

Resolution 2014-279

City of Lake City

Procurement and Contracting Policy



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City of Lake City Procurement and Contracting Policy

The purpose of this policy is to provide for the fair and equitable treatment of all purposes involved in public purchasing by the City of Lake City, to maximize the purchasing value of public funds in procurement, and to provide safeguards for maintaining a procurement system of quality and integrity. The City of Lake City shall not discriminate against any vendor on the basis of race, color, religion, national origin, gender, age, disability, or veteran status in any area of the purchasing process. The taxpayers of Lake City expect and have the right to receive a high level of service at the lowest possible cost. Increased competition results in lower costs; therefore, the following is a guidance for the procurement of all supplies, equipment and services for the City of Lake City.

I. PROCUREMENT METHODS

A. INFORMAL BID PROCEDURE

1. The Department Supervisor shall approve all purchases up to \$1,000.00 including sales tax, freight and delivery.
2. All purchases \$1,000.01 to \$2,500.00 including sales tax, freight, and delivery shall be supported by a minimum of three written quotations when attainable, which shall be submitted along with Purchase request and forwarded to the appropriate authority or his/her designee and copies to the Finance Department. The appropriate authority or his/her designee must approve this type of purchase. All purchases require the Supervisor's signature.

B. PURCHASING CARDS

1. The Purchasing Card is a credit card which will save time for the Assistant Finance Director by not having to key in a multitude of invoices. It is a convenient method for Department Supervisors when purchases are needed to just charge to its own department card. The Purchasing Card works the same as a personal credit card and will be accepted by any vendor who accepts VISA. Each card shall have a revolving credit limit of \$2,500.00, with exception of the Finance Director's revolving credit limit being \$15,000.00 and any and all balances shall be paid at month end. The Purchasing Card shall not be used for certain types of transactions; i.e. travel registration fees, entertainment or cash. Prohibited items are:
 - Detective Agencies, Protective Services, Security Services including Armored Cars & Guard Dogs
 - Car Rental Agencies (not elsewhere classified) Motor Home & Recreational Vehicle Rentals
 - Express Payment Service Merchants - Parking Lots
 - Car Washes
 - Express Payment Service Merchants - Motion Picture Theaters
 - Bands, Orchestras & Entertainers
 - Betting (including Lottery Tickets, Casino Gaming Chips, & Off-track Betting & Wagers)
 - Membership Clubs (Sports, Recreation & Athletic), Country Clubs, & Private Golf Courses
 - Doctors
 - Dentists & Orthodontists

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- Osteopaths
- Chiropractors
- Optometrists & Ophthalmologists
- Opticians
- Optical Goods & Eyeglasses
- Chiropodists & Podiatrists
- Nursing & Personal Care Facilities
- Hospitals
- Medical & Dental Laboratories
- Medical Services & Health Practitioners (not elsewhere classified)
- Legal Services & Attorneys
- Elementary, Secondary Schools & Correspondence Schools
- Business & Secretarial Schools
- Vocational & Trade Schools
- Schools & Educational Services (not elsewhere classified)
- Child Care Services
- Charitable & Social Service Organizations
- Civic, Social, & Fraternal Associations
- Political Organizations
- Religious Organizations
- Automobile Associations
- Membership Organizations (not elsewhere classified)
- Accounting, Auditing, & Bookkeeping Services
- Court Costs, Including Alimony & Child Support
- Fines
- Bail & Bond Payment
- Tax Payments
- Government Services (not elsewhere classified)
- Government Loan Payments
- Automated Rental Services
- U.K. Supermarkets - Electronic Hot File (For Regional Use Only)
- U.K. Petrol Stations - Electronic Hot File (For Regional Use Only) Requirements for Use
- Automobile Rentals
- Hotels & Motels
- Railroads
- Local/Suburban Commuter Passenger Transportation, including Ferries
- Passenger Railways
- Taxicabs or Limousines
- Motor Freight Carriers, Trucking – local/long distance, moving & storage companies
- Local Delivery Services
- Storage Companies - Local Delivery Services
- Steamship & Cruise Lines
- Airlines & Air Carriers (not elsewhere classified)
- Airports, Flying Fields & Airport Terminals
- Travel Agencies

