



DINWIDDIE COUNTY PURCHASING POLICIES AND PROCEDURES

Adopted: September 20, 2011

**Administered by
Dinwiddie County Division of Finance and General Services**

*These Dinwiddie County Purchasing Policies and Procedures
supersede all prior policies, including that certain “Small Purchase Procurement Policy”
previously adopted on November 21, 2006 and revised November 18, 2008.*

1. INTRODUCTION/AUTHORITY

These Dinwiddie County Purchasing Policies and Procedures (the “Policies and Procedures”) are adopted pursuant to Section 2.2-4302 of the Code of Virginia, 1950, as amended. These Policies and Procedures and the Virginia Public Procurement Act (the “VPPA”, Sections 2.2-4300 through -4377 of the Code of Virginia, 1950, as amended, and as it may be amended from time to time), govern all Dinwiddie County purchasing transactions. All section references in this document are to the Code of Virginia, 1950, as amended. In case of discrepancies between these Policies and Procedures and the VPPA, the VPPA requirements shall prevail.

The Procurement Office is authorized to develop and maintain forms to implement these Policies and Procedures that are consistent therewith.

2. EFFECTIVE DATE

These Policies and Procedures shall take effect immediately upon adoption.

3. DEFINITIONS

For purposes of these Policies and Procedures, unless otherwise specified, the terms “*Procurement Office*” and/or “*Procurement Officer*” means the Division Chief of Finance and General Services or his/her designee.

For purposes of these Policies and Procedures, the following words and phrases shall have the meanings ascribed to them by the VPPA, as it may be amended from time to time. The definitions as of July 1, 2011 are reprinted below; however, please consult the most recent version of the VPPA to ensure the definitions have not changed.

“*Best value*” as predetermined in the solicitation, means the overall combination of quality, price, and various elements of required services that, in total, are optimal relative to County needs.

“*Nonprofessional services*” means any services not specifically identified as professional services in the definition of professional services.

“*Professional services*” means work performed by an independent contractor within the scope of the practice of accounting, actuarial services, architecture, land surveying, landscape architecture, law, dentistry, medicine, optometry, pharmacy or professional engineering.

“*Responsible bidder*” or “*offeror*” means a person who has the capability, in all respects, to perform fully the contract requirements and the moral and business integrity and reliability that will assure good faith performance, and who has been prequalified, if required.

"*Responsive bidder*" means a person who has submitted a bid that conforms in all material respects to the Invitation to Bid.

"*Reverse auctioning*" means a procurement method wherein bidders are invited to bid on specified goods or non-professional services through real-time electronic bidding, with the award being made to the lowest responsive and responsible bidder. During the bidding process, bidders' prices are revealed and bidders shall have the opportunity to modify their bid prices for the duration of the time period established for bid opening.

4. SMALL PURCHASE PROCUREMENT

Pursuant to Section 2.2-4303(G), the following guidelines shall apply to single or term contracts (i) for goods and nonprofessional services in which the aggregate cost or the sum of all phases is not expected to exceed \$100,000.00 and (ii) for professional services in which the aggregate cost or the sum of all phases is not expected to exceed \$50,000.00. Qualifying small purchases shall not require competitive sealed bids or competitive negotiation, although competition is encouraged, wherever practicable. A summary chart of these small purchase guidelines is attached as **EXHIBIT A**.

Proposed purchases must be included in the County's budget in order to qualify for small purchase procurement. If a proposed purchase is not included in the County's budget, approval must be received from the Procurement Office prior to beginning the procurement process.

