

RESOLUTION NO. 2019-009
CASS COUNTY PROCUREMENT POLICY

PURPOSE

The purpose of this Procurement Policy is to ensure that sound business judgement is utilized in all procurement transactions and that supplies, equipment, construction and services are obtained efficiently and economically and in compliance with applicable federal law and executive orders.

APPLICATION

This policy applies to the procurement of all supplies, equipment, construction and services of and for the County of Cass related to the implementation and administration of a grant. All procurement will be done in accordance with 24 CFR 85, 36.

POLICY

I. Methods of Procurement

Procurement under grants shall be made by one of the following methods, as described herein: (a) small purchase procedures; (b) sealed bids (formal advertising); (c) competitive proposals; (d) noncompetitive proposals.

A. Small purchase procedures are relatively simple and informal procurement methods that are sound and appropriate for a procurement of services, supplies or other property, costing in the aggregate not more than \$100,000. The County shall comply with State or local small purchase dollar limits under \$100,000. If small purchases procedures are used for procurement under a grant, price or rate quotations shall be obtained from an adequate number of qualified sources to determine the most advantageous provider.

B. In the sealed bids (formal advertising) method, sealed bids are publicly solicited and a form fixed price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all of the material terms and conditions of the incitation for bids, is lowest in price.

C. In competitive negotiation, proposals are requested from a number of sources and the Request for Proposal (RFP) is publicized. Negotiations are normally conducted with more than one of the sources submitting offers, and either a fixed price or cost reimbursement type contract is awarded, as appropriate. Competitive negotiation may be used if conditions are not appropriate for the use of formal advertising. If competitive negotiation is used for procurement under a grant, the following requirements shall apply:

1. Proposals shall be solicited from an adequate number of qualified sources to permit reasonable competition consistent with the nature and requirements of the procurement. The Request for Proposal shall be publicized and reasonable requests by other sources to compete shall be honored to the maximum extent practicable.
2. The Request for Proposal shall identify all significant evaluation factors, including price or cost where required and their relative importance.

3. Cass County shall provide mechanisms for technical evaluation of the proposals received, determinations of responsible offers for the purpose of written or oral discussions, and selection for contract award.

4. Awards may be made to the responsible offerer whose proposal will be the most advantageous to the procuring party, price and other factors considered. Unsuccessful offerers will be notified promptly.

5. Cass County may utilize competitive negotiation procedures for procurement of architectural/engineering professional services, whereby competitor's qualifications are evaluated and the most qualified competitor's qualifications are selected, subject to negotiation of fair and reasonable compensation.

D. Noncompetitive negotiation is procurement through solicitation of a proposal from only one source, or after solicitation of a number of sources, competition is determined inadequate. Noncompetitive negotiation may be used when the award of a contract is infeasible under small purchase, sealed bids (formal advertising) or competitive proposal procedures. Circumstances under which a contract may be awarded by noncompetitive negotiation are limited to the following:

1. The item available from only a single source;
2. After solicitation of a number of sources; competition is determined inadequate;
3. A public urgency or emergency with the urgency for the requirement will not permit a delay incident to competitive solicitations; and
4. The awarding agency, authorizes noncompetitive proposals.

BE IT RESOLVED by the Cass County Board of Supervisors to adopt and implement the above procurement policy.

Vote: For passage- Frank Waters, Stephen Green, John Hartkopf, Mark O'Brien and Steven Baier.
Carried unanimously.

Resolution adopted this 31st day of May, 2019.

/s/-Steve Baier, Chair

Attest: /s/-Dale Sunderman, Auditor