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- TUI Travel
- Transportation & Travel-Related Arrangement Services (not elsewhere classified)
- Mail or Telephone Order (excluding travel agencies)
- Toll Roads & Bridge Toll Fees
- Telegraph Services
- Wire Transfer - Money Orders
- Cable & Other Pay Television Services
- Utilities - Electric, Gas, Water, Sanitation
- Precious Stones & Metals, Watches & Jewelry
- Petroleum & Petroleum Products
- Florist Supplies, Nursery Stock & Flowers
- Mobile Home Dealers
- Duty Free Stores
- Service Stations (with or without ancillary services)
- Automated Fuel Dispensers
- Snowmobile Dealers
- Furriers & Fur Shops
- Eating Places & Restaurants
- Drinking Places (Alcoholic Beverages) Bars, Taverns, Cocktail Lounges, Nightclubs, & Discotheque Lounges
- Package Stores - Beer, Wine & Liquor
- Pawn Shops
- Jewelry Stores, Watches, Clocks, & Silverware Stores
- Direct Marketing Insurance Services
- Direct Marketing Travel-Related Arrangement Services
- Direct Selling Establishments/Door-to-Door Sales
- Outbound Telemarketing Merchant
- Cigar Stores & Stands
- Electric Razor Stores - Sales & Service
- Financial Institutions - Manual Cash Disbursements
- Financial Institutions - Automated Cash Disbursements
- Financial Institutions - Merchandise & Services
- Non-Financial Institutions - Foreign Currency, Money Orders (not wire transfer) & Travelers Cheques
- Security Brokers/Dealers
- Insurance Sales & Underwriting
- Insurance Premiums
- Insurance (not elsewhere classified)
- Overpayments
- Savings Bonds
- Lodging - Hotels Motels, Resorts, & Central Reservation Services (not elsewhere classified)
- Timeshares
- Barber & Beauty Shops
- Dating & Escort Services
- Tax Preparation Service

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- Counseling Service - Debt, Marriage & Personal
 - Buying - Shopping Services & Clubs
 - Hospital Patient Personal Funds Withdrawal Accounts
 - Babysitting Services
 - Massage Parlors
 - Health & Beauty Spas
 - Consumer Credit Reporting Agencies
 - Cleaning & Maintenance
 - Employment Agencies & Temporary Help Services
 - Management, Consulting & Public Relations Services
 - Electronics, cell phones/accessories, computers/accessories, I-Pads, Kindles, mapping devices, & GPS systems
2. The names submitted by each Department Supervisor shall be printed on the card and the cardholder is the only person authorized to use the card. The Department Supervisor shall be responsible that the authorized card holder uses the Purchase Card for legitimate business only and shall ensure all purchases are within the guidelines of the City's procurement policy. Disciplinary action will be taken against the cardholder if card is misused in accordance with the City's Personnel Policy. The current policy states:
- | | |
|-------------------------|------------------------------------|
| \$0.01 - \$1,000.00 | No Quotes |
| \$1,001.01 - \$5,000.00 | 3 Written Quotes (when attainable) |
3. Receipts and Purchase Requests shall be reconciled to the statement and forwarded within three days after receipt of statement to the Finance Department. In the case of telephone order, submit request to the appropriate authority or his/her designee and forward to the Finance Department. Receipts must have approval signatures, general ledger account numbers and quotes, if applicable, before submitting to the Finance Department for posting.

C. REQUEST FOR QUOTATIONS (RFQ)

1. All final purchases \$1,000.01 - \$5,000.00 including sales tax, freight and delivery shall be supported by written quotations (when attainable) which shall be submitted on Request for Quotation (RFQ) Form and forwarded to the Finance Department. The Mayor/City Council must approve all purchases above \$5,000.01.
2. The Finance Department upon approval of Mayor or Mayor's designee can pay any invoice that allows payment discounts. Council members shall be apprised of all such invoices allowing discounts at the next regular City Council Meeting.
3. In all of the above informal purchases, the bid shall be awarded to the lowest responsible and responsive bidder who best meets the City's specifications or scope of work. Factors considered in awarding an informal bid shall include but not be limited to the following:

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- a. quality
 - b. price
 - c. warranty or guarantee
 - d. timeliness of deliver
 - e. service
 - f. operating cost of time over its expected lifetime
 - g. past performance of like or similar services or products utilized by the City
 - h. past performance of bidder on previous City orders
 - i. significant variances in prices from average quoted prices
 - j. client references involving like or similar goods
 - k. geographical location of bidder including his or her service facility relative to the City of Lake City.
4. Responsible Bidder refers to a vendor who has the capability in all respects to fully perform the purchase requirements, and the integrity and reliability which will assure good-faith performance.
 5. Responsive Bidder refers to a vendor who has submitted a bid which conforms in all the material respects to the request for quotes.