A. GOODS AND/OR NONPROFESSIONAL SERVICES NOT TO EXCEED \$100,000.00

i. \$0.00 - \$2,499.99

Staff, with authority and approval of Division Chief/Department Manager to proceed, shall obtain a minimum of one (1) documented quote. Quotes must document vendor name, name of vendor's representative, date, phone number, and price quoted. Staff is encouraged, but not required, to obtain more than one quote. Staff shall make award to the vendor with the best price and shall place orders. Accounts payable shall pay vendors following submittal by staff of coded and approved invoices.

ii. \$2,500.00 - \$9,999.99

Staff, with authority and approval of Division Chief/Department Manager to proceed, shall obtain a minimum of three (3) documented quotes. Quotes must document vendor name, name of vendor's representative, date, phone number, price quoted, delivery terms, and payment terms. Staff shall make award to the lowest responsive and responsible vendor, or best value. Staff shall complete the County's Small Purchase Quotes Form and forward it with the written quotes and invoice to Accounts payable. Accounts payable shall pay invoices following

submittal by staff of coded and approved invoice(s), written quotes and the Small Purchase Quotes Form.

iii. \$10,000.00 - \$29,999.99

Division Chief/Department Manager, with authority and approval of Procurement Office to proceed, shall obtain a minimum of three (3) written quotes using the County's Request for Quotations ("RFQ") template and General Terms and Conditions. Quotes must document vendor name, name of vendor's representative, date, phone number, price quoted, delivery terms, and payment terms. If the Division Chief/Department Manager is unable to obtain the minimum required quotes, he/she shall put in writing a statement of the reasons why the quotes were not possible which shall be approved by the Procurement Officer and placed in the purchasing file. Division Chief/Department Manager shall complete the Small Purchase Quotes Form and forward it with the written quotes, reason for not obtaining the minimum number of quotes, if applicable, and RFQ documents to the Procurement Officer, who shall make the award to the lowest responsive and responsible vendor, or best value, in accordance with these guidelines. The Procurement Officer shall prepare a Contract which shall be approved as to form by the County Attorney and signed by both the vendor and County Administrator. The Procurement Office shall provide a copy of the Contract to Division Chief/Department Manager. Division Chief/Department Manager shall review invoices, sign off once all item(s) is/are received in satisfactory condition, and submit invoices to Accounts Payable for payment. Accounts payable shall pay vendors following submittal by Division Chief/Department Manager of coded and approved invoice(s), written quotes and the RFQ documents.

iv. \$30,000.00 - \$49,999.99

Same as (iii) above, except a minimum of four (4) written quotes are required.

v. \$50,000.00 - \$99,999.99

Same as (iv) above, except the contract must be approved by the Dinwiddie County Board of Supervisors prior to execution.

B. PROFESSIONAL SERVICES NOT TO EXCEED \$50,000.00

i. \$0.00-\$9,999.99

Division Chief/Department Manager, with authority and approval of Procurement Office to proceed, shall obtain a minimum of four (4) written proposals using the County's Request for Professional Services ("RFPS") template and General Terms and Conditions. Written proposals must document vendor name, name of vendor's representative, date, phone number, and qualifications based on the

criteria as set out in the RFPS. If the Division Chief/Department Manager is unable to obtain the minimum required proposals, he/she shall put in writing a statement of the reasons why the proposals were not possible which shall be approved by the Procurement Officer and placed in the purchasing file. Division Chief/Department Manager shall complete the Request for Professional Services Form and forward it with the written proposals, reason for not obtaining the minimum number of proposals, if applicable, and RFPS documents to the Procurement Officer. Division Chief/Department Manager and Procurement Officer together shall evaluate all proposals based on criteria as set out in the RFPS and then shall enter into negotiations with the offeror who, in their opinion, submitted the best proposal. Upon satisfactory negotiations, the County shall extend an offer of contract award. Division Chief/Department Manager shall review invoices, document that all services(s) is/are provided satisfactorily, and submit invoices to accounts payable for payment. Accounts payable shall pay invoices following submittal by Division Chief/Department Manager of coded and approved invoice(s), written proposals and the RFPS documents.

ii. \$10,000.00-\$49,999.99

Same as (i) above, except a written contract, approved as to form by the County Attorney and signed by both the vendor and the County Administrator, is required.

5. LARGE PURCHASE PROCUREMENT

A. GOODS AND/OR NONPROFESSIONAL SERVICES WHERE THE SUM OF ALL PHASES/CONTRACT PERIODS IS EXPECTED TO EXCEED \$100,000.00

i. Competitive Sealing Bidding: Invitation For Bids (“IFB”)

Using the County’s IFB Information Forms, Division Chief/Department Manager shall provide the Procurement Office with detailed specifications for development of an IFB. The Procurement Office shall use the information to prepare the IFB, which shall set out the specifications and contractual terms and conditions applicable to the procurement. The IFB shall be approved by the County Attorney prior to issuance. Sealed bids shall be due to the County at a specified date and time.

