OPS Article 3 Operating Procedures

Introduction

Glossary of Terms

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Introduction

The Office of Procurement Services (OPS) is the centralized procurement department for Maricopa County and is responsible for ensuring departments are able to obtain the goods and services required to deliver service to the public. Departments may be authorized to procure up to $100,000 of commodities in accordance with the Maricopa County Procurement Code (Code). However, when County departments collectively spend over $100,000 on an item, group of like items, or a service in a fiscal year; a formal solicitation is required and is conducted through OPS.

While no procedure manual can provide an absolute guide to all possible situations, these procedures follow all of the requirements mandated by the Code and by Arizona Revised Statute (ARS). Whenever there is a question or uncertainty, please reach out to a supervisor or peers for guidance. It is imperative that the individual utilizing this manual take the time to review the referenced Code clauses, current Arizona Revised Statutes requirements, and ARS references, which are required policy and procedures. This manual also contains best practices that are recommended, but not necessarily required for the associated task.

Use of This Manual

All documents, forms and templates referenced in this manual have been consolidated into a document library located in the S: Drive under Article 3/Procurement Documents. This library has been broken into four sub-folders, Memos and Forms, Procurement Support, Special Authority, and Templates. When a document is called out in the manual, it will be followed by the folder location of the document in parentheses such as (Memos and Forms).

In situations that require Department agenda approval, it is understood that the Chief Procurement Officer may defer approval to the Board of Supervisors. In those instances, Procurement Support shall revise the agenda and make any necessary date changes to the documents under approval consideration. Support shall notify the Procurement Officer of the updated agenda date who in-turn notifies the impacted departments.
Glossary of Terms

Addendum: formal change to the pre-award solicitation documents or line items that replaces the original solicitation.

Advantage: The County’s Financial and Procurement computer system used to generate award, purchase, and payment documents. System of record for all Financial and Procurement documentation.

Attachments: Are documents that require the respondents to complete and provide as part of their response to the solicitation (Contractor Questionnaires, Requirements Matrices, etc.).

Amendment: formal document memorializing a post-award change to the contract language that is signed by both parties.

BAFO: Best and Final Offer

BidSync: The County’s electronic procurement system provided by a third-party (BidSync). Used to release solicitations, collect bids from vendors, and make award to contractors.

BOS: County Board of Supervisors

C: Solicitation/Contract suffix for the acquisition of commodities or goods resulting from an IFB solicitation.

CAPA (Certified Agency Procurement Aide): OPS certified personnel identified by each department whom are responsible for department level Article 3 procurement and scope of work development. Should be main POC for the departments procurement needs.

CGI InfoAdvantage: Report generation software used for gathering spend data from Advantage 2X & 3X.

CI: Competition Impracticable; an award resulting from a department justification for non-competed procurement.

CO: OPS Contract Compliance Officer

Collective Purchasing Organizations (Collectives): third party, non-governmental organizations that manage cooperative contracts for their members to utilize as their own procurement vehicles.

Commodity: All property, including equipment, supplies, printing, insurance and leases of personal property, but does not include land or other real property interests. Identified by a corresponding 5-digit NIGP commodity code.

Contractor: a Respondent to a solicitation awarded a Contract or the designated party on a CI or SS.

Cooperative Contracts: Contracts issued by non-County agencies that allow for other agencies to utilize their agreements as a purchase vehicle.

CPO: Chief Procurement Officer

Department: Business units within Maricopa County headed by either an appointed or an elected authority.

Electronic procurement file: Support maintained file of all documentation relating to the solicitation, its award, the subsequent contract and all supporting documentation.

Exhibits: Are documents that provide respondents with additional information regarding the requirements and do not require action on the part of the Respondents (Sample Reports, Security Guidelines, etc.).

Freedom of Information Act (FOIA): Federal law allowing for public access to records from any Government agency.
IFB: Invitation for Bid; Formal solicitation method for goods or services involving an evaluation of bids from vendors which may result in a County contract to the lowest priced respondent.

Inter-Governmental Agreement: Specific agreements made between the BOS and another Public Procurement Unit (Government Agency) that allow for both the collective solicitation of goods and services, and for the mutual use of contracts that contain cooperative clauses.

IGA: Contract suffix used to identify an Inter-Governmental Agreement or Cooperative Contract

Issuing Agency: a Non-County agency that issues the original solicitation utilized by the County as an IGA.

ITN: Formal solicitation method issued as an Invitation to Negotiate where in vendors submit bid proposals for evaluation by the County. ITN will be used as the contract suffix as well.

LOI: Letter of Intent; informal agreement to provide or accept services.

Legal: a representative from the County Attorney's Office

MA: Master Agreement; the representation of the formal contract in Advantage 3X used to process Delivery Order purchase orders.

MS: Multi-Step solicitation via sealed bidding or proposal which results in a formal contract.

OnBase: a data analysis tool used to develop financial and other reports useful for making management decisions.

OPS: Office of Procurement Services

OPS CI/SS Coordinator (Coordinator): Procurement Officer assigned to monitor and process all CI and SS requests issued from departments.

PDI3: Purchase Order Decentralized Informal under Article 3; used by the department for non-competed or informal purchases in the Advantage 3X.

PO: Procurement Officer with formal procurement authority.

PS: Procurement Supervisor

QA/QC: Quality Assurance/Quality Control: Team of Contract Compliance Officers who review and make edits to solicitations and contract documents prior to their publication.

Record: Pursuant to ARS§41-1350 A record is anything regardless of physical form made or received by any governmental agency in pursuance of law or in connection with the transaction of public business... as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the government, or because the informational and historical value of the data contained therein.

Requesting Department: Lead department requesting a new solicitation or a modification to an existing contract.

Respondent: a vendor who provided a response to a solicitation.

Revenue Generating Contract: A contract that is created to explicitly provide the County an income based on commission or other revenue means. It does not include rebates, trade-ins, or credits.

RFP: Request for Proposal: Formal solicitation method for goods or services evaluating proposals from vendors which may result in a County contract to the most advantageous respondent.

RFI: Request for Information: Formal solicitation method for goods or services that allows respondents to submit unpriced proposals against the solicitation requirements. RFI are not formally evaluated and cannot result in a Contract award.
Risk: a representative from the County Risk Management department.

ROQ: Review of Qualifications; a formal solicitation/contract resulting from evaluation of vendor minimum qualifications for those professional services detailed in section MC1-203 of the Code.

S: Solicitation/Contract suffix for the acquisition of commodities or goods resulting from an IFB solicitation.

Scope of Work (SOW): List of required products or services in a solicitation as identified by the department.

Scope of Services (SOS): Detail of Contractor performance commitments in a contract.

Services: the furnishing of labor, time or effort by a Contractor that does not involve the delivery of a specific end product other than required reports and performance. A Service does not include employment agreements or collective bargaining agreements.

SS: Sole Source; an award resulting from a department justification for non-competitive procurement.

Support: Procurement Support personnel

Using Department: Department requesting the issuance of a solicitation or the department that utilizes an existing contract.

Vendor: a company or provider of goods or services which is not currently under contract with the County.

Vendor Self Service: online portal hosted by CGI that manages vendor registration information and has the capability to track purchase orders issued to a particular vendor. All vendors must have a VSS number in order to be awarded a Contract.
1. Solicitation

Solicitation methods include competitive sealed bid, multi-step bid, request for proposals or other review of qualifications. Purchases for good or services with an estimated value of $100,000 or greater in a fiscal year per commodity code, must be formally solicited in accordance with the Maricopa County Procurement Code and, if awarded will result in a formal contract. Formal solicitations for awards under $100,000 can be performed at the discretion of the Procurement Officer (PO) with their supervisor’s approval. There are other solicitation types available to the PO which are discussed in Section 4, Specialty Procurement. The following section will detail the process for defining a need through the opening of the solicitation.

1.1. Assessing Needs and Determining Solicitation Type

POs are generally assigned to a County department and are responsible for all of the procurement requirements for all of the formal procurement requirements for that department. Departments may have delegated authority to award informal procurements from the Chief Procurement Officer (CPO) for the solicitation of goods and services not exceeding $100,000. In cases where the department does not have informal award authority, the PO will have award authority. The PO is also responsible for the evaluation of Sole Source (SS) and Competition Impracticable (CI) requests from the department (See Section 4.1). There are two main sources of solicitation requests from a department, 1) an informal statement of requirements via email from the CAPA, or 2) re-soliciting of an existing contract to either add vendors or to replace it (See Section 1.17 and 1.18). It is the responsibility of the PO to determine the following:

1.1.1. Is the need clearly identified and explained? Does it contain requirements that would be easily understood by the vendor marketplace?

- If not, work with the CAPA and their end users to refine the requirements and create a Scope of Work (SOW) for the solicitation. **It is ultimately the responsibility of the department to provide OPS with a fully developed SOW. OPS acts in a consultative manner in order to guide the department**

1.1.2. Is there an existing County contract that addresses the need?

- All active County contracts are contained in OnBase and can be accessed through the Contract Expiration Report on the OPS EBC page under Current Contracts.

- The Contract Expiration Report is a .PDF document searchable by any of the column headers.

- Alternatively the SHOP page in Advantage 3X can be utilized to search for active contracts by:
The search result will then display all contracts for the selected parameters.

If a County contract exists that meets the needs or requirements of the department, the department is compelled to utilize that contract unless they can provide substantiated evidence that the contract or the vendor cannot meet their needs. The CPO may allow a variance to this procedure if it is in the best interest of the County.

1.1.3. Is there a Cooperative Contract that is available for the County to use (See Section 4.2)?
1.1.4. What is the anticipated expenditure for these commodities/requirements in a rolling 12-month period or the amount budgeted by the department for the acquisition of the goods/services? The amount of funds allocated in a budget should not limit the scope of a commodity contract. For commodity contracts, it is more beneficial for the scope to cover all items that may be purchased over the life of the contract.

- Are there any grants funding the acquisition? If so, the PO should obtain a copy of the applicable grant sections from the award from the department in order to determine if the grant has any special procurement or contract requirements.

1.1.5. Solicitation Method Selection; it is the responsibility of the PO to determine the best method of vendor selection.

- If the required item/service is clearly defined and can be priced by an each/hour unit of measure, then utilize an IFB solicitation. An IFB is awarded to the lowest priced responsive, responsible respondent that meets the requirements of the solicitation. The using department may additionally provide in the solicitation, commercially reasonable minimum qualifications for respondents to the solicitation (i.e. years in service, production volume, location). These requirements cannot be so onerous as to limit open and fair competition on the solicitation.

- If the item/service is not clearly defined, but can be described in terms of performance characteristics or the item is project based, then utilize an RFP or ITN solicitation. RFP and ITN are awarded to the most advantageous proposal as determined by evaluation criteria contained in the solicitation and scored by committee review.

- If the required service can be defined as a Professional Service per MC1-203, then an ROQ can be utilized. A ROQ is awarded to the respondent(s) that meet the minimum stated requirements as evaluated by peer professionals.

1.1.6. Department Communication Restrictions: The PO shall remind the department that once a department has identified the need for a solicitation and has communicated that need to OPS: ABSOLUTELY NO CONTACT BETWEEN THE RESPONDENT AND ANY COUNTY PERSONNEL, OTHER THAN THE OFFICE OF PROCUREMENT SERVICES, IS ALLOWED DURING THE SOLICITATION PROCESS UNLESS THE COMMUNICATION IS IN REGARDS TO PRE-EXISTING BUSINESS WITH THE COUNTY. ANY COMMUNICATIONS REGARDING THE SOLICITATION, ITS PARTICIPANTS OR ANY DOCUMENTATION PRIOR TO THE CONTRACT AWARD MAY BE GROUNDS FOR DISMISSAL OF THE RESPONDENT FROM THE EVALUATION PROCESS.

1.1.7. Solicitation Requisition: A Solicitation Requisition questionnaire has been created to assist departments in the development of their scopes of work. It also provides some general information on timelines and establishes a style guide for the solicitation. It is at the PO discretion to utilize the Requisition.

1.2. Assigning Solicitation Name and Number

Once the PO has determined that a solicitation is necessary to acquire the goods or services requested by the Department, the PO must create a solicitation name and number.
1.2.1. Solicitation names must be less than 54 characters and succinctly identify the purpose of the solicitation (i.e. Outside Legal Services). Do not include any punctuation marks or special characters in the title.

1.2.2. Solicitation numbers are automatically assigned by the Advantage 3X system using the following steps:

- Login to Advantage
- Type 'MA' in the Jump To field
- Click GO

- Click Create
- Enter 'D730' in the Dept field
- Enter the current two digit FY in ID
- Check Auto Numbering box
- Click Create again

- Enter a Document Name and Description (Contract Title)
- Select the Procurement Type from the dropdown list
  (See Table 1)
- Click on the Reporting Tab
Table 1.

<table>
<thead>
<tr>
<th>Functional Title or document usage</th>
<th>Advantage Procurement Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unidentified</td>
<td>1 Unclassified</td>
</tr>
<tr>
<td>Order made against existing contract</td>
<td>2 Delivery Order</td>
</tr>
<tr>
<td>Order for less than $5,000</td>
<td>3 A3 Nominal Value Purchase</td>
</tr>
<tr>
<td>Orders against quotes</td>
<td>4 A3 Decentralized Procurement</td>
</tr>
<tr>
<td>IFB</td>
<td>5 A3 Formal Cost Only</td>
</tr>
<tr>
<td>RFP, ITN</td>
<td>6 A3 Formal Cost and Quals</td>
</tr>
<tr>
<td>ROQ</td>
<td>7 A3 Formal Quals Only</td>
</tr>
<tr>
<td>Task Order</td>
<td>10 Task Order</td>
</tr>
<tr>
<td>Sole Source, Competition Impracticable, Judicial Branch Administrative Orders</td>
<td>11 Non-Competition</td>
</tr>
<tr>
<td>IGA</td>
<td>12 Inter-Governmental Agreements</td>
</tr>
<tr>
<td>Emergency Procurements</td>
<td>13 Emergency</td>
</tr>
<tr>
<td>RFI</td>
<td>14 Request for Information</td>
</tr>
<tr>
<td>Board of Supervisor Contracts</td>
<td>15 Board of Supervisor Contracts</td>
</tr>
<tr>
<td>Procurements between County departments and Judicial Branch vendors</td>
<td>16 Internal Purchases</td>
</tr>
<tr>
<td>IFB or RFP</td>
<td>17 Revenue Contracts</td>
</tr>
<tr>
<td>IFB</td>
<td>18 Surplus Auction</td>
</tr>
</tbody>
</table>
If there are multiple departments or multiple users in a department that need to be notified of the MA and any changes made to it, add their information under the Extended Description tab.

1.3. Electronic File Management

OPS will utilize an electronic only format for the development, approval, and modification to solicitations and contracts. It is the responsibility of the Procurement Officer to create the electronic folders per the following instructions:

**SETUP**

1.3.1. Access S:Drive/Working Documents

1.3.2. Access the appropriate fiscal year folder

1.3.3. Create a new folder using the following naming convention: MA Number-MA Type MA Name (12345-RFP Test Solicitation)

1.3.4. Open the newly created folder and create the following sub folders:

   1.3.4.1. 1 – Workflow Folder
   1.3.4.2. 2 – Solicitation
   1.3.4.3. 3 – Post Award

**UTILIZATION**

It is the responsibility for the PO to maintain electronic copies of all documentation regarding all of the solicitations and contracts assigned to them. This includes all drafts and revisions of the solicitation and contract documents. The final versions of each will be saved by Support in the contract file of record on the S: Drive.

1.3.5. 1 – Workflow Folder: This folder is only utilized when a packet (award, renewal, etc.) is ready for approval by Management. It is required that the following file naming convention be followed.

   Each Award Package Checklist has the required documents numbered and named.
The PO will create the corresponding documents from the steps described later in this manual and save them with the same number and name. The checklist is always number one. If a document is not required, do not delete it from the checklist, mark it as N/A.

Documents that require signature can be signed using a scanned copy of the PO signature that is inserted as a picture.

1.3.6. 2 – Solicitation: This is where the PO shall save: working drafts of solicitations, addendums, contracts, and response documents. It is at the discretion of the PO to create sub folders to assist in organization of the documents. Some recommended folders would be; Solicitation, Contract, Bonds and Insurance, Vendor Responses (See section 2.2.6).

1.3.7. 3 – Post Award: This is where the PO shall save; renewal letters, determinations, notices.
APPROVAL WORKFLOW

Once the PO has a complete package (award, renewal, etc.) including all required documentation and signatures, the following workflow will be utilized. Packets that do not contain all of the required documents or that have incomplete information will not be approved and will be moved to the next open agenda. All packets for CPO approval shall be submitted to the PS by close of business the Friday preceding the agenda date. All packets for BOS approval shall be submitted to the PS by close of business on the Final Cutoff (Buyers) date indicated on the current BOS agenda calendar.

A. PO copies the appropriate files to the Workflow folder (keep the originals in the solicitation or post award folders)
B. PO emails Procurement Supervisor indicating the necessity for a packet review. Recommended that the email contains a link to the correct folder
C. PS reviews documents for accuracy and ensures all required documents have been provided
D. PS emails PO indicating approval or required modifications
E. PO enters the approved action onto the Support Log (see section 3.6.5)
F. PO emails support indicating approved package
G. Support creates the agenda summary and emails to PO
H. PO reviews summary and either:
   a. Sends email to Support with changes
   b. Sends email to Deputy Director with the agenda summary
I. Deputy reviews summary and emails Support with approval or changes
J. Support finalizes SIRE
K. Support makes a .pdf file of the agenda packet and moves to the contract file of record

1.4. Solicitation Development Decisions:

Before the solicitation is created the following information is required:

1.4.1. Intent: the opening statement of the solicitation that should describe:
   • A brief statement of how the goods or services will be utilized by the department.
   • Identification of the using department (or “Maricopa County” for a general use contract)
   • Multiple Award or Single Award
     o Contracts can be awarded to multiple vendors if the following language is contained in the solicitation intent:
       
       Maricopa County reserves the right to award this contract to multiple vendors. The County reserves the right to award in whole or in part, by item or group of items, by section or geographic area, or make multiple awards, where such action serves the County’s best interest.

1.4.2. Budget: either in terms of estimated annual purchases of the good/services or the budgeted amount for a specific project.

1.4.3. Evaluation Criteria: The minimum number of evaluation criteria is 3, with one being price. The total of the criteria needs to be at least 100 where price is no less than 20% of the total evaluation score unless approved by the CPO. Typical additional evaluation criteria are;
Respondent’s Proposed Solution (Compliance with Specification), Respondent Qualifications (Experience or Licensing). Evaluation Criteria and their order cannot be modified once a solicitation has been opened. All criteria and their weights shall be reviewed by the Chief Procurement Officer (CPO) prior to the solicitation being advertised.

1.4.4. Evaluation Committee: established for every RFP, ITN and ROQ. Evaluation committees must meet the following criteria and shall be reviewed by the CPO prior to the solicitation being advertised.

- Shall consist of at least three voting members
- Voting members cannot be manager/subordinate to each other unless approved by the CPO.
- Voting members must attend all evaluation meetings or they may lose their voting rights. Attendance can be physical, telephonically or via online meeting.
- It is highly recommended that the PO coordinate a preliminary meeting schedule with the evaluation committee as early in the solicitation process as practical.
  - All members must sign and comply with a Non-Disclosure Agreement prior to the solicitation being published.
  - It may be beneficial for the department to have additional subject matter experts (SME) review the response documents, but not participate in the actual selection of the vendor. SMEs are required to sign and comply with a Non-Disclosure agreement prior to being provided access to the solicitation response materials. SMEs do not need to be identified prior to solicitation release and are not subject to the approval of the CPO.
  - All parties that has access to the solicitation documents, responses or contract documents, or is included in any discussions regarding these documents and processes must sign the NDA.

1.4.5. Contract Term and Renewals: The standard contract term for all solicitations is 1 year initial term plus 4 annual renewals for commodity contracts. Contracts for long term projects (more than 1 year) or which require significant start-up costs for the vendor may be granted longer initial and renewal terms with the approval of the CPO.

1.4.6. Pre-Bid/Proposal Conference: the PO may elect to hold a pre-bid or pre-proposal conference. The PO must also decide if the conference will require mandatory attendance. If the conference is mandatory, only bids from vendors who were in attendance will be considered for award. If the SOW is unique or complex, it is recommended to conduct a conference. The conference may be scheduled any time after the second advertising date. See Section 1.15 for additional information on the format of the meeting.

1.5. Management Authorization for Solicitation

Prior to the creation of a formal solicitation document, the PO must submit a Management Authorization for Solicitation and receive approval signatures from the designated authority (PS or CPO). Authorization requests are reviewed weekly by the Procurement Supervisor (PS) and the CPO. The form requirements are listed on the individual forms for completion by the PO. The form can be “signed” electronically by the PO and emailed to the PS for review. The request must be submitted to the PS by
noon on the Monday preceding the weekly management review. The PS will print copies for approval signature by the PS and CPO where appropriate.

1.5.1. IFB: Utilize Management Authorization IFB (Memos and Forms). Sections 1 through 4 are required elements. Section 5 (Multi-Term), 6 (Brand Name), and 7 (Multiple Award) are only required if they apply to the solicitation being submitted for approval. See section 5.4 for information on running reports for historical spend data pertaining to contracts that are being replaced.

1.5.2. RFP, ROQ, ITN: Utilize Management Authorization RFP, ROQ, ITN (Memos and Forms). Some sections of this form are contextually relevant (i.e. previous contract, multi-term, brand name, multiple award). If they do not apply to the solicitation, they may be removed by the PO. The following sections are required for all RFP, ROQ and ITN solicitations: Section 1(Basis for Solicitation) and all sub-questions; Section 3 Contract Term; Section 4 Budget Estimate; Section 5 Evaluation Criteria; Section 6 Proposed Evaluation Committee; Section 7 Explanation of why a sealed bid is not being used; and Section 8 RFP, Section 9 RFI, or Section 10 ROQ, as appropriate.

- For an ROQ, per Code Section MC1-355(d)(3), at least one member of the evaluation committee must be a peer of the position sought through the ROQ.
- See section 5.4 for information on how to run reports for historical spend data pertaining to contracts that are being replaced.
- If the PS or CPO does not authorize the solicitation, the PO must correct the deficiencies and re-submit the request. The approved Management Authorization must be scanned to .PDF by the PO and included in the electronic solicitation file.

1.6. Creating Draft Solicitation

Once the PO has received a fully executed copy of the Management Authorization form, the creation of the solicitation documents can begin. Each solicitation is unique based on the particular circumstances and requirements. The following is to be used as a general guideline for solicitation development.

1.6.1. General Solicitation Requirements affecting Timeline

- Advertising Requirements: Solicitations must be advertised in a newspaper of record for two consecutive weeks. OPS solicitations are advertised on Fridays.
- IFB and RFP bid opening schedule:
  - All solicitations shall have a bid opening date on a Tuesday that occurs no sooner than the Tuesday after the second advertising date unless otherwise authorized.
- Pre-Bid/Proposal Conferences: If a conference is determined to be necessary, its details are included in the solicitation advertising and BidSync. Conferences should be held after the second advertising date, but not within seven days of the bid opening date unless otherwise authorized.
- Agenda Authority: The CPO has approval authority for all solicited contracts valued under $500K during their initial term. The CPO approves contracts on a weekly Thursday agenda. In order to be placed on the CPO agenda, PO’s must have a completed award package (see...
section 3.2 and 3.3) submitted to the PS by close of business on the Monday of the agenda week. The CPO has the authority to sign revenue generating contracts that are within the approval value limit. The CPO has the right to move any contract award from the CPO agenda to the BOS agenda.

- All initial contracts valued over $500K, plus all contracts involving the sale or trade-in of a County asset shall be approved by the County Board of Supervisors (BOS). The BOS approves contracts in its formal meetings that are generally held every other Wednesday. In order to be placed on the BOS agenda, PO's must have a completed award package (see section 3.2 and 3.3) submitted to the PS 30 days prior to the agenda date.

1.6.2. IFB

- IFBs typically consist of a single solicitation document with the price line items added to the BidSync.com system. The PO may elect to have price spreadsheet in lieu of line items in the system. The IFB solicitation document will become the contract document for the awarded Contractor(s).
  - There are two solicitation templates for IFBs: IFB Commodities Solicitation; and IFB Services Solicitation (Templates). Each template contains specific instructions for the PO to follow regarding content and format. Once the solicitation is complete, the PO shall save the file as a Draft Solicitation in the Working Documents folder of the electronic procurement file.
  - Price Line Items: Price line items should be determined at this time for future loading into the BidSync system. The PO shall determine; item description, unit of measure, and the anticipated quantity that would be purchased. Line items can also be for catalog pricing in terms of cost plus percentage or percentage off of list prices. It is recommended that the PO require respondent to provide cost or list price on a select group of items (market basket) so that the cost plus or discount percentages can be evaluated more completely.

1.6.3. RFP, ITN

- RFP and ITN are formatted slightly differently in that the solicitation will typically have three documents; the solicitation, pricing and draft contract. The scope of work from the solicitation and the pricing will be incorporated into the contract by the PO during negotiations.

- Solicitation Document: RFP and ITN solicitations utilize document RFP, ITN Solicitation (Templates). As with the IFB documents, these contain specific instructions for the PO to follow regarding content and format. Once the solicitation is complete, the PO shall save the file as a Draft Solicitation in the Working Documents folder of the electronic procurement files.
  - In conjunction with the Department, the PO can also utilize the following supplemental evaluation processes. It is recommended that they be listed in the solicitation so that the respondents have a base expectation of the evaluation process. Supplemental evaluation processes are:
    - Vendor Presentations – Respondents are allowed to present their solution to the evaluation committee and SMEs and County may conduct brief question and answer session.
Vendor Demonstrations – Typically used with software solicitations. Respondents are provided a list of required functionality that they must demonstrate to the evaluation committee and SMEs.

Financial Review – For solicitations for large dollar amounts, long term projects, high risk, and/or vital to County operations. OPS may request financial statements from the Respondents that are reviewed and evaluated for financial risk by County Finance.