II COMPETITIVE SEALED BIDDING

A. INVITATIONS FOR BIDS (IFB)

This procedure shall be utilized when a purchase or contract is estimated at \$5,000.00 or more. Purchases in an amount of \$5,000.01 or more must be approved by Mayor and Council before that purchase transaction becomes valid.

1. *Invitation for bids:* An invitation for bids shall be issued and shall include a purchase description as well as all contractual terms and conditions applicable to the procurement.
2. *Public notice:* Public Notice of the invitation for bids shall be given for projects in excess of \$5,000.01. If funding source is not the City, we will comply with funding source's regulations.
3. *Bid opening:* Bids shall be opened publicly in the presence of one (1) or more witnesses at the time and place designated in the invitation of bids. The amount of each bid and such other relevant information specified by regulation, together with the name of each bidder shall be recorded; the record and each bid shall be open to the public inspection after award.
4. *Bid acceptance and evaluation:* Bids shall be unconditionally accepted without alteration or correction, except as authorized in this article by the City's Bid Committee. Bids shall be evaluated based on the requirements set forth in the invitation for bids, which may include criteria to determine acceptability such as inspection, testing, quality, workmanship, delivery, and suitability for a particular purpose. Those criteria that will affect the bid price and be considered in evaluation for award shall be objectively measurable, such as discounts, transportation costs, and total or life cycle costs. The invitation for bids shall set forth the evaluation criteria to be used. No criteria may be

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used in bid evaluations that are not set forth in the invitation for bids.

5. *Awards:* Except as hereinafter prescribed, all contracts shall be awarded with reasonable promptness by written notice to the lowest responsible and responsive bidder whose bid meets the requirements and criteria set forth in the invitation for bids upon approval of Mayor/City Council. The City Administrator or his/her designee under the following conditions may waive the purchasing rules and regulations:
 - a. "Sole Source"
 - b. When it is to the advantage of the City to acquire materials and/or services on the basis of previously awarded bids.
 - c. When it is possible to procure materials or equipment through the Purchasing Division of the State of South Carolina.
6. *Reviews:* Vendor or Contract services provided will be reviewed annually for current levels in technology, capacity, and long term cost.

B. FORMAL BIDS FOR PURCHASE OF EQUIPMENT AND SUPPLIES

The Department Supervisor and or his/her designee shall generate a competitive bid specification. The Invitation for Bid (IFB) documents shall be prepared by the Finance Department. The date set for the bid opening must allow adequate time for prospective bidders to prepare their bids. Public bid notices may be run in one or more newspapers of general circulation as the Bid Committee and Department Supervisor deems necessary. The formal bid may also appear in SC Business Opportunities (SCBO), a widely distributed newsletter published twice weekly by State Purchasing. The Bid Committee and Department Supervisor may refer to the current SC Minority Business Director as published by the Governor's Office of Small and Minority Business Assistance to determine if any Minority Business Enterprise (MBE) or Women's Business Enterprise (WBE) offer the equipment or service that the City is seeking. In addition, the Bid Committee and Department Supervisor may refer to the current issue of Greater Carolinas Regional Industrial Buying Guide (GCRIBG) in an effort to obtain additional bidders. Formal bids may also be advertised via the Internet through the World Wide Web or through any other means deemed appropriate by the Bid Committee and Department Supervisor. Invitation for Bid (IFB) package shall be sent to prospective bidders derived from "Bidders Mailing List" and those upon request.

Bids are publicly opened at a specific date and time. Bids received late will not be accepted or considered for the award. A bid tabulation will be produced and made available to all interested bidders. No bid will be awarded until the City's Bid Committee has reviewed each bid. The Bid Committee shall submit recommendations to Mayor and Council for authorization to proceed with the purchase. It is the policy of the City to award the Contract to the most responsible and responsive bidder who best meets the City's specifications.

