



# THE CITY OF SHREVEPORT

## PURCHASING REGULATIONS & PROCEDURES MANUAL

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# CITY OF SHREVEPORT-PURCHASING DIVISION

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**June 22, 2015**

To: All Departments/Divisions

Except as otherwise provided in Sections 2-1 and 2-2, the authority relating to the procurement of supplies, services, and construction is hereby vested in the Purchasing Agent, pursuant to the City Charter, the City Code of Ordinances and Administrative Procedure 3-8 (A.P. 3-8). The regulations established herein are procedures and guidelines relating to the procurement, management, control and disposal of supplies, services and construction, as applicable for the City of Shreveport, hereinafter referred to as the City. It is based on the Louisiana R.S. (the R.S.), the City Charter (the Charter), and the City Code of Ordinances (the Code). The purpose of the Purchasing Manual is to provide guidance and instruction relating to the Purchasing regulations and procedures for the City of Shreveport. **It should be noted that some departments may have more stringent policies.**

We have designed these policies and procedures to standardize guidelines for ALL DEPARTMENTS/DIVISIONS of the City. These purchasing procedures are an integral part of the City's computerized accounting system; therefore, having the cooperation of all departments in strict adherence to these guidelines is essential so that expeditious handling of all orders can be facilitated. The cooperation of all of us will determine the success or failure of the system and help provide an appropriate level of budgetary control. **Refer to pages IV through VII for flow charts that will give you a quick summary of the procedures/regulations listed herein.**

**COMMODITIES**-Amounts must be based upon the aggregate total by Commodity that all City Departments need for one budget year. It is against the law to split purchases in order to avoid the requirement of receiving three quotes or advertising for public bidding. Department are required to obtain three telephone, facsimile, electronic or written quotes when the dollar amount is \$10,000 to \$29,999. When the dollar amount is \$30,000 or more Purchasing is required to advertise and issue an IFB.

**CONSTRUCTION**-Amounts must be based upon each site per budget year. Purchasing is required to issue a RFQ when the dollar amount is \$30,000 to \$149,999. When the dollar amount is \$150,000 or more Purchasing is required to advertise and issue an IFB.

The QUICK REFERENCE TO PURCHASING REGULATIONS is provided on the next page. Through proper application of this cost effective system, we will all aid in the evolution of more accurate, detailed and complete records necessary for compliance with the City's purchasing procedures and state laws.

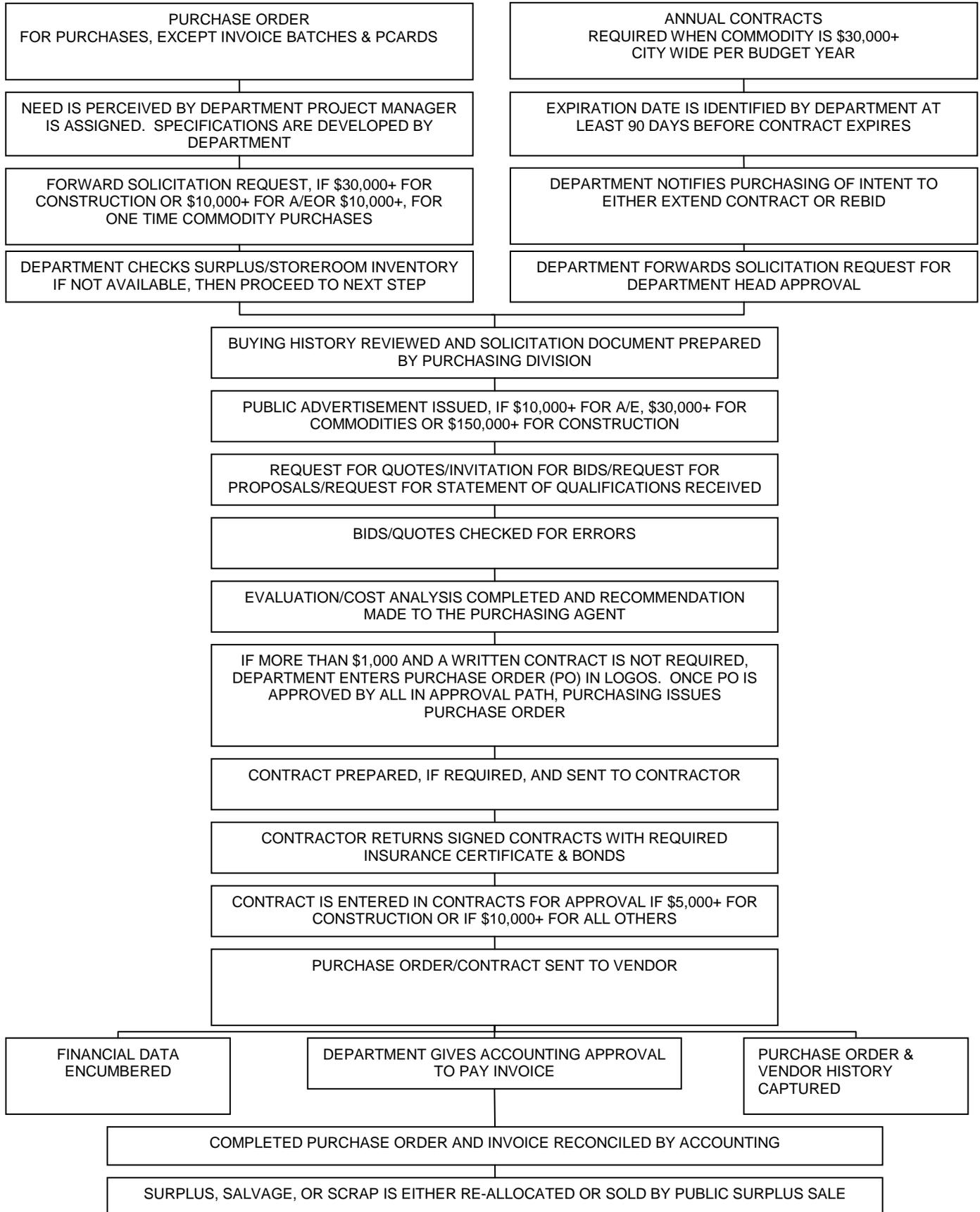
Thanks for your cooperation.

Donald Evans, CPPO, CPPB  
Interim Purchasing Agent

The Fair Share Ordinance has a goal of 25% of certified Fair Share (DBE/FSC) Vendors/Firms. Use of Fair Share Vendors/Firms is strongly encouraged. **All subcontractors are to be entered in LOGOS by Departments.** The City of Shreveport's listing of current bids is posted on BidSync.com and the City's web site [www.shreveportla.gov/index.aspx?NID=779](http://www.shreveportla.gov/index.aspx?NID=779). *To request copies of bids by email, send your request to [donald.evans@shreveportla.gov](mailto:donald.evans@shreveportla.gov).*

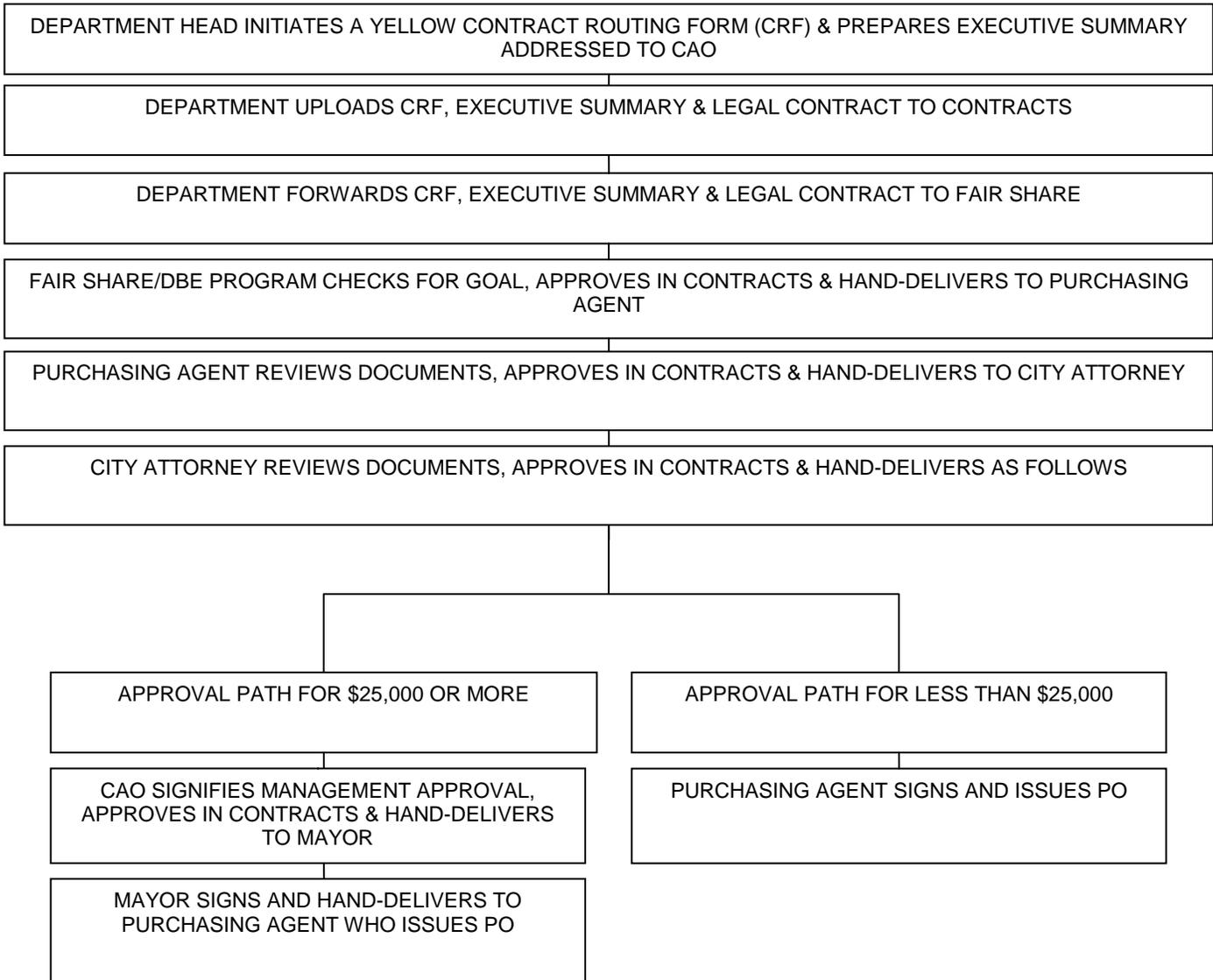
- 1.0 **COMMODITIES**-Amounts must be based upon the aggregate total by Commodity that all City Departments need **for one budget year**. It is against the law to split purchases in order to avoid the requirement of receiving three quotes or advertising for public bidding.
  - 1.1 Purchases -\$1,000 or less.
  - 1.2 Non-recurring purchases, items not stocked in the storeroom or not on a contract. Department uses PO, Invoice Batch or Procurement Card (Pcard).
  - 1.3 \$1,001 to \$9,999-PO in LOGOS is required. Purchasing issues PO after approvals in LOGOS.
  - 1.4 \*\$10,000 to \$29,999-Solicitation Request (Cityform) for RFQ required. PO in LOGOS required. Purchasing must issue RFQ with written specifications. Award other than to the lowest vendor must be approved by the Purchasing Agent. Enter in Contracts when there is a written contract. Purchasing issues PO after approvals in LOGOS.
  - 1.5 \*\$30,000 plus-Solicitation Request for IFB required. Purchasing must issue IFB with written specifications & advertise for minimum of 10 days (excluding holidays). Requires a PO in LOGOS & must be entered in Contracts if there is a written contract. Purchasing issues PO after approval in LOGOS
  - 1.6 \*Note: Exceptions to the public bid law for quotes (\$10,000 to \$29,999) & bid requirements (\$30,000+) are: State Contract Items, State Contract Local match items as negotiated by Purchasing (**R.S. 39:1710**). Cooperative Purchasing Agreements & Check Request Items as listed on page four of the Purchasing Manual. For listing of State Contracts see: <http://doa.louisiana.gov/osp/osp.htm>. The Purchasing Manual is located on the Intranet at: <http://city.cos>
- 2.0 **CONSTRUCTION**-Amounts must be based upon each site per budget year. It is against the law to split projects in order to avoid the requirement of a State Contractors License or to avoid public bidding. Any contractor/vendor working on City property must provide Insurance Certificate on our form for approval of the Risk Manager. State Contractors License required when cost per site for the budget year will be \$50,000+. **For residential home improvement projects a state license is required when \$1,500 or more.**
  - 2.1 Procurement Card Purchases 1,000 or less. Department uses a PO, Invoice Batch or Procurement Card (Pcard).
  - 2.2 \$1,001 to \$4,999-PO in LOGOS is required. Purchasing issues PO after approved in LOGOS.
  - 2.3 \$5,000 to \$29,999-PO in LOGOS, written (R.S. 38:2241) contract (if an emergency, written contract required when \$50,000+) entered in Contracts. Purchasing issues P.O. after Contracts is approved.
  - 2.4 \*\*\$30,000 to \$149,999-Solicitation Request for RFQ required. Purchasing must issue Request for Quote (RFQ) with written specifications. P.O. in LOGOS, written recorded contract entered in Contracts is required. 10% Two-Year Maintenance/Warranty Bond is required @ \$20,000+ (when applicable). 50% Payment Bond required when in excess of \$30,000 (R.S. 38:2241). State Contractors License & 100% Performance Bond Required @ \$50,000+. Purchasing issues P.O. after Contracts is approved in LOGOS. When amount is in excess of \$30,000 the vendor/contractor is required to record the contract with the bonds at the Parish Courthouse.
  - 2.5 \$150,000 plus-Solicitation Request for IFB required. Purchasing must advertise for minimum of 25 days (excluding holidays) & issue Invitation for Bid (IFB) with written specifications. PO in LOGOS, written recorded contract entered in Contracts is required. State Contractors License, 5% Bid Bond, & all bonds listed above are required. Purchasing issues P.O. after Contracts is approved in LOGOS.
  - 2.6 \*\*Note: Exception to the quote requirements would be to use City employees for construction projects including for new buildings when the total cost, is less than \$150,000 (including City employee labor, materials and rented equipment).
- 3.0 **ARCHITECTURAL/ENGINEERING SERVICES**-Architectural, engineering, interior design, construction management, land surveying & landscape architectural services.
  - 3.1 Contracts less than \$10,000-PO in LOGOS is required (No RFS). Purchasing issues PO after approved in LOGOS.
  - 3.2 \$10,000 plus-Solicitation Request for RFS required. PO in LOGOS, written contract entered in Contracts is required. Purchasing must advertise for minimum of 25 days (excluding holidays) & issue Request for Statement of Qualifications (RFS). Purchasing issues PO after approved in LOGOS.
- 4.0 **REQUEST FOR PROPOSALS**-can only be used as shown below & for services not covered in the Public Bid Law.
  - 4.1 When practical-Services-\$10,000 to \$29,999-Solicitation Request (Cityform) for RFQ required same as Commodities. When practical-Services-\$30,000 plus-Solicitation Request for RFP required. Purchasing normally advertises RFPs for minimum of 30 days (excluding holidays) & issues Request for Proposals (RFP) with written specifications. PO in LOGOS, written contract entered in Contracts is required. Purchasing issues P.O. after approved in LOGOS. Exception: Any service can be an exception if not covered in the Public Bid Law and if approved by the Purchasing Agent.
  - 4.2 For items listed below, when less than \$30,000, same as Commodities.
  - 4.3 TELECOMMUNICATIONS/D.P. EQUIPMENT-\$30,000 plus-Solicitation Request for RFP required. Purchasing must advertise for minimum of 10 days (excluding holidays) & issue Request for Proposals (RFP) with written specifications. PO in LOGOS & is required. Purchasing issues PO approved in LOGOS. Can also use IFB with 15 day advertisement for this equipment if note that RFP process is not applicable.
  - 4.4 Used Fire & Emergency Response Vehicles \$30,000 plus-Solicitation Request for RFP required. Purchasing must advertise for minimum of 25 days (excluding holidays) & issue Request for Proposals (RFP) with written specifications. PO in LOGOS Purchasing issues P.O. after approved.
  - 4.5 Shared Energy Savings (Contractors License Required)-Solicitation Request for RFP required. Purchasing must advertise for minimum of 42 days (excluding holidays) & issue Request for Proposals (RFP) with written specifications. PO in LOGOS, written recorded contract. Purchasing issues PO after approved in LOGOS.