Vendor Site Visits – Inspection of Respondent offices and/or locations where the proposed solution has been deployed.

Sandbox (software only) – Respondents are required to set up a stand-alone environment on their own computers and servers and allow County personnel an opportunity to utilize the software in its pre-configured state. The Respondent will additionally be required to provide personnel who will field any questions that may arise.

Gap Analysis (typically for software) – This is conducted pre-contract execution and allows for the County and Respondent to perform a thorough investigation into any solicitation requirement and how the Respondent will meet that requirement. The intent is to allow both parties the opportunity to fully understand any potential areas of concern prior to contract approval and avoid the need for excessive change orders.

Proposal Pricing: The PO will complete the Stand-Alone Pricing Page (Templates). The PO will need to determine in conjunction with the Department how pricing should be structured (typically expressed as a Not to Exceed amount for project based solicitations that is broken out by specific deliverables). Once the document is complete, the PO shall save the file as a Draft Pricing in the Working Documents folder of the electronic procurement file.

Draft Contract: The RFP, ITN process allows for negotiation of all contract elements for each party. The contract templates, RFP, ITN Draft Contract (Templates), contains instructions similar to those contained in the IFB template. The PO shall work with County Attorney and County Risk for any modifications to the standard terms prior to solicitation release. In some special instances (IT or FMD related solicitations) certain additional clauses may be necessary. A clause library has been added to the Template folder. Each clause or clause group is on a stand-alone document with instructions on appropriate uses. Once the document is complete, the PO shall save the file as a Draft Contract in the Working Documents folder of the electronic procurement file.
1.6.4. ROQ

- ROQ are the third main type of solicitation that are awarded solely on the qualifications of the respondents. The solicitation will contain documents similar to an RFP.

- ROQ solicitations shall utilize document ROQ Solicitation (Templates). As with the IFB document, it contains specific instructions for the PO to follow regarding content and format. Once the solicitation is complete, the PO shall save the file as a Draft Solicitation in the Working Documents folder of the electronic procurement file.

  - In conjunction with the Department, the PO can also utilize the following supplemental evaluation processes. It is recommended that they be listed in the solicitation so that the respondents have a base expectation of the evaluation process. Supplemental evaluation processes are:
    - Vendor Presentations – Respondents are allowed to present their solution to the evaluation committee and SMEs and County may conduct brief question and answer session.
    - Financial Review – For solicitations for large dollar amounts, long term projects, high risk, and/or vital to County operations. OPS may request financial statements from the Respondents that are reviewed and evaluated for financial risk by County Finance.
    - Vendor Site Visits – Inspection of Respondent offices and/or locations where the proposed solution has been deployed.

  - See section 2.6.5 Supplemental Evaluation Processes for information on how to conduct each of these.

- Proposal Pricing: The PO will complete the Stand-Alone Pricing Page (Templates). The PO will need to determine in conjunction with the Department the Pricing Methodology for the solicitation (either set price, hourly rate, project based or a hybrid). If the department is requesting the use of a set rate table for the respondents, the department must provide the PO with documentation that proves that the prices are in line with industry standards.

- Draft Contract: The ROQ process allows for negotiation of all contract elements for each party. The contract templates, ROQ Draft Contract (Templates), contains instructions similar to those contained in the IFB template. Once the document is complete, the PO shall save the file as a Draft Contract in the Working Documents folder of the electronic procurement file.

1.6.5. Supplemental Solicitation Documents:

- The PO may elect to include additional documents with any solicitation type in order to provide additional information to the Respondents or to enhance the responses. These documents need to be identified in the solicitation document using the following guidelines:

  - Attachments: Are documents that require the respondents to complete and provide as part of their response to the solicitation (Contractor Questionnaires, Requirements Matrices, etc.).

  - Exhibits: Are documents that provide respondents with additional information regarding the requirements and do not require action on the part of the Respondents (Sample Reports, Security Guidelines, etc.).
1.7. Solicitation Document Review

To ensure that the solicitation documents are complete and free of errors, the PO will submit all pertinent solicitation documents for review as follows:

1.7.1. Peer/Secondary PO Review – maximum return time on comments is 2 business days

Each department is assigned a primary and a secondary PO. The peer review should be completed by the secondary PO (or other PO if the secondary is not available). The reviewer shall review the document for completeness, formatting, spelling, and appropriate clauses. The reviewer shall provide a red lined version of the solicitation documents back to the PO or an email indicating acceptance of the documents without changes.

1.7.2. QA/QC Team Review – maximum return time for comments is 4 business days

The QA/QC review shall consist of the same process as the peer review with the inclusion of a content review of the scope of work. The intent is to have an individual with limited knowledge of the solicited product or service review the SOW for a complete description of the requirements and contract management. QA/QC will provide recommendations and/or questions to the PO via redline that can then be: 1) corrected or updated by the PO, 2) sent to the Department for review, or 3) not include in the final solicitation. The final solicitation documents are the responsibility of the PO. **No solicitations may be released to the public without the review of QA/QC.**

1.7.3. Risk Management Review (if modifications were made to policy limits or there are questions on insurance requirements) - maximum return time on comments is 2 business days

1.7.4. Legal Review (if modifications or additions were made to the terms and conditions that are outside of the allowances stated in the templates) - maximum return time for comments is 4 business days

1.7.5. Consolidation of Comments and Recommendations

- The PO shall determine the appropriateness of all changes to solicitation terms and conditions and make updates to the solicitation documents accordingly.

- The PO shall forward all intent and scope of work comments and recommendations to the Department for review.
  - It is at the Department’s discretion and responsibility to incorporate any changes based on the comments and recommendations

- The Department shall provide the PO with any modifications to the solicitation documents

- The PO shall create the final drafts of all solicitation documents and save them to the Working Documents folder.

1.8. Department Approval

Once the solicitation documents have been reviewed and any changes made, the PO shall submit them to the Department along with the following forms:

1.8.1. Rough Draft and Budget Approval
The PO will complete the Rough Draft and Budget Approval (Memos and Forms) with the required information and send to each department that will utilize the contract. The department approver (typically a CAPA) will indicate their acceptance of the solicitation documents and provide the estimated budget for the initial term of the contract. The PO must receive signed approvals from all primary department users of the solicitation prior to submitting the solicitation to Procurement Support (Support) for solicitation release.

- **OMB Approval**: If the solicitation is estimated to be over $500,000 in value, the PO shall provide the department with the Budget Approval Over $500k form. It is the department's responsibility to have the form signed off by the Office of Management and Budget.

- **OET Approval**: If the solicitation is for technology purchases and that department does not have an independent IT division, the PO shall provide the department with the Budget Approval Over $500k form. It is the department's responsibility to have the form signed off by the Office of Enterprise Technology.

1.8.2. **Procurement Status – IFB**

The PO will complete the form with estimated completion dates for the different tasks in the solicitation process. Below are guidelines for the timing of each task:

- Submit OPS Management Authorization request – due by noon on Mondays prior to the OPS Management meeting
- Received OPS Management Authorization – if approved, will receive by close of business on day of OPS Management meeting
- Send solicitation documents to QA/QC for review and edits – four business days
- Send rough draft IFB, approval letter and Budget Approval to review – should be submitted the day following receipt of Management Authorization
- Receive rough draft IFB, pricing line items, and approval letter(s) with PO edits/comments – allow for at least 3 business days for the department to review. Add 5 days if the solicitation requires OMB or OET approval.
- Incorporate PO edits/changes into draft IFB – generally 1-2 business days, complete no later than Friday noon the week before advertising date.
- Peer review of IFB documents and BidSync – 1 day
- Support review and load – due to Support by Monday noon of the advertising week
- Advertise IFB – advertising takes place on 2 consecutive Fridays
- Hold pre-proposal conference – should be held the week following the 2nd advertising date
- Q&A proposed close date with answers – if a pre-proposal conference was held, then the Q&A closes 2 business days later. If one was not held, the Q&A closes no less than 3 business days prior to solicitation opening.
- Open proposals – IFBs cannot open sooner than 10 business days from the first advertising date.
- Conduct initial review of proposals - complete within 2 business days of proposal opening
- Forward Department Analysis to the department – submit the day the initial review is complete
- Receive Department Analysis with PO edits/comments – allow the department at least 3 business days to review
- Notification of non-successful bidders – complete on same day of receipt of department approval
- Request Certificates of Insurance from Respondent(s) - complete on same day of receipt of department approval
- Risk review of COI – allow 5 business days for the Respondents to provide COI and another 2 business days for Risk to determine COI acceptability
- Create Pricing in Advantage – complete on same day of receipt of Risk approval
- Create Award in BidSync - complete on same day of receipt of Risk approval
- Complete Award Package – complete within 1-2 days of Risk approval, must be submitted to PS by close of business Monday of the desired agenda week for CPO approval or Buyer cutoff date on the BOS agenda calendar
- Office of Procurement Services or Board of Supervisors and legal department contract approval – CPO agenda occurs every Thursday. BOS agenda occurs every other Wednesday
- Total estimated time to complete IFB from the receipt of either a complete scope of work or a complete Solicitation Requisition.
  - Under $500,000 = 30-45 days
  - Over $500,000 = 30-60 days

1.8.3. Procurement Status – RFP, ROQ, ITN

The PO will complete the form with estimated completion dates for the different tasks in the solicitation process. Below are guidelines for the timing of each task:

- Establish Evaluation Committee – must be completed prior to submitting Management Authorization
- Submit OPS Management Authorization request – due by noon on Mondays prior to the OPS Management meeting
- Received OPS Management Authorization – if approved, will receive by close of business on day of OPS Management meeting
- Send solicitation documents to QA/QC for review and edits – 4 business days
- Send rough draft RFP, approval letter and Budget Approval to review – should be submitted the day following receipt of Management Authorization
- Receive rough draft RFP, pricing line items, and approval letter(s) with PO edits/comments – allow for at least 3 business days for the department to review. Add 5 days if the solicitation requires OMB or OET approval
- Incorporate PO edits/changes into draft RFP – generally 1-2 business days, complete no later than Friday noon the week before advertising date.
- Peer review of RFP documents and BidSync – 1 day
- Support review and load – due to Support by Monday noon of the advertising week
- Advertise RFP – advertising takes place on 2 consecutive Fridays
- Hold pre-proposal conference – should be held the week following the 2nd advertising date
- Q&A proposed close date with answers – if a pre-proposal conference was held, then the Q&A closes 2 business days later. If one was not held, the Q&A closes no less than 3 business days prior to solicitation opening.
- Open proposals – RFP/ITN cannot open sooner than 10 business days from the first advertising date.
- Conduct initial review of proposals – complete within 4 business days of proposal opening
- Conduct initial Evaluation Committee meeting – complete within 1 week of proposal opening
- Establish short list (if applicable) – allow for at least 5 business days for the Evaluation Committee to review the proposals and to submit scoring. Short listing can happen at the first Scoring meeting
- Notification of non-successful bidders – complete within 1 day of short list decision
- The following steps are not mandatory, but may occur during the evaluation process:
  - Complete Respondent Presentations or Demonstrations – The PO should allow respondents at least one week of preparation time after the Short list decision date.
  - Complete Vendor Site Visits – The PO should allow for at least one week of preparation for local respondents. If the respondent location requires travel, it is the responsibility of the Department to secure funding and approval for the complete evaluation team and PO to travel to the location(s). For these types of locations, it is recommended that a minimum of two weeks’ notice be provided to allow for the additional County logistics.
  - Request Best and Final Offer – request within 2 business days after completion of Presentations or Evaluation meeting
  - Complete subsequent Evaluation Committee meetings – as needed
  - Complete Financial Review – typically only conducted on the top 1 or 2 respondents
- Review Best and Final Offer (BAFO) – allow for at least 5 business days for the Evaluation Committee to review the BAFO
- Draft final contract and Peer review - allow for at least 5 business days to draft the contract and add 2 days for QA/QC review
- Present proposed contract to successful Respondent – same day as completion of peer review of contract
- Legal Review of Contract – if the Respondent makes any changes to the terms of the contract, allow for 2 days for Legal review
- Receive signed contract from successful Respondent - allow for at least 5-10 business days to complete contract negotiations
- Request Certificates of Insurance from Respondent(s) - complete on same day of receipt of department approval
- Risk review of COI – allow 5 business days for the Respondents to provide COI and another 2 business days for Risk to determine COI acceptability
- Create Pricing in Advantage – complete on same day of receipt of Risk approval
- Create Award in BidSync - complete on same day of receipt of Risk approval
- Complete Award Package – complete within 1-2 days of Risk approval, must be submitted to PS by close of business Monday of the desired agenda week for CPO approval or Buyer cutoff date on the BOS agenda calendar
- Office of Procurement Services or Board of Supervisors and legal department contract approval – CPO agenda occurs every Thursday. BOS agenda occurs every other Wednesday
- Total estimated time to complete RFP:
  Under $500,000 = 60-90 days
  Over $500,000 = 90-120 days

1.9. BidSync Solicitation Creation

The County utilizes BidSync.com as its tool for advertising and managing its solicitations. It is the responsibility of the PO to create the solicitation portal, manage the documents and line items. Once the solicitation is "published", BidSync is the formal information conduit until the solicitation closes.

The text and screenshots below detail how to interact with BidSync to create a solicitation portal.

Log into BidSync.com
Create a Solicitation
Enter the deadline for receipt of responses by date and time.

Enter the deadline for receipt of questions by date and time. Typically 2 days after the Pre-Bid or 2 days before the opening date.

Select the date and time of any pre-bid/proposal conference with 'Add'.

Copy the pre-proposal information from the solicitation document and paste. Make sure to indicate if the meeting is optional or mandatory.
**Make sure that the unit of measure in the title and description do not conflict with the Unit selected**
Select classification (NIGP) codes for advertisement. Procurement Officers may select multiple codes to maximize the number of automatically invited respondents.

Ensure the solicitation is set to ‘Public’ and manually invite vendors the using agency has requested, if they have supplied a list of potential respondents by clicking ‘Invite Vendors’. A Regional solicitation can be issued if the Department has provided a valid business reason to limit competition to a specific geographic location. Regional restriction shall also be noted in the solicitation document.
<table>
<thead>
<tr>
<th>Subject: OPS Operating Procedures</th>
<th>Number: 100</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revision Date: 1/24/18</td>
<td></td>
</tr>
</tbody>
</table>

**Approved:**
Kevin Tyne

**Initiating Department:** Office of Procurement Services

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Search for the vendor by using the fields in ‘Search Vendors’. Select any vendor results that may be a match, and click ‘Add’.

If you do not find a vendor in the results you may manually add them to the invitation list by clicking ‘Quick add vendor’.
When Quick Adding, enter the information provided by the using agency, or do your best via a google search/phone inquiry to the company.

Once all desired vendors have been added, click 'Return to editing' to return to building the solicitation.
1.10. **Pre-Solicitation Release Review**

Once the solicitation portal has been created and the solicitation documents have received final approval from the Department, the PO shall conduct the following reviews:

- The PO shall contact a peer PO or QA/QC team member to review the solicitation portal. The review shall ensure:
  - All dates and times listed in the portal are consistent with the dates and times detailed in the solicitation
  - Correct information is loaded for the pre-bid/proposal meeting
  - Correct solicitation documents have been uploaded into the portal and that those documents can be opened without error
  - Correct price line items or pricing instructions have been provided
  - Correct commodity codes have been selected

1.11. **Advertising**

The PO will update/modify the information in blue on the Advertising template (Templates) and then load it into BidSync. Advertising notices must be submitted by the PO in BidSync by noon on the Monday of the week that the solicitation will be published.
Maricopa County Policies and Procedures

Subject: OPS Operating Procedures Number: 100
Revision Date: 1/24/18

Approved: Kevin Tyne
Initiating Department: Office of Procurement Services

UNTIL [SOLICITATION NUMBER], 2:00 P.M. [OPENING DATE]
[SOLICITATION NUMBER] [SOLICITATION TITLE]
THERE WILL BE A MANDATORY/OPTIONAL PRE-PROPOSAL CONFERENCE ON [CONFERENCE DAY AND DATE]
AT [CONFERENCE TIME] ARIZONA TIME, AT [BUILDING NAME AND PHYSICAL ADDRESS INCLUDING MEETING ROOM NUMBER/NAME] (ATTENDEES ARE REQUESTED TO HAVE NO MORE THAN TWO [2] REPRESENTATIVES ATTEND THIS CONFERENCE DUE TO ROOM CONSTRAINTS),
[ANY ACCESS INSTRUCTIONS, PARKING RESTRICTIONS]

*TO PARTICIPATE IN THE BIDDING PROCESS FOR THIS SERIAL VENDORS ARE REQUIRED TO REGISTER AT BIDSYNC OR CONTACT BIDSYNC AT THE FOLLOWING TO REGISTER WITH BIDSYNC. PLEASE GO TO www.bidsync.com AND CLICK ON THE ORANGE REGISTER LINK. REGISTRATION HAS NO COST, AND WILL ALLOW YOU TO ACCESS ALL OF THE BID INFORMATION, RECEIVE BID NOTIFICATIONS, AND SUBMIT AN OFFER FOR ASSISTANCE, PLEASE CONTACT BIDSYNC VENDOR SUPPORT DEPARTMENT VIA PHONE OR E-MAIL DURING REGULAR BUSINESS HOURS. (801)765-9245 OR agency.support@bidsync.com ONLY RESPONSES THAT ARE SUBMITTED THROUGH BIDSYNC.COM WILL BE REVIEWED.
Ensure you are under the ‘Held Bids’ section, and find the solicitation you wish to advertise. Click the title.

Select ‘Send an Advertisement Email’
1.12. **Procurement Support Document Validation**

The PO shall forward to Support all of the final documents to be utilized in the solicitation. Final documents are due no later than close of business on the Monday of the week of solicitation publishing. Support shall make any required formatting changes to the solicitation and ensure that all of the supplemental documents are appropriately referenced. Once complete, Support shall save a copy of the solicitation documents in the S:Article3/FiscalYear/Contract#andName/Working Documents (Official procurement file). Support shall complete the review and revision of the solicitation by close of business Wednesday of the week of solicitation publishing.

1.13. **Final Document Upload to BidSync**

Once Support has completed the review and formatting of the solicitation documents, the PO shall upload them into BidSync.
1.14. Solicitation Release

All Article 3 formal solicitations are released to the public on Thursdays utilizing the BidSync system.

Navigate to ‘Held Bids’ by going to Source->View Bids->Held Bids. Select the solicitation you want to release and click ‘Ready for Approval’.
Enter your BidSync password to ready the solicitation for release and click 'Ready Bids'.

Return to the Held Bids screen and select the 'Release' checkbox, then click 'Release Bids'.

Enter your BidSync password to immediately release the solicitation and click 'Release Bids'. Once this is done the solicitation is open to the public, and notifications will be sent in the overnight batch cycle. Note any warnings prior to release.
1.15. Pre-Bid/Proposal Conference

1.15.1. Conference Prep:

- If the conference will be using any technology (tele/video conferencing, internet, etc.) the PO shall test the technology prior to the day of the conference. The PO shall ensure that they have allowed themselves enough time to correct any technical difficulties. If the difficulties cannot be overcome and the conference is mandatory the PO must consider if a second conference will be needed, and notify their supervisor.

- All attendees at a pre-bid/proposal conference are required to sign in. The PO shall update the Meeting Sign-In Sheet (Memos and Forms) template to include the solicitation number and name, the meeting location, and the meeting date and time. For those remote attendees (telephone or otherwise), the PO shall direct them to submit an email to the PO no later than one hour of the conclusion of the conference indicating their attendance. The completed sign-in sheet shall be scanned and saved in the Working Documents folder of the Solicitation File.

- It is the responsibility of the attendees to have read the solicitation prior to the meeting and to provide their own copies. The majority of County meeting locations have either projectors or large format screens to display the solicitation documents on.

1.15.2. Standard meeting format:

- Welcome

- Introductions – County employees provide name and department only, they should not identify themselves as an evaluator. Respondents should provide name and company name.

- Overview and explanation of meeting purpose

- ANY VERBAL COMMUNICATIONS DURING THE SOLICITATION PROCESS ARE NON-BINDING ON THE COUNTY. ONLY WRITTEN RESPONSES, CHANGES AND AMENDMENTS ISSUED BY OPS SHALL BE CONSIDERED AS AUTHORIZED COMMUNICATIONS.

- Review of solicitation documents

- Review of response requirements
- Review of important solicitation dates – Q&A closing, solicitation opening date, estimated award date

Communications during solicitation process – ABSOLUTELY NO CONTACT BETWEEN THE RESPONDENT AND ANY COUNTY PERSONNEL, OTHER THAN THE OFFICE OF PROCUREMENT SERVICES, IS ALLOWED DURING THE SOLICITATION PROCESS UNLESS THE COMMUNICATION IS IN REGARDS TO PRE-EXISTING BUSINESS WITH THE COUNTY. ANY COMMUNICATIONS REGARDING THE SOLICITATION, ITS PARTICIPANTS OR ANY DOCUMENTATION PRIOR TO THE CONTRACT AWARD MAY BE GROUNDS FOR DISMISSAL OF THE RESPONDENT FROM THE EVALUATION PROCESS.

- Review of questions submitted in BidSync prior to the conference (see section 1.16)

- Final Questions – Remind the attendees to place any questions into the Q&A portion of the BidSync portal for official responses.

- Adjournment

1.15.3. The PO will determine the topics of discussion for the conference. It is highly recommended that the following sections of the solicitation are reviewed:

- Solicitation Opening Date
- Solicitation Intent
- Scope of Work – it is not required to address each section of the SOW. It is generally acceptable to call out page numbers and/or a range of section numbers and ask for questions.

- Terms and Conditions / Draft Contract
  - Term of agreement with renewal options
  - Invoice Requirements
  - Insurance Requirements
  - Requirements Contract (if applicable)
  - Additions and Deletions of Service
  - Subcontracting
  - Certification Regarding Debarment and Suspension
  - Influence
  - Public Records
  - Solicitation/Contract Exception Process

1.15.4. Post Conference: The PO may post a copy of the conference sign in sheet by completing the process detailed below. This will not create an addendum to the solicitation.

- Scan a copy of the sign in sheet and save them in the Working Documents folder of the Solicitation File.
Navigate to Source, View Bids, Current Bids

Select the appropriate solicitation title.

Click on Transcript in the Pre-Bid Conference section. In the pop up window, click upload attachment, load the attachment then click save. The document will then be viewable to the public in BidSync.
1.16. Question and Answer

The Q&A portion of the BidSync portal becomes available for the respondents to utilize as soon as the solicitation is released in the system. The PO may respond to the questions prior to the pre-bid/proposal conference. BidSync will send the responsible PO an email whenever a new question is posted and will email a general notice of outstanding questions on a regular basis. To review the questions:
1.16.1. Addendum – if the response to a question results in a material change to the intent or scope of the solicitation or if an error was discovered in the released solicitation, an addendum must be created by the PO and posted in the BidSync system before the solicitation opening date. If the addendum is issued within three business days of opening
or will cause respondents to reformulate their responses, it is recommended that the solicitation opening date be moved to the following week. If the opening date is modified, the PO shall inform the Procurement Receptionist so that the bid opening schedule can be updated.

- To create the addendum the PO shall:
  - Access the solicitation document in the S:Article 3/Fiscal Year/Contract Serial – Name/Working Documents folder
  - On the top of the first page of the solicitation, type “ADDENDUM # PLEASE SEE CHANGES TO” then list the sections numbers that have been modified.
  - If language is to be removed from the solicitation, it must be typed with a strikethrough. Do not use “track changes”.
  - If language is to be added to the solicitation, it must be typed in bold.
  - Once complete, forward to Support for saving in the contract folder.

- To release the addendum in BidSync the PO shall:
Select addendum in Revise Bid
Changes can be made to Extend Bid Duration, Question and Answer Duration and Contract Duration. Pre-bid conference cannot be changed unless a supplemental advertising is issued noting the change.

You cannot change any information previously posted in Description, Quantity and Delivery Location or to Line Items. You can only provide additional information. It is recommended that the Addendum Bid Comments match the addendum information on the solicitation document.
1.17. **Re-Solicitation to Add Vendor(s)**

If the department can demonstrate that the awarded Contractor(s) cannot meet the needs of the Contract, they may request that the PO perform a re-solicitation with the intent to add new Contractors. Requests to re-solicit contracts because the department believes another particular supplier may offer more advantageous pricing than a current contractor on contract may be rejected. The majority of the steps detailed in the standard solicitation process are utilized in a re-solicitation with the exception of the following:

- The solicitation method cannot be changed
- The solicitation number remains the same
• “Re-Solicitation Effort” is added to the solicitation title
• A sub-folder is created in the Working Documents folder titled Re-Solicitation which will be populated with its own sub folders as described in section 1.3.
• If the re-solicitation is for an RFP or ROQ, the same evaluation committee should be utilized.
• The term of a re-solicited contract will be for the remaining balance of the original contract.
• The Management Authorization will require the addition of the rationale for the re-solicitation.
• The approval authority for a re-solicitation is contingent upon the initial award. If the solicitation was originally awarded by the CPO, then the CPO can award the re-solicitation. The BOS may delegate their approval authority to the CPO explicitly in the agenda for the initial award of the contract. The CPO reserves the right to forward any solicitation award to the BOS for approval.
• The PO shall compare the original solicitation and/or contract with the then current standard terms and conditions and update the solicitation to the revised terms.
• The department will be required to sign a new Rough Draft and Budget Approval that stipulates any additional funding that may be needed as a result of the re-solicitation.
• The department will be required to sign a new Procurement Status form.
• The BidSync portal for the original solicitation may be copied, updated and used for the re-solicitation by:
• This will create an exact copy of the original solicitation. The PO is required to update:
  o Bid Duration
  o Bid Question & Answer Duration
  o Pre-Bid Conference (if applicable)
  o Contract Duration (to reflect the remaining balance of the original contract and its renewals)
  o The Bid number
  o The Bid title (original title + Re-solicitation effort)
  o Bid Comments – be sure to state that this is a re-solicitation and the length of the remaining contract term
  o Documents – delete the original solicitation document and replace it with the re-solicitation document.