The Bid Committee will submit a recommendation to Mayor and Council for approval.

C. FORMAL BIDS FOR CONSTRUCTION PROJECTS

For construction projects, the Department Supervisor or a third party engineering firm shall generate plans and create specifications. The date set for the bid opening must allow ample

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time for prospective bidders to prepare their bid. Public bid notices may be run in one or more newspapers of general circulation as the Bid Committee and/or Engineering Firm deems necessary. The Bid Committee or Department Supervisor may require what construction trades will be involved on the project (e.g., subcontractors, drywall, electrical, fencing, grading, excavating, clearing, landscaping, masonry, painting, plumbing, etc.). After this determination is made, the Bid Committee may refer to the current SC Minority Business Directory as published by the Governor's Office of Small & Minority Business Assistance to locate MBE's and WBE's who do such work. The names and addresses of applicable MBE's or WBE's may be submitted to the third party engineering firm to be included on their bidders list. The formal bid may also appear in SC Business Opportunities; the Associated General Contractors Weekly Bulletin; Dodge Reports Daily; Construction Market Data; Construction Week; the Coalition of Black Networking; the World Wide Web or other means of advertisement as deemed appropriate by the Bid Committee and/or Engineering Firm. IFB package shall be sent to prospective bidders derived from "Bidders Mailing List" and those upon request.

Bids received late shall not be accepted or considered for the award. Bids are opened publicly at a specific date and time. Bid tabulation shall be produced and made available to all interested bidders. No bid award shall be recommended by the City's Bid Committee until the Department Supervisor and/or Engineer have reviewed each bid. A written recommendation for the award is submitted by the Bid Committee and/or Engineering Firm for Mayor and Council's approval. Upon approval, a contract agreement will be sent to the successful contractor for execution. Once the contract agreement has been returned, the contract is then routed to the Mayor or his/her designee for proper execution.

It is the policy of the City to award the contract to the most responsible and responsive bidder who best meets the City's plans and specifications. Factors considered in awarding a construction contract should include but not be limited to the following:

1. quality
2. price
3. warranty or guarantee
4. timeliness of delivery
5. service
6. past performance of contractor on previous projects
7. supervisor's recommendations
8. client references involving like or similar projects.

The Bid Committee will submit a recommendation to Mayor and Council for approval.

When deemed necessary, a bid deposit in the amount of at least 5% of the proposed contract price will be required of all bidders. This deposit will be in the form of a 5% bid bond executed by a corporate surety licensed under the laws of South Carolina. If the successful bidder fails to enter into the proposed contract within fifteen days after the award date, the City may call for the bid bond.

A performance bond in the amount of 100% of the contract price may be required by the Department Supervisor or the Engineer. This provision enables the City of Lake City to ensure that the contractor provides suitable evidence of their financial condition and ability to complete the work without financial difficulty. Cash or a certified check, in the full amount of the contract, may be submitted as part of the contract in place of a bond within 15 days

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from contract award date. Failure of the contractor to satisfactorily fulfill their obligations shall be cause for the forfeiture of the warranty. In such' instance, the City shall document the circumstances and file such findings with the related contract.

In some cases, the City may determine that an alternative to a performance bond is appropriate. In such cases, the City shall require a general liability insurance policy with a binder for "completed operations" and premises policy rider sufficient to cover the cost to complete the project. In addition, a provision shall be made for all accounts payable checks for the project to be issued as jointly payable to the contractor and supplier. Also, a provision shall be made in the contract raising the percentage of retention in the contract prior to completion.

Commercial contractors must be licensed by the South Carolina Department of Labor, Licensing and Regulation before being awarded any contract for \$10,000.00 or more.

Electrical and plumbing contractors must secure a surety bond, made out to the City of Lake City before being awarded any contract for \$10,000.00 or more.

D. SELECTION OF VENDORS

It is the policy of the City to award the contract to the most responsible and responsive bidder who best meets the City's plans and specifications. Factors considered in awarding a construction contract should include but not be limited to the following:

1. quality
2. price
3. warranty or guarantee
4. timeliness of delivery
5. service
6. past performance of contractor on previous projects
7. supervisor's recommendations
8. client references involving like or similar projects.