After the deadline for receipt of bids, the Procurement Office shall review all bids, shall determine the lowest responsive and responsible bidder(s), and shall recommend to the Board of Supervisors that one or more contracts be awarded to such bidder(s). The contract(s) must be approved by both the Board of Supervisors and the County Attorney and signed by both the vendor and the County Administrator.

Multiple contracts may be awarded only when provided for in the IFB.

ii. **Competitive Negotiation: Request For Proposals (“RFP”)**

If competitive sealed bidding for goods and/or nonprofessional services is either not practicable or not fiscally advantageous to the public, the Division Chief/ Department Manager may set such facts forth in writing and request that the Procurement Office permit competitive negotiation for the procurement. Upon approval of the Procurement Office, goods and nonprofessional services may be procured through competitive negotiation.

See 5(B) below for the competitive negotiation process, with one difference: when using competitive negotiation for goods and/or nonprofessional services, the pricing/cost of services may be requested in the RFP. Pricing/cost of services may be a criterion on which the decision shall be based, but it need not be the sole or primary basis for the decision.

**B. PROFESSIONAL SERVICES WHERE THE SUM OF ALL PHASES/CONTRACT PERIODS IS EXPECTED TO EXCEED \$50,000.00
COMPETITIVE NEGOTIATION: REQUEST FOR PROPOSALS**

Using the County’s RFP Information Forms, Division Chief/Department Manager shall provide the Procurement Office with detailed specifications for development of a RFP, but not requesting pricing/cost of services, as the emphasis is professional competence to provide the required services. The Procurement Office shall use the information to prepare the RFP, shall describe what the County wants to procure and shall specify the criteria to be used to evaluate proposals. The RFP shall be approved by the County Attorney prior to issuance. Sealed proposals shall be due to the County at a specified date and time.

After the deadline for receipt of proposals, a committee shall evaluate all proposals based on the criteria set out in the RFP and shall determine which offeror, in their opinion, submitted the best proposal. Then, the committee shall enter into negotiations with such offeror . Non-binding estimates of total project costs (including man-hours) and/or price for services may be discussed beginning with the “negotiation stage”. Upon satisfactory negotiations with the offeror, the committee shall recommend to the Board of Supervisors that a contract be awarded to the offeror. The contract must be approved by the Board of Supervisors and the County Attorney and signed by both the offeror and the County Administrator.

6. ARCHITECTURAL & ENGINEERING SERVICES

Dinwiddie County may procure annual term contracts with multiple architectural & engineering firms using the RFP procedures set out in 5(B) above. During the contract term, work projects should be distributed among the selected contractors according to demonstrated areas of experience and expertise, time for deliverables, and familiarity with

like projects. All work projects shall have a written task order, approved by the Procurement Office, which clearly outlines the scope of work including projected timeline and cost, using fair and reasonable prices, as negotiated. The task order must be approved by the County Attorney and signed by both the contractor and the County Administrator. The project fee for any single project may not exceed \$100,000.00.

No funds shall be expended on any architectural and engineering services pursuant to any contract procured by this subsection unless the specific capital project has been approved by the Board of Supervisors.

7. CONTRACTS AND APPROVALS

Any procurement for goods or services costing \$10,000.00 or more shall require a contract. All contracts shall be required to be approved by the County Attorney and signed by the County Administrator. Any procurement for goods or services costing \$50,000.00 or more also shall be required to be approved by the Dinwiddie County Board of Supervisors prior to execution.

8. DEBARMENT (SECTION 2.2-4321)

The Dinwiddie County Board of Supervisors through its designee, the County Administrator, may debar contractors from contracting for particular types of goods, services, insurance or construction. A debarred contractor may not enter into negotiations to contract with the County or make an offer, proposal or bid in response to a Request for Proposals, an Invitation to Bid or any other form of solicitation by the County, for supplies, services, insurance or construction. Debarment of a contractor applies to any successor company formed with the same resources, owners or stockholders as the debarred entity.

