



PROCUREMENT POLICIES & PROCEDURES MANUAL

Procurement Services
800 South Victoria Avenue, L#1080
Ventura CA 93009
Telephone 805.654.3750
Facsimile 805.654.3754

April 2026

TABLE OF CONTENTS

Introduction	1
Definition of Procurement Terms	2
Chapter 1 – GSA Procurement Services Overview	7
• Centralized Procurement	
• Procurement Authority	
• Mission and Objectives	
• Procurement Services Ethics	
• Procurement Services Staffing Organization Chart	
Chapter 2 – Policies & Procedures (General)	12
• Bidding Policies	
• Board Approval of Services exceeding \$200,000	
• Minor Contracts Pursuant to Board Delegation	
• Exceptions to Bidding	
• Cooperative Agreements/Piggyback Purchases	
• Standardization	
• Emergencies	
• Exceptions to Bidding	
• Confirming Orders/Unauthorized Purchases	
• Written Contract	
• Execution of Agreements & E-Signatures	
• Insurance Requirements	
• Living Wage Ordinance	
• Green Procurement Policy	
• Personal Services Contracts	
• AB339	
• Information Technology Policy	
• Prevailing Wages	
• Surety & Performance Bonds	
• Disadvantaged Business Enterprises	
• Grants and Federal Monies	
• Outside Legal Services	
• Lease-Purchase Agreements	
• Trade-Ins	
Chapter 3 – Requisitions	25
• Review and Approval of Incoming Requisitions	
• Lead Time (processing of RQS)	
• Modifying / Cancelling Requisitions	
• Overview of the Procurement Process	
Chapter 4 – Solicitation Policies and Procedures	28
• Administrative Process	
• Request for Quotation Process (RFQ)	
• Department Solicited Quotes	

- Formal Bid Process (Commodities \$200,000 +)
- Informal Bid Process for Public Projects (\$60,000- \$200,000)
- Bid Collusion
- Request for Proposal Process (Services over \$200,000)
- Request for Information Process (RFI)
- Request for Qualification Process (RFQ)

Chapter 5 – Purchase Order Documents 35

- Purchase Order
- Master Agreements
- Delivery Order (DO) / Basic Delivery Order (BDO)
- Change Orders
- Emergency Purchase Orders
- Rapid Acquisition Program (RAP)

Chapter 6 – Vendor / Supplier Relations 41

- New Vendor (VCFMS)
- Vendor Performance
- Debarring of Bidders
- Rights and Duties of Bidders/Offerors/Contractors
- Vendor Protest Procedures

Chapter 7 – Miscellaneous 45

- Bid Listing Report
- Agency Document / Correspondence Standards
- Cash Receipts
- Public Records Request

COUNTY OF VENTURA

Introduction

This Manual details the policies and procedures of GSA/Procurement Services. It is intended to serve as a reference tool for procuring items/services within the County of Ventura. It outlines the phases of the procurement process, from the accepting of requisitions to the issuing of purchase order documents. It clarifies the responsibilities of Procurement Services and of individual departments. It includes legal requirements affecting Procurement Services.

Definitions of Procurement Terms

Basic Delivery Order (BDO) - BDOs are used to obtain goods or services purchased from certain vendors at a fixed price, or under fixed terms and conditions on as needed basis. Created as part of the payment process on blanket type master agreements.

Best and Final Offer (BAFO) – the final proposal submitted by a bidder in response to a request from buyer, allowing the refinement of initial bids to achieve the most competitive terms.

Best Value Awards - Best value means the best value to the County of Ventura based on solicitation evaluation criteria to measure factors beyond cost.

Brand Name or Equal Specifications - A specification limited to one or more items by manufacturers' names or catalogue numbers to describe the standard of quality, performance, and other salient characteristics needed to meet County requirements, and which provides for the submission of equivalent products.

Brand Name Specifications - A specification limited to one or more items by manufacturers' names or catalog numbers.

Business - Any corporation, partnership, individual, sole proprietorship, joint stock company, joint venture, or any other private legal entity.

Business, Local - Any corporation, partnership, individual, sole proprietorship, joint stock company, joint venture, or any other private legal entity, which maintains a physical, working office within the geographic boundaries of the County of Ventura. (The County of Ventura does not currently have a "buy-local preference.") Exception – see Chapter 4 "tie bids."

Buyer - A professionally trained person employed by Procurement Services, authorized to obtain materials and services for County departments, in accordance with all state and local laws and internal County policies and procedures.

Contract - Any authorized County agreement, regardless of what it is called (purchase order, contract, etc.), for the procurement of supplies, equipment, services, or construction.

Contract (CT) – Procurement document used for multi-year agreements – as used in the Ventura County Financial Management System (VCFMS).

Contractor - Any person who has a contract with the County.

Construction - As used in Public Contract Code § 20150.2, "public project" means: (a) A project for the erection, improvement, and repair of public buildings and works. (b) Work in or about streams, bays, waterfronts, embankments, or other work for protection against overflow, except maintenance, repair, or reconstruction work. (c) Supplies and materials used in maintenance, repair, or reconstruction work in or about streams, bays, waterfronts, embankments, or other maintenance, repair, or reconstruction work for protection against overflow. The provisions of this article shall not change existing law regarding inclusion or exclusion of labor or materials used for completion of the project. Except for the erection, improvement, and repair of public buildings, the construction of dams, reservoirs, power plants, and electrical transmission lines of 230,000 volts and

higher, nothing in this article shall apply to a publicly owned water, power or waste disposal system.

Cooperative Purchases – refers to a legal instrument that allows multiple organizations to utilize a single, pre-existing agreement established by another entity. This strategy aggregates the demand of several entities to achieve a more favorable contract for goods and services, streamlining the procurement process and saving time and cost.

Cost Analysis - The evaluation of cost data for arriving at costs actually incurred or estimates of costs to be incurred, prices to be paid, and costs to be reimbursed.

Cost Data - Factual information concerning the cost of labor, material, overhead, and other cost elements that are expected to be incurred, or which have been actually incurred by the contractor in performing the contract; or that are expected to be incurred by the County in the use of the equipment or material to be purchased.

Cost Reimbursement Contract - A contract under which a contractor is reimbursed for costs which are allowable and allocable in accordance with the contract terms and the provisions, and a fee or profit, if any.

Departmental Purchase Order (PD) - The purchase order is the County's commitment for the value of the material or service ordered. A purchase order is a legally binding contract. This procurement document is approved by Board or Deputized Purchasing Agent. The review of the procurement department is bypassed and is approved by the auditor controller office.

Deputized Purchasing Agent (DPA) - Employee of a County department that has been deputized by the County Purchasing Agent to perform purchasing agent functions for specific purchases in their department.

Delivery Order (DO) - DOs are used to obtain goods or services purchased from certain vendors at a fixed price, or under fixed terms and conditions on a one-time basis. This is the encumbrance document associated with the master agreement (MA).

Digital Signature - An electronic identifier, created by a computer, intended by the party using it to have the same force and effect as the use of a manual signature. Per California Government Code Section 16.5 the following are required: 1. It is unique to the person using it. 2. It is capable of verification. 3. It is under the sole control of the person using it. 4. It is linked to data in such a manner that if the data is changed, the digital signature is invalidated. 5. It conforms to regulations adopted by the Secretary of State.

e-Signature - Refers to both digital and electronic signatures.

Electronic Signature- An electronic symbol of a signature. The signature can be an inserted image file, drawn, or copy/pasted from most programs including Adobe DC and Microsoft Office Products.

Emergency Purchase Order (EPO) - Purchase order issued by Procurement Services in emergency situations where it is not prudent to wait to complete the entire requisition process.

Employee - An individual drawing a salary or wages from the County, whether elected or not; any non-compensated individual performing personal services for the County or any department, agency, commission, council, board, or any other entity established by the executive or legislative branch of the County; and any non-compensated individual serving as an elected official of the County.

Equipment - (See "Supplies")

Formal Bids - Formal bids are those that are obtained by written solicitation. The bids are received in writing by a set date and time. The bids are publicly opened by Procurement Services. The written bids and the bid summary are maintained by Procurement Services.

Gratuity - A payment, loan, subscription, advance, deposit of money, service, or anything of more than nominal value, present or promised, unless consideration of substantially equal or greater value is received.

Immediate Family - A spouse, children, parents, brothers, and sisters.

Informal Quotes -. Informal quotes are offers made by vendors. The quotes may be verbal, electronic, or written. The buyer maintains a summary of the quotes received.

Invitation For Bids (IFB) -. All documents, whether attached or incorporated by reference, are utilized for soliciting sealed bids. Invitations for Bids (IFB) are awarded to the lowest responsible and responsive bidder (s). Also known as Request for Bid (RFB).

Local Business. (See Business, Local).

Lowest Responsible Bidder - "Responsible" bidder is a person who has the capability in all respects to perform fully the contract requirements, and the tenacity, perseverance, experience, integrity, reliability, capacity, facilities, equipment, and credit that will ensure good faith performance.

Master Agreement (MA) - Master Agreements are open orders with specific vendors that departments may charge throughout the fiscal year. They generally have an estimated not to exceed amount, and terms and conditions for use. Master Agreements also limit the amount that may be charged per purchase. Master Agreements do not encumber funds (see BDO or DO). Master Agreements are reviewed and vetted by Procurement.

Modification (MOD) -. A written order signed and issued by the Purchasing Agent, or their designee, directing the supplier or contractor to make changes or modifications to an order. The change order may make written alterations to the specifications, delivery point, rate of delivery, period of performance, price, quality, quantity, or other provisions of the contract.

Piggy-Back Purchases - The Purchasing Agent may arrange for the County to enter purchase contracts with Supplier (s) for the purchase of supplies, equipment, services, including but not limited to materials, vehicles and apparatus, the pricing and terms of which have been previously established by another local, county, state, federal or other public entity, school district, League of California Cities, California Communities Program, or other non-profit association or group consisting of governmental entities.

Price Analysis - The evaluation of price data, without analysis of the separate cost components and profit as in cost analysis, which may assist in arriving at prices to be paid and costs to be reimbursed.

