing obtains competitive bids for the purchase or authorizes the agency head to do so, using the telequote procedure.
- (4) Upon determination of the lowest responsive, responsible bid, either the Office of Purchasing or the agency head (or authorized representative) authorizes the purchase giving a purchase order number if required.

- (5) The user agency prepares a purchase requisition for the purchase and an emergency authorization form and forwards them through the Office of Budget and the Department of Finance to the Office of Purchasing.
- (6) Based upon the information in the purchase requisition and the emergency authorization and using the assigned purchase order number, the Office of Purchasing prepares and executes a purchase order for the purchase.

c. Process After Business Hours

- (1) Agency head (or authorized representative) determines that an emergency purchase is required.
- (2) The agency head makes every effort to contact the Chief of Purchasing for authorization of the purchase.
- (3) If the Chief of Purchasing can be reached, he/she may authorize the purchase or authorize the agency head to make the purchase.
- (4) If the Chief of Purchasing cannot be reached, the agency head (or authorized representative) is authorized to make the purchase.
- (5) If at all possible, the user agency shall make an effort to obtain competitive bids using the telequote procedure.
- (6) After determining the lowest responsive, responsible bidder, the agency head (or authorized representative) orders the purchase.
- (7) The user agency prepares a purchase requisition and an emergency authorization form and forwards them through the Office of Budget and the Department of Finance to the Office of Purchasing.
- (8) Based upon the information in the purchase requisition and the emergency authorization, the Office of Purchasing prepares and executes a purchase order.

d. Record-Keeping and Reporting

- (1) The Purchasing Agent submits a monthly report, prepared by the Office of Purchasing, to the County Council via the County Executive tabulating all emergency purchases exceeding \$1,000 for the previous month and explaining the circumstances of each purchase.
- (2) The Office of Purchasing maintains current files supporting emergency purchases. The file is arranged chronologically and contains copies of emergency authorization forms; corresponding purchase requisitions; corresponding purchase orders; and monthly reports to the County Council.

10. Special Services Solicitation

a. When Used

For the purchase of supplies/services where the nature of the work prevents the establishment of a firm bid price prior to the commencement of work. Examples of special service work include motor or plumbing repairs where the concealed nature of the work precludes a firm bid.

b. Process

- (1) The Office of Purchasing shall make every effort to establish requirements contracts so that services can be contracted in advance at pre-arranged rates.
- (2) The user agency issues a purchase requisition and sends it to the Office of Purchasing.
- (3) The buyer contacts a known responsive, responsible source capable of handling such services, either:
  - (a) An original equipment manufacturer authorized repair service vendor (the preferred source), or
  - (b) A qualified vendor based on past performance, reputation, and recommendations.
- (4) The buyer and the service vendor agree on a maximum price for the service and this is called the "not to exceed" amount.
- (5) The buyer completes the purchase requisition and marks "special services" as the reason for award.
- (6) The buyer authorizes the services by issuing a purchase order containing the agreed-upon "not to exceed" amount.

11. Exemptions

The Chief of Purchasing, at his/her sole discretion, is authorized to waive competitive bidding requirements for purchases or sales of less than \$5,000.

12. PDQ Card

a. Definition

A PDQ card (Procurement, Directly and Quickly) is a County-issued procurement card used to purchase supplies and services which are not stocked by the County. The PDQ card can be used for:

- (1) Purchase of supplies and services which are not available under requirements contracts.

- (2) Purchase of supplies and services through requirements contacts, provided the contractor will accept the card as a form of payment.

PDQ cards shall not be used as a means of avoiding standard purchasing procedures, i.e., dividing a transaction into several smaller transactions. Requisitions for PDQ transactions are not required.

b. Cardholders

- (1) Department heads or their designee shall determine those individuals who will be issued PDQ cards, and shall determine the monthly (30) day credit limit each card shall carry.
- (2) Card usage shall be in compliance with Howard County Policy and Procedure and any subsequent revisions.

Section F. Special Types of Contracts

1. Requirements Contracts

a. When Used

To purchase supplies and services that are not stocked by the County and which are needed on a periodic basis by County agencies. Benefits resulting from requirements contracts include:

- (1) Lower prices through quantity discounts;
- (2) Reduction in quantity of purchasing transactions and thus a reduction in paperwork; and
- (3) Elimination of many "emergency purchases" and "special situation" purchases due to the establishment of vendors, prices, terms, and conditions.

b. Process

- (1) User agency determines the need for certain supplies or services (professional, non-professional, or a combination) on a periodic basis and notifies the Office of Purchasing of this need. The Office of Purchasing makes a determination if the need is best handled by a requirements contract. The Office of Purchasing establishes a term and an assignment monetary limit consistent with the needs of the requesting agency.
- (2) Based on the specifications and on the estimated price of the purchase, the Office of Purchasing uses informal or formal bidding procedures to arrive at the price, terms, and conditions for the purchase of the supplies or services.
- (3) The Office of Purchasing issues the award and the purchase order for the supplies or services.
- (4) The Office of Purchasing issues copies of the purchase order to all agencies included under the contract.
- (5) To order from the contract, user agencies issue sub-order releases or purchase requisitions.

2. Price Agreement Contracts

a. Definition

Price agreement contracts are those contracts established by the Office of Purchasing and by other jurisdictions under which the Office of Purchasing may purchase contract supplies or services. These contracts have been awarded on the basis of competitive bid.

b. When Used

Price agreement contracts are used by the Office of Purchasing to fulfill purchase requisitions for repetitively purchased items without repeating the bid process.

c. Process

- (1) User agency submits purchase requisition.
- (2) Upon receipt of purchase requisition, the Office of Purchasing reviews the specifications to determine if the supply or service is available under a price agreement contract.
- (3) If so, the Office of Purchasing uses the price agreement contract with the established price, terms, and conditions rather than going through the usual bidding process.
- (4) The Office of Purchasing prepares and issues a purchase order indicating on that order the price agreement contract number.

3. Best Value Contracting

Best Value Contracting (BVC) is a procurement method that permits the County to base contracting decisions on price and performance factors - such as technical qualifications, past performance, and firm resources - when selecting contractors.

4. Quality Based Selection (QBS) Procurements

Quality Based Selection, or "QBS", is a process for the procurement of professional services (i.e., architectural/engineering), or for the procurement of other specialized services for any 1 or more phases of a project.

5. Firm Fixed Price Plus Incentive/Disincentive Contracting

Firm fixed price plus incentive/disincentive contracting may be used when the Purchasing Agent determines use of such a contract will result in a savings for the County. Contractors may be offered an incentive to complete a project sooner than projected or charged a disincentive per day for every day the contract schedule is not met.

6. Design/Build Contracting

When explicitly authorized by the Purchasing Agent, and deemed beneficial, the County may utilize the design/build approach for capital construction projects.

Section G. Documents Used to Order Supplies/Services

1. Purchase Order

a. Definition

A purchase order is a form issued by the Office of Purchasing to purchase supplies and services.

b. Processing of Purchase Order

- (1) The buyer prepares the purchase order based on information from the purchase requisition and from the bid award.
- (2) The Chief of Purchasing or designee signs the purchase order on whatever page the total net price is shown.
- (3) The Vendor copy is sent to the vendor.
- (4) The Finance copy goes to the Department of Finance.
- (5) The Agency and Receiving copies are sent to the user agency.
- (6) The Purchasing copy is kept in the Office of Purchasing's vendor file.
- (7) Upon receipt of the supplies/services, the user agency signs and dates the Receiving copy after any necessary inspections or testing.
- (8) After signing and dating, the user agency attaches all pertinent invoices and receipts to the Receiving copy and forwards the materials to the Department of Finance for payment.
- (9) If the user agency does not have receipts or invoices for the supplies/services, they still shall forward their Receiving copy to Finance so that prompt payment may occur.
- (10) The user agency keeps the Agency copy for their files.

2. Change Order Form

A. Definition

A change order is a form issued by the Office of Purchasing to change or cancel a purchase order.

B. Process

- (1) The user agency sends signed and approved change order requisition to the Office of Purchasing.
- (2) The Office of Purchasing prepares a change order.

- (3) The Chief of Purchasing, or designee, signs the change order.
- (4) Copies of the change order are distributed in the same manner as the original purchase order.
- (5) If an order is canceled or changed after visible physical work has been performed or professional services rendered, the Office of Purchasing may negotiate a settlement for the work performed.

3. Direct Payment Claim Form

a. Definition

A direct payment claim is a 3-part form issued to pay:

advertisements (other than requirements contracts)  
insurance premiums  
jury duty payments  
membership dues  
postage  
publications  
refunds  
right-of-way costs  
seminar costs  
subscriptions  
utility bills

b. Processing of Direct Payment Claim Form

- (1) User agency completes direct payment claim form.
- (2) User agency retains 2nd copy (pink) for its files.
- (3) User agency sends original (white) and 1st copy (yellow) to Budget Office, if necessary.
- (4) Budget Office verifies expenditure for compliance with user agency objectives and appropriations and indicates approval, if necessary.
- (5) Budget Office sends form to Department of Finance.

4. Automated Sub-Order Release Form

a. Definition

An automated sub-order release form is a form issued by user agencies for orders made through requirements contracts.

b. Processing of Automated Sub-Order Release

(1) Routine:

- (a) User agency accesses automated sub-order release system on the intranet and completes the sub-order release form.
- (b) User agency obtains all internal approvals then forwards completed electronic form to the Department of Finance, for certification of fund availability.
- (c) Department of Finance indicates its approval and sends electronic form to the Chief of Purchasing for approval.
- (d) The Chief of Purchasing approves electronic form and form is returned to user agency for mailing.
- (e) Upon receipt of the ordered supplies/services, the user agency prints out and signs a receiving copy, dates it, attaches all pertinent receiving papers, and forwards them to the Department of Finance, Accounts Payable.
- (f) Department of Finance processes the paperwork for payment.

The above procedure is established for the majority of transactions; however, certain circumstances may require the alternative processing indicated:

(2) Special Contract Conditions:

In those instances wherein the County is obligated, by contract, to accept monthly invoices, the using agency shall, promptly upon receipt of the invoices, process the sub-order release in accordance with the above Routine procedure.

All agencies are required to monitor closely this procedure to assure that routine needs do not become urgent needs, due to improper or insufficient planning.

Section H. Deliveries, Warehousing, and Inventory Control

1. Deliveries

a. Where Delivered

Supplies or services are delivered:

directly to the user agency  
to an agency authorized to inspect deliveries for other agencies  
to a central receiving agency.

The delivery point is designated on the purchase order or sub-order release.

b. Standards for Inspection

All delivered goods/services are inspected/evaluated to determine the following factors:

- (1) Condition of Packaging - record condition of packaging especially if it indicates rough or faulty handling.
- (2) Description - check whether the delivered goods/services match the description on the purchase order, minor purchase order, or sub-order release. Check whether there are any deviations from the order.
- (3) Condition of Goods/services - check whether the delivered goods/services match or exceed the specifications. If they do not match, indicate how they differ.
- (4) Quantity - check whether the quantity delivered matches the quantity ordered. If not, indicate the difference.

c. Performing The Inspection Upon Delivery

- (1) Each user agency appoints responsible individual(s) to inspect delivered supplies.
- (2) Every effort shall be made to inspect the supplies upon delivery in the presence of the shipping and/or vendor representative. If not inspected upon delivery, they shall be inspected promptly thereafter.
- (3) On the recommendation of the Purchasing Agent, the County Executive may authorize an agency with the necessary facilities and staff to inspect deliveries for other agencies.
- (4) The Purchasing Agent may use the laboratory facilities of any agency to determine conformance of supplies or samples with specifications. The Purchasing Agent may engage the services of any outside laboratory to make the determinations.

d. Receiving Process

- (1) Supplies are delivered to the delivery point designated on the purchase order, minor purchase order, or sub-order release.

- (2) The responsible individual, appointed by the user agency to inspect the supplies, checks the delivery and signs to indicate receipt of goods only. The responsible individual notes any deviation from the quantity and quality of supplies ordered. Agencies designated to inspect deliveries for other agencies follow the same procedure.
- (3) If there are discrepancies in the order, or damages, the individual performing the inspection reports this to the agency head or authorized representative. The agency head refers all such problems to the Office of Purchasing.
- (4) It is the responsibility of the Office of Purchasing to contact the vendor in cases of damages or discrepancies in order to arrange for a mutually satisfactory correction of the problem.
- (5) If the County feels that specifications have not been met, the Office of Purchasing may arrange testing by a recognized impartial laboratory/facility. If this is done, the Office of Purchasing notifies the vendor indicating that the vendor will be responsible for the cost of the test if the reports indicate that specifications have not been met. The County assumes the cost of the test if the supplies meet specifications.
- (6) Test results which indicate non-conformance with specifications may be used as a basis for non-conformance of contract.
- (7) Upon final acceptance of the order, the agency head signs the receiving copy of the purchasing document, attaches the signed delivery documents and/or packing slips and sends the paperwork to the Department of Finance for processing and payment.
- (8) If a purchase was made from a formal bidding process and a bid deposit was required, the agency head, upon final acceptance of the order, notifies the Office of Purchasing, stating that:  

the supplies have been accepted,  
the supplies meet specifications,  
the bid deposit may be released.
- (9) Upon notification from the agency head that ordered supplies have been accepted, the Office of Purchasing returns the bid deposit to the vendor along with written acceptance of supplies.
- (10) Upon final acceptance of fixed assets, the Office of Purchasing shall attach FAICS tags to the equipment.

e. Special Procedures for Partial Deliveries

- (1) Partial shipments may be accepted and paid for by use of a partial delivery report form. This is a 2-part form, with information based on the original purchase order.
- (2) Process for Partial Delivery
  - (a) Upon receipt of partial shipment, the receiving agency inspects the shipment and fills out and signs the partial delivery report.
  - (b) The original copy (white) is sent to the Department of Finance with all pertinent invoices and receipts.
  - (c) The user agency retains the 2nd copy (canary) with the agency copies of the purchase order.
  - (d) The receiving copy of the purchase order is not sent to the Department of Finance until receipt of the final delivery when it is sent along with the last partial delivery report.

2. Inventory Control of Fixed Assets

a. Definitions

- (1) Fixed Assets - Those items of a tangible nature which are not expendable and which can be depreciated in value over a pre-determined length of time at a pre-determined percent. Fixed assets include:
  - buildings
  - furniture and equipment (office)
  - improvements other than buildings
  - land
  - machinery and equipment
  - vehicles
- (2) FAICS - Fixed Assets Inventory Control System - A system to account for Howard County fixed assets with a value of at least \$5,000 or more and a useful life of 1 year or more (exceptions: computer equipment and weapons).

b. Responsibilities of Office of Purchasing

- (1) The Office of Purchasing is responsible for the development and operation of the FAICS, with these exceptions: Fleet Maintenance (Vehicular Equipment); Information Systems Services (Computer Equipment); and Real Estate (Buildings and Land).
- (2) Office of Purchasing assigns a FAICS tag number to all furniture, office equipment, machinery, equipment, and vehicles. This is a sequential numbering system. Numbers are also assigned to land, buildings, and improvements other than buildings.
- (3) The Office of Purchasing records all additions, changes, transfers, and deletions of fixed assets from information provided by user agencies.
- (4) Data regarding FAICS is maintained via computer systems.
- (5) The Office of Purchasing distributes computer reports regarding FAICS.
- (6) The Office of Purchasing physically verifies the FAICS every 3 years.

c. Responsibilities of User Agencies

- (1) Each user agency designates 1 individual to act as a FAICS coordinator who provides a list of updates to Purchasing.
- (2) Each FAICS coordinator reports on a current basis, using forms provided by the Office of Purchasing, on all additions, changes, transfers, and deletions to their agency's fixed assets.
- (3) After acceptance of a fixed asset, the Office of Purchasing is responsible for attaching the FAICS tag number to the item.
- (4) The coordinator verifies computer generated FAICS reports provided by Purchasing.

Section I. Surplus

1. Disposition of Surplus Property

a. Agency Determination of Surplus

If an agency has surplus property which it no longer needs, the agency prepares a Surplus Property Declaration Form and sends the form to the Office of Purchasing. Exception: surplus property declaration forms for computer equipment (CPU's, monitors, printers, etc.) shall be forwarded to the Information Systems Services Office (ISSO) for review. ISSO will determine what equipment will be retained for future use and inform the Office of Purchasing of their decision via the surplus property declaration form.

b. Utilization of Surplus

- (1) Surplus fixed assets are listed on a Surplus Property List.
- (2) The Office of Purchasing circulates the Surplus Property List to all user agencies.
- (3) When an agency requisitions property, the Office of Purchasing checks the Surplus Property List to determine if the request can be filled from that list.

c. Disposal of Surplus

The Office of Purchasing is responsible for the disposition of surplus property. After an analysis, this may be accomplished by 1 of the following methods:

- (1) Trade-In or Exchange
  - (a) After determining the possible trade-in or exchange value, the Office of Purchasing determines whether trade-in or exchange is a feasible means for disposing of the surplus.
  - (b) If the Office of Purchasing determines that the surplus should be traded-in or exchanged for other items, the trade-in or exchange is noted on the Purchase Order.