# PURCHASING CYCLE



# CONTRACTS INSTRUCTIONS

**Legal contracts must be hand-delivered to next location. Do not place in interoffice mail.**



# CITY OF SHREVEPORT

## RIGHT TO PROTEST PROCEDURES

BIDDER/OFFEROR SUBMITS WRITTEN PROTEST TO THE PURCHASING AGENT WITHIN SEVEN DAYS AFTER THE AGGRIEVED PERSON KNOWS OR SHOULD HAVE KNOWN OF THE FACTS GIVEN RISE THERETO

PURCHASING AGENT REVIEWS AND RENDERS A DECISION WITHIN TEN DAYS

BIDDER/OFFEROR MAY SUBMIT REBUTTAL TO THE PURCHASING AGENT WITHIN FIVE DAYS AFTER RECEIVING THE PURCHASING AGENTS DECISION (THIS STEP ONLY TAKEN IF BIDDER/OFFEROR FEELS THAT THE PURCHASING AGENTS DECISION WAS UNFAIR)

PURCHASING AGENT RESPONDS TO REBUTTAL WITHIN FIVE DAYS

BIDDER/OFFEROR MAY SUBMIT PROTEST TO COURT (THIS STEP ONLY TAKEN IF BIDDER/OFFEROR FEELS THAT THE PURCHASING AGENTS REBUTTAL DECISION WAS UNFAIR)

# CITY OF SHREVEPORT DISQUALIFICATION REVIEW PROCESS

PROJECT MANAGER DOCUMENTS PERFORMANCE TO INCLUDE PICTURES OF POOR WORKMANSHIP, COPIES OF LETTERS ADDRESSING PROBLEMS, DOCUMENTATION OF PROBLEMS THAT COULD NOT OR WERE NOT CORRECTED, DELIVERY PROBLEMS, ETC.

DOCUMENTATION IS SENT TO THE PURCHASING AGENT THROUGH THE DEPARTMENT HEAD

PURCHASING AGENT REVIEWS DOCUMENTATION WITH CAO

IF CAO APPROVES PROCEEDING WITH THE DISQUALIFICATION, THE PURCHASING AGENT DRAFTS LETTER TO SEND TO THE CONTRACTOR FOR APPROVAL OF THE CITY ATTORNEY

THE PURCHASING AGENT SENDS LETTER TO THE CONTRACTOR GIVING NOTICE OF POSSIBLE DISQUALIFICATION AND AN OPPORTUNITY TO MEET WITH THE DISQUALIFICATION REVIEW BOARD OR RESPOND WITH A WRITTEN REBUTTAL WITHIN TEN DAYS

IF A MEETING WITH THE DISQUALIFICATION REVIEW BOARD IS REQUESTED BY THE CONTRACTOR, ONE IS SCHEDULED WITHIN TEN DAYS. THE MEETING WILL BE A PUBLIC HEARING AND A NOTICE MUST BE PLACED ON THE FIRST FLOOR AND IN PURCHASING

DECISION OF THE DISQUALIFICATION REVIEW BOARD WILL BE SENT TO THE CONTRACTOR WITHIN TEN DAYS AFTER THE MEETING

THE CITY OF SHREVEPORT

PURCHASING REGULATIONS & PROCEDURES MANUAL

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# THE CITY OF SHREVEPORT

## PURCHASING REGULATIONS AND PROCEDURES

### 1-1 INTRODUCTION/DEFINITIONS

#### A. Introduction

This manual is for use by all departments of the City of Shreveport. It has been prepared to aid all employees directly or indirectly associated with the Purchasing Division. It is intended as a guide, pointing out duties and responsibilities, and for maintaining the City's reputation for fairness and integrity.

The purchasing function involves the procurement of construction, materials, supplies, equipment and services at the lowest possible cost, consistent with the quality needed for the proper operation of the various departments. Our goal is the promotion of the City's best interests through intelligent action and fair dealing that will result in obtaining the maximum projected value for each dollar of expenditure.

These regulations require that purchases more than \$1,000 must be covered by a properly executed purchase order. They also provide a complete purchase history that will aid in budgeting and auditing, while automatically providing the encumbering procedure.

Combining requirements of the City through the Purchasing Division will help in obtaining lower prices, following-up on orders, buying cooperatively with other governmental agencies and generally maintaining a smooth purchasing operation.

#### B. Definitions

An **Annual Commodity Contract** is a contract based upon a public bid because the **aggregate amount** expended by City as a whole for those commodities that you need on a **recurring basis is \$30,000 or more** per budget year, therefore state law requires a public bid.

**Approved insurance (Accord) Certificate** is documentation of vendor's current insurance which has been approved by the Risk Management office using the Insurance Approval Request form (found in Cityform).

A **Commodity** is something movable, useful, recognizable by touch, something you can put your hands on, such as vehicles, fire hydrants, tires, concrete, etc. These are identified with Commodity Codes in LOGOS.

**Written Contract** is a written agreement between two parties, with binding legal force, usually exchanging goods or services for money or other consideration.

**Fair Share Program** is the plan that the City of Shreveport has adopted for small economically disadvantaged (S/DBEs) to comply with the City's policy of providing and ensuring contracting/purchasing opportunities to level the playing field for these business concerns. Successful bidders/contractors have three days after they are notified that the City is considering awarding them a contract to provide documentation that they have made a good faith effort toward the 25% FSC goal. This applies to all purchases/contracts except for software maintenance and for those who are defined as **No Code Required (NCR)** vendors because they do not provide goods or services to the City.

**Fair Share Applicable/Fair Share Vendor** shall mean all vendors that count toward the Fair Share Program. This includes DBEs and FSCs. It is possible for a firm to have more than one of these status codes, however, for reporting purposes the amount of the contract award is only counted once.

**Purchase Order (P/O) Continuance** is a purchase order that is based upon a pre-approved annual contract that does not expire or have renewal options until the next budget year; therefore, an additional partial year purchase order is required for the new budget year.

**Recurring Contracts** are small contracts such as, demolition, house securing, and grass cutting contracts that have to be issued by location and the vendor/contractor has already been approved during the present budget year.

An **Emergency** is a situation which creates a threat to public health, welfare, or safety; such as may arise by reason of floods, epidemics, riots, equipment failures, fire loss, or such other reasons, as may be proclaimed by either the Purchasing Agent or a department head. These include equipment and vehicle breakdowns and damage caused by storms. Emergency purchases may be made in these instances, but only if departmental operation would be seriously impaired, if immediate actions were not taken.

## 2-1 AUTHORITY TO CONTRACT FOR CERTAIN SERVICES

- A. General Authority - Departments needing to procure the services of clergy, physicians, dentists or undertakers may do so on their own behalf.
- B. Contracts for Legal Services - No contract for the services of legal counsel may be awarded without the consent of the City Attorney and approval of City Council.
- C. Architectural/Engineering Services - When the total contract amount is expected to be **less than the contract limit (\$10,000)** established by the Architect/Engineer Selection Ordinance, see Shreveport's Code of Ordinances, **Sections 26-241 through 26-243**, then firms offering architectural, engineering, interior design, construction management, land surveying and landscape architectural services, may be recommended to the CAO by the Department Head. When the initial amount of the contract exceeds, or the final contract amount is expected to exceed the contract limit established by the Architect/Engineer Selection Ordinance, then firms offering architectural, engineering, interior design, construction management, land surveying and landscape architectural services, shall be selected according to the Architectural/Engineering Selection Ordinance.
- D. Consulting, Insurance and other Services shall be obtained through the Purchasing Division using Request for Proposals when the contract amount is expected to be \$10,000 or more unless written approval of an alternate method is provided by the Chief Administrative Officer. If the contract amount is expected to be less than \$10,000, the Department Head will make a minimum of two recommendations to the Chief Administrative Officer and the Chief Administrative Officer will select the firm.

## 2-2 EXEMPTIONS

- A. Cooperative Purchasing: Neither informal quotes nor formal bids are required when:
  - 1. Purchasing contract items or services from State Contract Vendors at State Contract prices. *Correct State Pricing must be verified because the State Pricing sometimes only applies to State Agencies.* Purchase order must be processed using the procedures listed herein by using LOGOS. State Contract number must be listed in the description on the purchase order. Using this address you can view state contracts on the Internet:  
[http://wwwprd1.doa.louisiana.gov/OSP/LaPAC/eCat/dsp\\_eCatSearch.cfm](http://wwwprd1.doa.louisiana.gov/OSP/LaPAC/eCat/dsp_eCatSearch.cfm).  
**a. LAMAS contracts that are set up by the State can also be used because these are GSA contracts that have met the states contract requirements. Purchase must be made through a Louisiana dealer or distributor.**
  - 2. Purchasing State Contract items from local vendors. R. S. 38:2212.1 F authorizes the City to purchase materials, supplies, and equipment pursuant to the cooperative purchasing provisions of Title 39. This allows us to order State Contract items (**must be the same item**) from local vendors without bidding, and therefore this could greatly enhance our Fair Share Program. Objective will be to see if local FSC Vendor can match state contract price for same items. If they cannot match the State Contract price, then we can only pay from 3% more than the state contract price.

R.S. 39:1710. **Local governing authorities; purchases from local vendors, payment of certain costs.**

When a local governing authority purchases an item at the state bid price through a local vendor, the local governing authority may pay to the local vendor the costs for shipping, preparation, and delivery of the item, provided that these costs shall not exceed the state bid price by three percent. If you have trouble finding the items you are looking for, you can request information from the appropriate state buyer by email or email/Phone any the buyers listed below:

Name	Buyer #	Phone #	Main Areas of Specialty
Donald Evans	#1	Extension-5460	Construction/Building Materials/HVAC Building Repairs/Testing & Engineering Equip.
Ken Aclin	#3	Extension-5456	Auto Parts/Fuel/Janitorial Supplies/ Traffic Products/Misc. Construction W&S/Equipment
Wendy Wagnon	#4	Extension-5454	Computers/Software/Peripherals/ Furniture/Office Equipment/ Medical Supplies Telecommunications & Professional Services
Cynthia Gray	#5	Extension-5459	Asbestos Removal/Demolition/Non-Professional Services/Vehicles/Tractors/ Securing/Auctions Police Supplies/ Trailers & Tree Removal Surplus Land/Surplus Items Cleanup/Uniforms/Work Boots

3. **Once you determine what you need the following procedures must be adhered to.**

- A. Call or email one of the buyers listed above with the description of the item.
- B. Buyer will see if any local vendor will match state contract price or match and only charge 3% or less for handling.
- C. Buyer will advise results.
- D. When filling out the PO, identify the state contract number, state contract price and the correct percentage used in the **Description Field** of the PO.

4. Purchasing items/services in cooperation with other governmental agencies when the solicitation (bid) documents informed all bidders of the participants and all participants have signed a cooperative buying agreement.

5. Purchasing from GSA contracts **is only allowed when Federal Funds are involved**, and **if** the grant allows this.

B. Invoice Batch (Invoice Entry Batches): The supplies and services listed below are exempt from the purchasing procedures herein required. However, the Purchasing Agent for just cause may limit or withdraw any exemptions provided for in this section. Invoice Batches are generated in LOGOS. A complete description of the purchase must be entered for approval and auditing purposes. The user guide, "COS Logos.net AP Invoice Entry", is located at H:\COMMON\Logos.net. Invoice entry batches can be used for the following:

1. Advertisements in professional publications and newspapers.
2. Aerial photo services for flood zones.
3. Business luncheons.
4. Copyrighted educational films, filmstrips, slides and transparencies.
5. Counselors/Trainers for SPAR & other departments.
6. Educational training and related resources (except equipment) used to enhance the performance of city
7. Food Items for the Jail (only when purchased at wholesale prices).
8. Land purchased for right-of-way.
9. Legal services, once approved by the City Attorney & City Council.
10. Materials, supplies, exhibitor fees, and exhibit booths at conferences, seminars, and workshops, for participation in promotional activities which enhance economic development may be procured in accordance with this section with the approval of the department head.
11. Medical/veterinarian services.
12. Oil company credit cards.
13. Parcel services, including but not limited to Federal Express, United Parcel Service, Airborne Express, and Express Mail.

14. Parts for and repairs to vehicles, mobile, and fixed equipment obtained from or performed by the authorized dealer or manufacturer of the equipment when less than \$5,000. This provision does not apply to the stocking of parts. Authorized dealer is defined as a dealer certified by the manufacturer to perform maintenance on their equipment. Repairs in excess of \$5,000 must be made only after a determination by the department head is made that the remaining expected life of the equipment is sufficient to warrant the cost of the repair.
15. Postage stamps and postal fees.
16. Prosthetic devices, implantable devices, and devices for physical restoration.
17. Publications and/or copyrighted materials (such as published books, library books, videos, maps, periodicals, & pamphlets) purchased directly from the publisher or copyright holder, or purchased by libraries from either subscription services or from wholesale dealers which distribute for publishers and/or copyright holders.
18. Purchases made to resell as part of a merchandising program with the written approval on file from the department head, or agency equivalent, when it is not practical or feasible to obtain competitive price quotations.
19. Recording fees (Clerk of Court).
20. Refunds (permits, trust funds, etc.)
21. Satellite package services.
22. Subscriptions/advertising for special occasions.
23. Surplus property and services purchased from authorized federal, state, parish, or other municipal governmental entities.
24. Temporary employment services.
25. Travel and mileage reimbursements
26. Used equipment: To be accomplished by Purchasing only in accordance with La. RS 39:1645.
27. Utilities including gas, electric and water.
28. Vehicle body repairs covered by insurance recovery and in accordance with insurance requirements.
29. WIA Purchases.
30. Working class animals trained to perform special tasks, including but not limited to narcotics detection, bomb detection, arson investigation, and rescue techniques.
31. Works of art for museum and public display.

