

Date: January 2, 2014

To: Pacific Gateway Staff
All Sub-Recipients

From: K.C. Nash
Interim Executive Director

Subject: **POLICY MEMORANDUM: WDB-03A**
PROCUREMENT POLICY

EFFECTIVE DATE

This policy is effective upon date of issue.

PURPOSE

The attached policy revises and updates direction on the procurement of goods and services, replacing Policy Memorandum WDB-03 dated April 12, 2007, and is effective immediately.

The revised policy provides guidance regarding federal, state, and local procurement rules/regulations regarding full and open competition listed in 29 Code of Federal Regulations (CFR) 97.36(c)(d). Pacific Gateway staff and subrecipient of funds are responsible for complying with all applicable fiscal guidelines of respective funding streams.

BACKGROUND

As specified in WIAD03-9, State approval is required prior to charging Workforce Investment Act (WIA) grant funds for purchases of property (i.e., durable goods, equipment, buildings, installations, and land) with a per unit acquisition cost of \$5,000 or more. Property also includes computer software.

Only the City Council can bind the City to a contract in excess of \$200,000. The City Manager, or his designee, has the authority to bind the City to a contract below \$200,000. City Council approval is also required for purchases over \$100,000 that cannot be procured through an Invitation to Bid, Requests for Proposals, or if less than three quotes/proposals are received.

Should there ever be a conflict between City and WIA policy requirements, the most stringent guidelines apply. Regardless of the procurement method utilized, all transactions require a specific procurement action (per WSD 12-10).

DEFINITIONS

Acquisition is the act of acquiring goods and services for the use of



governmental activity through purchase, rent, or lease. This includes the establishment of needs, description of requirements, selection of procurement method, selection of sources, solicitation of procurement, solicitation for offers, award of contract, financing, contract administration, and related functions.

Agreement is a duly executed and legally binding contract; the act of agreeing.

Bid or Bidding is an offer to contract with the City of Long Beach/Pacific Gateway submitted in response to a bid invitation issued by the City of Long Beach or an issuing entity.

Bidder's Conference is an open exchange between purchasers (e.g. City of Long Beach/Pacific Gateway) and vendors (bidders) to help ensure a clear understanding of contract requirements.

Competitive Bidding is the process of inviting and obtaining bids from competing sources in response to advertised competitive specifications, by which an award is made to the lowest and best bidder meeting the specifications. The process contemplates giving potential bidders a reasonable opportunity to bid, and requires that all bidders be placed on the same plane of equality. Each bidder must bid on the same advertised specifications, terms, and conditions in all the items and parts of a contract. The purpose of competitive bidding is to stimulate competition, prevent favoritism, and secure the best goods and services at the lowest practicable price, for the benefit of the State.

Contract is an agreement to do or not to do a certain thing (Civil Code 1549). It gives rise to an obligation or legal duty enforceable in an action at law (Civil Code 1428). A contract sets forth terms, conditions, and the statement of work to be performed

Cost Analysis is the element-by-element examination of the estimated or actual cost of contract performance to determine the probable cost to the vendor. This is a more detailed and costly method than price analysis in terms of both time and manpower.

Equipment (Goods) is defined as tangible, nonexpendable personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit, including costs related to the property's final intended use. Purchase of equipment with a cost of \$5,000 or more require priors approval from the State.

Grantee is the direct recipient of grant funds from the DOL. Some documents refer to a grantee as a recipient or subrecipient. The grantee is the entire legal entity even if only a particular component of the entity is designated in the grant award document

Invitation to Bid (ITB) is a type of solicitation document, used in a formal competitive bidding process, which contains a precise statement and complete specification of what the agency is attempting to purchase. Qualifying bidders compete solely on the basis of cost.

Price Analysis is the process of examining and evaluating a proposed price without evaluating its separate cost elements and proposed profit. This process determines whether the price is fair and reasonable.

Procurement is all stages of the process of acquiring property or services, beginning with the process for determining a need for property, equipment or services and ending with contract completion and closeout.

Proposal is an offer made by one party to another as a basis for negotiations, prior to the creation of a contract.

Recipient means a non-federal entity that expends federal awards received directly from a federal or pass-through awarding agency to carry out a federal program.

Request for Proposal (RFP) is a type of competitive procurement issued at an early stage in a procurement process, where an invitation is presented for suppliers, often through a bidding process, to submit a proposal on a specific commodity or service. The RFP process brings structure to the procurement decision and is meant to allow the risks and benefits to be identified clearly up front.

Request for Quote (RFQ) is used when discussions with bidders are not required (mainly when the specifications of a product or service are already known) and when price is the main or only factor in selecting the successful bidder. An RFQ may also be used as a step prior to going through a full-blown RFP process to determine general price ranges. In this scenario, products, services or suppliers may be selected from the RFQ results to bring in to further research in order to write a more fully fleshed out RFP.

Services include professional and consultant services secured from those individuals or companies that perform a special skill, such as training. Services include equipment and property maintenance, training services, when being purchased outside of the State of California's Eligible Training Providers List (ETPL), and other types of services procured for participants' benefit or program operation and support.

Solicitation for Proposal (SFP) is a formal document which elicits proposals for acquisition or financial assistance awards. An SFP may include Invitations for Bid (IFB), Requests for Proposals (RFP), and Requests for Quotation (RFQ).

Specification is a concise statement of a set of requirements to be satisfied by a product, material, service or process that indicates whether the requirements are satisfied.

Standard(s) is the established and fixed measure or measures used in assessing quality or performance.

Subcontract is a contract between a prime contractor or pass-through agency and a subcontractor to furnish supplies or services for the performance of a prime contract or subcontract.

Subgrantee is the government or other legal entity to which a subgrant is awarded and which is accountable to the grantee for the use of the funds provided.

Subrecipient is a legal entity to which a subaward of federal funds is made and that is accountable to the grantee for the use of the funds provided. The terms “recipient” and “subrecipient” are often used interchangeably with “grantee” and “subgrantee.”

Supplies are tangible personal property other than equipment.

Vendor is a dealer, distributor, merchant, or other seller providing goods or services that are required for the conduct of a federal program.

****For Subgrantee and Vendor distinctions, please refer to the State of California Employment Development Department Directive WSD 12-10 dated November 30, 2012.***

GENERAL PROVISIONS

The following provides information regarding significant federal procurement requirements. However, each grantee and subgrantee is responsible for complying with all applicable federal requirements. Grantees and subgrantees must have written procedures that include, but are not limited to, the following:

- A code of conduct for employees conducting procurements, including criteria regarding conflict of interest.
- A list of the types of procurement including when and how to use them.
- Limited conditions under which sole source procurement may occur.
- Requirements for a price or cost analysis.
- A cost sharing process (whenever applicable).
- Procedures to detail the review of prospective procurements to avoid purchase of unnecessary or duplicate items, including analysis of lease versus purchase.

