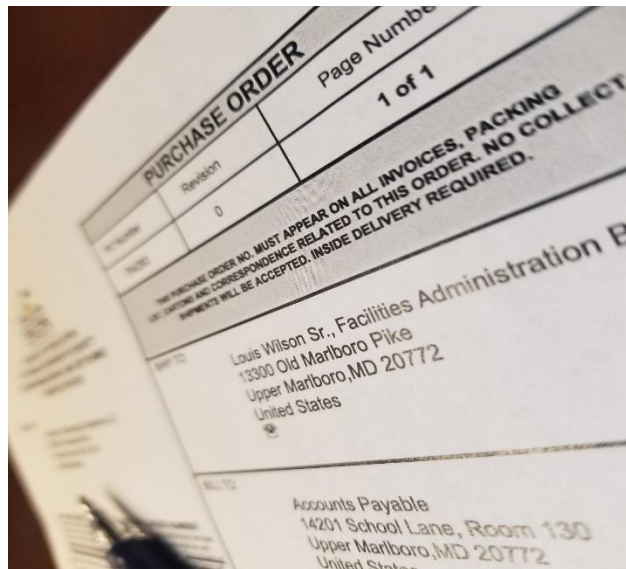


Prince George's County Public Schools www.pgcps.org

PURCHASING and SUPPLY SERVICES

Procedure Manual



Purchasing Office
13300 Old Marlboro Pike, Room 20
Upper Marlboro, MD 20772
301-952-6560

ISSC Warehouse
9201 East Hampton Drive
Capitol Heights, MD 20743
301-808-8240

Shop Stores
4801 Brown Station Road
Upper Marlboro, MD 20772
301-952-7814

INTRODUCTION

The procedures referenced in this manual have been designed to provide guidelines for procuring the items and services necessary to support the operational functions of the Board of Education of Prince George's County. Personnel of Prince George's County Public School (PGCPS) will recognize the emphasis placed on policy that all services (professional, consulting, accounting, information technology, among others) must be engaged with the involvement of the Purchasing office as set forth within this manual.

MISSION STATEMENT

The mission of Purchasing and Supply Services is to facilitate timely delivery of goods and services to the District's instructional and non-instructional departments to build a foundation for life-long learning by procuring the highest quality of goods and services at competitive prices, while exercising proper financial stewardship of taxpayer dollars.

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PURCHASING AUTHORITY

The Superintendent delegates authority to the Director of Purchasing & Supply Services (Purchasing Director) to enter into contracts for the procurement of goods and services as the centralized purchasing agency for PGCPs. The Board shall award all contracts that exceed delegated dollar thresholds. The Purchasing Director is authorized to delegate purchasing authority to procurement buyers for the purchase of specified goods and/or services.

The Purchasing Director has the responsibility and authority to award, negotiate and when necessary, modify solicitations, purchase orders and other awards granted or issued by PGCPs. Delegated buyers may assist the Purchasing Director in discharging these responsibilities. With the exception of the Superintendent, CFO and the Purchasing Director, no other county public school official or employee is authorized to order supplies, materials or services; enter into purchase negotiations or contracts; or in any way obligate PGCPs for any indebtedness unless they are explicitly authorized or deputized to do so by the aforementioned persons.

Real Estate Leases and Real Estate Transactions

All real estate leases, regardless of the amount, must be approved by the Superintendent. All real estate transactions involving the sale, purchase or the long-term use of real property must be approved by the Board.

Memorandums of Understanding (MOUs)

The decision to participate in a MOU with another entity must be approved by the Superintendent or his/her designee. A report of MOUs and other similar agreements, with or without fiscal impact, should be maintained and made available upon request to the Board. Prior to Superintendent approval, all MOUs must be reviewed and signed by General Counsel for legal sufficiency and the CFO.

****Any purchases ordered or contracts made contrary to the procurement process outlined above shall be considered void and of no effect; thereby releasing PGCPs of all obligations.**

PURCHASING GOVERNANCE

Maryland Code - State laws under the Annotated Maryland Code, Education Article Section §5-112 provides governance for the procurement process of the Board of Education's in Maryland. Section §5-112 lists the following exception to the procurement process:

- Contracts for the purchase of books and other materials of instruction, as defined in the State Department of Education Financial Reporting Manual
- Emergency repairs
- Participation for goods or commodities that are awarded by other public agencies or by intergovernmental purchasing organizations, if the lead agency for the contract follows public bidding procedures

Board Policy 3323 Purchasing governs the procurement of goods and services used by Prince George's County Public Schools.

Administrative Procedure 3323 provides guidelines governing the execution of Board Policy 3323 Purchasing along with this manual. This policy covers the procurements for Business and Non-Instructional Operations. Execution of policy standards is the responsibility of all staff that procures goods and services on behalf of PGCPs. The Purchasing Office is responsible for support and guidance of the policy requirements.

****Board Policy 3323 Purchasing and Administrative Procedure 3323 are available to download on the PGCPs General Counsel website.**

PURCHASING PRINCIPLES & STANDARDS

Public procurement is built on a foundation of fundamental truth and governing laws. Prince George's County Public Schools embraces the obligation to the general public by ensuring that procurements are accomplished in accordance within the intent of the laws that have been enacted by the appropriate governing bodies and established Board Policies and Administrative Procedures. Procurement procedures are conducted in a fair and impartial manner, with avoidance or appearance of impropriety.

- All qualified vendors have access to public business.
- Rules governing the competition of contract awards shall be made clear.
- Specifications reflect the procurement needs of the purchasing body rather than being drawn to favor a particular vendor.
- No bidder/offeror shall be arbitrarily or capriciously excluded.
- Competition is sought to the maximum degree feasible. When conducted fairly and honestly, competitive procurement does not guarantee that a preferred brand or vendor will be selected; instead, it guarantees that the most favorable price will be obtained for the quality level that is specified.

Members of the Board of Education, district officials and employees are expected to act with fairness, integrity, impartiality, transparency and comply with the Ethics and Conflict of Interest policies 0107, 0108 and 4116.

- Members of the Board of Education, district officials and employees are specifically forbidden to solicit, accept or receive, either directly or indirectly, from any person, firm or corporation to whom any purchase order may possibly be awarded by rebate, gift or otherwise; any monetary loan, gratuity, favor or anything of value or any promise, obligation or contract for future reward or compensation. Note: Accepting inexpensive gifts of nominal value, such as advertising items for general distribution, i.e., pens, calendars and the like are acceptable under these guidelines.
- Pursuant to Board Policy 4116, an individual or person that employs an individual who assists the school system or the Board in drafting specifications for a solicitation request for which they either directly or indirectly are involved in submitting a bid or proposal for the procurement is strictly forbidden.

PURCHASING OBJECTIVES

Purchasing and Supply Services is responsible for obtaining materials, supplies, equipment and services essential to the daily operations of the school system. While considering the best interests of PGCPs in all transactions, the following policies have been established.

- Develop and maintain reliable supply sources for PGCPs use.
- Secure materials, supplies, equipment and services of quality and quantity specified for delivery at the time and location needed.
- Promote and maintain good vendor relations.
- Keep informed of current developments in the field of procurement, prices, market conditions and new products.
- Maintain an understanding of the requirements and needs of the various users of the materials and services.
- Promote outreach efforts and actively recruit minority vendors.
- Promote and maintain good community, public and interdepartmental relations and cooperate with all organizations and individuals engaged in activities designed to enhance the development of public procurement.
- Promote “green” purchasing to ensure that PGCPs meets Board expectations in sustainable and environmentally preferred products.
- Recruit, develop, support and train qualified procurement staff members.
- Sell, trade or otherwise dispose of surplus goods belonging to PGCPs.
- Educate the school system on the various procurements practices and procedures that must be followed by the Purchasing Office.

PURCHASING RESPONSIBILITY

The Purchasing Director, Purchasing Supervisors and Purchasing staff are responsible for all contract administration involving the procurement process.

- Issuing procurement solicitations and contract agreements.
- Obtaining approval for contract awards.
- Issuing notification of contract awards.
- Enforcing contractual terms and conditions.
- Obtaining legal review of contracts when required.

The Purchasing Office centrally procures all materials, equipment, supplies and contractual services and is responsible for the following:

- Understanding the needs of PGCPs and being receptive to competent counsel from colleagues and being guided by such counsel without impairing the dignity and responsibility of the office.
- Determining the competitive solicitation method.
- Working with requesting departments to develop solicitation specifications.
- Issuing, advertising and providing solicitation instructions for all solicitations with a cost estimate of \$50,000.00 and above.
- Summarizing all formal solicitations received and facilitate department evaluation.
- Review evaluation recommendations. Work with evaluating department, division or supervisor in situations where specification deviations have been identified. If the Purchasing Supervisor, Buyer and the evaluating department, division or supervisor cannot reach a consensus, the matter is referred to the Purchasing Director for resolution.
- Ensuring that all solicitations are awarded without favor or prejudice.
- Ensuring that procurements requiring Board approval are not issued prior to such approval.
- Ensuring that PGCPs staff utilizes current contracts when purchasing materials, equipment, supplies or services; Contractual agreements involving financial consideration of public funds in exchange for materials, equipment, supplies or services must be made primarily by purchase orders. Other forms of payment such as direct payments or purchasing credit cards may be used as approved by the Purchasing Office.
- Corresponding with vendors regarding contractual issues. Collaborating with the department regarding correspondences to vendors addressing contractual issues.
- Authorizing vendors to visit PGCPs sites. Under all circumstances, sales representatives must have prior authorization from the Purchasing Office to visit schools.
- Administering a Minority Business Enterprise (MBE) vendor participation plan.
- Maintaining, as far as practical, a file of current trade catalogs to keep departments informed of new materials, equipment, services, sources, prices and processes in manufacturing.
- Maintaining a procedures manual that reflects the policies and procedures under which it operates. Post updates on the PGCPs Purchasing website and the PGCPs Staff intra web.

PROCUREMENT & APPROVAL THRESHOLDS

Other than exceptions noted herein and regardless of funding source, the following procurement thresholds and requirements have been established for all procurements; contracted or otherwise.

Procurement Thresholds	
< = 4,999.99	Formal solicitation not required. Pricing should be obtained from a credible/verifiable source.
\$5,000.00 - \$14,999.99	Formal solicitation not required. A minimum of one (1) written quote is required. Price quote must be obtained by the School/Department and attached to the SSP Oracle requisition.
\$15,000.00 - \$49,999.99	Formal solicitation not required. A minimum of three (3) written quotes are required. At least one (1) written quote from an M/WBE is highly encouraged. Price quotes must be obtained by the School/Department and attached to the SSP Oracle requisition.
> = \$50,000.00	Formal solicitation is required.