(2) Sale

The Chief of Purchasing may authorize the sale of surplus items when trade-in or exchange is not feasible.

(a) Sales to County employees:

- i. Surplus items, excluding vehicles, may be sold to County employees if the items are no longer needed by a County agency.
- ii. Items sold to County employees shall be sold on an as is and where is basis.
- iii. Payment for the surplus items must be made at the sale site.
- iv. It shall be the employees' responsibility to pick up the surplus items on the designated date and time.

(b) Competitive Bidding/Public Auction

- i. Sales may be conducted in the form of informal bidding, sealed bids, or public auction, whichever is deemed in the best interests of the County within the funding limitations set forth in this manual.
- ii. After determining the highest responsive, responsible bidder and receipt of payment, the Chief of Purchasing transfers title of item or property by issuing and signing a letter of sale.

(3) Donations

- (a) The Chief of Purchasing may authorize the donation of surplus supplies to charitable or non-profit organizations which have tax exempt status.
- (b) Donations of surplus supplies are handled on a case by case basis and require the approval of the County Executive and the County Council for each donation.

(4) Scrapping

If it is not feasible to exchange or trade-in the surplus, and there are no offers to purchase the surplus, the Office of Purchasing will arrange for it to be scrapped.

d. Records

The Office of Purchasing maintains records noting the disposition of all surplus.

e. Disposal of Real Property

Real property shall be disposed of pursuant to the provisions of Title 4, Subtitle 2 of the Howard County Code.

Section J. Sample Forms & Instructions

1. Bidders Application

See sample of form on pages 79 - 83.

- a. Bidder fills in name of business, date of application, address, city, state, zip code, telephone number, and fax number.
- b. Bidder provides a Federal Employer Identification Number (EIN) and/or Social Security Number.
- c. If bidder is 50% or more owned by a minority, bidder checks the box corresponding to the ethnicity of the majority owner.
- d. Bidder provides certification that information is correct and complete.
- e. Bidder signs, dates, and prints or types name and title of signed.
- f. Bidder fills in Column A on Part II using the commodity/service classification index provided with the application.
- g. Bidder mails, faxes, or delivers bidder's application to the Office of Purchasing.
- h. Office of Purchasing reviews Bidder's Application to check for errors or omissions. Errors or omissions are handled by a telephone call to the bidder.
- i. Office of Purchasing returns Bidder's Application to bidder with a breakdown of the commodity/service classification codes entered in Column A on Part II.
- j. Bidder fills in Column B on Part II with the item numbers that correspond to the goods or services they wish to provide.
- k. Bidder returns application to the Office of Purchasing.
- l. Office of Purchasing keys information into automated bidders list database.

BIDDER'S APPLICATION

Howard County, Maryland

All businesses wishing to be solicited for bids on supplies, equipment, and/or services to be purchased by Howard County, Maryland are encouraged to complete, certify, and submit this application. All information on this application should be completed unless otherwise indicated. Please TYPE or PRINT information except where a signature is requested. If space provided is insufficient, attach a separate sheet of paper and properly identify additional entries.

Name of Business \_\_\_\_\_ Date of Application \_\_\_\_\_

Address (Street/P.O. Box) \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Telephone Number \_\_\_\_\_ FAX Number \_\_\_\_\_

Federal Employer Identification Number \_\_\_\_\_ AND/OR \_\_\_\_\_ Social Security Number \_\_\_\_\_

- Minority Business Enterprise? (If so please indicate the applicable criteria for your certification as such.)
- Alaskan/Aleut Female       Black Male       Hispanic Female
- Alaskan/Aleut Male       Disabled Female       Hispanic Male
- American Indian Female       Disabled Male       Near Eastern Female
- American Indian Male       Far Eastern Female       Near Eastern Male
- Black Female       Far Eastern Male       White Female

The undersigned hereby certifies that the above information is a true and complete statement of the facts. I further certify that \_\_\_\_\_ shall abide by and be subject to all applicable Federal, State, and Local laws and regulations pertaining to any subsequent contract that may be issued.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Name Of Above Signed \_\_\_\_\_ Title Of Above Signed \_\_\_\_\_

**EQUAL OPPORTUNITY CLAUSE:** Howard County requires that the seller not discriminate against any employee or applicant for employment because of race, creed, religion, physical or mental handicap, color, sex, national origin, age, occupation, marital status, political expression, sexual orientation, or personal appearance. The seller will take affirmative action to ensure that applicants are employed and the employees are treated, during employment, with regard to the above. The seller warrants that within the previous 12 months, he has not engaged in unlawful employment practices as set forth in Section 12.200(c) of the Howard County Code, Section 19 of Article 49B of the annotated Code of Maryland or Sections 703 and 704 of Title VII of the Civil Rights Act of 1964.

RETURN ALL APPLICATIONS TO: OFFICE OF PURCHASING, HOWARD COUNTY, MARYLAND, GATEWAY BUILDING, 5TH FLOOR, 6751 COLUMBIA GATEWAY DRIVE, COLUMBIA, MARYLAND 21046

FOR PURCHASING OFFICE USE ONLY  
Reviewed By: \_\_\_\_\_  Approved  Rejected Date: \_\_\_\_\_



HOWARD COUNTY, MARYLAND  
OFFICE OF PURCHASING

COMMODITY CLASSIFICATION INDEX

CLASS	CLASS
01 brasives	250 Data Processing Cards and Paper
010 Acoustical Tile, Insulating Materials, and Supplies	255 Decals and Stamps
015 Addressing, Copying, Mimeograph and Spirit Duplicating Machine Supplies: Chemicals, Inks, Paper, Etc.	260 Dental Equipment and Supplies
019 Agricultural Crops and Grains Including Fruit, Melons, Nuts, and Vegetables	265 Draperies, Curtains, and Upholstery Material (including Automobile)
020 Agricultural Equipment, Implements, and Accessories (see Class 022 for Parts)	269 Drugs and Pharmaceuticals
022 Agricultural Implement and Accessory Parts	271 Drugs, Pharmaceuticals, and Sets (for Large-Volume Parenteral Administration, Infusion, Irrigation, and Tube Feeding)
025 Air Compressors and Accessories	280 Electrical Cables and Wires (not Electronic)
031 Air Conditioning, Heating, and Ventilating Equipment, Parts, and Accessories (see Related Items in Class 740)	285 Electrical Equipment and Supplies (except Cable and Wire)
035 Aircraft and Airport Equipment, Parts, and Supplies	287 Electronic Components, Replacement Parts and Accessories, and Miscellaneous Electronic Equipment (not for Testing or Analyzing)
037 Amusement, Decorations, Entertainment, Toys, Etc.	290 Energy Collecting Equipment and Accessories: Solar and Wind)
040 Animals, Birds, Marine Life, and Poultry, including Accessory Items (Live)	295 Elevators and Escalators, Building Type
045 Appliances and Equipment, Household Type	305 Engineering Equipment, Surveying Equipment, Drawing Instruments, and Supplies
050 Art Equipment and Supplies	310 Envelopes, Plain or Printed
052 Art Objects	315 Epoxy Based Formulations for Adhesives, Coatings, and Related Agents
055 Automotive Accessories for Automobiles, Buses, and Trucks, Etc.	318 Fare Collection Equipment and Supplies
060 Automotive Maintenance Items and Repair/Replacement Parts	320 Fastening, Packaging, Strapping, Tying Equipment, and Supplies
065 Automotive Bodies, Accessories, and Parts	325 Feed, Bedding, Vitamins, and Supplements for Animals (see Class 875 for Drugs and Pharmaceuticals for Animals)
070 Automotive Vehicles and Related Transportation Equipment	330 Fencing
075 Automotive Shop Equipment and Supplies	335 Fertilizers and Soil Conditioners
080 Badges, Emblems, Name Tags and Plates, Jewelry, Etc.	340 Fire Protection Equipment and Supplies
085 Bags, Bagging, Ties, and Erosion Control Equipment	345 First Aid and Safety Equipment and Supplies (except Nuclear and Welding)
090 Bakery Equipment, Commercial	350 Flags, Flag Poles, Banners, and Accessories
095 Barber and Beauty Shop Equipment and Supplies	360 Floor Covering, Floor Covering Installation and Removal Equipment, and Supplies
10 Barrels, Drums, Kegs, and Containers	365 Floor Maintenance Machines, Parts, and Accessories
105 Bearings (except Wheel Bearings and Seals, see Class 060)	370 Food Processing and Canning Equipment and Supplies
110 Belts and Belting: Conveyor, Elevator, Power Transmission, and V-Belts	375 Foods: Bakery Products (Fresh)
115 Biochemicals, Research	380 Foods: Dairy Products (Fresh)
120 Boats, Motors, and Marine and Wildlife Supplies	385 Foods: Frozen
125 Bookbinding Supplies	390 Foods: Perishable
135 Bricks and Other Clay Products, Refractory Materials and Stone Products	393 Foods: Staple Grocery and Grocer's Miscellaneous Items
140 Broom, Brush, and Mop Manufacturing Machinery and Supplies	395 Forms, Continuous: Computer Paper, Form Labels, Snap-Out Forms, and Folders for Forms
145 Brushes (not Otherwise Classified)	400 Foundry Castings, Equipment, and Supplies
150 Builder's Supplies	405 Fuel, Oil, Grease, and Lubricants
155 Buildings and Structures: Fabricated and Prefabricated	410 Furniture: Health Care and Hospital Facility
160 Butcher Shop and Meat Processing Equipment	415 Furniture: Laboratory
165 Cafeteria and Kitchen Equipment, Commercial	420 Furniture: Cafeteria, Chapel, Dormitory, Household, Library, Lounge, School
175 Chemical Laboratory Equipment and Supplies	425 Furniture: Office
180 Chemical Raw Materials (in Large Quantities Primarily for Manufacturing Janitorial and Laundry Products)	430 Gases, Containers, Equipment: Laboratory, Medical, and Welding
190 Chemicals and Solvents, Commercial (In Bulk)	435 Germicides, Cleaners, and Related Sanitation Products for Health Care Personnel
192 Cleaning Compositions, Detergents, Solvents, and Strippers - Prepackaged	440 Glass and Glazing Supplies
193 Clinical laboratory Reagents and Tests (Blood Grouping, Diagnostic, Drug Monitoring, Etc.)	445 Hand Tools (Powered and Non-Powered), Accessories and Supplies
195 Clocks, Timers, Watches, and Jewelers' and Watchmakers' Tools and Equipment	450 Hardware and Related Items
200 Clothing, Apparel, Uniforms, and Accessories	460 Hose, Accessories, and Supplies: Industrial, Commercial, and Garden
201 Clothing Accessories (see Class 800 for Shoes and Boots)	465 Hospital and Surgical Equipment, Instruments, and Supplies
204 Computer Hardware and Peripherals for Microcomputers	470 Hospital and Handicap Equipment and Supplies: Mobility, Speech Impaired, and Restraint Items
206 Computer Hardware and Peripherals for Mini and Mainframe Computers	475 Hospital Surgical and Related Medical Accessories and Sundry Items
207 Computer Accessories and Supplies	485 Janitorial Supplies, General Line
208 Computer Software for Microcomputers (Preprogrammed)	490 Laboratory Equipment and Accessories (for General Analytical and Research Use): Nuclear, Optical, and Physical
209 Computer Software for Mini and Mainframe Computers (Preprogrammed)	
210 Concrete and Metal Culverts, Pilings, Septic Tanks, Accessories and Supplies	
220 Controlling, Indicating, Measuring, Monitoring and Recording Instruments and Supplies	

SAMPLE

## CLASS

225 Coolers, Drinking Water (Water Fountains)  
 232 Crafts, General  
 233 Crafts, Specialized  
 240 Cutlery, Dishes, Flatware, Glassware, Trays, Utensils, and Supplies  
 245 Dairy Equipment and Supplies  
 505 Laundry and Dry Cleaning Compounds and Supplies  
 510 Laundry Textiles and Supplies  
 515 Lawn Maintenance Equipment, Accessories, and Parts (Non-Agricultural Applications)  
 520 Leather and Related Equipment, Products, Accessories, and Supplies  
 525 Library and Archival Equipment, Machines, and Supplies  
 530 Luggage, Brief Cases, Purses, and Related Items  
 540 Lumber and Related Products  
 545 Machinery and Hardware, Industrial  
 550 Markers, Plaques, and Traffic Control Devices  
 555 Marking and Stenciling Devices  
 556 Mass Transportation - Transit Bus  
 557 Mass Transportation - Transit Bus Accessories and Parts  
 558 Mass Transportation - Rail Vehicle and Systems  
 559 Mass Transportation - Rail Vehicle Parts and Accessories  
 560 Material Handling and Storage Equipment and Allied Items  
 565 Mattress Manufacturing and Supplies  
 570 Metals: Bars, Plates, Rods, Sheets, Strips, Structural Shapes, Tubing, and Fabricated Items  
 575 Microfiche and Microfilm Equipment, Accessories, and Supplies  
 578 Miscellaneous Products  
 580 Musical Instruments, Accessories, and Supplies  
 590 Notions and Related Sewing Accessories and Supplies  
 595 Nursery Stock, Equipment, and Supplies  
 600 Office Machines, Equipment, and Accessories  
 605 Office Mechanical Aids, Small Machines, and Apparatuses  
 610 Office Supplies: Carbon Paper and Ribbons, All Types  
 615 Office Supplies: General  
 620 Office Supplies: Erasers, Inks, Leads, Pens, Pencils, Etc.  
 625 Optical Equipment, Accessories, and Supplies  
 630 Paint, Protective Coatings, Varnish, Wallpaper, and Related Products  
 635 Painting Equipment and Accessories  
 640 Paper and Plastic Products, Disposable  
 645 Paper (for Office and Print Shop Use)  
 650 Park, Playground, Recreational Area and Swimming Pool Equipment  
 652 Personal Hygiene and Grooming Equipment and Supplies  
 655 Photographic Equipment and Supplies (Not Including Graphic Arts, Microfilm, and X-Ray)  
 658 Pipe and Tubing  
 659 Pipe and Tubing Fittings  
 660 Pipes, Tobacco, Smoking Accessories; Alcoholic Beverages  
 665 Plastics, Resins, Fiberglass: Construction, Forming, Laminating, and Molding Equipment, Accessories, and Supplies  
 670 Plumbing Equipment, Fixtures, and Supplies  
 675 Poisons: Agricultural and Industrial  
 680 Police Equipment and Supplies  
 685 Poultry Equipment and Supplies  
 690 Power Generation Equipment, Accessories, and Supplies  
 691 Power Transmission Equipment: Electrical, Mechanical, Air, and Hydraulic  
 700 Printing Plant Equipment and Supplies (except Papers)  
 710 Prosthetic Devices, Hearing Aids, Auditory Testing Equipment, Electronic Reading Devices, Etc.  
 715 Publications and Audiovisual Materials (Prepared Materials Only, Not Equipment, Supplies, or Production)

## CLASS

493 Laboratory Equipment and Accessories: Biochemistry, Chemistry, Environmental Science Etc  
 495 Laboratory and Field Equipment and Supplies: Biology, Botany, Geology, Microbiology, Zoology, Etc.  
 500 Laundry and Dry Cleaning Equipment, Accessories, Parts, and Supplies - Commercial  
 720 Pumping Equipment and Accessories  
 725 Radio Communication, Telephone, and Telecommunication Equipment, Accessories, and Supplies  
 730 Radio Communication and Telecommunication Testing, Measuring, and Analyzing Equipment, Accessories, and Supplies  
 735 Rags, Shop Towels, and Wiping Cloths  
 740 Refrigeration Equipment and Accessories  
 745 Road and Highway Building Materials (Asphaltic)  
 750 Road and Highway Building Materials (not Asphaltic)  
 755 Road and Highway Equipment and Parts: Asphalt and Concrete Handling and Processing  
 760 Road and Highway Equipment and Parts: Earth Handling, Grading, Moving, Packing, Etc.  
 765 Road and Highway Equipment and Parts (except Asphalt, Concrete, and Earth Handling Equipment in Classes 755 and 760)  
 770 Roofing  
 775 Salt (Sodium Chloride) (see Class 393 for Table Salt)  
 780 Scales and Weighing Apparatus (see 175-08 for Laboratory Balances)  
 785 School Equipment and Supplies  
 790 Seed, Sod, Soil, and Inoculants  
 795 Sewing Room and Textile Machinery, and Accessories  
 800 Shoes and Boots  
 801 Signs, Sign Materials, Sign Making Equipment, and Related Supplies  
 803 Sound Systems, Components, and Accessories: Group Intercom, Music, Public Address, Etc.  
 805 Sporting Goods, Athletic Equipment, and Athletic Facility Equipment  
 810 Spraying Equipment (except Household, Nursery Plant, and Paint)  
 815 Steam and Hot Water Fittings, Accessories, and Supplies  
 820 Steam and Hot Water Boilers and Steam Heating Equipment  
 825 Stockman Equipment and Supplies  
 830 Tanks (Metal, Wood, and Synthetic Materials): Mobile, Portable, Stationary, and Underground Types  
 832 Tape (not Data Processing, Measuring, Optical, Sewing, Sound, or Video)  
 840 Television Equipment and Accessories  
 845 Testing Apparatus and Instruments (not for Electrical or Electronic Measurements)  
 850 Textiles, Fibers, Household Linens, and Piece Goods  
 855 Theatrical Equipment and Supplies  
 860 Tickets, Coupon Books, Sales Books, Strip Books, Etc.  
 863 Tires and Tubes  
 864 Train Controls, Electronic  
 865 Twine  
 870 Venetian Blinds, Awnings, and Shades  
 875 Veterinary Equipment and Supplies (see Class 325 for Vitamins and Supplements for Animals)  
 880 Visual Education Equipment and Supplies (except Projection Lamps - see Class 285)  
 883 Voice Response Systems  
 885 Water and Wastewater Treating Chemicals  
 890 Water Supply, Groundwater, and Sewage Treatment Equipment (not for Air Conditioning, Steam Boiler, or Laboratory Reagent)  
 895 Welding Equipment and Supplies  
 898 X-Ray and Other Radiological Equipment and Supplies (Medical)

