



# PURCHASING & PROCUREMENT POLICY

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<b>Updated By:</b>	Finance Manager		

## POLICY:

This policy shall govern purchasing for all Northwest Colorado Council of Governments (NWCCOG) programs where the NWCCOG is the fiscal agent unless the granting or donor authority requires a more restrictive policy, which shall prevail.

## GENERAL APPROACH:

- NWCCOG will act with good judgment in complying with purchasing and procurement laws, requirements, and policies.
- The NWCCOG fulfills its agreements with suppliers and business partners in good faith when purchasing.
- The NWCCOG understands the significance of sensitive information and keeps such information confidential and secure per the NWCCOG IT and HIPAA Policy.
- The NWCCOG makes purchases using fair, open, transparent, and simple procedures in compliance with Uniform Guidance (2 C.F.R. Part 200)
- The NWCCOG may renew service contracts annually for up to five years without repeating the bidding process.
- The NWCCOG adheres to 2 CFR § 200.322 and will make every effort to purchase materials and services domestically, preferably locally, whenever possible and when costs are comparable.
- The NWCCOG adheres to 2 CFR § 200.18(h) and awards contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of the proposed procurement.
- The NWCCOG adheres to 2 CFR § 200.18(d) and takes steps to avoid the acquisition of unnecessary or duplicative items.

## PURCHASING GUIDELINES AND LIMITS:

- Whenever possible, verbal quotes should be sought from several vendors for purchases.
- For purchases over \$10,000, written quotations must be received. Certain programs or grants may have different thresholds defined in their policies or contracts; in which case, the lower limit will apply.
- For purchases over \$30,000, written Requests of Proposals or Bids must be used unless requirement is waived in writing by the NWCCOG Executive Director including the reasoning for a waiver.
- For contracts over \$10,000, a suspension & debarment check must be made at [www.sam.gov](http://www.sam.gov), and documentation of the check (i.e. screenshot or other printout) must be filed with the procurement packet.
- The use of one of the Colorado State Purchasing Contracts may be used in place of quotes or written specifications.

- Vintage (Area Agency on Aging) follows a purchasing and procurement policy that complies with the State of Colorado, Colorado Revised Statutes, Section 300c of the USA Policies & Procedures Manual, and 2 C.F.R. Part 200.
- The Regional Transportation Coordinating Council (RTCC) adheres to Colorado Department of Transportation (CDOT) procurement rules.
- Weatherization has a procurement policy developed in alignment with the Colorado Energy Office.

## SOLE SOURCE BASIS

NWCCOG reserves the right to award purchase orders, consultant agreements, or project contracts on a sole source basis when there is a predominant capability, and significant prior knowledge of NWCCOG's programs and program philosophy, having completed similar assignments successfully and timely. A written justification will be prepared and kept on file for any sole source procurement.

## CONFLICT OF INTEREST

NWCCOG requires full and open disclosure when dealing with procurement in alignment with 2 CFR § 200.18(d). As such, NWCCOG employees and members of the Council must strictly avoid any conflict of interest or the appearance of a conflict of interest. NWCCOG employees and the Board of Directors must always provide full disclosure of their actions or relationships with prospective vendors, contractors, or consultants. If there is the slightest doubt as to the propriety of a procurement action, then the Executive Director should be contacted immediately.

## SMALL, WOMEN-OWNED, & MINORITY OWNED BUSINESSES

NWCCOG uses small business, women-owned businesses, and/or minority owned businesses whenever possible. Best practices are identified in 2 CFR Subpart D (200.321). NWCCOG programs will as is reasonably possible adhere to the following:

*§ 200.321 Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms.*

*(a) The non-Federal entity must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.*

*(b) Affirmative steps must include:*

*(1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;*

*(2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;*

*(3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;*

*(4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;*

*(5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and*

*(6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (b)(1) through (5) of this section.*

## FORMAL SOLICITATION

A formal solicitation must be conducted for each procurement greater than (or equal to) \$30,000. This solicitation will be performed per the following steps:

1. Bidders' List: NWCCOG will prepare and maintain an up-to-date list of qualified and capable individuals and contractors per department throughout the region. The bidders' list is maintained in the NWCCOG main office and will be updated on a frequent and regular basis as additional firms submit qualifications and expressions of interest.
2. Prepare Request for Proposals (RFPs): Upon approval by the Executive Director, the Program Director will prepare RFPs in consultation with the appropriate NWCCOG Committee and the Project Team. Each RFP will contain the following information:
  - a. Brief statement of purpose or intent;
  - b. A clear statement of the products or services required in sufficient detail to allow the preparation of a responsive bid;
  - c. A clear statement that the contracting agency will be NWCCOG;
  - d. Date and time by which proposals must be returned;
  - e. Evaluation criteria; and
  - f. Any other information which it may be necessary or desirable to provide.
3. Distribute RFP's: All RFP's shall be placed on the NWCCOG website. It shall be at the discretion of the Executive Director as to whether to distribute the RFP's to a known bidder's list or to advertise to the general public in a newspaper(s) or a website(s) of general circulation.
4. Evaluation of Responses: Evaluation and vendor selection shall be made by the Executive Director or a designee. Documentation of the evaluation shall be maintained with the RFP documents for the period designated.
5. Contract or Purchase Agreement shall be completed upon acceptance of terms and conditions by both the successful Vendor and NWCCOG.

## RECORD KEEPING

NWCCOG shall maintain records sufficient to detail the history of procurement per 2 CFR 200.318(i). These records will include but are not necessarily limited to, the following: Rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price. Purchasing and procurement records may be stored in a physical file in an NWCCOG office or electronically on NWCCOG's internal server. It is the responsibility of the Program Director to maintain sufficient procurement records and to dispose of them when appropriate.