



Treasury & Financial Management

Supplier Manual For Equipment, Supplies And Services

Purchasing Division



Treasury & Financial Management

Treasury and Financial Management – Purchasing Division

Dear Supplier:

Welcome to Johnson County Treasury and Financial Management — Purchasing Division. The primary purpose of this booklet is to serve as a guide in explaining the procurement process by which Johnson County Treasury and Financial Management — Purchasing Division supplies required goods and services to County departments and agencies. Competitive procurement is the basis for this process, providing County departments with the maximum value at the lowest cost to the taxpayers.

Please feel free to request additional information by calling or writing to:

Treasury and Financial Management — Purchasing Division
111 South Cherry, Suite 2400
Olathe, Kansas 66061-3486
(913) 715-0525
Fax: (913) 715-0577

Thank you for your interest, and we look forward to doing business with you in the future.

Sincerely,

Treasury and Financial Management — Purchasing Division

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PREFACE

The purpose of this booklet is to acquaint interested suppliers with the procurement process of Johnson County, Kansas, and to outline the various steps involved in obtaining purchase orders and contracts for County purchases of supplies, equipment and services.

It is the objective of the County to procure the necessary supplies, equipment and services at the lowest possible cost consistent with the quality needed to meet the requirements of the County departments and to ensure that the taxpayers receive maximum value for each dollar expended. All potential suppliers are invited and encouraged to share in the volume of County purchases consisting of a variety of goods and services.

No political or other prejudicial considerations govern the award of County orders or contracts; and every purchase is made in the public's best interest, providing all suppliers a fair and equal opportunity.

Visits by sales representatives to Treasury and Financial Management — Purchasing Division are welcomed and encouraged. Appointments are recommended.

Learning about Bid Opportunities

Suppliers may learn of bid opportunities with Johnson County by visiting www.jocogov.org and clicking on the search for link and selecting the Bid/RFP opportunities. This will take them to the Purchasing home page where they can access Bid/RFP information available on the Johnson County electronic bidding site. Potential vendors may register free of charge to receive County Bid and RFP solicitations and respond to those solicitations electronically. Construction documents will be made available through the plans room that the County has contracted for that service.

Johnson County places constructions advertisements in a local newspaper and runs a standard weekly ad referencing the County website for commodity and services Bids and RFPs.

Bids or RFPs may be viewed electronically at jocogov.ionwave.net, distributed through the construction plans room under contract or directly at 111 South Cherry St., Suite 2400, Olathe KS 66061.

Procurement Methods

Treasury and Financial Management - Purchasing Division, *generally uses three (3) basic types* of procurement methods. Other methods may be used as deemed in the best interest of the County. The three (3) procurement methods are:

- A *Request for Quotation* (commonly referred to as an “*RFQ*”) is utilized for the informal solicitation of prices for small purchases of commodities or services from \$10,000.00 to under \$50,000.00. An *RFQ* may be accomplished in writing or via the telephone at the option of the Purchasing Administrator. In addition, an *RFQ* may be designated as either an informal Invitation for Bid or as an informal Request for Proposal as described below. In either case, all potential bidders or offerors will be given a target date and time by which quotations should be submitted. The Purchasing Administrator may, at his/her option, award an order immediately after expiration of the target date/time or continue soliciting and receiving quotations for a reasonable time thereafter. Bidders and offerors are strongly encouraged to provide an immediate response to an *RFQ* since awards are made promptly.
- An *Invitation for Bid* (commonly referred to as an “*IFB*”) is a formal request for sealed bids which must be advertised as prescribed by state law. The document will contain standard technical specifications of a specific nature and a formal bid closing date and time with which the bidder must comply in order to be considered for award. The supplier who responds to an *Invitation for Bid* with an offer to sell is referred to as a “*Bidder*” and the document submitted by the bidder is referred to as a “*Bid*”.
- A *Request for Proposal* (commonly referred to as an “*RFP*”) is used when the requirements would preclude the use of detailed specifications. An *RFP* will contain functional specifications or a Scope of Work for which the offeror must respond with a sealed technical proposal. A formal proposal open date and time will be specified. Subjective evaluation criteria will be described and used by the Evaluation Committee to select a contractor. The supplier who responds to a *Request for Proposal* with the offer of a technical proposal and cost proposal is referred to as an “*Offeror*” and the document submitted by the offeror is referred to as a “*Proposal*”. This method of procurement is not usually used for the purchase of supplies and equipment.