Grounds for debarment include:

- A. 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.
- B. Conviction under state and 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.
- C. Conviction under state or federal antitrust statutes arising out of the submission of bids or proposals.
- D. Violation of contract provisions, as set forth below, of a character which is regarded by the board of supervisors to be so serious as to justify debarment action:
 - i. Deliberate failure, without good cause, to perform in accordance with the specifications or within the time limit provided in the contract; or
 - ii. A recent record of failure to perform or of unsatisfactory performance in accordance with the terms of one or more contracts; provided that failure to

perform or unsatisfactory performance caused by acts beyond the control of the contractor shall not be considered to be a basis for debarment.

- E. Any other cause the County Administrator determines to be so serious and compelling as to affect responsibility as a contractor, including debarment by another governmental entity for any cause and violation of the ethical standards set forth in this chapter.

The Procurement Office shall establish procedures for the prompt reporting, investigation and referral of matters appropriate for consideration.

The steps in the debarment process are as follows:

- A. Once the County Administrator becomes aware of information that a contractor should be debarred, he or his designee shall review the information with the Procurement Office and shall determine the minimum debarment period. The minimum debarment period shall be commensurate with the seriousness of the cause.
- B. The County Administrator shall inform the contractor of the debarment by letter signed by the County Administrator and/or designee, sent certified mail, return receipt required, stating the reasoning for debarment and the minimum length of time that the contractor shall be debarred.
- C. The contractor shall have five (5) business days following receipt of the written letter in which to request a meeting with the County Administrator at which he/she shall be allowed to present written or oral evidence as to why the debarment should not occur.
- D. Upon the expiration of time for appeal, or upon the affirmation of the debarment penalty, as applicable, the County Administrator shall cause the contractor's name to be placed on the debarment list maintained in the Procurement Office.
- E. After a contractor's minimum debarment period expires, the contractor may request in writing to the County Administrator that the contractor wishes to have his name removed from the debarment list and to be reinstated as eligible to conduct business with the County. The contractor may include information supporting his reinstatement request.
- F. The County Administrator shall review the debarred contractor's written request and shall notify the debarred contractor of his decision concerning reinstatement within ten (10) business days of receipt of said request.

9. PREQUALIFICATION (SECTION 2.2-4317)

Dinwiddie County has not adopted prequalification procedures.

10. DESIGN/BUILD AND/OR CONSTRUCTION MANAGEMENT (SECTION 2.2-4308)

Dinwiddie County has not adopted design/build and/or construction management procedures.

11. EMERGENCY PROCUREMENT PROCEDURES (SECTION 2.2-4303(F))

Emergency procurement may be used to procure goods and services without the use of competitive sealed bidding or competitive negotiations. Emergency procurement may be used only in cases of emergency affecting public health, safety or welfare.

Term contracts for emergency goods and services shall be procured and kept up-to-date. The County shall make use of all available emergency, term, and local contracts before using emergency procurement.

When procurement is necessary for immediate life and safety of a human being or recovery needs and when the Procurement Policy cannot be reasonably followed, after advising the Procurement Office, Division Chief/Department Manager shall use the Emergency Procurement Determination Form to provide a written determination of the basis for the emergency and for the selection of the particular contractor. This written determination shall be included in the purchasing file. In addition, on the day that the contract award decision is announced (or as soon thereafter as practicable) a public notice shall be posted in a public area or published in the newspaper stating that the contract is being awarded on an emergency basis, identifying that which is being procured, identifying the contractor selected, and the date on which the contract was (is being) awarded. When practicable under the circumstances, such procurement shall provide for competition and be pre-approved by the County Administrator or designee. When required by applicable law or these Policies and Procedures, a contract shall be prepared by the County Attorney's office and signed by the County Administrator and contractor.

To the extent possible, equipment needed for emergency purposes shall be rented only, not purchased. The Federal Emergency Management Agency ("FEMA") and other disaster recovery agencies may not reimburse the purchase of equipment.