- Documentation of each of the significant steps followed in making an award to include selection criteria, agreement type, basis for contract price, and independent agency estimate of price.
- A process to ensure that awards are made only to responsible contractors with the ability to perform successfully.
- Protest procedures to handle disputes related to both award and administration of contracts.

PROCEDURES

All staff and sub-recipients of WIA and non-WIA funding from Pacific Gateway must follow the guidelines stated in the policy. In rare cases, the City may waive some policy requirements for non-WIA purchases.

Additionally, Pacific Gateway utilizes vendors for most commonly used services/goods (e.g. office supplies, locksmith services, etc.) as procured by the City's Purchasing Division.

THRESHOLD GUIDELINES SUMMARY

Please refer to [Exhibit A \(City of Long Beach Purchasing Division Guidelines\)](#) for detailed instructions on specific procurement methods, as appropriate and defined by these threshold guidelines.

Any and all purchases require staff to complete a [Request for Authorization to Purchase \(RATP\) form \(attached as Exhibit B\)](#). City-required forms for the procurement of goods and services are listed on the City's website and are generally completed by staff requesting the goods or services. Operations Division will notify staff if any of these City-required forms is needed.

- \$.01 to \$2,500 = Minimum of two documented quotes (Requesting Staff must utilize [Exhibit C Informal Bid Quote Form](#))

For purchases in excess of \$2,500, staff and sub-recipients must follow the City of Long Beach guidelines as summarized below. Please refer to Exhibit A for additional information:

- > 2,500 to \$25,000 = Minimum of three written quotes. The following are acceptable: a) online processing b) phone quote c) email quote d) fax quote e) catalog pricing. (For WIA-specific purchases of \$10,000 or more, staff must use [Exhibit D City's Request for Quote Form](#)).
- > \$25,000 = The Purchasing Division administers all procurement process in excess of \$25,000. Pacific Gateway's Operations Officer or Contracts & Procurement Coordinator submits the procurement process request to Purchasing Division. Please refer to Exhibit A for specific instructions.

Purchasing Options:

Title 29 CFR 97.36(c) specifies that all procurement actions are to be conducted in a manner that provides for “full and open competition.” Within the context of open competition, four methods are discussed in Section 97.36(d) by which agencies may procure goods or services (small purchase, sealed bids, competitive proposals, and non-competitive proposals). The type of purchase method is generally determined by the “per transaction” value of the procurement and the type of good or service being purchased. “Per transaction” is a single solicitation for a single item (e.g., copying machine), group of related items (e.g., office furniture), or a specified service (e.g., staff training). Purchases are not to be broken down into smaller components to avoid more stringent procurement requirements.

1. Small Purchases: Small purchase means the acquisition of goods or services that cost \$0.01 to \$50,000 in the aggregate. To be in compliance with 29 CFR 97.36 (d)(1), and the City of Long Beach, small purchases require obtaining sufficient price quotes and a cost/price analysis prior to purchasing.

Prices/quotations can be obtained from catalogs, current price lists, prior receipts, or contact (in person, telephone, fax or e-mail) with vendors. Hard copy catalogs and price lists should be updated at least annually, however real-time Internet research is preferred.

For equipment purchase of \$5,000 or more per unit, prior approval from the funding agency is required.

Proper documentation for a small purchase includes:

- The reason for selecting the small purchase method.
- The subgrantee’s estimate of the potential purchase price.
- A description of the goods or services being purchased, including the quantity and any additional criteria used to determine the procurement decision. A copy of the RFQ would suffice.
- All providers contacted/considered and the prices offered using current catalogs, price lists, prior sales receipts, or formal quotes depending on the amount of the purchase.
- Why the provider was selected, including how the provider met any additional criteria, and the price analysis.
- Copy of the purchase document (sales receipt, contract).

2. Sealed Bids: This is used when purchasing goods or services are specific and precise in large quantities. The Operations Division contacts FM-Purchasing Division to initiate a Sealed Bid request and the City’s Purchasing Department completes all sealed bids. Awards are made to the lowest bidder.

Proper documentation for a sealed bid purchase includes:

- The reason for selecting the sealed bid method.
- The subgrantee's estimate of the potential purchase price.
- A copy of the ITB.
- Bids received.
- Determination of the responsibility of the bidder.
- Why the provider was selected (cost proof of being the lowest bidder).
- Copy of the award document.

ITB versus RFP

The ITB is used when there is a clear understanding of the project requirements, scope of work and technical specifications. The RFP is used in cases where the specific requirements and technical specifications of a project are of a functional nature or unclear. The RFP then provides a guideline for potential offers' to use in preparing a bid/proposal.

For additional information on the City's ITB process, please refer to [Exhibit E \(ITB Procedures & Guidelines\)](#)

3. Competitive Proposals. This method is typically used when the nature of the goods to be acquired cannot be defined as precisely as required by the sealed bid method. Competitive proposals are specifically used when factors other than price are important in the selection decision, such as program design, contractor services, performance statistics, and innovation. Request for Proposal (RFP) or Quotations (RFQ's) indicates the scope of work, the method for scoring the proposals, the deadline for receipt of proposals and the dispute/Summary of Appeals process and information. A public notification of the RFP is normally given through the City's e-notify system, posting on the websites, and PlanetBids, and in some cases, an announcement in a local newspaper that covers the entire service area. A copy of the RFP is sent to anyone who requests it and to any prior bidders. A bidders' conference is usually held to allow interested parties to have any questions answered. Bidders' conferences also allow attendees to receive the same information. Questions and Answers are distributed equitably to all at the same time. Bidders are required to submit their proposals to a specified location by a specified date and time. Each RFP is reviewed and evaluated as to the merits of the proposal. This review includes a cost analysis. There is a documented methodology for technical evaluation of each proposal. The review committee then makes a final recommendation as to which proposal(s) best meets the stated requirements. Careful documentation of the successful bidder selection should be maintained for reference. A public notice of intent to award is issued, and followed by the award, and the execution of the contract. If only one proposal is obtained and that proposal is deemed to be responsible, then the noncompetitive or sole source process may be used.

RFP/RFQs are conducted by Pacific Gateway and FM-Purchasing staff and require significant lead-time. Staff involved in the evaluation process are

required to read the Code of Conduct and sign a Conflict of Interest/Disclosure Statement.

Proper documentation for a competitive proposal purchase includes:

- The reason for selecting the competitive proposal method.
- The subgrantee's estimate of the potential purchase price.
- A copy of the RFP.
- Bidders' conference questions and answers.
- Bids received.
- The scoring criteria and the evaluation/scoring sheets for each proposal, including determination of the responsibility of the bidder and the cost analysis.
- Why the provider was selected.
- The public notice of intent to award.
- Copy of the award document.