HOWARD COUNTY, MARYLAND  
OFFICE OF PURCHASING

SERVICE CLASSIFICATION INDEX

CLASS	CLASS
905 Aircraft Operations Services	946 Financial Services
906 Architectural Services, Professional	947 Forestry Services
907 Architectural and Engineering Services, Non-Professional	948 Health Related Services (for Human Services see Class 952)
908 Bookbinding, Rebinding, and Repairing	952 Human Services
909 Building Construction Services, New	953 Insurance, All Types
910 Building Maintenance and Repair Services	954 Laundry and Dry Cleaning Services
912 Construction Services, General	956 Library Services (see Class 908 for Bookbinding, Rebinding, and Repairing)
913 Construction Services, Heavy	958 Management Services
914 Construction Services, Trade (New Construction)	959 Marine Construction Services; Marine Equipment Maintenance and Repair; Related Marine Services
915 Communications and Media Related Services	961 Miscellaneous Professional Services
918 Consulting Services	962 Miscellaneous Services
920 Data Processing Services and Software	965 Printing Preparations; Etching, Photoengraving, and Preparation of Mats, Negatives, and Plates
924 Educational Services	966 Printing and Related Services
925 Engineering Services, Professional	968 Public Works and Related Services
926 Environmental and Ecological Services	971 Real Property Rental or Lease
928 Equipment Maintenance, Reconditioning, and Repair Services for Automobiles, Trucks, Trailers, Transit Buses, and Other Vehicles	975 Rental or Lease Services of Equipment: Agricultural, Aircraft, Automotive, Heavy Equipment, and Marine Equipment
929 Equipment Maintenance, Reconditioning, and Repair Services for Agricultural, Heavy Industrial Equipment, and Marine Equipment	977 Rental or Lease Services of Equipment Appliances, Cafeteria, Film, Furniture, Hardware, Musical, Sewing, and Window and Floor
931 Equipment Maintenance, Reconditioning, and Repair Services for Appliance, Athletic, Cafeteria, Furniture, and Musical Instruments	979 Rental or Lease Services of Equipment: Engineering, Hospital, Laboratory, Precision Instruments, Refrigeration Scales, Testing Equipment
934 Equipment Maintenance, Reconditioning, and Repair Services for Laundry, Lawn, Painting, Plumbing, and Spraying Equipment	981 Rental or Lease of Equipment: General Equipment
936 Equipment Maintenance, Reconditioning, and Repair Services for General Equipment	983 Rental or Lease Services of Equipment: Clothing, Janitorial, Laundry, Lawn, Painting, Spraying, and Textile Equipment
938 Equipment Maintenance, Reconditioning, and Repair Services for Hospital, Laboratory, and Testing Equipment	984 Rental or Lease Services of Computers, Data Processing and Word Processing Equipment
939 Equipment Maintenance, Reconditioning, and Repair Services for Office, Photographic, and Radio/Television Equipment	985 Rental or Lease Services of Equipment: Office, Photographic, Printing, Radio/Television/Telephone Equipment
940 Equipment Maintenance, Repair, Construction, and Related Services - Railroad	988 Roadside, Grounds, Recreational, and Park Area Services
941 Equipment Maintenance, Reconditioning, Repair, and Related Services - Power Generation	989 Sample and Sample Preparation Services (for Testing)
945 Fishing, Hunting, Trapping, Game Protection, and Related Services	990 Security, Fire, Safety, and Emergency Services
	992 Testing and Calibration Services
	998 Sale of Surplus and Obsolete Items



There are 3 possible **Actions: Original, Change, and Capital Change**. Original and Change will present the same detail lines screen but Capital Change has its own screen that includes some total project calculations.

**Related P.O.** should be entered for all change orders.

The **Requisitioner's Name** remains with the requisition and cannot be changed. If questions need to be directed to another person, include that information in one of the detail lines or in special instructions.

**Requisitioner's Phone** stays with the requisition. It is loaded from the signon. If it is incorrect, your system administrator can correct it.

Requisitioner's Name **awilcox**

Requisitioner's Phone # **3547**

Fund  CapProj

Terms  FOB  Promised Delivery Date

Instructions

**Accounting Information**

LN NO	Agency (3)	Orgn (4)	Activity (4)	Object (4)	Sub Obj (2)	B/S Acct (4)	Line Description (30) If Capital Project Change, please include CO#.	Amount	Inc/Dec
1									
2									
3									

Attachments will be sent:  Needs PC Committee Approval:  DPW controlled capital:

Successful bidder:

Reason:

Next/Save    Reset

**Fund** is a required field that will be verified against financial data.

**CapProj** is required for all capital projects. When it is filled in, the accounting data will be system applied except for the organization. If this is a capital change, include the "CO#" as the first part the accounting line description.

Accounting data is required before the requisition can be sent from the department and will be verified against financial totals.

**Line Description** from the accounting data is used as the description in the department summary and should be entered to make the requisition easy to find.

**Amount** from the accounting data is the monetary amount used to verify sufficiency of funds by budget and finance. It must be entered.

If **Attachments** are to be sent, click on the drop down and select "Yes". If this requisition needs **PC Committee Approval**, click on this drop down and select "Yes". If this requisition is part of a capital project, click and select if **DPW is to control it**.

If this requisition is using a previously issued state, local or federal contract or can be piggybacked in any way, fill in the bidder's name in **Successful Bidder** and the justification in **Reason**.

When the **Next/Save** button is clicked the record will be saved and you will be moved onto detail line items.

If you wish to reset all the information you have entered, click **Reset**.

Requisition Number PW00526 Agency 009

Fill in the Order Information below.

ACCT LN NO	Item No.	Quantity	Unit of Measure	Description and Specifications	Price per Each (if known)	Total Price (if known)
1	1		ea		0.00	0.00

Next/Save | Reset

Summary

The **ACCT LN NO** is in the range from 1 to 3 to match the lines in the accounting section of the requisition.

**Item No.** will increment sequentially based on the previous number. At a new record it begins on 1. It can be changed but duplicate item numbers should only be used with different ACCT LN NO's.

**Unit of measure** is a drop down with the most frequently used units, ea, lot and job at the top while all other units are arranged in alphabetical order.

All **descriptions** and other pertinent information can be entered here. Information can be copied using the CTL+C and CTL+V characteristics of Windows.

If the **price and total price** are known they may be entered, but are not required as the buyer will probably negotiate them.

If at any time you wish to see the entire requisition, click the **Summary** button. At that point you can continue to enter or edit using the summary screen features.

When you finish click **Save**. An empty screen will appear and then click Summary to check everything you have done.

### 3. Automated Capital Project Change Order Requisition Form

If you are entering a capital change, the detail screen will be different.

New order line for requisition - Microsoft Internet Explorer provided by Howard County Government

File Edit View Favorites Tools Help

Back Forward Stop Search Favorites History Print Refresh Stop

Address http://hcgntweb:3554/PurReqNewOrder.asp Go

Links Customize Links Free Hotmail Windows Media Windows

**Purchase Requisition**

Requisition Number PW00526 Agency 009

Fill in the Capital Project Change Information for C1234 below.

Consultant or contractor:

Title \_\_\_\_\_ Date 5/24/02

Description of Change \_\_\_\_\_

Done Local intranet

Enter the name and address of the **Contractor**.

Enter the **Title** of the capital project, the date defaults to the current date, enter the **Description** and **Reason** for the change.

Enter all the summary information for the entire purchase order. If at anytime, you wish to see the entire change order click **Save** and then **Summary**. Clicking **Reset** will clear all of your information and you can begin again.

New order line for requisition - Microsoft Internet Explorer provided by Howard County Government

File Edit View Favorites Tools Help

Back Forward Stop Search Favorites History

Address: http://hcgntweb:3554/PurReqNewOrder.asp Go

Links Customize Links Free Hotmail Windows Media Windows

Description of Change

Reason for Change

The P O time will remain the same days

The completion date is

The original P.O. sum was 0.00

Net change by previous change orders or admendments 0.00

P.O. sum prior to this change order was 0.00

The P.O sum will be unchanged by this change order 0.00

The new P O sum including this change order will be 0.00

All change orders are over 15% of the original P.O. amount. Yes

Save Reset

Summary

Done Local Intranet

When you finish click **Save**. An empty screen will appear and then click **Summary** to check every thing you have done.

4. Request for Quotation Form

See sample of form on page 90. The Office of Purchasing utilizes an automated purchasing system to produce a request for quotation containing the following information:

- a. Computer generated sequential number.
- b. Date form is prepared.
- c. Requisition number.
- d. Job number (if applicable).
- e. Date delivery is requested.
- f. Last date for bidders to reply.
- g. Name and address of each bidder. The buyer's copy will have all names and addresses; the bidder's copies will have only the name of that bidder.
- h. Specifications including item number, quantity required, and complete description.
- i. Where appropriate, the method of award shall be stated.
- j. Signature of buyer.



HOWARD COUNTY MARYLAND

Office of Purchasing

GATEWAY BUILDING, 5TH FLOOR
COLUMBIA GATEWAY DRIVE
COLUMBIA, MARYLAND 21046

phone: (410) 313-6370 fax: (410) 313-6388

SUMMARY OF QUOTATIONS

number 18390 date 4/5/2002

Requisition Number: 096702

Job Number: 2396

Delivery Required by:

REPLY NO LATER THAN: 4/10/2002

VENDORS

Office Depot, Inc.

phone: 800-890-4914

fax:

8870 Greenwood Place
Savage, MD 20763
Attn: Denise Lipinski

Single Source, Inc.

phone: 301-961-1661

fax: 301-961-2055

15200 Shady Grove Road
Suite #350
Rockville, MD 20850

Pyramid School Products

phone: 800-792-2644

fax: 813-621-7688

6510 N. 54th Street
Tampa, FL 33610

SUMMARY OF QUOTATIONS

Form with fields for Item and Quantity.

Form with fields for Item and Quantity.

Form with fields for Item and Quantity.

Table with columns: Terms, F.O.B. PREPAID/FOB: DEST., Shipment via, Shipping weight, Date shipment can be made.

Main table with columns: ITEM, QUANTITY, DESCRIPTION, UNIT PRICE, AMOUNT. Includes items like File Pockets, Manuscria Cover, Carbon Paper, Index Cards, and Pencils.

TOTAL BID, PREPAID/FOB DEST.: \$

SATISFACTORY TO FAX RESPONSE: (410) 313-6388

TOTAL

Form for order details including P.O. Number, Date, Reason Order Placed, and Buyer information (Evangeline H. Bolder).

5. Tabulation of Verbal Request for Quotations (Telequote) Form

This form is used to record information, including price and terms, received from telephone solicitations of bidders. This form may be utilized by the Office of Purchasing and using agencies. See sample of form on page 92.

- a. Requisition number - from purchase requisition.
- b. Name of user agency.
- c. Names and addresses of at least 3 vendors.
- d. Description of items, including quantity, item number, and unit of measure.
- e. Prices quoted.
- f. Total net price.
- g. Terms of payment.
- h. F.O.B. point and freight terms.
- i. Promised delivery date.
- j. Vendor or representative contacted.
- k. Telephone number.
- l. Date of solicitation.
- m. Name of successful bidder and reason why.
- n. Name of buyer.



6. Emergency Authorization Form

See sample of form on page 94. This form is prepared by using agencies and attached to purchase requisition form. User agency sends the emergency authorization form, a tabulation of any bids received, and the purchase requisition to the Office of Purchasing through the Office of Budget and the Department of Finance. The form shall contain the following information:

- a. Purchase requisition number.
- b. Date of preparation.
- c. Name of user agency.
- d. Fill in accounting information from purchase requisition.
- e. Name of person authorized by agency head to make the purchase.
- f. Quantity required.
- g. Description of supplies or services.
- h. Price (as quoted by vendor).
- i. Written justification of the need for the emergency purchase.
- j. Name of address of vendor.
- k. Authorized agency signature.



7. Purchase Order Form

See sample of form on page 97. The Office of Purchasing utilizes an automated purchasing system to produce a purchase order containing the following information:

- a. Purchase order number - sequential number produced by automated system.
- b. Purchase order date - date purchase order is being generated.
- c. Fiscal year - will print current fiscal year.
- d. Accounting Data - taken from purchase requisition.
- e. Acknowledgment of quote or bid.
- f. RFQ Number or Capital Project Number taken from purchase requisition.
- g. Vendor selection from requisition.
- h. Delivery address taken from requisition.
- i. Agency control number taken with requisition.
- j. Promised date of shipment (as established with vendor).
- k. Terms are "Net 30" automatically - change only if terms of payment are different.
- l. F.O.B. is automatically "Dest." - change only if shipping terms are other than "Pre-Paid F.O.B. Destination". Specific terms will be stated and applicable freight charges added.
- m. If vendor has indicated responsibility for determining the best means of shipment, SHIP box will be automatically "Your Means". Otherwise, the type of transportation established with the vendor will be entered.
- n. Line #, Item #, Qty., and U/I are completed. If more than one LN # was used in the accounting data, then they must be used for the same item here.
- o. An accurate description of supplies/services ordered is entered. Where the specifications may be voluminous or where applicable, the following statement is used:  
  
In accordance with award notification of (date) and all terms, conditions, and specifications of Bid (Number), in your possession and considered an integral part of this order, you are to furnish (name of bid).
- p. Net unit price is filled in.

- q. System calculates total net item price and fills in this space.
- r. The Office of Purchasing uses a system of crossfilling for all purchase orders generated. The Purchasing copy of the purchase order will have PO Designations printed on the bottom - recycled, sole source, emergency, requirement, maintenance, lease, not for EBO, and prof. services. These designations are for internal use only.
- s. The Chief of Purchasing's name is automatically filled in by the system on all but the Vendor and Finance copies. Vendor and Finance copies are signed by the Chief of Purchasing.
- t. The buyer's name is taken from the requisition.
- u. Date is the date purchase order is generated.

ACTION E  
PO 003  
ORDER TYPE 1

## HOWARD COUNTY, MARYLAND PURCHASE ORDER

BFY **02**

.D	LN#	AGENCY#	ORGN	ACTIVITY	OB	SubOBJ	BS	ACC	Description	Amount
<b>011</b>	1	006	1000	2440	0201				Telephone Equipment and Piece Parts (Not Line	\$0.00
									Total	\$0.00

To acknowledge the receipt of your Invoice #16-12306/Renewal Note  
 No State or Federal Taxes apply, Maryland Sales and Use Tax Exemption Certificate No. 30001219 applicable.  
 Exempt from Federal Excise Tax per chapter 32 Int. Rev Code.  
 ORDER NUMBER MUST APPEAR ON ALL INVOICES, PACKING LISTS AND PACKAGES.