Pricing Data -. Information concerning prices for items substantially like those being procured. Prices in this definition refer to offered or proposed selling prices, historical selling prices and current selling prices. The definition refers to data relevant to both prime and sub-contract prices.

Procurement - The buying, purchasing, renting, leasing, trading, or otherwise acquiring of any supplies, equipment, services or construction. It also includes all functions that pertain to the obtaining of any supplies, equipment, services, or construction, including descriptions of requirements, selection and solicitation of sources, preparation, and award of contracts, and all phases of contract administration.

Procurement Services - Procurement Services is a division of the General Services Agency.

Public Project/Public Works Project - As defined in Public Contract Code § 20150.2, "public project" means: a project for the erection, improvement, and repair of public buildings and works.

Purchase Order (PO) - County's commitment for the value of the material or service ordered. It is a legal document.

Qualified Products and Services List - An approved list of supplies, equipment, services, or construction items described by model numbers, catalog numbers, or other means, which, before competitive solicitation, the County has determined will meet the applicable specification requirements.

Rapid Acquisition Purchase Order (RAP) - One-item orders of \$10,000 or less. Restricted use. Cannot be confirming order and must not contain documents that require count signature.

Request for Proposals (RFP) - All documents, whether attached or incorporated by reference, utilized for soliciting proposals. Requests for Proposals (RFP) are generally awarded based on several evaluation factors, including price.

Requesting Department - Any department, commission, board, or agency requiring supplies, equipment, services, or construction procured pursuant to the Ordinance.

Requisition (RQS) - A formal request for a product or service.

Responsible Bidder or Offeror - A person who has the capability in all respects to perform fully the contract requirements, and the tenacity, perseverance, experience, integrity, reliability, capacity, facilities, equipment, and credit which will assure good faith performance, and who has submitted a bid that conforms in all material respects to the requirements set forth in the solicitation. A Bidder will be deemed to be responsible if the Bidder:

- Has the ability, capacity, experience and skill to perform work in accordance with the bid specifications.

- Has the ability to perform the work promptly or within the time specified, without delays.
- Has equipment, facilities and resources of such capacity and location to enable it to perform the work.
- Has a record of satisfactory or better performance under prior contracts with the County or others; and
- Has complied with laws, regulations, guidelines and orders governing prior or existing contracts.

Responsive Bidder - "Responsive" bidder is a person who has submitted a bid that conforms in all material respects to the requirements set forth in the solicitation.

Services - The furnishing of labor, time, or effort by a contractor, not involving delivery of a specific product other than reports which are merely incidental to the required performance. "Services" shall include professional services.

County Counsel's office has traditionally looked at "services" as including maintenance, installation, training, etc., but not solely the delivery of a product to the premises. Where the only duty of the contractor is to deliver and drop off the product, the contract can be considered a contract for "goods" for purposes of the Purchasing Agent's authority. - J. Polich

Service Contract (SC) - A purchase order issued to order services. Term of agreement are defined. Normally used for grant procurements.

Specification - Any description or scope of work of the physical or functional characteristics or of the nature of supplies, equipment, service, or construction. It may include a description of any requirement for inspection, testing or delivery of supplies, equipment, services, or construction.

Spend Analysis - Spend analysis is the process of collecting, cleansing, and analyzing expenditure data with the purpose of reducing procurement costs, improving efficiency and monitoring compliance. It is a component of supply chain management.

Strategic Sourcing - Strategic sourcing is an institutional procurement process that continuously improves and re-evaluates the purchasing activities of a company. It is one component of supply chain management.

Steps in the strategic sourcing process are:

- Assessment of current spend (what is bought and where)
- Assessment of the supply market (who are the suppliers)
- Assessment of the return on investment and/or associated risks

Supplies - All property, including but not limited to equipment, materials, printing, insurance, and leases of real property, excluding land or a permanent interest in land.

Supplier List - A list of potential bidders, listed by NIGP commodity codes for materials and services furnished.

VCFMS – Ventura County Financial Management System

Procurement Services Overview

Services Provided

Procurement is the process through which requisitions are received, solicitations issued, vendors selected, procurement documents issued, and goods or services are received.

Procurement Services procures goods and services for the County by performing the following tasks: process purchase requisitions (RQS); issue procurement documents (PO, CT, SC, MA) and modifications; issue and evaluate bids, proposals, and quotations; review specifications; draft contracts; manage surplus property disposition (including sales and auctions)**; provide procurement training; verify licenses and insurance coverage (as needed); and assists with vendor performance issues.

One of Procurement Services' main roles is to ensure that goods and services are of high quality, available when needed, and not overpriced.

Taxpayers must know that public funds are spent wisely on their behalf and not for the personal benefit of government employees, officials, or their friends.

Procurement Services also manages the Convenience Copier Program, the Procurement Credit Card Program, and assists with compliance of the County's Living Wage Program and Green Procurement Policies.

**** More detailed information regarding surplus property disposal can be found in the Procurement Services Surplus Property Policy and Procedures Manual.**

Centralized Procurement

The County of Ventura has adopted a centralized purchasing system, which is under the authority of the Purchasing Agent. This means that the General Services Agency (GSA), Procurement Services Division, procures all commodities and services; except public works projects for Department of Airports, Fire Protection District, Harbor and Public Works, new construction under \$200,000, certain Board-approved items, utilities, purchases under \$200,000.

GSA/Procurement Services is an Intergovernmental Service Fund (ISF). Departments are charged fees for the services provided. The fees for processing procurement documents, modifications, and master agreement releases are incremental based on the increasing level of service required as the amount increases. See the Budget Development Manual for current rates – located on the Chief Executive Office (CEO) website under Budget and Finance.

Procurement Services utilizes the Ventura County Financial Management System (VCFMS). VCFMS is a comprehensive, fully integrated financial management system that is specifically designed to support standard accounting functions, including purchasing documents and encumbrances. This system allows transactions to be entered directly online, controlled by a highly structured multi-level security system comprised of online electronic approvals. Separate and very extensive system manuals and documentation on the use of VCFMS are available online. As such, the reader may be directed to VCFMS documentation throughout this Manual. VCFMS training materials are available on the Auditor-Controller's web page on the County Intranet under Systems Support.

Procurement Authority

Procurement Services derives its authority from two sources: local and state laws. Local law encompasses Board of Supervisor resolutions and directives. The two main sources giving authority to Procurement Services to purchase goods and services on behalf of the County are the Purchasing Ordinance and the Public Contract Code.

Purchasing Ordinance

Board of Supervisor Ordinance #4084 was passed and adopted January 10, 1995, to govern the activities of the Ventura County Purchasing Agent. In general, it established that the Purchasing Agent shall have the duties and powers prescribed by the laws of the State of California relating to county Purchasing Agents, this Ordinance, and the Board of Supervisors. Ordinance 4084 can be located on the Clerk of the Board website under Ordinances.

State and Federal laws

State laws that are applicable to various County procurement activities can be found in the Government Code, the Civil Code, the Business and Professions Code, Labor Code, Streets and Highways Code, Vehicle Code, Revenue and Taxation Code and the Public Contract Code - where pertinent, specific code sections are referenced throughout this Manual.

Federal law is applicable to County procurement activities any time federal funds are used for procurements.

Mission and Objectives

Mission Statement

GSA Procurement Services will provide the County of Ventura with excellent, courteous customer service while following County policies and procedures;

efficient procurement services, while maintaining quality requirements, and equitable competitive vendor relations.

Objectives and Standards

- Regard public service as sacred trust, giving primary consideration to the interests of the public agency that employs us.
- Avoid unfair practices and give all qualified vendors an equal opportunity to do business with the County of Ventura.
- Honor our obligations and require that obligations to our public agency be honored.
- Give prompt and courteous reception to all vendors, remembering that they are important sources of information and assistance in solving our purchasing needs.
- Refuse to accept any form of commercial bribery or gratuity and prevent any appearance of doing so.
- Receive counsel from colleagues and cooperate with them to promote a spirit of teamwork and unity.
- Behave with fairness, dignity and demand honesty and truth in the purchasing process.
- Strive for greater knowledge of purchasing methods and the materials and services purchased.
- Purchase without prejudice, stimulate competition on all procurements, and seek to obtain the maximum value for each dollar spent.
- Maintain competitive bidding procedures as the primary, preferred method of procurement.
- Develop materials standards that afford a wide area of competitive bidding consistent with required levels of quality.
- Maintain open, public records of firms solicited, and prices quoted and paid for all items obtained for County use.
- Furnish clear indications of quality and service required in all bid solicitations.
- Perform all procurement activities in accordance with the laws and regulations of the United States, the State of California, and the County of Ventura.
- Cooperate with all organizations and individuals involved in activities designed to enhance the development of the procurement profession, remembering that our actions reflect on the entire profession.
- Support and maintain active contacts with professional organizations such as the Gold Coast Public Purchasing Group (GCPPG), the California Association of Public Purchasing Officers (CAPPO), the National Institute of Governmental Purchasing (NIGP), and the Institute of Supply Management (ISM).

- Conduct all responsibilities of this Office in a manner that will inspire good business relationships, satisfy the needs of County departments, and ensure public confidence in performance of the procurement function.

Procurement Services Ethics

Procurement staff shall not obligate the County of Ventura, financially or otherwise, by any means, including but not limited to procurement documents and contracts, **when the employee has a personal, material, financial, or other interest in the obligation.**

Procurement staff shall not accept gratuities. For this section only, employee is defined as an individual drawing a salary or wages from the County, whether elected or not; any non-compensated individual performing personal services for the County or any department, agency, commission, council, board, or any other entity established by the executive or legislative branch of the County; and any non-compensated individual serving as an elected official of the County. Unsolicited non-consumable mementos valued at \$50.00 or less may be accepted (i.e., pens, paper clip holders, pencils, cups/mugs, etc.). Unsolicited consumables valued at \$50.00 or less may be accepted and shared with employees.