### 2-3 RELATION OF PURCHASING DIVISION TO OTHER DEPARTMENTS

- A. It is the function of the Purchasing Division to observe and enforce all procedures herein outlined so that all purchases may be made fairly, quickly, competitively, and so that the City of Shreveport may benefit from its efficiency.
- B. The Purchasing Division is not a clerical agency for other departments but exercises authority and control independent of them. It may change vendors on POs, substitute other appropriate articles and may postpone or deny a request, if the request is not according to Public Bid Laws or City purchasing policy.
- C. In general, the Purchasing Division will work harmoniously with the various departments in the best interests of the City.

### 2-4 RELATIONS WITH VENDORS

- A. The relationship between the purchaser and the seller is one of mutuality. A contract that proves unsatisfactory to the vendor cannot be regarded as satisfactory to the buyer. It is the responsibility of the Purchasing Division to establish a relationship of mutual confidence and satisfaction between the City and its suppliers. It is, therefore, necessary that the Purchasing Division be aware of all transactions except, as provided in Section 3-2 (A) 1 & 2 that are conducted between the City and suppliers. The City's time and the supplier's time will be saved, if they observe the following procedures:
  1. The Purchasing Division will receive all Vendors' representatives promptly and courteously.
  2. Departments may see vendors at their own discretion.
  3. The Purchasing Division will inform or pass along to department heads useful information received from interviews, catalogs, advertising, etc.

- All City employees should be aware that payments for purchases in excess of \$1,000 must have a Purchase Order covering it. **See Vendor Letter, Exhibit A.**

## 2-5 VENDOR FILE CHANGES

Use the Vendor Add/Change Form which is **available in MICROSOFT Word under Cityform**. This form is also to be used in lieu of the Vendor Application Form when vendor status codes are not required because these vendors do not provide goods or services to the City. These classifications are identified as **No Codes Required (NCR)** on the top of this form. Names in the vendor file will be listed the same as in the phone book except we will not use any commas, periods, brackets, parenthesis, or apostrophes.

Generally speaking, if a vendor application is submitted listing a name doing business as (d.b.a.), enter the company name as the vendor, with the individual name as the contact. When a department is looking up a vendor, they should look under the company name, not the individual. The following abbreviations and the Post Office abbreviations will be used throughout.

Administration	Admin	Department	Dept
Association	Assoc	Government	Govt
Attention	Attn	Incorporated	Inc
Company	Co	International	Intl
Construction	Const	National	Natl
Corporation	Corp	University	Univ

Before any new vendor is added, a completed Vendor's Application must be provided by the company. This form is also located under Cityform in MICROSOFT Word. Vendor file changes are requested through LOGOS Vendor Change Request. Requests with all vendor information entered and all supporting documents uploaded will, generally, be processed within one full business day.

## 2-6 VENDOR PERFORMANCE

- It will be the responsibility of the Department Head or his designee (internal or external) to monitor all contracts initiated by their department. This includes, but is not limited to, verification of the specifications, contract prices, terms, time constraints, vendor/contractor performance and so forth. Unsolved problems should be reported to the Purchasing Agent.**
- It is imperative that poor vendor performance is documented in writing and emailed to the Purchasing Agent. With a track record documenting poor performance, the Disqualification Review Board may consider disqualification of the vendor/contractor. If you have any questions, please call the Purchasing Agent at extension 5450.

Some examples of how we should document poor vendor performance are as follows:

- Delivery promised by 4-1-14 but received 10-1-14. Document poor vendor performance when delivery exceeds date promised, or industry standard.
- Received defective Hon chair model 1234 on 3-29-14. Called John Doe @ 861-0000 on 4-1-14 and 5-1-14 and they never repaired the chair.
- The completion date for this project with rain-out days was 7-1-14, but the contractor did not complete the project until 11-01-14.
- Ordered Steelcase Desk Model 4567 and received Model 9999 on 5-1-14. Talked to Sally Smith @ 777-7777 on 05-03-14 and desk was not replaced until 10-01-14.
- Purchase order forms received on 07-01-14 were printed with first horizontal line 1/4 below the top of the page instead of 3/8 below the top of the page per sample. Vendor took eight weeks to replace these.
- Purchase order listed the house to be demolished at 752 Greenway Street, but contractor demolished the house at 750 Greenway Street.

## **PURCHASE ORDERS – LESS THAN \$1000**

### 3-1 Competition and Price Reasonableness:

- Non-recurring purchases of individual items not stocked in the supply room or not included in a**

**requirements contract** with a base cost not exceeding \$1,000 may be accomplished without securing competitive quotations if prices are considered reasonable. All items or services purchased for \$1,000 or less shall be made and approved by the department head or his/her designee. The purchase order number must appear on the supplier's invoice. The same commodities cannot be purchased during the same time frame by this method (Example: Today order \$600 worth of widgets and tomorrow order \$700 worth of the same widgets). It is a violation of City policy to split orders to avoid using the PO process. **If violations of the \$1,000 limit become a problem, this authorization will be revoked.** This method is not to be used for consistently and routinely purchased items that are easily planned for nor is it to be used to purchase any type of office or other type of equipment. Data Processing must approve any computer hardware/software, even though the amount is less than \$1,000. Also, Records Management must approve all equipment and supplies relating to the storage of records even though the amount is less than \$1,000. Less than \$1000 Purchase Orders will be canceled when amounts exceed \$1,000 unless the purchase has been pre-approved by the Purchasing Division and/or an emergency purchase has been justified.

- B. Alternative Purchase (\$1,000 OR LESS) method will be to use your Department Head approved **Procurement Card**. The Procurement Card can be used for the same items/services as listed in the Procurement/Travel Card Manual which located at: <http://city.cos/>.
- C. When checking prices for small purchases please remember that the vendor needs to know how you want the item delivered because prices vary depending on the type of delivery method required.
  - (1) Request prices with F.O.B. destination delivery. Request freight charges, if any, to be "prepaid and added" to the invoice. The City does not own the goods until received/accepted and that the vendor is responsible for the filing of all damage claims.
    - (a) Delivery with a F.O.B. destination requirement means delivered to your front door or shipping dock. If you need inside delivery, then you would need to request F.O.B. destination with inside delivery because inside delivery normally costs more. This means that the package would be delivered to your office and that you would be responsible for assembly and installation.
    - (b) If you need the item to be installed or set in place, such as furniture, then you would request prices that include F.O.B. with the items "furnished and installed". This means that the package would be delivered to your office and the vendor is responsible for assembly and installation.

### 3-2 LOGOS PROCEDURES FOR PURCHASE UNDERS UNDER \$1000

Purchase orders under \$1000 are entered in LOGOS. These POs have a shorter approval path than POs which are \$1000 or more.

## **PURCHASE ORDERS**

### 4-1 THE PURPOSE OF A PURCHASE ORDER (PO)

The City of Shreveport Purchasing Division does the purchasing for all the departments within the City. No City employee, except the Purchasing Agent or his staff has the authority to approve purchases more than \$1,000. The Purchase Order is the vendor's authorization to ship equipment, materials, supplies, or perform services specified thereon. It constitutes a contract between the City and the vendor, and as such, is a legal document and may not be changed by anyone other than the Purchasing Agent or his designee.

User Departments/Divisions shall not negotiate with any vendor for the purchase of materials, supplies, equipment, or services, except when purchase is exempt (Section 2-2), or when not more than \$1,000 (Section 3-2), or when a true emergency situation exists at night, weekends or holidays (Sections 6-1 through 6-3).

City departments only have the authority to approve purchases using a properly executed purchase order number for goods/services totaling \$1,000 or less. **Please inform your personnel that we will not be paying for any invoices more than \$1,000 that does not have a properly executed purchase order.**

### 4-2 WHEN THE PURCHASE ORDER (PO) IS PREPARED

- 1. Requests for purchases when the total purchase amount exceeds \$1,000 shall be requested by sending a purchase order electronically in LOGOS to the Purchasing Division. The LOGOS PO user guide ("Cheat

Sheet for Purchase Orders”) is located at H:\COMMON\Logos.net. Once the initiating authority has approved the PO, the assigned Buyer will review it for processing.

2. POs are to be prepared far enough in advance so that the Purchasing Division will be able to secure information and specifications, if required, prepare and send for competitive quotations or formal bids and to allow time for delivery.
3. **Purchases cannot be artificially divided in order to bypass purchasing regulations. This would be a violation of the public bid law. The public bid law and our PO totals are based upon aggregate commodity totals that include all City Departments during any budget year.**

Examples: (a) You normally buy all the tires for the City that amount to sixteen (16) tires during a budget year for a total cost of \$1,000, competition is not required. However, if the City normally buys three hundred (300) tires during a budget year for a total cost of \$30,000-formal bid through the Purchasing Division is required according to the public bid law.

(b) You normally buy 1000 baseballs at \$5.10 each, 95 bases at \$20, and 500 caps at \$3, during a budget year for a total cost of \$8,500,three written quotes would be required that includes all of your baseball items obtained through the Purchasing Division according to A-P 3.8. public bid law applies when \$10,000 and less than \$30,000.

4. Enter a commodity code that best describes the commodity/service.
5. Obtain and upload to the LOGOS vendor's file, a current insurance (Accord) certificate which has been approved by the Risk Management office. Use the Insurance Approval Request form (found in Cityform) and email or fax to Risk.
6. Obtain a current Adjudicated Property Affidavit and send notarized original to Purchasing.
7. **Please remember in order to process purchases for the current budget year, the approval process at the department level must be completed no later than the last working day of December.**
- 8 **PO Thresholds**

**Commodities** (materials, supplies, equipment, vehicles, etc. not on an annual contract)

- A. Commodity POs totaling \$1,000.01 to less than \$10,000 (Discretionary Purchases): The Purchasing Division shall have the authority to verify prices and seek out other vendors when it is in the best interest of the City to do so. Purchase orders can usually be issued within three (3) working days. FSC documentation in the DETAILED DESCRIPTION field of LOGOS by PO initiators for discretionary purchases is **only required** when one or more quotes have been solicited by the department. **If you have been required to get quotes for these discretionary purchases, upload the quotes in the Documents field in LOGOS.**
- B. Commodity POs totaling from \$10,000 to less than \$30,000: Prepare a Solicitation Request so that the Purchasing Division will receive approval to conduct an informal RFQ (Request for Quote) or electronic data exchange process that includes obtaining not less than three telephone, electronic or facsimile quotations. If quotations which are lower than the accepted quotation are received, the reasons for their rejection shall be recorded in the Notes field of LOGOS. Purchase Orders can usually be issued within seven (7) working days. **Please remember in order to process these POs for the current budget year, the Purchasing Division must receive your PO (complete with specifications) no later than the first working day of December.** If not recommending the FSC Applicable vendor (DBE & FSC), hereinafter referred to as FSC, **briefly document the reason why**, such as:
  - 1) FSC vendor \$2,000 higher
  - 2) No known FSC vendor
  - 3) XYZ Company contacted but did not quote
  - 4) ABC Company does not have insurance
  - 5) Only available from an authorized dealer
  - 6) Only local vendor that would honor state contract price for same items

- C. Commodity POs totaling \$30,000 or more (**aggregate annual commodity totals that include all City Departments during any budget year**): The Purchasing Division shall conduct a formal IFB (Invitation for Bid) or RFP (Request for Proposals) or RFS (Request for Statements of Qualification) Process, including written specifications/requirements. Purchase Orders can usually be issued within twenty-five (25) working days for commodities and fifty (50) working days for other needs. **Please remember in order to process these POs for the current budget year, the Purchasing Division must receive your PO (complete with specifications) no later than the first working day of November.**

**Construction/Public Works Projects:**

- D. For Construction/Public Works Projects, the Purchasing Division shall conduct a formal IFB (Invitation for Bid) process, including written specifications/requirements for public works/construction projects when the contract amount is \$150,000 or more (**aggregate total per site**). **Projects cannot be divided in order to bypass purchasing regulations and/or the State Licensing Requirement. This would be a violation of the Public Bid Law and/or the State Licensing Law.** Project totals must be based upon **aggregate per site** totals that include all construction trades during any budget year.
- (1) A **50% Payment Bond** is required on public works projects of \$25,000 or more.
  - (2) A **100% Performance Bond** is required on public works projects of \$50,000 or more (all public works contracts of \$25,000 or more must be recorded by the Clerk of Court in the Parish Courthouse, by the vendor/contractor.) A **10% Maintenance bond is required on all public works construction projects of \$20,000 or more, as applicable.** Anytime a Contract, Performance or Payment Bond or a Maintenance Bond is required it shall be the vendor/contractor's responsibility to have them recorded at the Clerk of Court in the Parish Courthouse.
  - (3) Bid bonds shall not be required for public works contracts that are less than \$150,000 unless it is deemed necessary by the Department Head or the Purchasing Agent and notice of such is in the RFQ.
- E. On public works/construction projects that are \$30,000 but less than \$150,000, **a written Request for Quote (RFQ) process through the Purchasing Division is required.** Prepare a Solicitation Request so that the Purchasing Division will receive approval to conduct an informal RFQ (Request for Quote) process.
- (1) The Purchasing Agent may use a negotiation process in lieu of an RFQ process for public works contracts that are less than \$150,000, when approved by the CAO.
  - (2) This would not restrict the Purchasing Agent from using a formal bid process for public works projects that are less than \$150,000, when it is determined to be in the best interest of the City.
- F. Written specifications shall be required for all public works projects of \$30,000 or more.
- G. Charges for Bid Documents
1. When the City prepares and distributes the bid documents, the fee schedule for these shall be:
    - (a) For projects with cost estimates that are less than \$150,000, there shall be no charge for the **first set of bid documents that are picked up.** Vendor/contractor must provide FedEx account for all documents not picked up.
    - (b) For projects with cost estimates that are \$150,000 or more, there shall be a non-refundable fee of \$30 plus vendor/contractor must provide FedEx account for all documents not picked up.
    - (c) For **additional copies** of bid documents for any project where the City prepares and distributes the bid documents, there shall be a non-refundable fee of \$30 each.
  2. When the bid documents **are not prepared by the City** and the bid documents are distributed by others, the fee schedule for these shall be:
    - (a) Bid documents shall be available upon payment of (the actual cost of reproduction of specs and drawings) refundable deposit per set. Vendor/contractor must provide FedEx account for all

documents not picked up. Deposits on the **first set** are fully refunded upon return of documents in good condition on or before 10 days after bid opening. On additional sets of documents furnished to bidders, there **will not** be a refund because the fee is equal to the actual cost of reproduction.

(b) When the bid documents are not prepared by the City and are distributed by the City, the fee schedule shall be as listed under Policies in paragraphs L 1 (a)(b)(c).

#### 4-3 HOW TO PREPARE THE PURCHASE ORDER (PO)

The PO should be completed as shown in the *LOGOS USER GUIDE* located at H:\COMMON\Logos.net. The PO will then be sent, electronically, through approvals to the Purchasing Division. The LOGOS link is <http://logos.shreveportla.gov>. Questions about LOGOS are to be directed to your department/division LOGOS point person. Contact Purchasing to inquire about the point person for your department/division.

A. POs will be processed in the order received unless an emergency occurs to warrant special treatment. If classed as **urgent** or **an emergency**, as soon as the PO is approved at the departmental level, contact the prospective buyer in Purchasing for assistance.