Request for Quote:

Capital Project:

**VENDOR # 340821287**

Haines & Company, Inc.  
8050 Freedom Ave., NW  
North Canton, Ohio 44720

**DELIVER TO** Police Department  
Police Headquarters  
Warfield Building  
3410 Court House Drive  
Ellicott City, MD 21043-

PHONE: (330) 494-9111      AGNY/CONTROL# PD-02-073      DELIVERY DATE:      TERMS: NET 30      FOB: Dest.      SHIP: Your Means

LINE #	ITEM #	QTY	U/I	DESCRIPTION	NET UNIT PRICE	TOTAL NET ITEM
1	1	1	Lot	Renewal of Annual Lease for Haines Criss Cross Directory Services Montgomery Co. & Southern MD Period: 03/07/02 - 02/28/03	\$1,377.00	\$1,377.00
<b>TOTAL</b>						<b>\$1,377.00</b>

SAMPLE

CAP PROJECT:

Designations:

Not For EBO

By Purchasing Agent Harrison B. Showell Buyer Evangeline H. Bolder Date 4/5/2002

8. Change Order Form

See sample of form on page 99. The Office of Purchasing utilizes an automated purchasing system to produce a change order containing the following information:

- a. Purchase order number from original purchase order.
- b. Issue date is date change order is printed.
- c. Vendor number is not filled in.
- d. Project number is not filled in.
- e. PO Date is date of original purchase order.
- f. CO Number is sequential number (1st change is #1, 2nd change is #2, etc.)
- g. CO Date is date change order is generated.
- h. Control Number is taken from purchase order requisition.
- i. Fiscal year is taken from the original purchase order.
- j. Fund is taken from the original purchase order.
- k. Accounting data is taken from the original purchase order. If accounting information is being changed, it will be reflected on this change order only.
- l. Line #, Item #, Quantity, and Unit correspond to the Line # in the accounting data.
- m. Complete description is entered.
- n. Unit price is entered.
- o. Amount is automatically calculated by purchasing system.
- p. Total is calculated by the system adding all amounts.
- q. The Chief of Purchasing's name is automatically filled in by the system on all but the Vendor and Finance copies. Vendor and Finance copies are signed by the Chief of Purchasing.
- r. The buyer's name is taken from the original requisition.
- s. Date is the date change order is generated.

PO Number **L4867**  
 PO Date **3/26/2002**

Issue Date **1/10/2003**

Vendor Number

Project Number   
 CO Number **1**  
 CO Date **4/2/2002**  
 Control Number   
 BFY **02**

## HOWARD COUNTY, MARYLAND CHANGE ORDER FOR PURCHASING

change order is issued as a supplement to above purchase order. The terms and conditions of original order and any supplements thereto shall remain in full force and effect except as specifically noted herein.

DELIVER TO:  
 DPW/Bureau Of Facilities

VENDOR York International  
 9055A Guilford Road  
 Columbia, MD 21046

Thomas B. Dorsey Bldg.  
 9250 Bendix Road  
 Columbia, MD 21045-

FUND	Line #	Agency	Orgn	Activity	Object	SubO	B/S Acct	Description	Amount
<b>810</b>	1	99C	0265		9300			Air Conditioners: Commercial, and Parts and A	\$0.00
Total									\$0.00

PO 003  
 ACTION M  
 ORDER TYPE 1

Line #	Item #	Quantity	Unit	Description	Unit Price	Amount
1	1	1	Lot	Change Vendor address to: 9055A Guilford Road Columbia, MD 21046 Ref: Capital Project: C-0265 Baltimore City Public School System P.O.# 2189860	\$0.00	\$0.00
Total						\$0.00

SAMPLE

By Purchasing Agent Harrison B. Showell Buyer John A. Gray Date 4/2/2002

9. Direct Payment Claim Form

See sample of form on page 101. Using agency fills in the following sections:

- a. Mail attachments - check if attachments are to be mailed.
- b. PV Date - leave blank.
- c. Fill in name and address of payee.
- d. Fill in invoice number if available. This number will appear on check.
- e. Fill in accounting data as follows:
  - Fund - 3 digit number
  - Agency - 3 digit number
  - Organization - 4 digit number
  - Activity - 4 digit number
  - Object - 4 digit number
  - Sub-Object - 2 digit number (optional)
  - Job Number - used by DPW
  - B/S Account - for use by agencies using general ledger accounts in prior fiscal year
- f. Line Description - describe item to be paid.
- g. Amount for each item.
- h. Total amount of individual line items.
- i. Fill in name of user agency and contact person.
- j. Fill in date of preparation of form and telephone extension of contact person.
- k. Completely describe the item(s) to be paid for.
- l. Any special instructions to Finance.
- m. Authorized Agency Signature - according to automated authorized signature list.
- n. Budget approval if required.

Staple Supporting Document to Back

# DIRECT PAYMENT CLAIM

## HOWARD COUNTY, MARYLAND

Mail Attachments

I ID - PV 003

DPC 1287-4

Data Entered By \_\_\_\_\_

Document Accepted By System \_\_\_\_\_

PV DATE \_\_\_\_\_

ACCT. PRD. \_\_\_\_\_

BFY

ACTION E PV TYPE 1

SCHEDULED PV DATE \_\_\_\_\_

SINGLE CHECK FLAG

VENDOR NUMBER

OR

SOCIAL SECURITY OR FEDERAL IDENTIFICATION NUMBER

Vendor Name & Address (30) - Please Print	
1	
2	
3	
4	

LN NO.	INVOICE NUMBER (12)	FUND (3)	AGENCY (3)	ORGN. (4)	ACTIVITY (4)	OBJECT (4)	SUB OBJ. (2)	JOB NUMBER (8)	B/S ACCT. (4)	LINE DESCRIPTION	AMOUNT (0000.00)
01											
02											
03											
04											
05											
06											
										DOCUMENT TOTAL	

Agency Name:

# SAMPLE

Date:

Contact Person:

Extension:

Description:

Special Instruction For Checks:

AUTHORIZED AGENCY (SIGNATURE)	DATE	BUDGET	DATE	FINANCE USE ONLY

Required if over \$500.00

10. Automated Sub-Order Release Form

**Signing On**

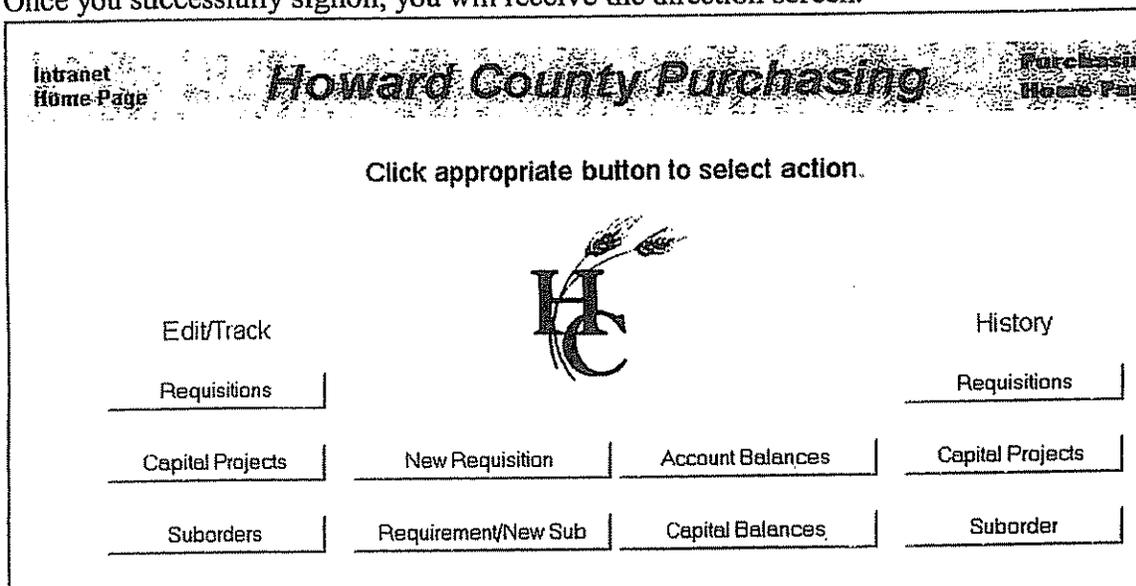
Suborders have been added to the online Purchasing System. The address for these systems is:  
**hcgntweb:3554**

Enter this address on your address line and click **GO**. Then set this address as a favorite. On this initial screen we may include changes that we make to the system and any other news items that are important to Purchasing. Click the **HC** and the signon screen appears.

You must have been entered in the system and know your password to go any further. On the signon screen you can change your password, and it is recommended that you do from the one that has been assigned to you.

**Choosing Suborders**

Once you successfully signon, you will receive the direction screen.



Suborders are an addition to the requisition submitting process. The areas specific for suborders are:

**Suborders (under Edit/Track)** – a summary screen of all suborders that **have NOT** been scheduled to be paid by Accounts Payable yet.

**Requirements/New Sub** – a listing of all requirement contracts with an **ADD** button that begins the submission process.

**Account Balances & Capital Balances** – a listing of the current account balances downloaded from the General Ledger each night.

**Suborders (under Edit/Track)** – a summary screen of all suborders that **have** been scheduled to be paid by Accounts Payable.

To add a suborder

Click on **Requirement/New Sub** to see a list of all the current and recently expired requirement contracts. Those that have expired have the expiration date in red. The accounts are arranged alphabetically by the vendor name. If the requirement contracts need to be displayed by their use, click **Grouped**.

Scroll to find the vendor in the alphabetical list or use Find under Edit on the toolbar or use Ctl + F.

Intranet Home Page **Howard County Purchasing** Purchasing Home Page

[Return](#) **Current Requirement Contracts** [Grouped](#)

PO Number Req #	Desc	Vendor	Buyer	Expire Date	
L5844	County Executive--Annapolis	100 N. Holliday Street, Inc 827 City Hall 100 N. Holliday Street Baltimore, MD 21202  Phone# (410)269-0207	Gray	8/30/2003	Add
L5904	Signage	3M Traffic Control Materials Division 3M Center Bldg 225-56-09 St Paul, MN 55144  Phone# (800)553-1380	Fox	10/31/2003	Add
		A. B. Dick Company 17201 Caldwell Avenue			

Otherwise,

Intranet Home Page **Howard County Purchasing** Purchasing Home Page

[Return](#) **Current Requirement Contracts** [By Vendors](#)

[Advertising](#)    [Equip Maint](#)    [Medical](#)    [Refuse](#)  
[Animal](#)    [Equip Repair](#)    [Microfilm](#)    [Rental](#)  
[Apparel](#)    [Financial](#)    [Office Mach](#)    [Roadway](#)  
[Bldg](#)    [Food & Beverage](#)    [Office Service](#)    [Supplies](#)  
[Chemical](#)    [Fuel](#)    [Personnel](#)    [Testing](#)  
[Citizen Service](#)    [Grounds](#)    [Photography](#)    [Title Settlement Services](#)  
[Communication](#)    [Grounds Equip](#)    [Printing & Distribution](#)    [Training](#)  
[Computer](#)    [Insurance](#)    [Printing & Reproduction](#)    [Transportation](#)  
[Consultant](#)    [Lease](#)    [Prof Serv](#)    [Utility](#)  
[Lease Space](#)    [Vehicle](#)

PO Number Req #	Desc	Vendor	Buyer	Expire Date	
	Advertising	Paterson Publishing Co			<a href="#">Index</a>

Use the underlined titles to the grouping of the contracts. As an example: If one is looking for a fuel vendor, click the hyperlink **Fuel** to jump to the section where all fuel vendors are grouped. To return to the top, click **Index**. One can also scroll down to the appropriate section.

When the contract has been found, click **ADD** and the suborder begins.

The first addition screen only asks that the organization be select. Drop down the list and select the appropriate organization, then click **Next**. Reset removes any selection you have made and returns the screen to its original settings.

Intranet Home Page

## Howard County Purchasing

**Requirements**

Purchase Order **L6206**      Organization **T/SSO**

This release is restricted to **Software, FDRR**

Vendor Name and Address  
**Innovation Data Processing**  
**275 Paterson Avenue**  
**Little Falls, NJ 07424**  
**Attn: Bruce Rado**

Print (ISS)  
awilcox

TA/Cable Admin.  
TC/Central Communications  
TD/Office of Director  
TG/GIS  
**T/SSO**  
TR/Radio Maintenance

Next/Save      Reset

Once the organization has been selected a number can be assigned to the suborder. This is done automatically by the system. The suborders are tracked in the system by the purchase order number, the organization and the number of the suborder. The **Requirement** Button will go back to the requirement listing. Click **Next** to see the assigned number and proceed to the second add screen.

The purchase order number, organization 2 character designation, the suborder number, the vendor information and the author's name cannot be changed. All other information even though it is filled in by default can be changed. The delivery addresses in the scroll box at the beginning of the delivery information are a quick way to fill in the delivery address. All the addresses of common delivery sites for a department are available by scrolling. When the correct address is found by scrolling, double clicking will drop the address in the address boxes. These address boxes can be overwritten or entered totally manually.

Once all the information that is currently known is filled in, click **Next/Save** to proceed to the accounting line information. The suborder can be edited many times until it is sent from the department by a final approval.

**Requirements**

Purchase Order **L6206**

Org/Release # **TI 002**

SubOrder Date **7/9/2003**

Fiscal Year **2004**

Vendor Name and Address

Agency Control No

**Innovation Data Processing**

**275 Paterson Avenue**

**Little Falls, NJ 07424**

**Attn: Bruce Rado**

Author **awilcox**

Phone # **3547**

Order has been received

Attachments will be sent



Vendor Instructions

Special Instructions for Checks:

Single Check

Delivery Address (if applicable): DO NOT type in this first line. Scroll and double click to load address or type in the 5 blank lines.


**This release is restricted to Software, FDRREORG, FDR/CPK/ABR Maint (ISS)**

Next/Save

Reset

For a new suborder the accounting lines begin with an assigned number of 1. Each time the Next/Save button is clicked the line number is increased by 1. There can be up to 99 accounting lines in a suborder. The line numbers can not be changed but lines can be edited, added or deleted on the Edit screens.

Enter accounting information that is available. Not all accounting information needs to be added now. The small numbers under the column title is the number of characters each field accepts.

Purchase Order **L6206**    Org/Release # **T1002**

Fill in the Accounting Information below.

LN HO (2)	Invoice Number (12)	Fund (3)	Agency (3)	Orgn (4)	Activity (4)	Object (4)	Sub Obj (2)	B/S Acct (4)	Description (30)	Amount
1										0.00

When this record is finished, click **Next/Save**. The second record will appear. If there are more accounting lines, continue entering the available information. If this is the last record make sure it is saved. Then click either the **Summary** button (to see the suborder as it currently exists) or the **Detail** button (to add detail lines to the body of the suborder).

For a new suborder the detail lines begin with 1. Enter the available information. Unit of measure is a drop down box which needs to be dropped and clicked. Total price can be entered but will be calculated from the quantity and price per each.

Purchase Order **L6206**    Org/Release # **T1002**

Fill in the Detail Information below.

Item No.	Quantity	Unit of Measure	Description and Specifications	Price per Each	Total Price
1	1	ea	Software upgrade for Xerox printer Model 12345	1234.56	1234.56

After each record has been entered, click **Next/Save**. When all records have been saved, click **Summary** to see what has been added. The **Summary** will allow records to be edited.

## To edit or delete a suborder From the Main Menu

The edit screens can be reached from the main direction menu by clicking on the **Suborder** button under Edit/Track. On the department summary screen all of the suborders that in progress are shown. The initial sort is by vendor name but when the **Org\_Sort** button is clicked, the records are sorted by organization. The **View** button will display all the information about the selected suborder. The **Del** button appears next to the suborders if you are the person who initially entered it. As the suborder moves through the system, its approvals will appear in the next 4 boxes. The final box is a short memo that can be added to the suborder.

To delete an entire suborder, click the **Del** button. A confirmation screen will appear and, if the **Yes** button is selected the entire suborder is deleted. Only the author of the suborder can delete the entire suborder.

Intranet Home Page		<b>Howard County Purchasing</b>					Purchasing Home Page			
<a href="#">Return</a>		<b>Suborders In Progress</b>					<a href="#">Org_Sort</a>			
	PO#	Org	Release#	Vendor		Sent from Department	Finance Approval	Purchasing Approval	Released To Pay	Agency #
<a href="#">View</a>	L7140	TI	001	Information Products Of Maryland, Inc.	<a href="#">Del</a>					
<a href="#">View</a>	L6206	TI	002	Innovation Data Processing	<a href="#">Del</a>					Man344

## From the View or Summary Button

To edit or delete information from a suborder, click the **View** button. The editing function is initiated on the individual summary screen. (see next page)





Purchase Order L7140 Org/release# T1001

Change the Accounting Information below and Click the Save Button.

Line No.	Invoice Number	Fund	Agency	Orgn	Activity	Object	Sub Obj	B/S Acct	Description	Amount
1	123456	011	015	0101	1000	2222				\$23.99

Line No.	Invoice Number	Fund	Agency	Orgn	Activity	Object	Sub Obj	B/S Acct	Description	Amount
1	123456	011	015	0101	1000	0101			Switches	\$23.99

Saved

Purchase Order L7140 Org/release# T1001

Change the Order Information below and Click the Save Button.

Line No.	Quantity	Unit of Measure	Description and Specifications	Price per Each (if known)	Total Price (if known)
1	7	ea	17" flat Dell monitor	\$399.00	\$2,793.00

Line No.	Quantity	Unit of Measure	Description and Specifications	Price per Each (if known)	Total Price (if known)
1	7	ea	17" flat Dell monitor	\$399.00	\$2,793.00

When accounting lines or detail lines are deleted, a message appears verifying exactly which lines were deleted. Then all lines are renumbered.

