**111. Procurement Policy**

FLVC wishes to ensure that sound business judgment is used in all procurement transactions, and that supplies, equipment and services are obtained efficiently and economically and in compliance with applicable laws.

Ontario County Four Seasons Local Development Corporation, d.b.a. Finger Lakes Visitors Connection (FLVC) will follow accounting policies and procedures that comply with generally accepted accounting principles. Any procurement of goods and services shall be made by the procurement office/authorized agent, in the best interest of the agency, upon considering the totality of the circumstances surrounding the procurement, which may include, but not be limited to: price, quality, availability, timeliness, reputation and prior dealings.

FLVC shall seek competitive bids and services to ensure that what is purchased is most appropriate for the Corporation’s needs and procured in the most economical way and without favoritism. Seeking competition facilitates the acquisition of goods and services of maximum quality at the highest value and guards against favoritism, improvidence, fraud and abuse and is an important step in the process.

Procurement shall be made by one of the following methods: (a) small purchase procedures; (b) sealed bids (formal advertising); (c) competitive proposals; (d) approval of the Audit Committee of the Board of Directors

1. Small purchase procedures are relatively simple and informal procurement methods that are sound and appropriate for the procurement of services, supplies, or other property, costing in aggregate not more than $10,000. If small purchase procedures are used for procurement under a grant, price or rate quotations shall be obtained from an adequate number of qualified sources. Other small purchases are under the approval of the President or her designee.
2. In sealed bids (formal advertising), sealed bids are publicly solicited and a firm-fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all of the material terms and conditions of the invitation for bids, is the lowest in price.
3. Procurement by competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed-price or cost-reimbursable type contract is awarded, as appropriate. Competitive proposals are generally used when conditions require the consideration of a provider’s expertise, experience, reputation and/or schedule. FLVC shall follow the guidance of the Ontario County Purchasing Department for competitive proposal and procurement process.
4. Sole source purchase is an exception when a particular good or services for which there is no substantial equivalent, including but not limited to branded creative services, which are only available from a single source provider.
5. Any other method of procurement must have prior approval of the Board of Directors Audit Committee.
6. Any or all bids may be rejected if there are sound documented business reasons.

See Procedures #505 for process and required documentation.

Date: September 9, 2009; March 30, 2022

**Procedure 505. Procedures and Documentation to Support Procurement Process, Selection, and Oversight**

The President or her designee shall maintain records of procurement as vendors are selected as defined in Policy #111 – Procurement Policy. The records shall provide the narrative of vendor selection, as well as maintain any bid records or rationale related to the history of vendor relationships and costs, as well as to assist in oversight of standards for goods and services, and an assurance that goods and services are within the scope of any contracts or agreements.

A checklist and procurement cover sheet (See Forms) will be maintained for purchases, including sole source providers over $10,000.

**Procurement Process**.

In all purchases, it is important that clear and specific standards for the goods and services desired by articulated in writing. It is also important to consistently note under which section of Policy #111 this service is being procured.

**Seeking competition**

Seeking competition helps facilitate the acquisition of goods and services of maximum quality at the highest value and guards against favoritism, improvidence, fraud and abuse. FLVC shall seek competitive bids and services to ensure that what is purchased is most appropriate for the Corporation’s needs and procured in the most economical way and without favoritism.

**A Procurement Planning and Coversheet** (See forms) shall be completed and attached to the file of the successful vendor for the purchase. This coversheet will also serve as a guide for information needed in best practices for procurement for the not-for-profit.

**Bid and Quote Recordkeeping**

* Any bids or quotes received will be summarized and compared. This analysis form shall be included in the documentation and kept with the successful vendor file.
* All project bids will be kept in a digital file, in the financial folders, called bids and quotes.
* Contractor Selection Notes. A form of cost/price analysis shall be made and documented in the procurement cover sheet and files under the project bid.

**Contract administration and evaluation of contractor performance.**

The administration shall evaluate contractor performance – documenting contractor’s performance on the terms, conditions and specifications of the contract. This may include progress inspections, interim products, inspection of goods delivered, and other such methods that provide assurance that the goods or services purchased are being delivered within the scope of the contract. The Organization’s contract administration system ensures that:

* The method of procurement is documented, and records maintained for five years after final payment is made.
* All activities are carried out and costs incurred in compliance with applicable requirements.
* Before payment is made, services performed are deemed adequate and consistent with the contract

**Documentation**

* The procurement plan and coversheet shall be kept in the successful vendor file by the Business Operations Manager.
* An internal review by staff will be performed annually in conjunction with the PARIS filings deadline. This review will be provided to the Board of Directors audit committee and will assure the procurement policy and process has been followed including seeking competition, and any RFP’s and bids that our sought through the year are documented and maintained per process.

December 8, 2021; March 30, 2022

**FORM # 703 PROCUREMENT PLANNING AND COVERSHEET**

Submitted by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_

**WHAT IS BEING PURCHASED?** (General Description): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**Wish List.** Top 3 “requirements” “elements” “features” of this product or service that you must have.

1. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Examples: *must integrate with Simpleview, must be executed before Month 15th*

\*\* Please put these in the Competitor BID MATRIX at the end. This will be used for evaluation.\*\*

**Proposed (needed) Start Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

Expected cost range of this: $ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ for a: YEAR MONTH ONCE Other:\_\_\_\_\_\_\_\_\_\_\_

**Under which part of policy #111 is this purchase made? ONE ONLY.**

\_\_\_ A purchase between $5,000 and $10,000 - (second signature requirement).