Refer to the County's Emergency Operations Plan, [Code of Virginia § 44-146.18:1](#), the [Virginia Department of Emergency Management website at \[www.vdem.virginia.gov\]\(http://www.vdem.virginia.gov\)](#), and FEMA's website at www.fema.com for additional information.

12. SOLE SOURCE PROCUREMENT (SECTION 2.2-4303(E))

In cases where only one source (contractor) is practically available to provide the goods or services being procured, sole source procurement may be used. In sole source procurement, a contract may be negotiated and awarded to the sole source provider without use of a RFQ, RFPS, IFB or RFP.

When sole source procurement is necessary due to a lack of availability of alternate sources for a good or service, the Division Chief/Department Manager shall advise the Procurement Office of the need for sole source procurement and shall document the reasons sole source procurement is necessary on the Sole Source Provider Determination Form. The Sole Source Provider Determination Form shall be included in the purchasing file. A public notice shall be posted in a public area or published in the newspaper stating that the contract is being awarded to a sole source provider, identifying the goods and/or services procured, identifying the contractor selected, and stating the date on which the contract is or was awarded on the

day that the contract award decision is announced (or as soon thereafter as practicable). If the goods or services procured cost \$10,000.00 or more, a contract approved by the County Attorney's office and signed by the County Administrator and contractor shall be required.

13. COOPERATIVE PROCUREMENT (SECTION 2.2-4304)

Dinwiddie County may participate in, sponsor, conduct or administer a cooperative procurement agreement on behalf of or in conjunction with one or more public entities provided that such cooperative procurement complies with the VPPA. Division Chief/Department Manager requests to use cooperative procurement shall be handled by the Procurement Office on an individual basis.

14. PUBLIC, ONLINE AND REVERSE AUCTIONING (SECTION 2.2-4303(I), (J))

Dinwiddie County may utilize public, online and/or reverse auctioning provided that such procurement complies with the VPPA. Division Chief/Department Manager requests to use public, online and/or reverse auctioning shall be handled by the Procurement Office on an individual basis.

15. SMALL BUSINESSES AND BUSINESSES OWNED BY WOMEN AND MINORITIES (SWAM) AND DISABLED VETERANS (SECTION 2.2-4310)

Dinwiddie County shall not discriminate against any bidder or offeror because of race, religion, color, sex, national origin, age, disability, or any other basis prohibited by state law relating to discrimination in employment. In order to facilitate the participation of small businesses and businesses owned by women and minorities and disabled veterans in procurement transactions, Dinwiddie County either shall include businesses selected from a list made available by the Department of Minority Business Enterprise (<http://www.dmbv.virginia.gov>) whenever solicitations are made and/or post the solicitation on the Commonwealth of Virginia's electronic procurement website (eVA) at <http://www.eva.virginia.gov>.

16. ETHICS IN PUBLIC CONTRACTING (SECTIONS 2.2-4367 THROUGH -4377)

The provisions of Sections 2.2-4367 through -4377, relating to ethics in public procurement, shall apply to all Dinwiddie County procurement.