• The re-solicitation will be placed in the Held Bids queue. The advertising, release, Q&A and addendum processes are the same.

1.18. Solicitation to Replace Existing Contract

When a contract is nearing expiration and has exhausted its renewal options, the PO shall reach out to the department(s) representative(s) at least 6 months prior to the expiration date to determine if a replacement solicitation is needed. The PO should provide a copy of the current contract and the original solicitation documents in the native (non-.PDF) format. The department(s) is/are required to make any updates to the solicitation requirements and line items if necessary, and provide them back to the PO.

The PO shall then perform the solicitation process as described previously. When the award package has been submitted for approval, the PO shall retrieve the physical contract file (if one exists) and provide it to Support with a memo stating; replacement Contract name and number, and the anticipated
award date of the replacement. Support shall scan the physical files into the electronic procurement file and dispose of the hard copy after a reasonable holding period. Once the replacement Contract has been awarded, support shall ensure that the online contract catalog does not contain the replaced Contract. The electronic procurement file shall be maintained per the County Record Retention Policy.

The Department may also elect to replace an existing contract with a new solicitation if their requirements have significantly changed from the original contract scope of work. In this case, the PO shall consult with the PS and Legal to determine the appropriate language and timing of the new solicitation. The key decisions generally are: Will this new contract replace and supersede the current contract; or Will this new contract run concurrently with the current contract until the current contract expires?

Finally, it may be advantageous for the County to perform a new solicitation if the actual purchase volumes on a contract exceed the contracted volumes and the County has a reasonable expectation to obtain improved pricing.

The PO shall provide an email notification to PS for each contract that will not be renewed or extended so that the contract file can be pulled from online queries.

1.19. Advertising Board and Buyer List

The Procurement Receptionist shall create and distribute to the PO, PS and Deputy a list of all currently advertised solicitations by opening date and a list of all solicitations in development. The list is sent out on Mondays. It is the responsibility of the PO to review both documents for accuracy and to provide any updates to the Receptionist so that the list can reflect accurate information.
2. Evaluation

This section of the procedures will walk through the different evaluation methods for solicitations. The evaluation methods must be detailed in the solicitation and are governed by the Procurement Code MC1-323 (IFB), MC1-334 through 338 (RFP/ITN).

2.1. Electronic Bid/Proposal Opening

Solicitation responses are required to be provided by the respondents utilizing the BidSync.com system. Paper responses require the specific consent of the PS.

To access bids or proposals:

- After the date and time of the solicitation close as listed in BidSync and on the solicitation
- Log into BidSync.com
- Click Source in Tool Bar and select View Bids
- Click To Be Awarded Bids
- Select the appropriate solicitation to open by clicking on the solicitation name
• BidSync requires a user password to decrypt the bid.
• Once decrypted, the system displays a list of all respondents and their bid totals

2.2. Public Opening and Review of Bids/Proposals

2.2.1. IFB
• Respondents do have the option to attend the actual bid opening. The PO and his/her backup shall read each respondent name, their bid price for line items and their total bid amount.
• After the bid opening and public review, the PO shall make a digital copy of the Awarding Bid screen from BidSync and save it in the Working Documents folder as the Tabulation sheet.

2.2.2. RFI
• An RFI does not require a public opening or a copy of the respondent list for the folder.

2.2.3. ROQ
• Pursuant to MC1-355, only the names of the respondents shall be provided to the attendees of an opening or during the evaluation process.
• After the public review of the Respondents, print the respondent list. The PO and designated backup (witness) must each sign and date the printout and then scan the document and save it in the Working Documents folder as the Tabulation sheet.

2.2.4. RFP
• Pursuant to MC1-328 and 333, only the names of the respondents shall be provided to the attendees of an opening or during the evaluation process.

• After the public review of the Respondents, print the respondent list. The PO and designated backup (witness) must each sign and date the printout and then scan the document and save it in the Working Documents folder as the Tabulation sheet.

2.2.5. ITN

• Pursuant to MC1-345, only the names of the respondents shall be provided to the attendees of an opening or during the evaluation process.

• After the public review of the Respondents, print the respondent list. The PO and designated backup (witness) must each sign and date the printout and then scan the document and save it in the Working Documents folder as the Tabulation sheet.

2.2.6. Bid/Proposal Document Download

Respondents have the ability to upload multiple documents for their bids and proposals. Additionally, BidSync utilizes webform documents that the respondents can complete electronically in the system. It is the responsibility of the PO to download these documents for review.

• Log into BidSync.com and navigate to the To Be Awarded section.

• Locate the correct solicitation and click on the envelope icon to open the Tabulation Packet window.

• Select the desired documents to download, and then click on Download Selected. This will generate a .zip file that contains all of the selected documents separated into folders by Respondent name.
The PO shall save all these folders in the Vendor Responses folder in the solicitation file.

This download will not capture Offer Notes entered by the Respondents or any of the Additional Offer fields (if they were required in the solicitation). It is the responsibility of the PO to open each bid line to determine if a note was provided and if that note is material to the bid.

2.3. **OPS Review of Bids/Proposals**

2.3.1. **IFB**

Invitations for bid are evaluated initially by the PO to ensure that the respondents bid in the manner required by the solicitation and to determine low cost by line or by total bid value depending on how the solicitation was written (single or multiple award).

Per MC1-323: The Contract shall be Awarded to the lowest Responsive and Responsible Respondent whose Bid meets the requirements and the evaluation criteria set forth in the Invitation For Bids. Unless otherwise provided in the Invitation for Bids, Award may be made by individual line item, by group of line items, or for the aggregate total of all line items.

Bid Eligibility: In order for a bid to be considered for evaluation and award, the respondent must be determined as Responsive and Responsible.

- Responsiveness entails: the respondent provided a bid in the manner requested in the solicitation, the respondent provided all documentation required in the solicitation, and the respondent attended the pre-bid meeting (if attendance was mandatory).

- Responsibility of a respondent shall be determined in accordance with MC1-360. See section 2.3 for additional information.

Bid Tabulation: The PO shall create a bid tabulation report utilizing S:/Article 3/Procurement Documents/Memos and Forms/Bid Tabulation Report. The PO shall enter all required information per the example provided with the form on the Example tab. The PO shall review each Attachment A, Vendor Pricing Information pages uploaded by the respondents to
determine if the respondent offered discount payment terms such as 2% 10 Net 30. Payment terms must be used for the calculation of bid prices.

- A copy of the Bid Tabulation Report must be saved in the Procurement File and be included in the award package.
- Department Analysis for Award: Once the PO has completed the Bid Tabulation Report, the PO will create a Department Analysis for Award (Memos and Forms). The PO shall indicate the award recommendation of the lowest priced, Responsive, Responsible respondent(s) within the allowed award parameters of the solicitation (single, multiple, call list, rotation). The analysis shall be sent to the requesting department along with the Bid Tabulation Report for review and approval or rejection.

2.3.2. RFP, ROQ, ITN

Proposals received against an RFP, ROQ or ITN are reviewed for completeness (were all required solicitation required documents provided) and the price evaluated prior to initiation the Evaluation Committee process.

Per MC1-323: The Contract shall be Awarded to the lowest Responsive and Responsible Respondent whose Bid meets the requirements and the evaluation criteria set forth in the Invitation For Bids. Unless otherwise provided in the Invitation for Bids, Award may be made by individual line item, by group of line items, or for the aggregate total of all line items.

- Proposal Eligibility: In order to be considered for evaluation and award, the respondents' proposal must be determined Responsive and Responsible:
  - Responsiveness entails: the respondent provided pricing in the manner requested in the solicitation, the respondent provided all documentation required in the solicitation, and the respondent attended the pre-proposal meeting (if attendance was mandatory).
  - Responsibility of a respondent shall be determined in accordance with MC1-360. See section 2.4 for additional information.
- Preliminary Review: The PO shall create a Preliminary Review report (Memos and Forms) that indicates if the respondents provided all of the required documents in their proposal upload. If the Respondent did not provide a required document or provided an incomplete document, the PO shall determine if the error is a Minor Informality (see Section 2.4.3) or is a disqualifying infraction (See section 2.4.5). A copy of the Preliminary Review report shall be provided to the Evaluation Committee at the kickoff meeting.
- Proposal Exceptions: It is the responsibility of the PO to review any exceptions provided by the respondent prior to releasing the responses for evaluation.
  - To the Scope of Work: if a respondent takes exception to a requirement of the scope of work, the PO shall inform the evaluation committee during the Evaluation Kick Off, but no further action by the PO is required.
  - To the Draft Contract: if a respondent takes exception to a clause of the draft contract, the respondent is required to provide replacement language for that clause. The PO shall send a copy of the draft contract and the exceptions to the
County Attorney’s Office for review. The attorney can provide guidance to the PO on the acceptability of the requested changes. An exception that is deemed unacceptable does not preclude the evaluation process as the PO will negotiate the contract with the selected respondent.

- **To the Insurance Requirements:** if a respondent takes exception to any of the insurance requirements, the respondent is required to demonstrate how the requirement is onerous or otherwise detrimental to the respondent. The PO shall provide County Risk a copy of the solicitation, contract and the insurance exception for review. The Risk representative shall determine if a change to the insurance requirements is acceptable. In the event of a change to the insurance requirements, the PO shall communicate the details of the change to the proposal respondents via email.

- **Pricing Evaluation (RFP and ITN only):** The PO shall create a Pricing Points Calculation report (Memos and Forms) to tabulate the evaluation points for the pricing portion of the proposal. The PO shall review each of the respondent pricing offers (typically Attachment A Pricing) and calculate the total value of the offer. Total value is based on the offered prices for all requirements of the solicitation with the exception of any estimated tax or shipping. Options and their prices are not considered in the pricing points calculation. Discount payment terms, if offered by the respondent, should also be applied to the total price. The report will automatically provide pricing points based on the authorized evaluation criteria (see section 1.5 Management Authorization). If a respondent’s total price is greater than or equal to 100% difference from the lowest proposed price, the respondent will be assigned zero points. Negative points for pricing is not allowed. A copy of the Pricing Points Calculation report shall be provided to the Evaluation Committee at the kickoff meeting.

### 2.4. OPS Solicitation Determinations

2.4.1. **The Procurement Code has specific definitions and courses of action required for instances of errors or non-compliance with solicitation responses.** It is the responsibility of the PO to exercise their judgment on the application of the following clauses and to properly document their determinations and respondent communications.

2.4.2. **One Bid Received – see Code section MC1-324.** The determination to award a single response solicitation is included in the Procurement Summary (IFB or RFP, ITN, ROQ) (Memos and Forms).

2.4.3. **Minor Informality – see Code section MC1-322.** Examples of Minor Informalities are: unsigned Agreement Page, unsigned most recent Addendum (if required), missing product literature (if required) and other supplemental documentation required from the solicitation. It is recommended that the PO verify that the instance qualifies as a Minor Informality with Procurement management and/or with the County Attorney’s Office. If a Minor Informality is declared, the PO shall contact the applicable respondent via email stating: the nature of the minor informality; the required remedy; the required deadline for the receipt of the remedy; and a statement that non-compliance will result in a determination of Non-Responsive (the determination for Minor Informality is included in the Procurement Summary). A copy of the notice of Minor Informality to the respondent must also be included in the award package.

2.4.4. **Determination of Non-Responsible – see Code section MC1-360.** If a determination of Non-Responsible is made for a respondent, the PO shall complete the Notice of Non-Responsible...
(Templates) and send it to the respondent via email with Delivery Receipt and Read Receipt. The determination for Non-Responsible is included in the Procurement Summary (IFB or RFP, ITN, ROQ) (Memos and Forms). A copy of the notice of Non-Responsible to the respondent must also be included in the award package.

2.4.5. **Determination of Non-Responsive – see Code section MC1-323(b).** If a determination of Non-Responsive is made for a respondent, the PO shall complete the Notice of Non-Responsive (S:/Article 3/Procurement Documents/Templates) and send it to the respondent via email with Delivery Receipt and Read Receipt. The determination for Non-Responsive is included in the Procurement Summary (IFB or RFP, ITN, ROQ) (Memos and Forms). A copy of the notice of Non-Responsible to the respondent must also be included in the award package.

2.4.6. **No Responses Received** - If no bids or responses were received by the closing date and time of the solicitation, the PO shall notify the using department of the issue and provide them the option to: 1) Re-solicit the specification without modification under the current solicitation name and number, or 2) Revise the solicitation and issue under a new solicitation number. In either instance, the PO will close out the BidSync solicitation portal (see section 3.5).

2.5. **Issue with Bid/Proposal Submission**

OPS utilizes a web service for the issuance of our solicitations and the receipt of responses. Any error that may occur with the system is the responsibility of the web service provider. The County bears no liability for errors with the web service or any connectivity issues that a respondent may incur with a solicitation response.

In the event that a respondent claims an error in utilizing the BidSync system, the PO shall review the Bidder Activity log in BidSync which details all Respondent interactions with the solicitation.

Navigate to the To Be Awarded section of BidSync and click on the applicable solicitation name.
Click on Go to Bid Information

Click on Report (Bidder Activity)

In the new window, select the appropriate Respondent

BidSync will generate a report that details all actions taken by the Respondent during the period of the solicitation. It is recommended that the PO make a copy of the report for use in the response to the Respondent.
It is the responsibility of the Respondent to work with BidSync to determine the nature of alleged error. If a verifiable error occurred within the BidSync system that impacted the respondent’s ability to interact with the solicitation, the respondent shall provide the PO with the documentation from BidSync regarding the nature of the error. It is the sole right of OPS to determine if the error will result in either a re-solicitation or to allow the respondent to provide a response outside of BidSync.

2.6. Department Evaluation of Bids and Proposals

It is the responsibility of the requesting department to determine if the offered bid or proposal meets the requirements stated in the solicitation. Any evaluation method must be clearly identified in the solicitation for it to be utilized in the award decision process.

2.6.1. IFB

The requesting department shall be provided a copy of the Bid Tabulation Report and the Department Analysis for award by the PO for their approval or rejection of the bid received. The PO shall also provide any supplemental documentation that the respondents provided with their bids. If the solicitation allows for it, the following supplemental evaluation processes may take place:

- **Samples** - the PO shall coordinate with the Respondents for the delivery of samples to the OPS. All samples should be checked in by the PO and tracked to the requesting department personnel responsible for the evaluation. It is the responsibility of the Respondent to indicate proper handling or disposal of samples post evaluation. If the samples are to be returned, the Respondent shall provide all shipping materials and costs. If the samples are to be destroyed, they must be returned to OPS for disposal.

- **Clarification Questions** - Clarification questions for the Respondents are uncommon on bids and are only allowed if the clarification will not change the value of the bid or specifications of the work. All questions and responses are coordinated by the PO. Requesting departments are not allowed direct communication with respondents regarding the active solicitation.

- **Reference Checks** - At the discretion of the PO, the Respondents’ provided references can be verified. This is accomplished via a standardized questionnaire per solicitation or by phone interview. Each reference must be asked the same questions. The PO is responsible for scheduling and running the meetings.

- **Vendor Site Visits** - If the solicitation allows for site inspections as part of the evaluation, the PO is responsible for coordination of inspection date, time and location(s). The PO shall be in attendance for each site visit. The evaluation elements of the site visit must be listed in the solicitation (e.g. facility size, physical security, etc.).
• Financial Review - If the solicitation is for an operationally critical commodity or has a high financial impact on the County, the PO may request audited financial statements from the Respondents. The financial statements are reviewed by the Maricopa County Department of Finance who shall provide the PO with a written statement of the financial risk a Respondent possesses. If the Respondent is determined to be at a high financial risk, the PO may determine that the Respondent is Non-Responsible (see section 2.4.4).

• After the evaluation of the bid information, the requesting department shall indicate on the Department Analysis for Award their acceptance of the PO recommendation for award or their rejection of the recommendation. If the department rejects the recommendation, the department shall provide a detailed memo specifying why the offered product or service did not meet the requirements of the solicitation (see Code MC1-323 for a more detailed description of allowable award criteria). The department shall submit the signed Department Analysis to the PO to commence the award process, a copy of which shall be included in the award package.

2.6.2. RFI

The PO shall provide a copy of the RFI responses to the requesting department after the opening of the solicitation. RFI are only to be utilized by the requesting department to clarify its requirements for a future solicitation. They are not intended to be the basis of a contract award. The RFI may contain supplemental review processes to aid the department (see Section 2.6.5). The PO is not required to participate in the supplemental processes as the procurement function was completed with the receipt of the responses. It is recommended that the PO inform the requesting department of the limitations of the RFI and remind them that no award may be made as a result of their review.

2.6.3. RFP/ITN

The evaluation process for an RFP/ITN is much more formal than for an IFB. The PO will generate all evaluation materials and act as Chairperson of the evaluation committee. It is recommended that the PO utilize thumb drives or an FTP site (http://cloud.maricopa.gov:5000/eftadhoc/) for distribution of evaluation materials rather than making print copies. Each evaluator packet should contain: the solicitation, all vendor response documents*, the Preliminary Review report, the Pricing Points Calculation, the Article 3 Evaluation Panel Training PowerPoint, the Non-Disclosure Agreement, and the Evaluation Score Sheet. All Evaluation Committee members must be in attendance at each evaluation scoring meeting and all supplemental evaluation process meetings (demos). Attendance can be via remote access (phone or otherwise). Failure by an Evaluation Committee member to attend any of the required meetings shall result in the removal of voting rights from that member. The member may continue as a SME at the discretion of OPS.

*The PO may elect to withhold pricing information until the first round of evaluation is complete so that the committee is not influenced by the price.

• Non-Disclosure Agreements: Prior to the commencement of the evaluation process, each evaluator must be approved by the CPO on a Management Authorization form and complete a County Non-Disclosure Agreement (NDA) (Memos and Forms). Additionally any SME or other department personnel must complete an NDA prior to receiving any evaluation documents or
discussing the evaluation process. All NDA shall be submitted to the PO for inclusion in the award package.

- **Evaluation Score Sheets:** The PO shall create the Evaluation Score Sheets (Memos and Forms) for use by the Evaluation Committee. The score sheet is an Excel file that should contain a tab for each evaluation member and a combined tab for the average scores. The criteria and points shall match those approved on the Management Authorization form and listed in the solicitation document.

- **Evaluation Kickoff Meeting:** Once the Preliminary Review is completed and the NDA have been received, the PO shall schedule an Evaluation Kickoff Meeting. It is recommended that this meeting take place within one week of the solicitation opening date or a close as possible to the timeline contained in the solicitation and the Procurement Status form. All Evaluation Committee members are required to attend this meeting. The format of the meeting is as follows:
  
  o Each attendee must sign in to prove attendance on the Meeting Sign-in Sheet (Memos and Forms).
  
  o Confirm the receipt of NDA from all meeting attendees
  
  o Review the Article 3 Evaluation Panel Training PowerPoint (Templates) that explains the rules and guidelines for the evaluation of proposals.
  
  o Distribution of the evaluation packets. It is highly recommended that the PO utilize a conference room with a projector or large format monitor to display the materials.
  
  
  o Establishment of the evaluation schedule; timeline for receipt by PO of the score sheets from the evaluators, the first score review, tentative dates for subsequent evaluation processes (demos, visits, etc.). It is the responsibility of the PO to schedule all evaluation meetings and locations.
  
  o Reiteration of the confidential nature of the evaluation process and the importance of independent scoring.

- **Evaluation Process:**
  
  o **Paper Review:** Each evaluator shall independently review all of the proposal documents and determine scores for each evaluation criteria in accordance with the solicitation.
  
  o **Clarification Questions:** It is reasonable and expected that the evaluators will have questions or areas of a proposal that need clarification. The PO shall compile all of the questions for presentation to the respondent. The PO shall determine a reasonable period of time for the written responses to the questions. The PO shall distribute the responses to the evaluators and retain a copy of the responses in the solicitation file. All communication with respondents shall be conducted by OPS.
  
  o **Scoring and Review:** The evaluators shall submit to the PO their score sheets by the date and time established during the evaluation kickoff. The PO shall compile all of the individual scores into an average score by criteria and respondent. All
evaluators shall attend a meeting to review the overall and individual scores. During the meeting, the PO should encourage each evaluator to discuss their rationale for the scores. The evaluators shall be given the opportunity to revise their scores based on the discussion. At the conclusion of the meeting, the PO shall print copies of the individual score sheets for signature by the evaluators. The signed sheets shall be retained in the solicitation file. Based on the overall result of the scoring meeting, the evaluation committee may elect to utilize supplemental evaluation processes (section 2.6.5) or move to intent to award (section 2.7).

2.6.4. ROQ

ROQ proposals are evaluated by a formal process, but solely on an Acceptable/Not Acceptable basis. The PO shall generate a Preliminary Review report similarly to the RFP/ITN process. Pricing is not individually evaluated by the PO. The PO is required to generate all evaluation materials and to act as chairperson of the evaluation committee. It is recommended that the PO utilize thumb drives or the FTP site (http://cloud.maricopa.gov:5000/eftadhoc/) for distribution of evaluation materials rather than making print copies. Each evaluator packet should contain: the solicitation, all vendor response documents, the Preliminary Review report, the Article 3 Evaluation Panel Training PowerPoint, the Non-Disclosure Agreement, and the Evaluation of Qualifications sheet. All Evaluation Committee members must be in attendance at each evaluation scoring meeting and all supplemental evaluation process meetings (demos). Attendance can be via remote access (phone or otherwise). Failure by an Evaluation Committee member to attend any of the required meetings shall result in the removal of voting rights from that member. The member may continue as a SME at the discretion of OPS.

- Non-Disclosure Agreements: Prior to the commencement of the evaluation process, each evaluator must be approved by the CPO on a Management Authorization form and complete a County Non-Disclosure Agreement (NDA) (Memos and Forms). Additionally any SME or other department personnel must complete an NDA prior to receiving any evaluation documents or discussing the evaluation process. All NDA shall be submitted to the PO for inclusion in the award package.

- Evaluation of Qualifications: The PO shall create the ROQ Evaluation of Qualification sheet (Memos and Forms) for use by the Evaluation Committee. The score sheet is a Word file that will contain the Respondent name and a signature line for each evaluator to indicate if the respondent is Acceptable.

- Evaluation Kickoff Meeting: Once the Preliminary Review is completed and the NDA have been received, the PO shall schedule an Evaluation Kickoff Meeting. It is recommended that this meeting take place within one week of the solicitation opening date or as close as possible to the timeline contained in the solicitation and the Procurement Status form. All Evaluation Committee members are required to attend this meeting. The format of the meeting is as follows:
  o Each attendee must sign in to prove attendance on the Meeting Sign-in Sheet (Memos and Forms).
  o Confirm the receipt of NDA from all meeting attendees
  o Review the Article 3 Evaluation Panel Training PowerPoint (Templates) that explains rules and guidelines for the evaluation of proposals.
Distribution of the evaluation packets. It is highly recommended that the PO utilize a conference room with a projector or large format monitor to display the materials.


Establishment of the evaluation schedule; timeline for receipt by PO of the score sheets from the evaluators, the first score review, tentative dates for subsequent evaluation processes (demos, visits, etc.). It is the responsibility of the PO to schedule all evaluation meetings and locations.

Reiteration of the confidential nature of the evaluation process and the importance of independent scoring.

**Evaluation Process**

- **Paper Review:** Each evaluator shall independently review all of the proposal documents and determine the Acceptability of the respondents in accordance with the solicitation.

- **Clarification Questions:** It is reasonable and expected that the evaluators will have questions or areas of a proposal that need clarification. The PO shall compile all of the questions for presentation to the respondent. The PO shall determine a reasonable period of time for the written responses to the questions. The PO shall distribute the responses to the evaluators and retain a copy of the responses in the solicitation file. All communication with respondents shall be conducted by OPS.

- **Scoring and Review:** The evaluators shall submit to the PO their score sheets by the date and time established during the evaluation kickoff. The PO shall compile all of the individual scores onto a single evaluation form for each respondent. All evaluators shall attend a meeting to review the overall and individual scores. During the meeting, the PO should encourage each evaluator to discuss their rationale for acceptance or rejection. The evaluators shall be given the opportunity to change their decision based on the discussion. At the conclusion of the meeting, the PO shall print copies of the individual score sheets for signature by the evaluators. The signed sheets shall be retained in the solicitation file. Based on the overall result of the scoring meeting, the evaluation committee may elect to utilize supplemental evaluation processes (section 2.6.5) or move to intent to award (section 2.7).

### 2.6.5. Supplemental Evaluation Processes:

- **Respondent Presentations** – Each Respondent in the evaluation round may have the opportunity to present their proposal to the evaluation committee. It is the responsibility of the PO to schedule the presentations, ensuring that each Respondent is allowed the same prep and presentation time. It is recommended that the PO set an agenda for the Respondent to follow in order to ensure that the presentation meets the expectations of the evaluators.

- **Respondent Demonstrations** – This is typically used for technology and software acquisitions. The Respondents are invited to provide a demonstration of their product/service. Respondents are allowed to provide the County with copies of software, access to a web-based version of the software or a demonstration piece of hardware for evaluation purposes. All samples must be returned to the PO at the conclusion of the solicitation. It is recommended
that the PO set a list of processes for demonstration to ensure that the requirements of the solicitation are met.

- **Reference Checks** – At the discretion of the PO, the Respondents’ provided references can be verified. This is accomplished via a standardized questionnaire per solicitation or by phone interview. Each reference must be asked the same questions. The PO is responsible for scheduling and running the reference check.

- **Vendor Site Visits** – If the solicitation allows for site inspections as part of the evaluation, the PO is responsible for coordination of inspection date, time and location(s). The PO shall be in attendance for each site visit. The evaluation elements of the site visit must be listed in the solicitation (e.g. facility size, physical security, etc.).

- **Financial Review** – The PO shall request a financial review when there is insufficient information to make a positive determination of financial responsibility. In addition, the PO should consider performing a financial review at the following intervals:
  
  - **Prior to the award of Contract:**
    
    - The Respondent is a new company or a new supplier of the service or goods;
    
    - When the procurement is of high value, risk, and/or exposure;
    
    - The Respondent is experiencing performance deficiencies on other work; or
    
    - The Respondent may receive significant County assets such as contract financing payments or County property.
  