All procurements up to \$50,000.00 are under the authority of the Purchasing Director. Qualifying procurements outlined in Board Policy 3323 Purchasing are subject to the procurement process outlined in Administrative Procedure 3323 and enforced through the procurement thresholds outlined above.

Instructional Materials or Supplies

Anticipated purchase price
 < \$1,000,000, without formal bid
 > = \$1,000,000, formal bid required

Instructional and Staff Development Contracted Services

Anticipated contracted price
 < \$500,000, without formal bid
 > = \$500,000, formal bid required

Equipment, Materials, Services or Supplies other than Instructional Materials/Supplies

Anticipated purchase price
 < \$50,000, without formal bid
 > = \$50,000, formal bid required

Professional Services

Anticipated contracted price
 < \$250,000, without formal bid
 > = \$250,000, formal bid required

Other than exceptions noted herein, the following signature authority and fiscal thresholds have been established for requisition authority. Thresholds are updated by the Chief Financial Officer as needed.

Approval Chart by Position (Bulletin M-5-20)

Position/Title	Purchase Requisition Threshold	iExpense Threshold	LIMITED USE – Disbursement Authority Threshold
Superintendent	Unlimited	Unlimited	Unlimited
Chief Financial Officer	Unlimited	Unlimited	Unlimited
Director of Purchasing	Unlimited	\$1,000	\$2,500
Chief	\$100,000	\$2,500	\$10,000
Associate Superintendent	\$25,000	\$1,000	\$2,500
Director	\$10,000	\$1,000	\$2,500
Principal	\$5,000	\$1,000	\$1,000
Supervisor*	\$0	\$500	\$0
*Supervisor may be granted signature authority for approvals in iExpense on a case by case basis and where the volume of employee reimbursements warrants additional approvers. This request is to be forwarded to the CFO (via email) by the Director describing the circumstances.			

The Superintendent may delegate authority to the Chief Operating Officer, Division Chiefs, Directors, Principals and other individuals to approve expenditures for his/her division/department/school’s budgeted funds.

Authorized School/Department representative may delegate authority to approve and submit requisitions to one or more authorized individuals. Designees of Record are maintained in the Oracle Financial System. The Purchasing Office cannot accept a requisition that does not follow the appropriate Oracle hierarchy. The Superintendent, Chief Financial Officer or Purchasing Director may revoke or limit the extent of any delegation granted herein.

**Certain requisitions may require additional review and approval from other departments. (Example would include approval from Office of Technology Services for requisitions containing the procurement of technology items, systems requests, software, etc.) In the event where approval was not obtained through the Oracle requisition hierarchy thread, the requisition may be returned to requestor to obtain the required approval(s). The initiating department is responsible for the coordination.

Procedures herein do NOT apply to Non PGcps entities such as PTA’s, Booster Clubs or any other association or organization when the purchase is made **directly by such organizations; however such organizations are encouraged to follow sound procurement methods.

PURCHASING METHODS

Selecting the contract type is one of the most important decisions of the procurement process. A properly selected contracting method will work in the best interest of PGCPs, whereas a poorly selected contracting method will result in a less than desirable outcome. Formal/competitive solicitation requests would include the following methods.

Invitation for Bid (IFB)

A sealed bid process for the procurement of goods or services at a firm fixed price with an estimated spend of \$50,000 or more. The approximate time needed to process an IFB is three months. Certain requirements of the formal bid process cannot be expedited; therefore, planning the bid schedule with the Purchasing Department is essential to meeting the desired delivery. Solicitation requests must be submitted electronically and shall include product and/or technical specifications, terms and conditions of the contract and bid form pricing requirements.

Notice of Solicitation

- Bids will be advertised in a medium accessible to the general public at least twenty-one (21) calendar days prior to the opening date. If an emergency has been declared, the bidding time shall be a minimum of fourteen (14) days.
- Bids are advertised on eMaryland Market Place (eMMA) and on the PGCPs Purchasing website.

Bid Submission and Safeguards

- Bids must be submitted in accordance with the instructions outlined in the bid document.
- Bid responses must be delivered in sealed envelopes to the Purchasing Office, prior to the date and time specified. Bids may be delivered in person, but must be delivered to the Purchasing Office, Prince George's County Public Schools, 13300 Old Marlboro Pike, Room 20, Upper Marlboro, MD 20772. Delivery to any other location does not validate the time of receipt.
- Envelope shall be clearly marked with the bid number, bid opening date and time and respondent name and address. Bids received prior to the time set for opening shall be dated, time stamped, kept unopened and secured in the Purchasing Office. Prior to the bid opening, information concerning the identity and number of bids received may be made available only to employees who have a proper need for such information, as determined by the Purchasing Office.

- Bid samples submitted shall be handled with sufficient care to prevent disclosure of characteristics before bid opening.
- Bid responses requested electronically, must be submitted in accordance with the instructions outlined in the bid document. PGCPs assumes no responsibility for electronic errors/failures.
- Respondent shall assume full responsibility of timely delivery of the bid or proposal whether by the U.S. Postal Service or by any other carrier. Bids or proposals received after the designated time for the receipt of solicitations will be returned unopened. PGCPs is not responsible for the late delivery of bids or proposals by the U.S. Postal Service or by any other carrier.
- Unidentified responses will be opened solely for the purpose of identification. Upon opening the bid submission, the envelope will be marked with the IFB number, date and time of bid opening and explanation for opening the response. The Purchasing staff member is required to sign and date the envelope.
- Bids opened for identification purposes shall be resealed in the envelope and no information contained therein shall be disclosed prior to the public bid opening. However, PGCPs will not be held responsible for any information disclosed in such circumstances, and will not be held responsible for opening an unidentified response in a timely manner. Unidentified

responses not opened in a timely manner will not be considered and not included in the bid evaluation.

Amendment(s)

- Amendments shall be in the form of errata or addenda and posted to eMMA and the PGCPs Purchasing website.
- Bidder(s) must acknowledge receipt of errata/addenda by signing and including the document with the bid response.
- Bidder(s) are responsible for obtaining all errata/addenda that may be issued. The Purchasing Director or his/her designee may extend the time and date of a bid opening to enable bidders to adequately consider the amendment(s).

Opening of Bids

- Responses to IFB requests shall be received in the Purchasing Office and publicly opened. Bidders are encouraged to attend the bid opening. Information announced at the bid opening will not be available upon written or oral request from any PGCPs employee until after the contract is executed.
- The Purchasing Buyer is responsible for announcing when the bid opening time has arrived. No less than two (2) Purchasing staff members shall attend bid openings.
- Purchasing staff attending bid openings shall sign/initial bid opening tabulations.
- Prices, terms and conditions will be made public, however the Purchasing Office may determine that bid responses will not be made available for review on the day of opening. In such cases, interested parties may review responses by appointment and at the convenience of PGCPs.

Changing of Bid Price(s)

- Technicalities or minor irregularities may be waived if the Purchasing Director or his/her designee determines it to be in the best interest of PGCPs and allow the bidder an opportunity to cure any deficiency resulting from a minor irregularity or waive such deficiency.
- If Bidder alleges mistake, a bid may be corrected/withdrawn upon the approval of the Purchasing Director or his/her designee.

- Bidder may be asked to confirm obvious errors (typographical, incorrect extended unit price, transposition or mathematical) on the face of the bid, or if the bid is unreasonably lower than the other bids submitted.
- Bidder may be permitted to withdrawal a low bid if a mistake is clearly evident on the face of the bid document, however the intended correct bid is not similarly evident or if the bidder submits proof of evidential value which clearly and convincingly demonstrates that a mistake was made.
- Unless approved by the Purchasing Director or his/her designee, price changes are not permitted after award of the contract.
- When a bid has been corrected/withdrawn or the correction/withdrawal has been denied, the Purchasing Director or his/her designee shall prepare a written summary of the circumstances and determination.

Bid and Performance Bonds

- A Bid Bond may be required at the time of bid submissions. Conditions of the bid bond will be outlined in the solicitation. Bidders are responsible for understanding and complying with the instructions outlined in the solicitation documents.
- Performance and Payment (Labor and Material) Bonds may be a requirement of the solicitation. Timeline for submission and amount will be outlined in the solicitation.

Evaluation

- Bids are tabulated and the information is provided to the requesting department for review and recommendation. When appropriate, the requesting department and Procurement Officers will evaluate the bid together. The Purchasing Director or his/her designee will review the recommendation of award, prior to issuance.
- Evaluation process includes a review to determine if the proposed goods meet the product and/or technical specifications. PGCPs shall accept any article it determines to be equal to that specified when considering quality, workmanship, economy of operation and suitability for the purpose intended. The term "or equal" does

not mean that the product will be evaluated as to whether it is exactly equal to the product named in the specification. “Or equal” means that an alternative product will be evaluated to determine if it produces the same result as the brand specified. The information provided on the alternative product must include any mandatory physical characteristics (e.g., size, horsepower, weight) to be accepted as “equal.” Any technical or design specification shall include either a blueprint, drawing or engineering plan detailing the characteristics of the item being purchased.

Tie Bids

If all factors are considered equal, the bid is awarded in the following order:

- Bidder is based in Prince George’s County.
- Bidder is based outside of Prince George’s County, but within the state of Maryland.
- Bidder is an M/WBE.
- If tie remains, the Purchasing Director will flip a coin in the presence of all interested parties.

Bid Awards

- Bids shall be awarded to the lowest responsive and responsible bidder.
- Solicitation documents may allow for multiple awards to be offered. PGCPs reserves the right to award in the best interest of PGCPs.
- PGCPs may negotiate with the lowest responsible bidder, if the bid price exceeds available funds or is deemed excessive, to obtain an acceptable contract price. Bid pricing can only be negotiated with the lowest responsive bidder. If negotiations do not result in an acceptable price, that bid and all remaining bids must be rejected.

Request for Quote (RFQ)

An RFQ is a formal solicitation request that follows the same guidelines as an IFB. An RFQ is best used for procuring a limited number of items/services with an expedited delivery/requirement timeline.

- Notification of Award, unless otherwise specified in the solicitation, will only be made to the awarded bidders. As resources permit, notification to the non-awarded bidders will be made, however it is the responsibility of the bidders to maintain contact with the Purchasing Office and the status of the solicitation.