SMALL PURCHASE PROCUREMENT MATRIX

EXHIBIT A

AMOUNT (\$)	TYPE	PURCHASER	AUTHORIZATION REQUIRED	PROCESS FOR QUOTES	NO OF QUOTES	DECISION MADE BY	DECISION CRITERIA	DOCUMENTATION REQUIRED
0.01-2,499.99	GOODS/NON-PROFESSIONAL SERVICES	STAFF	DIVISION CHIEF/ DEPARTMENT HEAD	ORAL OR WRITTEN	1	STAFF	BEST PRICE	QUOTE WITH (1) VENDOR NAME, (2) NAME OF VENDOR'S REPRESENTATIVE, (3) DATE, (4) PHONE NUMBER, AND (5) PRICE QUOTED CODED AND APPROVED INVOICE
2,500.00-9,999.99	GOODS/NON-PROFESSIONAL SERVICES	STAFF	DIVISION CHIEF/ DEPARTMENT HEAD	ORAL OR WRITTEN	3	STAFF	LOWEST RESPONSIVE AND RESPONSIBLE VENDOR OR BEST VALUE	SMALL PURCHASE QUOTES FORM QUOTES WITH (1) VENDOR NAME, (2) NAME OF VENDOR'S REPRESENTATIVE, (3) DATE, (4) PHONE NUMBER, (5) PRICE QUOTED, (6) DELIVERY TERMS, AND (7) PAYMENT TERMS CODED AND APPROVED INVOICE
10,000.00-29,999.99	GOODS/NON-PROFESSIONAL SERVICES	DIVISION CHIEF/ DEPARTMENT HEAD	PROCUREMENT OFFICER	RFQ	3	PROCUREMENT OFFICER	LOWEST RESPONSIVE AND RESPONSIBLE VENDOR OR BEST VALUE	REQUEST FOR QUOTATIONS (RFQ) FORM INCLUDING GENERAL TERMS AND CONDITIONS QUOTES WITH (1) VENDOR NAME, (2) NAME OF VENDOR'S REPRESENTATIVE, (3) DATE, (4) PHONE NUMBER, (5) PRICE QUOTED, (6) DELIVERY TERMS, AND (7) PAYMENT TERMS PURCHASE ORDER OR CONTRACT IF OVER \$10,000
30,000.00-99,999.99	GOODS/NON-PROFESSIONAL SERVICES	DIVISION CHIEF/ DEPARTMENT HEAD	PROCUREMENT OFFICER	RFQ	4	PROCUREMENT OFFICER	LOWEST RESPONSIVE AND RESPONSIBLE VENDOR OR BEST VALUE	REQUEST FOR QUOTATIONS (RFQ) FORM INCLUDING GENERAL TERMS AND CONDITIONS QUOTE WITH (1) VENDOR NAME, (2) NAME OF VENDOR'S REPRESENTATIVE, (3) DATE, (4) PHONE NUMBER, (5) PRICE QUOTED, (6) DELIVERY TERMS, AND (7) PAYMENT TERMS PURCHASE ORDER OR CONTRACT, REQUIRES APPROVAL BY THE BOARD OF SUPERVISORS IF OVER \$50,000
100,000.00+	GOODS/NON-PROFESSIONAL SERVICES	DIVISION CHIEF/ DEPARTMENT HEAD	PROCUREMENT OFFICER	IFB OR RFP WITH JUSTIFICATION	N/A	PROCUREMENT OFFICE WITH BOS APPROVAL	LOWEST RESPONSIVE AND RESPONSIBLE BIDDER OR BEST VALUE	FORMAL INVITATION FOR BIDS (IFB) OR REQUEST FOR PROPOSALS (RFP) IF PROCUREMENT OFFICER DEEMS IFB NOT PRACTICABLE OR NOT FISCALLY ADVANTAGEOUS TO THE PUBLIC CONTRACT AND APPROVAL BY THE BOARD OF SUPERVISORS
0.01-49,999.99	PROFESSIONAL SERVICES	DIVISION CHIEF/ DEPARTMENT HEAD	PROCUREMENT OFFICER	RFPS	4	PROCUREMENT OFFICER	COMPETITIVE NEGOTIATION BASED ON CRITERIA	REQUEST FOR PROFESSIONAL SERVICES (RFPS) INCLUDING GENERAL TERMS AND CONDITIONS PROPOSALS WITH (1) VENDOR NAME, (2) NAME OF CONTRACTOR'S REPRESENTATIVE, (3) DATE, (4) PHONE NUMBER, (5) PROPOSAL DETAILS NOTATION REGARDING CHOICE OF PROPOSALS PURCHASE ORDER OR CONTRACT IF OVER \$10,000
50,000.00+	PROFESSIONAL SERVICES	DIVISION CHIEF/ DEPARTMENT HEAD	PROCUREMENT OFFICER	RFP	N/A	PROCUREMENT COMMITTEE WITH BOS APPROVAL	COMPETITIVE NEGOTIATION BASED ON CRITERIA	FORMAL REQUEST FOR PROPOSAL (RFP) AND DOCUMENTATION REGARDING COMMITTEE NEGOTIATIONS AND DECISION TO AWARD CONTRACT AND APPROVAL BY THE BOARD OF SUPERVISORS