**NOTE:** For purchases that total more than \$1,000 do not give out PO numbers or purchase order numbers until you receive the purchase order. **Failure to comply with these regulations may result in out-of-pocket expense for you.** In order to expedite your purchase request, PO specifications should have the name of the manufacturer, product number and detailed description.

B. For annual bid items (Requirements Contracts), submit a PO referencing the IFB/RFP/RFQ/RFS number. The quantity shall be one (1) and the dollar amount shall be the estimated total for the year. Also, this procedure will be used for maintenance/service contracts that cost more than \$1,000 per year and the monthly price is not fixed.

**NOTE: Please remember that only the Mayor, or when authorized by the Mayor, the Purchasing Agent can sign contracts for the City.**

**Provide a DETAILED DESCRIPTION. Remember the more information/specification data included on the purchase order, the quicker the process will be. Use the DETAILED DESCRIPTION box (next to the Description field), if necessary. Example:**

- X IFB/RFP/RFQ/RFS Number (or other justification)
- X Person giving estimate & correct phone number, if different from one listed
- X Date of the estimate
- X Number of days they extend price
- X Model number
- X Part number
- X Brand name
- X Size
- X Color & etc.

#### 4-4 ROUTING THE PURCHASE ORDER

The PO will be approved in LOGOS and be sent to vendor via email, fax or mail.

#### 4-5 BLANKET/REQUIREMENTS CONTRACT ORDERS

A. A Blanket Order is a Purchase Order which is issued to an approved preselected vendor and is to be used only when competitive bidding in order to set up a Requirements Contract Order is not a possibility. Blanket Orders are only used when the service required normally exceeds \$1,000. Blanket Orders shall be for a stipulated period of time, with an established dollar limit per purchase as approved by the using Department and the Purchasing Agent. All Blanket Orders will be closely monitored for departmental abuse. Your authorization for Finance to proceed with payments against these orders shall be the same procedure as listed for Requirements Contract orders below. **Blanket Orders are limited to minor repair/service needs that are not covered in the Public Bid Law and the aggregate total is less than \$10,000 per budget year.**

- B. Requirements Contracting is a purchasing technique that establishes the source of supply by the receiving of competitive bids by the Purchasing Division and a contract price has been established. The department which is assigned the Requirements Contract order may make small purchases on an as-needed basis.
  - C. Fixed Assets (capital items costing \$500 or more and having a useful life of one or more years) should never be purchased on a Requirements Contract Order or a Blanket Order.
  - D. Items obtained in this manner are not to exceed the purchase limits, as indicated. Partial receiving reports shall be made against these orders until last shipment is received.
1. Terms and Conditions. Blanket Purchase/Requirements Contract Orders shall contain the following provisions:
    - (a) Description of Agreement - A statement that the supplier shall furnish supplies or services, described therein, in general terms, if and when requested by the Purchasing Agent, or his designated representative, during a specified period and within a stipulated aggregate amount, if any. These orders may encompass all items that the supplier is in a position to furnish.
    - (b) Extent of Obligation - A statement that the City is obligated only to the extent of authorized orders actually placed against the Blanket Purchase/Requirements Contract.
    - (c) Notice of Individuals Authorized to Place Calls and Dollar Limitations - A provision that a list of names of individuals authorized to place orders under the Blanket Purchase/Requirements Contract Order, and the dollar limitation per order for each individual shall be furnished to the supplier.
    - (d) Delivery Tickets - A requirement that all shipments under the Blanket Purchase/Requirements Contract Order shall be accompanied by delivery tickets or sales slips which shall contain the following minimum information:
      - (1) Name of supplier.
      - (2) Blanket purchase/Requirements Contract order number
      - (3) Date of call
      - (4) Phone number called
      - (5) Itemized list of supplies or services furnished
      - (6) Quantity, unit price, and extension of each item (less applicable discount).
      - (7) Date of delivery.
    - (e) Invoices - An individual invoice for each delivery shall be mailed to the Accounting Division.
  2. Orders Against Blanket Purchase/Requirements Contract Orders. Generally, will be made verbally, with the exception of informal correspondence that may be used when ordering outside the local trade area.
  3. Receipt and Acceptance of Supplies or Services. Acceptance of supplies or services shall be indicated by signature and date on the delivery ticket or sales slip after verification and notation of any exceptions.
  4. Time Limit. Purchase Orders for Blanket Purchase/Requirements Contracts shall be for the current budget year only. An annual Purchase Order shall be issued for contracts to meet this requirement.

#### 4-6 SOLE SOURCE PROCUREMENT

- A. General. A purchase can be made from a sole source based upon a determination of the Purchasing Agent.
- B. Application. The provisions of this regulation shall apply to all sole source procurement unless emergency conditions exist as defined in Sections 6-1 through 6-3.
- C. Exceptions. Sole source procurement is not permitted unless there is only a single supplier. The following are examples of circumstances which could justify sole source procurement:
  1. Where the compatibility of equipment, accessories, or replacement parts is the paramount consideration.
  2. Where a sole suppliers item is needed for the trial use or testing.
  3. Where a sole suppliers item is to be procured for a resale.

4. Where public utility services are to be procured.
5. Where a continuation of service is required (such as services or repairs that are dependent upon authorized dealers and/or special expertise).
6. Where the item is one of a kind.

D. Written Determination. The determination as to whether a procurement shall be made as a sole source shall be made by the Purchasing Agent. Such determination and the basis therefore shall be in writing, and shall specify the application of such determination and the duration of its effectiveness. In cases of reasonable doubt, competition should be solicited. Any request by a department head for a procurement to be restricted to one potential source shall be accompanied by written justification as to why no other will be suitable or acceptable to meet the need.

#### 4-7 BRAND NAMES

Louisiana Revised Statutes 38:2212 et seq. provides for use of brand name or equal specifications as follows:

- A. Whenever a public entity desires to purchase technical equipment, apparatus, machinery, materials, or supplies of a certain type and such purchases are clearly in the public interest, the public entity may specify a particular brand, make, or manufacturer in the specifications let out for public bid.
- B. Whenever the Purchasing Agent approves use of the name of a certain brand, make, manufacturer or definite specification, the specifications shall state clearly that they are used only to denote the quality standard of the product desired and that they do not restrict bidders to a specific brand, make, manufacturer, or specification named; that they are used only to set forth and convey to prospective bidders the general style, type character, and quality standard of the product desired; and that equivalent products will be acceptable.

#### 4-8 PETTY CASH VERSUS PROCUREMENT CARDS

At times, it is necessary to purchase occasional needed items of a minor nature (\$25 or less) for expediency. If the item is not stocked in the supply room or covered on a Blanket/Requirements Contract Purchase Order, the department may purchase this item for cash. A receipt must be obtained from the vendor, and this receipt is to be signed by the departmental authority. The receipt is then brought to Finance for approval. Reimbursement will then be made by the Finance Department. This procedure is for expediency only and is not to be abused. **Use of procurement cards is preferred in lieu of petty cash when volume of purchases warrants the use of a procurement card.**

#### 4-9 SOLICITATION REQUESTS/ADVERTISING REQUIREMENTS

When the PO total is \$10,000 or more for Architectural/Engineering Services, \$30,000 or more for commodities and \$150,000 or more for public works projects, the Purchasing Division must conduct a formal IFB (Invitation for Bid) or RFS (Request for Statements of Qualification) or RFP (Request for Proposals) process, including written specifications/requirements. Usually, the IFB process is used for commodities, the RFS process is used for Architectural/Engineering Services according to the A/E Ordinance, and the RFP process is used for all services not covered in the A/E Ordinance. The RFP process may be also used for telecommunications/data processing equipment and used fire vehicles/equipment. In order to start the process the department must initiate a Solicitation Request form. The Solicitation Request form, with accompanying instructions is available in MICROSOFT Word under New Document, Cityform, Solicitation Request. The operating or capital budget account should be checked to ensure that sufficient funds are available to cover the estimated cost of the proposed purchase or project.

Control numbers for advertising must be obtained from Purchasing Office Specialist before placing newspaper advertisements. Email the request along with the general ledger account number that will be charged for the advertisement.

**Please remember in order to process your purchase order for formal Solicitation Requests for the current budget year, the Purchasing Division must receive your Solicitation Request (complete with specifications) no later than the first working day of November.**

- A. Advertising requirements: If the item/service advertised is covered under the public bid law or City Ordinance and the first ad had a major error or if The times fails to run the ad when scheduled to do so, we will have to change the bid opening date by addendum when the following requirements or not met:

1. **The 10-day requirement for commodity IFBs, which is covered under R.S. 39:1594**-first ad must be advertised on a weekday (excluding holidays) at least 10 days (excluding holidays) before the bid opening. **Second ad is not required.**
2. **The 25-day requirement for public works/construction IFBs, which is covered under R.S. 38:2212 A(3)(a)** - first ad must be advertised on a weekday (excluding holidays) at least 25 days (excluding holidays) before the bid opening. **Second and third ads are required**, to be advertised on a weekday (excluding holidays) in different weeks. Total ad requirement is once a week for three different weeks.
3. **The 25-day requirement** for Requests for Statements of Qualifications that are covered under the A/E Ordinance Sec. 26-243. First ad must be advertised on a weekday (excluding holidays) at least 25 days (excluding holidays) before the opening. Only one ad required, however if other ads are used the second and third ads to be advertised on a weekday (excluding holidays) in different weeks.

**NOTE:** RFPs may be used in lieu of IFBs for items that are covered under the Public Bid Law **only as shown below in # 4, 5 & 6.**

4. **The 30-day requirement for RFPs that are covered under R.S. 38:2234-7 TELECOMMUNICATIONS/D.P. EQUIPMENT.** First ad must be advertised on a weekday (excluding holidays) at least 30 days (excluding holidays) before the proposal opening. Only one ad required, however if other ads are used, the second and third ads to be advertised on a weekday (excluding holidays) in different weeks.
5. **The 25-day requirement for RFPs as covered in R.S. 38:2238.2 for used fire and emergency response vehicles**, including associated equipment, with a per-unit purchase cost of less than one hundred thousand dollars, the first ad must be advertised on a weekday (excluding holidays) at least 25 days (excluding holidays) before the proposal opening. Only one ad required, however if others ads are used, the second and third ad to be advertised on a weekday (excluding holidays) in different weeks.
6. **For Shared Energy Savings** (will provide detail information when needed).

**NOTE:** RFPs may also be used for **services not covered** under the public bid law and/or Ordinance, such as, insurance, janitorial services and etc. We normally follow the same guidelines as #4 except we sometimes advertise less than 30 days when justified to do so.

**B. Preparation of Solicitation (Bid, Proposal, Quote or Statement of Qualification) Requests and Specifications:**

1. The Purchasing Agent will submit to each department head an annual schedule showing when bid requests and specifications are due and the dates on which advertisements will appear in the newspaper announcing the bid opening dates. Other bid dates can be made available subject to approval by the Purchasing Agent.
2. When a department head determines that the purchase price of various materials, supplies, or items of equipment (Commodities) will exceed \$10,000 or that both labor and material for a construction project will exceed \$30,000 for public works projects, the department, shall initiate a Solicitation Request Form, in Cityform, and prepare the necessary specifications. *Before writing your specifications you should contact the Purchasing Division so that they can send you sample specifications and the standard bid/proposal format requirements. When projects are partially or completely funded by funds from other than that of the City, appropriate grant requirements must be furnished in your specifications and advertisements. Specifications should be emailed **single-spaced** to the Purchasing Division when the **Solicitation Request is sent**. Specifications to be provided in MICROSOFT Word (except construction drawings should be in PDF file) with a font of Arial 10 pt. and with all margins at .5. Use legal 2 outline, i.e., 1.0, 1.1, 2.0, 2.1 etc. (call Purchasing if need help @ 5450), without indention. Tab to be set @ .75 only. Do not send any documents in Lotus or Excel. Send all specifications in MICROSOFT Word. DO NOT USE MARKUP OR BULLETS.*
3. The specifications should adequately and completely describe the item required or work to be done and outline any special provisions which the City will consider in evaluating the bid. Specifications must be definite and explicit to serve their purpose of insuring fair competition among those bidding and protecting the public from the possibility of bias and favoritism in making the award.

4. No architect, engineer or City employee, either directly or indirectly, shall submit a closed specification of a product to be used in the construction of a public building or project, unless all other products, other than the one specified, would detract from either the utility or appearance of the building or the uniform appearance of other public buildings in the immediate vicinity.
5. A closed specification shall not be submitted, or authorized, where any person or group of persons possesses the right to exclusive distribution of the specified product, unless the product is required to expand or extend an existing system presently operating at the facility or site.
6. Whenever an architect, or engineer, either directly or indirectly, has included a closed specification in the specifications for a public building or project, he shall submit a written report to the Chief Administrative Officer ten days prior to the final submission of specifications. This report shall include the following:
  - (a) Identification of each closed specification;
  - (b) A concise statement of the reasons for including a closed specification;
  - (c) Identification of other products which are apparently equal and a concise statement about why they may be excluded.
7. The city architect/engineer must reject the closed specifications should another product of equal utility and appearance be submitted prior to letting of the bid, in which event they must amend the specifications to allow substitution of an equal.
8. The department head or designee and the Purchasing Agent or designee shall conduct a pre-bid conference, when appropriate, with prospective bidders to assure that no closed specifications for a product will be advertised for bids.
9. On any public works bid submitted in the amount of \$50,000 or more, the contractor shall certify that he is licensed under Louisiana Revised Statute 37:2150, et seq. and show his license number on the bid schedule and on the bid envelope. The licensee shall not be permitted to bid or perform any type or types of work not included in the classification under which his license was issued. If 100% federal funds are used, this requirement is waived at the time of opening bids. If federal funds are being used, it should be noted in the instructions to bidders and advertisement for bids.
10. Any requirement related to evidence of good faith or performance and labor/material payment or maintenance bonds shall be incorporated in the specifications and advertisement.
11. When the contract amount is \$50,000 or more for a public works project, the successful bidder shall furnish a good and solvent bond in an amount not less than 100% of the amount of the contract, for the faithful performance of his duties. Note: To assure the payment for labor and materials, a 50% payment bond shall be required when the contract amount is \$25,000 or more.
12. Specifications for the construction, alteration, or repair of any public works pursuant to the public bid law shall provide that the City may withhold payment of not more than 10 percent of the contract price on projects of less than \$500,000, and 5 percent of the contract price on projects of \$500,000 or more until the expiration of forty-five days after the recordation of formal acceptance of such work, or notice of default by the contractor or subcontractor.
13. Specifications shall also note that contractors are required to pay prevailing wages on all maintenance construction or other public works contracts performed for the City of Shreveport.
14. The department head submitting the specifications will be responsible for seeing that the specifications are in compliance with Shreveport's Code of Ordinances Chapter 13, Contractors. Specs are to be emailed to the buyer when Solicitation Request begins routing.
15. Once the Solicitation Request is completed, it should be hand-delivered with specifications to the Fair Share office for review. Fair Share will hand-deliver to the CAO & MAYOR for approval who will hand-deliver to Purchasing Agent for processing. Purchasing will time-stamp, initial and copy the document and give the copy to the delivering employee.
16. Should the Solicitation Request not be approved, it will be returned to the originating Department with an

explanation and will not reach Purchasing.