4. Noncompetitive Proposals (Sole Source or Exception to Policy):

Noncompetitive proposals may be used under certain limited circumstances. Per the One-Stop Comprehensive Financial Management Technical Assistance Guide, the purchase must be infeasible under one of the other methods discussed above, and one of the following conditions apply:

- The item is available from only one source.
- Public emergency precludes delay (for example, a flood at the local day care center requires the immediate acquisition of additional services).
- The awarding agency authorizes the specific noncompetitive procurement (upon a formal request for approval).
- Competition is determined inadequate. This usually occurs after a competitive process has been used and there are insufficient bidders (fewer than three).

For non-competitive purchases in excess of \$10,000, staff must use **Exhibit F Exception to Policy form**.

A cost analysis is required for all noncompetitive procurements. The reason for selecting this method along with the justification for the provider selection must be carefully documented and maintained.

Proper documentation for a sole source purchase includes:

- The reason for selecting the sole source method, including why the procurement was infeasible under one of the other procurement methods and which of the additional sole source conditions the procurement met.
- The subgrantee's estimate of the potential purchase price.
- A copy of the IFB/RFP/RFQ.
- A determination of the responsibility of the bidder and the cost analysis.
- Why the provider was selected.
- Copy of the award document.

REQUIRED CONTRACT CLAUSES

The type of agreement entered into by all grantees or subgrantees (including State and governmental grantees) may be fixed price or cost reimbursement, depending on the method of procurement and goods or services being procured. Each agreement funded by the Employment and Training Administration (ETA) grant programs must contain the specific clauses referred to in 29 CFR 97.36(i), or 29 CFR 95.48, and Part 95, Appendix A, as appropriate. They are listed below.

- For all contracts in excess of the small purchase threshold, administrative, contractual, or legal remedies where contractors violate or breach contract terms. The clause must also provide for sanctions or penalties, as appropriate.
- Termination for cause and for convenience by the awarding agency, including the process for exercising the clause and any basis for settlement (applies to contracts in excess of \$10,000 (Part 97) or contracts in excess of \$100,000 (Part 95)).
- Access to records by the awarding agency, the grantee, the Department of Labor (DOL), or the Comptroller General.
- The Comptroller General of the United States for the purposes of audit, examination, excerpts, and transcriptions (for other than small purchase transactions).
- Notice of awarding agency requirements and regulations related to reporting.
- Notice of awarding agency requirements and/or regulations related to patent rights, copyrights, and rights in data.
- Record retention requirements as specified in 29 CFR 97.42 or 29 CFR 95.53.
- Compliance with Equal Employment Opportunity provisions in Executive Order (E.O.) 11246, as amended by E.O. 11375 and supplemented by the requirements of 41 CFR Part 60. These are codified for DOL programs at 29 CFR Parts 33 and 37.
- Compliance with Sections 102 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 328 and 333) (all contracts in excess of \$2,500 that involve employment of mechanics or laborers and all construction contracts in excess of \$2,000).
- Compliance with the provisions of the Davis-Bacon Act for construction contracts in excess of \$2,000.
- A provision requiring compliance with the Copeland Anti-Kickback Act (construction and repair awards).
- Compliance with the applicable standards, orders, or requirements issued under Section 306 of the Clean Air Act, Section 508 of the Clean Water Act, E.O. 11738, and Environmental Protection Agency regulations (40 CFR Part 15) (applies to contracts, subcontracts, and subgrants in excess of \$100,000).

- Mandatory standards and policies related to energy efficiency, which are contained in the State energy conservation plan issued in compliance with the Energy Policy Conservation Act (Public Law 94-163).
- A provision requiring compliance with the Byrd Anti-Lobbying Amendment (31 U.S.C. 1352). This requirement is also found in 29 CFR Part 93.
- A provision requiring compliance with the debarment and suspension requirements (E.O. 12549 and 12689). This requirement is also found in 29 CFR Part 98.
- Rights to inventions such as awards for experimental, developmental or research work.

Grantees and subgrantees must also use the contract provisions to include other requirements of the WIA or other ETA grant program, as appropriate. These include provisions related to the following:

- Contract cost and price. Specifically, grantees and subgrantees must perform a cost or price analysis in connection with every procurement action including contract modifications (see below for more information).
- Applicability of the appropriate ETA program and administrative regulations.
- Audit requirements of 29 CFR Parts 96 and 99.

COST ANALYSIS VERSUS PRICE ANALYSIS

Grantees and subgrantees must perform a cost or price analysis with the method and degree of analysis dependent on the facts surrounding the particular procurement situation. Cost analysis is the review and evaluation of each element of cost to determine reasonableness, allocability and allowability.

As a starting point, grantees must make independent estimates before receiving bids or proposals. A cost analysis must be performed when the offeror is required to submit the elements of their estimated cost (e.g. under professional, consulting, and architectural engineering services contracts). A cost analysis will be necessary when adequate price competition is lacking, and for sole source procurements, including contract modifications or change orders. A cost analysis may not be necessary if one can establish price reasonableness on the basis of a catalog or market price of a commercial product sold in substantial quantities to the general public or based on prices set by law or regulation. A price analysis will be used in all other circumstances to determine the reasonableness of the proposed contract price. Price analysis may be accomplished in various ways, including the comparison of price quotations submitted and market prices together with discounts.

Additional WIA Policy Requirements

In addition to the requirements of 29 CFR Part 97 or Part 95, the following requirements apply to procurements and agreements funded under the WIA:

- All agreements between local boards and units of government must be cost-reimbursement. [20 CFR 667.200(a)(3)] There is no provision for profit with governmental agencies.
- The local workforce investment plan must contain a description of the competitive process used to award grants and contracts under all programs funded under WIA Title I. The description must also include the process used to procure training services outside the tuition based Individual Training Account (ITA)/ETPL process. [20 CFR 661.350(a)(10)]
- The procurement requirements for services to be provided under WIA Title IB Youth programs are specified in Section 123 of the Act. This section requires that activities and services for youth be competitively procured. Small purchase procedures can be used to purchase a training slot for a youth at a training institution if allowable under the agency's procurement policy. Additional guidance on the procurement of youth services is found in TEGl 18-00, dated April 23, 2001; TEGl 12-01, dated February 21, 2002; and the WIA Youth Program RFP Guide.
- The procurement requirements addressed in this chapter do not apply to the identification of Eligible Training Providers. The process for identification of eligible training providers for training services under WIA Title IB programs is described in 20 CFR Part 663, Subpart E. **The State is responsible for the development and maintenance of a State-wide training provider list.** While not a federal requirement, each grantee should have a formal agreement for services when a training provider is to deliver services. This may be in the form of a purchase order, contract, voucher, or other mechanism that provides for payment information and may be incorporated or referenced in the individual ITAs.
- The procurement requirements addressed in this chapter do not apply to On-the-Job Training (OJT) Providers and Customized Training Providers, per WIA 663.700 and 663.720.