## To comment, notify or final approve a suborder

The comment, notify, final approve screen can be reached from the main direction menu by clicking on the **Suborder** button under Edit/Track. On the department summary screen all of the suborders that in progress are shown. The initial sort is by vendor name but when the **Org\_Sort** button is clicked, the records are sorted by organization. The **View** button will display all the information about the selected suborder.

At the bottom of the suborder summary, is the **Notify** button which opens the screen for:  
 Commenting about the suborder,  
 Notifying others to look at the suborder and  
 Final Approving the suborder.

<b>Comments</b>			
From	On	At	Comment
awilcox	7/9/2003	10:30	Ready to approve

<b>Notifications</b>				
From	To	On	At	
awilcox	awilcox	7/9/2003	10:30	

Attachments will be sent

**Notify**

Comments and notifications cannot be edited or deleted. They appear at the bottom of the summary screen before the **Notify** button.

Comments can be added to suborders without notifications being sent. Notifications can be sent with out having comments added. Final approvals can be done with neither comments nor notifications being sent.

**SubOrder Summary**
**Print Billing** | **Print Suborder**

Purchase Order **L6206**    Org/release # **TI 002**

*Enter any additional remarks to accompany this suborder*

from: <b>awilcox</b> on: 7/9/2003 at: 10:44:54 AM		awilcox bhenningsen bkays cmcnamara cthompson dedwards dkrams dmay doreilly dwise fmabry
---	--	--

Send notification to:

Edit ability		Edit ability		Edit ability	
▼	▼	▼	▼	▼	▼
▼	▼	▼	▼	▼	▼

**Send/Include**    **Reset**

To add comments, key in the comments in the comments box.

To notify others, drop down the list of emails and click the desired name. Up to six people can be notified at once. The ability to edit a record is controlled by the author of the record. If the author wishes someone else who does not have final approval authority to be able to edit, click **Yes** in the drop down next to the name of the appropriate person.

To final approve a suborder, scroll the Notify screen until the **Final** button appears.

Home Page

SubOrder Summary Print Billing Print Suborder

Purchase Order **L6206** Org/release # **TI 002**

Enter any additional remarks to accompany this suborder.

from:  
rschneider  
on: 7/19/2003  
at: 11:22:38 AM

Send notification to:

Send/Include | Reset

Final

After clicking the **Final** button, if the suborder passes all of the internal edits, a notification screen appears telling that the suborder is closed to changes (except for the receive indicator and invoice numbers) and that the record has been sent to Finance and Purchasing and what to do with documents Finance may need.

**Department Summary**

Suborder **L6206 TI 002** initiated by **awilcox** has been sent to Finance and/or Purchasing by **nbenz** for approval.

This suborder is closed to changes. You may check when it is approved on the Summary Suborder screen.

If you have any documents or invoices to accompany this suborder, print the suborder form, attach that to the documents/invoices and send directly to Finance.

To print a suborder form to send to the vendor, click **Print Billing**. To print a suborder form for internal use, click **Print Suborder**. (see the documents following)

If the suborder fails any of the internal edits, a message screen is sent with the errors that need to be corrected. Click the **Department Summary** button, and return to the suborder summary screen and correct the errors or return to the summary screen and notify someone else to correct the errors.

**Department Summary**

Suborder **L7140 TI 001** initiated by **awilcox** cannot be final approved.

Please correct the following errors and resubmit:

- Line 0      You have no approval authority or have exceeded your limit for 1 of 1 lines.
- Line 0      Accounting totals DO NOT match ordered line items total.
- Line 1      The OBJECT is invalid.
- Line 1      Accounting line data does not match the FUND.
- Line 1      The appropriation balance cannot be found for the accounting line.

To receive a suborder after it has been approved

To receive a suborder once it has been approved, open the department summary screen from the main direction menu by clicking on the **Suborder** button under Edit/Track. On the department summary screen all of the suborders that in progress are shown. The initial sort is by vendor name but when the **Org\_Sort** button is clicked, the records are sorted by organization. The **View** button will display all the information about the selected suborder. On the left a **Receive** button, opens a screen similar to the summary screen. However, only the receive switch and invoice numbers can be entered. Anyone in the department can receive a suborder.

<a href="#">Intranet Home Page</a>		<h2 style="margin: 0;">Howard County Purchasing</h2>		<a href="#">Home Page</a>	
<a href="#">Return</a>			<a href="#">Receive</a>		
SubOrder	L5073	Org/release #	PS 001	SubOrder's Author	pschumacher
SubOrder Date	7/7/2003	Agency Control No.		Phone #	X2202
				Fiscal Year	2004
Vendor Name and Address			Delivery Address (if applicable)		
Focus Camera, Inc.			Police Department		
905 McDonald Avenue			Attn: Quartermaster		

Invoice numbers can be entered and saved. Once the received order box is checked **Yes** and the record saved it can be opened again for receiving and Accounts Payable it automatically notified to pay the vendor.

905 McDonald Avenue		Attn: Quartermaster								
Brooklyn, NY 11218-5611		Warfield Building								
		3410 Court House Drive								
		Ellicott City, MD 21043								
Vendor Instructions:	Attachments will be sent: <b>Y</b>									
	Order has been received: <input type="checkbox"/> No <input checked="" type="checkbox"/>									
Special Instructions for Checks:	Single Check: <b>N</b>									
<b>Line Information</b>										
LH NO	Invoice No	Fund	Agency	Qrgn	Activity	Object	Sub Obj	B/S Acct	Description	Amount
1		011	006	7000	2410	0351			film	\$9,916.80
<b>Total</b>										\$9,916.80
<a href="#">Save</a>										

11. Partial and Final Delivery Report Form

See sample of form on page 107. Using agency fills in the following sections:

- a. Purchase order number - from original purchase order.
- b. Fill in partial release number (sequential) such as 01, 02, 03, F (F for final). A 1-time final payment should be coded with "F".
- c. PV Date - leave blank.
- d. BFY - fill in fiscal year.
- e. Fill in vendor name and address.
- f. Original Purchase Order No. - fill in purchase order number on each line being released in part or full
- g. Orig. P.O. Line No. - fill in the line number from the original purchase order being referenced, such as 01, 02, 05, etc.
- h. Invoice - fill in invoice number, if available
- i. Fund - 3 digit number
- j. B/S Account Number - for use by agencies using general ledger accounts from prior fiscal year
- k. Line Description - optional
- l. Amount - Fill in amount
- m. F - fill in "F" if final payment and forward with yellow receiving copy of purchase order
- n. Enter accounting data.
- o. Document Total - complete total amount.
- p. P.O. Item - purchase order line number.
- q. Quantity - fill in quantity received.
- r. Description - fill in description.
- s. Unit Price - fill in unit price from original purchase order.
- t. Total Item Price - fill in total item price.
- u. Fill in total value of delivered items.

- v. Authorized agency signature according to automated authorized signature listing.
- w. Date report is prepared.
- x. Any special instructions for check.



12. Surplus Property Declaration Form

See sample of form on page 109. Using agency fills in the following sections:

- a. Date this form is being prepared.
- b. From - name of person declaring the property surplus.
- c. Department - agency name.
- d. Account Number - agency account number.
- e. FAICS Tag Number - FAICS number of item being surplused.
- f. Item Description - description of item.
- g. Serial Number - serial number of item, if applicable.
- h. FY of Purchase - fiscal year of original purchase (not transfer date from 1 agency to another).
- i. Orig. Pur. Price - original purchase price, if known.
- j. Est. Present Market Value - estimated present market value, if known.
- k. Condition Code - fill in condition of item (P = poor, F = fair, G = good, E = excellent).
- l. Location of Property - location where property can be inspected.
- m. Name of FAICS coordinator.
- n. Telephone number of FAICS coordinator.
- o. Date authorized.
- p. Authorized signature - must comply with current automated authorized signature listing.



Section K. Applicable Legal References

1. Howard County Charter, Article VIII, Centralized Purchasing

ARTICLE VIII. CENTRALIZED PURCHASING

Section 801. Responsibility for Purchasing

The Chief Administrative Officer shall be responsible to the Executive for the execution of the County purchasing policies established in this Article.

Section 802. County Purchasing Policies and Practices

The Chief Administrative Officer shall be the County Purchasing Agent and shall have the following purchasing functions which he/she may delegate to a Deputy Purchasing Agent in his/her office and under his/her supervision:

- (a) The making of all purchases, leases, and contracts for all public works and services, and for all supplies, material, and equipment for all offices, departments, institutions, boards, commissions and other agencies of the County government for which payment is to be made out of County funds.
- (b) If recommended by the Executive and approved by legislative act of the Council, the establishment and operation of a County warehouse for County supplies, material and equipment, and the maintenance of a sufficient stock of stable commodities to meet the requirements of the County government.
- (c) The development and operation of a uniform and modern system of property accounting and stores control based upon perpetual inventory. As appropriate, the Purchasing Agent may assign the responsibility for accounting of property (i.e., vehicles, buildings/land, computer hardware/software/equipment) to other County agencies.
- (d) The establishment, after consultation with the appropriate County officials, of suitable specifications and standards for all supplies, materials, and equipment to be purchased and the inspection of all deliveries to determine compliance with such specifications and standards.
- (e) The establishment and maintenance of a system of requisitions and receipts covering the furnishing of supplies, materials, and equipment to the various offices, departments, institutions, boards, commissions, and other agencies of the County.
- (f) The establishment, with the approval of the Executive and by legislative act of the Council, of reasonable rules and regulations governing emergency purchases and contracts and those involving material, equipment, or services of an unusual or noncompetitive nature which shall not be subject to competitive bidding.

- (g) The sale of surplus, old and waste supplies, materials, and equipment of the County, or the transfer of the same between offices, departments or other agencies of the County government.
- (h) The making of purchases for a stores revolving fund, which the Council is hereby authorized to establish, and making sales from the stores to using agencies of the County.

#### Section 803. Application of This Article to Departments and Agencies Under State Law

The provisions of this article shall apply to the Department of Education and other departments and agencies created by or operating under State law to the extent requested by them or as permitted by law. In the interests, however, of promoting uniformity and of effecting maximum savings for all purchases out of County funds, the purchasing facilities of the County government shall always be available to such departments and agencies, and their use shall be encouraged.

#### Section 804. Competitive Bidding

The Purchasing Agent shall employ competitive bidding in accordance with policies established by the Council.

#### Section 805. Conformity With Budget Limitations and Allotments

No deliveries of supplies, materials, or equipment shall be made to any office, department, board, institution, commission or agency of the County government in excess of the available appropriation or allotment therefor, and except for small purchases in an amount to be established from time to time by ordinance, no payment shall be made out of County funds for the purchase of supplies, materials, or equipment, unless the Director of Finance shall first certify that the funds for the designated purpose are available. Any purchase or contract not so certified by the Director of Finance shall be invalid and the County shall not be bound thereby.

#### Section 806. Contract Execution

All contract bid forms and all contracts shall be approved by the County Solicitor as to form and legality. Following such approval, all contracts shall be signed in behalf of the County by the Executive or designee. A complete file of all contract bid forms and all contracts shall be maintained in the office of the County Purchasing Agent. A copy of each signed contract shall be forwarded promptly to the Director of Finance.

#### Section 807. Cooperative Purchasing

As appropriate, the Purchasing Agent may undertake programs involving joint or cooperative purchases with other public jurisdictions, to include local, state, and federal government, when permissible.

## Section 808. Furthering Legislation

No later than its first annual legislative session, the Council, upon recommendations received from the Executive, or if he/she fails to do so, shall enact furthering legislation, not consistent with the provisions of this Charter or with the public general laws of this State, to implement the purchasing policies herein established. Such legislation shall provide for regulating the practices of the County Purchasing Agent and other officers, agents and employees of the County in regard to the issuance of inquiries, the receipt of bids, the placement of orders and other matters relating to the making of purchases and the award of contracts. Such legislation shall also prescribe procedures and establish minimum dollar amounts for competitive bidding.

2. Title 4 "Contracts, Purchasing, and Property"

**Subtitle 1. Purchasing**

**Section 4.100 Short title**

This subtitle shall be known and may be cited as the "Purchasing Code" of Howard County.

**Section 4.101. Purpose**

The purpose of this subtitle is:

- (a) To implement and make effective the purchasing policies provided by Article VIII of the Howard County Charter;
- (b) To promote uniformity in purchasing procedures in various user agencies to effect maximum savings for all purchases out of County funds;
- (c) To encourage public confidence in public procurement procedures;
- (d) To foster effective broad-based competition within the free enterprise system;
- (e) To make purchases out of County funds from firms and individuals who do not engage in unlawful discriminatory employment practices.
- (f) To foster equal business opportunity for businesses owned by minority individuals, women, and individuals with disabilities.
- (g) To promote the purchase of supplies, materials, equipment, and services best suited for the needs of each user agency.

Except as otherwise provided by law, this subtitle shall be applicable to all purchases and contracts for supplies, materials, equipment, and contractual services for any County department or agency, and for any State agency authorized by law to utilize the County procurement system.

**Section 4.102. Definitions**

For purposes of this subtitle, the following definitions shall apply:

(a) **Capital Project**

Any physical public betterment or improvement and any preliminary studies and surveys relative to it.

(b) **Construction**

The process of building, altering, repairing, improving, or demolishing any public structure or building or other public improvements of any kind to any public real property. It does not include the routine operation, routine repair, or routine maintenance of existing structures, buildings, or real property.

- (c) **Contract**
- Any type of County agreement for the purchase or disposal of supplies, services or construction, including supplemental agreements to original contracts.
- (d) **Contract Modification**
- Any written alteration in the price or any other provision of an existing contract whether initiated unilaterally by the County or by mutual action of the parties to the contract. It includes change orders, contract amendments and supplemental agreements. Contract modification does not include a contract amendment required by law.
- (e) **Contract Review Committee (CRC)**
- A standing executive committee established to review purchasing actions.
- (f) **Contractual Services**
- Services required by the County, but not furnished by its own employees.
- (g) **Cooperative Purchasing**
- Procurement conducted by, or on behalf of, more than one public procurement agency.
- (h) **County**
- Howard County, Maryland, including the County Council and any department, commission, council, board, bureau, committee, institution, authority, agency, government corporation or official of the Howard County government.
- (i) **Debarment**
- The disqualification of a person from the award of a contract by the County for a specified period of time of a year or more. See Section 4.117 "Vendors and Purchasers".
- (j) **Disabled Individual; Individual With Disabilities**
- An individual who has a physical or mental impairment that substantially limits one or more major life activities or has a record of such an impairment.
- (k) **Disabled Business Enterprise (DBE)**
- A business enterprise:
- (1) Which is:
- (i) At least 51% owned by one or more individuals with disabilities; or,
- (ii) In the case of any publicly-owned corporation, at least 51% of the stock of which is owned by one or more individuals with disabilities; and

- (2) Whose general management, daily business affairs, and essential productive operations are controlled by one or more individuals with disabilities; and
- (3) Which has been certified by the Equal Business Opportunity Commission as a disability business enterprise.

(l) **Emergency**

- (1) The development of a dangerous condition caused by a breakdown in machinery or a threatened termination of essential services; or
- (2) Any unforeseen circumstance causing curtailment or diminution of an essential service or which presents an imminent threat to public safety, welfare, or the environment.

(m) **Formal Bidding**

A process pursuant to Section 4.107 of this subtitle for procuring supplies or services costing \$30,000 or more or for disposing of surplus supplies valued at \$30,000 or more.

(n) **Gratuity**

A payment, loan, subscription, advance, deposit of money, service or anything of any present or future monetary value with more favorable terms than those granted to the public generally, unless consideration of equal or greater value is received.

(o) **Informal Bidding**

A process pursuant to Section 4.109 of this subtitle for the procurement of supplies or services costing less than \$30,000 or for disposing of surplus supplies valued at less than \$30,000.

(p) **Joint Venture**

An association of two or more individuals, partnerships, corporations, or combinations thereof, founded to carry on a simple business activity.

(q) **Minority Business Enterprise (MBE)**

A business enterprise:

- (1) Which is:
  - (i) At least 51% owned by one or more minority individuals; or
  - (ii) In the case of any publicly-owned corporation, at least 51% of the stock of which is owned by one or more minority individuals; and
- (2) Whose general management and daily business affairs and essential productive operations are controlled by one or more minority individuals; and

- (3) Which has been certified by the Equal Business Opportunity Commission as a minority business enterprise.

(r) **Minority Individual**

An individual who is a member of one of the following:

- (1) African American;
- (2) American Indian;
- (3) Asian American;
- (4) Eskimo or Aleutian;
- (5) Far Eastern;
- (6) Female, regardless of race or ethnicity;
- (7) Hispanic American;
- (8) Near Eastern; or
- (9) Physically or Mentally Disabled.

(s) **Person**

An individual or a business.