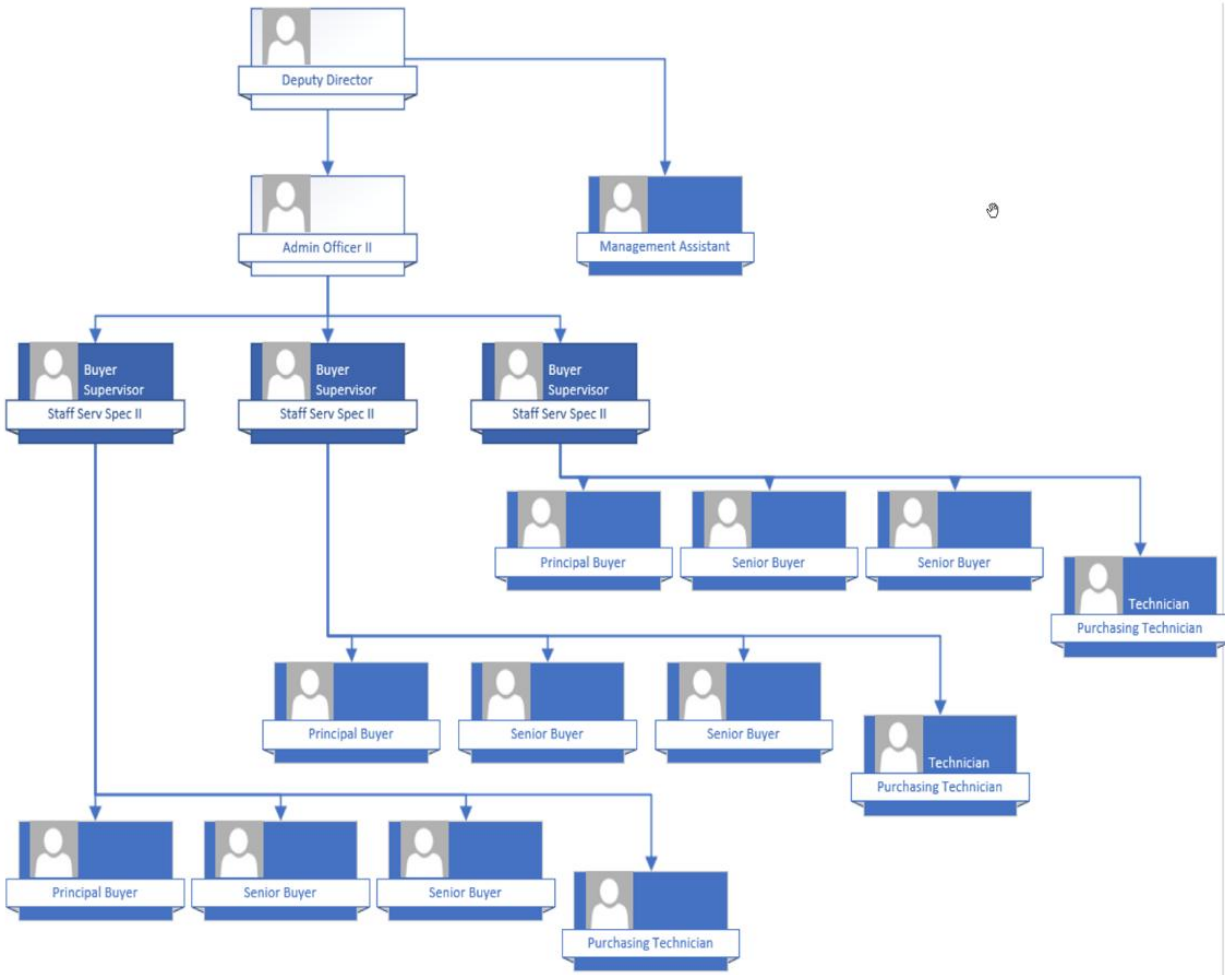
Procurement staff shall not purchase item(s) for personal use while appearing to represent the County, without first informing the Supplier of personal use. The employee with his or her personal funds shall pay all such purchases. When personal purchases are made under these circumstances, separate invoices or sales receipts must be issued by the Supplier. Such invoices must bear the employee's name, home address, and phone number and may **not** be delivered to the County. Employees may **not** accept discounts, sales, reduced prices, or other benefits offered by Suppliers because of employees' relationships with the County. Exceptions: corporate discounts offered to all employees.

Procurement staff shall not incur costs to the County for personal purposes, such as mailing personal bills, letters, or packages, or otherwise committing the County to pay for an employee's personal expenses. Making personal phone calls, copies, or electronic communications are allowed in accordance with County policy.

Procurement staff shall not borrow, loan, or take-home County equipment or supplies for personal use, whether for recreational use or for personal business.

Procurement staff should avoid any implied or actual infraction of County rules and regulations, such as receiving personal mail at County offices, using the County address or telephone number on personal checks, or any other indication that the employee might stand to gain at cost to the County.

Procurement Services Staffing Organization Chart



Policies & Procedures (General)

Bidding Policies

It is Procurement's policy to develop maximum competition for all purchases and to make awards based on the lowest responsible bid received or the most advantageous offer in the case of Requests for Proposals.

Commodities (Materials & Equipment)

\$1 to \$25,000 – Administrative Process

Competitive bidding is not required. At the Buyer's discretion, a purchase order will be issued to the vendor recommended by the requesting agency/department.

\$25,000 to \$200,000 – Request for Quotation Process (3 written quotes)

Competitive bidding is required. Procurement Services issue a written Request for Quotation. The number of vendors contacted varies, depending on the dollar amount of the purchase and the time available. The award is made to the lowest responsive and responsible bidder.

\$200,001 & Over – Formal Bid and Request for Proposal Process

Competitive bidding is required. Procurement issues, either a formal Request for Bid (RFB) or Request for Proposals (RFP), depending on the type of procurement. The number of vendors contacted will vary depending on the dollar amount of the purchase and the time available. The award is given to the lowest responsive and responsible bidder, in the case of RFBs. In the case of RFPs, awards are made in accordance with the evaluation criteria, terms, and conditions stated therein.

Typically, commodity items are procured using a bid process where an award is made to the lowest responsive and responsible bidder. However, in some instances an RFP may be used.

Services (Non-Construction)

\$1 to \$25,000 – Administrative Process

Services with an aggregate total of \$25,000 or less do not require competitive bidding. At the Buyer's discretion, a procurement document will be issued to the vendor recommended by the requesting agency/department.

\$25,001 to \$200,000 – Competition at Buyers Discretion

Contract requirements shall not be divided to avoid bidding requirements.

Buyer to document reasonableness of cost. Over \$60,000 a buyer shall require quotes, a cost price analysis, or other research demonstrating valid cost of services. Competitive bidding is upon buyers' discretion. Procurement Services may request 3 written quotes. The number of vendors contacted varies, depending on the dollar amount of the purchase and the time available. The award is given to the lowest responsive and responsible bidder.

\$200,001 & Over – Formal RFPs or Bids

Competitive bidding is required. Procurement Services issues either a **formal** sealed Request for Bid (RFB) or Request for Proposals (RFP), depending on the type of procurement. Typically, the RFP process is used for services. The number of vendors contacted will vary depending on the dollar amount of the purchase and the time available. Award is made to the lowest responsive and responsible bidder in the case of RFBs. In the case of RFPs, the award is made in accordance with the evaluation criteria, terms, and conditions stated therein.

Services (Construction/Maintenance & Repair)

\$1 to \$25,000 – Administrative Process

Competitive bidding is not required. Purchase will most likely be issued to the department's vendor of choice, if all requirements are met.

\$25,001 to \$60,000 – Request for Quotations Process (Written Quotes)

Competitive bidding is required. Procurement Services issue a written Request for Quotation. The number of vendors contacted will vary, depending on the dollar amount of the purchase and the time available. The award is given to the lowest responsive and responsible bidder.

\$60,001 to \$200,000 – Informal Bid

Informal bids will be solicited in accordance with the California Uniform Public Construction Cost Accounting Procedures (CUPCCAP) alternative bidding procedures, which the County adopted by Ordinance 4177, on November 10, 1998.

Procurement Services does not process construction projects over \$200,000.

Board Approval of Services exceeding \$200,000

Per the Government code and County Ordinance #4084, approval of the Board of Supervisors is required for services when the aggregate cost exceeds \$200,000.

GSA will be responsible for obtaining Board approval for services used by multiple County agencies and departments.

Examples of multiple Agency/Department contracts for services include, but are not limited to:

- Temporary help
- Building maintenance
- Cellular telephones
- Office telephones
- Security

- Elevator maintenance
- Landscape maintenance
- Newspaper advertising
- Custodial Services

Minor Contracts Pursuant to Board Delegation

Waiver of Certain Board Policies under \$30,000

An exception to the limitations on contracts in the board policy may be granted using delegated authority:

The delegation authorizes the Purchasing Agent to “waive the policy in Administrative Policy Manual chapter VI-1 against inclusion in County contracts of provisions for payment of attorney’s fees, for payment of interest by the County, or specifying governing law or venue outside California where the cost of the contract is \$30,000 or less per year.”

Exceptions to Bidding

Sole Source or Sole Brand Procurements (Request to Waive Bidding Requirements)

An exception may be granted based on two premises:

- Only a single company or organization can supply the product or service needed. As in the case of proprietary software maintenance, only the licensor of the product can provide support.
- Only a single “brand/model” will meet the department’s technical/functional requirements. For example, only the *Brand X* disinfectant meets the Green Procurement Policy requirements for non-toxicity. *Brand X* is available through several distributors. *Brand X* would be considered a “sole brand” but not a “sole source” since it is available from many sources (distributors).

Sole source requests should not be made unless the department is confident that the request is reasonable, appropriately justified to meet the County’s requirements, and can withstand a possible audit. Sole source/brand purchasing minimizes or eliminates competition and should be avoided whenever possible.

If a department believes that only a specific make and model will meet its needs, it should include an objectively written explanation that details the unique features of the sole source/brand item, which states why these features are required. If other brands or models have been tested or used previously, the department should specify the brands or models tested or used, the dates they were tested or used, and why they are not acceptable.

A written justification signed by the agency/department head must be submitted for Procurement Services’ review/approval. Department should provide the written justification on the standard “Request to Waive Bidding Requirements” form available on the GSA Procurement Services’ intranet website, or by calling Procurement Services at 654-3750.