Rejection/Withdrawal of Bids

- PGCPs reserves the right to reject any and all bids (in whole or in part); to make partial awards; to waive any irregularities in any quotation; to increase or decrease quantities if quantities are listed in the bid; to reject any bid that shows any omissions, alterations of form and additions, conditions, or alternate proposals not called for; and to make any such award as is deemed to be in the best interest of the PGCPs.
- Bids received at the designated location specified in the solicitation after the specified time and date set for the receipt of bids, is considered late.
- Requests to withdraw or modify bid submissions received at the designated location specified in the solicitation after the specific time and date set for receipt of bids, is considered late.
- Bids may be withdrawn by written notice and only if the written notice is received by the Purchasing Office prior to the time and date specified for the bid opening.
- Late bids, late requests for modification or late requests for withdrawal shall NOT be accepted or considered.

Request for Proposal (RFP)

An RFP is a formal solicitation usually for services. Proposals are not publicly opened. An RFP is a procurement process in which quality and price are balanced to meet the needs of the user. Unless otherwise stated in the solicitation, final cost(s) and scopes of work are subject to negotiation after the proposals are received and before the contract is awarded. In addition to requirements and procedures noted above for IFB's, the following also apply.

Use of RFP

- When the procurement is valued at \$50,000 or more.
- When technical considerations, as well as cost, are valid criteria in the evaluation of offers.
- When requesting department can generally formulate the specifications for the services or system to be acquired.
- When known sources of supply and competition are anticipated.
- May be used for the procurement of goods or nonprofessional services when PGCPs believes that the evaluation criteria provided in the RFP would promote the best interests of PGCPs.
- Approval to use an RFP for the procurement of goods or nonprofessional services must be approved by the Purchasing Director or his/her designee.

Contents of an RFP

- Specified date, time and place of proposal submission
- Specified date and location of the pre-proposal conference
- Background information
- Scope of Work/Services
- Criteria and Method of Award
- Part A Technical Section
- Part B Business Section
- May specify minimum scoring thresholds

RFP Evaluation Committee

The requesting department Director or his/her designee will chair the evaluation committee. The remaining members shall consist of the Purchasing Director/designee and other members as mutually agreed upon. The Purchasing Director/designee shall be an ex-officio, nonvoting member of all evaluation committees. The Purchasing Director may excuse the participation of any designee from the evaluation committee. The committee is responsible for the evaluation tasks.

- Preparation of the technical specifications and criteria for evaluation.
- Review of the original RFP.
- Review of the responses according to the criteria established in the solicitation.
- Selection of the vendor finalist(s).
- Participation in the oral presentations by the vendor finalists.
- Investigation of the performance of the Offeror in contracts listed as references (or other contracts not listed as references but who PGCPs staff may know).
- Conducting cost and price analysis of the data submitted by finalists (including life-cycle costs).
- Ranking finalists from highest to lowest score.
- Participation as a member or assisting other members of the evaluation team in conducting negotiations with one or more of the top-ranked finalists.
- Evaluating the best and final offer(s).
- Making a positive contribution to the committee's mission of producing a professionally sound recommendation of award.
- Giving the chairperson all committee members' files, records, correspondence, completed evaluation forms, results of reference checks, site tours and meeting minutes for inclusion in the master solicitation file, in the event that the committee's decision is questioned or challenged.
- Conducting the evaluation and selection process, in strict accordance with the procurement rules of PGCPs and ensuring that the final recommendation is without bias and legally defensible.

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- Providing information and assistance to procurement and legal departments, if protests are filed by unsuccessful offeror's.
 - Maintaining the confidentiality of the identities of the offeror's and the security of the contents of the offeror's responses until the award is made.

Attendance at Committee Meetings

- Each voting committee member is expected to attend all evaluation meetings and oral presentations. Absenteeism of a member may require voiding all scores previously submitted by that member and recalculation of committee scores.
- The committee should remain intact throughout the evaluation process to avoid unbalanced scoring. Voting committee members who expect to be absent for more than one meeting should withdraw.
- Independent consultants may be invited to participate on the committee with varied levels of involvement based upon the need of PGCPs. All non-PGCPs staff participating on the committee or involved in a solicitation are required to complete a non-disclosure and/or a confidentiality statement.

Review of an RFP

- Before an RFP is issued, a list of committee members shall be on file with the Purchasing Office. Committee members are split into two groups for the evaluation process.
- The RFP includes the qualifications required of the offeror's and identifies the criteria to be used in evaluating the offeror's responses. Committee members must be familiar with the requirements of the RFP to determine whether it mandates or only suggests that offeror's provide certain services or information. The words "should" and "may" in the proposal simply encourage the Offeror to do something. They are not to be considered mandatory requirements. Only "shall," "must," and other command words require action by the Offeror.
 - The only award criteria that can be used in the evaluation process are those included in the original RFP. These criteria must be applied to the responses without change, deletion or expansion. The use of any

evaluation criteria other than those listed in the solicitation are prohibited.

Pre-Bid Conferences

- A pre-bid conference may be held to advise potential offeror's of special or technical requirements of a bid and allow offeror's to ask questions about the bid or the work to be performed. The pre-bid conference may involve a site visit of the work area.
- Pre-bid conferences are open to all potential offeror's and any other interested parties. Any information disseminated at a pre-bid conference that alters the intent, specifications or scope of work shall be made available to all offeror's and be included as an addenda to the solicitation. Responses that are clarifying in nature will not be included as part of an addenda and may or may not be shared with other offeror's.
- There shall be no private dissemination of information to any offeror or group of offeror's that may provide an advantage over other offeror's. At the discretion of PGCPs, questions may be required in writing and may be answered in writing. Pre-bid conferences may also be recorded.
- Attendance at pre-bid conferences is not mandatory, and therefore not a prerequisite of submitting a bid. PGCPs shall not answer questions or discuss a bid with potential offeror's after a pre-bid conference has concluded (including potential offeror's who did not attend a pre-bid conference) unless the answer is provided to all potential offeror's at the same time in the form of an addenda.
- Information concerning the attendees at a pre-bid conference shall not be made public until after award, unless included as part of addenda. The preceding is also applicable to pre-proposal conferences and site visits.

Independent Review by Committee Members

- All voting committee members receive an evaluation form prepared by the Procurement Officer.
- Before meeting/discussing with other committee members, each member must independently review, score and record

his/her scores in the Independent Review column of the evaluation form along with notating his/her observations for later discussion.

- Committee members will identify and notate any deficiencies, strengths, weaknesses and issues requiring clarification applicable to each proposal.
- Committee member's conclusions must be supported by a thorough descriptive narrative that will influence, if not determine, the award decision with which the Purchasing Office will rely upon to support and defend the award decision in the event of a protest or litigation.

RFP Full Committee Review

- Full committee will meet to discuss the scores assigned by each member during the independent review. During the committee discussion, members may acquire a better insight into the qualifications of each offeror from hearing other committee members' reasoning behind their scores.
- If, because of the discussions, a committee member feels that a score for one or more entries requires adjustment, the adjusted score is inserted into the evaluation form. No changes are made to the independent score. Notations accompanying the evaluation form shall detail the reasoning behind the score changes.

RFP Full Committee Review of Requirements

- The committee will identify all offeror's that meet the requirements of the RFP.
 - Total evaluation scores (after adjusting any criteria scores made during the full committee review).
 - Rank offeror's by individual total scores (highest to lowest).
 - Top-ranked finalists (usually three to five) are pulled for further evaluation. If the list contains more than five firms, a second cut (one or more of the lowest scoring offeror's) may be made.
 - Additional evaluations will be performed to include interviewing, checking references and conducting oral presentations.
 - After selecting the finalists, a memorandum summarizing the actions taken by the committee, evaluation forms, committee members voting records and any other

pertinent documentation is forwarded to the Purchasing Director or his/her designee.

Checking References

- During reference checks, obtain information on how the firm performed for the organization, the extent and type of any claims filed, problems that occurred during the contract term and how they were resolved and the contractor's reliability and level of professionalism.
- Before finalist's oral presentation, the committee member responsible for conducting the reference check, or other person as designated by the Purchasing Director, shall meet with the committee members to review the results. Always request clarification from the finalist concerning any unfavorable references obtained.

Oral Presentations

- During oral presentation, committee members should take notes on the content of the presentation to be able to effectively score the finalists after all presentations are made. A second evaluation form may be used for this process. If an evaluation form is not used, complete records must be kept that are acceptable to the Purchasing Office and they must indicate results of any committee voting and any other information that supports the final award recommendation.

Negotiations

- The entire committee, any subcommittee, Purchasing Director or his/her designee may conduct the negotiation sessions. Subject to the approval of the Purchasing Director, persons who were not members of the committee may be allowed to participate in negotiation sessions. The negotiators must be completely familiar with the project and the specialty area of the finalists. At the conclusion of negotiations, finalists are requested to provide a best and final offer, including cost for the service required.

Recommendation of Award (ROA)

- An ROA memorandum, detailing the committees recommended finalist, should be submitted to the Purchasing Office.
 - Name(s) of all offeror's considered.
 - Summary of the criteria used for evaluation.
 - Justification of the finalist selected.
 - Price, terms and scope of work pertaining to the contract to be awarded.
 - Attach all supporting documents to include; scoring and voting records, completed evaluation forms and any other pertinent documentation used in the selection process.
- The Purchasing Office will prepare the final contract award.
 - Committee chairperson shall assist by providing the detailed scope of work, benchmarks of progress, payment schedule and method of payment (outlined in the RFP) to be used in the final contract award.
- Final contract award, if applicable, will be forwarded for legal review.

Additional purchasing methods available outside of the formal solicitation process are as follows:

Emergency Requests

- An emergency is defined as an urgent response to a threatening act of nature or demand of immediate action to protect the health and safety of students and PGCPs staff or as deemed necessary by the Purchasing Director or his/her designee. The potential loss of year-end funds and/or poor planning is not considered adequate justification for an emergency purchase.
 - Departments in need of an emergency procurement shall submit a properly completed, detailed and authorized Emergency Request Form to the Purchasing Director or his/her designee for approval.
 - Should an urgent situation occur during normal business hours, departments and schools shall contact the Purchasing & Supply Service at 301-952-6560. If the emergency is after hours, then staff shall document the situation, his/her actions and provide this information to the Director of Purchasing on the next business day
 - The Board will be notified of all Emergency Requests greater than \$50,000 on a quarterly basis or at the first available meeting.
- authorized Sole Source Form to the Purchasing Director or his/her designee for approval.
- Requesting department must attach all supporting documentation to substantiate the sole/single/proprietary request.
 - After approval of the request, the Purchasing Buyer, in cooperation with the requestor, shall conduct negotiation, as appropriate, to obtain the best price, delivery and terms.