E. TIE BIDS

If all bids received are for the same total amount or unit price; quality and service being equal; the contract shall be awarded to the "local vendor" (a vendor located within the City limits of Lake City). If two or more tie bids are submitted by local bidders, the contract shall be awarded to one of the local tied bidders by publicly drawing lots with witnesses present. If local bidders are not involved in the tie bids, the contract shall be awarded to one of the outside tied bidders by drawing lots in public with witnesses present.

F. BUSINESS LICENSE FEE REQUIREMENT

It is required that each vendor or contractor awarded a contract with the City of Lake City either have a current business license or secure a business license for the contract amount of work to be performed for the City. A copy of the business license must be submitted with the signed contract. No work shall be done by the contractor until a valid business license has been obtained except when work is being performed for or by a Governmental Agency.

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G. COMPETITIVE BIDDING

It shall be the policy of the City to write supply or equipment specifications in a manner which encourages competitive bidding whenever possible. In cases where the specification recommended by the Department Supervisor has the result of discouraging or precluding competitive bidding, the Department Supervisor shall justify the need for the restrictive specification (see III Specifications). The Mayor or his/her designee must be advised when competitive bidding is not possible and the reasons for such occurrences. Department Supervisors requiring specifications which discourage or preclude competitive bidding must justify such specifications to the Mayor or his/her designee.

H. EMERGENCY PURCHASES/EMERGENCY CONSTRUCTION

Emergency purchases should be avoided whenever possible through proper planning. An emergency may be defined as an "unforeseen occurrence requiring prompt and immediate action." An emergency may also include situations in which life, safety, and welfare of the citizens of Lake City are in danger, necessitating emergency construction work such as, but not limited to, repairs to a sewer line, repairs to a water well pump, etc. For emergency purchases or contracts exceeding \$5,000.01, the Department Supervisor must request authorization from the Mayor or his/her designee to waive the City's formal bid procedures. Such emergency purchases or construction may then be executed immediately upon approval.

I. STATE/GENERAL SERVICES ADMINISTRATION/OTHER COOPERATIVE CONTRACTS

State Purchasing enters into a variety of contracts with manufacturers and/or dealers utilized by the state and local governments at all levels. The City Personnel may procure without competitive bids equipment, supplies, or services which are under current state contract. These commodities may include but are not limited to vehicles, tractors, backhoes, radar units, janitorial supplies, office supplies, traffic control equipment, and fuel. General Services Administration (GSA) contract holders make their products available to state and local governments for the same prices charged to federal government agencies. The City Personnel may procure without competitive bids, equipment or supplies under contract with GSA, also referred to as Federal Supply Schedules.

J. TAXES

The City of Lake City is exempt from Federal Excise Tax. The City pays SC state sales taxes on all applicable purchases. This tax will be paid.

III SPECIFICATIONS

A. PURPOSE OF SPECIFICATIONS

Specifications are intended to assist the City in obtaining the best quality and value for funds expended. Specifications are not designed to deter, preclude, or prevent competition through the use of excessive technicalities or details.

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B. RESPONSIBILITY FOR SPECIFICATIONS

It shall be the primary responsibility of the requesting Department Supervisor to furnish proper specifications. The Bid Committee may assist in the development of specifications jointly with the Department Supervisors as needed.

C. TYPES OF SPECIFICATIONS

Each purchase, regardless of the dollar amount involved, is based on a specification. These are listed below in the order of preferred usage:

1. *Performance*: Function and use of the product are the basic definitions.
2. *Design*: Specific characteristics of the product and their arrangement are the basic definitions.
3. *Or Equal*: One or more vendors' exact products or typical workmanship is identified as the level of quality desired, and the City of Lake City reserves the right to approve any other as equal or acceptable.

D. LEVEL OF QUALITY

In considering and developing specifications, it is understood that purchases made from public sources and administered by public bodies shall not be expected to provide for "deluxe" or luxurious levels of quality. Therefore, it is necessary to follow a general policy with regard to purchasing good, standard grades of merchandise which represent an optimum relationship between quality and price consistent with providing a satisfactory level of service. Warranty requirements must be listed within the provision.