Primary Bidding Method: RFP/SFP

Pacific Gateway's primary method of competitive bidding for contracts is referred to as the Request for Proposals (RFP). Potential bidders are made aware of funding available for competitive bid through notification in the e-notify system and registered vendors in the City of Long Beach PlanetBids system. RFP's are made available to public, private non-profit, and private for-profit entities through the RFP process. As appropriate, bidders' conferences are held to clarify the requirements for bid submittal.

The City of Long Beach RFP process includes:

- Release of the RFP to bidders and making it available via mail, email, the Internet and, if applicable, the newspapers.
- In order to allow for timely and consistent responses to questions from applicants/bidders, the City has also implemented an electronic question and answer process. Questions are submitted by email and answers are posted to the website.
- Bidders' conference is held, if necessary.
- Upon receipt of proposals, a team of subject matter experts completes evaluation using factors specific to the solicitation.
- Evaluations and comments are recorded on an evaluation sheet. In the event of a significance difference in the evaluation among the reviewers, a second independent reading is done.
- As appropriate, staff presents recommendations to the Youth Council and/or the Board for approval.

For additional information on the City's RFP process, please refer to [Exhibit G.1 \(RFP Request for Proposal Qualification Process\)](#) and [Exhibit G.2 \(Request to Post RFP / RFQ\)](#).

Summary of Agreement Documents:

Memorandum of Understanding (MOU): MOUs are non-financial agreements, partner cost-sharing agreements, and inter-departmental (CLB) agreements for services. MOUs are not contracts or agreements for vendor and subcontractor/sub-recipients situations.

Scope of Work (AKA Statement of Work): Scopes of Work are short, detailed descriptions of services and goods to be provided to Pacific Gateway (or by Pacific Gateway), to provide clarity with sub-contractors, subrecipients and, in some cases, vendors. They serve as record of what is agreed to and allowable for timing and items for payment under a purchase order. Purchase orders may only reach a maximum of \$199,999.99 without City Council approval, and must be approved by the City Manager if over \$25,000.

Contract, with an attached Statement of Work: Contracts, along with customized statements of work, are Pacific Gateway's formalized agreements with sub-contractors, subrecipients and, in some cases, vendors. Typically they are used when initiating an agreement with an entity that requires City Council approval (and subsequent approvals by the City Attorney and City Manager). City Council action is always required when Pacific Gateway is initiating a project of \$200,000 or more, or if a third-party agency is contracting-in with Pacific Gateway – regardless of the dollar impact.

The first part of the contract is a "boilerplate" document drafted and provided by the City Attorney that references key laws and regulations of the City, the State and the federal legislation sponsoring the funds utilized. Attached to the boilerplate is a customized Statement of Work and Budget Summary (or Fee

Schedule) that details what is negotiated, agreed to, and allowable as activities and payments under that contract. For WIA Youth subcontracts, a Program Planning Summary is also attached.

The above Agreements are solely for creating an agreed relationship for the provision of goods, services, or cost-sharing arrangements. None of the above creates a payment mechanism for the City's Financial Services Unit to generate payments to any vendor, sub-contractor, or partner. In each case – with the exception of the MOU, which is not for payment agreements – a purchase order must be created through the City's established fiscal process.

Travel Requests/Reimbursements:

- A. Authorization to travel/attend a conference **MUST BE** submitted to Executive Director, and Department Director.
- B. Airfare and registration fees can be prepaid. Submit completed registration form and authorization memo to Financial Services Unit.
- C. Complete travel expense report and attach copy of authorization memo, original receipts, and a copy of agenda or brochure from the conference/training.

Note – Authorization to travel / attend a conference must be approved **prior to any travel taking place**. If more than one person is attending a conference **overnight**, approval must be obtained from City Manager **prior** to travel also. Overnight stays are **not** reimbursable if travel radius is less than 50 miles. The meal allowance for one day is \$50 including tax. The City allows a maximum allowable gratuity of 15%, but must be charged to a non-WIA grant.

Mileage Reimbursement:

- A. Completed mileage form **MUST BE** signed by immediate supervisor.
- B. Complete mileage report supplemental form.
- C. Submit original forms for payment to Human Resources Department.
- D. To find the current rate, go to the City's Intranet HR Employee Page and click on Labor Relations. Click on MOU's then click on **"Miscellaneous Employees (IAM) MOU 2007-2012 (Amended to 2013)"**. Scroll down to the Mileage Reimbursement section.

REFERENCES

- Title 20 Code of Federal Regulations (CFR), WIA Final Rule, Section 667.200
- Title 20 CFR 661.350(a)(10)
- Title 20 CFR Part 663, Subpart E
- Title 20 CFR 99.20 (Subgrantee and Vendor Distinctions)
- Title 29 CFR Part 97, Section 97.36 & Sections 95.40 through 95.48
- WIA Directive WSD12-10, Subject: Procurement
- WIA Directive WIAD0-9, Subject: Property—Prior Approval, Purchasing, Inventory and Disposal
- City of Long Beach Purchasing Guidelines

- City of Long Beach Administrative Regulation AR23-3
- City of Long Beach Administrative Regulation AR23-5

CONTACT

Should you have any questions regarding this Policy Memorandum, please contact Pacific Gateway's Contracts & Procurement Coordinator at (562) 570-3744 TTY (562) 570-4629 or the City of Long Beach Purchasing Agent at 562.570.6340.

Attachments

KCN:mh



City of Long Beach
 Purchasing Division
 333 W Ocean Blvd/7th Floor
 Long Beach CA 90802
<http://clbnet/purchasing/guidelines.asp>

CITY OF LONG BEACH PURCHASING DIVISION GUIDELINES

**No products/services may be ordered before any purchase order has been approved and issued.
 The steps listed below must be completed before any products/services are obtained.
 Contact the Purchasing Division at (562) 570-6200 for further questions.**

PURCHASING GUIDELINES THAT APPLY TO ALL THRESHOLDS

- ✓ Departments may only utilize the following purchasing guidelines for products/services not available under CLB Citywide Blanket Purchase Order (BPO) Program.
- ✓ Professional services require Professional Services Additional Terms and Conditions. (http://clbnet/purchasing/professional_services/default.asp)
- ✓ If applicable, insurance certificate must be approved by Risk Management (http://www.longbeach.gov/hr/risk_management/insurance_requirements/default.asp)
- ✓ All technology related purchases shall be approved by the Department of Technology Services.
- ✓ All procurement documentation shall be retained by the Department for five (5) years.
- ✓ Grant-funded purchases shall adhere to all grant requirements.