Professional Service Agreements

- There is a recognized need for the procurement of professional services on an as needed basis, when such services cannot be provided by PGCPs personnel resources or services are not currently contracted through the competitive solicitation process outlined above.
- Departments requesting professional services should submit a justification letter for the request, completed Professional Services Agreement, scope of work, proposed fees/costs to the Purchasing Office for review and execution by the Purchasing Director or his/her designee. Professional Service Agreements will not be accepted if the consultant/company/firm is not an active Oracle supplier.

Sole/Single Source and Proprietary

- A sole source is defined as only one supplier of the requested item or required services.
- Departments in need of sole source services shall submit a properly completed, detailed and

CONTRACT MODIFICATIONS

Contract Modifications are defined as any written alteration in specifications, delivery point, delivery date, performance period, price, quantity or other provision of any contract accomplished by mutual action of the parties to the contract. Contract modifications shall include change orders or contract amendments. Any/all contract modifications, fixed price, requirements and/or time & materials, must be approved as outlined below.

Fixed Price Contracts

- Contract modifications less than \$50,000 are under the approval authority of the Purchasing Director or his/her designee.
- Contract modifications greater than \$50,000 or more require Board approval.
- Contract modifications to extend the period of performance are under the approval authority of the Purchasing Director or his/her designee.
- Contract modifications that result in a contract exceeding \$50,000 during the contract period require Board approval.
- Contract modifications that result in a vendor name change are under the approval authority of the Purchasing Director or his/her designee.

Requirements Contracts and Time & Materials Contracts

- Contract modifications up to \$100,000 are under the approval authority of the Purchasing Director or his/her designee.
- Contract modifications over \$100,000 require Board approval.

PURCHASING METHOD - CONSTRUCTION

Procurements that fall under the Department of Capital Programs (DCP) follow the same processes and procedures outlined for IFB's and RFP's, however construction projects allows for additional procurement methods.

- Construction Manager Advisor (CMA)
- Construction Manager At-Risk (CMR)
- Design Bid
- Design Bid Build
- Job Order Contracting

Construction Overview

- **Evaluation Criteria:** Evaluation criteria will be set forth in the bid/proposal specifications. Contractors who fail to meet the bid specifications risk having their bids rejected. PGCPS reserves the right to waive individual specifications.
- **Best Value:** Maryland law permits and PGCPS employs a "best value" approach to the award of contracts for construction, renovation and repairs to PGCPS buildings. PGCPS shall consider multiple factors in determining best value including price, quality and service factors as well as contractors meeting PGCPS's Minority Business Policy.
- **Contractors in legal proceedings with the PGCPS:** PGCPS recognizes the significant costs and imposition on the time of personnel associated with legal proceedings. Accordingly, PGCPS has adopted a process stating that:
 - One factor, among others, that are to be considered when awarding a contract or purchase order is the existence of a pending legal dispute – whether in court or an alternative dispute forum – with any contractor which has submitted a bid or proposal. Before including consideration of the legal dispute as a factor, the Purchasing Office shall seek the advice of the Office of General Counsel regarding the legal dispute and shall obtain the concurrence of the Superintendent or his/her designee.
 - **Contractor Performance Evaluations:** PGCPS may consider prior performance of a contractor when making a best value determination on subsequent bid.
 - **Debarment Policy:** PGCPS reserves the right to adopt a debarment policy which would establish procedures for the debarment of contractors from bidding on PGCPS procurements. Such policy shall be adopted in conformity with applicable legal requirements. This procedure is further defined in the Section 12: Debarment.

PROTESTS & DISPUTES

The Purchasing Director or his/her designee shall attempt to resolve all protests and disputes. Bidders and Offeror's of Standing are encouraged to present their concerns promptly to the Purchasing Office.

Protest & Disputes Resolution

Bidders/Offeror of Standing may submit a written protest concerning a proposed award for supplies, equipment or services to the Purchasing Director. Protest details should include the following information and must abide by the following.

- Name, address, telephone number(s) of the protestor and identification of the solicitation
- Detailed statement listing the reasons for the protest
- Supporting documentation to substantiate the claim
- Proposed remedy sought
- Written protest must be received in the Purchasing Office within five (5) calendar days of the recommendation of award or notification to the bidder or offeror that their bid/proposal was rejected or not selected.
- A written protest received after contract execution by PGcps is deemed to have waived any objection.
- Purchasing Director or his/her designee shall inform the Chief Operating Officer (COO) upon receipt of a written protest.
- Purchasing Director or his/her designee shall confer with General Counsel prior to issuance of a decision regarding protest.
- Purchasing Director or his/her designee shall issue a decision in writing within fifteen (15) business days from the date of General Counsel concurrence. Any decision of a bid award protest may be appealed to the COO within two (2) business days of issuance of the decision by the Purchasing Director.
- COO or his/her designee, will submit a proposed response and submit all supporting documentation to the Board for review. The Board shall accept, reject, remand or modify the proposed decision at a public board meeting. COO shall issue his/her decision in writing within fifteen (15) business days from the date of the public board meeting.

Appeal of Contract Award Decision

- Bidder/Offeror of standing who remains unsatisfied after following the procedures may further contest the contract awarded by filing an appeal to the Board of Education of Prince George's County within thirty (30) days of issuance of the written letter from the COO.
- A vendor who remains unsatisfied after following the procedures of the Board may contest a contract awarded to the Maryland State Board of Education (MSBE) as provided by Maryland's public school law.
- The Board reserves the right to award during the appeal process if determined that execution of the contract without delay is necessary to protect substantial State and Board interests.

Protest of Awards Less Than \$50,000

- Protests/disputes of awards for less than \$50,000 shall be made in writing to the Purchasing Supervisor or his/her designee and shall include the information as outlined above.
- Purchasing Supervisor or his/her designee shall review and make a determination as to the merit of the protest/dispute. Bidders may appeal this decision to the Purchasing Director.
- Purchasing Director will evaluate the dispute and render a decision. The decision of the Purchasing Director is final.

Remedies

If determined administratively or upon judicial review that a solicitation or award of a contract is in violation of law, the following would apply:

- If prior to award, it is determined that a solicitation or proposed award of contract is in violation of law, the solicitation or proposed award shall be revised to comply with the law or cancelled.
- If after award, it is determined that a solicitation or award of contract is in violation of law:
 - If the awardee of the contract has not acted fraudulently or in bad faith:
 - The contract may be ratified and affirmed, if determined that doing so is in the best interest of PGCPs; or
 - The contract may be terminated and the awardee of the contract may be compensated for reasonably incurred expenses under the contract, prior to the termination
 - If the awardee of the contract has acted fraudulently or in bad faith the contract shall be considered void and of no effect; thereby releasing PGCPs of all obligations.

OTHER JURISDICTIONS CONTRACTS & COOPERATIVE AGREEMENTS

The Purchasing Director or his/her designee may authorize the use of a contract from another jurisdiction, as long as it complies with the Annotated Code of Maryland under State Finance & Procurement Article §13-110 and COMAR 21.05.09. PGCPs may also enter into cooperative bids with other jurisdictions, as described in the Annotated Code of Maryland Education Section 4-123, Cooperative Administration of Programs.

PGCPs may use other jurisdictions contracts and cooperative procurement agreements as long as the following criteria are met:

- Awardee has an existing contract with another public entity for the goods or services required by PGCPs.
- Contract promotes the best interest of PGCPs.
- Contract was awarded as a result of adequate competition.
- Contract allows PGCPs to bridge/ride/piggyback the contract award issued from the cooperative or jurisdiction for the same goods or services awarded at the same cost or lower.

When requesting to ride/bridge/piggyback other jurisdictions contracts or cooperative agreements, the requesting department must submit the following documentation to the Purchasing Office. If needed, the Procurement Officer assigned to the request is able to assist with obtaining the information.

- Memorandum stating the contract information, contract amount, awardee name(s) and reasons supporting the request
- Copy of full solicitation document
- Proof of advertisement, if available
- Bidder's response
- Bid tabulations
- Award information
- Award option period information, if applicable

DEBARMENT

On the basis of documented unsatisfactory performance, a vendor may be debarred from contracting with PGCPS for particular types of supplies, services or construction projects for a specified period of time or permanently. The vendor will be notified in writing outlining the specifics of the debarment. Any contracts/purchases procured with state, federal or grant funds shall be checked against the State of Maryland and federal debarment lists.

PGCPS reserves the right to adopt and establish a debarment policy which would exclude debarred vendor's from bidding on PGCPS procurements. Such policy shall be adopted in conformity with applicable legal requirements.

Debarment Review

- Regardless of the account code, all PGCPS purchases (purchase orders, contracts and independent contract agreements) in excess of \$50,000 for goods or services shall be checked against the state and federal government debarment lists.
- Prior to issuing contract awards, Purchasing Buyer shall verify that the selected contracted vendors are not listed on the referenced debarment lists.
- Before submitting to the Purchasing Director for review and execution, Purchasing Office Administrative Assistant will verify that all non-bid contracted vendors are not listed on the referenced debarment lists.

VENDOR RELATIONS

The Purchasing Office maintains a database of active suppliers/vendors that are interested in doing business with PGCPs. An approved supplier/vendor is not an endorsement or guarantee of performance. Only suppliers/vendor's who provided assurances for delivery, reliable products, maximum value for dollars spent and other advantages should be considered for use. It is the responsibility of the Purchasing Office, with the assistance from end-users, to constantly appraise suppliers/vendors of these components. The Purchasing Office has the authority to remove suppliers/vendors from use on a case-by-case basis and without notice.

- Potential vendors must have a good business reputation and adequate financial standing and facilities to fulfill their commitments.
- Every effort shall be made to select suppliers who are capable of producing high-quality products at low cost. Such suppliers should be able to seek business competitively and to realize a reasonable profit from their products.