## **CONTRACT AWARDS**

### **5-1 IFB AWARDS**

Contracts shall be awarded to the responsible and responsive bidder whose bid is the most economical for the purpose intended according to the criteria designated in the Invitation for Bid. Those criteria which will affect the bid price shall be objectively measurable, such as discounts, transportation costs, and total or life cycle cost. No criteria may be used in bid evaluation which is not set forth in the Invitation for Bids.

### **5-2 ARCHITECTURAL/ENGINEERING SERVICES AND REQUEST FOR PROPOSAL AWARDS**

Contract awards for Architectural/Engineering Services shall be made according to the A/E Ordinance. Request for Proposals (RFP) awards shall be made to the responsible and responsive offeror whose proposal is determined, in writing, to be the most advantageous to the City, taking into consideration price and the evaluation factors set forth in the Request for Proposals. No other factors or criteria shall be used in the evaluation. **All information pertaining to these is considered to be confidential until after the award is made.** See **Exhibit B**, Proposal Evaluation Procedures.

### **5-3 TIE BIDS**

1. **Definition:** Tie Bids are low responsive bids from responsible bidders that are identical in price and meet all the requirements and criteria set forth in the Invitation for Bids.
2. **Award:** At the discretion of the Purchasing Agent, award shall be made in a way that will discourage tie bids. The City shall have the option of awarding the contract as follows:
  - (a) The Louisiana resident business shall be preferred to a non-resident business where there is a tie bid.
  - (b) Award to the bidder whose past performance has been superior.
  - (c) Award to the identical bidder located closest to the delivery point and who has the lowest transportation cost.
  - (d) All things being equal, flip a coin in the presence of both bidders.
  - (e) Reject all bids and issue a new Invitation for Bids.

### **5-4 EVALUATIONS OF BIDS/PROPOSALS AND PREPARATION OF CONTRACT DOCUMENTS**

- A. Review and Approval of Public Works/Construction Project Contracts (\$5,000+ per project). Procedure for Project Contracts is as follows:
  1. Upon receipt of the signed contract documents from the successful bidder, the Department will enter in Contracts using a description that is identical to the PO description - for tracking and auditing purposes. Then you will need to prepare an Executive Summary to the CAO (if less than \$25,000, address to the Purchasing Agent) through your department head. The department head will forward the Executive Summary, a copy bid tabulation sheet, three copies of the contract and the Fair Share documentation to the City Attorney's Office. If the lowest bidder is not recommended, the department head must furnish appropriate justification that the Purchasing Agent must approve or reject. The Purchasing Division **will not** approve a Contract Purchase Order until the contract is returned with all approvals. **Purchasing cannot release the purchase order (unless a true emergency exists) until the Contract is signed by the Mayor when the contract/purchase amount is \$25,000 or more.**
  2. Departments in the approval path will approve in Contracts and approve the PO. A proposed contract and PO which has been disapproved will be returned in LOGOS with an explanation in Notes.
  3. The Contract Routing Form (CRF) along with three original contracts will be hand-delivered by the initiating department to Fair Share. Purchasing Agent signs all contracts when the total contract amount is less than \$25,000. The Mayor signs all contracts when the total contract amount is \$25,000 or more.
  4. The City Attorney will attest to the legal form of the contract documents, approve in Contracts, and then hand-deliver to the Mayor's office. CAO & Mayor will sign and hand-deliver to Purchasing.

5. Copies of the Risk Managers comments should be emailed to the initiator to correct any problems and/or deficiencies while the contract documents continue to circulate through the review process. The Risk Manager shall approve in Contracts and approve the PO.
6. Compliance will check their business license and for funds owed to the City and if the vendor/contractor has a current business license and does not owe any money to the City, will approve in Contracts and approve the PO.
7. The Director of Finance will certify that funds are available to cover the cost of the contract and will approve the PO.
8. When the Mayor is required to sign the contract, the Mayor's office will obtain Mayors signature on all of the contract originals and the Contract Routing Form, approve in Contracts, and hand-deliver all hard-copy documents to the Purchasing Agent.
9. Before releasing the signed contract, the Purchasing Agent will match the signed contract documents with the Purchase Order to ensure that funds have been encumbered to cover the cost of the contract and ensure that any insurance problems have been resolved. The contract will be adopted in LOGOS.
10. The Purchase Order will then get final approval and be sent to vendor via email, fax or mail. Executed (signed) contracts are to be picked up in Purchasing. Contracts cannot be placed in inter-office mail. To track contracts in LOGOS, go to Financial Management, Inquiries, Contracts.
11. No paper copies are distributed to departments. Approved POs can be viewed in LOGOS.

B. Review and Approval of Equipment/Commodities/Services/Purchase Order Continuance (\$10,000 or more per budget year for annual commodity contracts/one time purchases/change orders).

**NOTE:** Everything except Public Works/Construction Projects is included here.

1. After reviewing the quotes/bids, the Department Head will approve in Contracts and approve the PO. Then prepare an Executive Summary from you to the CAO If the lowest quote is not recommended, the department head must furnish appropriate justification in Notes (in LOGOS) that must be approved or rejected by the Purchasing Agent.
2. The remainder of the approvals shall be the same as for Public Works/Construction Projects as listed above in 2 thru 10. Plan on this taking about three weeks to be sure we can issue the purchase order when you need it. **Purchasing cannot enter the purchase order (unless a true emergency exists) until approved by the Mayor when the contract/purchase amount is \$10,000 or more.**

D. All contracts except those with other governmental agencies must include:

1. Approvals through Contracts
2. Three original contracts
3. Copy of the bid bond and Power of Attorney, when required.
4. Affidavit attesting that public contract was not secured through employment of solicitor
5. Insurance Certificate
6. Performance/Maintenance/Payment Bonds, when required
7. Adjudicated Property Affidavit
8. Felony Conviction Statement

## EMERGENCY PURCHASES

### 6-1 WHEN THE EMERGENCY ORDER IS USED

- A. It is recognized that certain emergencies cannot be anticipated. These include equipment and vehicle break-downs and damage caused by storms. Emergency purchases may be made in these instances, but only if departmental operation would be seriously impaired, if immediate actions were not taken. An emergency condition is a situation which creates a threat to public health, welfare, or safety; such as may arise by reason of floods, epidemics, riots, equipment failures, fire loss, or such other reasons, as may be proclaimed by either the Purchasing Agent or a department head. Enter appropriate justification on the purchase order. The

existence for such conditions must create an immediate and serious need for supplies, services, or construction that cannot be met through normal procurement methods and the lack of which would seriously threaten the following:

1. The functioning of City government.
2. The preservation or protection of property.
3. The health, welfare or safety of any person.

- B. Limitations. Emergency procurement shall be limited to those supplies, services, or construction items necessary to meet the emergency.
- C. Selection of Method of Procurement. The procedure used shall be selected to assure that the required supplies, services or construction items are procured in time to meet the emergency. Given this constraint, such competition as is practicable shall be obtained.
- D. General Procedure. Competitive sealed bidding is unsuccessful when bids received pursuant to an Invitation for Bids are unreasonable, noncompetitive, or the low bid exceeds available funds, and time or other circumstances will not permit the delay required to solicit competitive sealed bids. If emergency conditions exist after an unsuccessful attempt to use competitive sealed bidding, an emergency procurement may be made.
- E. Written Determination. The department head requiring the emergency procurement shall make a written determination stating the basis for an emergency procurement and for the selection of the particular vendor/contractor.

#### 6-2 WHO MAKES THE EMERGENCY PURCHASE

During normal working hours, emergency purchases should be made by the Purchasing Division, but only after a purchase order is issued. Exception: Only as outlined in Section 6-4.

#### 6-3 HOW THE EMERGENCY PURCHASE IS MADE

To initiate an emergency purchase, the using department, whenever practical will call Purchasing. The department will solicit at least two (2) telephone quotes, when possible, and then call the vendor with an emergency purchase order number; generally this takes two (2) hours or less. Under no circumstances are prior arrangements to be made with a vendor for materials and/or services, except for information, before a purchase order number is obtained. The Purchasing Division will transmit the purchase order number to the vendor to be used as the vendor's authority to provide the materials or services. The Purchasing Division will then send the confirming Purchase Order to the vendor.

**NOTE: When the total cost of the emergency is \$25,000 or greater for commodities and \$150,000 or greater for public works projects, the purchase has to be ratified (after the fact) by City Council.**

#### 6-4 MAKING AN EMERGENCY PURCHASE AT NIGHT, WEEKENDS OR HOLIDAYS

If a true emergency should arise during a time when the Purchasing Division is normally closed, the using department shall solicit at least two (2) telephone quotes, when possible. When the vendor requires a purchase order number, departments will provide a PO# using the date of the emergency in the PO in the following format. 2015-EMMMDDYY (**Example: 2015-EM010115**) EM = Emergency.

Issue a PO in LOGOS the next business day. Reference the EM purchase order #, if used, and include justification for the purchase.

#### 6-5 GENERAL INFORMATION ABOUT EMERGENCY PURCHASES

- A. When emergency purchases are made, at night, weekends or holidays, the department shall make the purchase at the best possible price. When possible, the order should be issued to the vendor from whom the materials were previously purchased.
- B. A true emergency will almost always occur as a result of parts and labor needed for repairs to equipment which must be kept in operating order. Emergencies are also created through negligence. When someone

forgets to get the spare pump repaired and the only other one fails, then an avoidable emergency occurs. THE USE OF AN EMERGENCY FOR FAILURE TO ANTICIPATE NORMAL NEEDS IS TO BE AVOIDED.

- C. Emergency purchases are costly. They are made hurriedly, usually on a noncompetitive basis, and usually at top prices. Most vendors will charge a premium, if supplies must be obtained immediately. By avoiding emergency orders, money will be saved.

## **INVOICES**

### **7-1 WHAT IS AN INVOICE?**

Invoices are the seller's charges to the City and are the basis of which we pay the seller for materials or furnished services. The invoice is based upon the Purchase Order and should refer to it and follow it in all details of description, terms and prices.

### **7-2 WHAT DEPARTMENTS DO WITH INVOICES**

- A. The Purchase Order instructs vendors to send invoices directly to The City of Shreveport Accounting Division. The User Department should not hold up a completed receiving report while waiting for an invoice. The invoice, in all probability, is in the Accounting Division awaiting payment.
- B. In many instances, the using department will receive invoices anyway, either with the shipment or in the mail. In this event, the invoice should immediately be forwarded to the Accounting Division. Prompt payment of invoices permits the City in many cases to deduct cash discounts.

## **INSPECTION, TESTING AND RECEIVING**

### **8-1 PURCHASING DIVISION FUNCTION**

If necessary, the Purchasing Division will inspect, or supervise the inspection, of all materials, supplies, and equipment or contractual services received, to determine their conformance with the specifications set forth in the Purchase Order or contract.

### **8-2 INSPECTION AUTHORIZATION**

The Purchasing Division may and will authorize the using department, having the staff and facilities for adequate inspection, to check materials against a Purchase Order for conformance as to quantity, quality and specifications.

### **8-3 PROCEDURE IN DEPARTMENTS**

The receiving department shall, upon receipt of materials, inspect and test the materials contained in LOGOS. If the quantity received does not agree with the vendors packing slip, the vendor shall be notified at once of the discrepancy. If the materials delivered are not in conformity with the specifications and are not acceptable to the receiving department, they shall notify the vendor at once of the reasons for withholding acceptance. The Purchasing Division shall be notified of disputes between departments and vendors.

### **8-4 OUTSIDE TESTING**

When it becomes necessary to use an outside testing laboratory, departments will make the necessary arrangements.

### **8-7 RECEIVING OF ROLLING STOCK**

Fleet Services receives all Rolling Stock (vehicles, heavy equipment, tractors & etc.) for the City, except for the Fire Department, Sportran and the Airports. All Rolling Stock received by Fleet Services will be checked to be sure they meet the minimum specifications. Rolling Stock that does not meet the minimum specifications shall be returned to the dealer. Substitutions that exceed specifications can be accepted by Fleet Services.

## **DELIVERY**

### **9-1 FOLLOW-UP AND EXPEDITING**

The process of procurement is not accomplished by simply issuing an order. Satisfactory delivery must also be made. To insure that delivery will be received when required, some form of follow-up is frequently necessary.

## 9-2 PURCHASING DIVISION RESPONSIBILITY

- A. Follow-up or expediting is essentially a part of the purchasing process and can be most effectively handled as such. The necessary delivery records and similar information are immediately available to the Purchasing Division.
- B. The basis for successful follow-up lies, first of all, in the proper stipulations of purchase. The necessary procurement cycle, time required for manufacture, and delivery after an order has been placed, are all-important preliminary considerations by the buyer.
- C. The purchase order should state when delivery is required. Date and method of follow-up will depend on the nature of the order and the promised delivery date. Sources of supply with a record of broken delivery promises should be eliminated from consideration when appropriate justification is documented.

## 9-3 DEPARTMENT RESPONSIBILITY

- A. If the using departments plan their work carefully, many needless rush orders for materials/services will be eliminated and there will be no need for any particular follow-up other than routine. Constant requests to suppliers for rush services destroy effectiveness of such requests. Expediting degenerates into mere pressure, which is the least effective of all follow-up methods.
- B. **It shall be the responsibility of the Department Head or his designee (internal or external) to monitor all contracts initiated by their department.** This includes, but is not limited to, verification of contract prices, specifications, terms, time constraints, vendor/contractor performance and etc. When you need help with problems, caused by vendors please call the Buyer involved or the Purchasing Agent.

## **LONG-TERM CONTRACTS**

### 10-1 DEFINITION

A Long-Term purchasing contract is necessarily both a buyer and seller contract. This type contract is normally called an *Annual Requirements Contract* and gives the buyer a source of supply for certain specified materials or supplies, usually at fixed prices, over a predetermined period of time. Except in special cases, one-year purchase contracts are the most desirable with an option to renew for four additional years, in one year increments. This policy gives the Purchasing Agent or buyer an opportunity to thoroughly review the situation at each new contract period. This is accomplished by receiving formal competitive bids stipulating specifications, renewal terms and conditions as required. Long-Term contracts shall not exceed five (5) years unless approval is obtained from the Mayor.

### 10-2 HOW LONG-TERM CONTRACTS BENEFIT DEPARTMENTS AND THE CITY

A Long-Term contract establishes a competitive source of supply for materials, supplies or services used on a repetitive basis. It enables the using department to order periodical deliveries as-needed and thereby reduces inventory investment. A price advantage is usually gained, since the seller, by being a partner to the contract, reduces sales expense and is assured that his production will be in continuous operation. The contract also eliminates the necessity of going out for many time-consuming individual bids and quotations, resulting in faster delivery to the using department.

**NOTE: Please remember that only the Mayor, or when authorized by the Mayor, the Purchasing Agent can sign contracts for the City.**

## **SUPPLY MANAGEMENT**

### 11-1 AUTHORITY

The authority relating to the disposal of supplies, materials, equipment and other property is vested in the Purchasing Agent according to Section 26-291, et seq. of the Code of Ordinances. The sales of all City-owned

surplus supplies and property not actually in public use shall be conducted by the Purchasing Division at such places and in such manners most advantageous to the City. All departments must identify surplus items, declare them as such, and report them to the Purchasing Agent or his designee within (90) days from the date they become surplus. The Purchasing Division shall deposit the proceeds from such sales, less expense of sales, into the City's General Fund or other accounts as designated by the Director of Finance.