  - **Post Contract award:**
    
    - There are any other reasonable reasons to question the Respondent’s ability to financially perform and complete the contract.
    
    - The PO may obtain financial and other information in order to establish a Respondent’s financial capacity and/or disclose a Respondent’s financial condition. The PO should not request information that is not necessary for protection of the County’s interests. Regardless, the PO must insist upon obtaining the financial information that is necessary to conduct a financial review. Accordingly, the failure of a Respondent to provide reasonably requested information in a timely manner may be sufficient reason for the PO to determine a Respondent non-responsible.
    
    - The PO shall obtain the following information, to the extent required, in order to protect the County’s interest. The information must be for the person(s), corporation(s), or other legal structure(s) that are legally liable for contract performance. As necessary, the PO shall obtain the required information for each individual/joint venture/partner.
Audited, or reviewed, consolidated financial statements to include Balance Sheet, Income Statement, and Cash Flow Statement with all notes to the financial statements. Federal tax returns may be used when audited or reviewed financial statements have not been completed by the individual or entity. Those records shall comply with the following parameters:

- Information shows the current fiscal year (interim);
- For the most recent fiscal year and, preferably, for the two (2) preceding fiscal or calendar years. Audited or reviewed financial records shall be signed by an independent public accountant and tax returns shall be executed by the appropriate individual or officer of the firm; and
- Summary history of the Respondent and its principal managers, disclosing any previous insolvencies/bankruptcies (corporate or personal), and describing its products or services.

Statement of all affiliations disclosing:

- Material financial interests of the Respondent;
- Material affiliations of owners, officers, directors, major stockholders; and
- The major stockholders (if the Respondent is not a widely-traded, publicly-held corporation).

Statement of all forms of compensation to each officer, manager, partner, joint venture, or proprietor, as appropriate:

- Planned for the current year;
- Paid during the past 2 years; and
- Deferred to future periods.

Financing arrangement information that discloses:

- Availability of cash to finance contract performance;
- Respondent’s exposure to financial crisis from creditor’s demands;
- Degree to which credit security provisions could conflict with County title terms under contract financing;
- Clearly stated confirmations of credit with no unacceptable qualifications; and
- Unambiguous written agreement by a creditor if credit arrangements include deferred trade payments or creditor subordinations/repayment suspensions.

Statement of all State, local and Federal tax accounts

Upon request only, descriptions and explanations of the financial effect of issues such as;
• Leases, deferred purchase arrangements, or patent or royalty arrangements;
• Insurance, when relevant to the contract;
• Contemplated capital expenditures, changes in equity, or Respondent debt load;
• Pending claims either by or against the Respondent;
• Contingent liabilities such as guarantees, litigation, environmental, or product liabilities;
• Validity of accounts receivable and actual value of inventory, as assets; and
• Status and aging of accounts payable.
  o Significant ratios such as;
    • Leverage ratios;
    • Liquidity ratios;
    • Operating ratios;
    • Profitability ratios; and
    • Solvency Ratios
  o A Respondent must be able to sustain a sufficient cash flow to perform the contract. When there is doubt regarding the sufficiency of a Respondent’s cash flow, the PO should require the Respondent to submit a cash flow forecast covering the duration of the contract.

  o A Respondent's inability or refusal to prepare and provide cash flow forecasts or to reconcile actual cash flow with previous forecasts is a strong indicator of serious managerial deficiencies or potential contract cost or performance problems.

  o Single or one-time cash flow forecasts should be limited to pre-award survey situations. Reliability of cash flow forecasts may be established only by comparing a series of previous actual cash flows with the corresponding forecasts and then examining the causes of any differences.

  o Cash flow forecasts must:
    • Show the origin and use of all material amounts (Operating, Investing, and/or Financing activities) of cash within the entire business unit responsible for contract performance, period by period, for the length of the contract (or until the risk of a cash crisis ends); and
    • Provide an audit trail to the data and assumptions used to prepare it.

2.6.6. Sandbox
This is used for software acquisitions. The Respondents are requested to set up a computer lab with access to their proposed solution. The using department will send SMEs to interact with the software and provide feedback to the evaluation committee. Everyone who has access to the sandbox must have a signed NDA for the solicitation on file with the PO. The PO must monitor the sandbox and gather signatures of the attendees. The sign-in sheet shall be retained as part of the solicitation file.

2.6.7. Gap Analysis

This is used for highly complex software or project acquisitions. The process involves inviting a Respondent to conduct an in-depth review of the requirements and the proposed solutions with the requesting department. The intent is to identify and resolve any gaps between the requirements and the proposal prior to contract negotiation.

2.6.8. Respondent Short Listing

For solicitations with multiple respondents, it may be advantageous to the evaluation committee to create a short list of respondents. A short list may be made at the conclusion of any round of evaluation scoring. It is the responsibility of the PO to determine the minimum acceptable total score to move a Respondent to the short list. Short list decisions are not made public until after the solicitation has had a contract awarded to it. Short listed respondents shall be notified via the Notice of Non-Susceptible for Award.

2.6.9. Notice of Non-Susceptible for Award

See Code section MC1-334. If a determination of Non-Susceptible for award is made for a respondent, the PO shall complete the Notice of Non-Susceptible for Award (S:/Article 3/Procurement Documents/Templates) and send it to the respondent via email with Delivery Receipt and Read Receipt. The determination for Non-Susceptible is included in the Procurement Summary (IFB or RFP, ITN, ROQ) (S:/Article 3/Procurement Documents/Memos and Forms). A copy of the notice of Non-Susceptible to the respondent must also be included in the award package. At the PO discretion of when to issue the notice of Non-Susceptible to a respondent during the evaluation process, but it should be no later than the conclusion of negotiations with the selected respondent.

2.7. Intent to Award (IFB):

2.7.1. Respondent Notification – Formal notice shall be issued by the PO to the respondent(s) determined to be the lowest, responsive, responsible respondent via the Department Analysis for Award process. The notice text shall include:

- “Maricopa County would like to invite (Respondent) to enter into a contract for (title of solicitation or description of services) pending the authorization of the (Chief Procurement Officer/Board of Supervisors) on (Estimated Agenda Date). If your firm is not currently a vendor for Maricopa County, you are required to follow this link https://www.maricopa.gov/922/Vendors to apply for a vendor identification number. If you require assistance with this site, please contact 602-506-1000. You are additionally required to provide a copy of your current Certificate of Insurance that meets or exceeds the policy limits stipulated in the solicitation. Finally, if you have not provided a copy with your response, please sign the Agreement Page from the solicitation. Be sure to include your printed name and title. All required documents may be sent electronically via the return email indicated in the header or via fax to 602-258-1573.”
2.7.2. **Non-Successful Respondent** – All respondents who are not designated for award shall be notified via the following BidSync process. This should be completed prior to the creation of the Award package.

- Access BidSync and navigate to the To Be Awarded Bids section. Select the appropriate solicitation title. Click on the radial button next to the vendor(s) who received the Intent to Award notice. On the lower left of the screen, click on Send PreAward Notification.

- On the pop-up window, select Notify only vendors who submitted offers then Submit.

- BidSync will then send notifications to all of the respondents on the solicitation on the status of the award or non-award intent of the County.

2.8. **Contract Development (RFP, ITN)**

At the conclusion of the proposal evaluation process, typically a single proposal is selected as being the most advantageous to the County for award. Multiple awards are allowable if the solicitation specifically stated so in the intent (see section 1.4.1) and was approved on the Management Authorization form. It is the responsibility of the PO to negotiate the final terms of the contract, the pricing, and the final scope of work and services. The negotiations typically do not directly involve the requesting department, but the PO is required to advise them of critical decisions made regarding pricing and scope.

2.8.1. **Best and Final Offer (BAFO)** – As authorized by Code section MC1-336, the PO may elect to request from the respondent their BAFO. This process allows the respondent to revise their service proposal and pricing based on the additional information that they may have gained during the evaluation process. It is recommended that the evaluation committee review the BAFO and offer commentary. BAFO are not necessarily evaluated by the same criteria of the original evaluation process. There can be multiple BAFO for a single solicitation as the County may question the respondent and ask for revisions. All BAFO communications and copies of BAFO must be maintained as part of the solicitation file.

2.8.2. **Contract Pricing** – The PO shall create the final pricing page for the Contract. The pricing shall include but not be limited to the Contractor business information, inclusion or exclusion from IGA/SAVE, selected payment terms, and the total not to exceed price plus applicable tax. Many pricing pages will include additional information such as a full breakdown of the not to exceed amount into deliverables or milestones. Breaking down the price is not required but is highly recommended.
2.8.3. Scope of Work and Scope of Service – The Intent statement and the Scope of Work from the solicitation become the initial sections of Exhibit B, Scope of Work. This should also include all other contractually binding requirements that may have been contained in separate solicitation documents. The Scope of Service is the proposal from the respondent. The PO shall review either the initial proposal or the BAFO to create the Scope of Service. Only those response items that are contractually binding shall be included in this document (do not include any “marketing” material). Under no circumstances should the respondent proposal or BAFO be simply cut and pasted into the Contract as either document may contain terms contradictory to the SOW or T&C. It is the PO’s responsibility to edit the response and remove all mention of respondent name and replace it with Contractor.

2.8.4. Contract Terms and Conditions – Solicitations for RFP, ITN and ROQ are issued with the standard terms and conditions for the County. During the proposal process, respondents have the opportunity to take exception to any of these clauses that the PO shall have reviewed with County Legal and/or Risk Management (see section 2.3.2). The PO shall provide the County responses to the exceptions to the respondent for review. It is the responsibility of the PO to be the lead on all contract negotiations. However, all contracts should be reviewed by County Legal, the QA/QC team, and the department prior to submission for award.

2.8.5. At the conclusion of negotiations of the Scope, Price and Terms, the PO shall create a consolidated contract document. The PO shall have the contract reviewed by one of their peers for completeness and accuracy. Once peer reviewed, the PO shall forward the contract to Support for final formatting and creation of a .PDF file. The PO shall send the respondent a copy of the contract along with a request for: the respondent to register as a payable vendor with County Finance utilizing this link: https://www.maricopa.gov/922/Vendors, a copy of the respondent’s certificate of insurance, including all endorsements, in compliance with the solicitation requirements. COI can be submitted electronically from the respondent or their insurance carrier. The Contractor is not required to provide mailed copies of the contract with original signatures. Scanned copies of the contract are acceptable. The PO should verify that the signatory provided their name and title on the signature page.

2.9. Contract Development (ROQ)

At the conclusion of the qualification evaluation process, typically multiple respondents are selected as being the most advantageous to the County for award. Multiple awards are allowable if the solicitation specifically stated so in the intent (see section 1.4.1). It is the responsibility of the PO to negotiate the final terms of the contract, the pricing, and the final scope of work and services. The negotiations typically do not directly involve the requesting department, but the PO is required to advise them of critical decisions made regarding pricing and scope.

2.9.1. Contract Pricing – The PO shall create the final pricing page for the Contract. The pricing shall include but not be limited to the Contractor business information, inclusion or exclusion from IGA/SAVE, and selected payment terms. Depending on how pricing was requested in the solicitation, the PO shall also include the set rate card from the solicitation or the accepted rate card from the response.

2.9.2. Scope of Work – The Intent Statement, the Scope of Work, the Minimum Qualifications and the Procurement Methodology from the solicitation become the initial sections of Exhibit B, Scope of Work. This should also include all other contractually binding requirements that may have been contained in separate solicitation documents. Under no circumstances should the
respondent proposal be simply cut and pasted into the Contract as the document may contain terms contradictory to the SOW or T&C. It is the PO’s responsibility to edit the response and remove all mention of respondent name and replace it with Contractor.

2.9.3. Contract Terms and Conditions – Solicitations for ROQ are issued with the standard terms and conditions for the County. During the proposal process, respondents have the opportunity to take exception to any of these clauses that the PO shall have reviewed with County Legal and/or Risk Management (see section 2.3.2). The PO shall provide the County responses to the exceptions to the respondent for review. It is the responsibility of the PO to be the lead on all contract negotiations. However, all contracts should be reviewed by County Legal, the QA/QC team, and the department prior to submission for award.

2.9.4. At the conclusion of negotiations of the Scope, Price and Terms, the PO shall create a consolidated contract document. The PO shall have the contract reviewed by one of their peers for completeness and accuracy. Once peer reviewed, the PO shall forward the contract to Support for final formatting and creation of a PDF file. The PO shall send the respondent a copy of the contract along with a request for: the respondent to register as a payable vendor with County Finance utilizing this link: https://www.maricopa.gov/922/Vendors, a copy of the respondent’s certificate of insurance, including all endorsements, in compliance with the solicitation requirements. COI can be submitted electronically from the respondent or their insurance carrier. Mailed copies are not required, and a signed copy of the contract that includes the name and title of the signatory. Scanned copies of the Contract are acceptable.

2.10. **Certificates of Insurance:**

All respondents to any County solicitation must have current insurance policies that meet or exceed the insurance limits listed in the solicitation in order to be considered for award. It is the responsibility of County Risk Management to review and approve the COI. The PO shall provide Risk with a copy of the solicitation and the COI. Risk shall notify the PO via email of the acceptability or deficiency of the COI. This email shall be retained as part of the solicitation file. The PO shall work with the respondent to remedy any discovered deficiencies prior to submitting the solicitation packet for award approval. No Contract shall be submitted for approval without approved insurance.

A respondent may appeal the insurance requirements of the solicitation; see section 2.3.2 for instructions on the processing of an insurance appeal.

2.11. **Protests:**

Any party may protest the evaluation decision of a solicitation. This process is strictly governed by the Code section MC1-905. It is the responsibility of the PO to ensure that all the applicable timeframes are adhered to.

2.11.1. Formal Process:

- The PO will receive the protest from a vendor in written format and follow the procurement code as prescribed in MCI-905.

- The PO will log the Protest and the actions taken against it on the Protest Tracking Log (S:/General/Protest Tracking Log). The log shall contain:
  - Solicitation Number
  - Title
• Buyer #
• Award/Agenda/Effective Date
• Vendor Name
• Date of Protest
• Date of PO Response
• Indication of Approval/Denial of the protest
• Date of Appeal
• Date of Appeal Response
• Indication of Approval/Denial of Appeal
• A copy of the protest and the response(s) shall be retained by the PO for inclusion in the procurement file.

• The PO may notify the using department depending on the nature and type of protest.
• The PO will submit a letter of written determination to the vendor outlining the reasons for acceptance or denial of the protest based on the protest’s merit per MCI-905.A1. The PO should have the letter reviewed and approved by the PS.
• If the PO accepts the protest, the protestor may be afforded the relief as outlined in MCI-905.D1
• If the protest is denied by the PO, the protestor may appeal the decision to the CPO in accordance with MCI-905.A2.
• The CPO will either approve or deny the protestor’s appeal.
• If the CPO denies the appeal this is the final administrative recourse of the appeal. The protestor may pursue other legal remedies as afforded to them.
• If the CPO accepts the appeal the protestor may be afforded the relief as outlined in MCI-905.D1.
• The PO will maintain all the appropriate documents related to the protest letter with the procurement file and forward all documentation to Support upon successful resolution of the protest. Support will save all documentation on the electronic procurement file.
3. Award

It is the responsibility of the PO to complete the award package for all contracts to be approved by the CPO and BOS based on their approval authority. All documents contained in the award package must be complete and accurate prior to submitting the package for approval. Incomplete packages will be rejected and the agenda approval date will move until the missing information is provided.

3.1. Agenda Authority

The CPO has approval authority for all solicited contracts valued under $500K during their initial term. The CPO approves contracts on a weekly Thursday agenda. The CPO has the authority to sign Revenue Generating Contracts that are within the approval value limit. In order to be placed on the CPO agenda, PO’s must have a completed award package (see Section 3.2 and 3.3) submitted to the PS by close of business on the Monday of the agenda week. The CPO has the right to move any contract award from the OPS agenda to the BOS agenda.

All initial contracts valued over $500K, plus all contracts involving the sale or trade-in of a County asset shall be approved by the County Board of Supervisors (BOS). The BOS approves contracts in its formal meetings that are generally held every other Wednesday. In order to be placed on the BOS agenda, the PO must have a completed award package (see Section 3.2) submitted to the PS 30 days prior to the agenda date.

3.2. IFB

3.2.1. Minimum Required Documents For Award: (All documents below are located in S: Article 3/Procurement Documents/ Memos and Forms unless otherwise specified)

3.2.2. All documents are to be saved using the document number and names indicated on the Award Package Checklist in a folder titled 1 – Workflow in the electronic solicitation file.

- Award Package Checklist IFB – The PO shall complete this spreadsheet with all pertinent information for the contract award. It also provides a number in front of the document name that is to be used for the saving of the documents in the procurement file. Do not remove a line from the sheet if it does not apply. Please mark those lines as N/A from the drop down menu. The document can be “signed” be adding in a scanned signature.

- Procurement Summary – This document contains instructions on how to complete it. There are sections that should be removed by the PO if they do not apply to the award (Only One Response Received, Minor Informality, Non-Responsible, Non-Responsive. The document can be “signed” be adding in a scanned signature.

  o To obtain the Number of Bids Solicited, log into BidSync and navigate to the To Be Awarded section and search for the correct solicitation.

  o Click on the solicitation title
On the Awarding Bid screen, click on Go to Bid Information

On the Bid Information screen, click on Notifications/Report

On the Report screen, click on Supplier Invitations which will provide a listing of all agencies that were notified by BidSync regarding the solicitation.

See section 5.4 for information on how to run contract spend reports

- Procurement Status IFB – the PO shall complete the status sheet with the actual dates of the solicitation process, calculate the total process time and sign the document (see section 1.8.2)
- Rough Draft and Budget Approval – a copy of the signed document (see section 1.8.1)
- Management Authorization IFB – a copy of the signed document (see section 1.5)
- Sign-in sheet from Pre-Bid Meeting (if applicable) (see section 1.15)
- COI and acceptance from Risk (see section 2.10)
- Tabulation Sheet (see section 2.3.1)
- Department Analysis for Award – a copy of the signed documents (see section 2.6.1)
- CGI InfoAdvantage Vendor Ordering Address Report – a report shall be run by the PO for each Contractor by:
  - Sign into CGI InfoAdvantage [https://azdom-inf.hostams.com/BOE/B1](https://azdom-inf.hostams.com/BOE/B1)

- Navigate to Public Folders/Departments/D730 Procurement Services/Financial and select Vendor Ordering Address Report

- Type the Contractor name in the search field and click on the binocular icon to search for the Contractor name, select it in the window and then click Run Query
- Print a copy of the report

![Print a copy of the report](image)

- Verify Contractor Debarment Status on SAM on Google Search

The County shall not enter into a Contract with any party that has been debarred by the County or other Governmental organizations per MC1-902.

1. To verify debarment for national commodity Contractor:
   a. Go to the System for Award Management (SAM) website ([https://www.sam.gov/portal/SAM/#11#1](https://www.sam.gov/portal/SAM/#11#1)).
   b. Click Search Records and use the Quick Search tool to search for the recommended awardee.
   c. Print a copy of the report.

2. To verify debarment for a local or service based Contractor:
   a. Use the Google search engine and perform a search for the Contractor Name, Debarred.
   b. Print a copy of the search results.

- Signed Attachment B Agreement Page and Attachment A Pricing (if applicable) – If the contract will using price line items that are different from the method in which they were solicited, the PO shall make a Pricing Page for each Contractor that details the line item description, the cost per unit of purchase (case, box etc.), the number of units each in a unit of purchase (12 per case), and any minimum order quantities. see section 2.7

- Copies of any notices to respondents – see section 2.4

3.3. RFP/ITN/ROQ

3.3.1. Minimum Required Documents For Award: (All documents below are located in S: Article 3/Procurement Documents/ Memos and Forms unless otherwise specified) All documents are to be saved using the document number and names indicated on the Award Package Checklist in a folder titled 1 – Workflow in the electronic solicitation file.
- Award Package Checklist RFP, ITN, ROQ – The PO shall complete this spreadsheet with all pertinent information for the contract award. It also provides a number in front of the document name that is to be used for the saving of the documents in the procurement file. Do not remove a line from the sheet if it does not apply. Please mark those lines as N/A from the drop down menu.

- Procurement Summary RFP, ITN, ROQ – This document contains instructions on how to complete it. There are sections that should be removed by the PO if they do not apply to the award (Only One Response Received, Minor Informality, Not Reasonably Susceptible for Award, Non-Responsible, Non-Responsive).

- Rough Draft and Budget Approval – a copy of the signed document (see section 1.8.1)

- Management Authorization RFP, ITN, ROQ – a copy of the signed document (see section 1.5)

- Tabulation Sheet from BidSync signed by PO and witness (see section 2.2.3 and 2.2.4)

- Preliminary Review of Proposals and Pricing Points Calculation (see section 2.3.2)

- Evaluation Team Score Sheets with Score Tabulation (For Each Round) (see section 2.6.3)

- County Non-Disclosure Statements for all Evaluators and SME (see section 2.6.3)

- Sign-in sheet from Pre-Proposal Meeting (if applicable) (see section 2.6.3)

- COI and Acceptance by Risk (see section 2.10)

- CGI InfoAdvantage Vendor Ordering Address Report – a report shall be run by the PO for each Contractor (see section 3.2.1)

- Verify Contractor Debarment Status on SAM on Google Search (see section 3.2.2)

- Copy of signed contract (see section 2.8.5 and 2.9.4)

- Copies of all notices to respondents (see section 2.4)

### 3.4. CGI Load

#### 3.4.1.

The PO is responsible for the initial set up of the MA in the CGI Advantage 3X system to ensure that the MA matches the intended award structure.

- Log into CGI Advantage 3X and enter MA in the Jump To box.

- Type the MA number (solicitation number) in the ID field, add an asterisk at the end and hit Enter.

- Select the MA number from the search results to bring up the Master Agreement screen.
- Click the Edit button on the lower left of the screen to allow modifications to the MA.

- In the Document Manager bar, select Header, and then click on Requestor Issuer Buyer tab. Search for the lead using department representative in the Requestor ID field. If they are found in the search, click the Save button and the balance of their information will be populated. If they are not, type the Name, Phone Number, Email and Requesting Department. Additional Department contact information can be added to the Extended Description tab.

- Click on the Thresholds tab. Enter the contract award amount (including tax) in the Not to Exceed Amount. Be sure to click the Not to Exceed checkbox.

- Click on the Extended Description tab and copy/paste the BOS/OPS Agenda text from the Procurement Summary.

- In the Document Navigator bar select Authorized Department. Click on the Insert New Line button. On the General Information tab indicate if all departments or select departments are allowed to issue DOs against the MA.

- In the Document Navigator bar select Vendor. Click on the Insert New Line button. Search for the Vendor Customer. Repeat as necessary for multiple award contracts.

- If the Contractor is offering discount payment terms on their bid or proposal, click on the Discount Information tab. Enter the percentage discount, payment days, Select “No” in Discount Always.

- To add line items, select the appropriate vendor from the Vendor section, then select Commodity from the Document Navigator. Click on the Insert New Line button. Select a Commodity. It is at the option of the PO to modify the CL Description of the line item to correlate with the product on contract. Line Type = Item (even if it is a service). Quantity = 0.0000. Unit = the unit of ordering (ea, case, pallet). Unit Price = $0.00 *Unless the contract calls for a
specific firm fixed price for the item. Repeat as necessary to add line items to that vendor. If
awarding lines to multiple vendors, return to the Vendor section, select the correct vendor and
add the Commodity.

If the MA and line items are to be utilized by a department that maintains an inventory in CGI,
it is the responsibility of the PO to coordinate with the department what specific commodity
codes, descriptions, unit of measure and pricing are to be utilized. It is imperative that the PO
ensures accuracy on the line items as the system will not allow modifications to, or removal of
the line item once an order has been placed against it.

- All MA must additionally contain a Commodity Line that has a CL Description of P-CARD USE
  ONLY that has a unit of EA and a unit price of $1.00.

- If the Contract allows for shipping charges to be billed independently of the product, the MA
  must contain a commodity line with the commodity code of 96286 that has a unit of EA and a
  unit price of $0.00.

- In the Document Manager bar, select Header, then click on the Default Shipping/Billing Tab.
  Shipping Method = 6 (Vendor), Free On Board = 7 (FOB Dest, Freight Pre-Paid *unless
  negotiated otherwise), Delivery Type = TBD.
- Click on the Related Actions button and then Ship/Bill to Lines to apply the shipping information to the commodity lines.

- Click Save and close the MA. *DO NOT VALIDATE OR SUBMIT*

3.5. **BidSync Award/Close Out**

- Log into the BidSync system and navigate to the To Be Awarded section.

- Select the appropriate solicitation name to bring up the bid overview page. Click on the button next to the Respondent name to indicate the award preference. If it is a multiple award check the Award Multiple Suppliers box. Award may be made by line item if applicable.

- Click the Close button on the bottom of the page to save the award recommendation. *This will issue a notice to all vendors who viewed the solicitation.*

- On the To Be Awarded Bids screen, click on Award for the solicitation.

- Fill in the Total Award Amount. Enter your password and click the Start Approval button.

3.6. **Electronic Approval Workflow**

3.6.1. Once the PO has completed the award package, created the CGI workspace and commenced the BidSync award process, it is recommended that the PO have these documents and workspaces reviewed by Contract Compliance and a peer PO for completeness and accuracy.

- The PO shall consolidate all of the award documents into the solicitation file. The PO shall then notify the PS via email that there is a solicitation award pending approval.
• The PS shall review the award package documents for completeness and accuracy. PS will indicate acceptance via the verify column on the award package checklist. The PS will then email approval to PO.

• The PO will email Procurement Support indicating that the award package has been approved by the PS.