DOLLAR AMOUNT	STEPS FOR DEPARTMENTS
\$0 - \$2,500* Department issues Direct Purchase Order (DPO)	<ul style="list-style-type: none"> ✓ Vendors utilized for these transactions shall be registered in the City's bidder notification system. ✓ Departments are encouraged to seek Long Beach-based businesses. ✓ No bidding required. ✓ Departments shall exercise due diligence to perform cost comparison. ✓ Departments shall retain backup documentation to support purchase (i.e. quote, proposal, etc.).
> \$2,500 - \$25,000* Department issues Direct Purchase Order (DPO)	<ul style="list-style-type: none"> ✓ Vendors utilized for these transactions shall be registered in the City's bidder notification system. ✓ Departments are encouraged to seek Long Beach based businesses. ✓ Informal bidding is required, Departments shall obtain three (3) informal quotes. The following are acceptable: a) online pricing b) phone quote c) email quote d) fax quote d) catalog pricing. An INFORMAL BID QUOTE FORM shall be completed as backup documentation. ✓ A REQUEST FOR QUOTE FORM may be completed if a hard copy of the quote cannot be obtained from vendor. ✓ If a Department cannot get three (3) quotes or cannot solicit for informal quotes, an INFORMAL BID QUOTE FORM - EXCEPTION portion shall be completed and signed by Department Director.

* The Purchasing Division will administer training to all users. Training must be completed prior to administering these processes for purchases.



City of Long Beach
Purchasing Division
333 W Ocean Blvd/7th Fl
Long Beach CA 90802
<http://clbnet/purchasing/guidelines.asp>

CITY OF LONG BEACH PURCHASING DIVISION GUIDELINES

DOLLAR AMOUNT	STEPS FOR DEPARTMENTS
<p>> \$25,000 - \$100,000 Department initiates, Purchasing Division issues Blanket Purchase Order (BPO) or Standard Purchase Order (SPO)</p>	<ul style="list-style-type: none">✓ Department initiates procurement process through the Purchasing Division.✓ The Purchasing Division administers an ITB or RFP, posts ITBs/RFPs on bid notification system, provides local outreach, and complies with legal requirements.✓ City Manager Purchasing Approval Form (CMAF) is required.✓ If bids/proposals cannot be obtained through an ITB/RFP, an EXCEPTION TO POLICY FORM is required.
<p>> \$100,000 - \$200,000 Department initiates, Purchasing Division issues Blanket Purchase Order (BPO) or Standard Purchase Order (SPO)</p>	<ul style="list-style-type: none">✓ Department initiates procurement process through the Purchasing Division.✓ The Purchasing Division administers an ITB or RFP to complete the purchasing process. If three (3) or more bids/proposals are received, no City Council approval is required. City Manager approval is required.✓ City Manager Purchasing Approval Form (CMAF) is required if no City Council approval is necessary.✓ If product/service cannot be procured through an ITB/RFP or if less than three (3) bids/proposals are received, City Council approval is required.
<p>> \$200,000 Department initiates, Purchasing Division issues Blanket Purchaser Order (BPO) or Standard Purchase Order (SPO)</p>	<ul style="list-style-type: none">✓ Department initiates procurement process through the Purchasing Division.✓ The Purchasing Division administers an ITB or RFP to complete the purchasing process.✓ City Council approval is required.

CITY OF LONG BEACH – HR/WORKFORCE DEVELOPMENT BUREAU

REQUEST FOR AUTHORIZATION TO PURCHASE

Request for purchase may be denied if the purchase is not an allowable cost according to Bureau policy, Workforce Investment Act of 1998, and City regulations.

SECTION A. To be completed by Requesting Staff

Today's Date:	
Start Date of Activity/Project or Expected Placement of Product/Service Order:	
Amount Requested:	
Product(s)/Service(s) to be Purchased or Project/Activity Name:	
Vendor:	
Vendor Address:	
Vendor Contact Name:	
Vendor Contact Phone:	
Vendor Contact Email:	
Grant/Program/Event Needing Purchase:	
Procurement Method: (Must Attach Documentation)	<input type="checkbox"/> Two documented quotes = \$.01 - \$2,500 <input type="checkbox"/> Three written quotes = \$2,500.01 or more <input type="checkbox"/> Sole Source/Exception to Policy Form <input type="checkbox"/> Existing Contract/Agreement/BPO (See initial request for documentation) <input type="checkbox"/> RFP Documents = \$25,000.01 or more

Requesting Staff: _____

Supervisor Approval: _____ Date: _____

SECTION B. To be completed by Fiscal Staff

Purchase Order to be Processed	<input type="checkbox"/> New <input type="checkbox"/> Existing BPO
Purchase Order/BPO Number	
Vendor ID Number	
Index Code(s)	
Grant Detail	

Fiscal Staff Name/Signature: _____ Date: _____

Operations Officer Approval: _____ Date: _____

Bureau Manager Approval: _____ Date: _____
 (Required if over \$2,500)



CITY OF LONG BEACH
PURCHASING DIVISION
<http://clbnet/purchasing/ar.asp>
(562) 570-6200

INFORMAL BID QUOTE FORM

WIA FORM TO BE USED FOR PURCHASES OF \$0.01 OR MORE

PURCHASE ORDER NUMBER: _____

DEPT. CONTACT PERSON: _____

CONTACT NUMBER: _____

Department should select the vendor quoting the lowest price for the specified materials, supplies, equipment, or service. Department will enter a purchase order in the financial purchasing system to encumber funds in advance and complete the purchase by approved purchase order for the quoted price prior to placing order. If not selecting the lowest quote or cannot obtain a quotes, Department shall explain in EXCEPTION section.

DEPARTMENTS MUST ATTACH WRITTEN CONFIRMATION OF THE ACCEPTED OFFER (VIA FAX, EMAIL, OR MAIL) AND REASONS FOR NOT ACCEPTING THE LOWEST QUOTE.

Date of Quote(s):	Department Name:	Index Code:
Description of Goods/Services:		
Delivery Time, Performance, Warranty & Other Requirements:		
Additional Information:		

QUOTES RECEIVED

Method	BUSINESS NAME	NAME OF PERSON PROVIDING QUOTE	BUSINESS ADDRESS, PHONE, FAX, OR EMAIL	AMOUNT QUOTED	TAX ID NO. FOR SELECTED QUOTE

SIGNATURE OF REQUESTOR

DATE

SIGNATURE OF BUREAU MANAGER

DATE

EXCEPTION

Provide justification if any of the following is applicable: a) 3 quotes cannot be obtained b) lowest quote not selected c) sole/single provider d) other –purchase not made using informal bid process (Signature of Department Director required):

SIGNATURE OF DEPARTMENT DIRECTOR

DATE



City of Long Beach
 Purchasing Division
 333 W Ocean Blvd/7th Floor
 Long Beach CA 90802

**CITY OF LONG BEACH
 PURCHASING DIVISION
 REQUEST FOR QUOTE FORM**

Please fill out Request for Quote Form completely. Attach documentation to DPO.