#### 11-2 DISPOSITION OF SURPLUS SUPPLIES

Surplus supplies and property with an estimated value of \$10,000 (aggregate total) or less may be sold by the Purchasing Agent through competitive sealed bids or public auctions. Sale of surplus supplies and property with an estimated value that **exceeds \$10,000 (aggregate total) is prohibited** unless such property is declared by City Council to be surplus. Only cashier's checks, United States currency or personal checks shall be accepted for sales of surplus supplies or property. **Employees of City of Shreveport shall only be allowed to purchase surplus items through competitive sealed bids or public auctions, provided they are not involved in declaring the item or items as surplus.**

#### 11-3 COMPETITIVE SEALED BIDDING

- A. When making sales by competitive sealed bidding, notice of the sale should be given at least fifteen (15) days before the date set for opening bids. Notice shall be given by mailing a Notice of Sale to prospective bidders, including those bidders on lists maintained for this purpose, and by making the Notice of Sale publicly available. Newspaper advertisements may also be used. The Notice of Sale shall list the supplies or property offered for sale; designate their location and how they may inspect them and state the terms and conditions of sale and instructions to bidders, including the place, date, and time set for bid opening. Right to reject any and all bids for just cause shall also be included in the advertisement and the bid document. Bids shall be opened publicly.
- B. Award shall be made in accordance with the provisions of the Notice of Sale to the highest responsive and responsible bidder, provided that the price offered by such bidder is acceptable to the Purchasing Agent.
- C. The solicitation to bidders should stipulate, at a minimum, all the terms and conditions of any sale and the fact that the City retains the right to reject any and all bids for just cause.

#### 11-4 AUCTIONS

Supplies may be sold at an auction by an experienced auctioneer to conduct the sale and assist in preparation of the sale. The solicitation to bidders should stipulate, at a minimum, all the terms and conditions of any sale. Auctioneer services shall be obtained by competition through the Purchasing Division in accordance with these Regulations. Exception: The CAO may authorize the Purchasing Agent to negotiate the contract for an auctioneer without a solicitation process when it is in the best interest of the City to do so.

#### 11-5 TRADE-IN SALES

Departments may request to Trade-In City property when it is determined by the Purchasing Agent that the Trade-In bid could be advantageous to the City. The Purchasing Agent shall have the authority to determine whether the property shall be traded in and the value applied to the purchase of new like items or classified as surplus and sold in accordance with the provisions Sections 12-3 or 12-4.

#### 11-6 THE TRANSFER OF EXCESS SUPPLIES BETWEEN AGENCIES AND DEPARTMENTS

The transfer of supplies shall be according to Section 26-291, et seq. of the Code of Ordinances.

### **FREIGHT INFORMATION**

#### 12-1 RECEIVING OF FREIGHT

- A. Check the freight bill to insure that the shipment is being delivered to the correct address and that there is a Purchase Order number covering it.

- (1) Please remember that we normally should not have to pay delivery charges because most of the time prices are requested F.O.B. Destination. This means that prices include delivery charges and that the vendor is responsible for the filling of all damage claims.
  - (a) F.O.B. Destination means delivered to your front door or shipping dock. If you need inside delivery, the purchase order should state F.O.B. Destination with inside delivery because inside delivery normally costs more. This means that the package would be delivered to your office and that you would be responsible for assembly and installation.
  - (b) If you need the item to be installed or set in place, such as furniture, the purchase order should be sent F.O.B. Destination and state that the items are to be furnished and installed.

B. **Make a visual inspection of the package to determine if it might be damaged. If visual damage is apparent or if the package is damaged, unpack the contents so that the driver can verify the hidden damage, then have the delivery driver note the specific damage and place his/her signature on the freight bill with the date.**

C. Sign for the shipment.

D. Write the Purchase Order number on the freight bill and forward the bill to the Accounting Division.

E. If a freight bill relative to a previously closed out Purchase Order is received, and the City is responsible for the freight charges, prepare a PO in LOGOS and reference the appropriate Purchase Order number.

### 13-1 ETHICS IN PUBLIC CONTRACTING

#### A. CRIMINAL PENALTIES

To the extent that the violations of the ethical standards of conduct set forth in this Article constitute violations of the Louisiana State Criminal Code, they shall be punishable as provided therein. Such penalties shall be in addition to the civil sanctions set forth in the Public Bid Law. Criminal, civil, and administrative sanctions against employees or non-employees which are in existence on the effective date of these Regulations shall not be impaired.

#### B. EMPLOYEE CONFLICT OF INTEREST

It shall be unethical for any city employee to participate directly or indirectly in a procurement contract when the City employee knows that:

- (1) The City employee or any member of the City employee's immediate family (mother or father, husband or wife, son or daughter, brother or sister, mother-in-law or father-in-law, grandfather or grandmother) owns an interest in excess of 25% (R.S. 42:1112) pertaining to the procurement contract; or
- (2) Any other person, business, or organization with whom the City employee or any member of a City employee's immediate family is negotiating or has an arrangement concerning prospective employment involved in the procurement contract.
- (3) A City employee or any member of a City employee's immediate family who holds a financial interest in a disclosed blind trust shall not be deemed to have a conflict of interest with regard to matters pertaining to that financial interest.

#### C. GRATUITIES AND KICKBACKS

1. *Gratuities.* It shall be unethical for any person to offer, or give, or agree to give any City employee or former City employee, or for any City employee or former City employee to solicit, demand, accept, or agree to accept from another person a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, or preparation of any part of a program requirement or a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity in any proceeding or application, request for ruling, determination, claim, or controversy, or other particular

matter pertaining to any program requirement or a contract or subcontract, or to any solicitation or proposal therefore.

2. *Kickbacks.* It shall be unethical for any payment, gratuity, or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or high tier subcontractor, or any person associated therewith, as an inducement for the award of a subcontractor order.
3. *Contract Clause.* The prohibition against gratuities and kickbacks prescribed in this section shall be conspicuously set forth in every contract and solicitation therefore.

D. PROHIBITION AGAINST CONTINGENT FEES

It shall be unethical for a person to be retained, or to retain a person, to solicit or secure a City contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except for retention of bona fide employees or bona fide established commercial selling agencies for the purpose of securing business.

E. CONTEMPORANEOUS EMPLOYMENT PROHIBITED

It shall be unethical for any City employee, who is participating directly or indirectly in the procurement process, to become or to be, while such a City employee, the employee of any person contracting with the governmental body by whom the employee is employed.

F. WAIVER FROM CONTEMPORANEOUS EMPLOYMENT PROHIBITION AND OTHER CONFLICTS OF INTEREST

The City Council may grant a waiver from the employee conflict of interest provision (Section 13-1 B; Employee Conflict of Interest) or the contemporaneous employment provision (Section 13-1E; Contemporaneous Employment Prohibited) upon making a written determination that:

1. The contemporaneous employment of financial interest of the City employee has been disclosed;
2. The City employee will be able to perform its procurement functions without actual or apparent bias or favoritism, and
3. The award will be in the best interest of the City.

G. USE OF CONFIDENTIAL INFORMATION

It shall be unethical for any employee or former employee knowingly to use confidential information for actual or anticipated personal gain, or for the actual or anticipated personal gain of any other person.

H. SANCTIONS

1. *Employees.* The Mayor may impose any one or more of the following sanctions on a City employee for violations of the ethical standards in this Section:
  - (a) Oral or written warnings or reprimands;
  - (b) Suspension with or without pay for specified periods of time; or
  - (c) Termination of employment.
2. *Non-employees.* The Purchasing Agent may impose anyone or more of the following sanctions on a non-employee for violations of the ethical standards:
  - (a) Written warnings or reprimands;
  - (b) Termination of contract(s); or
  - (c) Disqualification, as provided in the Public Bid Law.

I. RECOVERY OF VALUE TRANSFERRED OR RECEIVED IN BREACH OF ETHICAL STANDARDS

1. *General Provisions.* The value of anything transferred or received in breach of ethical standards of this Ordinance by a City employee or a non-employee may be recovered from both the City employee and the non-employee.

2. *Recovery of Kickbacks by the City.* Upon a showing that a subcontractor made a kickback to a prime contractor or a higher tier subcontractor in connection with the award of a subcontract or order thereunder, it shall be conclusively presumed that the amount thereof was included in the price of the subcontract or order and ultimately borne by the City and will be recovered hereunder from the recipient. In addition, that amount may also be recovered from the subcontractor making such kickbacks. Recovery from one offending party shall not preclude recovery from other offending parties.
-

**IMPORTANT**

To: All Vendors

The City of Shreveport's Purchasing Division is responsible for the purchasing of all departments within the City. No City employee, except the Purchasing Agent or his staff has the authority to approve purchases more than \$1,000. City departments only have the authority to approve purchases for goods/services totaling \$1,000 or less. **(Please inform your personnel that we will not be paying for any invoice more than \$1,000 that does not have a purchase order covering it).**

We shall be calling you for availability and prices. If your prices are the lowest in accordance with the specifications and selection criteria, you will receive a purchase order informing you of the exact order that we want filled. This is your authorization to ship the merchandise and charge it to the City using the Purchase Order number shown. This number should also appear on all of your packing slips and invoices. An original and a duplicate invoice should be mailed to the City's Finance Department the same day that the merchandise is shipped. This will insure proper processing and faster payment of your invoice. If you should anticipate any delay in the shipping of an item(s) listed on our Purchase Order, please notify the Purchasing Division.

Please note that all orders totaling more than \$1,000 must be authorized by a member of the Purchasing Division. They shall identify themselves and give you a Purchase Order number for the order. A CONFIRMING Purchase Order will follow. (THE ONLY EXCEPTION TO THIS IS IF A TRUE EMERGENCY OCCURS WHEN THE PURCHASING DIVISION IS NORMALLY CLOSED. IF IMMEDIATE ACTION IS REQUIRED TO PROTECT THE HEALTH, WELFARE OR SAFETY OF LOCAL CITIZENS, THE DEPARTMENT OR DIVISION HEAD WILL AUTHORIZE PICK UP OR DELIVERY OF ITEMS NEEDED. VENDORS SHOULD CALL THE PURCHASING DIVISION THE NEXT WORKING DAY TO VERIFY PURCHASE ORDER NUMBER).

All vendors are required to call for an appointment before making any visits to City facilities. Prearranged visits with the departments tend to help clear the departments of unnecessary traffic thus not upsetting work schedules. Thank you for your cooperation in this matter.

Sincerely,

Donald Evans, CPPO, CPPB.  
Interim Purchasing Agent

**NIGP  
NATIONAL INSTITUTE OF GOVERNMENTAL PURCHASING, INC.  
CODE OF ETHICS**

The institute believes, and it is a condition of membership, that the following ethical principles should govern the conduct of every person employed by any public sector procurement or materials management organization.

(1) Seeks or accepts a position as head or employee only when fully in accord with the professional principles applicable thereto and when confident of possessing the qualifications to serve under those principles the advantage of the employing organization;

(2) Believes in the dignity and worth of the services rendered by the organization and the social responsibilities assumed as a trusted public servant;

(3) Is governed by the highest ideals of honor and integrity in all public and personal relationships in order to merit the respect and inspire the confidence of the organization and the public being served;

(4) Believes that personal aggrandizement or personal profit obtained through misuse of public or personal relationships is dishonest and not tolerable;

(5) Identifies and eliminates participation of any individual in operational situations where a conflict of interest may be involved;

(6) Believes that members of the Institute and its staff should at no time or under any circumstances, accept directly or indirectly, gifts, gratuities or other things of value from suppliers;

(7) Keeps the governmental organization informed, through appropriate channels, on problems and progress of applicable operations, but personally remains in the background by emphasizing the importance of the facts;

(8) Resists encroachment on control of personnel in order to preserve integrity as a professional manager. Handles all personnel matters on a merit basis. Political, religious, racial, gender and age considerations carry no weight in personnel administration in the agency being directed or served;

(9) Seeks or dispenses no personal favors. Handles each administrative problem objectively and empathetically without discrimination on the basis of principles and justice; and

(10) Subscribes to and supports the professional aims and objectives of the National Institute of Governmental Purchasing, Inc.

CITY OF SHREVEPORT



**PROPOSAL EVALUATION  
PROCEDURES**

## PROPOSAL EVALUATION PROCEDURES

1. The Chairperson of the Evaluation Committee shall be the Purchasing Agent, except when otherwise appointed by the Chief Administrative Officer or requested by the Department Head.
- 1.1 The Chairperson of the Evaluation Committee will address each of the following areas with the Committee, before the evaluation process begins.
- 1.2 **Conflict of Interest** - Does any member of the committee have a conflict of interest by sitting on the evaluation committee? The following are examples of conflicts of interest: (1) Part ownership in company, (2) Family Member works for or has part of ownership in company, and/or (3) any other reason a member of the evaluation committee cannot give an impartial decision.
- 1.3 **Independent Evaluation** - Each member of the evaluation committee must score each and every proposal independently. The voting membership of the committee shall normally consist of an uneven number, i.e., three, five, etc.
- 1.4 **Rating Structure** - The evaluation points for each award criterion will be listed in the RFP. The RFP will indicate the relative importance of price and other evaluation factors, shall clearly define the tasks to be performed under the contract, the functional specifications, the criteria to be used in evaluating the proposals and the time frames within which the work must be completed. Guide- LA. R. S. 2237 2(C)(7)
- 1.5 **Cost** - When points for cost can be determined by use of our standard formula, the points for the cost section of the evaluation will be furnished by the Purchasing Agent.
- 1.6 **Documentation of Scoring** - Each member of the evaluation committee must support their reasoning with appropriate documentation.
- 1.7 **Oral Presentation** - The committee may feel that an oral presentation is necessary, to reach a final decision. Any offeror or all offerors may be requested to make an oral presentation of their proposal to the City, after the proposal opening. Discussions may be conducted with responsible offerors, who submit proposals determined to be reasonably susceptible of being selected for an award for the purpose of clarification to assure full understanding of and responsiveness to the solicitation requirement.  
  
Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussions and revision of proposals, and such revisions may be permitted after submissions and prior to award, for the purpose of obtaining best and final offers. The purpose of these presentations/discussions will be to:
  - (A) Determine in greater detail such offeror's qualifications.
  - (B) Explore with the offeror the scope and nature of the project, the offeror's proposed method of performance, and the relative utility of alternative methods of approach.
  - (C) Determine that the offeror will make available the necessary personnel and facilities to perform within the required time.
  - (D) Agree upon fair and reasonable compensation, taking into account the estimated value of the required services/equipment, the scope and complexity of proposed project, and nature of such services/equipment.
- 1.8 **Protest Hearing** - All decisions by the committee are subject to protest. Each member and/or the whole committee may be called upon to explain or defend their rating.
- 1.9 **Confidentiality** - Anything discussed during the whole evaluation process is to be considered confidential. Due to the possibility of negotiation with all offeror's, the identity of any offeror or the contents of any proposal shall not be public information until after the contract award is made. **All requests for information shall be directed to the Purchasing Agent.**
- 1.10 **Award of Contract** - An award shall be made to the responsible offeror whose proposal is determined in writing by the governing authority of the political subdivision to be the most advantageous, taking into consideration

price and other evaluation factors set forth in the request for proposals. No other basis of evaluation shall be used except those set out in the request for proposals.