Cooperative Agreements/Piggyback Purchase/Use of an Existing Agreement

An exception to bidding may be granted if the product/service is available through the utilization of another public entity's contract (includes city, county, state, federal, school district, League of California Cities, California Communities Program, Federal GSA, Western States Contracting Alliance).

The bidding requirement may be waived when piggybacking provided that:

- The purchase contract with the Supplier (s) is the result of competitive bidding and is made in compliance with the competitive bid or proposal requirements of the participating entity or organization.
- The purchase is made within a reasonable time of the competitive bid;
- The purchase conforms to the County's specifications for the item or service; and the estimated price of the purchase is lower than that estimated for the purchase if made directly by the County, and;
- It must also meet all County policies; i.e., Living Wage Ordinance and Green Procurement.

Standardization

When supplies, equipment, or services are uniformly adopted or otherwise standardized, or when an item is designated to match others in use by the County, the purchase may be exempt from bidding requirements or be made with limited competition to distributors of the manufacturer of the standardized item. Compatibility issues between differing technologies will also be considered for exception.

Emergencies

The item(s) or services needed *are immediately necessary* for:

- To preserve life, health, or property; or
- Upon a natural disaster; or
- To correct or forestall a shutdown to maintain essential public services; or
- Other unforeseeable events.

Technically, an emergency need is one that could not have been foreseen. Failure to submit a requisition on time does **NOT** constitute a valid emergency.

Exceptions to Bidding

- Formal competition has failed
- A procurement made from another unit of government
- Procurement of used item is advantageous
- Public utilities
- Legal services
- Medical services
- Nurse Registries

- Architects and Engineers (qualifications-based award)

Confirming Orders/Unauthorized Purchases

Except for emergencies or other authorized exceptions, **NO** purchases can be made or are authorized until funds have been encumbered by the Auditor-Controller's office on a county purchase order.

UNAUTHORIZED PURCHASES

1st violation-a warning memorandum to department

2nd violation- a written explanation is required.

3rd violation- the requisition will not be processed & employee may be held responsible for the charges.

Usually, an unauthorized purchase is discovered when a department submits a requisition to cover a purchase (goods or services) that has already been ordered and possibly delivered sometimes indicated by invoices being referenced.

Should a department make an unauthorized purchase, the department is sent a warning memorandum. The memorandum states that unauthorized purchases do not bind the County or constitute a lawful charge against the County. The memorandum outlines the exception in case of emergency and warns that failure to comply could result

in personal liability for the charges incurred. It also warns that future violations could result in rejection of the requisition.

If a second violation occurs, a memorandum is sent stating that Procurement Services will process the requisition, after receipt of a written explanation.

If a third violation occurs, a memorandum is sent stating that Procurement Services will not process the requisition. The department is advised that the department must seek approval by the Board of Supervisors, or the employee can be personally responsible for the charges.

Written Contract

Procurement Services may require a written contract when the cost of the services, and in some cases, goods exceed \$25,000.

Procurement Services uses a Standard Services Contract and will provide it to departments upon request. The standard contract has been approved by County Counsel. Use of any contract other than the standard contract, or making material changes to the standard contract, will require County Counsel approval. A copy of the Standard Services Contract can be requested from Procurement Services at ProcurementHelp@venturacounty.gov.

Execution of Agreements / E-Signatures

Binding agreements between the County of Ventura and Vendors, when made using an executed written agreement, shall be made using one of the County approved methods detailed in the County of Ventura E-SIGNATURE POLICY.

These methods are:

- 1.) Wet Signature
- 2.) Electronic Signature or
- 3.) Digital Signature.

The preferred method of executing agreements in Procurement shall be by wet signature. If a wet signature is impractical then it is the preference of Procurement that a certificate based Digital Signature is used. Meta-data shall be retained for documents signed using Digital Signature. Electronic signatures must be unique and may be entered by a digital input device such as a stylus or mouse. All agreements shall be executed in the same manner by all parties. The duplication of wet, electronic signatures, and digital signatures on multiple documents is forbidden.

The following are examples of the preferred certificated based digital signatures:



The following is an example of an electronic signature which may appear the same as a wet signature:

A blue electronic signature that looks like a handwritten 'James Doe'.

Insurance Requirements

The County requires that contractors have, and maintain certain types of insurance coverage when doing business with the County, regardless if they enter County property, to repair, install, construct, or otherwise perform services.

Insurance requirements vary depending on the type/scope of services or products provided. In certain cases, the contractor will need to provide insurance coverage.

A Recommended Insurance Coverage Matrix has been developed to assist with the determination. A copy of the most current matrix is available on the Procurement website under Forms & Policies.

Departments are responsible for obtaining and submitting proof of insurance to Procurement with their requisitions. Proof of insurance must be provided prior at time of requisition. Purchase orders requiring insurance will not be released until insurance certificates are on file with Procurement Services. In the case of a decentralized or

deputized purchasing authority, the contracting agency is responsible for maintaining the certificate of insurance (COI).

The following are the most commonly required types of coverage.

- **General/Commercial Liability:** The County should be added, by endorsement, as an “additional insured.”
- **Automobile Liability:** Is required if driving or traveling is required in providing contracted services. If the vendor/contractor has employees but no vehicles registered to the business (non-owned and hired automobile liability coverage should be provided).
- **Workers’ Compensation:** Contractors providing services to the County must provide proof of Workers’ Compensation for all employees working on the job site. Requirement may be waived if the vendor is a sole proprietor/partner/corporate officer with no employees. Workers’ compensation policies must include a Waiver of Subrogation, which is evidenced with a policy endorsement.
- **Professional Liability (Errors and Omissions):** Is required for certain services – including but not limited to – appraisers, notaries, software programmers, auditors, lawyers, insurance agents, surveyors, dentists, doctors, nurses, counselors, engineers, etc.

The matrix also states the insurance coverage (dollar) limits. They are categorized as Low Risk, Standard Risk, and High Risk. Changes, or reduction, in the established thresholds are allowed with the following approvals:

- Low Risk / Standard Risk – Agency/department head may initiate, and authorize, changes/reduction/ waiver of established requirements.
- High Risk – Please consult with CEO/Risk Management for assistance in determining the appropriate insurance coverage.

Living Wage Ordinance

On June 24, 2014, the Board of Supervisors adopted the Living Wage Ordinance #4464.

Ordinance #4464 requires that all employers (except where specifically exempted) under contract for “services” to or for the County that: (1) involve an expenditure more than \$25,000, within a twelve-month period; and (2) have a term of at least three months, shall comply with all applicable provisions of the ordinance.

In summary, contractors are required to:

- Pay covered employees a wage no less than the minimum initial compensation of \$10.50 per hour with health benefits, or otherwise \$12.50 per hour without.
- Provide at least 12 compensated days off per year.

Rates are reviewed annually and may be adjusted every January 1.

Some agencies and special districts are exempt from the Living Wage Ordinance.

Exemptions

- Small employer employing no more than five full-time persons.
- Government Entities. Including, without limitation, cities, counties, and state agencies.
- Collective Bargaining. To the extent that any collective bargaining agreement applies to an employee who would otherwise be entitled to be paid a living wage.
- In-Home Support Service Workers.
- Service contract for expenditure that is less than \$25,000 within a twelve-month period or has a term of less than three months.
- A contract subject to federal or state laws or regulations that would preclude application of the living wage requirement otherwise applicable pursuant to this ordinance.
- A contract between the County and another governmental entity.
- A contract between the County and a financial or banking institution for financial or banking services.
- A contract for professional services requiring specialized skills or licensure, including but not limited to experts, consultants, auditors, engineers, attorneys, and banking representatives.
- A contract with a non-profit corporation qualifying under Internal Revenue Code section 501(c)(3).
- Printing/Copying Services.
- Construction Contracts.

Additional information regarding the Living Wage Ordinance #4464 is available at Clerk of the Board of Supervisors website under Ordinance.

Green Procurement Policy

On March 27, 2007, the Board of Supervisors reaffirmed the County's commitment to the "Green Procurement Policy" resolution (originally approved on January 15, 2002) for reusable and recycled products. The adopted policy was also integrated into the County Administrative Manual – Policy No. Chapter VII(A)-12.

The policy states:

“County of Ventura agencies, boards, commissions, departments, and offices shall reduce waste generated by County business and work practices by reusing discarded materials, recycling waste products when feasible and cost-effective, and purchasing, whenever possible, feasible and cost effective recycled products (“recycled content” products) and Recovered Organic Waste Products for use in the delivery of County services to the maximum extent practicable, consistent with existing applicable state and federal laws and other Ventura County procurement policies.”

The complete policy and procedures can be on the County of Ventura website under Administrative Manual.

In summary, agencies/departments are directed to, wherever feasible:

- Purchase and use recycled products to the maximum extent possible, without negatively impacting health, safety, or operational efficiency.
- Restructure purchasing specifications to include the use of products which contain post-consumer recycled content, are reusable, or are designed to be easily recyclable.
- Purchase recycled paper.
- Label recycled products to indicate their recycled content.
- Use life cycle cost analysis to assist in selecting a product or service.
- Purchase lubricating oil and industrial oil as directed by the California Public Contract Code 10409.
- Favorably consider the selection of recycled-content and renewable materials, products and supplies over their non-recycled-content and non-renewable alternatives in cases where availability, fitness, health and operational efficiency, quality, safety, and price of the recycled product is otherwise equal to, or better than, the non-recycled-content and/or non-renewable alternative.
- Consider fewer toxic alternatives when purchasing products such as pesticides and herbicides and purchase energy-conserving products when possible.
- Implement a ten percent (10%) price preference for qualified recycled paper products.

The County will cooperate with neighboring city and county governments to develop a comprehensive, consistent, and effective procurement effort intended to stimulate the market for recycled products, reusable products, and products designed to be recycled.

The Integrated Waste Management Division (Public Works Agency) (IWMD) and Procurement Services (General Services Agency) will cooperate annually in summarizing the purchase of recycled-content products by County agencies.