• All solicitation awards must be placed on the Administrative Tracking Log for use by Procurement Support. The log is located at S: General/Administrative TRKG Log/Mirheta. The PO shall enter; Entry Date, Serial Number, Title, Buyer#, Action (A), Requested Agenda Date, Department or Board.

• Procurement Support will review the award package and upload it to the electronic procurement file and will create a summary package for review by PO. Procurement Support will email PO when complete.

• PO will review the summary package and email PS and Procurement Deputy Director once approved.

• The award package is processed through the electronic agenda system (currently SIRE).

• For contracts on the CPO agenda, the PO shall email the PS a copy of the applicable procurement summary on the Monday of the agenda week. For contracts on the BOS agenda, the PO shall email the PS a copy of the applicable procurement summary on the Monday of the week preceding the agenda.

3.6.2. Protest and Appeals

• Any contract award can be protested in accordance with Maricopa County Procurement Code MC1-905.

3.7. Solicitation Cancellation

3.7.1. Pursuant to MC1-356: An Invitation For Bids, a Request For Proposals or other Solicitation may be canceled or any or all Bids or Proposals may be rejected in whole or in part as may be specified in the Solicitation if it is Advantageous to Maricopa County. The reasons for the cancellation or rejection shall be made part of the Procurement file.

• The PO shall complete either the Cancellation of Solicitation After Due Date or the Cancellation of Solicitation Before Due Date depending on the specific circumstance of the cancellation. The PO shall forward a copy of the cancellation notice to the PS for review and approval. Once approved, the PO shall forward the notice to Support for inclusion in the procurement file.

• Support shall mark the solicitation file as CANCELLED in the electronic file. Support shall be responsible for the handling of all materials received in response to the solicitation in accordance with the Records Retention Policy.

3.8. Closing Solicitation Files

3.8.1. Closing the MA file in CGI Advantage 3X

• Log into the Advantage system and navigate to the MA search screen via the Jump To function.

• Lookup the applicable solicitation and click on the MA number.
• On the MA header screen, click on the Discard button on the bottom of the screen and confirm the discard.

3.8.2. Closing the solicitation file in BidSync by PO

• For solicitations that have not closed: access BidSync and navigate to the Current Bids page. Locate the correct solicitation and click on the Stop sign in the Cancel column. The system will prompt a reason for the cancellation which will be copied from the determination in section 31.b. BidSync shall electronically notify all vendors who have viewed the solicitation of the cancellation.

• For solicitations that have closed, but have not been awarded: access BidSync and navigate to the Current Bids page. Locate the correct solicitation and click on Reject in the Action column. The system will prompt for the reason for cancellation which will be copied from the Cancellation determination. BidSync shall electronically notify all vendors who have viewed the solicitation of the cancellation. All responses that have been submitted prior to the cancellation shall be deleted by BidSync and will not be accessible to the PO.

4. Specialty Procurement

In addition to the standard methods of solicitation for OPS, the following Specialty Procurement methods are available for use by PO and by requesting departments in some instances. Each of these methods have unique documentation and awarded processes that are supported by the Code.

4.1. Competition Impracticable & Sole Source

Pursuant to section MC1-349, a Sole Source (SS) procurement should only be utilized if “there is clear and convincing evidence that there is only one source”. This means that there is only one available avenue to acquire the product. Distributor limitations by region do not qualify as a Sole Source.

Pursuant to MC1-350, a Competition Impracticable (CI) procurement shall be utilized if “Commodity or Service is available from more than one vendor, however, because of standardization, warranty, or other factors approved by the CPO a competitive Procurement is deemed impractical”. A CI is most typically utilized in instances were a department has a deployed product that requires ongoing maintenance from the supplier that is not covered by a contract.

4.1.1. Under $100,000

• The CPO may make the determination that the SS method set forth in MC1-349 shall be used if the request meets the SS definition, and the purchase is estimated to Cost no more than $100,000 in a fiscal year. This section does not apply to Procurements described in MC1-346.E. The written documentation of the basis for the SS Procurement shall be included in the Contract file.

• The CPO may make a written determination that the CI method set forth in MC1-352 shall be used if the request meets the CI definition and the purchase is estimated to Cost no more than $100,000 in a fiscal year. This section does not apply to Procurements described in MC1-346.E, MC1-347 and MC1-348. The written documentation supporting the CI Procurement shall be included in the Contract file.
- It is the responsibility of the PO to perform due diligence on the CI/SS request to determine if; the request is in compliance with Code, and to assure the greatest value is obtained in each approved CI or SS procurement.

**Approval Workflow:**

- The requesting department, usually a CAPA, will complete the CI or SS justification forms located on the OPS internal website. The department must fully complete the form explaining; the desired vendor, vendor contact information, the product or service required, the total of the request, if the request is for a technology product, what sourcing efforts were taken (market research), and copies of quotes and communications with the vendor. The CAPA shall also include a copy any contracts that the vendor is requesting signatures on. The CAPA and the requesting department do not have signature authority for any agreements.
  - The completed form is forwarded to the department Director or Deputy for review and approval.
  - If the purchase is for technology and the department does not have its own IT division, the request is then sent to OET or department IT equivalent for review and approval and then sent back to the department.
  - The CAPA then creates a PDI3, Procurement Type 11 in the Advantage 3X System and uploads the justification and all backup documentation (see Advantage 3X process below).
  - The PDI3 will route to the OPS CI/SS Coordinator (Coordinator) for approval.
  - Coordinator downloads justification and backup and forwards to the appropriate PO for review.
  - PO performs due diligence on the request to determine its validity.
  - PO forwards justification to PS for review.
  - If PS concurs, the PS forwards justification to CPO or Deputy for final approval and signature.
  - If CPO approves the justification, the signed form is returned to the PO who then emails a copy of the form and backup to the Coordinator and CAPA.
  - The Coordinator shall approve the PDI3 in Advantage.
  - The justification and backup are saved electronically in S: General/FY__/ (vendor name department signature date PDI3 number).
  - If CPO does not approve the justification, the PO shall email the Coordinator and CAPA.
  - The Coordinator shall reject the PDI3 in Advantage.

- **Advantage 3X Process:** (all actions done by CAPA unless designated otherwise)
  - Log into Advantage 3X and enter PDI3 in the Jump To box and click Go.
  - Enter in the Dept. (requesting department number) and ID (fiscal year). Then click on Auto Numbering box and click Create.
The system will auto generate a PDI3 number and switch to the PDI3 loading screen. Enter a document description that contains either “CI for” or “SS for” and a concise description of what is being procured. Enter a Procurement Type ID of 11.

Click on the Requestor Issuer Buyer tab. The Issuer ID will default to the CAPA. Complete the information for the Requestor ID by using the search tool. If the individual is not listed, enter in the Name, Phone Number, Email and Requesting Dept.
Click on the Default Shipping/Billing tab and enter in the information in the designated fields:

- **Shipping Location** = search for the primary location of product or service delivery
- **Billing Location** = search for the billing location for all invoices
- **Shipping Method** = Vendor 6
- **Free on Board** = 7 FOB Dest, Freight Prepaid
- **Delivery Date** = desired delivery date
- **Delivery Type** = TBD

Under Document Navigator, click Vendor. Click on the search tool for Vendor Customer.
Search for the Vendor by Legal Name or Alias/DBA. Add an asterisk after the search criteria.

Select the appropriate Vendor from the results table.

If the vendor does not have a vendor ID, contact the vendor and direct them to register as a payable vendor with County Finance utilizing this link: https://www.maricopa.gov/922/Vendors

Selecting the vendor ID will populate the PDI3 loading screen.
Click the Save button to have the complete vendor information populate the screen.

Under Document Navigator, click on Commodity.
Click on the Insert New Line Button and complete the following fields:

- **CL Description** = description of the product/service
- **Commodity** = use the search tool to locate the commodity code that most closely matches the product/service
- **Line Type** = Item
- **Quantity**
- **Unit** = Each
- **Unit Price**

*Repeat process for each additional line*
Under Document Navigator, select Accounting

Click on the Insert New Line Button and complete the following fields:

- Accounting Template = search for the applicable template
- Click Save to populate the remaining accounting fields (Event Type, Line Amount and Reserved Funding)
Under Document Navigator, click on Header, then click on File and select Attachments.

This will bring up an Attachments screen. Click on Upload.
This will bring up an Upload screen. Click on Browse and search for the CI/SS form and backup documents. Once selected, click Upload.

This returns to the Attachments screen with the uploaded document listed on top. *Repeat upload process as necessary for each attachment* Then click on Return to Document

This will bring up the PDI3 load screen. The attachment load can be verified by looking for the Paperclip icon on the Header screen
Click Submit and wait for the system to indicate with a blue ball that the PDI3 has been submitted for workflow approval

The PDI3 will route through the department workflow and then to OPS for approval

4.1.2. Over $100,000

The BOS may award a contract for a Commodity or Service without competition per MC1-348 based on the written documentation submitted by the requesting department. The BOS has authority to approve all CI and SS totaling over $100,000 per fiscal year and/or for periods greater than one year. Per MC1-349, any request by a using department that procurement be restricted to one potential Contractor shall be accompanied by an explanation as to why no other would be suitable or acceptable to meet the need. The Using Department requesting sole source Procurement shall provide written evidence to support a sole source determination. A requirement for a particular proprietary item does not alone justify a sole source Procurement if there is more than one potential Respondent for that item. Upon approval of the BOS, the PO shall negotiate with the single supplier, to the extent practicable, a contract that is advantageous to the County.

Per MC1-351, the BOS may Award a Contract for a Commodity or Service that is available from more than one vendor without competition based on written documentation submitted by the Using Department that while the Commodity or Service is available from other sources, competition is impractical because of standardization, warranty, or other factors as approved by the Board of Supervisors. The written documentation supporting the competition impracticable Procurement shall be included in the Contract file.

It is the responsibility of the PO to perform due diligence on the CI/SS request to determine if; the request is in compliance with Code, and to assure the greatest value is obtained in each approved CI or SS procurement.

Approval Workflow:

- The requesting department, usually a CAPA, will complete the CI or SS justification forms located on the OPS internal website. The department must fully complete the form explaining; the desired vendor, vendor contact information, the product or service required, the total of the request, if the request is for a technology product, what sourcing efforts were taken (market research), and copies of quotes and communications with the vendor. The CAPA shall also include a copy any contracts that the vendor is requesting signatures on. The CAPA and the requesting department do not have signature authority for any agreements.

- The completed form is forwarded to the department Director or Deputy for review and approval.

- If the purchase is for technology and the department does not have its own IT division, the request is then sent to OET for review and approval and then sent back to the department
• The CAPA then creates a PDI3 in the Advantage 3X System and uploads the justification and all backup documentation
• The PDI3 will route to the OPS CI/SS Coordinator (Coordinator) for approval
• Coordinator downloads justification and backup and forwards to the appropriate PO for review
• PO performs due diligence on the request to determine its validity
  o The PO shall determine if the products or services requested merit a formal agreement under the County's terms and conditions.
    • If the justification does require a contract, the PO shall create a contract based upon the RFP, ITN Draft contract template (see section 1.6.3). The PO shall coordinate with the using department to develop the Scope of Work and Pricing Page (see section 2.8).
    • The PO shall negotiate the final terms with the vendor and obtain a signature on the contract (see section 2.8)
      o If the packet includes a contract on vendor template, the PO shall perform an initial review and revision of the terms and then forward the agreement to Legal for review.
      o Legal will provide its revisions to the agreement for the PO to negotiate with the vendor
      o The PO shall attempt to resolve the terms on the agreement with the vendor. If the terms cannot be resolved, the CI/SS cannot proceed.
      o The resolved agreement is sent back to Legal for final review by the PO
• PO forwards justification packet to PS for review
• If PS concurs, the PS forwards justification to CPO or Deputy for recommendation and signature
• If CPO approves the recommendation of the justification, the signed form is returned to the PO.
• The PO shall forward a copy of the justification packet (and signed contract if applicable) to the Coordinator and the CAPA.
• The CAPA shall have the justification placed on the BOS agenda for approval
• Once approved the CAPA shall provide the Coordinator with a copy of the approved agenda item.
  o The Coordinator shall either:
  o Approved the PDI3 in Advantage 3X for a one time purchase
  o Reject the PDI3 and create an MA for multi-year, and/or multiple purchase
• The justification and backup are saved electronically in S: General/FY__/ (vendor name, department, signature date, PDI3/MA number).
• Advantage 3X Process (one time use): see section 4.1.1
• Advantage 3X Process (multiple use): see section 1.2 and 3.4
4.1.3. Renewals
- One time use CI/SS cannot be renewed. The requesting department is required to submit a new CI/SS for processing.
- CI/SS with a contract that allows for renewals may be renewed utilizing the Contract Renewal Process (see section 5.5) on the CPO agenda
- CI/SS over $100K can be renewed utilizing the Contract Renewal Process (see section 5.5) on the BOS agenda

4.1.4. Increases
- CI/SS initially awarded for under $100K that will remain under the limit with the increase will require the requesting department to: amend the original form, submit the amended justification to the Coordinator, receive approval, and the modification of the PDI3 or MA.
- CI/SS initially awarded for under $100K that will exceed $100,000 with the modification will be required to be approved by the BOS. CI/SS that were initially approved by the BOS will require approval on the BOS agenda. The requesting department shall; amend the original BOS agenda, submit the revised agenda for approval by the BOS, forward the approved amendment to the Coordinator, and the modification of the PDI3 or MA.

4.1.5. Amendments
- One time use CI/SS cannot be amended to add products or services. The requesting department is required to submit a new CI/SS for processing.
- CI/SS with a contract that allows for the addition and deletion of line items, and the amendment is within the intent of the original contract, will require the requesting department to: amend the approved justification, submit the amended justification to the Coordinator, PO to draft and negotiate an amendment with the vendor, receive the approval on the CPO or BOS agenda as applicable, and the modification of the PDI3 or MA.

4.2. Inter-Governmental Agreements and Cooperative Purchasing

4.2.1. Definitions
Inter-Governmental Agreements are those specific agreements made between the BOS and another Public Unit (Government Agency) that allow for both the collective solicitation of goods and services, and for the mutual use of contracts that contain cooperative clauses. A file of all Inter-Governmental Agreements is located on the S: Drive Article 3/Intergovernmental Purchasing Agreements.

Cooperative Contracts are the individual contracts of other Government Agencies that are under a current Inter-Governmental Agreement with the County, and that contain specific clauses that allow for cooperative purchasing. Cooperative Contracts are identified with a –IGA contract suffix an commonly referred to as IGAs.

Collective Purchasing Organizations (Collectives) are third party, non-governmental organizations that manage cooperative contracts for their members to utilize (such as US Communities or SAVE). The CPO has the authority to approve the use of contracts issued by these organizations in which the IGA has been approved by the BOS. In some instances, the County is the lead agency on contracts for use by collectives.
A final source of cooperative contracts is the Federal General Services Administration. The County is allowed to purchase goods and services from schedules 70 and 84. GSA operates the website GSA Advantage! (https://www.gsaadvantage.gov/advantage/main/start_page.do) as an online shopping tool. If a department elects to utilize a GSA contract, they must notify the PO so that the contract can be verified as legally usable by the County.

4.2.2. Uses

- An IGA may be used if:
  - the County does not have an awarded contract for the desired product or service; and
  - the agency that issued the contract is under a current Inter-Governmental Agreement with the County; or
  - the agency that issued the solicitation utilized processes that meet or exceed the solicitation requirements in the Code; and
  - the contract contains legal terms and conditions that meet or exceed the County’s standards or incorporated by a Memorandum of Understanding with the vendor; and
  - the PO determines that the terms and pricing of the agreement are advantageous to the County.

- An IGA may not be used if:
  - the contract does not meet the above conditions; or
  - the contract itself is an IGA of another agency’s agreement

An IGA is not meant to be a replacement for the County Procurement Process. They are intended to be utilized for instances such as; one time purchases, time sensitive purchases that will not allow enough time for the Procurement Process, and when the IGA has greater purchasing volume than the County, or is in the best interest of the County. Utilization of an IGA has additional risk in that the County does not have the normal contractual protections such as formal notice and default in the event of the vendor failing to perform. The issuing agency has no obligation to take action on vendor issues on behalf of the County. The County can negotiate its own terms with the vendor under the IGA.

The County can discontinue the use of a Cooperative at any time, for any reason, without providing notice the Contractor. The County must honor all obligated orders unless otherwise negotiated with the Contractor.

4.2.3. Cooperative Contract Vetting:

- The requesting department identifies a product or service and performs a search for available contracts. If a County contract is available, the CAPA shall utilize the DO process to produce a purchase order. If a Cooperative Contract exists, the CAPA will notify their designated PO by email with the following; the description of the product/service, any quotes or communications from the vendor, vendor contact information, the Cooperative Contract number, and issuing agency information
The PO is required to perform due diligence on the Cooperative Contract to verify that; the County does not have an active contract for the product/service, and the County has a current Inter-Governmental Agreement with the issuing agency or is authorized to use the Collective’s contract.

The PO shall obtain a copy of the contract and pricing pages from the issuing agency and determine if;

- the contract terms and conditions meet the purchase needs or are similar to the County’s standard terms, and
- the contract has a clause that specifically states that other governmental agencies may utilize the contract, and
- the product or service is within the intent and pricing of the contract, and
- the contracted purchase volumes are greater than the request volume from the department or the contract offers applicable bulk pricing discounts

If the identified contract does not pass the due diligence, the PO shall notify the requesting department that the contract is not available for use and require that the department utilize a different procurement method.

If the contract passes the due diligence, the PO shall complete the Management Authorization IGA per the instructions included on the form. The PS shall seek the approval of the CPO for the utilization of the IGA.

If the contract is approved for use, the PO shall contact the vendor(s) that the requesting department would like to utilize and determine if the vendor would allow purchases from the County under the cooperative.

If the vendor agrees to allow the County to utilize the cooperative, the PO shall notify the requesting department and either have the CAPA enter a PDI3 for a one-time use or the PO shall create an MA for multiple uses (see below).

4.2.4. IGA Award Process

- The PO shall initiate an MA in the Advantage 3X system (see sections 1.2 and 3.2.2). The contract name should be the same as the issuing agency’s title and include the original contract number (if space allows).

- Minimum Required Documents For Award: (All documents below are located in S: Article 3/Procurement Documents/ Memos and Forms unless otherwise specified)
  - Award package Checklist IGA, Award Renewal Mod - The PO shall complete this spreadsheet with all pertinent information for the contract award. It also provides a number in front of the document name that is to be used for the saving of the documents in the procurement file. Do not remove a line from the sheet if it does not apply. Please mark those lines as N/A from the drop down menu.
  - Management Authorization IGA – as approved by the PS or CPO.
o IGA Contract Load Request – The PO shall complete the form based on the information from the cooperative contract and the requesting department. The Start Date for an IGA is the County agenda date regardless of the cooperative start date. The End Date is the termination date from the cooperative. The PO may elect to award to any vendors on a collective contract.

o IGA Justification – The PO shall complete the .PDF questionnaire regarding the rationale for utilizing the cooperative based on the available information from the issuing agency.

o CGI InfoAdvantage Vendor Ordering Address Report: (see section 3.2.1)

o Verification of Vendor Debarment Status on SAM and/or Google Search: (see section 3.2.1)

- The PO shall consolidate all of the award documents into the solicitation file. The PO shall then notify the PS via email that there is a solicitation award pending approval.

- The PS shall review the award package documents for completeness and accuracy. PS will indicate acceptance via the verify column on the award package checklist. The PS will then email approval to PO.

- The PO will email Procurement Support indicating that the award package has been approved by the PS.

- All solicitation awards must be placed on the Administrative Tracking Log for use by Procurement Support. The log is located at S: General/00Administrative TRKG Log/Mirheta. The PO shall enter; Entry Date, Serial Number, Title, Buyer#, Action (A), Requested Agenda Date.

- Procurement Support will review the award package and upload it to the S:Drive/Article 3 contract folder and will create a summary package for review by PO. Procurement Support will email PO when complete.

- PO will review the summary package and email PS and Procurement Deputy Director once approved.

- The award package is processed through the electronic agenda system (currently SIRE).

4.3. Multi-Step Solicitations

Multi-Step Sealed Bidding and Multi-Step Competitive Sealed Proposals perform in much the same manner as a RFP in terms of initial setup, document creation, and solicitation of responses. The major difference is that the first step of the process is the submission of unpriced technical proposals that are then evaluated for acceptability by an evaluation committee. Only those proposals that are deemed acceptable are invited to participate in the second phase of the solicitation process. Multi-Step Solicitations also required additional approval from the CPO prior to the commencement of the solicitation using the Multi-Step Sealed Bidding Determination form (Special Authority). After the completion of the first phase of a multi-step solicitation, the PO must complete the Phase One Unsusceptible Determination and place it in the electronic solicitation file.
4.3.1. Multi-Step Sealed Bidding

**PHASE I OF MULTI-STEP SEALED BIDDING**

This solicitation acts in accordance with MC1-326, Phase I of Multi-Step Bidding. Only unpriced technical proposals should be submitted. Only respondents whose unpriced technical proposals are found acceptable by the end of Phase I will be considered for pricing in Phase II. Negotiations may be held with respondents whose unpriced technical proposals are found to be acceptable prior to Phase II.

Respondents should submit technical proposals conforming as close to the listed specifications as possible. While all efforts have been made to detail the requirements, deviations or substantively equivalent solutions in technical proposals may be taken into account for clarification or negotiation. The deviation or substantive equivalency in a response shall be determined to be acceptable or unacceptable at the sole discretion of the County. The County reserves the right to change any requirement during Phase I and re-issue for unpriced technical proposals. Following negotiations, if any, respondents shall be required to submit final unpriced technical proposals.

**PHASE II OF MULTI-STEP SEALED BIDDING**

Respondents whose responses have been formally determined to be acceptable upon completion of Phase I are invited to participate in an Invitation for Bids as a Competitive Sealed Bidding Procurement. The PO shall complete the Phase One Unsusceptible for Award Determination (Special Authority) for the procurement file and provide a Not Susceptible for Award letter (Templates) to each applicable respondent.

This solicitation acts in accordance with MC1-327, Phase II of Multi-Step Bidding. This is a private solicitation to respondents whose Phase I technical proposals were deemed acceptable. Respondents shall submit pricing for their acceptable technical proposals. Respondents should not submit further technical proposals for this solicitation, or propose any changes from the accepted technical proposals or this document.

4.3.2. Multi-Step Competitive Sealed Proposals

**PHASE I OF MULTI-STEP COMPETITIVE SEALED PROPOSALS**

This solicitation acts in accordance with MC1-342, Phase I of Multi-Step Request for Proposals. Only unpriced technical proposals should be submitted. Only respondents whose unpriced technical proposals are found acceptable by the end of Phase I will be considered for pricing in Phase II. Negotiations may be held with respondents whose unpriced technical proposals are found to be acceptable prior to Phase II.

Respondents should submit technical proposals conforming as close to the listed specifications as possible. While all efforts have been made to detail the requirements, deviations or substantively equivalent solutions in technical proposals may be taken into account for clarification or negotiation. The deviation or substantive equivalency in a response shall be determined to be acceptable or unacceptable at the sole discretion of the County. The County reserves the right to change any requirement during Phase I and re-issue for unpriced technical proposals. Following negotiations, if any, respondents shall be required to submit final unpriced technical proposals.
PHASE II OF MULTI-STEP COMPETITIVE SEALED PROPOSALS

Respondents whose responses have been formally determined to be acceptable upon completion of Phase I are invited to participate in a Request for Pricing Proposals. The PO shall complete the Phase One Unsusceptible for Award Determination (Special Authority) for the procurement file and provide a Not Susceptible for Award letter (Templates) to each applicable respondent.

This solicitation acts in accordance with MC1-343, Phase II of Multi-Step Request for Proposals. This is a private solicitation to respondents whose Phase I technical proposals were deemed acceptable. Respondents shall submit pricing for their acceptable technical proposals. Further negotiations may be conducted with respondents whose Pricing Proposals are determined to be reasonably susceptible for award, and for the purposes of obtaining Best and Final Offers. The award of the contract(s) shall be made to the most advantageous respondent(s).

4.4. Reverse Auctions

Reverse auctions (RA) are a solicitation type available to a PO in which the respondents offer competing bids in an online time limited auction. RA allow respondents multiple opportunities to reduce their prices against competitors in a sealed environment where respondent identity is only revealed after the auction closes. They are most useful in situations where the product or service is clearly defined with accurate procurement history and forecasts. The County does not have a standard provider for RA services. In the event that a PO determines that a RA is the most advantageous solicitation method for the County, the PO shall confer with the PS and CPO to select a service provider that will meet the County’s needs.

4.5. Quotes (aka. Tactical Quotes, Informal Bids, Quick Quotes)

Quotes are solicitations under a total fiscal spend of $100K and are performed by the requesting department CAPA. It is strongly advised that the departments utilize BidSync when quotes are appropriate or mandatory given the purchase threshold. Below $5,000 departments are not required to obtain competitive quotes, but they may determine it advantageous. Between $5,000 and $25,000 departments are required to solicit quotes from at least three vendors. Between $25,000 and $50,000 departments must utilize BidSync to solicit quotes from at least three vendors. Between $50,000 and $100,000 departments must utilize BidSync to solicit quotes from at least five vendors. If all quotes received are over $100,000 the CAPA must forward the quote to the PO for a formal solicitation. The CAPA is also responsible for maintaining all solicitation records pertaining to quotes including all specifications, solicitations, quotes and backup information. Quotes are generally authorized for a single year, but may contain renewal terms of up to two additional years. Once a Contractor is selected, the CAPA is responsible for attaching the solicitation documents and responses to the PDI3 in Advantage 3X.

4.6. Task Orders

Certain multiple award contracts require that services totaling over a set value threshold must be solicited privately to the awarded contractor pool on the contract. It is the responsibility of the using department CAPA to solicit task orders per the terms of the contract via the BidSync system using a private solicitation. The CAPA is also responsible for maintaining all solicitation records pertaining to task orders including all specifications, solicitations, quotes and backup information. Task orders...
are generally authorized for a single project. Once a Contractor is selected, the CAPA is responsible for attaching the solicitation documents and responses to the DO in Advantage 3X.