Public Advertisements of Procurements

Any construction procurement estimated to be at \$50,000 or greater will be advertised in a local newspaper and posted at jocogov.ionwave.net. Goods and services estimated at \$50,000 or greater will be posted at jocogov.ionwave.net and advertised in the manner.

Receipt and Opening of Formal Sealed Bids and Proposals

Bidders, Offerors, and the public are invited, but not required, to attend formal Bid and Proposal openings. In the case of an Invitation for Bid (IFB), prices will be read aloud to the public. In the case of a Request for Proposal (RFP), Proposals will be opened but only the name of the Offeror will be read aloud. Decisions related to an award of a contract or purchase order will not be made at the opening.

It is the Bidder's or Offeror's sole responsibility to ensure that a Bid or Proposal is submitted electronically at jocogov.ionwave.net prior to the time and the date specified. Late bids will be disallowed.

Submissions are sealed and saved to an electronic lockbox prior to due date and time. Suppliers must ensure the submission is completed prior to the due date and time with all attachments uploaded electronically.

All bids and unofficial tabulation sheets will be posted to jocogov.ionwave.net within 24 hours of the bid opening and publicly made available. Names of Offerors will be announced and posted for Request for Proposal. Proposal information will be available in accordance with Kansas Open Records Act after award of contract. These documents are available for inspection during regular working hours.

Award Policy

Criteria for Bid Award: Award will be made to the lowest responsive and responsible bidder considering price, responsibility, qualification and capability of bidder, availability of funds, and all other relevant factors. Bids must meet specifications/scope of work and other requirements of the Invitation for Bid.

Johnson County, Kansas suppliers will be given preference in the award of a contract only when all other considerations are equal. Suppliers from outside the State of Kansas will be given the same consideration as Kansas suppliers would be given in their state.

Criteria for Proposal Award: Award will be made based on the evaluation criteria identified in the RFP. Criteria include, but are not limited to, project approach, similar work experience, key staff members and cost. Proposals must meet specifications/scope of work and other requirements of the Request for Proposal.

Non-Criteria for Award: The following are not considered in evaluating bids/proposals for award:

- Assistance in the development of specifications or other advisory services provided by the suppliers. Although such assistance is valuable and appreciated by Treasury and Financial Management, no preferential recognition can be given in return for these services.
- Cash discounts offered for quick payment.

Factors not contained in the IFB/RFP.

Open Competition

It is the intent and purpose of Treasury and Financial Management - Purchasing Division that bid specifications allow free and open competition. It is the responsibility of a bidder to advise Treasury and Financial Management — Purchasing Division when, in their opinion, any language or requirement, or combination thereof, inadvertently restricts or limits a bid requirement to a single source. Such notification must be submitted in writing within the time limitation specified in the IFB.

In addition, Johnson County strives to design specifications for compatibility with standard trade practices and to use procedures that will accomplish its mission in accordance with the law and prudent business practices. Potential bidders are encouraged to notify Treasury and Financial Management — Purchasing Division whenever, in their judgment, specifications do not allow open competition or do not comply with standard trade practices, or when they impose an impractical or unreasonable procedural burden. All suggestions or objections should be submitted in writing and must be received by the

Purchasing Administrator within the time limitation specified prior to any official closing date and time.

Suppliers should be aware that Treasury and Financial Management — Purchasing Division constantly monitors all procurement activities to detect any possibility of deliberate restraint of competition, collusion among suppliers, price fixing or any other anticompetitive conduct by suppliers which appears to violate state and/or federal antitrust laws. Any suspected violation will be referred to the Kansas Attorney General’s Office for appropriate action.

Purchasing Techniques

Open-Market Purchases: Treasury and Financial Management — Purchasing Division procures many items on an “as needed” basis for specific County departments. A firm price is requested for a fixed quantity with single or multiple delivery dates.

Depending on the estimated dollar value of the purchase, a formal sealed bid method or an informal bid method may be used. A purchase order is issued to the successful supplier.

County-Wide/Agency Term and Supply Contracts: Treasury and Financial Management — Purchasing Division establishes County-wide term and supply contracts for commodities or services commonly used in volume by County agencies. These contracts are awarded using a formal sealed bid method. They are awarded for definite periods of time, usually one (1) year with subsequent renewal options. These contracts are “open ended”, imposing no obligation on the County, other than the requirement to purchase from a successful contractor such quantities as may be required by the County during the period of the contract. The successful contractor will be mailed a County contract. Receipt of this contract does not authorize shipment. Shipment is only authorized by, and made after the supplier receives a properly executed purchase order.