Selected suppliers shall be required to report the total dollar and unit volume of recycled and non-recycled products supplied to each County department during the calendar year. This report is to be submitted to IWMD.

A variety of databases exist to assist departments with locating recycled-content products. Several of these, including the California Integrated Waste Management Board's "Buy Recycled" database, are listed on the Ventura County IWMD website.

Personal Services Contracts

Personal services contracts are an accepted means for providing specialized tasks, which cannot be as effectively accomplished by the regular workforce.

Consultants and independent contractors hired by the County to perform work must operate as independent contractors, so the County may avoid liability for their actions, payroll taxes, and labor relations implications, etc.

Personal services contracts, particularly those for services previously performed by County employees, must be routed through the CEO/Human Resources Division (HR) for review.

Before procuring any personal services from an individual, or a firm providing programming services, the manager requesting the personal services should review and complete the Checklist for Determination of Worker Status form – Administrative Manual

Policy No. Chapter VII(AQ)-16. If the manager feels that the vendor serves in an “independent contractor” capacity, the completed form should then be submitted to the HR Personnel Analyst assigned to the manager’s agency.

The completed form should be attached to the requisition. The RQS should be routed to HR for approvals. A requisition for this type of service should not be accepted unless it has the proper HR approval.

AB339 Determination

(County of Ventura Administrative Manual No. Chapter II-23)

Effective January 1, 2026, amended California law by adding Section 3504.1 to the Government Code. The law mandates that local public agencies provide recognized employee organizations with at least 45 days’ notice before issuing a request for proposal (RFP), request for quotes (RFQ), or renewing/extending contracts for services that are the same as or similar to work performed by employees represented by the organization. The purpose is to increase transparency and allow unions to provide early input on contracting decisions that may affect their member.

Requisitions for service-related procurements must include a determination of AB339. Reference AB339 Contracting & Labor Notification Compliance Packet for AB339 Determination Tool.

Information Technology Policy

In complying with the County Information Technology Services Department’s approval for the following items are required prior to the submission of a requisition to Procurement Services:

- Non-discretionary, non-standard hardware
- Non-discretionary, non-standard software
- The purchase of servers
- Software Maintenance Agreements under \$5,000 – first year only
- Software Maintenance Agreements over \$5,000 - yearly
- Requests for programming services
- Requests for information technology consulting

Any accounting software or software that would otherwise replicate existing ERP functionality must be reviewed and approved by the Auditor Controller.

Information technology projects over \$200,000 or above five-year Total Cost of Ownership require Information Technology Committee/Business Technology Committee (ITC/BTC) review and approval.

Prevailing Wages

In accordance with Labor Code Sections 1770-1773, prevailing wages must be paid to all workers on a “public works” project (see Glossary for definition) when the project is over \$1,000.

When bidding on public works projects that exceed \$1,000, under the law, all bidders are expected to use the same wage rates. The California Department of Industrial Relations determines the prevailing rate of wages for specific geographic areas. Additional information is available at www.dir.ca.gov/dlsr/pwd/index.htm.

It is County policy to pay prevailing wages on maintenance work over \$1,000 for those trades covered under the labor code.

Surety and Performance Bonds

Bid Bonds

The bid bond guarantees the County that the bidder will enter the contract if it is awarded.

Bid security shall be required for all public projects bids when the cost is estimated to exceed \$25,000 (or updated threshold in California law). Bids must be accompanied by a Bid Security in the amount of not less than 10% of the amount bid in one of the following forms:

- Cash
- A cashier's check made payable to the County of Ventura
- A certified check made payable to the County of Ventura
- A bidder's bond executed by an admitted surety insurer, made payable to the County of Ventura

Upon an award to the lowest responsive and responsible bidder, the security of an unsuccessful bidder shall be returned in a reasonable period, but in no event shall that security be held by the County beyond 60 days from the time the award is made.

A bid received and not accompanied by cash, cashier's check, certified check, or approved bond will result in return of the bid without consideration.

Bid security is optional for other bids or proposals.

Performance and Payment Bonds

The performance bond guarantees that the contractor will perform the duties assumed by entering the contract. The payment bond guarantees that the contractor will pay all suppliers and subcontractors who assist in the performance of the work.

One hundred percent (100%) performance and payment bonds are required on all public projects awarded more than \$25,000 (or updated threshold in California law).

Performance and payment bonds are optional for other bids or proposals. In most instances, bonds are not necessary if a contractor has been selected after a thorough review of references, qualifications, and financial stability.

Disadvantaged Business Enterprises

While the County does not offer price preferences, it is our policy to promote the development of DBE's. Procurement Services will be glad to answer any questions and provide assistance with purchasing procedures, bid opportunities, and contract awards.

Grants and Federal Monies

Federal law is applicable to County procurement activities any time federal funds are used for procurements. Buyers should review the specific requirements of the funding source with the requesting department and shall include Federal Terms and Conditions on RFBs, RFPs and awarded procurements.

Outside Legal Services

(reference County of Ventura Administrative Policy Manual No. Chapter VI-6)

Per the County Administrative Manual, where it is necessary, as in the case where the County Counsel has a conflict of interest, or when it is deemed desirable because specialized legal expertise is required from the private sector, outside legal counsel may be retained by contract, subject to the following limitations:

- All contracts for outside legal services in excess of two hundred thousand dollars (\$200,000) shall be approved by the Board of Supervisors.
- Contracts for such services, which do not exceed two hundred thousand dollars (\$200,000), are within the Purchasing Agent's authority, but are subject to prior written approval of County Counsel.

Compliance is provided by way of a memo from County Counsel. In cases where legal services are on a master agreement, approval documentation is required annually at master agreement annual renewal.

Lease-Purchase Agreements

(reference County of Ventura Administrative Manual Policy No. Chapter VII(B)-1)

Lease purchases are a form of borrowing and must be reviewed by the Auditor-Controller's Office and the Financial Planning Committee to determine appropriateness from the perspective of the County's borrowing program and the source of funding.

All lease-purchase items to be acquired must be approved by the Chief Executive Office and be specifically identified in the approved budget. Unforeseen lease-purchase requirements identified during the fiscal year mid-year must be specifically approved by the Board of Supervisors after determination that lease-purchase is the most appropriate acquisition method of financing.

Trade-ins

In most cases, the best method for disposal is as a trade-in when purchasing the same general replacement materials or equipment.

Should an agency or department choose this method, the following requirements will apply:

1. The transaction must be described in the vendor's quote and the purchase of the new equipment/material should be made via a separate requisition, **not** on a BDO, DO, GAX, credit card, or price agreement.
2. The monetary allowance offered by the vendor is fair and equitable. Market value can be researched online through various auction sites, trade magazines, or by calling GSA Procurement Services.
3. Scrap value does not exceed \$10,000.
4. Inventory records must be updated. Non-fixed assets are subject to each agency's procedures. To remove fixed assets from inventory, complete an IC-1 form located on the General Service Agency website under SURPLUS.

Trade-in situations where new products or equipment are not being purchased, the scrap value exceeds \$10,000, or the vendor is offering something other than a monetary discount (i.e., offers of free future service/labor) are not authorized and must be coordinated through the purchasing agent.

Requisitions

Requisition Submittal

Almost all purchasing actions begin with the submission of a requisition (RQS). This Chapter covers the review and approval of an incoming department created and approved requisitions.

In VCFMS, the requesting agency/department creates an RQS document.

An authorized individual from the requesting department must electronically approve the RQS in VCFMS. RQS documents with proper approvals will display PENDING status.

All backup documents (specifications, scope of work, quotes, order forms, contracts, sole source form, insurance certificates, AB339 determination, etc.) must be attached to the RQS for Procurement Services to review.

The RQS Worklist in VCFMS is scanned daily by Procurement Services' staff for RQSs that are ready for Procurement Services' review and approval. Only RQSs in a PENDING status with full approvals will be reviewed for approval.

Review and Approval of Incoming Requisitions

PENDING requisitions will be reviewed within 3 business days.

Requisition review and processing is assigned as follows:

- \$10,000 and under Purchasing Technicians by Agency Code.
- \$10,001 and over to Buyers by Agency Code.

Lead Time

Staff shall complete processing* of requisitions within the following time limits:

- **\$1- \$10,000 within 3 business days**
- **\$10,001 - \$200,000 ** – within ten (10) working days of receipt.** Buyers should issue Request for Quotation (RFQ) as needed.
- **Over \$200,000 – within four to six (4-6) weeks of receipt.** Buyers must issue formal bids or proposals with detailed specifications, as needed. RFPs should be released within 2 weeks from receipt of complete and acceptable scope of work and of specifications from requesting department.

The above bidding guidelines may be revised based on workload; see the following overview chart.