VENDOR INFORMATION

Vendor Name: _____ Date: _____

Vendor Contact Name: _____ Phone No.: _____

Email: _____

Reason for Quote/Purchase: _____

Form of Contact with Vendor: ONLINE PHONE FAX CATALOG

PRICING INFORMATION

Product / Service	UOM	QTY	Unit Cost	Extended Cost
			\$	\$
			\$	\$
			\$	\$
			\$	\$
			\$	\$
			\$	\$
			\$	\$

Sales Tax: \$ _____

Delivery: \$ _____

Grand Total: \$ _____

DEPARTMENT INFORMATION

Dept/Division: _____

Dept. Contact Name/Ext/Email: _____

Requestor: _____

Purchase Order General Conditions

A Purchase Order is issued as a City administrative requirements to initiate orders or pay invoices, either alone or as an attachment to the contract. The terms and conditions are binding.

1. Issuance of this Purchase Order by City constitutes acceptance of Supplier's offer on the terms and conditions stated herein, and forms a contract.
 2. City will not pay charges for taxes, transportation, boxing, packaging, crating or returnable containers unless separately stated hereon. All sales, use, excise or similar taxes to be paid by City must be itemized separately hereon and on invoices. City is exempt from payment of Federal Excise Tax under Certificate Number 95-730502K and supplier shall not charge this tax to City.
 3. City's obligation to pay the sum herein stated for any one fiscal year shall be contingent upon the City Council appropriating the necessary funds. A fiscal year commences on October 1 and ends on September 30 of the following year. If the City Council fails to appropriate the necessary funds for any fiscal year, then the Purchase Order shall terminate at no additional cost or obligation to City.
 4. Time is of the essence. If at any time Supplier believes that goods, materials, equipment, supplies ("item"), labor or services will not be made as scheduled, supplier shall immediately give written notice stating the cause of the delay to City. Deliveries must be prepaid. City will not accept COD shipments.
 5. City reserves the right at any time to make changes in drawings and specifications, in methods of shipment and packaging, and in place(s) of delivery. If necessary, there will be an equitable adjustment in price and time of performance mutually satisfactory to Supplier and City; but any claim by Supplier for such an adjustment must be made in writing within thirty (30) days after such change.
 6. Supplier warrants that the items delivered and the work or services performed shall conform to the specifications, drawings, samples or other description specified by City and shall be fit and sufficient for the purpose intended, merchantable, of good materials and workmanship, in good working order and free from defect or faulty workmanship for a period of at least ninety (90) days, after delivery. When defective items or faulty workmanship is discovered, Supplier shall provide all labor, materials, parts and equipment to correct such defect or make such replacement at no expense to the City. Defective items not meeting City's specifications shall be held for Supplier's instructions at Supplier's risk and; if Supplier so directs, will be returned at Supplier's expense.
 7. Supplier shall defend, indemnify and hold harmless City, its officials, employees and agents harmless from all loss, damage, liability, demands, claims, causes of action, costs and expenses (including reasonable attorneys' fees) for injuries to persons (including death) or damage or destruction to property connected with or arising from the negligent acts or omissions, willful misconduct or misrepresentations of Supplier, its agents or employees in the performance of this Purchase Order or relating to a claim of infringement of a patent, trademark or copyright.
 8. City reserves the right to terminate this Purchase Order, or any part of it, at any time even though Supplier is not in default. On receipt of notice of termination, Supplier shall, unless such notice otherwise directs, immediately discontinue all work on the Purchase Order and deliver, if and as directed, to City all completed and partially completed items and work in process. This section shall not limit or affect the right of City to terminate this Purchase Order immediately upon Supplier's breach.
 9. City reserves the right to terminate this Purchase Order or any part of it and reject delivery of items if delivery is not made when and as specified. Supplier shall be charged for any direct losses, but not any consequential damages, sustained by City by reason of such delay or failure, except losses caused by a delay for reasons beyond Supplier's reasonable control. Direct losses shall include any costs to City in excess of the Purchase Order price of obtaining items or services from other sources similar to those terminated or rejected.
 10. Supplier shall not substitute items without written approval of the City Purchasing Agent or designee.
 11. All license fees for City's use of patented or copyrighted items for items furnished under this Purchase Order shall be included in the Purchase Order price.
 12. In cases where a price subject to escalation has been agreed upon, all claims for such price escalation must be received by City within sixty (60) days after date of final shipment. The price escalation shall be shown as a separate item on the invoice. Unless an escalator clause has been shown as a specific part of this Purchase Order, Supplier shall not be entitled to reimbursement for costs incurred due to escalation.
 13. All items or services provided under this Purchase Order shall comply with the Safety Orders and Regulations of the California Division of Industrial Safety, Title 8, California Code of Regulations (CAL/OSHA) and all applicable OSHA regulations as well as all other applicable sections of the California Code of Regulations. Supplier shall defend, indemnify and hold harmless City, its officials, employees and agents from any loss, claim, cause of action, liability, cost or expense, including but not limited to fines, penalties, corrective measures, and attorney's fees, City may sustain by reason of Supplier's failure to comply.
 14. Supplier shall keep confidential and not disclose or use in any way confidential business or technical information that the City may disclose in conjunction with this Purchase Order or Supplier may learn as a result of entering City property to deliver items or services or to perform work hereunder.
 15. Supplier shall not assign this Purchase Order or any part hereof or any payments due hereunder or delegate any duties without City's prior written approval.
 16. City's remedies herein are cumulative and additional to any other remedies at law or in equity. The waiver of any breach of this Purchase Order shall not be deemed a waiver of any other or subsequent breach. City's failure to object to provisions contained in any communication from Supplier shall not be deemed an acceptance of such provisions or a waiver of the provisions of this Purchase Order.
 17. This Purchase Order shall not be amended, modified or rescinded, except by written agreement signed by the parties and expressly referring to this Purchase Order.
 18. Any indebtedness of Supplier to City may, at the City's option, be credited against amounts owing by City hereunder.
 19. Supplier shall furnish further itemization and breakdown of the Purchase Order price when requested by City.
 20. Supplier and its subcontractor(s) shall not discriminate against any person in the performance of this Purchase Order on the basis of race, religion, national origin, color, age, sex, sexual orientation, AIDS, HIV status, handicap or disability, and shall comply with applicable federal and state equal employment opportunity laws, ordinances, rules and regulations.
 21. Supplier shall comply with all applicable federal, state and local laws, rules, regulations and ordinances pertaining to the subject matter hereof, and shall obtain all necessary licenses and permits related to the items, work or services.
 22. Supplier, its employees, and agents shall be considered independent contractors and not employees or agents of City.
 23. City's purchases are based on its actual needs and requirements; City is obligated only to purchase those items and those quantities that City needs and requires, regardless of any estimated quantities provided to the Supplier.
 24. The issuance of this Purchase Order does not make Supplier the exclusive supplier of items or services that are the subject of this Purchase Order.
- THE FOLLOWING ADDITIONAL CONDITIONS APPLY WHEN SUPPLIER IS TO PERFORM WORK ON THE PREMISES OF CITY:
25. If, during the work, Supplier allows any indebtedness or lien to accrue for labor, equipment or materials, which may become a claim against City, Supplier shall immediately pay such claim or indebtedness or cause such lien to be dissolved and discharged by giving a bond and, in case of failure to do so, City may withhold any money due to Supplier until such claim, indebtedness or lien is paid or may apply such money toward the discharge thereof; or City may, at its option, cancel this Purchase Order, take possession and control of the work, and complete the same or cause the same to be completed. Supplier shall pay to City the difference between the Purchase Order price and the actual cost to City in completing or causing the work to be completed.
 26. Supplier shall perform the work at Supplier's own risk until the same is fully completed and accepted and shall, in case of any accident, destruction or injury to the work or items before final completion and acceptance, repair or replace the work or items so injured, damaged or destroyed, at Supplier's own expense and to the satisfaction of City. When items are furnished by others for installation or erection by Supplier, Supplier shall receive, unload, store, and handle same at site and become responsible therefore, as though such items were being furnished by Supplier under the Purchase Order.
 27. Supplier shall maintain at its expense, until completion of performance and acceptance by City, from an insurer admitted (licensed) in the State of California with a current financial responsibility rating of A (Excellent) or better and a current financial size category of V (capital surplus and conditional surplus funds of greater than \$10 million) or greater rating as reported by A.M. Best Company or equivalent, unless waived in writing by City's Risk Manager, or Non-admitted in the State of California with a current financial responsibility rating of A (Excellent) or better and a current financial size category of VIII (capital surplus and conditional surplus funds of greater than \$100 million) or greater rating as reported by A.M. Best Company or equivalent, unless waived in writing by City's Risk Manager the following insurance:
 - a. COMPREHENSIVE GENERAL LIABILITY: naming City, its officials, employees and agents as additional insured's for injury to or death of persons or damage to or loss of property arising from or connected to Supplier's performance hereunder: \$1,000,000 combined single limit for each occurrence or \$2,000,000 general aggregate.
 - b. AUTOMOBILE LIABILITY: \$500,000 combined single limit per accident for bodily injury and property damage covering owned, non-owned and hired vehicles.
 - c. WORKERS' COMPENSATION: As required by the California Labor Code.Self-insurance and self-insured retention must be approved in writing by City and protect City in the same manner and extent as if the policies had not contained retention. Each policy must be endorsed to state that coverage shall not be cancelled by either party or reduced in coverage except after 30 days prior written notice to City. Supplier shall furnish to City before performance Certificates of Insurance and original endorsements, with the original signature of one authorized by the insurer to bind coverage on its behalf. This insurance shall not be deemed to limit Supplier's liability hereunder. Supplier shall require that its subcontractors comply with this Section. City reserves the right to require complete certified copies of policies. If Supplier fails to furnish said insurance, City may terminate the Purchase Order.
 28. Supplier shall comply with the Standard Specifications for Public Works Construction, latest edition, and provide bonds required by the City.
 29. Supplier shall comply with prevailing wage requirements in Chapter 2.87 of the Long Beach Municipal Code, e.g. the requirement to pay prevailing wages to contractors or subcontractors for public work. Public work includes the construction or repair of any public building, street, sewer or other property or improvement work done under contract and paid for, in whole or in part, out of public funds. Prevailing wage determinations are made by the California Department of Industrial Relations (DIR) for per diem wages and holiday and overtime work in the locality in which the public work is to be performed for each craft, classification or type of worker needed to perform the work under the contract. Such wage rates are available on the DIR website at <http://www.dir.ca.gov/dlsr/>.