4.7. Emergency Procurement

Per MC1-353 & MC1-354, The CPO or County Manager may make or authorize others to make emergency Procurements if there exists a threat to public health, welfare, property or safety or if a situation exists which makes compliance with the solicitation provisions of the Code impracticable, unnecessary or contrary to the public interest. Such emergency Procurements shall be made with such competition that is practicable under the circumstances. Emergency conditions may arise from, but are not limited to, floods, epidemics, riots or equipment failures. An emergency condition creates an immediate and serious need Commodities, Services or Construction that cannot be met through normal Procurement methods and that seriously threatens the functioning of Maricopa County Government, the preservation of property or the public health or safety. An emergency Procurement shall be limited in time and quantity to those Commodities, Services or Construction necessary to satisfy the emergency need. Emergency approvals by the County Manager or CPO are limited to one year in duration. Emergencies based upon an emergency declaration are valid for the duration of the declared emergency.

Emergency Process

- Emergency Procurements based on a declared emergency are to include a copy of the emergency resolution with the signed memo. All other emergency Procurements with a value of $100,000 or greater must be approved by the County Manager. Emergency Procurements less than $100,000 must be approved by the CPO.

- In the event of an emergency that makes seeking the authorization of County Manager or CPO impracticable, the department shall be permitted to perform the procurement necessary to address the immediate need. The department is required to maintain all records of any transactions and to provide the CPO and/or County Manager with copies of the records along with a memo detailing the nature of the emergency.

- Emergency approvals by the County Manager or CPO are required and are limited to one year in duration. Emergencies based upon an emergency declaration are valid for the duration of the declared emergency. An emergency Procurement shall be limited in time and quantity to those Commodities, Services or Construction necessary to satisfy the emergency need.

- A department preparing an emergency Procurement shall issue a memo/letter within a reasonable amount of time documenting the existence of an emergency condition, how it arose and explaining the extent of procurement needed. The memo/letter shall be approved and signed by the elected official, department head or other designated official of the Using Department.

- If the request is approved by the County Manager, it shall be forwarded to the Office of Procurement Services for expeditious processing. The County Manager shall submit to the Board of Supervisors by the last business day of each month and for successive months, as applicable, a report providing a status of the emergency until the situation has been satisfactorily resolved.
• If the nature of the emergency does not permit submission of a timely purchase order the Elected Official or Department Head may make an oral request to the County Manager who may make an oral determination and delegation. The purchase order required under MC1-354.A of the Maricopa County Procurement Code shall be submitted to the County Manager for formal approval.

4.8. Leases (Non-Property)
Per MC1-305, a lease or lease-purchase contract may be entered into if the PO determines that it is advantageous to the County, and that all conditions for renewal and pricing are set forth in the contract. All leases must be approved by the BOS. A purchase option in a lease can be exercised if the PO determines that it is advantageous to the County to do so. Both the lease and the purchase option determinations are contained in the Lease and Lease-Purchase Determination (Special Authority).

4.9. Revenue Generating Contracts
The County may enter into contracts that, either through the sale of County property and assets, or through commissions offered by the contractor, provide revenue to the County. Solicitations for revenue generating contracts operate in the same manner as a standard solicitation. Revenue generating contracts with a total value under $500,000 may be approved by the CPO. Revenue contracts over $500,000 or those that involve the sales or trade-in of a County asset must be approved by the BOS.

4.10. Facility Use Agreement
Per MC1-377, requesting departments must use adequate and reasonable competition and must document the basis for their selection to facilitate auditing of expenditures. Conference facilities and services will be the least expensive available in the geographic area selected taking into consideration meeting room size, accommodations, related services and other requirements.

All facility use agreements must be reviewed by Legal. Facility use agreements under $10,000 may be signed by the CPO. Facility use agreements over $10,000 must be approved by County Real Estate.

4.11. Demonstrations and Samples not associated with a solicitation
If a department would like to evaluate a sample or demonstration product prior to entering into a formal solicitation, the requesting department shall complete and submit to OPS a Sole Source Justification see section 4.1. The justification must include; a detailed description of the product, the reason that the sample or demonstration is needed, the vendor contact information, the length of time that the sample is to be in the County’s possession, the fair market value of the sample, and a description of the disposition of the sample at the end of the testing period. The approval limits for SS apply to demonstrations and samples. Demonstrations conducted by the vendor where the County does not receive product are excluded from this procedure.

Sample and demonstration products are not to be utilized for an indefinite period of time. Departments are required to perform a SS solicitation process in the event the department determines that the sample meets the requirements of the department.
5. Post Award

5.1. Post Award Conference

At the conclusion of the award process, it is highly recommended that a Post Award Conference be conducted with all using departments, the awarded Contractors, the PO responsible for the solicitation, and the Contract Compliance Officer (CO). The purpose of the conference is to ensure that all parties who will interact with the Contract understand all of the requirements, terms and conditions. It is also the opportunity to introduce the department staff who will be responsible for the administration of the contract to the Contractors. It is the responsibility of the PO to decide if a Post Award Conference is necessary based on the complexity or risk associated with the Contract.

5.1.1. Conference Requirements:

- Within one week of the Contract approval date, the PO shall determine if a conference is necessary and if so, determine the date, time and location of the conference.

- The following personnel should be invited to attend:
  - Contractor staff responsible for the processing of orders, sales staff and representatives responsible for managing staff that will perform services at County locations
  - County personnel involved in the ordering, receiving, and the accounts payable process
  - Contract Compliance Officer
  - County field supervisors
  - County personnel responsible for the contract administration process
  - County contract monitor

- The PO shall create a meeting sign-in sheet for all attendees. A copy of the completed sheet should be retained in the electronic procurement file.

5.1.2. Conference Structure:

- Introduction of OPS, County and Contractor personnel along with their responsibilities in terms of performance of the Contract.

- High level review of the terms and conditions

- High level review of the Scope of Work

- Detailed review of contract length, renewal process, price escalation allowances and documentation requirements, change order process (informal and formal), issue resolution methodology, and influence clause of the contract.

- Detailed review of accounts payable process and any security requirements such as background checks.

- Discussion of County policies and expectations for Contractor while on County worksites.

- Question and Answer

5.1.3. Conference Objectives:
5.2. **Vendor Debrief**

Respondents who were not successful in a solicitation process may request a debrief of the process with the PO. Debriefs may only be conducted after the award of the contract or the cancellation of the solicitation. The PO shall respond to all request for debrief within five business days of receipt. A debrief may be conducted in person, electronically or telephonically. A record of the meeting time, date, location and attendees shall be retained in the electronic procurement file.

5.2.1. Allowable Content for the Debrief:
- Any non-confidential document contained in the electronic procurement file may be viewed
- A review of the evaluation score sheets, with evaluator names redacted.

5.2.2. Dis-Allowed Content:
- The PO shall not provide any commentary on the respondent proposal in relation to the other proposals received.
- Discussion of the opinions or comments of the evaluation committee
- Any document marked confidential that has been approved to be kept confidential by the CPO.
- The PO shall not provide the respondent with copies of any documentation from the solicitation process without a formal Freedom of Information Act (FOIA) request filed with the County Records Manager (see section 7.4).

5.3. **Amendments and Contract Changes**

The PO is responsible for the administration of all Contract amendments and changes by; determining the appropriate methodology for the contract revision, gathering all required documentation, obtaining a review by County Legal, completing all determinations and authorizations, obtaining approval from the appropriate authority, and updating the contract. Depending on the specific clauses contained in the contract and the nature of the revision, the PO shall utilize one of the following processes. Contract value increases (section 5.4), renewals and extensions (section 5.5) utilize separate processes.

All of the processes below that require formal documentation shall use the Award Package Checklist Renewal, Mod (S: Article 3/Procurement Documents/Memos and Forms) to determine how documents should be named and saved in the electronic procurement file. The PO is responsible the retrieval of the physical contract file (if one exists) for each of these processes and providing it to Support with a memo referencing the action being taken on the Contract. Support is responsible for the scanning of all Contract and Solicitation documents into the electronic procurement file, and for the destruction of the physical file after a reasonable holding period.

5.3.1. **Contract Amendment or Change Order (formal)**

Typically involved changes to the terms and conditions or to the scope of work. A Contract Amendment is a formal document that is signed by the Contractor and the County to
memorialize the changes. The requesting department, the Contractor or the PO may initiate the process.

- Required Documents
  - Initial request for contract Amendment that specifies the nature and necessity for the Amendment.
  - Department approval via email of the Amendment
  - Formal amendment document (use Contract Amendment document located in S: Article 3/Procurement Documents/Templates) that includes all of the contract revisions and is signed by the Contractor. It is recommended that Legal review all Amendments prior to submission for approval.
  - Contract Change determination that details the rationale for allowing the Amendment. If the change requires BOS approval, the PO is required to review all previous formal changes to the contract, including value increases and renewals, and provide a timeline of the changes indicating the date, the nature of the change, and the approving authority. Support will obtain the original agenda document and amend it to reflect the requested change and change order history.
  - CGI InfoAdvantage Vendor Ordering Address Report (see section 3.2.1) to ensure there have been no changes to the vendor information
  - Verify Vendor Debarment Status on SAM and/or Google search (see section 3.2.1) to ensure that the Contractor has not been debarred since Contract award.
  - Copies of any previous Amendments or Change Orders which are located in the electronic procurement file under the Working Documents folder.

- Approval Process
  - The PO shall compile all required documents and place digital copies of them in the S: drive Working Documents folder under the Contract file in a sub folder titled Contract Amendment.
  - The PO shall make an entry on the Procurement Support Log (see section 3.6.5).
  - The PO then notifies the PS that a file is pending approval.
  - The PS reviews the file and notifies the PO if the file is approved or needs revisions.
  - The PO then notifies Support of the approved file for placement on the agenda.
  - The CPO has the authority to approve the majority of Amendments. The CPO reserves the right to forward any Amendment to the BOS for approval.
  - Once approved on an agenda, the Amendment is signed by the authority and sent to Support.
  - Support shall make a scanned copy of the Amendment, forward it to the Contractor, then place a copy of the signed Amendment and backup documentation in the electronic procurement file.
o Support shall make a revised version of the Contract based on the Amendment, place it in the electronic procurement file and forward a copy to the Contractor and the using departments.

5.3.2. Contract Assignment

A contract may be assigned from one Contractor to another with the consent of OPS and County Legal. The Assignee must be able to provide the same goods/services that were provided by Assignor in a manner acceptable to the County. Additionally, the Assignee must abide by the same terms and conditions of the Assignor, including insurance requirements.

- Required Documents
  
  o Both the originally awarded Contractor (Assignor) and the proposed Assignee shall provide the PO with a letter on their respective corporate letterheads that state:

    - The date of the assignment
    - The reason for the assignment (Assignor)
    - A statement relinquishing all rights and responsibilities under the Contract and the assignment of them to the Assignee (Assignor)
    - A statement of acceptance of all rights and responsibilities under the Contract from the Assignor (Assignee)

  OR

  o The PO shall create a formal Contract Assignment (Templates) and have the parties execute the agreement.
  
  o The PO shall notify the using departments of the assignment via email. Department approval of the assignment is not required.
  
  o Certificate of Insurance reviewed and accepted by Risk (see section 2.10)
  
  o CGI InfoAdvantage Vendor Ordering Address Report (see section 3.2.1). See section 2.7.1 for instructions if the Assignee does not have a vendor ID.
  
  o Verify Vendor Debarment Status on SAM and/or Google search (see section 3.2.1)

- Approval Process

  o The PO shall compile all required documents and place digital copies of them in the S: drive Working Documents folder under the Contract file in a sub folder titled Contract Assignment.

  o The PO shall make an entry on the Procurement Support Log (see section 3.6.5).

  o The PO then notifies the PS that a file is pending approval.

  o The PS reviews the file and notifies the PO if the file is approved or needs revisions.

  o The PO then notifies Support of the approved file for placement on the agenda.

  o The CPO has the authority to approve all Contract Assignments.
Support shall make a revised version of the Contract based on the Assignment, place it in the electronic procurement file and forward a copy to the Contractor and the using departments.

Support shall update the MA by adding the Assignee, copying the commodity lines from the Assignor to the Assignee, and deactivating the Assignor.

5.3.3. Awarded Contractor Name Change

- Required Documents
  - Notice from the Contractor on company letterhead notifying the County of the name change and the effective date.
  - The PO shall complete the Change of Contractor Name determination (S: Article 3/Procurement Documents/Memos and Forms).
  - CGI InfoAdvantage Vendor Ordering Address Report (see section 3.2.1). See section 2.7.1 for instructions on how the Contractor can re-register under the new name.

- Approval Process
  - The PO shall compile all required documents and place digital copies of them in the S: drive Working Documents folder under the Contract file in a sub folder titled Contractor Name Change.
  - The PO shall make an entry on the Procurement Support Log (see section 3.6.5).
  - The PO then notifies the PS that a file is pending approval.
  - The PS reviews the file and notifies the PO if the file is approved or needs revisions.
  - The PO then notifies Support of the approved file.
  - Contractor Name Changes do not require formal approval by the CPO.
  - Support shall make a revised version of the Contract based on the Name Change, place it in the electronic procurement file and forward a copy to the Contractor and the using departments.
  - Support shall update the MA by adding the changed Contractor, copying the commodity lines from the original Contractor to the changed Contractor, and deactivating the original Contractor.

5.3.4. Contract Changes (Formal - addition or deletion of products/services)

May be performed if the contract specifically contains a clause allowing for it.

- Required Documents
  - The using department or the awarded Contractor can request any line item be removed from the Contract. Only those items that fall within the intent and scope of the Contract are allowed to be added. The request must specify the line item impacted, its description and the effective date of the change.
  - The PO shall notify the using department via email of the Contractor requested change. The using department must accept any changes via return email to the PO.
If the department rejects the change, the PO may negotiate with the Contractor for a replacement that is more acceptable to the County.

If an agreement on the replacement cannot be made, the PO may elect to attempt to re-assign the line item to another Contractor (see section 5.3.7)

- The PO shall complete the Contract Change determination (S: Article 3/Procurement Documents/Memos and Forms.
- The PO shall revise the Contract pricing page with the changed information and the effective date. If the change requires BOS approval, the PO is required to review all previous formal changes to the contract, including value increases and renewals, and provide a timeline of the changes indicating the date, the nature of the change, and the approving authority. Support will obtain the original agenda document and amend it to reflect the requested change and change order history.

- Approval Process
  - The PO shall compile all required documents and place digital copies of them in the S: drive Working Documents folder under the Contract file in a sub folder titled Contract Change.
  - The PO shall make an entry on the Procurement Support Log (see section 3.6.5).
  - The PO then notifies the PS that a file is pending approval.
  - The PS reviews the file and notifies the PO if the file is approved or needs revisions.
  - The PO then notifies Support of the approved file.
  - Contract Changes do not require formal approval by the CPO.
  - Support shall make a revised version of the Contract based on the Change, place it in the electronic procurement file and forward a copy to the Contractor and the using departments.
  - Support shall update the MA by adding or deactivating line items from the Contractor.

5.3.5. Contract Changes (informal)

Typically comprised of change of Contractor address, change of Contractor representative, or for revision of warehouse line items loaded in the Advantage 3X system. Informal changes do not require review or approval.

If the Contractor has changed their address, they must update their registration with County Finance and then to notify the PO via email of the change. The PO shall then forward the email to Support who will update the Contract with the revised information and save a copy in the electronic procurement file.

If the Contractor has changed their representative, the Contractor is responsible for updating BidSync to ensure that future solicitation notices will route to the correct person. The Contract shall notify the PO via email of the change. The PO shall send notice of the change in Contractor representatives to the using departments. The PO shall forward the email from the Contractor to Support for Contract update.
Warehouse CAPA may request that current line items for warehouse ordered products be updated, added or deactivated. The CAPA must provide the PO or Support with complete details of the change including any backup quotes and effective dates. The PO shall make the appropriate changes to the MA. Support shall retain a copy of the change request in the electronic procurement file.

5.3.6. Contract Price Change

Contractors may request reasonable price changes per the schedule set forth in the individual Contract.

- **Required Documents**
  - The Contractor shall provide the PO with a formal request for price change that includes the line item description, the current Contract price, the proposed new price and supporting documentation that explains the necessity for the change.
  - The PO shall calculate the applicable Consumer Price Index (CPI) percentage to compare against the percent increase being requested by the Contractor.
    - The CPI report can be found at: [https://data.bls.gov/timeseries/CUUR0400AA0](https://data.bls.gov/timeseries/CUUR0400AA0)
    - The PO shall review the Contract file to determine the date of the last price change or the Contract start date if no changes have been made.
    - The PO shall locate the CPI rate for the month of the last change or award.
    - The PO shall then locate the CPI rate for the current month.
    - CPI is calculated by subtracting the former CPI from the current CPI then dividing by the former CPI.

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- In the example above the former CPI is 371.774. The current CPI is 411.191. The applicable CPI rate = \( \frac{411.191 - 371.774}{371.774} = 0.1060 \) or 10.6%.
- Additionally the PO may elect to perform a Market Survey to determine what the commercially available price is for the product or service. Survey can be conducted be utilizing Google search or by contacting competing vendors and requesting informal quotes. Market Survey results shall be included in the award package.
If the percentage of the requested price increase is greater than the CPI or the market rate, the PO shall contact the Contractor and request a reduction in the increase. The Contractor is not required to comply.

The PO shall notify the using department via email of the Contractor requested change. The using department must accept any changes via return email to the PO.

- If the department rejects the change, the PO may negotiate with the Contractor for a replacement that is more acceptable to the County.
- If an agreement on the replacement cannot be made, the PO may elect to attempt to re-assign the line item to another Contractor (see section 5.3.7)

The PO shall complete the Contract Unit Price Increase determination (Memos and Forms).

The PO shall revise the Contract pricing page with the changed information and the effective date.

### Approval Process

- The PO shall compile all required documents and place digital copies of them in the S: drive Working Documents folder under the Contract file in a sub folder titled Contract Price Increase.
- The PO shall make an entry on the Procurement Support Log (see section 3.6.5).
- The PO then notifies the PS that a file is pending approval.
- The PS reviews the file and notifies the PO if the file is approved or needs revisions.
- The PO then notifies Support of the approved file.
- Contract Price Increases do not require formal approval by the CPO.
- Support shall make a revised version of the Contract based on the Change, place it in the electronic procurement file and forward a copy to the Contractor and the using departments.
- Support shall update the MA by modifying the applicable line items if the lines contain actual contract pricing.

#### 5.3.7. Contract Line Item Reassignment

This may occur in the event that the currently awarded Contractor proposes a new price or replacement product that is rejected by the using department. Reassignments may also occur if the Contractor can no longer supply the item or the Contractor is removed from the Contract.

Once the PO is notified of the rejection of price or replacement item (see section 5.3.4 and 5.3.6), the PO shall review the agreement to determine if additional Contractors are awarded on the Contract.

**If there are additional awarded Contractors**

The PO shall access the solicitation utilized to establish the Contract in the BidSync system

- Log into BidSync and click on Source – History
On the Past Bids screen, enter the Contract number followed by an asterisk in the Search field, click on the Bid Number button, and select the year range that the solicitation was performed in. Then click the Search Button.
In the search result table, select Tab

On the Bid Tabulation page, click View by Line Item, then select the applicable line item to determine if other respondents bid on the item.
The PO is responsible for contacting the next lowest awarded respondent to inquire if they would honor their bid price for the line item.

- If the Contractor agrees to honor the bid price for that line item
  - The PO shall notify the using department of the new pricing terms and complete the Contract Change (Formal) process (see section 5.3.4)

- If the Contractor does not agree to honor the bid price, the PO shall move on to the next lowest awarded respondent. If no Contractor can be identified who will agree to honor their bid price, the PO shall utilize the process detailed below.

**If there are not Contractors willing to honor their bid price**

The PO shall review the solicitation tabulation in BidSync and identify all awarded respondents to the line item.

The PO shall contact the Contractors who responded to the line item and request that they provide a quote for the line item via email by a set date and time. The PO shall select the lowest respondent that meets the requirements of the line item.

The PO shall then notify the department of the new bid price and Contractor then complete the Contract Change (Formal) process (see section 5.3.4).

**If no Contractors can be reassigned the line item, the PO shall perform the Contract Re-Solicitation process (see section 1.17)**

### 5.4. Contract Value Increases

It is the responsibility of the using departments to monitor the available funds for their awarded Contracts. In the event that the Contract has insufficient funds to cover current or future purchases, the department shall notify the PO via email requesting an increase to the total awarded value of the Contract.

- **Required Documents:**
  - Award Package Checklist Renewal, Mod (Memos and Forms) The PO shall complete this spreadsheet with all pertinent information for the contract award. It also provides a number in front of the document name that is to be used for the saving of the documents in the procurement file. Do not remove a line from the sheet if it does not apply. Please mark those lines as N/A from the drop down menu. The document can be “signed” be adding in a scanned signature.

  - Contract Value Increase determination (Memos and Forms) – The PO shall provide all required information per the instructions on the determination. If the increase requires BOS approval, the PO is required to review all previous formal changes to the contract, including value increases and renewals, and provide a timeline of the changes indicating the date, the nature of the change, and the approving authority. Support will obtain the original agenda document and amend it to reflect the requested change and change order history.

  - Advantage 2x Spend Report – see section 5.4.2
  - Advantage 3X Spend Report – see section 5.4.2
  - Previous Value increase agenda copies – see section 5.4.1
- Approval Process:
  - The PO shall compile all required documents and place digital copies of them in the S:\ drive Working Documents folder under the Contract file in a sub folder titled Contract Assignment.
  - The PO shall make an entry on the Procurement Support Log (see section 3.6.5).
  - The PO then notifies the PS that a file is pending approval.
  - The PS reviews the file and notifies the PO if the file is approved or needs revisions.
  - The PO then notifies Support of the approved file for placement on the agenda.
  - The CPO has the authority to approve all Contract Value Increases.
  - Support shall update the MA by modifying the MA Threshold per the amount listed on the determination.

5.4.1. Locating Data for Determination

- Initial Contract Award Value and Previous Contract Increases: Support maintains copies of all agenda summaries that have been approved for each Contract in the electronic procurement file under the Working Documents folder. The agendas will show the amount approved by each action.

- Certain multiple award Contracts were administratively increased at the point of go-live for the Advantage 3X system. The PO shall review the spreadsheet Mass Contract Increases 201 (S:\ Article 3/Procurement Documents) to determine the amount of the administrative change and include it in the Value of all Previous Contract Increases calculations.
  - Current MA threshold: Navigate to the MA Header screen and select the Thresholds tab.
  - The Not to Exceed Amount is the MA threshold.
5.4.2. Running Reports for Financial Data

- **Advantage 2x Spend**
  - Log into CGI InfoAdvantage (https://azdom-inf.hostams.com/BOE/B1)

  - Current MA balance: Navigate to the MA Header Screen, General Information tab. The Available Amount is the MA balance.
Navigate in Folders to Departments/D730 – Procurement Services/Financial/2x Data and select the 2X Contract Spend report.

Enter the contract number in the search box and then click on the binoculars icon to locate the contract.
Select the contract from the search results then click the right arrow to insert the contract then click Run Query.

Once the report runs, click on the Charts tab on the bottom of the screen. Click the Export icon on the top of the screen and select Export Current Report As > Excel. Save a copy of the report in the electronic solicitation file.
- Advantage 3X Spend
  - Navigate in Folders to Public Folders/County Documents/Procurement/ FIN-PROC-C002 – Contract Spend by Department
  - This report is based on the Procurement Folder ID from Advantage 3X. The Folder ID can be found on the Header screen, General Information tab of the MA in Advantage 3X.
5.5. Renewals and Extensions

The majority of County contracts contain renewal and extensions terms. Standard terms dictate an initial term of one year with four annual renewal options. A renewal is a pre-set option for an annual period. The renewal process additionally allows for the County to update any standard terms that may have been modified since the Contract award. An extension is a pre-set option for a monthly period. Extensions do not allow for modifications to terms and should be utilized in rare occasions where a replacement solicitation has not been awarded to replace the existing contract. Contract term and renewal options are located in the Special Terms and Conditions of a commodity or service contract (typically section number 3). Contract term and renewal options are located on the cover page of a RFP, ITN or ROQ (typically in section 1).

The PO shall review their Contract Expiration Report on a monthly basis to determine which contracts are set to expire in the following six months. This report is automatically generated by the CGI InfoAdvantage system and sent to the PO on the first day of the month. It is the responsibility of the PO to commence the renewal or replacement process for a Contract at the beginning of the six month window. All Contract Renewal and Extension packages must be presented on an agenda no less than thirty days prior to the expiration date. It is the expectation that the PO maintains a 95% on time rating for the submission of renewal and extensions packages aggregate for the fiscal year. Delays in the agenda approval for administrative reasons or caused by modification made by the department after the package was submitted by the PO shall not count against this on time percentage.

In order to determine if a contract has remaining renewal terms, the PO shall first look at the Contract itself to see the total length of time contemplated. The PO shall then open the electronic procurement file and go to the Working Document folder. Support files copies of the Contract and each of its iterations made by renewal or amendment. Sort the folder contents by date and open the most current Contract document. The first page of the document should be an administrative cover page that shows; the date of last revision, the contract end date, and a statement that shows the contract award and effective dates. If the contract has remaining renewal or extension options, follow the processes below. If the contract does not contain options, follow the process detailed in section 1.18.

Any renewal greater than one year in length must be pre-authorized by the PS. The PO shall email the PS with the contract name, expiration date, requested length of renewal and rationale for the renewal period. The PS shall confer with the CPO and provide the PS with approval.

5.5.1. IFB

Renewal

• Initiation
  o The PO shall compile contract spend data by running the CGI InfoAdvantage reports explained in section 5.4.2 and determine:
    ▪ Does the Contract have an average annual spend by fiscal year that is greater than $100K; or
    ▪ Did the Contract have an annual spend greater than $100K in the last twelve months; and
Which departments have the largest portion of spend volume for those two periods?