*Processing time does not include third party approvals (Supervisor, GSA, Auditor, or Board)

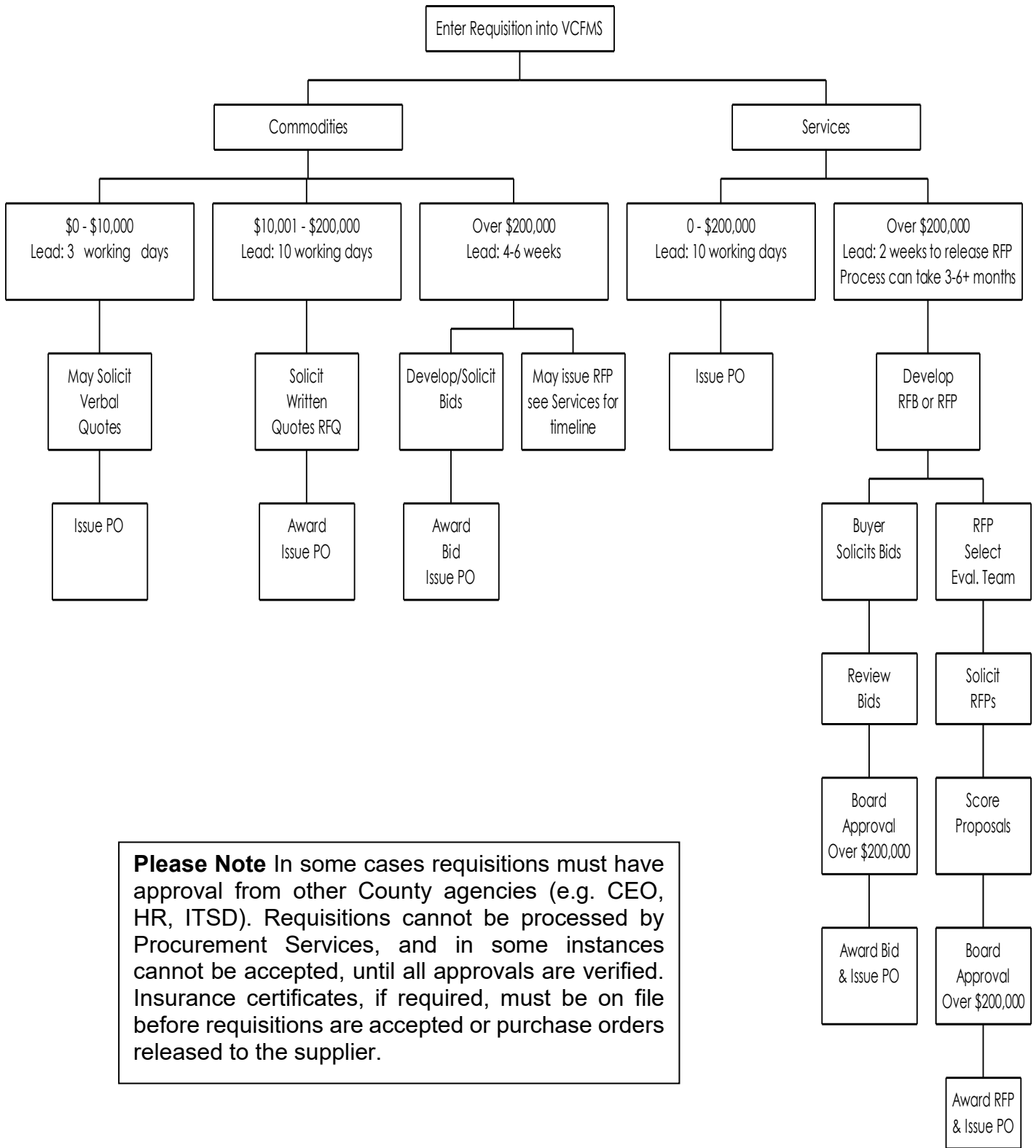
**Threshold for construction and maintenance/repair is \$25,000

Modifying/Cancelling Requisitions

County Agencies are considered the owner of the Requisition (RQS) and procurement document. Requisitions that need modification or cancellation must be initiated by the agency. Agency shall submit the modification or cancellation into workflow. Once appropriate approvals have been made, procurement will process as required.

Only Departments can modify or cancel a requisition.

Overview of the Procurement Process



Solicitation Policies and Procedures

Administrative Process

The administrative process will typically be used for the following:

- Commodities under \$25,000;
- Services under \$60,000;
- Maintenance and Repair under \$25,000.

Procurement does not require competitive solicitations, for the above-listed purchases, when the department has provided sufficient information (quotes, statement of work, or other documentation) necessary to proceed with issuing a purchase order.

However, should the technician (or Buyer) be aware of better sources, products, services, or the documentation provided by the department is incomplete, the requesting department should be contacted and advised that a better source exists, or that additional information is needed.

Request for Quotation Process (RFQ)

The RFQ process will typically be used for the following:

- Commodity purchases between \$25,000 and \$200,000.
- Construction and Repair jobs \$25,001 to \$60,000.

Requirements shall not be artificially divided to avoid soliciting written quotations.

The Purchasing Agent may authorize the use of the written quotation for higher dollar purchases for improved efficiency, due to time constraints and/or workload.

A **"Responsible"** bidder is a person who has the capability in all respects to fully perform the contract requirements, and the tenacity, perseverance, experience, integrity, reliability, capacity, facilities, equipment, and credit that will assure good faith performance.

A **"Responsive"** bidder is a person who has submitted a bid that conforms in all material respects to the requirements set forth in the solicitation.

Department Solicited Quotes

While departments are encouraged to contact Procurement Services early in the acquisition process; some departments may still get their own pricing. Department obtained quotes must meet all County policies and regulations. Quotes not meeting established requirements will not be accepted. The Buyer may have to re-quote, resulting in a delay in processing.

In most instances, informal quotes will not be accepted for purchases over the respective formal bid threshold. These purchases are solicited by sealed bid.

If the requisitioning department has obtained prices from vendors independently of Procurement Services, the following information must be submitted with the requisition:

- Copies of all quotes received. *Quotes should have the date that prices were quoted, the name and telephone number of the salesperson that gave the quote, the quantities quoted, and description of product or service quoted.*
- Quotes must be for like items and quantities. *For example, do not have one vendor quote on 300 sq. ft of carpeting and another vendor quote on 500 sq. ft.*

Formal Bid Process (Commodities \$200,000 +)

Requisitions for the purchase of supplies and/or equipment (sometimes services) with an aggregate cost of over \$200,000 shall be awarded by the competitive sealed bidding procedures contained in this Chapter, except as otherwise provided.

Competitive sealed bids are generally used when the product desired is simple to quantify and the County can determine the product or service that will meet its needs or purposes. A detailed specification is generally used to describe the goods or services desired. The Purchasing Agent may authorize the use of the written quotation for certain purchases due to time constraints or workload.

Solicit Bidders using the County of Ventura Vendor Information Portal (VCVIP) aka Bonfire website (Ventura.bonfirehub.com). Insofar as it is practical, all Bidders registered online for the type of supplies or equipment being bid shall be invited to bid.

Reminder

Agencies must follow all Grant and Federal funding requirements. Including but not limited to:

- Identifying potential small and minority businesses and women's business enterprises when forming a list of potential vendors. Use State DBE lists if available.
- Including adequate number of qualified sources.
- Including required terms and conditions.
- Checking the "List of Parties Excluded from Federal Procurement and Non-procurement Programs" before establishing any contracts for service to ensure that the vendor is not debarred or suspended.

Bids shall be awarded to the lowest responsible and responsive bidder consistent with the bid 's specifications.

All agreements and purchases shall be based strictly upon the face value of bids received in the usual manner. All provisions of a transaction or purchase order must appear stated in the agreement or purchase order; no secret rebates, discounts, or other considerations can be accepted.

In every instance where other than the low bid is accepted, the following procedures apply:

Informal Bid Process for Public Projects (\$60,000 - \$200,000)

Informal public project bids shall be solicited in accordance with the California Uniform Public Construction Cost Accounting Procedures (CUPCCAP) alternative bidding procedures which the County adopted by Ordinance 4177, on November 10, 1998. Buyers should refer to the California Uniform Public Construction Cost Accounting Procedures Manual.

Notice of Bids/Proposals (Formerly Legal Advertising)

In accordance with California Uniform Public Construction Cost Accounting Procedures (CUPCCAP) informal procedures, it is the recommendation of this internal procedure that notices of all bids and proposals involving public works projects over \$30,000 be issued.

Newspaper publication “advertising” is not required.

1. Information must be posted 10 days prior to pre-bid conference or bid due date.
2. Post all bids/proposals on the County of Ventura website.
3. Verify that the bid/proposal has been posted.
4. When required post in Trade Journals, examples are:
 - Daily Construction Services
 - F.W. Dodge
 - Ventura County Contractors Association

Addendums are to be prepared in the same manner.

Buyer will review the requisition and will inform the requesting department that the RQS needs to be edited.

Once review and editing have been completed, agency will submit a requisition for issuance of purchase order.

Receipt of Bids

Bids will be posted on the County of Ventura Vendor Information Portal (VCVIP) aka Bonfire website (Ventura.bonfirehub.com). Addenda and attachments, if issued, are also posted. It is the Offeror’s responsibility to ensure that the entire RFP package, in its latest version, is reviewed prior to submittal of a proposal.

Completed proposals must be submitted online through VCVIP at ventura.bonfirehub.com per instructions.

Late Bids

Bids close on the date and time noted on the request. Bonfire will not allow bid to be accepted after noted time. In accordance with California Government Code Section 53068, late bids will not be accepted.

Withdrawn Bids

Any bidder who wishes to withdraw his/her bid must withdraw the *entire* bid and not just a portion of it. Bidders may withdraw bids before the scheduled bid opening by doing so in Bonfire.

Cancellation of a Bid

Solicitations may be canceled if there are changes to be made to a bid that are substantial or would be difficult to communicate in an addendum. A new bid will supersede the old bid.

Tie Bids

The following criteria are for determining who receives the award in case of tie bids. The criteria are ranked in priority, and are to be applied in this order until one can be used as the basis for award:

- Location – If only one of the vendors is located within the County of Ventura, the award shall be made to that vendor.
- Vendor last award – If both vendors are located within the County of Ventura, and if the product has been purchased in the last two years from either bidder, award to that bidder, provided his or her performance has been satisfactory.
- Past performance – Review the vendor files for both bidders. Award will be made to the vendor with the best performance record.
- Origin of product:
 - First priority: goods manufactured in County of Ventura.
 - Second priority: goods manufactured in California.
 - Third priority: goods manufactured in the United States.
 - Last priority: goods manufactured outside the United States.

Rejection of all Bids

All bids may be rejected under one or more of the following conditions:

- All bids exceed the budgeted amount.
- The project is abandoned.
- The specifications scope and/or terms and conditions are revised for re-bidding.

Buyers must obtain approval from the Purchasing Agent before rejecting all bids.