E. ADEQUATE SPECIFICATIONS

Adequacies of specifications, as well as accuracy, are very important. Specifications should not be written for the purpose of eliminating competition, but should provide sufficient detail for full and fair competitive bidding. In the manufacture of certain products, there is usually a price range covering similar products offered by more than one manufacturer representing a level of product quality and features offered; low, medium and high. It is important to consider these levels in the development of specifications. For example, a lower priced stripped automobile versus a medium priced automobile or a higher deluxe model automobile. Each of these models has its own use and place, but without proper specifications when bid, the wrong automobile could be acquired for the use intended.

F. CHANGES IN SPECIFICATIONS

If it is determined, after bids have been opened that a product with an alternate satisfactory specification provides for a lower price, all bids may be rejected at the discretion of the Bid Committee with concurrence of the Department Supervisor. The specifications should then be redrawn to allow all bidders an equal opportunity to submit proposals on an acceptable

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alternate. If bidder has been awarded a State Contract, Bidder must provide their State Contract number.

G. CHANGES IN SPECIFICATIONS BY BIDDER

When a decision has been reached on the specifications, all bids must be based on the same specifications and no bidder shall have the right to substitute other specifications for those contained in the bid.

H. CHANGES IN SPECIFICATIONS AFTER BID SENT TO PROSPECTIVE BIDDER (This should never happen; cancel the process and start over)

Once an Invitation-to-Bid has been sent, no changes in the specifications shall be made unless all prospective bidders are so notified by means of an addendum clearly noting such changes. The addendum shall instruct the bidder to acknowledge receipt of the addendum in the bid proposal.

IV SEALED BID CYCLE

1. Requesting Department shall submit to the Bid Committee in writing detailed information along with complete specifications of items to be purchased.
2. Finance Department designee will prepare bid package and submit draft to Bid Committee and Department Supervisor for review and approval.
3. After review of specifications, the Finance Department designee shall forward Bid Package to a minimum of three prospective bidders or all prospective bidders from "Master Bidder's Mailing List" for said commodity. The Finance Department may publicize "Invitation for Bids" and maintain any/all records needed for this process.
4. "No Bid" shall be considered as a valid bid. "No Bid" Response Form shall be filed along with Master Bidder's Mailing to aid with future disbursement Invitation For Bids.
5. After bids have been received, if Bid is in excess of \$2,500.00, the Bid Committee and Department Supervisor will review and the Bid Committee will make recommendation to Mayor/City Council.

V ETHICSPOLICY

The City of Lake City believes strongly in the precept of fair and open competition and in maintaining the integrity of the City's procurement and contracting process. To this end, employees of the City of Lake City may accept gifts of anything of value worth less than twenty-five dollars in a day and anything of value worth less than two hundred dollars in the aggregate of a calendar year provided that these gifts may not be made or accepted if they are offered with the intent of influencing the judgment of any employee.

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Any violation of this policy may lead to vendor's bid or proposal response being disqualified, cancellation of any contract with the City, debarment from participation in City solicitations and possible legal action. In addition, no person/firm preparing specifications for a City solicitation shall receive any direct or indirect benefit from the use of such specifications.

VI SOURCE SELECTION AND CONTRACT INFORMATION

A. DEFINITIONS

1. *Invitation for bids: (IFB)* shall mean all documents whether attached or incorporated by reference, utilized for soliciting bids.
2. *Purchase description:* shall mean the words used in solicitation to describe the equipment, supplies, services, or construction to be purchased, and includes specifications attached to or made a part of the solicitation.
3. *Request for proposals: (RFP)* shall mean all documents whether attached or incorporated by reference, utilized for soliciting proposals.
4. *Responsible bidder:* shall mean a person who has submitted a bid, which conforms in all material respects to the invitation for bids.

B. SOLE SOURCE PROCUREMENT

Any request by a Department Supervisor that procurement be restricted to one (1) potential source shall be accompanied by written justification signed by the Department Supervisor stating why no other source will be suitable or acceptable to meet the needs. A Contract may be awarded for equipment, supplies, service, or construction item without competition when the City Administrator or his/her designee determines in writing that there is only one (1) source vendor, or the justification for a sole source purchase is warranted, the City Administrator or his/her Designee has the authority to negotiate the price, terms, and conditions of the procurement. The Mayor and Council must approve all sole source awards in excess of \$2,500.00 with the exception of the Lake City Utilities Department; which will have a ceiling of \$5,000.00.