(t) **Procurement**

The buying, purchasing, renting, leasing, or otherwise obtaining of any supplies, services or construction, including such component functions as description of requirements, solicitation and selection of sources, and preparation and award of contract.

(u) **Professional Services**

The services of attorneys, physicians, architects, engineers, or other individuals or organizations providing services of a similar professional nature which require specialized knowledge and skills and involve the application of specialized knowledge and intellectual skills in the performance of the services.

(v) **Purchasing**

Providing all the materials and services required by the county, beginning with a determination of needs and requirements and usually ending with disposal.

(w) **County Purchasing Agent**

The Chief Administrative Officer as set forth in Article VIII of the Howard County Charter.

(x) **Request For Proposal**

All documents, including those attached or incorporated by reference, utilized for soliciting proposals.

(y) **Responsive Bidder**

A person who has submitted a written offer for the furnishing of supplies and/or services in conformity with the specifications and conditions included in the solicitation.

(z) **Responsible Bidder**

A person who has the capability in all respects to fully perform the contract requirements and who has the integrity and reliability to assure good-faith performance.

(aa) **Services**

The furnishing of labor, time, or effort by a contractor, not involving the delivery of specific end products other than reports which are incidental to the required performance. This term includes "professional services" but does not include employment agreements.

(ab) **Specifications**

Any description of the physical or functional characteristics, or of the nature of, a supply or service.

(ac) **Supplies**

All property, including but not limited to equipment, parts, material, printing, insurance and leases on real and personal property, excluding acquisition of a permanent interest in real property for a public use.

(ad) **Surplus Supplies**

Any supplies no longer having any use to the holding agency. This includes obsolete supplies, scrap materials, and non-expendable supplies that have completed their useful life cycle.

(ae) **Suspension**

The disqualification of a person from the award of a contract by the County for a temporary period of time, less than 1 year, pending the completion of an investigation or during any legal proceedings. See Section 4.117 "Vendors and Purchasers".

(af) **User Agency**

Any agency of the County, including the County Council, and any department, commission, council, board, bureau, committee, institution, authority, agency, government corporation, or other establishment or official of the Howard County government. "User agency" also means any entity which, by state law, is authorized and elects to follow local purchasing laws or which, by state law, is required to follow local purchasing laws.

(ag) **Woman Business Enterprise (WBE)**

A business enterprise:

- (1) Which is:
  - (i) At least 51% owned by one or more women; or,
  - (ii) In the case of any publicly-owned corporation, at least 51% of the stock of which is owned by one or more women; and
- (2) Whose general management and daily business affairs and essential productive operations are controlled by one or more women; and
- (3) Which has been certified by the Equal Business Opportunity Commission as a woman business enterprise.

**Section 4.103. Authority and Duties of the County Purchasing Agent**

In addition to those functions and responsibilities listed in Title VIII of the Howard County Charter or indicated elsewhere in this subtitle, the Howard County Purchasing Agent:

- (a) Shall have the powers, duties, and authority relating to the procurement of supplies, services, and construction and the management, control, sale, and disposal of supplies;
- (b) Shall develop and distribute the procurement policy of the County, subject to the approval of the County Executive;
- (c) Shall serve as the principal contracting officer of the County;
- (d) Shall develop and implement an equal business opportunity program, subject to the approval of the County Executive and the County Council and incorporating the provisions of Section 4.122 of this Subtitle, which is designed to assure the participation of minority business enterprises, woman business enterprises, and disabled business enterprises in the purchasing activities of the County;
- (e) Shall prepare a purchasing manual governing the operating procedures of the County purchasing system;
- (f) Shall distribute and enforce this subtitle and the purchasing manual and the equal business opportunity program;
- (g) Shall sell, trade, exchange, or otherwise dispose of surplus supplies belonging to the County.
- (h) Shall maintain a bulletin board in the approximate area of the main purchasing office;
- (i) Shall submit to the County Executive and the County Council an annual report of the work of the purchasing office which shall include a summary of the progress and efforts made by the County in achieving the goals and measures set forth in this Subtitle;

- (j) Shall debar bidders declared irresponsible pursuant to Section 4.117 "Vendors and Purchasers" of this subtitle;
- (k) Shall submit to the County Executive and the County Council a monthly report of all emergency purchases of \$1,000 or more, indicating the amount of such purchases and an explanation of the circumstances;
- (l) May delegate authority to designees;
- (m) May prescribe forms to be used in the requisitioning and ordering of supplies, services, and construction;
- (n) May require statistical data from using agencies;
- (o) May cancel invitations to bid, requests for proposal or other solicitations, or reject all bids, parts of bids, or bids for any one or more supplies or services included in a proposed contract when, in the judgement of the purchasing agent, the public interest would be served;
- (p) May waive the competitive bidding requirements for small purchases and sales involving less than \$5,000;
- (q) May authorize the awarding of a single-source contract;
- (r) May establish and maintain programs for inspection, testing and acceptance of supplies and services, including a compliance monitoring program;
- (s) May suspend bidders pending investigation of possible debarment;
- (t) May undertake programs involving joint or cooperative purchases with other public jurisdictions at all levels of government;
- (u) Shall carry out the procurement policies set forth in Subtitle 5 "Purchasing of Products Made from Recycled Materials" of this title;
- (v) Shall submit to the County Council a semi-annual report of all purchases awarded through formal bidding procedures. The report shall list the contracts awarded during the reporting period, the contract amounts, the lowest bid price, the name of the successful contractor and subcontractors, and the contracts awarded in which security requirements have been waived;
- (w) Shall include in the report required under section 4.103(i) of this subtitle a listing of all contract modifications, change orders, or adjustment in prices described in section 4.118(b)(4) of this subtitle; and
- (x) Shall be responsible for the final decision on bid protests.

**Section 4.104. Rules and Procedures; Purchasing Manual**

**(a) Preparation**

The County Purchasing Agent shall prepare a purchasing manual containing the necessary rules, regulations, and procedures to implement:

- (1) This subtitle;
- (2) Subtitle 5 "Purchasing of Products Made from Recycled Materials" of this title;
- (3) Subtitle 6 "Equal Business Opportunity" of this title;
- (4) Article VIII of the Howard County Charter; and
- (5) Applicable laws of Maryland regarding purchasing.

The County Purchasing Agent shall revise the purchasing manual at least once every 3 years.

**(b) Approval by County Council**

The purchasing manual shall be submitted with the approval of the County Executive to the County Council for its approval by resolution. Amendments to the purchasing manual shall also be subject to such approval before they take effect. Obvious errors, forms, and instructions for use of such forms contained in the purchasing manual shall not be considered a part of the purchasing manual.

**(c) Enforcement**

After approval of the purchasing manual (or any amendments) by the County Council, the County Purchasing Agent shall distribute it to all County user agencies. The County Purchasing Agent shall enforce the provisions of the purchasing manual.

**Section 4.105. Advisory Committee on Standardization**

There shall be an advisory committee on standardization to develop County-wide standards for supplies and services used by more than one agency of County government. The advisory board shall be composed of the County Purchasing Agent and the directors of each department or the directors' designees. The County Purchasing Agent shall be the chairperson of the committee.

**Section 4.106. Procurement Methods**

**(a) Formal Bidding Exceptions**

All County procurement contracts shall be awarded by formal bidding pursuant to section 4.107, except as otherwise provided in the following sections:

- (1) Section 4.108 "Competitive Sealed Proposals";
- (2) Section 4.109 "Informal Bidding";

- (3) Section 4.110 "Sole Source Purchases;
- (4) Section 4.111 "Emergency Purchases";
- (5) Section 4.112 "Expedited Procurement";
- (6) Section 4.113 "Professional Services"
- (7) Section 4.114 "Purchases Requiring Confidentiality"
- (8) Section 4.115 "Contracts With Other Government Agencies"
- (9) Section 4.116 "Procurement Card Transactions"

**(b) Purchasing Manual**

The purchasing manual shall include detailed procedures regarding the bidding process and all alternate procurement methods, authorized pursuant to this subtitle.

**(c) Multi-Step Purchasing Methods**

- (1) Multi-step purchasing is a method of purchasing which progresses in increments from informational requests to final solicitation approval/purchasing.
- (2) Step 1 involves a formal solicitation requesting information, technical data, or samples. The purchasing office and the user agency evaluate the respondents' data to determine acceptable vendors. In step 2 the acceptable vendors are requested to provide price quotations, proposals, or bids.
- (3) A method may be used under which both price and technical proposals are submitted at the same time in separate sealed envelopes. However, the price information may not be reviewed until the technical evaluation is complete and the vendor found acceptable by the purchasing office and the user agency. The sealed pricing and bid information from vendors found unacceptable during the technical evaluation shall be returned unopened to the vendors.
- (4) In all other respects, multi-step sealed purchasing methods shall be treated in the same ways as other purchasing methods.

**(d) Waiver Provisions**

At the sole discretion of the County Purchasing Agent, the informal competitive bidding requirements may be waived for purchases or sales involving less than \$5,000.

- (1) The County Purchasing Agent, with the approval of the County Executive, may waive formalities in competitive bidding as the interest of the County may require.
- (2) The County Council may, by resolution, authorize the County Purchasing Agent to waive the formal competitive bidding requirements of this subtitle for any single purchase or sale if, in the judgement of the County Council, the waiver will best serve the interest of the County.

**Section 4.106A. Contract Review Committee**

**(a) Composition**

The Contract Review Committee (CRC) shall be composed of:

- (1) The County Chief Administrative Officer or designee
- (2) The County Auditor or designee; and
- (3) The Director of the Department of Finance or designee.

**(b) Rules of Procedure**

The CRC is authorized to adopt rules of procedure in considering matters within its authority.

**(c) Authority**

CRC approval by majority vote is required for the following:

- (1) A sole source contract greater than \$100,000;
- (2) A procurement contract which receives less than 3 responsive bids and exceeds \$1,000,000; and

**Section 4.107. Formal Bidding; Purchases And Sales Of \$30,000 Or More**

- (a) Except as provided otherwise by this subtitle, the purchase of supplies or services involving an expenditure of \$30,000 or more shall be accomplished through a formal bid procedure, with the contract being awarded to the lowest responsive, responsible bidder.
- (b) Except as provided otherwise by this subtitle, the sale of surplus supplies with an estimated value of \$30,000 or more shall be accomplished through a formal bid procedure, with the contract being awarded to the highest responsive, responsible bidder.
- (c) No contract, sale or purchase shall be subdivided to avoid the requirements of this section.
- (d) Procurement of services and supplies related to management of the Howard County Police and Fire Employees Retirement Plan shall be exempt from the bidding requirements of the Howard County Purchasing Code.

**Section 4.108. Competitive Sealed Proposals**

- (a) When the County Purchasing Agent determines that competitive sealed bidding is not practical or not advantageous to the County, a contract may be awarded based upon competitive sealed proposals.
- (b) Public notice of the requests for proposal shall be given in the same manner as public notice for competitive sealed bids.

- (c) The requests for proposal may state the relative importance of price and other evaluation factors. Price may not be the sole evaluation factor. Numerical ratings may be used at the discretion of the purchasing agent.
- (d) Each competitive sealed proposal may be negotiated to obtain the best offer from the supplier.

**Section 4.109. Informal Bidding**

- (a) All purchases of supplies or services involving less than \$30,000 are considered small purchases.
- (b) All sales of surplus supplies with an estimated value of less than \$30,000 are considered small sales.
- (c) All small purchases and small sales from \$1,000 up to \$30,000 are subject to informal competitive bidding. A small purchase contract shall be awarded to the lowest responsive, responsible bidder. A small sale contract shall be awarded to the highest responsive, responsible bidder. In conducting the informal competitive bidding the County Purchasing Agent shall use procedures set forth in the purchasing manual.
- (d) No contract, purchase, or sale shall be subdivided to avoid the requirements of this subsection.

**Section 4.110. Sole-Source Purchase**

- (a) When the County requires supplies or services which are only available through one source, the County Purchasing Agent may award a contract for such supplies and services without competition.
- (b) Before authorizing a sole-source purchase, the County Purchasing Agent shall have a written justification prepared explaining that the specifications for supplies or services are not overly restrictive for the County's needs, that only one supplier of the particular supplies or services exists and that the sole source purchase serves the best interests of the County.
- (c) Sole source purchases may be obtained by seeking the supplier's best offer through negotiation.
- (d) Any sole source contract between the County and any person which contains an option or options to renew which would have the effect of extending the term of the contract beyond 3 years shall be sent to the County Council for approval by a Resolution prior to the beginning of the fourth year of the contract and each subsequent renewal option, if any, thereafter.

**Section 4.111. Emergency Purchases**

- (a) If an emergency occurs during regular business hours, the user agency shall immediately notify the County Purchasing Agent, who shall either purchase the required supplies or services from a responsible vendor or authorize the agency to do so.

- (b) If an emergency occurs at times other than regular business hours, the user agency may purchase the required supplies or services directly. Whenever practical, the user agency shall first secure competitive telephone bids from responsible bidders and purchase the required supplies or services from the lowest responsible bidder meeting specifications.
- (c) If a purchase is made at times other than regular business hours, the user agency shall provide written backup material to the County Purchasing Agent on the next regular County business day following the purchase.

**Section 4.112. Expedited Procurement**

**(a) When Used**

An expedited procurement may be used in a situation which is not an emergency but where prompt action best serves the public interest including, but not limited to, avoiding potential loss of federal or State revenues to the County if rapid procurement actions are not taken, or to situations that, if prompt action were not taken, would have an adverse impact on the economic welfare of the county or important economic development in the County.

**(b) Advance Approval By County Purchasing Agent**

Expedited procurements require the prior written approval of the County Purchasing Agent.

**(c) Use Of Competitive Process When Practicable**

To the extent practicable, the competitive process of this subtitle shall be utilized when making an expedited procurement, except that the County Purchasing Agent may:

- (1) Waive the public notice requirements of newspaper advertising; or
- (2) Justify in writing a noncompetitive selection by explaining how the expedited procurement would be in the best interests of the County and explaining why a competitive solicitation cannot be made:
  - (i) Due to insufficient time between the County's first knowledge of the need to make the procurement and the date when the contract must be performed; or
  - (ii) For such other reasons that preclude the use of competition.

**Section 4.113. Professional Services**

**(a) Use Of Competitive Process Where Practicable**

Except as provided in subsection (b) below of this section, the purchase of professional services shall be made through a competitive bidding process pursuant to the provisions of this subtitle, whenever practical. When it is not practical to purchase professional services using one of the methods authorized in this subtitle, then the user agency shall consult with the County Purchasing Agent to select a provider of professional services by using another method which will provide as much competition as is practical, given the nature of the services and the circumstances under which the services are needed.

(b) **Selection Of Architects And Engineers**

Architectural and engineering professional services shall be procured on the basis of qualifications and competitive negotiations in accordance with the procedures set forth in the purchasing manual governing architectural and engineering services.

(c) **Exemption For County Council**

The County Council is exempt from the competitive bidding provisions of this subtitle when awarding professional service contracts. The awarding of contracts by the Council for professional services shall be the responsibility of the Executive Secretary to the Council at the direction and with the approval of the Council.

**Section 4.114. Purchases Requiring Confidentiality**

(a) **When Used**

This process may be used for the procurement of services that are confidential in nature, such as, but not limited to:

- (1) Legal services needed in conjunction with threatened or pending litigation;
- (2) Appraisal of property to be acquired; and
- (3) Collective bargaining.

(b) **Use Of Competitive Process Where Practicable**

Whenever practical, the purchase of services requiring confidentiality shall be made through a competitive bidding process pursuant to the provisions of this subtitle. However, if confidentiality is required, the advertising and public notice provisions of this subtitle may be waived. If there is only one respondent, or a single source, the County Purchasing Agent may authorize the user agency to negotiate the best offer.

**Section 4.115. Contracts With Other Government Agencies**

(a) **When Used**

This process is used:

- (1) When a pricing advantage may be obtained by purchasing goods or services through contracts or surplus lists established by other governmental purchasing/supply agencies, including federal, state, and local government agencies; or
- (2) When it is to the County's advantage, to contract with a state or federal agency created to assist local governments with particular types of projects.

**Section 4.116. Procurement Card Transactions**

Designated County employees shall be authorized to use a procurement card (similar to a credit card) for minor purchases of a designated amount. Procurement cards shall not be used as a means of avoiding standard purchasing procedures (i.e., dividing a transaction into several smaller transactions). Requisitions for procurement card transactions are not required. Card usage shall be in compliance with Howard County Policy and Procedure.

**Section 4.117. Vendors And Purchasers**

**(a) Bidders' List**

The County Purchasing Agent shall maintain a list of prospective vendors for supplies and services. Prospective vendors shall complete an application form supplied by the County Purchasing Agent before their names are added to the bidders' list.