Bid Collusion

Recognizing Collusion: Collusion is where one or more bidders:

- a. Make a bid that is in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation;
- b. Make a bid that is not genuine or is collusive or sham;
- c. Directly or indirectly induced or solicited any other bidder to put in a false or sham bid;
- d. Directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid or that anyone shall refrain from bidding;
- e. In any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the County of anyone interested in the proposed contract;
- f. Directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

Types of Collusion: There are many types of collusion. The two main types of collusion are antitrust violations and unfair trade practices, such as:

- **Antitrust Violations**
 - Price fixing among competitors;
 - Allocations of markets, customers, or territories;
 - Group boycotts and concerted refusals to deal.
- **Unfair Trade Practices**
 - Locality discriminations;
 - Selling under cost;
 - Loss leaders;
 - Secret rebates

Request for Proposal (RFP) Process

The following requirements apply to the procurement of Services (sometimes products) with an aggregate total of more than \$200,000 or any other procurement where the Buyer determines that the use of competitive sealed bidding is either not practicable or not advantageous to the County. A contract may be entered into by use of the competitive sealed proposals method. Competitive sealed proposals are generally used when the product or service desired is difficult to quantify or the County desires to have the offeror determine the best product, solution, or service delivery that will meet its needs or purposes. Rather than issue a detailed specification, an RFP uses a more general Scope of Work to describe the goods, services or results desired.

Request for Proposals shall include a scope of work and contractual terms and conditions applicable to the procurement. It may be necessary to find and review RFPs from other agencies.

The Request for Proposals shall indicate all evaluation factors, including price, which will be used in award of a contract. The relative importance of each factor may be stated.

Insofar as it is practical, all bidders registered for the type of product or services being bids shall be invited to bid.

The Request for Proposal process allows for discussions with responsible offerors who submit proposals determined to be reasonably susceptible of being selected for award. Discussion shall be for the purpose of clarification to assure full understanding of, and conformance to, the solicitation requirements. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals and such revisions may be permitted after submissions and before award for obtaining best and final offers. In conducting discussions, there shall be no disclosure of identity of competing offerors or of any information derived from proposals submitted by competing offerors.

Award shall be made to the responsible offer or whose proposal is determined in writing to be the most advantageous to the County, taking into consideration price and the evaluation factors set forth in the RFP. **No other factors or criteria shall be used in the evaluation.** The RFP file shall contain the basis on which the award was made.

Receipt of RFPs

Completed proposals must be submitted online through VCVIP at ventura.bonfirehub.com per instructions.

While there is no public bid opening the names of the offerors are considered public information and can be released.

Late RFPs

RFPs received after the date and time indicated on the bid request are considered late and will not be accepted. In accordance with California Government Code Section 53068, it will not be accepted.

Cancellation/Rejection of RFP

Solicitations may be canceled/rejected under one or more of the following conditions:

- All proposals exceed the budgeted amount.
- The project is abandoned.
- The solutions offered do not meet the County's needs.
- It is determined that the requirements/Specifications, scope and/or terms and conditions need to be revised.

Request for Information Process (RFI)

Some purchases may lend themselves to the RFI process. The purpose of an RFI is to gather/collect written information about the availability of certain products or solutions to a particular need and help decide on whether there are any, or enough, vendors with the right product to warrant issuing an RFP. RFI's are often followed by an RFP.

Pricing data is not gathered at this point.

Request for Qualifications Process

The request for qualifications process is used to first identify qualified vendors for a specific procurement. This process is sometimes referred to as a two-step RFP process. Step 1 would be to identify potential vendors and then have only those vendors submitted a priced proposal.

Purchase Order Documents

This chapter will cover the various types of purchase order documents.

Purchase Order (PO)

A purchase order authorizes the vendor to deliver materials or services in accordance with the terms and conditions specified thereon (or incorporated from a bid or other document by reference). It also acknowledges the obligation of the County to pay for the goods or services ordered upon their receipt and proper invoice. Unless a separate contract document is executed, the purchase order document (PO, SC, CT, MA, EPO, RAP) establishes the contractual relationship between the County and the vendor.

The purchase order is the County's commitment for the value of the material or service ordered. A purchase order is a legally binding contract. When a purchase order is issued as an acceptance of a bid, quotation, or offer, a contractual relationship is established.

Once a requisition (RQS) has been reviewed, edited, and is in compliance with all applicable county policies (including bidding requirements), a purchase order document must be created in VCFMS.

Purchase Order Review and Approval

Depending upon the dollar threshold, the purchase order document will be reviewed, validated and submitted. It will enter 'workflow' and depending on the dollar amount, will be forwarded to a buyer or supervisor for approval in VCFMS.

Approval authority is as follows:

Buyers/Senior Buyers may approve purchasing documents of \$10,000 or less as part of the SOP for this threshold. A technician must have first reviewed the requisition and issued the procurement document.

Senior Buyers/Principal Buyers may approve their own purchasing documents between \$10,001 and \$200,000, at their supervisor's discretion.

The Assistant Procurement Officer can approve all dollar levels in the absence of the Purchasing Agent and may be given independent approval authority for their own documents up to \$200,000.

Master Agreements

In general, Master Agreements (MA) are used for purchases that are made on an “as-needed” basis. Only items, or services, that are described on the MA may be purchased. Control of the use of MA is the responsibility of the buyer. MAs will usually have a set per-order limit.

The advantages of using MAs are:

They allow departments to order as needed throughout the fiscal year without having to request a new purchase order for each purchase.

They often enable the County to qualify for lower prices by consolidating many small purchases into one annual supply agreement. Where conditions permit, prices or pricing formulas are firmly established.

MAs are generally issued annually with the term beginning July 1 and ending June 30 of the following year. However, MAs may have later starting dates or earlier ending dates, when required by special circumstances.

An authorized County employee may issue a release (DO or BDO) for specific goods described on the MA and pursuant to its terms and conditions.

Aside from the VCFMS requirements for creating a procurement document the following information should also be included when creating a Master Agreement.

Naming sequence is twenty characters with the last 8 being FYXXMA0X. (XX note fiscal year and X the number of the master agreement) The first twelve characters are the legal name of the vendor. Add 0's if there are not enough characters in the vendor's legal name.

- Must include pricing information if total encumbrance is over \$10,000

Standard clauses –

ST005 Subject to cancellation at any time.

ST040 Cost of any one job or item may not exceed (indicate appropriate amount)

ST46MA Annual Master Agreement Letter

Annual Renewal of Master Agreements

- Uploaded to VCFMS for procurement services review and edits
- Usually uploaded by mid-April

Refer to Master Agreement Renewal Memo issued annually.

Strategic Sourcing information - convenience master agreement order spend data will be reviewed and analyzed for potential bidding opportunities. Annual contracts will be targeted for bidding based on staff resources, total spend, possible return on investment, and workload.

Delivery Order (DO) / Basic Delivery Order (BDO)

Delivery Order and Basic Delivery Orders are created using the master agreement as the procurement document. The department will issue a DO or BDO instead of a requisition. The delivery order routes through department management approval prior to being routed to procurement services for approval. The basic delivery order routes through department management approvals and bypasses procurement approval. Auditor Controller will approve both delivery orders (DOs) and basic delivery orders (BDO's).

Document Distribution

Once the procurement documents are printed the Student Aide or Purchasing Technicians will mail the vendor's copy (regular U.S Mail). The student aide or purchasing technician will attach necessary documents (contracts, amendments, scope of work, etc.) if needed prior to mailing. Purchase orders are to be mailed daily.

No other copies of purchase order documents are printed.

Change Orders

Because procurement documents are legal documents that represent, or form the basis of, the contractual relationship between the County and a vendor, any changes to that contract must be in writing, and approved by Procurement Services.

When changes are made without prior authorization from Procurement Services, payment to the vendor may be delayed while proper documentation is completed. Furthermore, the contractual rights of the County and the vendor are jeopardized by such unauthorized changes.

Changes to Master Agreements

Departments are not authorized to directly create a MA modification document in VCFMS.

If a department requests an increase or decrease to a master agreement the following must be completed and emailed to the buyer listed on the master agreement.

For increases:

"INCREASE COMM LINE XX \$ (list amount of increase) to \$ (list the end total amount of the increase).

Example: INCREASE COMM LINE 1 BY \$1,000.00 TO \$2,000.00

For decreases:

"DECREASE COMM LINE XX BY \$ (list amount of decrease) to \$ (list the end total amount of the decrease)

Example: DECREASE COMM LINE 1 \$1,000.00 TO \$3,000.00

If the increase or decrease pertain to a particular comm line – please note the affected comm line.

Master agreement modifications (change orders) can ONLY be processed by Procurement Services. The MA modification will enter workflow for approval by procurement services and the Auditor-Controller's office.

Once the modification has received all approvals, the vendor copy is distributed by Procurement Services.

Changes to Non-Master Agreement Procurement Documents

All changes to one-time purchase orders and RAP purchase orders require departments to submit an online modification. Changes include, but are not limited to:

- Addition, deletion, or change of items
- Change in prices
- Change in terms and conditions

The requesting agency/department creates a modification in VCFMS. Step-by-step diagrams for entering modification can be found on the GSA Procurement Services' intranet website. Modifications require modification notes located on the HEADER page of the procurement document. All modifications will have to go through workflow for department management approval and will then route to procurement services. Note: if HR/CEO/ITS approval is required the modification will route to those departments for approval prior to being routed to procurement services

Changes to vendor IDs are not allowed on a modification document. To change the vendor ID on a 'FINAL' procurement document the requesting department will have to process a requisition with the correct vendor ID. A note on the commodity line extended description referencing the previous procurement document should be added.

Services' staff for RQS's that are ready for Procurement Services' review and approval.

Supporting documents, such as contracts and price lists, are attached to the procurement document for reference and support of the purchase.

Once approved by the Auditor-Controller's office, the modified procurement document is printed the following day.

Emergency Purchase Orders

Notwithstanding any other provisions of this Manual, Purchasing may make or authorize others to make emergency procurements of supplies, equipment, services, or construction items, to preserve life, health or property; upon a natural disaster; to correct or forestall a shutdown of essential public services; or other unforeseeable events, provided that such emergency procurements shall be made with such competition as is practicable under the circumstances.

Written Determination: An Emergency Justification form shall be submitted. A copy of the Emergency Justification form is available on the intranet. Emergencies

estimated/totaling over \$60,000 require Department/Division Head approval/signature on the Emergency Justification form.

Authorization: An emergency purchase may be made by any person/official who is authorized to sign requisitions, ONLY when:

- The Purchasing Agent, or any of his assistants in GSA/Procurement Services who are authorized to make purchases, *are not immediately available*; and
- The item(s) purchased *are immediately necessary* for:
 - The continued operation of the office or department involved; or
 - Are immediately necessary for the preservation of life or property.