If spend in either of the two periods is not greater than the base limit for a Contract, the PO shall notify all using departments of the intent of OPS to not renew the Contract due to low spend and recommend that the departments utilize tactical quotes to acquire the products or services in the future. The PO shall allow the effected departments to request the Contract remain, provided that the departments can provide adequate business reasons to do so.

If there is adequate spend volume, the Renewal process can continue.

The PO shall complete the Department Contract Renewal Letter (Templates) and send it to the lead using department for reply. The letter provides a list of all Contractors currently awarded on the Contract, the Contract name, number, expiration date, the renewal period, the current MA balance (see section 5.4.1), the average annual spend, and a recommended increase amount that would be sufficient to cover expenditures during the renewal period. Attached to the letter is a Contractor Performance Review that the department should complete for each of the Contractors.

If two or more departments have similar spend volumes, the PO shall provide the Department Contract Renewal Letter to each of the departments for reply. Only one response is required to continue with the Renewal process. All departments with smaller portions of annual spend shall be notified by the PO by email of OPS’ intent to renew the Contract.

The departments shall review the letter and indicate; if they would like to have the Contract renewed, the term of the renewal period and the renewal amount (if different from the OPS recommendations). The department should indicate on the Performance Review any issues that they have experienced with the Contractor and provide the PO with any supporting documentation of said issue. Both the letter and performance review shall be returned to the PO via email within the requested timeframe. The Renewal process cannot proceed without the receipt of at least one department renewal letter that indicates a willingness to have the Contract renewed.

If a department indicates that they would not like to renew the Contract in total, they should inform the PO of the reason why (such as the lack of need for the product or service). The PO shall retain the documentation regarding the non-renewal in the electronic procurement file and will follow the Contract Expiration Process (see section 5.5.4).

If a department indicates that they would not like to renew a specific Contractor from the Contract, they should provide a detailed explanation for the non-renewal. It is the responsibility of the PO to determine is the reason is valid and to determine if a Vendor Complaint has been filed on the Contractor previously (see section 5.6). If the PO concurs determines that the claims are valid and that they cannot be satisfactorily remedied, the PO shall provide the Contractor with a notice of the County’s intent to not renew. The notice should be sent at the same time as the Renewal
Package submittal for approval. The notice shall be included in the Renewal Package.

- In the event that the utilizing departments do not agree on the renewal, in part or in whole, the PO shall evaluate the reasons for discontinuance of the contract or contractor and provide them to all effected parties. It is up to the PO to utilize its discretion on what course of action is most advantageous to the County.

- Once the department has provided their concurrence with the intent to renew, the PO shall complete the Contract Renewal Letter, IFB (Templates) for each of the Contractors. The letter shall indicate the Contractor contact information (found on the Pricing Page of the Contract), the Contract name and number, the renewal period, and if the Contract will be revised with any updated terms and conditions. The letter also requires that, if the Contractor would like to renew, that they provide the PO with an updated copy of their COI. Attached to the letter is a copy of the current, partial version of the County's standard terms and Conditions. Only those clauses that have changed in the last six years are provided. The clauses are in the same order as they should appear in the Contract, but are not numbered the same. The PO shall compare the Contract with the updated terms and determine if any clauses have been added to the standard or if any have been revised. The PO shall remove from the letter any term that substantially matches the Contract.

The letter shall be sent electronically to each Contractor with a Receipt and Read notification. The PO shall provide a deadline for the return of the letter and COI of no less than two weeks from the date of the letter being sent.

- If the Contractor does not reply within the required timeframe, the PO shall resubmit the letter and copy the PS. The PO shall indicate that the Contractor shall return the letter and COI within one week of receipt of the letter or risk the Contract not being renewed.

- If the Contractor fails to comply with the follow up request, the PO shall provide the PS copies of all communication attempts with the Contractor. The PS shall attempt to contact the Contractor via phone and email to determine the nature of the non-compliance.

- If the PS is not successful in obtaining the letter and COI, the PS shall notify the PO. The PO shall then notify the using departments of the non-renewal and inquire if the departments would like the Contract to be Re-Solicited to add Vendors (see section 1.17), Solicited to Replace the Contract (see section 1.18), or allow the Contract to expire (see section 5.5.4)

- The Contractor is responsible for reviewing the letter and the updated terms. The Contractor may make changes to their company contact information. The updated terms are not negotiable. The Contractor shall then sign the letter indicating their willingness to renew the Contract or not. The signed letter should then be sent along with the COI to the PO.

- If the Contract allows for it, the Contractor may submit a request for price increases. The PO shall process the request as indicated in section 5.3.6.
The PO is responsible for submitting the COI for review and acceptance by Risk as they are received (see section 2.10)

Once the department and Contractor renewal letters have been received, the price increases have been accepted, and the COI have been approved, the PO shall commence compiling the required documents for a Renewal Package.

- Required Documents – All documents are to be saved using the document number and names indicated on the Award Package Checklist in a folder titled Contract Renewal in the electronic procurement file.
  - Award Package Checklist Renewal, Mod (Memos and Forms) - The PO shall complete this spreadsheet with all pertinent information for the contract award. It also provides a number in front of the document name that is to be used for the saving of the documents in the procurement file. Do not remove a line from the sheet if it does not apply. Please mark those lines as N/A from the drop down menu. The document can be “signed” be adding in a scanned signature.
  - Contract Renewal determination (Memos and Forms) – The PO shall provide all required information per the instructions on the determination. If the renewal requires BOS approval, the PO is required to review all previous formal changes to the contract, including value increases and renewals, and provide a timeline of the changes indicating the date, the nature of the change, and the approving authority. Support will obtain the original agenda document and amend it to reflect the requested change and change order history.
    - See section 5.4 for instructions on obtaining Contract value information.
  - Contract Renewal Letter – Signed letter(s) from the Contractor(s)
  - Department Contract Renewal Letter – Signed letter from at least one primary using department
  - Market Survey – see section 5.3.6
  - Copy of Applicable CPI Report – see section 5.3.6
  - CGI InfoAdvantage Ordering Address Report – see section 3.2.1
  - Verify Vendor Debarment Status on SAM or Google – see section 3.2.1
  - Certificate of Insurance – see section 2.10
  - Advantage 2X Spend Report – see section 5.4.2
  - Advantage 3X Spend Report – see section 5.4.2
  - Email notifications of renewal to other using department – copies of all renewal notifications sent to the departments
  - Previous Value Increase agendas – see section 5.4
  - Revised Pricing Pages – see section 5.3.6

- Approval
  - The PO shall compile all required documents and place digital copies of them in the S: drive Working Documents folder under the Contract file in a sub folder titled Contract Renewal.
o The PO shall make an entry on the Procurement Support Log (see section 3.6.5).
o The PO then notifies the PS that a file is pending approval.
o The PS reviews the file and notifies the PO if the file is approved or needs revisions.
o The PO then notifies Support of the approved file for placement on the agenda.
o The CPO has the authority to approve all Contract Renewals.
o Once approved on an agenda, Support shall make a revised version of the Contract based on the Renewal, place it in the electronic procurement file and forward a copy to the Contractor and the using departments.
o Support shall also update the MA with the new Contract expiration date and make any applicable pricing changes.

**Extension Process**

- **Initiation**

  o An extension functions in much the same manner except for the use of the Department Contract Extension and Contract Extension Letter (Templates) for the initiation of the process. The Contract Extension Letter does not contain terms and conditions and the Contractor cannot request price increases during an Extension. Additionally, an Extension does not require the review of COI.

- **Required Documents**

  o Award Package Checklist Renewal, Modification (Memos and Forms) - The PO shall complete this spreadsheet with all pertinent information for the contract award. It also provides a number in front of the document name that is to be used for the saving of the documents in the procurement file. Do not remove a line from the sheet if it does not apply. Please mark those lines as N/A from the drop down menu. The document can be “signed” be adding in a scanned signature.

  o Contract Extension determination (Memos and Forms) – The PO shall provide all required information per the instructions on the determination.

    - See section 5.4 for instructions on obtaining Contract value information.

  o Contract Extension Letter – Signed letter(s) from the Contractor(s)

  o Department Contract Extension Letter – Signed letter from at least one primary using department

  o CGI InfoAdvantage Ordering Address Report – see section 3.2.1

  o Verify Vendor Debarment Status on SAM or Google – see section 3.2.1

  o Advantage 2X Spend Report – see section 5.4.2

  o Advantage 3X Spend Report – see section 5.4.2

  o Email notifications of renewal to other using department – copies of all renewal notifications sent to the departments

  o Previous Value Increase agendas – see section 5.4
5.5.2. RFP/ITN/ROQ

Renewal

• Initiation
  o The initiation of an RFP, ITN or ROQ functions in the same manner as an IFB with the exception that Contractor is provided either the Contract Renewal Letter RFP, ITN or Contract Renewal Letter ROQ (Templates)

• Required Documents
  o Same as the Renewal of an IFB – see section 5.5.1 Renewal Required Documents

• Approval
  o Same as the Renewal of an IFB – see section 5.5.1 Renewal Approval

Extension

Extensions of RFP, ITN and ROQ use the same process and documents as a Renewal of IFB – see section 5.5.1 Extension Initiation, Required Documents and Approval.

5.5.3. IGA

Renewal

• Initiation
  o The initiation of Cooperative Contract renewal is reliant entirely on the issuing agency. It is the responsibility of the PO to reach out to the issuing agency procurement agent to determine if and when the contract will be renewed. The County renewal process cannot commence until the issuing agency has completed their renewal process.

  o Once the renewal is complete, the PO shall request from the issuing agency: a copy of the renewed Contract, any communications with the Contractor confirming the renewal, and a copy of any revisions to the Contract pricing page.

  o The PO shall compile contract spend data (see section 5.5.1) to determine the using departments within the County.

  o The PO shall notify the using departments of the County’s intent to accept the renewal of the issuing agency. The consent of the using departments is not required. However, the County is not compelled to accept the renewal of a Cooperative if it is not in the best interest of the County to do so.

• Required Documents
  o Award Package Checklist IGA, Award, Renewal, Mod (Memos and Forms) - The PO shall complete this spreadsheet with all pertinent information for the contract award. It also provides a number in front of the document name that is to be used for the saving of the documents in the procurement file. Do not remove a line
from the sheet if it does not apply. Please mark those lines as N/A from the drop down menu. The document can be "signed" be adding in a scanned signature.

- Renewal Letters for Contractors from issuing agency (if available)
- Issuing Agency Contract Renewal Letter (internal renewal letter if available)
- Issuing Agency Contract Cover Page with new Expiration Date
- IGA Renewal determination (Memos and Forms) – see section 5.5.1 Renewal Required Documents
- Issuing Agency Contract Pricing Page
- CGI InfoAdvantage Vendor Ordering Address Report – see section 3.2.1
- Verify Vendor Debarment Status on SAM and/or Google search – see section 3.2.1
- Previous Value Increase agendas – see section 5.4

- Approval
  - Same as the Renewal of an IFB – see section 5.5.1 Renewal Approval

5.5.4. Contract Expiration without Renewal or Re-Solicitation

The County may make the business decision to not exercise its option to renew or extend a Contract. In the event of a non-renewal, the PO should email the Contractor and using departments a notice of the County's decision and the expiration date of the Contract at least 30 days prior to the expiration. The PO shall retrieve the physical contract file (if one exists) and provide it to Support with a copy of the notice. Support shall scan the physical files into the electronic procurement file and dispose of the hard copy after a reasonable holding period. Once the replacement Contract has been awarded, support shall ensure that the online contract catalog does not contain the replaced Contract. The electronic procurement file shall be maintained per the County Record Retention Policy.

5.6. Contractor Issue Management Escalation Steps

OPS relies on the using departments to function as Contract Administrators for all awarded Contracts. In that capacity, it is the responsibility of the using departments to document any issues they may experience with a Contractor in the performance of their contracted requirements. The following are the escalation steps that CAPA and PO shall adhere to for issue resolution, if necessary:

1. The CAPA from the department is responsible for attempting to resolve issues directly with the Contractor. The CAPA shall document all communication with the Contractor regarding the issue and retain copies of any supporting documentation.

2. The CAPA issues a formal vendor complaint to OPS (see section 5.7) and the PO shall negotiate a resolution between the Contractor and the using department.

3. The PO creates a Notice to Cure and provides it to the PS and County Legal for review. The PO issues the approved Notice to Cure (see section 5.8) to the Contractor that specifically states the nature of the issue with a formal cure period.
4. The PO creates a Notice of Default and provides it to the PS and County Legal for review. The PO issues the approved Notice of Default (see section 5.9) to the Contractor stating the imminent termination of the Contract for non-compliance with Notice to Cure.

5. The CPO shall confer with County Legal and create a Termination for Default notice. The CPO issues the approved notice of Termination for Default (see section 5.10) that states the non-compliance of the Contractor, the termination date and the effect of termination.

If the nature of the issue deemed to pose a risk to County safety or operations, certain steps of this escalation tree can be omitted with the advice of Legal and the consent of the CPO.

5.7. Vendor Complaint

If the CAPA is not successful in resolving the issue, the CAPA shall initiate the following formal Vendor Complaint process.

OPS requires copies of all documentation regarding issue resolution (both informal and formal) in the event that a formal corrective process (Notice to Cure) is required to be initiated to either resolve the issue or terminate the Contract.

Formal Process:

- The CAPA shall complete the Vendor Complaint form located on the Office of Procurement Services intranet site.

- The CAPA shall provide all of the required information on the form and click submit to send it to OPS.

- The OPS Deputy Director (Deputy) shall review the complaint and forward it to the PO responsible for the department and Contract for resolution.
The PO shall review the complaint and determine if it is a valid infraction of a requirement from the Contract.

The PO shall contact the reporting CAPA within two business days of receipt of the complaint to discuss the nature of the complaint and to review all steps taken by the CAPA to resolve the issue. The PO and CAPA shall jointly determine the desired resolution to the issue that is equitable to the County and Contractor.

The PO shall contact the Contractor identified in the complaint within two business days of the review meeting with the CAPA and request a meeting to review the complaint and the proposed solution.

The PO and Contractor shall negotiate the final resolution plan for the complaint.

The PO shall review the resolution with the CAPA for acceptability.

The PO shall notify the Deputy once the issue has been resolved.

The PO shall document all communications made with the Contractor and the CAPA for retention in the electronic procurement file.

5.8. Notice to Cure (NTC)

It is the responsibility of the PO to determine if the Contractor has exhibited repeated performance issues that have resulted in multiple Vendor Complaints being issued, or the Contractor has taken action that puts the County, its operations, personnel or property, or the completion of the Contract requirements. The determination shall be made based on all documented actions and communications as compared to the requirements of the Contract. If the issue meets these requirements, the PO shall draft a formal Notice to Cure Templates. The NTC shall clearly state the specific failures of the Contractor and allows for the Contractor a set period of time to 1) acknowledge receipt of the NTC, and 2) to provide the County written documentation (Cure Plan) detailing the steps that the Contractor shall take to remedy the failure and to ensure that the failure does not occur again. The NTC shall also state that non-compliance with the NTC or its Cure Plan may result in the Termination of the Contract for default. The PO shall have the NTC reviewed and approved by Legal and the CPO prior to submission to the Contractor via certified delivery. It is the responsibility of the PO to conduct all negotiations with the Contractor and to gather all documentation regarding the NTC and its Cure Plan for retention in the electronic procurement file.

5.9. Notice of Default (NOD)

A Notice of Default (Template) may be issued by the PO if the nature of the failure by a Contractor is deemed severe or if the Contractor has failed to comply with the terms of a NTC. The NOD shall clearly state either the non-compliance with any NTC (reference all communication dates and provide copies with the notice) or the direct default of a Contract clause. The NOD shall allow the Contractor a brief, but reasonable period of time to respond (typically 10 business days). Finally the NOD shall state the County's intent to terminate the Contract if the Contractor does not immediately comply with the terms of the NTC or NOD. The PO shall have the NOD reviewed and approved by Legal and the CPO prior to submission to the Contractor via certified delivery. It is the responsibility of the PO to gather all documentation regarding the NOD for retention in the electronic procurement file.

5.10. Contract and Vendor Termination
Pursuant to the standard terms and conditions of the County contracts approved by either the County’s Board of Supervisors or the CPO, Contracts and/or individual Contractors can be cancelled (terminated).

The department may choose to cancel a Contract or Contractor for one of the following reasons, but not limited to:

- The goods or services are no longer required
- The scope of goods or services have deviated so greatly that a new solicitation and contract is more appropriate than modifying the current contract
- Funding has not been allocated in the budget
- The quality of the goods and services being provided by a vendor do not meet the contract requirements (non-renewal in lieu of default)
- Default by Contractor (see section 5.7)
- Non-performance related activities as documented
- Unconditional termination for convenience

The County Board of Supervisors also retains the right to exercise the Unconditional Termination of Convenience of any Contract.

If necessary, the PO shall coordinate with the using department(s) to replace the provided products and/or services with another Contractor or issue a re-solicitation or new bid.

A Contractor may choose to terminate the Contract in writing to the CPO.

Required Documentation:

- Award Package Checklist Renewal, Mod – the document requirements depend on if the termination is for cause or convenience. If a document is not needed, mark the line as N/A.
- Department Complaint or Request to Terminate the Contract for Convenience – the backup documentation (Vendor Complaint – see section 5.6) or a memo from the department Deputy stating that a Contract is no longer needed and should be terminated prior to its expiration date.
- Notice to Cure – see section 5.8
- Notice of Default – see section 5.9
- Termination for Convenience or Default (Templates) – the PO is responsible for drafting the termination letters and referencing the appropriate portions of the Contract stipulating the County’s termination rights. The letter shall state the specific date of termination and the effect of termination (such as will existing orders terminate with the Contract, or if there are any required information or product transfers). The PO shall have the letter reviewed by Legal prior to submission of formal approval.
Approval Process:

- The PO shall compile all required documents and place digital copies of them in the S:\ drive Working Documents folder under the Contract file in a sub folder titled Contract Termination.
- The PO shall make an entry on the Procurement Support Log (see section 3.6.5).
- The PO then notifies the PS that a file is pending approval.
- The PS reviews the file and notifies the PO if the file is approved or needs revisions.
- The PO then notifies Support of the approved file for placement on the agenda.
- The CPO has the authority to approve all Contract Terminations.
- Once approved on an agenda, the CPO shall sign the termination letter and return it to the PO.
- The PO shall send the letter via certified mail and electronically with receipt and read notifications.
- The PO shall provide support with a copy of the termination letter and any receipt confirmations.
- The PO shall notify all using departments of the termination date, the effect of the termination and of the plans to replace the products or services.
- Support shall retain the termination documentation in the electronic procurement file and mark the file cancelled.
- Support shall ensure that the Contract is removed from the contract search tools after the date of termination.
- Support shall update the MA by changing the Expiration Date to the Termination Date.
6. Procurement Support Processes

Procurement Support acts as administrative support to the PO and is responsible for; the management of the electronic procurement files, the administration of the agenda process, the processing of final contract files for signatures, and for the final editing of all solicitation and contract documents. The following procedures document the main functions of Support.

**ARTICLE 3 PROCEDURE for BOS and DEPARTMENT AGENDA**

**STEP ONE – Prepare the SUMMARY in S:Drive**

Procurement Support Specialist will go to S:Drive Forms/ Support Forms/ Summary page and create Summary Page for Contract.
Once Summary page is open, save on S:Drive /Contract serial number / 5-Working Documents file folder

Complete Summary page using information from Procurement Summary Page.

Completed Summary will be emailed to Deputy Director for final review.

After final review updated Summary will be resaved on S:Drive /Contract serial number / 5-Working Documents file folder and print on Ricoh printer.

See completed summary page sample below
STEP TWO – PREPARE THE AWARD LETTER IN S:DRIVE

Procurement Support Specialist will go to S:Drive Forms/ Support Forms/ Letter Award Contract and create Award Letter for Vendor/Contractor.
Once Letter-Award is open, save on S:Drive /Contract serial number / 5-Working Documents file folder

Complete Letter-Award using information from Summary Page and Agreement Page. Save and print using Grey printer.

See completed Letter-Award sample below
STEP THREE – PREPARE THE CONTRACT IN S:DRIVE

For Service or Commodities contracts. (S/C)

In the J-drive go to FY folder/serial number sub folder/5-Working Documents (using 171053 as example). In the Working Documents/ solicitation or addendum document open and save as Contract under Working Documents.
Save in Working Document folder as Serial number-Contract (171053-Contract).
Delete Cover and Table of Contents pages. Remove INVITATION FOR BID FOR from third page. Leave the contract title only.

Next, delete INSTRUCTIONS TO RESPONDENTS section along with all attachment pages and exhibits. What is left will be the body of the contract. Add a new cover page to the front of the contract and vendor(s) information, pricing pages to complete the contract.

The template for the cover page will be on the J-drive. / Forms / Support forms/ Contract Cover Page Template.
Sample of the Contract cover page
Replace all yellow fields with correct information found on Support Summary.

Insert new blank page for Vendor information and pricing page
Vendor information

Logon to BidSync. Click on the Source Tab, click on View Bids.

Click on To Be Awarded Bids, in search box type serial number asterisk (*), and click on Bid Number / submit.
This will display the bid. Click on the title of the bid.

This will display the vendors awarded on the bid.

Click on Qualifications/Docs/open paper clip/select attachment A Vendor Information. Vendor Information is open/copy and paste to blank page of the contract. On the top of the Vendor Information page type vendor name and mailing address (all caps, bold and underline). Delete extra information from page.
Vendor pricing page

To get pricing, open Award Report tab. Copy and paste pricing page to excel file. Make pricing for each individual vendor. Individual vendor pricing will be incorporated into contract document.

Once pricing is completed add NIGP Code/Terms/Vendor Number/Certificates of Insurance/ and to cover the Period ending (contract expiration date).
Repeat these steps for multiple vendors.

After the Contract is complete print the attached signed Agreement page and vendor(s) pricing page(s).

Hard/Electronic copy of the documents will be forward to PO for review, signature of award letter and signature of initial summary page. The PO will then forward the reviewed package to Deputy Director for final approval. Once the final approval is complete, the package will be returned to the PS. PS will mail hard copy of the contract to Board of Supervisor for final signature approval.

**RFP/ROQ/ITN contract(s)**

Repeat above steps for summary/award letter/and add No Award letter.

All completed contract(s) with vendor information/pricing and other contract information comes from the buyer.

After receiving a signed contract, save it to S:drive/FY/serial number/5-Working Document and add the cover page/NIGP Code, Terms, Vendor Number, Certificates of Insurance, and Contract Period to end of the contract.

After the Contract is complete print on Ricoh printer

All hard copy of the documents will be forward to PO for review. PO will forward to Deputy Director for signature approval and return to Support Specialist.

Support Specialist will mailed hard copy of the contract to Board of Supervisor for final signature approval.

**IGA (Inter-Governmental Agency)**

Repeat above steps for summary.

All IGA Contract information comes from the buyer.

After receiving an emailed contract and pricing page(s), save to S:drive/FY/serial number/5-Working.
Open IGA contract template and add all required field information and link pricing page(s) on the bottom of the contract page.

After the Contract is complete print on Ricoh printer.

All hard copy of the documents will be forward to PO for review. PO will forward to Deputy Director for signature approval and return to Support Specialist.

See sample of the contact

Note* For Article 5 there is no summary. PO will prepare award letter after contract is approved and sign by BOS.

STEP FOUR – SIRE BOARD /DEPARTMENT AGENDA ARTICLE 3

Log in to SIRE and open. From Home tab Open Agenda Form Pick Meeting Type Formal or Materials Management (Department) and Meeting Date/Location is always Procurement Services. After selecting a Meeting Location, the Open Meeting Agenda Item E-FORM will be visible.
Subject: OPS Operating Procedures
Number: 100
Revision Date: 1/24/18
Initiating Department: Office of Procurement Services
Once complete, save & continue to the SIRE home page Workflow tab/Originator folder click on drop arrow and open the meeting agenda E-Form.

Open the Agenda line item. On the right side attach the signed contract, scroll to bottom on the page until you see Response. Click on Move Item option To Next Step than Save & Continue.

Close SIRE.

The item will be in the Department Coordinator File for approval.

**BOARD AGENDA SAMPLE ARTICLE 5**

Log in to SIRE and open. From Home tab Open Agenda Form Pick Meeting Type Formal or Materials Management (Department) and Meeting Date/Location is always Procurement Services. After you pick Meeting Location you will be able to see Open Meeting Agenda Item E-FORM
SAMPLE OF MEETING AGENDA E-FORM ARTICLE-5
Click Save & Continue and ensure the item is on Workflow tab. Open Originator File Folder.

Open the Agenda line item. On the right side attach the signed contract, scroll to bottom on the page until you see Response. Click on Move Item option To Next Step than Save & Continue.

Close SIRE.

The item will be in the Department Coordinator File for approval.

**Article 3 and 5 steps for DEPARTMENT Meeting**

Log in to SIRE and open. From Home tab Open Agenda Form Pick Meeting Type
Materials Management (Department) and Meeting Date/Select Material Management Items/ click Next.
E-Form agenda is open. Pick required field (yes or no) and add all information/click save& continue.

SAMPLE OF MATERIALS MANAGEMENT DEPARTMENT E-FORM
Click Save & Continue and ensure the item is on Workflow tab.

Open Originator File Folder
Open the Agenda line item. On the right side attach the signed contract, scroll to bottom on the page until you see Response. Click on Move Item option To Next Step than Save & Continue.

Close SIRE.

The item will be in the Department Coordinator File for approval.

Hard or Electronic copy of the contract package will be forwarded to PO for approval.

PO will review package, sign award letter and initial summary page. PO will forward the reviewed package to Deputy Director for final approval. Once the final approval is complete, the package will be returned to Procurement Support Specialist.

Hard copy of the contract with sign Agreement page will be mailed to Deputy County Attorney and Chief Procurement Office for signature.

**STEP FIVE – ACTIONS TO BE TAKEN ON AGENDA DATE ARTICLE 3 AND 5**

After agenda is approved on SIRE Procurement Support Specialist will process agenda.