Pre-Qualification of Bidders

- The Purchasing Office has the authority to prequalify bidders prior to a solicitation. Pre-Qualification of bidders establishes the criteria to be included in the solicitation where specified and used when evaluating bidders qualifications. Advance notice of the submission deadline must be provided to pre-qualified applications.
- Prior to the established deadline of bid submission or proposals, the delegated Purchasing staff member shall advise (in writing) each vendor who submitted an application of their prequalification status. Vendors may request a Prequalification Administrative Review (PAR) regarding the denial reasons after an award has been made.
- Failure to prequalify with respect to a given procurement shall not bar the bidder from seeking prequalification of future procurements or from responding to procurements that do not require prequalification.
- It is the responsibility of the bidders to monitor the status of a solicitation and to inquire as necessary. The Purchasing Office may or may not issue direct notice of solicitation status in terms of award or no award.

Vendor Access to Information

- Except as provided herein, all proceedings, records, contracts and other public records relating to procurement transactions shall be open to inspection. Interested parties may review public documents by appointment and at the convenience of PGCPs.
- Upon request, participating bidders shall be afforded the opportunity to inspect bid records within a reasonable time period after the bid opening, except in the event that PGCPs decides not to accept any of the bids and to reopen the solicitation.
- Upon request, offers shall be afforded the opportunity to inspect competitive proposal records within a reasonable time after the evaluation and negotiations of proposals are completed, except in the event that PGCPs decides not to accept any of the proposals and to reopen the solicitation.
- Proposal records shall be open to public inspection after award of contract, subject to the provisions of this section.
- Inspections of procurement transaction records under this section shall be subject to reasonable restrictions to ensure the security and integrity of the records.
- Requests for information not previously made public must be made in accordance with PGCPs Communications Office procedure(s) and the Maryland Public Information Act.

MINORITY BUSINESS ENTERPRISE

The establishment of the Minority Business Enterprise (MBE) Program maximizes the opportunities for Minority/Women Business Enterprises (M/WBE) to participate in the awarding of contracts to vendors, consultants and contractors. It is the responsibility of the Purchasing Office, departments and schools to carry out the Administrative Procedures (7419 and 3325) designated to achieve the program's objectives. The scope of this program shall include the following.

- Identify and work to eliminate barriers that inhibit M/WBE participation in Prince George's County Public Schools procurement process.
- Establish realistic goals to increase M/WBE utilization.
- Provide information and assistance to M/WBE's regarding PGCPSS procurement opportunities.
- Implement mechanisms and procedures for monitoring M/WBE compliance by prime contractors and staff.
- Implement mechanisms to evaluate the program's progress.

The Purchasing Office encourages M/WBEs (Certified and Non-Certified) businesses to compete to provide goods and services by responding to solicitation requests. The school system utilizes the State of Maryland Department of Transportation (MDOT), Prince George's County Supplier Development & Diversity Division (SDDD) and the Washington Metropolitan Area Transit Authority (WMATA) certification programs. It is the goal of PGCPSS to obtain an overall minimum minority participation of 30 percent for total dollars spent. Vendors may apply for minority certification from the following agencies.

- <http://www.mdot.state.md.us/>
- <http://www.pgc.org.us/>
- <http://www.wmata.com/business/index.cfm>

Bid Process – Competitive Bid Requirements

Specifications established for goods and services should not preclude bidding by M/WBE's. An exception is noted when specifications are necessary to protect the interests of PGCPSS. The Purchasing Office, in accordance with MBE Policy 3325, actively recruit PG County based M/WBE vendors and ensures that PG County M/WBE vendors are aggressively solicited. PGCPSS recognizes that through awarding contracts, it can aid in the maintenance of a viable economic community within Prince George's County.

- For this reason, PGCPSS may give equalization bonus points to PG County based/headquartered businesses as certified by PGCPSS. A PG County based/headquartered business may receive an additional percentage of five percent (5%) on contracts greater than \$100,000.00 during the proposal evaluation process. In addition, most PGCPSS contracts contain M/WBE subcontracting plans. All contractors must comply with the terms of its subcontracting plan.

- PGCPSS shall apply the equalization bonus points during the bid proposal evaluation process.
- If the successful bidder is an M/WBE business, it shall be the obligation of the contractor to maintain its status as a certified M/WBE or maintain the required subcontracting percentage with certified M/WBE firms, whichever may be applicable, throughout the term of the contract and any extension thereof. In the event that any of the representations or circumstances of the contractor change with respect to the M/WBE status, the contractor shall notify the MBE Office immediately. The contractor shall also report any change in M/WBE business usage if different than information submitted at the time of contract award.

Procurement Group Review (PRG)

In accordance with MBE Policy 7419, the PRG was established to determine the appropriate socioeconomic utilization methods and to review solicitations, task order solicitations and contract renewal options in order to maximize participation opportunities for M/WBE in State procurement contracts. The PRG resides within the Purchasing Office and is led by the MBE Coordinator, the Purchasing Director, Capital Improvement Programs Director or his/her designees. PRG meetings are held bi-weekly or as needed.

Prior to issuance of a Capitol Programs IFB or RFP solicitation, the request shall be evaluated by the PRG to determine whether it is in the best interests of PGCPs for M/WBE participation. The Purchasing Office or CIP are able to prepare a request for a PRG for the following procurement instances:

- New solicitation expected to exceed \$200,000.
- Task order solicitation expected to exceed \$200,000.
- Contract modification or renewal option that potentially changes or negatively impacts an M/WBE.

Non-Compliance with MBE Policies

The following conditions will apply when there is noncompliance by contractors with PGCPs Minority Business Enterprise Policies.

- Assistance for Contractors meeting M/WBE participation requirements
 - MBE Coordinator will monitor the level of M/WBE utilization by prime contractors. If a contractor is having difficulties meeting the contractual M/WBE goal(s), the MBE Coordinator will help the contractor develop and implement corrective measures.
- Penalties for Contractors not meeting promised M/WBE goals
 - If a contractor's M/WBE participation falls below the established contract goals for goods or services, the contractor shall be in breach of contract. The MBE Coordinator shall investigate the breach of contract. Upon a determination by the MBE Coordinator that a breach has occurred, all payments under the contract may be immediately suspended. The Purchasing Director and General Counsel's Office shall

be fully involved throughout this process. The findings and determination of the MBE Coordinator (in conjunction with Purchasing and General Counsel) shall be reviewed for a determination as to whether the contractor made a good faith effort to comply with the requirements of the contract.

- The contractor will submit written detailed information to the MBE Coordinator that the contractor attempted (through reasonable and objective means and in good faith) to meet the M/WBE participation goal established by the contract, but was unable to do so. If determined that the contractor did not act in good faith, all amounts paid to the contractor under the contract, intended for expenditure with an M/WBE, shall be forfeited and recoverable by PGCPs.
- In addition, the contract may be rescinded and the department may return all goods received and recover all amounts paid under the contract. Resolution of good faith issues shall occur within the time frames specified in the Prompt Payment Act, Maryland Statutes, Chapter 218, as amended.
- Contractors that fail to comply with program and/or contractual requirements may face suspension from bidding on future PGCPs contracts for a period of six months to one year or longer, as recommended by the Purchasing Director for action by the Superintendent.
- Penalties for Non-M/WBE's and M/WBE's that defraud the M/WBE Program
 - Any vendor (M/WBE or Non-M/WBE) suspected of defrauding PGCPs and/or the MBE Program will be referred to the Purchasing MBE Coordinator and to General Counsel for review, investigation and possible legal action. Any monetary penalties imposed on the vendor found to have defrauded PGCPs and/or M/WBE Program shall be in keeping with State and Federal Law.
- MBE Prime and Subcontractor Verification Approach
 - A proactive verification approach of documentation received from prime contractors will include random by the MBE Coordinator quarterly.

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- Upon request, the identified subcontractor shall submit to the MBE Coordinator a report that identifies the prime contract and lists all payments received from the contractor in the proceeding 30 days, as well as any outstanding invoices and the amount of those invoices. This will confirm compliance with M/WBE participation requirements and that M/WBE subcontractors are receiving compensation as outlined in the M/WBE schedule.

Liquidated Damages Provision for State Funded Contract Containing MBE Participation Goals

- Contractors are required to make good faith efforts to comply with the MBE Program and contract provisions. PGCPs and the contractor acknowledge and agree that PGCPs incur damages, including but not limited to loss of goodwill, detrimental impact on economic development and diversion of internal staff resources, if the contractor does not make a good faith effort.

- Upon determination by PGCPs that the Contractor failed to make good faith efforts to comply with one or more of the specified MBE Program requirements or contract provisions, the contractor expressly agrees that PGCPs may withhold payment on any invoices as an offset against liquidated damages owed. The contractor further agrees that for each specified violation, the agreed upon liquidated damages are reasonably proximate to the loss PGCPs is anticipated to incur as a result of such violation.
- Notwithstanding the use of liquidated damages, PGCPs reserves the right to terminate the contract and exercise all other rights and remedies provided in the contract or by law.

SUPPLY MANAGEMENT

Supply Services (ISSC Warehouse and Shop Stores) manages and maintains approximately 4,000 items in inventory at any given time to support the daily operations of PGCPS. Supply Services provides warehousing and timely distribution of all stocked supplies, repair parts, furniture, equipment and materials of instruction to schools, offices and maintenance repair shops within PGCPS. Stocked items can be accessed thru the SSP Oracle Main Store.

Receiving, Inspection and Delivery

Supply Services receives and perform an initial inspection of all equipment and supplies delivered to/received by the warehouse locations for PGCPS use.

- Internal orders received by the Warehouse for delivery generate a Pack Slip. Orders are prepared and scheduled for delivery to the requisitioning departments.
- Requisitioning department personnel must make final inspection to determine if the item is acceptable and if applicable, meet the specifications for competitively awarded items.
- Items require immediate inspection. Initialing or signing the Pack Slip is considered acknowledgement of acceptance.
- Individuals authorized to receive materials may vary by location, however the SSP Oracle requestor is the main point of contact for the order.

Inventory Material

To receive/pickup items directly from Supply Services locations, authorized personnel shall request item(s) in writing or authorized personnel may go to the Main Office locations to request the item(s) needed. Supply Services staff member will pick the requested items and enter the order in Oracle. An account string must be provided for the transaction.

Pickup and Delivery Services

When planning pickup/delivery schedules, the Warehouse Supervisor and/or Distribution Manager determines the most efficient use of manpower and use of PGCPS vehicles. All pertinent information is listed on the delivery ticket or pickup schedule.

- Supply Services shall coordinate the pickup and delivery of supplies from vendors in the local area.