C. CANCELLATION OF INVITATION FOR BIDS OR REQUEST FOR PROPOSALS

An invitation for bids, a request for proposals or other solicitation may be rejected in whole or in part as may be specified in the solicitation, when it is in the best interest of the City, and in accordance with regulations. The reasons therefore shall be made part of the contract file. The City reserves the right to cancel and/or amend any bid solicitation at any time without notice.

D. RESPONSIBILITY OF BIDDERS AND OFFERS

A written determination of non-responsibility of bidder or offer shall be made in accordance with regulations promulgated by the City of Lake City. The unreasonable failure of a bidder

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or offer to promptly supply information in connection with an inquiry with respect to responsibility may be grounds for determination of non-responsibility with respect to such bidder or offer.

VII RECEIVING BIDS

A. PURPOSE

1. The Finance Department in the Administration Building, located at 202 Kelley Street, Lake City, shall be the central receiving location for the City of Lake City.
2. The Finance Department shall prepare receiving report; which will serve as authorization to the Finance Department in order to make prompt payment to the vendor, taking advantage of any prompt payment discounts offered.

VIII INCLUSION AND IDENTIFICATIONS OF MINORITY OWNED BUSINESSES

The Purchaser shall be responsible for including and identifying minority owned businesses to include woman-owned businesses on the referred to up-to-date list of qualified suppliers and shall include the identified minority business on City's bidders' list and shall ensure these firms are solicited on an equal basis with non-minority firms.

A. RESOLVING PROTESTS

1. Any actual or prospective bidder, offered, contractor or subcontractor, hereinafter collectively referred to as aggrieved party, who has a grievance in connection with the solicitation or award of a contract may protest to the Bid Committee Chairperson. The protest shall be submitted in writing within 10 days after the aggrieved party knows or should have known of the facts giving rise thereto, but in no circumstance will a grievance be allowed after 30 days from the notification of award of the contract.
2. The Bid Committee and/or Engineering Firm shall review the grievance, and if a determination is made that the contract should have been awarded to the aggrieved party, the aggrieved party may be awarded a reimbursement of the reasonable cost in preparing the bid or offer not to exceed the lesser of \$500 or the actual costs of the bid preparation.
3. If the aggrieved party so desires the decision of the Bid Committee and/or Engineering Firm Chairperson may be appealed to City Council for administrative review by filing a written request for review within ten (10) days from the date of the purchasing agent's decision. The review procedure of City Council shall be as follows:
 - a. The aggrieved party shall submit to Council such written memoranda or statements together with such other documentary evidence as he deems fit. These items shall be submitted within 30 days of the request for review. The Bid Committee and/or

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Engineering Firm shall forward to Council the transaction file together with any written statements or documentary evidence he deems necessary within 30 days from the date of the request for hearing.

- b. Council shall review the evidence submitted in executive session and shall give a written decision as soon as practical but not later than 30 days from the receipt of all materials.
 - c. The decision shall be final.
4. In the absence of fraud or violation, this section shall provide the sole and exclusion method and remedy from any aggrieved party who protests the awarding of a procurement contract by the City. The protest of the awarding of a contract shall not stay the contract.

DONE, PASSED, RATIFIED, AND ORDERED ENROLLED as an Resolution of the City of Lake

City this 10th day of June, 2014.


THOSE VOTING FOR



Mayor Lovith Anderson, Jr.




Mayor Pro Tem Billy H. Brown, Jr.




Councilmember Richard Cook




Councilmember Sondra Fleming-Crosby



Councilmember Wilhelmena Scott



Councilmember William J. Sebnick



Councilmember Gloria Tisdale

THOSE OPPOSING

Mayor Lovith Anderson, Jr.

Mayor Pro Tem Billy H. Brown, Jr.

Councilmember Richard Cook

Councilmember Sondra Fleming-Crosby

Councilmember Wilhelmena Scott

Councilmember William J. Sebnick

Councilmember Gloria Tisdale