**(b) Criteria To Be Considered in Determining "Lowest Responsive, Responsible Bidder And "Highest Responsive, Responsible Bidder"**

- (1) The ability, capacity, organization, facilities and skill of the bidder to perform the contract or provide the service required;
- (2) The ability of the bidder to perform the contract or provide the service promptly, within the time specified and without delay or interference;
- (3) The character, integrity, reputation, judgment, experience and efficiency of the bidder;
- (4) The quality of performance of previous contracts or services;
- (5) The bidder's previous compliance with laws and regulations relating to the contract or service;
- (6) Whether or not the bidder is in arrears to the County on debt or contract;
- (7) Whether or not the bidder is a defaulter on surety to the County;
- (8) Whether or not the bidder is delinquent in County taxes or assessments;
- (9) Whether or not the bidder has violated or attempted to violate the fair employment practices described in Section 4.119 "Ethics and Fair Employment Practices";
- (10) The resale value and life cycle costs of a proposed purchase;
- (11) The net cost to the County of the goods and services;
- (12) The ability of the bidder to provide future maintenance and service for the use of the supplies;
- (13) The sufficiency of the financial resources of the bidder to perform the contract; and

- (14) Other information the County Purchasing Agent believes to have a bearing on the decision to award the contract.

(c) **Suspension**

The County Purchasing Agent may suspend a person from:

- (1) Receiving invitations for bids, or requests for proposals; and
- (2) Receiving the award of a contract; for up to 1 year pending the completion of an investigation, or during any legal proceedings concerning conduct that might lead to debarment.

(d) **Reasons For Declaring A Bidder Irresponsible**

The County Purchasing Agent may declare a bidder irresponsible if the bidder:

- (1) Fails, upon written request, to provide proof of his/her responsibility; or
- (2) Has, as a vendor to or contractor with the County, repeatedly made slow or unsatisfactory delivery of supplies or services; or
- (3) Has violated any provisions of this subtitle or other subtitles of this title; or
- (4) Has, within the previous 12 months, been found by a court of competent jurisdiction to have engaged in an unlawful employment practice as described in Section 4.119 "Ethics and Fair Employment Practices" of this subtitle; or
- (5) Has offered a gratuity to an official or employee of the County.

(e) **Debarment**

If the County Purchasing Agent determines a bidder is irresponsible, the County Purchasing Agent shall debar the person from bidding on County contracts for at least 1 year. A determination to debar may be based on the debarment list of another governmental entity. The County Purchasing Agent shall give the debarred bidder a written statement detailing the reasons for debarment. He/she shall also advise the debarred bidder of the right to appeal.

(f) **Appeal Of Debarment**

A person debarred from bidding may, within 30 days of debarment, appeal the debarment to the Howard County Board of Appeals. The Board of Appeals shall hear the appeal according to its rules of procedure.

**Section 4.118. Administration**

**(a) Certification Of Availability Of Funds**

No order in excess of \$1,000 for the purchase of supplies or services shall be issued unless and until the Director of Finance has first certified that funds for the designated purpose are available.

**(b) Contracts**

**(1) Prohibition**

Cost-plus-a-percentage-of-cost contracts are prohibited. Contracts based upon percentage discounts from, or percentages added to, prices listed in a manufacturer's published price list in general distribution are not considered to be cost-plus-a-percentage-of-cost contracts.

**(2) Preferences**

Subject to the limitations of this section, any type of contract that will promote the best interests of the county may be used. However, preference shall be given to types of contracts as follows:

- (i) Fixed-price;
- (ii) Cost-reimbursement;
- (iii) Lump sum.

**(3) Accounting**

Except for a firm fixed-price contract, a contract type may not be used unless the County Purchasing Agent determines that the contractor's accounting system:

- (i) Will permit timely development of all necessary cost data in the form required by the specific type of contract contemplated; and
- (ii) Is adequate to allocate costs in accordance with generally accepted accounting principles.

**(4) Contract Modifications**

Every contract modification, change order, or adjustment in contract price initiated by a government agency relating to contracts for services, supplies, or construction projects shall be subject to the prior written approval of the County Purchasing Agent. If the modification, change or adjustment initiated by a government agency increases the contract price by 15% or more of the contract award amount, the County Purchasing Agent shall not execute the modification, change or adjustment unless all of the following conditions are met:

- (i) The Purchasing Office has a written plan that sets forth internal control procedures;
- (ii) Certification by the Director of Finance that sufficient funds are available;

- (iii) The Purchasing Office files with the County Auditor the contract in which the price has been increased along with written justification supporting the need for the modification, change, or adjustment; and
  - (iv) The Purchasing Office retains for audit purposes documents relating to the modification, change, or adjustment.
- (5) All contract forms shall be approved by the Office of Law as to form and legal sufficiency and by the Director of Finance for sufficiency of funds.
  - (6) All contracts shall be signed on behalf of the County by the County Executive or his/her designee. A copy of each contract shall be sent to the Director of Finance immediately after it is signed.
  - (7) All contracts shall contain a clause, to be signed by the contractor, stating that the person has read and understands the provisions of the Howard County Charter and Howard County law dealing with conflicts of interest.
  - (8) All contracts shall be accompanied by the following statements to be signed under oath by the vendor or purchaser:
    - (i) A statement that he/she has not been a party to an agreement to bid a fixed or uniform price.
    - (ii) A statement that he/she has not offered nor will offer any gratuity to any County official or employee.
    - (iii) A statement that he/she has not violated any of the fair employment provisions of Section 4.119 "Ethics and Fair Employment Practices" of this subtitle.

**(c) Public Access To Bidding Materials**

Documents which are open to inspection pursuant to subtitle 6, title 10 of the state government article of the Annotated Code of Maryland are subject to the following:

- (1) Proposals submitted in response to requests for proposals and other specialized procurement methods shall be open for public inspection after award has been made or a decision has been made to cancel the procurement.
- (2) Other documents shall be available for public inspection upon written request during normal business hours.

**(d) Capital Projects**

- (1) The Director of Public Works shall determine whether a proposed capital improvement project is to be constructed by a contractor or by the County's employees.
- (2) If the Director of Public Works determines that a capital project will be constructed by a contractor, the County Purchasing Agent shall secure competitive bids pursuant to this subtitle.

- (3) No award of a capital contract shall be made without the written approval of the Director of Public Works, the Director of Finance, and the County Executive.
- (4) If plans and specifications are changed during construction necessitating the County's spending more than the amount appropriated for the project, the County Council shall first approve the changed or additional construction by means of a supplementary appropriation ordinance of an interproject transfer of appropriation ordinance.

e) **Security On Procurement Contracts**

(1) **Bid Deposit**

(i) **Construction Contracts**

For construction contracts with an estimated value exceeding \$50,000 but not exceeding \$100,000, the County Purchasing Agent may require a bid deposit in an amount equal to 2% of the contract value. For construction contracts exceeding \$100,000, the County Purchasing Agent may require a bid deposit in an amount equal to 5% of the contract value.

(ii) **Supply And Service Contracts**

No bid deposit shall be required by the County Purchasing Agent when contracting for the purchase of supplies or services. However, the County Purchasing Agent may require a bid deposit in an amount deemed adequate when contracting for supplies that are unique or customized to County specifications, or when contracting for services of a noncompetitive nature.

(2) **Performance And Payment Security:**

(i) **Construction Contracts**

When contracting for construction work, the following shall apply:

a. **Performance Security**

For every construction contract with an estimated value exceeding \$50,000, the County Purchasing Agent may require performance security in an amount deemed adequate.

b. **Payment Security**

For every construction contract with an estimated value exceeding \$50,000, the County Purchasing Agent shall require payment security in an amount equal to 100% of the contract amount.

c. **Release Of Security**

When 70% of a construction project has been completed, the Purchasing Agent may reduce the amount of the performance and payment security required to 50% of the contract amount and retain the remaining 50% of the security to ensure completion of the project and payment of subcontractors.

(ii) **Supply Contracts**

When contracting for supplies which are unique or customized to County specifications, the purchasing agent may require a performance or payment security, or both, in an amount deemed adequate by the Purchasing Agent.

(iii) **Service Contracts**

When contracting for services of a noncompetitive nature, the Purchasing Agent may require a performance or payment security, or both, in an amount deemed adequate by the purchasing agent.

(f) **Inspections**

- (1) The County Purchasing Agent may require tests of samples and deliveries in order to determine quality in relation to specifications. These tests may be performed in the facilities of a user agency or in an outside laboratory.
- (2) User agencies shall inspect deliveries of supplies or furnishing of services to assure conformance with the specifications of the purchase order or contract.
- (3) The County Executive, upon the recommendation of the County Purchasing Agent, may authorize any user agency with the necessary facilities and staff to inspect deliveries to other agencies.

(g) **Property Accounting**

The County Purchasing Agent shall control and supervise all property accounting.

(h) **Surplus Supplies**

- (1) All user agencies shall submit to the County Purchasing Agent reports showing stocks of all surplus supplies.
- (2) The County Purchasing Agent may transfer surplus supplies to other using agencies in lieu of filling requisitions for new supplies.
- (3) If the County Purchasing Agent determines that the surplus supplies cannot be used by any agency of the County, the County Purchasing Agent may dispose of the surplus supplies and seek to gain the maximum value for the County in the disposition by:
  - (i) Trading in the surplus supplies;

- (ii) Selling the surplus supplies (other than vehicles) to County employees;
- (iii) Auctioning or selling surplus supplies, including selling them for scrap value or dismantling them for recovery of valuable parts;
- (iv) With the approval of the County Executive and County Council, donating the surplus supplies to charitable or non-profit organizations that have tax exempt status; or
- (v) If no value can be realized from the surplus supplies, by destroying them.

(i) **Multi-Year Contracts**

- (1) If the nature of such transactions reasonably requires the making of a multi-year contract, the County may contract to purchase supplies or services for periods of more than 1 year if funds for the total cost of the contract are available at the time the contract is executed and committed for the purposes of the contract.
- (2) Any contract requiring the payment of funds from appropriations of subsequent fiscal years shall be made or approved by ordinance, pursuant to Section 612 of the Howard County Charter.

(j) **Conflicts**

In the event that state or federal assistance requirements conflict with the provisions of this subtitle, the County is authorized to comply with the terms and conditions of the state or federal assistance requirements.

**Section 4.119. Ethics And Fair Employment Practices**

(a) **Conflict Of Interest**

Bidders, vendors, purchasers, and County employees involved in the purchasing process shall be governed by the provisions of the Howard County Charter and Howard County law regarding conflict of interest. No vendor shall offer a gratuity to an official or employee of the County. No official or employee shall accept or solicit a gratuity.

(b) **Discouragement Of Uniform Bidding**

- (1) It is the policy of the County to discourage uniform bidding by every possible means and to endeavor to obtain full and open competition on all purchases and sales.
- (2) No bidder may be a party with other bidders to an agreement to bid a fixed or uniform price.
- (3) No person may disclose to another bidder, nor may a bidder acquire, prior to the opening of bids, the terms or conditions of a bid submitted by a competitor.

(c) **Fair Employment Practices**

- (1) Bidders, vendors, and purchasers may not engage in unlawful employment practices as set forth in Subtitle 2 "Human Rights" of Title 12 of the Howard County Code, Section 14 of Article 49B of the Annotated Code of Maryland or Sections 703 and 704 of Title VII of the Civil Rights Act of 1964 as amended. Should any bidders, vendors or purchasers engage in such unlawful employment practices, they shall be subject to being declared irresponsible or being debarred pursuant to the provisions of this subtitle.
- (2) The Howard County Office of Human Rights shall notify the County Purchasing Agent when any bidder is found, by a court of competent jurisdiction, to have engaged in any highly unlawful employment practices.
- (3) If any bidder has been declared to be an irresponsible bidder for having engaged in an unlawful employment practice and has been debarred from bidding pursuant to this subtitle, the Howard County Office of Human Rights shall review the employment practices of such bidder after the period of debarment has expired to determine if violations have been corrected and shall, within 30 days, file a report with the County Purchasing Agent informing the agent of such corrections before such bidder can be declared to be a responsible bidder by the County Purchasing Agent.

(4) **Payment Of Subcontractors**

All contractors shall certify in writing that timely payments have been made to all subcontractors supplying labor and materials in accordance with the contractual arrangements made between the contractor and the subcontractors. No contractor will be paid a second or subsequent progress payment or final payment until such written certification is presented to the County Purchasing Agent.

**Section 4.120. Rain Forest Wood Products Purchasing Prohibition**

(a) **Short Title**

This section shall be known as the Rain Forest Protection Act of 1991.

(b) **Prohibitions**

Except as provided in subsection (c), Howard County, or a contractor pursuant to a contract with Howard County, shall not purchase any of the following wood products:

Scientific Name	Common Name
Vouacapoua americana	acapu
Pericopsis elata	afromosia
Shorea almon	almon
Peltogyne spp.	amaranth
Guibourtia	amazaque
Aningeria spp.	aningeria
Dipterocarpus grandiflorus	apitong
Ochrama lagopus	balsa
Viorla spp.	banak

Anisoptera thurifera	bella rosa
Guibourtia arnoldiana	benge
Detarium senegalese	boire
Guibourtia demeusii	bubinga
Prioria copaifera	cativo
Antiaris africana	chenchen
Dalbergia retusa	concobolo
Cordia spp.	cordia
Diospyros spp.	ebony
Aucoumea klaineana	gaboon
Chlorophora excelsa	iroko
Acacia koa	koa
Pterygota macrocaroa	koto
Shorea negrosensis	red lauan
Pentacme contorta	white lauan
Shorea polysperma	tanguile
Terminalia supurba	limba
Aniba duckei	louro
Khaya ivorensis	African mahogany
Swietenia macrophylla	American mahogany
Tieghemella heckelii	makore
Distemonanthus benthamianus	movingui
Pterocarpus soyauxii	African paduak
Pterocarpus angolensis	angola paduak
Aspidosperma spp.	peroba
Peltogyne spp.	purpleheart
Gonystylus spp.	ramin
Dalbergia spp.	rosewood
Entandrophragma cylindricum	sapele
Shorea philippinensis	sonora
Tectona grandis	teak
Lovoa trichilioides	tiger wood
Milletia laurentii	wenge
Microberlinia brazzavillensis	zebrawood

All contracts for the purchase of wood products entered into after the effective date of this subtitle shall comply with the provisions of this section. For purposes of this subtitle, wood products are those exposed wood areas which are visible to the eye.

(c) **Exemptions**

The County Purchasing Agent shall only exempt an item or type of wood product from the requirements of this subtitle upon:

- (1) Written evidence showing the use of tropical wood or wood products is deemed necessary for historical restoration or to repair existing facilities, that such item has no acceptable nontropical wood equivalent and that imposing the requirements on that item or type would cause undue hardship; or

- (2) Written evidence showing that the tropic wood item or type has been harvested from a pre-existing plantation, managed to maintain environmental functions, including watershed stability and erosion control practices, sustained yield production, and positive impact on the well-being of local communities; or
- (3) Written evidence showing that the use of a tropic wood item would be an environmentally superior alternative to a native or imported wood type presently in use in Howard County; or
- (4) Written evidence showing that the wood products were required to be purchased under a contract entered into prior to the effective date of this subtitle. The provisions of this subtitle shall not apply to any procurement that is under \$2,000. The provisions of this subtitle shall not apply to any joint or cooperative purchasing program authorized in accordance with Section 4.103(t). Notwithstanding any exemptions provided by this section, the County Purchasing Agent shall make every effort to purchase only those items not containing tropical wood or wood products.

(d) **Enforcement**

- (1) Any person submitting a bid shall certify, to the best of the person's knowledge and belief, in writing to the County Purchasing Agent that any wood or wood products to be supplied pursuant to a contract with Howard County complies with this subtitle.
- (2) The County Purchasing Agent may not accept a bid from a person who does not provide the certification required by this subsection, unless an exemption pursuant to subsection (c) is granted.
- (3) The County Purchasing Agent may promulgate regulations and take any necessary actions provided under Section 4.121 "Violations" of this subtitle to enforce this subtitle.

**Section 4.121. Violations**

(a) **Price Fixing**

The County Purchasing Agent shall void the bid of a bidder who has been found to be a party to a fixed-price bid agreement.

(b) **Disclosure Of Terms Of Bid**

The County Purchasing Agent shall void the bid of a bidder who has disclosed the terms of conditions of his/her bid to another bidder prior to the opening of bids.

(c) **Acquiring Terms Of Bid**

The County Purchasing Agent shall void the bid of a bidder who has acquired the terms and conditions of a competitor's bid prior to the opening of bids.

(d) **Violation Of Section 4.106 "Procurement Methods" And Section 4.107 "Competitive Bidding; Purchases And Sales Over \$30,000"**

Any violation of Section 4.106 "Procurement Methods" and Section 4.107 "Competitive Bidding; Purchases And Sales Over \$30,000" shall constitute an offense punishable upon conviction by imprisonment for a period not to exceed 6 months or a fine not to exceed \$1,000 or both.

(e) **Unlawful Purchases And Sales**

It shall be unlawful for any County officer or employee to order the purchase of any supplies or contractual services or to sell supplies except pursuant to this subtitle. Any purchase order, sale or contract made contrary to the provisions of this subtitle shall be void.