- When required, emergency pickup service is provided. Supply Services staff working on an emergency request shall coordinate the emergency pickup request with the receiving department.
- Material Transfer Forms may be required for certain delivery/pickup items.

Relocation of Offices and Personnel

Supply Services provides relocation services to schools and offices moving to and from spaces within the boundaries of PGCPS. Relocation within the same school building should be handled internally with on-site support staff. All other moves are handled by Supply Services:

- Transportation of equipment, furniture, computers, supplies, etc.
- Supplying boxes for packing. Packing and unpacking of the office is the department's responsibility.
- Pickup and delivery of personal effects from current location to new location.

Adding New Items

An Inventory Request Form shall be prepared by the requesting department and submitted to the Supervisor of Supply Services or his/her designee. The requesting department will be notified if the justification does not offset the cost to PGCPS for carrying the item in inventory. Otherwise, the requesting department will be notified via a New Inventory Item Form when the new item has been received and ready for issue. Justification to consider shall include:

- Frequency of use
- Lead time
- Whether the lack of component/part or a system that will have detrimental effect on the operation of PGCPS.

Purge of Obsolete Items in Inventory

A list of inventory items will be generated annually to identify items where the last issue date is greater than one year. The using department will have the option of requesting that the items/materials be sent to their respective shop or surplus for return on investment.

- Items stocked at the request of a department that are declared obsolete or surplus, will result in the cost of the item(s) in inventory being charged to the user Department(s) operating budget(s), unless a written justification is submitted to Purchasing Director justifying to retention of the items in inventory.
- Periodically, stocked items will be reviewed for same fit, form and/or function. When such duplication is found, a meeting will be held with the using department(s) to determine if like product(s) can be purged from Inventory.

Surplus Property

In accordance with Surplus Personal Property Policy/Administrative Procedures (Board Policy 3260 – Sales and Disposal of Books, Equipment and Supplies and Administrative Procedure 3260 – Property Disposal), furniture, fixtures, equipment, or supplies which are no longer needed by a Department become excess or surplus property. This includes items of personal property purchased by PGCPs's consultants/contractors for items reimbursable items under Contract. Consultants/contractors shall relinquish these items to PGCPs upon completion of the project or contract period.

- PGCPs-owned surplus personal property shall be under the control and management of Purchasing & Supply Services. Supply Services shall transfer items from one department to another.
- Supply Services shall dispose of all surplus items that are not needed
- PGCPs is eligible to purchase federal surplus property from the Maryland State Agency for Surplus Property. With a letter of authorization issued by the Purchasing Office an authorized PGCPs employee may visit surplus centers and purchase items for use by PGCPs. If an item is purchased, the receipt issued by the center is attached to a completed requisition form for the issuance of a purchase order.

Transfer of Surplus Personal Property to Supply Services

- A Material Transfer Form will be completed by the department having the surplus items if the items are of an accountable property nature (i.e., if they have an asset tag affixed to them.) The Transfer Form shall be signed by the individual requesting the transfer. The Transfer Form shall be the official document which will indicate the items final disposition. Schools and Offices must complete the Material Transfer Form online and gain approval from the authorizing official. Distribution will be as indicated on the form. The Material Transfer Form is required for all items. Contact the Supply Services Manager to coordinate the transfer of property from the School/Department for delivery to Supply Services or salvage.
- Furniture, fixtures, and equipment purchased from any funding source become surplus based on the filing of a declaration by PGCPs personnel.
- Surplus items may be stored on PGCPs's premises or in the warehouse for future use. The items must remain on PGCPs premises or be protected by storage.

Disposition of Surplus/Obsolete Property Approval

- For items that have become surplus or obsolete to PGCPs's needs and which were funded either in whole or in part, with Federal grant funds, approval may be required prior to any type disposition of the items.
- Supply Services must be notified whenever any item of personal property procured, either in whole or in part, with grant funds is transferred to Supply Services as being surplus/obsolete to PGCPs's needs. Supply Services is responsible for obtaining the necessary approvals and disposing of these items in accordance with the instructions received from grants department.
- In order to dispose of the surplus/obsolete personal property, the approval of the Superintendent or designee approval is required.

Disposition Methods

When item(s) in surplus storage have been determined by the using department to be of no further use for PGCPs's functions, the Supply Services Supervisor through the of the Purchasing Director, will send a written request to the Superintendent or designee listing the item(s) to be declared surplus. This request shall explain the plans for disposing of the item(s), contingent upon the Superintendent or Designee, declaring the item(s) surplus and disposal of it in the manner planned. Methods of disposing of PGCPs property include, but are not limited to the following:

- Public auctions;
- On-line auctions;
- Advertisements for sealed bids;
- Transfers to other governmental agencies for auction or disposal;
- Soliciting bids from sources, known to use or purchase for sale, like items;
- Recycling; and
- Trade-in on new equipment when in the best interests of PGCPs.

Recycling Surplus Personal Property

- Surplus personal property turned over to Supply Services which is still in good condition and/or mechanically sound will be retained until the next scheduled auction. Supply Services personnel shall contact departments that have expressed a need for a particular item(s) or personnel may visit the storage area to view the available items.
- For items issued/recycled from surplus personal property storage, an Accountable Property-transfer Form shall be completed transferring the property to the requesting department.

- Items of personal property that are no longer usable for their intended purpose will be classified as obsolete and disposed of according to this Policy.

Public Auctions

In compliance with legal requirements and PGCPs policies referenced throughout this section, public auctions will be conducted on an "as needed" basis.

Restrictions on Purchase of PGCPs-Owned Property

All employees of PGCPs are prohibited from purchasing any item at public auctions conducted by PGCPs. This prohibition extends to both direct and indirect participation such as through a friend, relative, or acquaintance and includes all lost and found items.

Surplus Sales Accounting

Prince George's County Public Schools may accumulate surplus or obsolete property which was originally acquired from various general funds, including Capital funds. Administrative Procedure 3260 dictates that all surplus property be sold or auctioned. The proceeds from the sale of all property or items, which is sold according to the surplus/obsolete procedures, will be deposited to and accounted for in General Fund - Miscellaneous Revenue account. Surplus or obsolete property acquired from grant or restricted funds shall follow the same preceding procedure, unless specifically addressed within the grant or restricted funds documentation.

GENERAL GUIDELINES FOR SUSTAINABLE PURCHASING

In order to conserve natural resources and to protect the environment, Prince George County Public Schools must look towards the procurement of sustainable products and services. The Procurement Sustainability Guidelines (Guidelines) outline the minimum sustainability requirements for products and services purchased by the Board of Education of Prince George's County (PGCPS) and identifies those product attributes that are strongly preferred.

All PGCPS employees shall make every reasonable effort to purchase environmentally responsible products. Products purchased shall be made with recycled, non-toxic and/or recyclable materials to help minimize environmentally harmful production processes and that are energy and water efficient, as long as those items meet or exceed specifications and required quality levels set forth by PGCPS.

Recyclable and Non-Toxic Products

Whenever possible, PGCPS shall purchase and use recycled paper (minimum 20% post-consumer recycled content) and processed chlorine-free.

Strong consideration should be given to purchasing durable items, items having minimal packaging, items that can be reused and items that can be recycled (via PGCPS recycling programs www.pgcps.org/recycling) when discarded.

PGCPS encourages the use of independent, nationally recognized, third-party, environmental products or service certification standards when writing specifications for/or procuring materials, products or services.

PGCPS will make every effort to purchase chemicals and products that have a low toxicity or are non-toxic. Products with the following attributes should be favored.

- Have the least amount of adverse health effects such as skin, eye, nose, throat and lung irritants from toxic compounds.
- Products containing the least amount of chemicals that could potentially enter the food chain consumed by aquatic plants and animals.
- Products containing the least amount of volatile organic compounds that could escape during product use.
- Avoids unnecessary additives such as fragrances and dyes.
- Reduction of product packaging by using recovered/recoverable materials when packaging is necessary.

Energy Efficient Products

- When available, equipment/appliances purchased or leased shall meet the U.S. EPA Energy Star Certification (www.energystar.gov) and shall be configured to maximize energy savings features. When Energy Star products are not available, products shall meet or exceed the Federal Energy Management Program (www.eere.energy.gov/femp/technologies/eep_purchasingspecs.html) recommended levels.
- Wherever practical, new and replacement equipment for lighting, heating, ventilation, refrigeration/air conditioning systems, water systems, water consuming fixtures/process equipment and all such components shall meet or exceed FEMP recommended levels.
- Whenever possible, preference shall be given to systems that run on renewable energy.

Water Efficient Products

To the greatest extent, purchases or lease equipment, appliances or systems that use water shall be water efficient. Whenever possible, items should be purchased that meet the U.S. Environmental Protection Agency's Water Sense criteria (www.epa.gov/watersense).

Vehicles

Whenever possible, PGCPs shall purchase alternative fuel vehicles or shall purchase "greener" vehicles by specifying good fuel economy and environmental performance that meet the Environmental Protection Agency's (www.epa.gov/greenvehicles) SmartWay designation.

Buildings

Green purchasing concepts shall be integrated into architectural designs, final construction documents and into the final construction of buildings and renovations of PGCPs owned property. When maintaining buildings, PGCPs shall use products with the least amount of volatile organic compounds, highest recycled content and low or no formaldehyde or other toxic substances whenever practical when purchasing materials such as paint, carpeting, adhesives and furnishings.

Incorporating Environmental Attributes

Implementation of these Guidelines are dependent upon the actions of all PGCPs employees by making every possible effort to reduce the amount of toxicity and waste that they generate. Purchasing & Supply Services shall be responsible for assisting PGCPs employees, contractors and suppliers with applicable sections of these Guidelines.

- Educate employees purchasing on behalf of PGCPs on the sustainability criteria.
 - Develop language and bid specifications stating that products and services offered must meet the criteria described in these Guidelines. However,
 - Specifications must not be used to limit competition by specifying a specific vendor's product. If the requesting department seeks to purchase products or services that do not meet the environmentally preferred criteria, the department shall provide written justification for why compliance is not technically practical, economically feasible or available within the required timeframe.
- When evaluating bid responses:
 - Additional points may be given to bidders who use environmentally responsible products and services or who engage in environmentally preferable practices as part of conducting their business.
 - Life-cycle costs of some environmentally responsible products may exceed costs of comparable products, however this alone shall not determine whether an environmentally responsible product should be purchased. Life-cycle costing, which is the total cost of the product, including operation, maintenance and disposal, may prove to be more economical in the long run.
- Negotiate better pricing for products and services meeting the criteria described throughout these Guidelines over traditional products and services, where opportunities exist.