Technically, an emergency need is one that could not have been foreseen. Failure to submit a requisition on time does NOT constitute a valid emergency.

When an emergency need arises during work hours, the department may contact Procurement Services to obtain a purchase order number over the telephone. The requesting department must provide the following information at the time of the request:

- Organization number
- Vendor Name
- Description and quantity of material or service needed
- Estimated amount of purchase

Ratification: Emergency purchases shall be subsequently approved and confirmed by:

- The Purchasing Agent, or if he refuses.
- The Board of Supervisors may approve and confirm the purchase by four-fifths vote of the members present at any of its regular meetings

Unless such purchases are approved or confirmed by either the Purchasing Agent or the Board of Supervisors the County will not be legally responsible for the costs of the purchase. *Employees who fail to comply with these regulations run the risk of becoming personally liable for their purchases.*

Rapid Acquisition Program (RAP)

To improve operational efficiency, GSA Procurement Services initiated the Rapid Acquisition Program (RAP). RAP will enable County Agencies/Departments to more quickly process small purchases of up to \$10,000 by eliminating processing delays caused by redundant data entry. Participating Agency/Department users will receive Ventura County Financial Management System (VCFMS) authorization to create purchase order (RAP) documents for small purchases.

Please refer to the RAP Policy and Procedure Manual for a complete list of authorized and restricted uses. The manual is available on the Procurement intranet site under Forms & Policies. The RAP program authorized the requesting department to create purchase orders in VCFMS, by passing the online requisition process (described

earlier in this chapter). These purchase orders are identified by RAP noted at the beginning of the purchase order number.

Use of the RAP program requires that the requesting agency/department obtain required approvals and insurance certificates.

RAP purchase orders must be approved, online, by an authorized individual from the requesting department and will then be routed accordingly.

Purchase Order Document Printing

Once all required approvals have been given (dept management, procurement services and audit controller) the procurement document (PO, CT, SC, RAP, MA, DO and BDO) will be printed by Business Support Services. Printed documents are dropped off by Business Support staff daily. Documents are sorted and matched with the support documentation (contracts, quotes, scope of work).

Vendors/Supplier Relations

New Vendor in VCFMS

Before a purchase order document can be issued to a given vendor, they must be added to the VCFMS vendor file.

The auditor's office can add, delete or change vendor information. Records must be updated whenever there is a modification in a vendor's name or address.

Vendor Performance

Departments should report vendor issues to Procurement Services. Doing so ensures that non (or poor) performing vendors correct their performance or risk being barred from County business. Departments wishing to lodge a complaint about a vendor (for poor service), failure to meet specifications, etc.) may complete a Vendor Performance form. A sample form is available on the GSA Procurement Services' intranet website.

Forms should be completed by the department and returned to Procurement Services as soon as possible after the occurrence of unsatisfactory vendor performance.

Documentation of vendor performance issues is extremely important. Without it, Procurement Services will not be able to disqualify vendors

Debarring Of Bidders

After reasonable notice to the person or firm involved, and reasonable opportunity for that person or firm to be heard, the Purchasing Agent or his designee, may debar a person for cause from consideration for award of contracts. The debarment shall be for a period of not more than 3 [three] years. The Purchasing Agent may suspend a person or firm from consideration for award of contracts if there is probable cause to believe that the person or firm has engaged in any activity that might lead to debarment. The maximum suspension is up to one year. Causes for debarment may include:

- Conviction for 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.
- 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 business honesty which currently, seriously, and directly affects responsibility as a county contractor or supplier;

- Conviction under state or federal antitrust statutes arising out of the submission of bids or proposals,
 - Violation of contract provisions, as set forth below, of a character which is regarded by the Purchasing Agent to be so serious as to justify debarment action:
 - Deliberate failure without good cause to perform in accordance with the specifications or within the time limit provided in the contract; or
 - A recent record of failure to perform or of unsatisfactory performance in accordance with the terms of one or more contracts; if failure to perform or unsatisfactory performance caused by acts beyond the control of the contractor or supplier shall not be considered a basis for debarment,
 - Any other cause the Purchasing Agent determines to be so serious and compelling as to affect responsibility as a county contractor or supplier, including debarment by another governmental entity.

The Purchasing Agent shall issue a written decision to debar or suspend. The decision shall state the reasons for the action taken and inform the debarred, or suspended person involved.

A copy of the decision shall be mailed or otherwise furnished immediately to the debarred or suspended person or firm.

Hearing Rights shall be offered to the aggrieved party.

A decision, by the purchasing agent, shall be final and conclusive, unless the debarred or suspended person or firm, within 5 days after receipt of the decision, appeals the decision to the Director of the General Services Agency, whose decision shall be final. The GSA Director shall have 5 calendar days to respond.

Rights and Duties of Bidders/Offerors/Contractors

Rights

Bidders and offerors have the right of nondisclosure of proprietary information. No such information shall be disclosed without the prior written consent of the bidder or offeror. Written disclosure consents shall be kept in the solicitation file.

In the event of a timely protest, the Purchasing Agent shall not proceed further with the solicitation or award of the contract unless the Purchasing Agent makes a written determination that the award of a contract without delay is necessary to protect substantial interests of the County.

Duties

The unreasonable failure of a bidder or offeror to supply prompt information in connection with an inquiry with respect to such bidder or offeror may be grounds for a determination of non-responsibility with respect to such bidder or offeror. If a bidder or offeror who otherwise would have been awarded a contract is found non-

responsible the Purchasing Agent shall prepare a written determination of non-responsibility, setting forth the basis of the finding. The final determination shall be made part of the contract file and be made a public record. A copy of the determination shall be sent promptly to the non-responsible bidder or offeror.

When the Purchasing Agent determines that analysis of the proposed price is necessary to determine if it is reasonable and fair, upon request a prospective contractor shall submit cost or pricing data when the contract is to be awarded by competitive sealed proposals or by sole source procurement authority.

Contractors shall submit cost or pricing data before the pricing of any change order or contract modification, including adjustments to contracts awarded by competitive sealed bidding. Such data shall be submitted, regardless of whether the cost or pricing data was required in connection with the initial pricing of the contract, when the change or modification involves aggregate increases or aggregate decreases in costs, plus applicable profits, that are expected to exceed \$200,000.00. Anytime one or more change orders or contract modifications increasing the total aggregate amount of the service from a contractor, the change shall require the approval of Board of Supervisors.

Vendor Protest Procedure

Procurements shall be protested in accordance with this section. Protests not complying with the provisions of this section shall not be reviewed.

Definitions. For the purposes of this section:

"Interested Party," means an actual bidder or offeror, and any contractor or subcontractor identified by name in any bid proposal, or response to solicitation.

"Bid" includes "offer" and "proposal" in the context of formal, informal or negotiated procurements.

"Filing Date" or "Submission Date" means the date of receipt by the Purchasing Agent.

"Days" means calendar days.

Protests shall be made in writing to the Purchasing Agent within five (5) days after the protestor knows or should have known of the facts giving rise thereto. A protest is considered filed when received by the Purchasing Agent. Protests filed after five (5) days shall not be considered.

Protestors may file a protest on any phase of solicitation or award including, but not limited to specification preparation, award, or disclosure of information marked confidential in the bid or offer.

To expedite handling of protests, the envelope should be labeled "Protest." The written protest shall include as a minimum, the following:

- The name and address of the protestor.
- Appropriate identification of the procurement, and, if a contract has been awarded, its number;

- A statement of reasons for the protest and
- Supporting exhibits, evidence, or documents to substantiate any claims unless not available within the filing time, in which case the expected availability dates shall be indicated.

When a protest has been filed within five (5) days, and before any award has been made, the Purchasing Agent shall make no award of the contract until the protest has been settled unless the Purchasing Agent makes a determination that the award of the contract without delay is necessary to protect substantial interests of the County.

Miscellaneous

Bid Listing Report

Procurement Services maintains a solicitation listing report. This report lists the solicitations conducted by County of Ventura Procurement Services. Included in this report are request for proposal (RFP), request for bid (RFB), request for quote (RFQ), and request for qualifications (RFQ).

Agency Document / Correspondence Standards

It is the policy of the General Services Agency to use standardized formats for written communications emanating from the Agency. The purpose of the format and writing standards is to increase readability and thereby improve the effectiveness of written communications.

The GSA Director will usually sign and ***always*** review all written correspondence addressed to elected officials, CEO, Assistant CEO, County Counsel, Agency/Department Heads, and similar dignitaries of State and local government.

Document standards guidelines can be found on common drive I:Procurement\forms & templates\forms & templates\Administrative Forms/Document Standards Format

Cash Receipts

Any, and all, monies collected for surplus sales or public records requests shall be handled by the Management Assistant.

Public Records Requests

(reference County of Ventura Ordinance 4627)

The California Public Records Act ("CPRA") was enacted by the Legislature to further the concept of government accountability.

The CPRA allows the public access to inspect and obtain copies of most public records. It also provides specific, limited circumstances in which a public entity may refuse to produce requested records.

Procurement information shall be a public record to the extent provided in Government Code §6252 and shall be available to the public as provided in that statute. *Some* of the

requirements of Government Code Section 6252 are summarized below to provide a brief overview of the California Public Records Act as it may pertain to procurement records.

We must assist the requestor in identifying records and information that are responsive to the request stated.

Requests for “County of Ventura” records should be redirected to the Clerk of the Board or CEO’s office. A courtesy notice should be given to these offices.

Under certain conditions, and or certain types of records it may be justifiable to deny a request.

Always, consult with County Counsel about grounds for denial, and provide written notification of the denial to the requestor.

We Have 10 days to respond. We don’t necessarily have to provide the records – within 10 days – we must respond to the request in some way.

- Providing the records
- Respond that we don’t have/hold the records – redirect to another agency
- Respond that we have the records, however we need X days to research/fulfill the request and the cost to provide the records (if applicable).

Refer to County of Ventura Ordinance 4627 for possible charges to requestor.