1. Open contract on S:Drive and resave on ZIP file. Zip file is for website only
2. Open Advantage 3.10 steps: Jump to type MA or MA5/click Go/in the ID box type serial number and asterisk (*)/Browse, click on hyperlink to open MA, MA5/
MA or MA5 is open click Edit update all required information

Header/General Information tab
**Authorized Department** Insert New Line, pick department from pick list, Select department and save.

**Vendor**: General Information tab Insert New Line, In Vendor Customer box type vendor number click save. For multiple vendors, Insert New line(s) and ensure the Vendor Type is **Primary**. Discount Information tab add Payment terms Percentage 1 box 0, Days 1: 30, Discount Always 1 No.
Commodity: General Information tab Insert New Line, Commodity box type commodity number and save, Line Type: Item for S,C contract for Services is Service, Unit: EA, Unit Price is $0.00
Click Save

Go to Header: General Information tab on the right side click on File error/attachments and upload ZIP contract, Return to Document

After contact is attached to header Validate/Submit MA/MA5. Now MA/MA5 is in Final Phase.

3. The scanned signed contract and Advantage MA/MA5 screen print will be emailed to department.

4. The signed contract and award letter will be scanned and emailed to vendor.

5. Scanned full package checklist and save on S: Drive under the correct serial number, file folder 1-Solicitation.

BIDSYNC
Go to bid sync add vendor responses receive

**BidSync – Award Contract**

Log in to BidSync/ View Bids/To Be Awarded Bids tab/Search for bid number/click Submit/Bid
Description has to read reedy in green color/ go to Action Award/
7. **OPS Non-Procurement Functions**

There are multiple functions that the Office of Procurement Services personnel perform in order to ensure that the procurement process is adhered to. Specifically, OPS employs Contract Compliance Officers to oversee Contractor performance, a Training Officer who is responsible for the certification of CAPA and for providing general procurement training to the County, a P-Card administrator who is responsible for the issuance of cards and the administration of the accounts, and a Records Manager who is responsible for ensuring the County's compliance with State and Federal record retention guidelines.

7.1. **Contract Compliance**

Contract monitoring is a process of ensuring that vendors adequately perform services and provide the goods they have contracted for. Good management and supervision requires follow up, feedback, and enough awareness of what is occurring to eliminate surprises.

The right to audit is a standard contract clause and a fundamental concept of contract administration. When government services are contracted out, the vendor represents the county in providing the service or commodity.

While the County depends on those who have been designated as Contract Administrators and Contract Monitors (or CAPA's) to provide the primary line of defense in reconciling all procurement transactions they initiate on behalf of the County, the County depends on OPS Contract Compliance to verify that taxpayer dollars are being expended in accordance with the Procurement Code and the intentions of the individual contract.

Contracts are selected for a compliance review in two ways:

1. **Routine Review** – the Contract Compliance Officer (CO) will select a variety of Contracts for routine review based on a risk assessment which factors-in criteria such as:
   - Total contract expenditures, to-date
   - Past performance of vendor and/or county department
   - Complexity of contract
   - Contract’s renewal or term date

2. **Focused Review** – the CO conducts focused Compliance Reviews to address a specific or perceived procurement issue, which can be related to Contract Administration or Contractor performance. Focused reviews are conducted at the request of a:
   - County Department
   - Hotline tip
   - Procurement Officer
   - Known dispute or complaint
   - Internal Audit finding

Before the review is initiated, the CO shall send a notification to the Contractor, the PO responsible for the Contract and the primary using department utilizing the Contract Compliance Initiation letter (special Authority). The CO will also work with using department to identify opportunities to strengthen internal controls and make recommendations based on the review findings.
A contract Compliance Review begins with a review of all documents located in the original contract file and familiarization with the Contract’s stated Intent, Scope, Terms, and Conditions. A contract analysis is performed by evaluating the solicitation and contract language.

Next, a CGI InfoAdvantage report is used to identify all payments made to each Contractor under contract analyzed for trends in usage.

Once the Report displays, save as Excel file on the computer or in a specific folder created for that Bid Serial Audit Review.

Based on the payments to the Contractor, a sample of invoicing from a variety of County departments is obtained through the OnBase system and reconciled against the Contract. From the selected sample the PR Transaction Number will be used to retrieve Vendor Invoice in OnBase:
Once the search results come up, the document selected will prompt the Invoice. Example of an invoice:

An important part of Contract Compliance is the review of payment documentation prior to issuing any type of payment. The following is a list of items that are frequently overlooked when reviewing payment documents and can be found within the contract under Invoicing and Payments, or under Contractual Terms and Conditions:
• **Payment Terms**: are the same terms being referenced as on the contract pricing page? (i.e. 2% 10 NET 30)
• **Billable**: the contract defines how the vendor is to bill:
• **Time**: did the vendor bill in correct increments? 15 minutes, hourly, daily, weekly, etc.
• **Mileage**: is the vendor authorized to bill mileage or a trip charge? (i.e. door to door mileage, mileage reimbursable only outside city limits, etc.)
• **Units of Measure**: contracts may specify the billable units (i.e. each, dozen, case)
• **Documentation**: review the invoice and work order; is the information complete and legible? Does the invoicing state the contract number (if applicable) or Purchase Order number?
• **Unauthorized Charges**: disallowed charges are identified in the contract and may include freight, trip charges, or any other miscellaneous fees. If the contract does not identify a specific fee as reimbursable, it should be considered a disallowed fee.
• Any other requirements specifically listed in the contract.

Site visits should be scheduled at the various County departments to discuss any preliminary finding and to gather any additional documentation needed. In case any contractual discrepancies and overbillings have been identified, the Contract Compliance will generate a Collection Letter (Special Authority) specifying the identified overbillings, the total amount overbilled, and a deadline by when the Contractor is to issue a check, or a credit for the amount the County has been overbilled for.

After any discrepancies have been fixed and overbillings have been collected, the CO will prepare a Final Report (Special Authority) which summarizes the findings and share as appropriate with OPS management and using department staff. The written report is issued to the attention of the CPO and provides:

• Assessment of OPS procurement procedures
• Overview of all purchasing activity conducted within the contract’s term to-date
• Verification that purchases are in accordance with Contract’s intent and Scope
• Identification of any internal control weaknesses review of primary County department transactions and any findings
• Statement regarding accuracy in payments or need for adjustment
• Identification of any areas requiring correction
• Plan for corrective actions required going forward

Contract Compliance Reviews focus on the following factors and assure that:

**Quality**

• The quality of goods and/or services meets the quality standards specified in the Contract.
• The goods and/or services meet the technical specifications in the Contract.
• The goods meet the manufacturer’s standard design with no changes or substitutions.
• The good meet the operational service periods specified in the Contract.
• The services provided meet the technical and performance requirements specified in the Contract.

**Quantity**

• The County receives the quantity of goods and/or services specified in the bid or proposal.
• The goods and/or services provided are authorized by the Contract.
• The County ordered the goods and/or services delivered.
• The goods and/or services delivered are in the quantities requested.

**Price**

• The County was charged the correct price for the goods and/or services in accordance with Contract pricing.
• The goods and/or services provided are included in the Contract pricing.
• The Contractor invoices only for allowable expenses.
• The Using Departments take all of the eligible discounts in accordance with contract pricing.

### 7.2. P-Card

#### A. Conditions for Use

1. The P-Card shall only be used to pay for goods and services in accordance with the Maricopa County Procurement Code and all applicable policies. Some notable policies for consideration include the following:

   **A1504** - Bottled Water/Water Purification Systems  
   **A1508** - Guidelines for the Approval of Food Expenditures  
   **A2313** - General Travel  
   **A2502** - Expenditures for the Convenience of Employees, Visitors and Volunteers

2. Cardholders must complete required training and submit the P-Card application to the P-Card Administrator with required signatures prior to being issued a card.

3. Cards are valid for a period of four years and are automatically reissued by the financial institution. If a card is inactive for longer than 18 months, the financial institution will suspend the account and the card will not be reissued after expiration.

4. Cardholders shall purchase from approved County contracts when available. Cardholders are responsible for ensuring contract/pricing terms are followed and applicable discounts are received. Items or services not on contract shall be purchased using such competition as is required under the Procurement Code.

5. Dividing or splitting transactions to circumvent aggregate purchase limits, single purchase limits, or monthly limits is prohibited.
6. Gift cards may only be purchased to provide support or incentives to non-county employee grant program recipients. Gift cards must be maintained in a secure setting, and must be accounted for and reconciled to the program level quarterly.

7. The P-Card may not be used for personal purchases, gambling, alcoholic beverages, illegal substances, or other purchases which do not exclusively benefit Maricopa County.

8. P-Card privileges may be cancelled or revoked at any time, without prior notice, for any reason, by department management or the Office of Procurement Services.

9. Cardholders will immediately notify the issuing bank if a card is lost, stolen, or experiences fraud. Disputed transactions should be marked “disputed” in the bank online system.

10. Cards shall be surrendered by Cardholders to Supervisors upon termination, administrative leave, reassignment to another department, or upon request by Cardholder’s Supervisor, Appointing Authority, or the Office of Procurement Services. It is the Department’s responsibility to immediately notify the P-Card Administrator of these conditions for card suspension or cancellation.

11. Agencies will notify the P-Card Administrator of Cardholders who are absent for more than 30 days, or a lesser time if appropriate. These accounts will be suspended until appropriate notification is received by the Department.

B. Applying for a Card

Prospective Cardholders must:

1. Complete the appropriate P-Card Tutorial and pass the course assessment with 90% or greater.

2. Submit a P-Card Request Form approved by the Cardholder’s Supervisor, the Appointing Authority

3. The CPO will approve all P-Card requests.

C. Account Reconciliation

Cardholders will maintain Reconciliation Reports for each account to include at a minimum:

1. Transaction Cycle Statement: Cardholders may use the Transaction Detail Report or Cycle Cardholder Activity report from the financial institution or may develop additional forms containing the following:
   - Cardholder Name
   - Department
   - Transaction Date
   - Posting Date
   - Cycle Date
   - Vendor
   - Item/Service Description
   - Amount
Accounting string fields:

**Required:** FUND – DEPT – UNIT – ACTV – APPR - OBJ

**Optional:** SOBJ – DOBJ – LOC - FUNC

**Programs:** PROG – PHASE or PPC

**PO/DO:** PO CODE – PO DEPT – PO ID# – PO COMM LINE – PO – REF ACTG LINE

**MA:** MA Code – MA Dept – MA ID# – MA VENDOR LINE # – MA COMM LINE # (P-CARD USE ONLY)

D. **Purchase Documentation:** Includes: quotation records, approved sole source/competition impractical justification forms, itemized receipts for each transaction within the cycle, any unmatched receipts whose charges have not appeared in transaction data; and any additional documentation that explains credits, missing documentation, limit increases etc.; and completed signed copies of any Travel Authorization Forms (Travel/Training Cardholders only).

E. **Approval:** the Cardholder and their Supervisor will sign indicating transactions have been reconciled, reviewed, and approved, before the close of the following cycle.

F. **Records Retention**

1. Records may be retained electronically or in paper format.
2. Reconciliation Reports shall be maintained for all cycles, even when there is no account activity.
3. All records must be retained by the department for the period defined by State of Arizona General Retention Schedules for Counties.

G. **Cardholder and Program Administration**

1. All requests for changes to accounts must be submitted in writing and approved by the cardholder’s supervisor or department coordinator.
2. OPS will review the managing account program controls, including Single and Monthly Purchase Limits, Merchant Category Codes, and authorized user permissions, annually and adjust as appropriate.
3. OPS will compare cardholder accounts with active employees monthly to ensure terminated employees accounts do not remain active.
4. Failure to follow established procedures may result in disciplinary action, including revocation of Cardholder privileges, suspension, termination of employment and/or criminal prosecution.

**Definitions:**

5. **Account Types**

   a. **Fuel Card** - These cards are restricted to purchases for fuel/oil for County vehicles, or rental vehicles on official County business only.
   
   b. **Ghost Account** - assigned to users for specific use with a particular County vendor. No physical card is issued as vendor accounts are established based on a username and password.
c. **Purchase Card** - issued to an Employee for the purchase of goods and approved services in compliance with all Procurement Code requirements, and subject to transaction and monthly Cardholder limits. Employees who are not Certified Agency Procurement Aides (CAPA) will be issued cards with a single purchase limit no greater than $1,000 and monthly transaction limits no greater than $5,000.

d. **Travel Card** - used to purchase hotel, airfare and other expenses incurred when an employee travels on County business, in accordance with Travel Policy A2313.

6. **Appointing Authority** - An elected official, the single administrative or executive head of a department, or the designated representative authorized to act in this capacity.

7. **Cardholder** - the Employee to whom the card is issued.

8. **P-Card Request Form** - A form filled out by the requesting department that initiates the P-Card issuance process and includes Cardholder specific information (NO personally identifiable information other than name), requested monthly and single transaction limits, and default accounting string information. Is also used to acknowledge that the Cardholder has had adequate training, understands the P-Card conditions for use.


10. **Department** - Refers to the department, office, or agency under budgetary responsibility and oversight of the Maricopa County Board of Supervisors, the Maricopa County District(s) Board of Director(s), and all County Districts.

11. **Disputed Transaction** - A disagreement between the merchant and the Cardholder where the Cardholder is asking for the P-Card Providers assistance.

12. **Employee** - A person paid a wage, salary or stipend from public monies in accordance with official entries on County payroll. This includes all classified, unclassified, temporary, and contract employees.

13. **Fraud** - The unauthorized or unlawful use of a P-Card resulting in charges which shall be reported to the P-Card Provider for investigation, reimbursement, and card cancellation and re-issue when appropriate.

14. **Monthly Purchase Limit** - The maximum dollar amount permitted for a transaction cycle.

15. **Official Use** - Payments made to vendors for approved goods and services for official County purposes.

16. **P-Card Coordinator** – The Employee designated by a department to coordinate the P-Card activities within the department.

17. **P-Card Provider** - The financial institution providing P-Card services to the County.

18. **P-Card Program Administrator** - A designee serving as the single point of contact between Maricopa County and the P-Card Provider for administration of the P-Card program.

19. **Purchasing Card (P-Card)** - A payment account issued to an approved County employee, to facilitate the purchasing process for official County use.

20. **Receipt** - An itemized document indicating the vendor, item description, price per item, and the total amount charged in a transaction.
21. **Reconciliation** - The process of matching purchase documentation to the financial institution statement of activity to verify all account activity is authorized.

22. **Reconciliation Report** – Documentation showing that the charges processed for payment match the cardholders supporting documentation, and that all purchases were authorized and made in accordance with applicable policies and procedures.

23. **Transaction** - The payment for goods and services received.

24. **Transaction Cycle** - The period of time from the 7th of the month (open) until the 6th of the following month (close) in which purchases are made. (Cycle dates will change if close or open falls on a weekend.)

25. **Signature** - A person’s electronic or handwritten identification indicating approval or authorization.

26. **Single Purchase Limit** - The maximum dollar amount permitted for a single transaction.

**Purchasing Card Program Administrative Review**

OPS Pcard Program Administrator will review all Administrative Settings for US Bank at least annually. The review will consist of the following:

- Review for accounts with no activity within 12 months. Contact cardholders to determine if card is necessary.
- Review all excluded and allowed Merchant Category Codes to make sure all US Bank high risk codes are excluded, and exceptions are documented.
- Validate appropriate Fraud Reporting has been established. Compare fraud summaries to annual rebate summary to ensure all reported fraud has been captured.
- Review AccessOnline users profiles and permissions to ensure appropriate. Modify or inactivate unused access profiles.
- Reconcile and approve Annual Rebate Summary to transaction detail, including write-offs, large-ticket transactions, as well as credit and debit transactions.

Other administrative reviews will be performed monthly:

- Compare active accounts with Human Resources list of active employees. Inactivate terminated employee accounts.
- Review Fraud Summary Status to ensure cases are resolved in a timely manner. Contact cardholders with outstanding items to resolve.

**7.3. Records Retention**

It is the policy of the Office of Procurement Services to define specific procurement business practices as they relate to records management. County Business is public record, and subject to Retention Schedules defined by the Arizona State Library Archives and Public Records, Records Management Division. All County employees and elected officials are responsible for maintaining records in accordance with Retention and Disposition Schedules established by the State of Arizona Library Archives and Public Records.

**Contract Files**
These files are kept pursuant to ARS 41-1350 and 39-101. Retention schedules can be found by visiting [http://apps.azlibrary.gov/records/general.aspx](http://apps.azlibrary.gov/records/general.aspx).

Contract files shall include all documentation and maintained as specified in **502 Electronic Procurement Files**.

Active Contract files are filed numerically by calendar or fiscal year and Bid Serial number. Active Contract files shall be maintained in electronic or paper format until they are approved and are loaded to the S:Drive. Once an Active Contract file becomes inactive, it shall be maintained in an electronic format in accordance with the above State Library retention schedule.

**Cancelled Solicitations**

Solicitations which have been cancelled before the award of a Contract are filed numerically by year and retained pursuant to retention schedules.

If the Solicitation was cancelled before Bid opening, the Bid is left unopened. In the event of a physical sample having been submitted by a vendor, those shall be returned unopened to the Vendor. If the Solicitation was cancelled after opening, the PO may retain responses pursuant to **MC1-358** and the retention schedule.

**Purging Files**

1. All records will be reviewed on an annual basis for destruction eligibility

2. Fill out a Report/Certificate of Records destruction, and forward to the Arizona State Library, Archives and Public Records; Records Management Division, noting the approximate cubic feet destroyed (1 vertical file drawer = 1.5 cu. ft.).

**Freedom of Information Act (FOIA) Requests**

Any member of the public may make a request for copies of any procurement record via submitting a Public Records Request Form (non-commercial) or a Public Records Request for Commercial Use which must be accompanied by an Addendum to Commercial Purpose. All of these forms are located on the OPS internet site. The completed forms should be sent to the OPS Records Manager (RM) for processing. It is acceptable for the public to send an emailed FOIA request directly to the RM or PO so long as the email contains all of the same information as the form. Emailed forms received by PO shall be forwarded to the RM for processing.

- The RM shall review the request to determine if the requestor utilized the correct form. Commercial Purpose forms are for the use of a public record for the purpose of sale or resale or for the purpose of producing a document containing all or part of the copy, printout or photograph for sale or the obtaining of names and addresses from such public record for the purpose solicitation or the sale of such names and addresses to another for the purpose of solicitation or for any purpose in which the purchaser can reasonably anticipate the receipt of monetary gain from the direct or indirect use of such public records.

- The RM shall notify the requestor if they need to re-submit their request with the correct form.

- The RM shall review the electronic or physical files to determine the existence of the requested documents and if any of the document were marked confidential.
The RM shall notify Legal of any requests for confidential information to determine if it can be released to the public.

The RM shall provide all allowable documents to the requestor within two weeks of receipt of the request. Documents may be emailed or placed on the FTP site (http://cloud.maricopa.gov:5000/eftadhoc/) for the requestor to download from.

The RM shall log each request detailing the date of the request, the name of the requestor, the solicitation or contract number, the documents requested and the date the request was completed.

### 7.4. Procurement Officer Status Log

In an effort to provide transparency to the Procurement Process and to allow for ease of work traceability by OPS Management, the PO shall utilize the Work Details Log (S: General/Buyer Status). Each PO has had a personal stand-alone log created for them. The PO is required to complete entries on the Work Details tab for each task they have been assigned. The PO shall select the Type of Work that most closely matches the task (i.e. Renewal, New Solicitation, Complaint). Each Type of Work has multiple status options that the PO shall select from to indicate the level of completeness for the task. The log contains formulas that will automatically assign a percent complete based on selected status. As the PO progresses through the different steps required for the task, they shall update their previous entries by selecting the appropriate status. The log also has varying date options (Date Type) depending on the Type of Work that indicate key gateway dates for the task such as Proposed Agenda Date. Each Type of Work has been assigned a set number of days to complete the task. If a PO has a need for additional time, the PO is required to notify the PS by email detailing the amount of extra time needed and an explanation of why it is needed.

The list below provides more information for each column in the log. Some cells auto populate based on selections in other fields and do not allow for modification by the PO. All cells that contain drop-down menus are marked with DD.

**Buyer:** (DD) PO’s first name

**Type of Work:** (DD) Description of the task being logged (new solicitation, renewal, modification, etc.)

**Work Start Date:** Date that the PO commenced work on the task (NOT THE DATE OF ENTRY)**

**For Work Type Renewal, the Work Start Date is 180 days prior to the Contract Expiration Date**

**Proc Folder #:** MA folder number from CGI. Information needed to run certain spend reports.

**Contract #:** If the task does not yet have a contract number, mark as unnumbered

**Description:** Contract or solicitation name

**Department:** (DD) Select the specific department or All

**Date Type 1:** Auto populated description of the next major milestone for the task or the final step for the task

**Date 1:** PO supplied date for the anticipated completion of Date Type 1

**Date Type 2:** Auto populated description of the final step for the task
Date 2: PO supplied date for the anticipated completion of Date Type 2

Amount: Value of the task (if any)

Status: (DD) selection will vary based on the task type.

Work Log Action Guide (S:General/Buyer Status) has a complete listing of Types of Work and their corresponding date types and statuses.

Status Complete Date: PO supplied date for actual completion of the task (completion is measured in terms of the last required task for the PO, not the agenda date)

Percent Complete: Auto populated percentage based on selected status for the task

Buyer Status Comments: Free form comment field for PO to provide any information regarding the task’s progress or any obstacles to performing the next step in the task. Each comment is required to include a date. To enter additional comments, place the cursor at the end of the last entry and click ALT+Enter.

Days Added to Deadline: The Procurement Supervisor has the ability to add time onto the deadline when instances beyond the control of the PO occur (delayed response from department with repeated communication efforts by the PO)

Deadline: Auto populated date based on Type of Work and Work Start Date provided by the PO.

Days Left: Auto populated calculation of days remaining for task to be considered on time.

If a PO needs an additional selection added to a drop-down, the PO shall contact the OPS Senior Business Analyst and request the modification.

Once the PO has completed their bi-weekly update to the Log, they shall notify the PS via email.

The second tab of the log titled Summary is a pivot table report for the PS to calculate workload for each PO.

The third tab of the log titled Meeting Summary is a pivot table report for the PO to use for the weekly staff meeting. The report is sorted alphabetically by Work Type then by the number of days left to complete the task (with those with the least amount of time left on top). When required, the PO shall click on the Meeting Summary tab and then right click on any cell on the screen. This will bring up a dialog box. The PO shall select refresh to update the report with the current information from the Work Details tab. This report shall be printed by the PO and brought to the weekly staff meeting for review.

Restrictions of use:

- The PO shall only enter information or update statuses on their assigned log. If a PO is performing work for another PO, they must enter the information on their own log.
- The PO shall not move the file location of the log.
- The Work details tab cannot be sorted. Entries are shown in the order they were entered on the log. However, the log can be filtered by any of the column headers.
- The PO shall not delete previous comments made on a task line.
- Task lines cannot be deleted by the PO. If a line needs to be deleted from a log, the PO shall notify the PS.
The PS has the ability to override and/or edit any entry made on the log to reflect accurate information.

Do not copy and paste information from other data sources (Excel or otherwise) into the log. It will corrupt the file.

7.5. Semi-Annual Department Meetings

The PO is required to offer a procurement review meeting to their assigned departments on a least a semi-annual basis. Some departments, based on their volume of procurements or complexity, may require meetings more frequently.

Meeting Preparation:

- The PO shall access CGI InfoAdvantage and go to Public Folder/County Documents/Procurement and run the FIN-PROC-C001 – Department Contract Spend Summary. The report queries on fiscal year and department number and can be run for multiple fiscal years.
- The PO shall also run a Contract Expiration by Buyer report from the same file location.
- The PO shall export and save a copy of the reports in the PO electronic files.
  - The PO shall sort the expiration report to only show those contracts utilized by the department
- The PO shall send an email to the Director of the department offering a procurement review. The PO shall copy the PS on the email.
  - If the Director declines the meeting, provide them with a copy of the spend summary
  - If the Director accepts the meeting, the PO shall create a formal Outlook meeting request based on the Director's availability. The PO shall also invite any department personnel involved with the ordering, receiving, contract management and accounts payable for the department. The PO shall also tentatively invite the PS.

Meeting Format:

- The PO shall review the spend summary and expiration information for each of the contracts utilized by the department in the last fiscal year.
  - For those contracts that will expire in the next six months, the PO shall inquire if the department will be seeking a renewal or a re-solicitation.
- The PO shall then ask for the department’s procurement plans for the next six to twelve months for any solicitations that would involve OPS.
- The PO shall then ask if there have been issues with the performance of any vendor over the last six months.
  - If the issues are severe, request that a Vendor Complaint Form be completed and sent to OPS (see section 5.7)
- At the conclusion of the meeting, the PO shall remind the department of the OPS training offerings and to offer assistance with any future procurement requirements.
7.6. **Department Notification of Contract Actions**

7.6.1. It is the responsibility of the PO to place all actions (formal or informal) on the Support log for tracking purposes. The Support log will be utilized to create a monthly report to be sent to the CAPA distribution list. It is imperative that the action descriptions are accurate and provide enough information to ensure CAPA and customer understanding of the action.

7.6.2. OPS will also generate a monthly list of all new contract awards and contract renewals to be provided to the CAPA distribution list.
8. **Catalog of Forms, Templates and Determinations:**

All documents in the table below are in the parent folder S:/Article 3/Procurement Documents

<table>
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<tr>
<th>Folder Name</th>
<th>Document Name</th>
<th>Procedure Section Number</th>
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<td>Award Package Checklist IFB</td>
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| **Preliminary Review of Proposals**    | 2.3.2                                         |
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| **ROQ Evaluation of Qualifications**   | 2.6.4                                         |
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**Procurement Support**

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| <strong>Competition Impracticable Justification</strong> | 4.1                                           |
| <strong>Contract Compliance Initiation</strong>     | 7.1                                           |
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| <strong>General Agreement Template</strong>        | N/A                                           |
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