\_\_\_ 111a. Small purchase (relatively simple and informal procurement methods that are sound and appropriate for the procurement of services, supplies, or other property, costing in aggregate not more than $10,000. If small purchase procedures are used for procurement under a grant, price or rate quotations shall be obtained from an adequate number of qualified sources. Other small purchases are under the approval of the President or her designee.)

\_\_\_111b. In sealed bids (for fixed price contracts), (formal advertising), sealed bids are publicly solicited and a firm-fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all of the material terms and conditions of the invitation for bids, is the lowest in price.)

\_\_\_111c. Procurement by competitive proposal as defined by (normally conducted with more than one source submitting an offer, and either a fixed-price or cost-reimbursable type contract is awarded, as appropriate. Competitive proposals are generally used when conditions require the consideration of a provider’s expertise, experience, reputation and/or schedule. FLVC shall follow the guidance of the Ontario County Purchasing Department for competitive proposal and procurement process.)

\_\_\_111d. Sole source purchase is an exception when a particular good or services for which there is no substantial equivalent, including but not limited to branded creative services, which are only available from a single source provider.

\_\_\_\_ 111 e. Another method prescribed by the board

**Seeking Competition. Per policy #111.** FLVC shall seek competitive bids and services to ensure that what is purchased is most appropriate for the Corporation’s needs and procured in the most economical way and without favoritism. Seeking competition facilitates the acquisition of goods and services of maximum quality at the highest value and guards against favoritism, improvidence, fraud, and abuse and is an important step in the process.

**VENDOR Matrix. Who are the potential vendors or competitive or near competitive suppliers of this product or service.**

|  |  |  |
| --- | --- | --- |
| **Competitors Name** | **General Address** | **Description of the service they can provide. Both features and deficits as compared to your Wish list.** |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

**Next Steps in the process:**

**“Do policy #111” in coordination with the Business Operations Manager.**

**Make sure you have your vendor list ready and a very clear timeline to meet your needs.**

**Moving Forward**

Set a date to meet and review with Business Operations Manager

Be prepared to answer these questions:

\_\_\_\_ Who has input into the evaluation:

\_\_\_\_ Ideally, WHO is making the recommendation to the President and/or Board for the successful vendor?

\_\_\_\_ Is it necessary to go before any board committees?

\_\_\_\_ Have you gathered any spec sheets or the like for easier analysis?

\_\_\_\_ Reassurance of dates

\_\_\_\_ Bid Analysis form complete

**REVIEW PROCESS**

**Competitive/Comparative Bids –** see and complete BID Matrix at end of this document

Please reference any BOD Committees (or the full board) that have reviewed this vendor selection

**BOD Committee** if applicable that reviewed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date of review: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**BOD Meeting** if applicable that reviewed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date of review: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Justification for the lack of competition - if competitive bids were not obtained. (The basis of the

award was it for timing, creative, cost….?) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**SUCCESSFUL BIDS --- WHAT’S NEXT**

**BID MATRIX** with requirements as columns

**Title of BID (what is being purchased)?** Copy from first page \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Competitors Name** | **Price** | **Requirement #1.**  Ex. *Ability to meet timing* | **Requirement #2**  *Ex. Ability to integrate with Simpleview* | **Disadvantages** |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

**ADDITIONAL COMMENTARY** if applicable

Y or N This is a business located within Ontario County or the Finger Lakes Region or NYS

Y or N This is a business in the category of women or minority owned businesses.

Y or N This business is notable for its commitment to diversity, equality, and inclusion – and aligns with our core values.

\_\_\_ This is a sole source provider\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Explain here why no competitive bids are received, (refer back to language of your wish list)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**Attachments:** sample spec sheets, or an RFP (request for proposal)? YES (Please attach) NO

Winner selected because:

\_\_\_\_ provider’s expertise \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_ provider’s experience \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_ provider’s reputation \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_ provider’s ability to meet a schedule \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_ Another method with prior approval by the BOD Audit/Finance Committee

\_\_\_\_ Best prices (attach sheets of bid analysis)

Expanded comments (if necessary): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Date and time of BID selection/opening: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Contract administration and evaluation of contractor performance.**

The administration shall evaluate contractor performance – documenting contractor’s performance on the terms, conditions and specifications of the contract. This may include progress inspections, interim products, inspection of goods delivered, and other such methods that provide assurance that the goods or services purchased are being delivered within the scope of the contract. The Organization’s contract administration system ensures that:

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**Documentation**

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**INTERNAL USE:** Filing

**SUBMISSION:**

Submitted to Business Operations Manager Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_ Copy of Final Contract and/or expected payment schedule

\_\_\_\_\_ Contract is signed YES NO

\_\_\_\_\_ BID analysis if applicable

Vendor Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Is this Vendor part of another company (that would be important to know)? YES NO

If YES, who is the other Vendor: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

How often will this vendor be paid: YEARLY MONTHLY WEEKLY Other: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

What Company name should be expected on the Vendor invoices: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Expect to see invoices coming via: POSTAL SERVICE EMAIL OTHER:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**INTERNAL USE** - Business Operations Manager -

\_\_\_\_\_ Scanned File located in Q:// Vendor File (with successful vendor)

File name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

File location: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_ Bid Specs located in Q:// Bids

File name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

File location: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**FUTURE REVIEW/DATA**

Date to keep these digital files: For five years after the date of the last check, except in the case of grant monies used for the purchase, this shall be kept according to the standards for document and retention record keeping.