(f) **Violations Of Subtitle**

Any County officer, agent, or employee knowingly violating any provision of this subtitle is subject to removal from office.

**Section 4.122. Equal Business Opportunity Program**

(a) **Purpose**

The purpose of these provisions is to foster overall equity and fairness to all citizens in relation to business enterprises conducting business with the County.

(b) **Adoption Of Equal Opportunity Business Program**

Pursuant to Section 4.103 (d) and (e) of this Subtitle, the County Purchasing Agent shall develop and implement an equal business opportunity program, subject to the approval of the County Executive and of the County Council, by resolution. The County Purchasing Agent shall seek the input of the Equal Business Opportunity Commission in the development of the program.

(c) **Elements Of The Equal Business Opportunity Program**

The Equal Business Opportunity Program shall include, but is not limited to, the following elements:

(1) **Goals**

Reasonable equal business opportunity participation goals for each category of certified business firms to include provisions for periodic review and update of such goals.

(2) **Methods For Providing Equal Business Opportunity**

Structuring of the procurement process so that business opportunities are provided to minority business enterprises, woman business enterprises, and disabled business enterprises through the mechanisms of subcontracting, direct award of contracts and fostering of joint ventures.

(3) **Notification Of County's Equal Business Opportunity Goals**

Procedures for notifying the public and respondents to County solicitations of the County's equal business opportunity goals. Such procedures will also require the use of area minority-owned newspapers.

(4) **Certification**

Certification of minority business enterprises, woman business enterprises, and disabled business enterprises. The program shall provide for the Equal Business Opportunity Commission, established under the provisions of Subtitle 6 of this title, to undertake the certification process on behalf of the County, pursuant to criteria and procedures set forth in the program.

(5) **Monitoring Contract Execution**

Procedures for monitoring contract execution of firms awarded contracts under these provisions.

(6) **Data**

Procedures for collecting and maintaining statistical data which can be used to measure the effectiveness of the Equal Business Opportunity Program.

(7) **Waiver Of Subcontracting Goals**

Procedures for approving a waiver of a portion of or all of the subcontracting goals established for minority business enterprises, woman business enterprises, or disabled business enterprises in any contract where a participation goal exists.

(8) **Enforcement**

Adequate measures for enforcement of Equal Business Opportunity Program provisions.

**Section 4.123. Severability**

If any provision of this subtitle or its application to any person or circumstance is held invalid for any person, such invalidity shall not affect the other provisions or any other application of this subtitle which can be given effect without the invalid provisions or application; and to this end all provisions of this subtitle are hereby declared to be severable.

## **Subtitle 5. Purchase of Recycled and Environmentally Preferable Products and Equipment**

### **Section 4.500. Statement of purpose**

The purpose of this subtitle is to require establishment of a plan to increase purchases of products made from recycled materials, to exercise leadership for county purchasing system users, and to demonstrate to manufacturers that a consistent, long-term demand exists for products made from recycled materials. (C.B. 35, 2003)

### **Section 4.501. Definitions**

For the purposes of this subtitle, the following words and phrases have the meanings given in this section:

- (a) **Environmentally preferable product and equipment (EPP)** means a product or equipment that possess one or more of the following environmentally beneficial qualities:
  - (1) Maximizes recycled or reused product content;
  - (2) Maximizes potential for reuse or recycling;
  - (3) Minimizes resources used for producing, manufacturing, transporting, operating, maintaining or disposing;
  - (4) Eliminates or minimizes the toxic or degrading agents in product content or manufacturing process;
  - (5) Minimizes pollution;
  - (6) Minimizes adverse affects on human health; or
  - (7) Minimizes environmental degradation.
- (b) **Percentage price preference** means the percentage for which a responsive bid may exceed the lowest responsive bid that is not an EPP.
- (c) **Product preference** means the preference given a product containing recycled material when all other factors are the same.
- (d) **Recycled material** means material recovered from or otherwise diverted from the waste stream. It includes post-consumer waste, industrial scrap material, obsolete inventories, and recycled paper. It does not include mill broke or similar paper waste generated in a paper mill prior to completion of the paper-making process or, in other industries, those materials and by-products generated in and commonly reused within an original manufacturing process. (C.B. 35, 2003)

**Section 4.502. Purchase of products made from recycled materials**

To encourage the maximum purchase of products containing recycled materials, the Chief Administrative Officer shall:

- (a) Develop and submit for approval to the County Council within 8 months of the effective date of this subtitle (August 7, 2003), a plan to increase the County's purchase of products made from recycled materials; and
- (b) Review the purchasing specifications currently used by the County and, to the extent practicable, require the requisitioning agency to use supplies and materials containing recycled materials during development of the plan; and
- (c) Establish a purchasing system whereby product preference is given to products made from recycled materials; and
- (d) Direct that the initial plan submitted to the County Council within 8 months of the effective date of this subtitle shall include a list of products made from recycled materials currently purchased by the County. (C.B. 35, 2003)

**Section 4.503. Contents of the plan**

The plan to increase the County's purchase of products made from recycled materials shall:

- (a) Include a strategy for the periodic review of all appropriate purchasing specifications, manuals, procedures, and forms to eliminate direct and indirect prohibitions and limitations against products made from recycled materials.
- (b) Recommend revisions of appropriate purchasing specifications and manuals, where practicable, to encourage the purchase of products made from recycled materials.
- (c) Include recommendations for administrative or legislative changes to increase the purchase of products made from recycled materials.
- (d) Include definitions and standards that meet and are consistent with those set by the Maryland Department of General Services and the U.S. Environmental Protection Agency.
- (e) Establish goals and timelines for periodic review of existing purchasing requirements and procedures and for increasing purchases of products made from recycled materials.
- (f) Provide for participation, whenever practicable, in cooperative purchasing agreements for all purchases.
- (g) Establish a program for encouraging the Howard County Department of Education, the Howard County Library, and the Howard County Community College to increase purchases of products made from recycled materials.

- (h) Provide that, where practicable, products should be packaged in recycled and recyclable materials.
- (i) Shall include provision for the purchase of remanufactured and reusable products, where practicable.
- (j) Establish a monitoring system to evaluate progress toward goals.
- (k) Reduce waste through purchasing practices.
- (l) Be incorporated into the Howard County Solid Waste Management Plan. (C.B. 35, 2003)

**Section 4.504. Annual report**

Beginning January 1, 1994, and by January 1 of each year, the Chief Administrative Officer shall submit a report to the County Council and the County Executive evaluating the County's progress in implementing the recycled products plan for the prior year. The report shall include a description of efforts to encourage the maximum purchase of products made from recycled materials and any recommendations to increase the purchase of products made from recycled materials.

- (a) The report shall provide:
  - (1) A comparison of the objectives of the plan with the previous year and the current year, to include total products purchased.
  - (2) A summary of any policy and specification revisions or changes made during the year.
  - (3) A listing of any cooperative purchasing agreements/contracts for recycled products executed during the year with results for Howard County.
  - (4) A summary of the justification for determining that the purchase of a produce made from recycled materials is not practicable when a product made from recycled materials is available.
  - (5) The cost to the County of implementing this plan during the year.
  - (6) Information from the Department of Economic Development summarizing the prior year's progress on the following:
    - (i) Development and maintaining a system for on-going information exchange with research and development organizations and agencies which test new products made from recycled materials.
    - (ii) Establishing a program for encouraging the commercial sector to purchase products made from recycled materials where appropriate.

- (iii) Encouraging the location of manufacturers and distributors of products made from recycled materials in Howard County.
- (7) Recommendations for administrative or legislative changes.
- (8) Goals for the next year.

**Section 4.505. Percentage Price Preference for Environmentally Preferable Products (EPPs)**

- (a) Notwithstanding other provisions in this title, the County shall give a percentage price preference not exceeding 5% for the purchase of EPPs on the EPP list established in accordance with this subtitle.
- (b) A percentage price preference to EPPs will not apply if doing so will cause a denial of federal or state funding or is inconsistent with federal or state law.

**Section 4.506. List of EPPs**

The County Purchasing Agent shall:

- (a) Prior to December 31, 2003, establish a list of EPPs that shall, at a minimum, include specifications for the following:
  - (1) Products and equipment that are mercury-free or contain the least amount of mercury necessary to qualify as a responsive bid; and
  - (2) Paper and paper products that are processed chlorine-free and contain at least 30% post-consumer recycled content.
- (b) As appropriate, provide EPP specifications for additional products and equipment.
- (c) At least once per year, update and publish the list of EPPs.

**Section 4.507. Annual Report**

The County Purchasing Agent shall report to the County Council each year regarding the progress in purchasing EPPs and products containing recycled materials. The report shall include:

- (a) The number, type, and cost of all products containing recycled materials purchased by the County.
- (b) The additional cost and percentage increase, if any, attributed to EPP purchases.
- (c) The number, type, and cost of products purchased that did not meet the requirements for an EPP price preference, when a product eligible for an EPP price preference qualified as a responsive bid; and

(d) Recommendations to encourage the purchase of EPPs, which may include:

- (1) Adding products eligible for an EPP price preference.
- (2) Increasing percentage preference given for EPPs; and
- (3) Revising existing purchasing policies which may impede the purchase of EPPs.

(C.B. 35, 2003)

## Subtitle 6. Equal Business Opportunity Commission

### Section 4.600. Commission Established

There is an equal business opportunity commission. (C.B. 78, 1993)

### Section 4.601. Commission; Membership, Duties

- (a) **General Provisions:** General provisions applicable to this commission are set forth in subtitle 3, "Boards and Commissions", of title 6, "County Executive and the Executive Branch", of the Howard County Code.
- (b) **Number Of Members:** The Equal Business Opportunity Commission shall have 10 appointed members and 1 ex-officio member.
- (c) **Qualifications Of Members:**
  - (1) At least 7 of the members shall be residents of Howard County.
  - (2) 9 of the members shall be business owners, among whom shall be at least 5 minority individuals, at least 1 woman, and at least 1 individual with disabilities.
  - (3) 1 of the members shall be a member of the board of directors of the Economic Development Authority.
  - (4) The ex-officio member shall be the County Executive or the County Executive's designee.
- (d) **Executive Secretary:** The Equal Business Opportunity Officer shall serve as Executive Secretary to the commission. The Executive Secretary shall attend all meetings.
- (e) **Meetings:** The commission shall meet at least 4 times annually or more frequently at the call of the chairperson of the commission. The chairperson shall notify the commission members at least 5 days before any meeting.
- (f) **Quorums:** A quorum of the commission consists of 6 members.
- (g) **Oaths And Subpoenas:** In the execution of its certification duties, the commission has the power:
  - (1) To administer oaths; and
  - (2) Upon majority vote of the full commission, to issue subpoenas to compel witnesses and the production of records and documents relevant to or necessary to the proceedings. In case of disobedience to a subpoena, the County, on behalf of the commission, may apply to a court of appropriate jurisdiction for an order requiring compliance with the subpoena.

- (h) **Definitions:** Words and phrases used in this subtitle shall have their usual meanings or the meanings included in section 4.102, "Definitions", of this title.
- (i) **Conflicts Of Interest:** If a member of the commission, his/her spouse, parent, child, or affiliated business interest has a financial interest in a certified business or a business which applies to be certified, the commission may certify or decertify the business, provided that:
  - (1) Pursuant to the provisions of the Howard County Charter and the Howard County Ethics Code regarding conflicts of interest, the commission member has been authorized to hold an interest in a business which is regulated by the County; and
  - (2) The commission member, in his/her commission capacity, does not participate in any discussions or votes regarding the certification/decertification of the business.
- (j) **Duties And Responsibilities:** The purpose of the Equal Business Opportunity Commission is to assist the efforts of the County in procuring goods and services from minority business enterprises, woman business enterprises, and disabled business enterprises pursuant to the County's Equal Business Opportunity Program and to monitor the activities of the Economic Development Authority to determine its efforts to include equal business opportunity concerns in its activities and programs.
  - (1) **Studies And Surveys Of Equal Business Opportunity:** The commission shall conduct surveys and studies in the following areas as they relate to equal business opportunity. These surveys and studies may be initiated by the commission or by resolution of the County Council or as directed by the County Executive.
    - (i) County policies and procedures in procurement and contracting;
    - (ii) The general conditions and problems encountered by business owners who are minority individuals, women, and individuals with disabilities;
    - (iii) Opportunities for minority business enterprises, women business enterprises, and disabled business enterprises to contribute to the economic and employment development of the County; and
    - (iv) Evidence of discrimination with respect to minority business enterprises, woman business enterprises, and disabled business enterprises.
  - (2) **Recommendations For Changes:** On the basis of evidence, surveys and studies made pursuant to this section, the commission shall recommend to the County Executive, the County Purchasing Agent, the County Council, and the Economic Development Authority changes in existing laws, policies, programs, and practices designed to ensure equal business opportunity for minority business enterprises, woman business enterprises, and disabled business enterprises.

(3) **Certification, Decertification:**

- (i) The commission shall, on behalf of the County, certify as to the authenticity of minority business enterprises, woman business enterprises, and disabled business enterprises pursuant to section 4.602 of this subtitle.
- (ii) The commission may hear and decide appeals regarding the decertification of minority business enterprises, woman business enterprises, and disabled business enterprises pursuant to section 4.603 of this subtitle.

(4) **Annual Reports:** The commission shall submit annual reports to the County Council, the County Executive, and the Economic Development Authority on its activities during the previous year. The report shall include a copy of the roster of certified businesses.

(5) **Other Duties:** At the directive of the County Executive or by resolution of the County Council, the Equal Business Opportunity Commission shall review and make recommendations on any matter related to equal business opportunity. (C.B. 78, 1993)

**Section 4.602. Certification:**

The County's Equal Business Opportunity Program will require that, in order to take advantage of the program, businesses be certified as authentic minority business enterprises, woman business enterprises, and disabled business enterprises.

- (a) **Criteria And Procedures:** The Equal Business Opportunity Commission shall make recommendations to the County Purchasing Agent on:
  - (1) Criteria for certification;
  - (2) Procedures for certification.
- (b) **Notification:** The Equal Business Opportunity Commission shall publish the criteria and procedures for certification and make them available to the public.
- (c) **Reciprocal Certification:** The Equal Business Opportunity Commission may issue reciprocal certification to business which are certified in another jurisdiction that administers a substantially equivalent equal business opportunity program.
- (d) **Investigation By Equal Business Opportunity Officer:** The Equal Business Opportunity Officer shall investigate all applications for certification to determine whether the business meets the criteria established by the Equal Business Opportunity Program. The Equal Business Opportunity Officer shall also investigate written information brought to his/her attention regarding the applicant's authenticity as a minority business enterprise, woman business enterprise, or disabled business enterprise.

- (e) **Decision Final:** A decision by the Equal Business Opportunity Commission whether or not to certify a business is final. (C.B. 78, 1993)

**Section 4.603. Decertification**

- (a) **Grounds For Decertifying A Business:** The Purchasing Agent may decertify a business upon findings of any of the following:
- (1) The certified business is subject to disbarment or suspension in accordance with subtitle 1 of this title;
  - (2) The certified business has practiced fraud or deceit for the purpose of obtaining certification;
  - (3) The certified business has furnished to the County incomplete or substantially inaccurate ownership or financial information;
  - (4) The certified business has failed to report a change which affects its qualification for certification;
  - (5) The certified business fraudulently contracted to perform work or provide services and then subcontracted the work to a business which was not owned by a minority individual, a woman, or an individual with disabilities; or
  - (6) The certified business has willfully violated any provision of this title.
- (b) **Appeal Of Decertification:** A business aggrieved by a decision of the Purchasing Agent to decertify the business may appeal the decision to the Equal Business Opportunity Commission. The appeal shall be in writing and shall be filed with the Executive Secretary of the commission within 15 days of the decision of the Purchasing Agent. The decision of the Equal Business Opportunity Commission shall be final.
- (c) **Investigation Of Complaints:** The Equal Business Opportunity Officer shall investigate sworn, written allegations that a certified business has:
- (1) Practiced fraud or deceit for the purpose of obtaining certification;
  - (2) Furnished incomplete or substantially inaccurate ownership or financial information to the County;
  - (3) Failed to report a change which affects its qualification for certification;
  - (4) Fraudulently subcontracted work to a business which is not a minority business enterprise, woman business enterprise, or disabled business enterprise; or
  - (5) Willfully violated the purchasing code.

- (d) **Hearing On Complaints:** If the Equal Business Opportunity Officer's investigation indicates that there is reasonable cause to believe that the allegation is correct, the Equal Business Opportunity Officer shall submit the results to the commission, which shall conduct a hearing on the allegation. The commission may decertify the business or recommend that the purchasing agent take other appropriate action consistent with law. (C.B. 89, 1993)

**Section 4.604 Severability**

If any part of this subtitle is held to be invalid, the invalidity shall not affect the validity of the remaining parts of this subtitle. (C.B. 78, 1993)

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