This information is also available at www.longbeach.gov/purchasing PO-General Conditions. Revised 05/16/2007



City of Long Beach
 Purchasing Division
 333 W Ocean Blvd/7th Floor
 Long Beach, CA 90802

INVITATION TO BID (ITB) PROCEDURES & GUIDELINES

CITY OF LONG BEACH
 PURCHASING DIVISION
 (internal use only)

REQUESTING DEPARTMENT INITIATES PROCUREMENT PROCESS

Department completes City approved ITB template and includes any relevant exhibits.

Department obtains approval from their City Attorney (at their discretion).

Department submits completed ITB to designated Buyer in Purchasing.

SELECTION OF VENDOR(S)

All ITBs shall be evaluated based upon criteria set forth in the ITB document. Vendor(s) is recommended to be awarded a contract.

Requesting Department drafts and submits a recommendation to the Purchasing Agent.

Purchasing reviews and approves recommended ITB award.

Notice of Intent to Award is drafted by Purchasing and posted on PlanetsBids, notifying all bidders of the Intent to Award.

AWARD OF CONTRACT

If no protest is received, please refer to Purchasing Guidelines for transaction instructions.

If a protest is received, the Purchasing Agent will respond in accordance to ITB Protest Procedures.

For ITBs ranging between \$100,000 - \$200,000 where a protest is received, City Council approval is required.

For ITBs not requiring City Council approval, requesting Dept. will initiate purchase order process with designated Buyer.

For ITBs requiring City Council approval, Dept. drafts City Council letter and submits to Financial Management for review.

Upon FM approval CCL may be authorized by requesting Dept.

If City Council approves the contract, Purchasing will process the contract with the City Clerk.



EXCEPTION TO POLICY REQUEST

Department of Financial Management, Purchasing Division

ETP Number

DEPARTMENT NAME		FISCAL YEAR (FY)	
DIVISION NAME		ESTIMATED FY EXPENDITURE \$	
TERM OF AGREEMENT	RENEWAL OPTION <input type="radio"/> N/A <input type="radio"/> 1st Renewal <input type="radio"/> 2nd Renewal		

VENDOR NAME AND ADDRESS

DESCRIPTION OF EACH PRODUCT AND/OR SERVICE REQUESTED AS AN EXCEPTION
 For each product and/or service in this request, provide a detailed description, the estimated number of transactions in the FY, and the estimated expenditure for the FY. Attach additional page(s) if needed.

AN EXCEPTION IS REQUESTED BECAUSE:
 Explain why the purchase cannot be procured using the City of Long Beach's competitive bid process, so that the item can be procured based on current Department of Financial Management purchasing policies and procedures. Attach additional page(s) if needed.

CERTIFICATIONS

I CERTIFY THAT:

- Total cost for each purchase will not exceed \$100,000
- Purchase will not be split to circumvent the Department of Financial Management's established policies and procedures.
- Purchase will be rotated among all vendors offering the product/ service in the purchasing area, when practical.
- Purchase will be made from local business vendor(s), when practical.
- Purchase for approved "services" will comply with all service certification requirements.
- If purchase is for Professional Services, "Professional Services Background Information Sheet" is required*

*Information sheet can be found on the Purchasing intranet site: <http://clbnet/purchasing>

DEPARTMENT CONTACT (Required) Print Name		BUREAU MANAGER APPROVAL (Required) Print Name	
Phone	Fax	Phone	
Email Address	@ longbeach.gov	Email Address	@ longbeach.gov

APPROVAL

City Purchasing Agent can approve items not exceeding \$25,000.

