

City of Peoria

Materials Management
8314 W Cinnabar
Peoria, Arizona 85345

NIGP Accreditation 2008

Supplemental - Comments

E26

We value our users input very highly when it comes to meeting their needs. When standardization is brought to the table by either the using department or our procurement staff, the justification for limiting competition must be analyzed clearly and carefully. The decision to standardize is a collaboration between all parties germane to the situation. The parties usually include procurement, the user, any support area (i.e. Facilities) and possibly consultants. Some examples of standardization are HVAC controls for buildings, fire alarm systems, security systems, modular furniture, lighting fixtures, and the monitoring system for water product i.e. Supervisory Control and Data Acquisition (SCADA).

award of a contract to the successful offeror shall be promptly given to all offerors.

(8) *Debriefings.* The Procurement Officer is authorized to provide debriefings that furnish the basis for the source selection decision and contract award.

ABA Model Procurement Code Reference 3-203

(Ord. No. 08-01, 1/15/08, Enacted) SUPP 2008-1

Sec. 2-313.2. Cancellation of Invitations for Bids or Requests for Proposals.

An Invitation for Bids, a Request for Proposals, or other solicitation may be cancelled, or any or all bids or proposals may be rejected in whole or in part as may be specified in the solicitation, when it is in the best interests of the city in accordance with the code and in accordance with the procurement guidelines.

ABA Model Procurement Code Reference 3-301

(Ord. No. 08-01, 1/15/08, Enacted) SUPP 2008-1

Sec. 2-313.3. Responsibility of Bidders and Offerors.

(1) *Determination of Nonresponsibility.* A written determination of nonresponsibility of a bidder or offeror shall be made in accordance with regulations. The unreasonable failure of a bidder or offeror to promptly supply information in connection with an inquiry with respect to responsibility may be grounds for a determination of nonresponsibility with respect to such bidder or offeror.

(2) *Right of Nondisclosure.* Confidential information furnished by a bidder or offeror pursuant to this Section shall not be disclosed outside of the Office of the Materials Manager. The Materials Manager shall make a determination whether the information shall be subject to public disclosure.

ABA Model Procurement Code Reference 3-401

(Ord. No. 08-01, 1/15/08, Enacted) SUPP 2008-1

Sec. 2-313.4. Prequalification of Suppliers.

Prospective suppliers may be prequalified for particular types of supplies, services, and construction. The method of submitting prequalification information and the information required in order to be prequalified shall be determined by the Materials Manager.

ABA Model Procurement Code Reference 3-402

(Ord. No. 08-01, 1/15/08, Enacted) SUPP 2008-1

Sec. 2-313.5. Substantiation of Offered Prices.

The Procurement Officer may request factual information reasonably available to the bidder or offeror to substantiate that the price or cost offered, or some portion of it, is reasonable, if:

ARTICLE 300 SPECIFICATIONS/SCOPE OF WORK

R-12-301. PREPARATION OF SPECIFICATIONS/SCOPE OF WORK

- A. Specifications/scope of work shall be prepared by Materials Management or by using Governmental Units pursuant to R-12-304 or by contract pursuant to R-12-306.
- B. In an emergency procurement, any necessary specifications may be utilized by Materials Management or using Governmental Unit without regard to the provisions of this Section.

R-12-302. CONTENT OF SPECIFICATIONS/SCOPE OF WORK

- A. A specification/scope of work may provide alternate descriptions of materials or services, or construction items where two (2) or more design, functional, or performance criteria will satisfactorily meet the City's requirements.
- B. To the extent practicable, a specification/scope of work shall not include any solicitation term or condition or any contract term or condition.
- C. If a specification/scope of work for a common or general use item has been developed in accordance with R-12-303.A or a qualified products list has been developed in accordance with R-12-303.D for a particular material, service, or construction item, it shall be used unless the Materials Manager makes a determination that its use is not advantageous to the City and that another specification shall be used.
- D. To the extent practicable, a specification/scope of work shall emphasize functional or performance criteria. To facilitate the use of such criteria, using departments shall use reasonable efforts to include the principal functional or performance requirements as a part of their purchase requisitions.

R-12-303. TYPES OF SPECIFICATIONS/SCOPE OF WORK

- A. Specifications/scope of work for Common or General Use Items. To the extent practicable, a specification/scope of work for common or general use item shall be prepared and utilized when:

1. A material, service or construction item is used in common by several using Governmental Units or used repeatedly by one using Governmental Unit, and the characteristics of the material, service, or construction item, as commercially produced or provided, remain relatively stable while the frequency or volume of procurement is significant;
2. The City's recurring needs require uniquely designed or specially produced items;
or
3. The Materials Manager finds it to be advantageous to the City.

B. Brand Name or Equal Specification

1. A Brand Name or Equal Specification may be used when the Procurement Officer determines that use of a Brand Name or Equal Specification is advantageous to the City and that;
 - a) No specification for a Common or General Use Item or Qualified Products List is available;
 - b) Time does not permit the preparation of another form of specification, other than a Brand Name Specification; or
 - c) The nature of the product or the City's requirements makes use of a Brand Name or Equal Specification suitable for the procurement.

C. Brand Name Specifications

1. A Brand Name Specification may be prepared and utilized only if the Materials Manager makes a written determination that only the identified brand name item will satisfy the City's needs.
2. If a Brand Name Specification is utilized the Procurement Officer shall, to the extent practicable, identify sources from which the designated brand name item can be obtained and shall solicit such sources to achieve the maximum practicable competition.