Delegated Purchase Authority for County Agencies: All County agencies have been granted the authorization to purchase directly from suppliers for a total value of less than \$10,000.00.

For procurements from \$10,000.00 up to less than \$50,000.00 County agencies must solicit competitive bids/request for proposals. Whenever possible, a minimum of three (3) competitive bids/proposals are required. All such purchases must meet the rules and regulations of Treasury and Financial Management — Purchasing Division and comply with state law. Treasury and

Financial Management — Purchasing Division is responsible for the award and issuance of purchase orders for these requirements.

Security Deposit and Performance Bond

Security Deposit: If a security deposit is required, this requirement will be stated in the solicitation documents. If applicable, at the time a bid or proposal is submitted, the supplier must furnish a security deposit in accordance with solicitation requirements. A security deposit guarantees that a successful supplier will accept the contract or purchase order if offered and furnish the commodities or services as stated in the solicitation documents. Failure to accept the contract and/or furnish the commodities or services offered will cause the amount of the security deposit to revert to Johnson County. Security deposits (other than bonds) of unsuccessful suppliers will be returned after the award is made.

Performance Bond: If a performance bond is required, this requirement will also be stated in the solicitation document. The performance bond must be issued for the amount stated in the solicitation document and be in the form as prescribed in the solicitation document.

Payment Procedure

After delivery of commodities or services ordered, a supplier must prepare and submit invoicing for payment to Treasury and Financial Management as specified in the purchase order. Suppliers can expedite payment by preparing and mailing invoices in strict accordance with the instructions given on the order. For large orders requiring partial or periodic deliveries and involving sizable dollar values, separate invoicing may be submitted for each delivery.

When goods are received by the agency, they are inspected and checked against specifications, and a receiving report is prepared. The receiving report is then matched with the supplier's invoice and the purchase order. If all of these documents are in order the invoice is certified for payment by Treasury and Financial Management – Accounts Payable Division.

Payment will not be made to a party other than the supplier whose name appears on the order unless specific authorization is granted by Treasury and Financial Management — Purchasing Division.

General Information for the Supplier

Correspondence Concerning Invitations for Bids, RFPs or RFQs: Any question concerning an Invitation for Bid, a Request for Proposals or a Request for Quotations should be directed to the Purchasing Administrator whose name and telephone number is listed on the RFQ, (if applicable), IFB or RFP document. The person corresponding should specify the bid or quotation number and the bid opening date that appears in the solicitation document.

Bid Errors: Prior to submission of bids, supplier errors may be corrected by reverting the electronic submission, making the correction and resubmitting. No bid may be altered or amended after a bid opening. In the case of errors in the extension of price, the unit price will govern.

Modification or Withdrawal of Bids: Bids may be modified or withdrawn by reverting the electronic submission, making the correction and resubmitting prior to the bid opening date and time specified in the IFB or RFP... These actions must be accomplished prior to the specified time and date for the bid opening. Telephone requests to withdraw a bid will not be considered.

After bid opening a supplier may be permitted to withdraw its bid at the sole discretion of Treasury and Financial Management — Purchasing Division. A bid withdrawal could be allowed if there is an obvious error in the bid that is supported by cost data, or if enforcement of the bid might impose an unconscionable hardship caused by a bid error that results in a quotation substantially below other bids received. Such a bid withdrawal would be considered only after receipt of a written request from the bidder. No change in bid prices or other provision of bids would be allowed.

Late Bid: All bids must be received electronically at jocogov.ionwave.net on or before the exact date and time designated for the bid opening. Late bids will be disallowed regardless of the reason and circumstances causing the lateness.

Cancellation of Solicitation Document: Treasury and Financial Management - Purchasing Division may cancel a Solicitation Document any time prior to award.

Samples and/or Literature: Any samples or descriptive literature requested in the Invitation for Bid must be provided free of charge. Samples which are not destroyed by testing will be returned at the bidders' expense upon request. Samples submitted by successful bidders may be kept for duration of contract for comparison of shipment received.

Specifications: Unless a supplier specifies otherwise in their bid, it is assumed that the supplier is bidding in strict accordance with the specifications in the

Invitation for Bid. When merchandise is received that does not meet these specifications, it will be returned to the supplier, shipping charge collect and may be a cause for suspension.

New Equipment: All supplies and equipment offered and furnished must be new and of current production unless the invitation for Bid specifically permits offer of used items. Re-manufactured or reconstructed items are not considered new.