If purchase exceeds \$25,000; City Manager must approve. City Manager Approval Form must be attached.

- Purchase does not exceed \$25,000:** City Purchasing Agent can approve.
 Purchase exceeds \$25,000: City Manager must approve; City Manager Approval Form must be attached.

APPROVED	
The purchase of product(s) and/or service(s) described on this form is approved as an Exception to Policy for the specified fiscal year(s).	
BUYER Signature	Date
CITY PURCHASING AGENT Signature	Date
CITY MANAGER Signature	Date



long beach
CLBNET

Tue., Sep 3, 2013

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RPF REQUEST FOR PROPOSAL QUALIFICATION PROCESS

1. Department downloads/saves current RFP Template from Intranet Purchasing Division page>RFP Template
2. Follow information/instructions provided on RFP Template page, develop RFP draft
3. Complete Request to Post RFP/RFQ Form from Intranet Purchasing Division page >navigation menu>Forms>Request to Post RFP
4. Forward RFP draft and Request to Post RFP/RFQ Form to buyer
5. RFO number assigned; scope of project, specifications reviewed; required attachments included; RFP draft finalized by buyer
6. RFP draft submitted to officer for approval
7. RFP draft submitted to City Attorney's office for approval
8. Schedule RFP dates (pre-bid, jobwalk, Q&A, closing)
9. Post to BidsOnLine
10. Request legal ad; if necessary
11. Pre-bid; jobwalk, Q&A
12. RFP close
13. Open proposals
14. Forward proposal copies to department
15. List of Proposers posted to BidsOnLine
16. Recap
17. Proposals reviewed
18. Department submits RFP Summary Memo/Recommendation for approval
19. Referenes verified; if applicable
20. Tentative award made

[Top](#)



REQUEST TO POST RFP / RFQ

- 1 Date of request: _____
- 2 Requesting Department: _____
- 3 Requestor: _____
- 4 Phone: _____
- 5 RFP/RFQ Title / Number: _____
- 6 Commodity Code(s): _____
- 7 Service or Product brief description: _____
- 8 Question(s) submit deadline date & time: _____
- 9 Bid closing date & time: _____
- 10 Bid Value: (MUST have an amount) _____
- 11 Start / Delivery Date: _____
- 12 Pre-Bid Meeting location: _____
 Pre-Bid Meeting date & time: _____
 Mandatory: yes or no (circle one)
- 13 Dept Contact Name (for questions): _____
- 14 Dept Contact Phone #: _____
- 15. Other details / Additional notes: _____

YOU WILL BE REQUIRED TO FURNISH PURCHASING THE FOLLOWING INFORMATION ON THE AWARD OF THE PROJECT.

- 1 COMPANY NAME: _____
- 2 COMPANY CONTACT: _____
- 3 CONTACT TITLE: _____
- 4 AWARDED AMOUNT: _____

PLEASE E-MAIL TO LENORE BLUEFORD (8-5384) PURCHASING DIVISION, WITH YOUR REQUEST. THANK YOU.

**PACIFIC GATEWAY WORKFORCE INVESTMENT NETWORK
WORKFORCE INVESTMENT ACT, TITLE I (WIA)
AND OTHER PROGRAMS
CODE OF CONDUCT / CONFLICT OF INTEREST / NON-DISCLOSURE
STATEMENT**

I acknowledge that I have been appointed to conduct reviews and make procurement recommendations regarding proposals received by Pacific Gateway Workforce Investment Network. I have been briefed on my responsibilities relating to conflict of interest and non-disclosure of information obtained during these reviews. I have also been briefed on the conflict of interest rules adopted by Pacific Gateway Workforce Investment Network currently in effect.

I do not and will not have any conflict of interest, personal or organizational, real or apparent, in participating in procurements conducted by Pacific Gateway Workforce Investment Network. If in the course of reviewing proposals received in response to, I become aware of an actual or possible conflict of interest, I will notify the agency official responsible for such procurement and seek his/her advice as to withdrawal from involvement in that procurement.

Further, I will disclose no information obtained in reviewing proposals under this solicitation to anyone not participating in that review. Specifically, I will not disclose the number of respondents to any solicitation; the names of individuals and organizations that respond; nor will I disclose any information from technical cost/pricing submission of these offeror(s); except to reviewers officially assigned to the solicitation.

Finally, if anyone not assigned to the official review chain seeks information about procurement, I will not supply any information but will refer him or her to the agency official responsible for procurement.

NAME

SIGNATURE

DATE

TITLE



CITY MANAGER PURCHASING APPROVAL FORM

Department of Financial Management, Purchasing Division

CM Number

NOTE TO REQUESTORS

This form is to request City Manager approval for purchases over \$25,000 but not exceeding \$200,000 as required by Administrative Regulations, Financial Policies and Procedures.

This form does not replace the Exception to Policy form.

DESCRIPTION / JUSTIFICATION FOR PURCHASE / TIMING CONSIDERATIONS / SERVICE LEVEL IMPACT IF NOT APPROVED

FREQUENCY OF PURCHASE

One-time

Term Order

1st Renewal

2nd Renewal

Requisition #

Purchase Order #

Dollar Amount
to Add for
This Term

Total Amount
(if Change
Order)

Term Dates
(if applicable)
Start

End

VENDOR INFORMATION

Purchasing Division completes this section unless department is requesting a sole source or exception to policy. If so, the requesting department should complete this section. **Note:** Department may opt to pursue sole source or exception to policy, as outlined in AR 23-3 or AR 8-4, by attaching an "Exception to Policy" request to this form, detailing the justification and requesting approval. If professional services are requested, please refer to "Professional Services Checklist" (located on the Purchasing intranet site: <http://clbnet/purchasing>) and submit all required documents with this form. If the ETP purchase exceeds \$100,000 the purchase will require City Council approval.

Vendor Name

Minimum 3 Businesses Contacted?

Yes

No

ITB / RFP#

Long Beach Business?

Yes

No

ITB / RFP Title

Business Type

LSBE

VSBE

SBE

DBE

MBE

WBE

REQUESTOR INFORMATION

Budgeted

Yes

No

The Department Director or his/her Acting replacement **must sign this form.**

I certify that this purchase will not cause my department to exceed the \$200,000 threshold for goods or services as specified in the purchase order. I have received 3 bids or proposals and I certify that no bid protests have been received.

If bids/proposals cannot be obtained through an ITB/RFP for items between \$25,000 to \$100,000, an EXCEPTION to POLICY FORM IS REQUIRED.

ETP Attached

Yes

No

Director

Signature

Department

Department Contact

APPROVALS

Technology Services
Approval
(if applicable)*

Date

Homeland Security
Grant Approval
(if applicable)*

Date

City Purchasing
Agent Approval

Date

Buyer's Initials

Date

City Manager
Approval

Date

*Appropriate signatures must be obtained before submitting to Purchasing.

CM Approval Form - Revised 9/18/2013