General Guidance for Best Practices

- **Packaging and Shipping Considerations**
 - Shipped with minimal packaging, consistent with care of the product.
 - Shipping and packaging materials should be made of recycled, reused, and recyclable materials.
 - Purchase in multi-packs versus singles.
 - Avoid air shipments.
 - Consolidate several small orders into one larger order.

- **Product End-Of-Life Management Considerations**

- Can it be recycled? Recyclable products can be diverted from PGCP's solid waste stream for use as a raw material in the manufacturing of another product.
- Can the product be reused? Reusable products can be used several times for an intended use before being discarded.

- **Manufacturing Considerations**

- Made of recycled materials, maximizing post-consumer content.
- Remanufactured products such as toner cartridges, tires, furniture, equipment and automotive parts when practical and cost-effective, without reducing safety or quality.

- **Operational Considerations**

- Minimizes water and energy use in operation.

For example, washable food/beverage containers or refillable ballpoint pens.

- If it cannot be recycled or reused, can it be disposed of safely? Product disposition should minimize materials that are sent to landfills.

- Made from raw materials obtained in an environmentally sound sustainable manner.
- Non-toxic or minimally toxic, preferably biodegradable.
- Manufactured in an environmentally sound, sustainable manner.

- Causes minimal or no environmental damage during normal use or maintenance.

Sustainable Definitions

- Carbon emissions: the result of burning fossil fuels such as gas, coal or oil, emitting carbon dioxide into earth's atmosphere. When done at such a high rate that the natural carbon cycle is overly burdened & the ability of plants and trees to reabsorb the carbon dioxide is exceeded, it is often considered harmful to the environment. The total carbon emission individuals/businesses emit is often measured as a carbon footprint. The act of calculating carbon emissions is often referred to as emissions analysis.
- Conservation: the careful preservation & protection of a quantity during transformations or reactions of something; especially planned management of a natural resource to prevent exploitation, destruction, or neglect.
 - Energy conservation
 - Water conservation
 - Natural resource conservation
- Compostable: Compostable is used to describe a product that can disintegrate into non-toxic, natural elements. It also does so at a rate consistent with similar organic materials. Compostable products require microorganisms, humidity, and heat to yield

a finished compost product (CO₂, water, inorganic compounds, and biomass).

- Energy-Efficient Product(s): Products that have excellent performance in terms of using less energy than other products that perform the same function.
- Energy Star: a joint program, including product certification, of the U.S. Environmental Protection Agency (EPA) and the U.S. Department of Energy helping us all save money and protect the environment through energy efficient products and practices.
- Environmental Stewardship: refers to responsible use and protection of the natural environment through conservation and sustainable practices
- Fiscally Responsible – The expectation to allocate and spend money appropriately.
- Greenhouse gas: any of various gaseous compounds (as carbon dioxide) that absorb infrared radiation, trap heat in the atmosphere, and contribute to the greenhouse effect
- Life-Cycle Cost – The total cost of a product including the purchase, use, maintenance and disposal.

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- Natural resources: materials and capacities supplied by nature (as mineral deposits and waterpower)
 - Non-Toxic Product(s) – Products that do not contain health hazard ingredients and are not a nuisance on the environment.
 - Post-consumer recycled content: Content recycled from waste produced by the end consumer of a material stream. Post-consumer waste is the garbage that individuals routinely discard, either in a waste receptacle or a dump, or by littering, incinerating, pouring down the drain or washing into the gutter. The use of post-consumer recycled content avoids using virgin resources.
 - Post-industrial recycled content: waste that is produced during the manufacturing process that is recycled back into the industrial process. In many cases, industry was already recycling this material back into the process and thus post-industrial recycled content is not as significant as post-consumer recycled content.
 - Recycled Product(s) – Products that have been manufactured with recycled materials either collected from a recycling program or from waste recovered during the normal manufacturing process.
 - Renewable energy: energy that comes from resources which are continually replenished such as sunlight, wind, rain, tides, waves and geothermal heat.
 - Socially Responsible – Ethical theory in which individuals are accountable for contributing to the benefits of society as a whole.
 - Sustainable: a method of harvesting or using a resource so that the resource is not depleted or permanently damaged while understanding the interconnections within our natural and built world; economy, society, and environment. A fluid concept with various definitions, sustainability was given global political salience when defined by the United VBCPS Sustainable Purchasing Best Practices Guide Page 11 | of 11 01/14/2015 Nations (UN) General Assembly as; meeting the needs of tomorrow without compromising the ability of future generations to meet their own needs.
 - Waste Reduction – The act of avoiding, eliminating and the reduction of the amount of solid waste at the source of generation, at the point of usage and at the time of its discard.

RETENTION/ARCHIVING OF DOCUMENTS

All documents and materials related to a solicitations will be maintained in the Purchasing Office and saved to the Purchasing G-drive for a period of time equal to the validity of the contract(s).

Documents subject to audit must be retained as outlined in the audit findings and accepted by the appropriate officials or the specified retention period has been satisfied or whichever is longer. As some records are subject to more than one audit, all audit requirements must be satisfied.

Contracts shall be stored by Supply Services in the warehouse for a period of five years. At the end of the five year period, the Purchasing Director or his/her designee shall review documentation for appropriate disposal.

REQUISITIONS, RECEIVING, INSPECTION & SHIPPING

Requisitions

A requisition is an electronic submission through SSP Oracle for the procurement of supplies, materials and services. Requisition requests follow the established Oracle hierarchy for approval. Once all approvals have been obtained, a Purchasing buyer will review the requisition for purchase order approval.

- Item based requisitions should indicate the manufacturers' part numbers, catalog numbers, item description, required quantity, unit of measure and item cost.
- Service based requisitions should define and list the required service expectations and deliverable items (reports, studies, plans, systems, expected conditions or changes to PGCPs property or facilities resulting from services, etc.).
- Supporting documentation must be attached to all requisitions in the amount of \$5,000 and above. Contract numbers must be notated in the Note to Buyer.
- Requisition requests submitted without sufficient item descriptions and/or attaching supporting documentation are subject to being returned and/or delayed purchase order approval.

Expediting

- When requested, the Purchasing Office will assist with expediting an open purchase order. Vendors are contacted to ensure that items specified on the purchase order will be received in a timely manner.
- If a delayed delivery will adversely affect the requirements of a particular project or departmental need and the supplier is unable to rectify the delivery timeline, the Purchasing Office may contact other sources of supply.
- If an alternate source is located that is able to deliver within the required timeline, the original purchase order may be cancelled and a new purchase order issued to the new supplier.

Travel & Conference Accommodations

All travel accommodations should be placed through the approved PGCPs travel agency.

Freight/Shipping Charges

Price quotes obtained and/or contract terms determine the freight/shipping charges that a vendor/supplier may charge. The two most common freight charges are Freight on Board (F.O.B.) Destination and Freight on Board Origin. Freight/Shipping charges, if applicable, should be included as a line item on the requisition request.

Return of Merchandise

It is the responsibility of the school/office requestor to contact the supplier/vendor to request a return for credit or replacement of an incorrect item.

Packing Slips and Invoices

- Orders are delivered to the "Ship To" location listed on the purchase order.
- The person who opens the package should verify that all items listed on the packing slip have been received.
- The packing slip should be given to the school/office requisition requestor for comparison against the approved purchase order and saved until an invoice is received in Accounts Payable.
- Requestor should enter the receiving for the items in SSP Oracle.
- Upon receipt of the invoice, AP will match the invoice to the appropriate purchase order line item. Billing/invoicing questions should be directed to Accounts Payable.
- If you receive an invoice directly from the vendor, the invoice should be immediately forwarded to Accounts Payable for processing.

DEFINITIONS

Agreement: A properly executed and legally binding contract, usually written, between two or more parties, i.e., Contract or Purchase Order.

Architect/Engineering Firm (A/E): A designation reserved usually by law, for a person or organization professionally qualified and duly licensed to perform architectural and/or engineering services, including but not necessarily limited to analysis of project requirements, creation and development of the project design, preparation of drawings, specifications and bidding requirements. It may be an individual or firm offering professional services as both Architect & Engineers.

Best Value Proposal/Bid: A written response from a vendor used for procurements of goods and/or services or insurance where contract award may be based on stated criteria other than the lowest responsive bid.

Bid: A statement of price, terms of sale and description of the supplies, services, construction or construction related services offered by a bidder in response to a solicitation.

Bid Bond/Proposal Guarantee: This is a legal document used to bind the vendor to honor the Bid/Proposal. In the event the vendor fails to honor a Bid/Proposal, the Bid Bond/Proposal Guarantee may be forfeited and the issuing Surety shall pay PGPCS the amount of the Bond/Proposal Guarantee to defray PGPCS's cost.

Bidder/Offeror of Standing: A bidder/offeror who would be directly next in line for an award should a protest be supported.

Board: The Board of Education.

Business: Any corporation, partnership, individual, sole proprietorship, joint stock company, joint venture, or any other private legal entity engaged in an activity for gain or livelihood.

Calendar Day: Any day, including Saturdays, Sundays and holidays.

Capital Asset: Land, buildings, site improvements, construction-in-progress, vehicles and equipment individually costing \$5,000 or more and with an estimated useful life in excess of one year.

Capital Improvement: Any physical betterment or improvement and any preliminary studies and surveys relative thereto, including, but not limited to, any property of permanent nature and equipment needed in connection with such improvement.

Capital Programs: An ongoing process intended to reflect the most current capital requirements at a given point in time, usually established for a five year period.

Change Order: Modification to an agreement, i.e., contract or purchase order.

Competitive Bid: A written response from a vendor for the purchase of goods, general services, and/or construction with an aggregate total dollar amount of more than \$50,000.00, where the contract will be awarded to the lowest responsible and responsible bidder.

Component Purchases: Procurements of the component parts of an item that under standard purchasing practices would be procured in a single purchase.

Construction Manager Advisor (CMA): A project delivery method in which the owner retains a construction manager to supplement its own development staff.

Construction Manager At-Risk (CMAR): Acts as a general contractor at the contracted-for price and provides consultation to the institution regarding construction during and after the design of the facility.

Contract: A written, legally enforceable agreement between Prince George’s County Public Schools and one or more other parties to provide a product or service.

Contractor: See Vendor.