Trade-Ins: The County may request bids for new equipment employing trade-ins of used equipment. In such cases, a trade-in price quotation will be requested for trade-in purchases as well as a separate price quotation for equipment without trade-in. The County reserves the right to purchase equipment either with or without the trade-in.

Product Testing and Demonstration: Manufacturers and suppliers often offer demonstrations of their products at agency level. The County recognizes the value of such tests and demonstrations; however, in order to assure proper testing and valid evaluation, suppliers are requested to obtain prior approval for such tests/demonstrations from Treasury and Financial Management — Purchasing Division.

Substitutions: Substitution is defined as shipment of an item that materially conforms to the specifications but is technically different from the item bid. Substitution shall require the approval of Treasury and Financial Management — Purchasing Division prior to shipment.

Any products delivered that do not meet the specifications will be returned to the supplier at their expense. When a shipment or product is returned, the contractor must make immediate replacement with acceptable merchandise or the County may seek remedies for default.

Back-Orders: If it is necessary to back-order any items, the supplier should notify the agency and advise of expected delivery or shipment date. If this date is not acceptable, the County may seek remedies for default.

Default by Supplier: In case of any default by the contractor, the County may procure the product or service from other sources and hold the contractor responsible for any damages incurred including, but not limited to, excess cost or handling charge. Treasury and Financial Management — Purchasing Division shall have the right to suspend/debar any contractor who defaults on any contract with the County.

Packaging: All packaging shall conform to the award standard, be acceptable to the trade and comply with ICC regulations. A packing slip or invoice referencing the purchase order must accompany all shipments.

Inspection: All materials, equipment, and supplies are subject to inspection and tests. Items that do not meet specifications will be rejected. Failure to reject upon receipt does not relieve the contractor of liability. When subsequent tests after receipt are conducted and such tests reveal failure to meet specifications, the County may seek damages regardless of whether a part or all of the merchandise has been consumed.

Assignment of Contract or Purchase Order: Because the responsibility of an individual bidder is an essential element in a contract with the County, a firm or person to whom such a contract has been awarded may not assign their interest to another party without written permission from Treasury and Financial Management — Purchasing Division.

Authorization to do Business

A corporation must be authorized to do business in the State of Kansas by registration with the Office of the Secretary of State before they will be eligible to proceed with work under a contract.

Suspension or Debarment

Treasury and Financial Management may suspend or debar a supplier from bidding, if evidence is available for such action. If such action is exercised by Treasury and Financial Management, the bidder will be given a formal notification of such suspension or debarment.

CAUSE FOR SUSPENSION OR DEBARMENT:

The following shall be deemed sufficient cause for suspension or debarment. The list is not meant to be all inclusive but serves as a guideline for supplier discipline and business ethics.

SUSPENSION:

- Failure to comply with the conditions, specifications or terms of a bid or proposal or contract with the County including a recent record of unsatisfactory performance in accordance with the terms of one (1) or more contracts.
- Commission of any misrepresentation in connection with a bid or proposal.
- Charged by a court of competent jurisdiction with the commission of a criminal offense as an incident to obtaining or attempting to obtain a public or private contract or subcontract, or in the performance of such contract or subcontract. If charges are dropped or the supplier found not guilty, the suspension shall be lifted automatically upon notification and proof of final court disposition provided to the County by the supplier.
- Conviction under state or federal statutes of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property or any other offense indicating a lack of business integrity or honesty which currently, directly and seriously affects that supplier's responsibility as a County supplier. If charges are dismissed or the supplier found not guilty, the suspension shall be automatically lifted upon written notification and proof of final court disposition provided to the County by the supplier.
- Conviction under state or federal antitrust statutes arising out of the submission of bids or proposals.

- Supplier becomes insolvent, has proceedings in bankruptcy instituted against it or consolidates its debts or assigns over its estate or affects for payment thereof or has a receiver appointed over its property.
- Any other cause the department, County Manager or Purchasing Manager determines to be as serious or compelling as to materially and adversely affect the responsibility of the business as a government contractor, including but not limited to suspension by another government entity for substantial cause.

DEBARMENT:

- Failure to fully comply with conditions, specifications, drawings, schedules or terms of a bid, proposal or contract with the County.
- Conviction by or judgment obtained in a court of competent jurisdiction for commission of offenses in connection with the supplier's commercial enterprise. If the conviction is reversed through the appellate process, the debarment shall be immediately lifted upon written notification and proof of final court disposition to the County from the supplier.
- Conviction for the commission of any fraud or act of collusion in connection with a bid, quotation, proposal or other act incident to doing business with the County.
- Inclusion on Federal debarred supplier list.