1.11 **When the RFP is Used** - the RFP process is used when the annual contract amount is expected to be \$25,000 or more for:

- X All services that are not exempt according to Section 2-2 *EXEMPTIONS of the Purchasing Manual* (because public bidding is not required by the Public Bid Law, therefore, an RFP process may be used), and those services that are not covered in the A/E Ordinance.
- X Preferred method for telecommunications/data processing equipment (LA. R. S. 2237 et seq.), however, the IFB process may be used if all bidders are notified that the IFB process is being used in lieu of the RFP process.

### PROPOSAL EVALUATION PROCEDURES

1. Once the results of the reference data are furnished to the Evaluation Committee, they shall finish their review of the responsive proposals. All categories are scored, except the fee portion which is calculated by the Purchasing Agent. Fee schedules shall then be scored, by applying the maximum number of points permissible to the firm submitting the lowest fee. All other offerors are prorated points, by determining the percentage of differential between the low offeror=s total cost and each of the other offeror=s total cost and applying the differential accordingly.
2. Example of how points would be summarized with five committee members is as follows:

EVALUATOR	X	Y	Z
JOHN	80	<b>90</b>	80
MARY	82	<b>85</b>	80
TOM	<b>70</b>	65	60
JAN	60	<b>78</b>	77
SUE	<u>70</u>	<b>80</b>	<u>60</u>
TOTAL POINTS	362	398	357
1ST PLACE VOTES	<u>1</u>	<u>4</u>	<u>0</u>
GRAND TOTAL	363	<b>402</b>	357

Maximum points possible is 505 (100 x 5 + 5)

3. If the best offeror is clearly identified from the point summary, there will not be a need for any oral presentations. Negotiations with the offeror, who has received the most points, can commence. **Oral presentation should be avoided unless absolutely necessary**, because there is a tendency to overrate firms with the best sales personnel, who many times are not the best qualified.
4. If a firm cannot be clearly identified as the best offeror from the point summary, oral presentations from a minimum of two (2) offerors (the firms receiving the highest initial ratings) shall be required. The Evaluation Committee shall re-score each firm during the oral presentation, using the same score sheet as before.
5. After the best offeror is determined from the oral presentations, negotiations can begin with that firm.

**\*EVALUATION FORM**

Evaluator: \_\_\_\_\_ Title of RFP: \_\_\_\_\_

Phone # : \_\_\_\_\_ RFP#: \_\_\_\_\_

Date: \_\_\_\_\_ Company Name: \_\_\_\_\_

		POINT RANGE	POINTS ASSIGNED
1	Demonstrated understanding of the problems and needs presented by the project.	0-	
2	Soundness of Offerors approach to the problems and needs presented by the project, including Offerors methodology for achieving specific tasks and objectives.	0-	
3	Experience and capacity of Offeror, including recent and related experience.	0-	
4	Qualifications of project personnel and Offerors ability to commit a capable staff and support for a project of this size under the time constraints as listed in the RFP. Also, commitment to change computer system to accommodate the processing of data during the current year and beyond.	0-	
5.0**	Cost effectiveness and reasonableness of Offerors proposed fee.	0-	
6.0	Offerors commitment to meet Fair Share Requirements.	0-	

**TOTAL POINTS: 100 Points**

\*This Evaluation Criteria is for example purposes. Actual criteria and point range to be used shall be determined by the Evaluation Committee.

\*\*The points for cost shall be furnished by the Purchasing Agent, based upon the standard formula as listed below: Fee schedules, including total life cycle costs (when applicable), will be scored by applying the maximum number of points permissible to the responsible firm submitting the lowest responsive fee. All other Offerors are prorated points, by determining the percentage of differential between the low Offerors responsive total and cost and each of the other Offerors total cost, and then applying the percentage of differential accordingly.



SUBJECT:		A. P. Number:	3.8
CONTRACT PROCUREMENT		Effective Date:	06-29-15
<p>I. AUTHORITY</p> <p>Section 26 of the City of Shreveport Code of Ordinances, R.S. 38:2212 and R.S. 39:1596</p> <p>II. PURPOSE</p> <p>A. This administrative procedure is issued by virtue of the authority vested in me by the Charter as Chief Executive Officer of the City and as required by R. S. 39:1596. It is also a local counterpart document to the Governors Executive Order applicable to small purchases under the provisions of the State Procurement Code as set forth in La. Revised Statutes 39:1596 entitled Small Purchases. The level of competition required herein meets the requirement of the City Charter to conduct procurement not in conflict with State law. State law applicable to procurement includes Chapter 17, R. S. 39:1551 through 39:1755 of the Louisiana Procurement Code and R.S. Title 38:2212 commonly referred and hereinafter referred to as the Louisiana Public Bid Law.</p> <p>B. To update the policies for the procurement of goods and services including public works projects. The procedure also establishes contractual responsibilities. This administrative procedure shall provide a uniform bidding process and ensure that the purchase of commodities, services, contracts and public works projects are properly coordinated.</p> <p>III. OBJECTIVES</p> <p>A. To outline procurement policy for commodities, services and public works projects that does not conflict with Louisiana Public Bid Laws.</p> <p>B. To ensure the procurement of quality goods, services and public works projects that meet the needs of the City considering price and other factors.</p> <p>C. To outline a process for the preparation and coordination of bid specifications.</p> <p>D. To outline the policies related to contract approval and document contractual responsibilities.</p> <p>E. To comply with the electronic bidding law [R.S. 38-2212(A)(1)(F) and R.S. 2212.1(B)(4)].</p>			
Approved		Date Approved	Page 1 of 8

Ollie S. Tyler, Mayor

#### IV. DEFINITIONS

- A. Change Order within the scope of the contract - a change order which does not alter the nature of the thing to be constructed or does not significantly alter the specifications of a commodity ordered or does not radically change the nature of the service to be provided.
- B. Change Order outside the scope of the contract - a change order which alters the nature of the thing to be constructed or significantly alters the specifications of a commodity ordered or radically changes the nature of the service to be provided.
- C. Closed specification - a product specified to the exclusion of all other products of apparent equal quality and utility.
- D. Exclusive distribution - the right to control, either by contract or practice, directly or indirectly, the distribution of a product in a particular defined area to the exclusion of any other distributor.
- E. Negotiate - the process of making purchases and entering into contracts without formal advertising and public bidding with the intention of obtaining the best price and terms possible under the circumstances.
- F. Professional contract - a legal agreement with a firm or agency having some special expertise to provide professional services in exchange for a fixed fee.
- G. Recurring contracts - contracts such as demolition, grass cutting, & securing that are normally entered into on a monthly basis and/or more than once during one budget year and the initial contract was approved by the entire LOGOS process.
- H. Requirements contract - legal agreements with a firm or agency to provide supplies, materials, services, or other goods on a routine basis over a period of time in exchange for a predetermined amount of money to be paid regularly as the goods or services are provided.
- I. Responsible Bidder - shall mean a vendor/contractor who has an established business and who has demonstrated the capability to provide goods and services in accordance with the terms of the contract, plan, and specifications without excessive delays, extensions, cost overruns, or changes for which the vendor/contractor was held to be responsible.

#### V. CONTRACTUAL RESPONSIBILITIES

- A. Mayor - shall sign, or may delegate signature authority to the Purchasing Agent for some contracts or other documents requiring the assent of, or execution by, the City. In addition, shall ensure that the terms and conditions of all contracts are faithfully executed.
- B. City Attorney - shall draw or approve all contracts or other instruments to which the City is a part or in which it has an interest to ensure compliance with federal, state and local statutes.
- C. Director of Finance - shall examine all proposed contracts which create financial obligations against the City and ensure that funds are available to cover the costs of such contracts. Shall ensure that no vendor/contractor is allowed to enter into a contract with the City without first having executed an appropriate performance and payment bonds, when applicable. Shall ensure that all contracts include appropriate insurance requirements. In addition, shall ensure no contract is awarded to any person who has not paid all taxes, licenses, fees and other charges which are outstanding and due the City.
- D. Department Head - shall pre-encumber funds to cover the bid estimate and provide specifications, plans and contract documents that are in compliance with appropriate federal, state and local statutes and operating procedures. Shall provide executive summaries with all contracts.
- E. Purchasing Agent - shall initiate advertisements, solicit and receive bids, conduct public bid openings and maintain records pertaining to bids. In addition, shall ensure bid documents comply with federal, state and local statutes and operating, policy and procedures regarding public contracts.
- F. Architect - Engineer (when applicable) - shall prepare the required contract documents including bid forms and notice to bidders, drawings, technical specifications, and other documents as required to provide bid documents and support construction/demolition contracts. At the City's request, shall assist the City's legal counsel in connection with his/her review of the construction contract documents. In addition, shall assist the City in obtaining bids or negotiating change orders, in analyzing bids and proposals, and in awarding the construction contract.

- G. Fair Share Program Coordinator- shall ensure that disadvantaged businesses are given a fair opportunity to participate in City contracts prior to actual execution of an award.

#### POLICIES

- H. Procurement Dollar Limits listed herein shall increase when allowed for commodities by R.S. 39:1594 et seq, and for construction when allowed by R.S. 38:2212 et seq.
1. Purchases for material, supplies, and equipment up to **\$1,000** may be made with the City's procurement card by the department. When the total PO amount exceeds **\$1,000**, a PO must be sent electronically in LOGOS to the Purchasing Division. Once the initiating authority has approved the PO, the assigned Buyer shall process it. The purchase shall not be approved until a purchase order is completed.
  2. Purchases of \$10,000 but less than \$25,000 for materials, supplies, and equipment shall be made by the Purchasing Division obtaining not less than three telephones, facsimile, written or electronic quotations, when practical. Exceptions to this requirement will be made only when circumstances relative to availability, compatibility, and feasibility or other factors justify an exception in the opinion of the Purchasing Agent. Rationale for the exception will be written and made a matter of record along with the transaction documents. Specifications will be furnished to the Purchasing Division by the requesting department or activity when practical to ensure the purchased items are suited for intended use and to provide a standard upon which competition will be based.
  3. All purchases of \$25,000 or more for materials, supplies, and equipment shall be made after requesting formal (IFB) solicitations through the Purchasing Division.
  4. Public works/construction projects of **\$25,000**, but less than \$150,000 shall be made by the Purchasing Division obtaining not less than three telephones, facsimile, written or electronic quotations, when practical.
  5. Public works/construction projects of \$150,000 or more shall be made after requesting formal solicitations (IFB) through the Purchasing Division.
- I. On public works projects that are less than the contract limit of \$150,000, the City may choose to construct a building, road or etc. with City employees. The \$150,000 limit includes wages/benefits of city employees and rental value of all equipment used. A licensed state contractor (can be hired as a service supervisor) must supervise the work if \$50,000 or more.
- J. Bond Requirements
1. Five-Percent Bid [R.S. 38:2218 A] bonds are required on public works projects of \$150,000 or more.
  2. One-Hundred Percent Performance bonds shall be required on public works projects of \$50,000 or more [A-P 3-8].
  3. Fifty-Percent Payment bonds shall be required on public works projects of \$25,000 or more [R.S. 2241 a (2)].
  4. Ten-Percent Two-Year Maintenance bonds may be required on projects when necessary based on the project.
  5. Anytime a performance, payment or a maintenance bond is required, it shall be the contractors responsibility to have them recorded with the written contract at the Clerk of Court in the Caddo Parish Courthouse.
- K. The Mayor shall sign all contracts which initially obligate the City for a period longer than one year and/or exceeds \$25,000 per year (estimated or actual). Also, the Mayor shall sign all change orders for contracts in excess of \$25,000.
- L. The Purchasing Agent may sign any contract/change order, which has a period of one year or less and has an estimated value of \$24,999 per year or less.
- M. Generally, all requirements contracts shall be for a period not to exceed twelve months, with options for the City to renew the contract in increments of one year. The total contract term with options shall not exceed five years without the approval of the Mayor. Contracts that obligate City funds for more than one year (without

annual appropriations) must be pre-approved by the City Council

- N. Whenever the City enters into a contract in excess of \$5,000 for the construction, alteration, or repair of any public works, a written contract is required [R.S. 38:2241 A(1)].
- O. All public works contracts in excess of \$25,000 must be recorded by the Clerk of Court in the Parish Courthouse by the contractor (R.S. 38:2241 A 2).
- P. When an emergency, as provided in R.S. 38:2212 (D), is deemed to exist for the construction, alteration, or repair of any public works project and the contract amount for such emergency work is less than \$50,000 (R.S. 38:2241 A1), there shall be no requirement to reduce the contract to writing.
- Q. Copies of all contracts entered into by the City, and any related correspondence, change orders, etc., shall be filed and maintained in the Finance Department.
- R. Written specifications shall not be required for public works projects that are less than \$10,000, unless it is deemed necessary by the Department Head or the Purchasing Agent.
- S. Charges for Bid Documents
  - 1. When the City prepares and distributes the paper bid documents, the fee schedule for these shall be:
  - 2. For public works projects with cost estimates that are less than \$150,000, there shall be no charge for the first set of bid documents. The contractor shall pay for the handling/postage charge for all documents that are mailed.
    - (a) For public works projects with cost estimates that are \$150,000 or more, there shall be a non-refundable fee of \$30 for paper plans (or actual cost of reproduction whichever is greater) plus the contractor shall pay for the handling/postage charge for all documents that are mailed.
  - 3. When the bid documents are not prepared by the City and the paper bid documents are distributed by others, the fee schedule for these shall be:
    - (a) For projects with cost estimates that are less than \$150,000, there shall be no charge for the first set of bid documents. The contractor shall pay for the handling/postage charge for all documents that are mailed.
    - (b) For projects with cost estimates that are \$150,000 or more, bid documents shall be available upon payment of (the actual cost of reproduction of specs and drawings) refundable deposit per set plus the contractor shall pay for the handling/postage charge for all documents that are mailed.
    - (c) Deposits on the first set are fully refunded upon return of documents in good condition on or before 10 days after bid opening. On additional sets of documents furnished to bidders, there shall not be a refund because the deposit is equal to the actual cost of reproduction.
  - 4. Charges are subject to change, if warranted by the actual cost of the documents.
  - 5. When the bid documents are downloaded from the web based electronic bid firm, the vendor/contractor shall only have to pay an annual fee to the firm.
- T. The Finance Department shall develop the necessary forms to carry out this administrative procedure and provide for an organized and well-structured contracting process.
- U. The following items are considered small purchases regardless of price and may be procured with no competitive bidding being required:
  - X1. Advertisements in professional publications and newspapers
  - 2. Aerial photo services for flood zones
  - X3. Art exhibition rentals and/or loan agreements and associated costs of curatorial fees, transportation and installation
  - 4. Business luncheons
  - X5. Commercial internet service not exceeding one thousand five hundred dollars (\$1,500) per subscription per year