Cooperative Agreement: A term that refers to the combining of requirements of two or more public procurement entities to leverage the benefits of volume purchases, delivery and supply chain advantages, best practices and the reduction of administrative time and expenses.

Debarment: A vendor that has been suspended, excluded or disqualified under the non-procurement common rule, or otherwise declared ineligible from receiving federal contracts, certain subcontracts, and certain federal assistance and benefits. A list of debarred vendors may be found on the Excluded Parties List System at <http://www.epls.gov/epl>.

Design Bid: A method of contracting in which a single contract is created with a firm or group of firms in partnership to build or renovate a building or group of buildings. The intent is for the architect/engineering professionals to work more closely with the general contractor and subcontractors to provide a single source of responsibility for the design and construction of the project. This contrasts with the separate contracts with architects/engineers and general contractor involved in the support of all construction solicitations expect the JOC procurement method.

Design Bid Build: The process in which separate procurements are conducted for architect/engineer services and general construction. The design provided by the architect/engineer is utilized as part of the bidding document for the general contracting services.

Emergency Request: Orders that would adversely affect the operation of PGCPSS if not processed as expeditiously as possible.

Expedite: An attempt to persuade suppliers to deliver an ordered item ahead of schedule, which may result in additional costs. This also includes follow-up activities to correct mistakes in pricing, late delivery, etc.

F.O.B. Destination: Vendor is responsible for payment of all shipping charges from the point of shipment to the destination and for filing any claims for damages in shipment. Title for the goods does not pass to the buyer (PGCPSS) until the goods are received.

F.O.B. Origin or Shipping Point: Owner (PGCPSS) is responsible for the shipping charges and filing for any claims for damage to goods during shipment. Title passes to the Owner (PGCPSS) upon acceptance of the goods by the shipper.

Funding Source: The budgetary account code used to indicate the fund, division, department, object code, and potentially project code used to indicate the monies allocated for payment of items.

General Funds: The General Fund accounts for all financial transactions in support of the educational process which are not recorded in other funds.

Informal Bid: A solicitation for items which cost less than the legal requirement for competitive sealed bids.

Interagency Committee on Public School Construction (IAC): The state agency responsible for the review/approval of construction documents and funding of schools or school construction project.

Invitation for Bid (IFB): A sealed bid process for the procurement of goods or services that includes formal advertisement, specifications and conditions for the particular purchase, at a predetermined date and time for the bid opening.

Job Order Contract (JOC): A construction contract used for new construction, maintenance, rehabilitation and alterations of a recurring nature but which is of an indefinite delivery and indefinite quantity. The Job Order Contract shall include a comprehensive compilation of detailed real property repair, rehabilitation, alteration, maintenance, and minor construction task descriptions or specifications, a predetermined and agreed upon pricing, discount coefficient or mark-up pricing structure.

Minor Irregularity: One that is simply a matter of form and not of substance or pertains to some immaterial or inconsequential defect or variation in a bid or proposal from the exact requirements of a solicitation, the correction or waiver of which would NOT be prejudicial to other bidders or Offeror's. The procurement officer shall either give the bidder or Offeror an opportunity to cure the deficiency resulting from a minor error in a bid or proposal or waive the deficiency altogether; whichever is in the best interest of PGCPs.

Memorandum of Understanding (MOU): A document describing a bilateral or multilateral agreement between parties. It expresses a convergence of will between the parties, indicating an intended common line of action. It's most often used in cases where parties either do not imply a legal commitment or in situations where the parties cannot create a legally enforceable agreement. Additionally, for purposes of these regulations an MOU shall also mean there is NO COST to PGCPs.

Non-Federal Entity: A state, local government, Indian tribe, institution of higher education (IHE) or nonprofit organization that carries out a Federal award as a recipient or sub-recipient.

Notice to Proceed: A written notice to a successful vendor to begin work on a specified date where a purchase order has not been approved. Only the Purchasing Director or his/her appointed designees are authorized to issue a Notice to Proceed.

Fast Action Notice to Proceed: A written notice to the successful Vendor to begin work on a specified date in an effort to expedite the work. Only the Purchasing Director or his/her appointed designees are authorized to issue a Fast Action Notice to Proceed.

Limited Notice to Proceed: A written notice to a successful vendor to begin a portion of the work on a specified date, prior to the issuance of a Notice to Proceed. Only the Purchasing Director or his/her appointed designees are authorized to issue a Limited Notice to Proceed.

Obligate: Commitment of resources for particular procurements.

Paying Agent: The financial institution that is designated by a local government as its agent for the payment of the principal of and interest on a debt obligation.

Payment Bond: Issued in an amount of one hundred percent (100%) of the contract amount, is a legal document insuring faithful payment by the vendor of all invoices for material and labor under the contract. Maryland law requires a principal contractor under a contract for the construction, alteration or repair of a public building to provide the governmental entity with a payment bond in the amount of at least 25% of the contract amount.

Performance Bond: Issued in the amount of one hundred percent (100%) of the contract amount is a legal document insuring faithful performance of the work of the contract by the vendor. In the event of contractor's failure to perform the work, the Surety is liable for the satisfactory completion of the work or pay PGCPs up to the full contract amount. Maryland law requires a principal contractor under a contract for the construction, alteration or repair of a public building to provide the government entity with a performance bond in the amount of at least 100% of the contract amount.

Rider/Bridge/Piggyback: A form of intergovernmental cooperative purchasing in which an entity will be extended the same pricing and terms of a contract entered into by another entity. Generally the originating entity will competitively award a contract that will include language allowing for other entities to utilize the contract, which may be to their advantage in terms of pricing, thereby gaining economies of scale that they would otherwise not receive if they competed on their own.

Pre-Bid Proposal/Pre-Proposal Conference: A conference held by PGCPs personnel with potential vendors to discuss the requirements contained in the bid or proposal documents. Conferences are held at the option of PGCPs personnel and are usually set at a time shortly after the second advertisement.

Prime Contractor: See Vendor.

Procurement Card: A charge card issued by a recognized banking entity which is generally intended to be utilized for low-dollar purchases.

Procurement Officer: A member of the Purchasing Office, including but not limited to a Buyer, Contract Administrator or Specialist, Purchasing Supervisor, Staff Specialist, Director, etc. that is duly authorized to enter into and administer contracts and make determinations with respect thereto.

Proposer: A respondent to a Request for Proposal.

Purchase Order: A legally binding commitment for supplies, material, facilities or services made between PGCPs and the vendor. Purchases should not be made or services rendered without an approved purchase order issued by the Purchasing Office.

Purchase Requisition: The initial document, transmitted electronically, with the appropriate approvals authorizing the purchase of items required and transferring the authority to expense funds from a budget.

Request for Information (RFI): A non-binding method whereby a jurisdiction publishes via newspaper, internet, or direct mail its need for input from interested parties for an upcoming solicitation. A procurement practice used to obtain comments, feedback or reactions from potential suppliers (contractors) prior to the issuing of a solicitation. Generally price or cost is not required. Feedback may include best practices, industry standards, technology issues, etc.

Request for Proposal (RFP): An instrument to solicit offers from vendors for a specific requirement of goods or services.

Request for Quotation (RFQ): A formal solicitation request that is best used for procuring a limited number of items/services with an expedited delivery/requirement timeline.

Responsible: A person or entity that has the capability in all respects to dutifully perform fully the contract requirements with the integrity and reliability that ensures good faith performance.

Responsive: A bid or offer submitted in response to a solicitation that conforms in all material respects to the requirements contained in the solicitation.

Restricted Check: An expedited payment process involving a controlled check requested by a department or school approved by the Finance Department and printed within the department or school.

Restricted Funds: Grant appropriations that are usually received from federal, state or private foundations that are designed for a specific purpose with conditions imposed by the grantor.

Separate Purchases: Consecutive purchases of items made over a period of time to avoid the competitive bidding limitations that in normal purchasing practices would be purchased in a single transaction.

Sole Source: Goods and/or services available from only one source, as defined in this policy.

Single Source: See Sole Source.

Specification: A concise, detailed description of an item(s) required by PGCPs and the minimum requirements of the vendor and provides the basis for acceptance and award.

Subcontractor: A person, firm, or corporation that provides labor or material to fulfill an obligation to a prime contractor or to a contractor of the prime contractor for the performance and installation of any of the work required by a contract.

Supplier: See Vendor.

Technology Procurement: The procurement of equipment, goods or services of a highly technical nature (Data processing equipment, software, and firmware used in conjunction with data processing equipment; Telecommunications equipment and radio microwave systems; Electronic distributed control systems, including building energy management systems; and Technical services) related to those items.

Vendor: A business or individual that sells goods or services or both in return for payment.

Work: The performance required of the contractor under the contract, including the furnishing of all labor, materials, tools, equipment, supplies, and required submittals, and incidentals to be performed by the contractor.

APPENDIX 1

POLICIES AND REGULATIONS

Policies

COMAR 21.05.02.07 Pre-bid/Pre-proposal Conference – [21.05.02.07](#)

COMAR 21.05.06.01 Emergency Procurement - [Title](#)

Board Policy 0107 Ethics Regulations
Board Policy 3323 Purchasing - [Board Policy 3323 Purchasing](#)

Board Policy 3150 Solicitations and Acceptance of Funds and Other Resources

[Board Policy 3150 Solicitations and Acceptance of Funds and Other Resources](#)

[Board Policy 3150 Solicitations and Acceptance of Funds and Other Resources](#)

Board Policy 3260 Sales and Disposal of Books, Equipment and Supplies

[Board Policy 3260 Sales and Disposal of Books, Equipment and Supplies](#)

[Board Policy 4116 Conflict of Interest](#)

Board Policy 6180.1 Evaluation and Selection of Classroom Instructional Material

Board Policy 6180.1 Evaluation & Selection Classroom Instructional Materials

State Finance & Procurement Article §5-112, §7-106 & §13-110 - Annotated Code of Maryland

Administrative Procedures

A.P. [2600](#): Records and Document Management Program

A.P. [2702](#) : Distribution of Materials by Central Office Mailing Facility - Functions External To School System - Attachment to A.P. 2702

A.P. [2703](#) : Courier Mail Services - Attachment to 2703

A.P. [3325](#): Minority Business Enterprise Procurement Procedures - Attachment to A.P. 3325

A.P. [3260](#): Property Disposal

A.P. [3355](#): Donation of Equipment, Furniture

A.P. [3323](#): Purchasing Guidelines- Attachment to A.P. 3323

A.P. [7419](#) : Minority Business Procedures for State Funded Projects