- X6. Copyrighted educational films, filmstrips, slides and transparencies
- 7. Counselors/trainers for SPAR & other departments
- X8. Educational training and related resources (except equipment) used to enhance the performance of city employees, including school classes, memberships in professional organizations and seminar registration fees
- X9. Equipment moves by the original equipment manufacturer or authorized dealer to ensure equipment operation to original equipment manufacturer specifications, calibration, warranty, etc.
- 10. Food items for the Jail only when purchased at wholesale prices per R.S. 38:2212.1(I)
- 11. Hotel room reservations
- 12. Investment services
- 13. Land purchased for right-of-way
- 14. Legal services, once approved by the City Attorney & City Council
- 15. Mailing list rentals or purchases
- X16. Materials, supplies, exhibitor fees, and exhibit booths for conferences, seminars, and workshops, or similar events (business, educational, promotional, cultural, etc.) for participation in promotional activities which enhance economic development or further the departments mission, duties and/or functions, with the approval of the department head, or agency equivalent, if not covered by competitive city or state contract
- 17. Medical/veterinarian services
- 18. Oil company credit cards
- X19. Parcel services, including but not limited to Federal Express, United Parcel Service, Airborne Express, and Express Mail
- X20. Parts for and repairs to vehicles, mobile, and fixed equipment obtained from or performed by the authorized dealer or manufacturer of the equipment. Authorized dealer is defined as a dealer certified by the manufacturer to perform maintenance on their equipment. Louisiana dealer to be used if available. Repairs in excess of \$5,000 must be made only after a determination by the department head is made that the remaining expected life of the equipment is sufficient to warrant the cost of the repair
- 21. Postage stamps and postal fees
- X22. Prosthetic devices, implantable devices, and devices for physical restoration
- X23. Publications and/or copyrighted materials purchased by libraries or text rental stores from either subscription services or wholesale dealers which distribute for publishers and/or copyright holder
- X24. Publication of articles, manuscripts, etc. in professional scientific, research, or educational journals/media and/or the purchase of reprints
- X25. Purchases made to resell as part of a merchandising program with the written approval on file from the department head, or agency equivalent, when it is not practical or feasible to obtain competitive price quotations
- X26. Purchasing or selling transactions between state budget units and other governmental agencies
- 27. Recording fees (Clerk of Court)
- X28. Renewal of termite service contracts
- X29. Royalties and license fees for use rights to intellectual property, including but not limited to patents, trademarks, service marks, copyrights, music, artistic works, trade secrets, industrial designs, domain names, etc.
- 30. Satellite package services
- 31. Subscriptions/advertising for special occasions

- X32. Surplus property and services purchased from authorized federal, state, parish, or other municipal governmental entities
  - 33. Temporary employment services
  - 34. Used equipment: To be accomplished by Purchasing only in accordance with La. RS 39:1645
- X35. Utilities including gas, electric and water
- X36. Vehicle body repairs covered by insurance recovery and in accordance with insurance requirements
  - 37. WIA purchases
- X38. Wire, related equipment, time and material charges to accomplish repairs, adds, moves, and/or changes to telecommunications systems not exceeding two thousand five hundred dollars (\$2,500)
- X39. Working class animals trained to perform special tasks, including but not limited to narcotics detection, bomb detection, arson investigation, and rescue techniques
- X40. Works of art for museum and public display

Sole Source/Emergency Procurement

- 41. Sole Source Procurement: This is when a requirement is available from a single supplier. A requirement for a particular brand name item does not justify sole source procurement if there is more than one potential bidder for that item. Also, personal preference for a brand name item available from a sole source is not justification for sole source procurement when an equivalent product of another brand name can satisfy the requirement. The determination as to whether a procurement will be as a sole source will be made by the Purchasing agent based on written justification furnished by the requesting activity subject to confirmation he considers appropriate.
  - 42. Definition of Emergency Purchases: A condition which creates an immediate and serious need for supplies, services, or major repairs that cannot be met through the competitive procurement methods outlined in this directive and the lack of which would seriously threaten:
    - (a) the functioning of City government;
    - (b) the preservation or protection of property; or
    - (c) the health or safety of any person.
  - 43. Authority to make Emergency Purchases: The Purchasing Agent may make emergency procurement as defined above of up to \$24,999. An Emergency procurement over \$25,000 requires the Purchasing Agent to have the verbal/telephonic approval of the Director of Finance or the CAO or the Mayor prior to the procurement. Written justification for the emergency must be submitted by the department head as soon as possible to be included with the filed transaction documents. Emergency procurement over the contract limit (\$25,000 for commodities and \$150,000 for public works projects) requires ratification of the City Council by ordinance. To the maximum extent possible, competition between as many vendors as feasible will be solicited for the emergency procurement and such efforts and results will be recorded and made a part of the emergency procurement file.
  - 44. Comments relative to Emergency Purchases: The provision for emergency procurement is included herein because it would be unrealistic to believe that each and every purchase or expenditure of funds by a municipal government can be done only after ensuring that firms and individuals competing for the required supplies or services have been contacted. On rare occasion, immediate action is essential to prevent an even greater real or potential emergency situation; however, abuse of these provisions by treating situations created due to poor planning and negligence on the part of supervisory personnel as an emergency may result in appropriate corrective action.
- V. For the following items, electronic, telephone or facsimile price quotations shall be solicited, where feasible, to at least three (3) bona fide, qualified bidders. The file shall contain justification if fewer than three (3) bids are solicited.
- X1. Air and bus charters.
  - X2. Aircraft parts, repairs, inspections, and modifications approved by the head of the agency, head of Division of Administration Flight Operations, or its designee and performed by a FAA-

certified mechanic and/or at a FAA-certified repair station in accordance with FAA requirements.

- X3. Farm products including, but not limited to, fresh vegetables, milk, eggs, fish, or other perishable foods, when it is determined that market conditions are unstable and the bidding process is not conducive for obtaining the lowest prices.
  - 4. Gasoline and fuel purchases not covered by competitive contract.
  - 5. Travel in accordance with A-P 1-1, City Travel Policy.
- W. Engineer estimates or budget amounts shall be placed in advertisements and bid documents.

X denotes mirrors state executive order

## FINANCE DEPARTMENT

## Purchasing Division

Phone: 318/673-5450

Fax: (318) 673-5055

DATE: July 9, 2015

TO: All Department/Division Heads &amp; LOGOS Initiators

FROM: Donald Evans  
Interim Purchasing Agent

SUBJECT: Fair Share Initiatives

The Purchasing Office is requesting you to provide Fair Share vendor contact documentation in the LOGOS Notes on each PO for discretionary purchases. Non-Discretionary purchases as shown below will be documented by the process as required through the Purchasing Division. Discretionary purchases are defined as follows:

**Commodities**-Non-recurring purchases that are less than \$10,000 and more than \$1,000. **If your supervisor requires quotes, upload all quotes in LOGOS Documents on the PO, including “no quotes” (on the vendors quote form).** If not recommending a FSC applicable vendor (DBE, FSC & MBE), hereinafter referred to as FSC, **briefly document the reason why in the NOTES field**, such as:

1. FSC vendor \$2,000 higher.
2. No known FSC vendor.
3. XYZ Company contacted but did not quote.
4. ABC Company does not have insurance.
5. Only available from an authorized dealer.
6. Only local vendor that would honor state contract price for same items. **(See Bulletin on page 2).**

When you reference the IFB#, RFP#, RFQ# or the RFS#, justification in Notes on each PO is not required. This means the purchase will be reviewed by the Fair Share Office because the Purchasing Office requested the bids or proposals or quotes.

**Some examples of unacceptable justification would be:**

1. We have already reached the 25% goal.
2. This printer has our logo and form already set up.
3. This vendor already has our screen print design.

Note: Non-discretionary-For commodities that are \$10,000 but less than \$25,000, three written quotes are required **through the Purchasing Division; however, you may submit recommended vendors.** When \$25,000 or more, an IFB is required **through the Purchasing Division.**

**Construction/Public Works**-For contracts that are less than \$25,000 only one quote is required, however, document the name of the contractor, contact person, status code and price quoted in the Notes on each PO for discretionary contracts. **If your supervisor requires quotes, upload all quotes in LOGOS Documents on the PO, including “no quotes” (on the vendors quote form).** All Construction/Public Work contracts of \$5,000 or more must be placed in **Contracts because a written contract is required by State Law**, except for true emergencies, then a written contract is required when **\$50,000** or more.

If not recommending a FSC applicable (DBE, FSC & MBE) contractor, **briefly document the reason why**, such as:

1. FSC vendor/contractor \$5,000 higher.
2. No known FSC vendor/contractor.
3. Smith Construction contacted but did not quote.
4. Jones Construction contacted but does not have insurance.
5. Contacted Smith Construction and Jones Construction but they did not review site conditions.
6. FSC vendor/contractor credit standing did not allow him/her to purchase materials needed.

Note: Non-discretionary-For **Construction/Public Works** contracts that are \$25,000 but less than \$150,000, a written Request for Quote (RFQ) process **through the Purchasing Division is required**. For contracts that are \$150,000 or more, an IFB is required **through the Purchasing Division**.

The purpose of this is to encourage use of Fair Share Applicable vendors and to provide information that the DBE Office, Fair Share Office and Purchasing can use for follow up. **Caution** - This also means that the Fair Share Office and Purchasing will be closely monitoring purchases and will be more likely to change the recommended vendor. All departments need to be sure that **there are no more confirming POs** unless a true emergency existed. Do not tell vendors it is okay to ship or provide a service until you have the purchase order for anything that cost more than \$1,000 unless approved by the Purchasing Office.

**Bulletin**-Procedures below have been approved to help you achieve the Fair Share goal!

R. S. 38:2212.1 F authorizes the City to purchase materials, supplies, and equipment pursuant to the cooperative purchasing provisions of Title 39. This allows us to order State Contract items (**must be the same item**) from local vendors without bidding, and therefore this could greatly enhance our Fair Share Program. Objective will be to see if local FSC Vendor can match state contract price for same items. If they cannot match the State Contract price, then we can only pay 3% more as listed below in R.S. 39:1710. When filling out the PO for this, be sure to identify the state contract number, state contract price and the correct percentage used in the **Description** of the PO. If additional space is needed, use DETAILED DESCRIPTION next to the Description field.

R.S. 39:1710. **Local governing authorities; purchases from local vendors, payment of certain costs.**

When a local governing authority purchases an item at the state bid price through a local vendor, the local governing authority may pay to the local vendor the costs for shipping, preparation, and delivery of the item, provided that these costs shall not exceed the state bid price by three percent. State Contract web site address is: [http://wwwprd1.doa.louisiana.gov/OSP/LaPAC/eCat/dsp\\_eCatSearch.cfm](http://wwwprd1.doa.louisiana.gov/OSP/LaPAC/eCat/dsp_eCatSearch.cfm).

**Once you determine what you need:**

1. Call or email one of the buyers listed above with the description of the item.
2. Buyer will see if any local vendor will match state contract price or match and only charge appropriate 3% for handling.
3. Buyer will advise results.
4. **When filling out the purchase order for this, be sure to identify the state contract number, state contract price and the correct percentage used in the Description of the purchase order. Use the DETAILED DESCRIPTION, if additional space is needed.**

Your cooperation will be greatly appreciated.

Donald Evans, Interim Purchasing Agent

**Part I- DISCRETIONARY PURCHASES FOR COMMODITIES**

1. Definitions

- A. Discretionary Purchases for commodities are defined as purchases for a commodity where the City spends less than \$10,000 for the budget year.
- B. FSC Applicable means DBE or FSC. (MBEs will still also be tracked per the Tracking Ordinance).
- C. Fair Share Documentation is showing the reason why an FSC company was not used for a Discretionary Purchase.
- D. Non-Discretionary Purchases for commodities is when the public bid law requires an RFQ process (\$10,000 to \$24,999) or an IFB process (\$30,000+) through Purchasing.
- E. Quote Requirement based upon the public bid law. For commodities, an RFQ process is required through Purchasing when the City will spend \$10,000 to less than \$24,999 for a commodity during a budget year.
- F. P.O. Requirement-When the request for purchase is more than \$1,000.
- G. If you have recommended a Fair Share Vendor and do not request other quotes, we will go with that vendor unless we have justification for not doing so. If we change the vendor, we will advise the purchase order initiator.

2. Process

- A. Purchases under \$9,999 - If you have checked prices, document the name of the vendor, contact person, status code, and price quoted in the Description on each purchase order for discretionary purchases. Use the DETAILED DESCRIPTION field which is next to the Description field.
- B. Purchases \$10,000 & up – You must upload three quotes into LOGOS.
- C. If not recommending the FSC Applicable vendor, briefly document the reason why, such as:
  - 1) FSC vendor \$2,000 higher, see quotes
  - 2) No known FSC vendor
  - 3) XYZ Company contacted but did not quote
  - 4) ABC Company does not have insurance
  - 5) Only available from an authorized dealer
  - 6) Only local vendor that would honor state contract price for same items
- D. When you reference the IFB#, RFP#, RFQ# or the RFS#, justification in the description on each purchase order is not required. This means the purchase requires approval through Contracts and will be reviewed by the Fair Share Office because the Purchasing Office requested the bids or proposals or quotes.
- E. Some examples of unacceptable justification would be:
  - 1) We have already reached the 25% goal.
  - 2) This printer has our logo and form already set up.
  - 3) This vendor already has our screen print design.

**Part II- DISCRETIONARY PURCHASES FOR CONSTRUCTION/PUBLIC WORKS PROJECTS**

1. Definitions

- A. Discretionary Purchases for Construction/Public Works projects are defined as projects where the City spends less than \$10,000 for the budget year at one site.
- B. Fair Share Documentation is showing the reason why an FSC company was not used for a Discretionary Purchase.
- C. Non-Discretionary Purchases is when an RFQ process (\$10,000 to \$149,999) or an IFB process (\$150,000+) through Purchasing is required for one site during a budget year, in accordance with A-P 3.8.
- D. State Contractor's License-Contractor is registered with the State of Louisiana with the correct classification of the project for which he/she is bidding. A state law requirement when the contract amount for a one site during a budget year is \$50,000 or more.

2. Process

A. For contracts that are less than \$10,000 only one quote is required, however, document the name of the vendor/contractor, contact person, status code and price quoted in the Description on each PO for discretionary contracts.

B. All Construction/Public Work contracts of \$5,000 or more must be placed in Contracts because a written contract is required by state law, except for true emergencies, then a written contract is required when \$50,000 or more.

C. If not recommending the FSC vendor/contractor, briefly document the reason why, such as:

1. FSC vendor/contractor \$5,000 higher.
2. No known FSC vendor/contractor.
3. Smith Construction contacted but did not quote.
4. Jones Construction contacted but does not have insurance.
5. Contacted Smith Construction and Jones Construction but they did not review site conditions.
6. FSC vendor/contractor credit standing did not allow him/her to purchase materials needed.

Caution - This also means that the Fair Share Office and Purchasing will be closely monitoring purchases and will be more likely to change the recommended vendor.

**All departments need to be sure that there are no more confirming POs unless a true emergency existed.** Do not tell vendors it is okay to ship or provide a service until you have the purchase order for anything that cost more than \$1,000 unless approved by the Purchasing Office.