

## **PURCHASING POLICIES**

In an average year, the Purchasing Division issues over 10,000 purchase orders with a value of approximately \$100,000,000. Because of the substantial amount of money involved, the Purchasing Division is guided in its purchasing procedures by a number of basic policies.

These policies are:

1. To conduct all purchasing in accordance with:
  - o Local Public Contracts Law (N.J.A.C. 40A:11 et seq.) State of New Jersey,
  - o Local Public Contracts Law Rules (N.J.A.C. 5:34-1 et seq.),
  - o (U.C.C.) Uniform Commercial Code,
  - o Standard Specifications for Road and Bridge Construction for New Jersey Department of Transportation 1989 and other laws as pertinent;
2. To obtain the quantity and necessary quality of goods and services at the least cost and at the time and place which they are needed;
3. To stimulate competitive bidding in order to obtain such goods and services;
4. To provide all vendors with an opportunity to offer their goods or services to the County;

## **INTRODUCING YOUR PRODUCT**

The County of Morris engages in a variety of activities in providing services for its residents. These include road and bridge maintenance, snow removal, solid waste disposal, resource recovery, emergency management, recreation facilities, health services, hospital, detention facilities, property title and mortgage records and senior citizen transportation services. A variety of equipment, supplies and services must be purchased for the departments and divisions performing these services. These requirements for supplies and services are procured by the Purchasing Division.

While it is beyond the scope of this paper to list all of the products and services which the County buys, the Purchasing Division is interested in your product or service if it is required. Therefore, it is important to both you and the County that your product or service be introduced in the most efficient and effective manner possible. The following information will assist you to introduce your product or service to the Purchasing Division.

## **HOW THE COUNTY BUYS**

The County of Morris has a centralized purchasing function. The Purchasing Division is the authority for all purchases. Employees outside the Purchasing Division do not have the authority to commit County funds.

The Purchasing Division acts as liaison between all vendors and the County. This Division is located on the Fifth Floor, Room 517, County Office Building, 10 Court Street, Morristown, New Jersey 07963-0900 and is headed by the Purchasing Agent.

The Division is open from 8:00 a.m. to 5:00 p.m. Monday through Friday. Sales-people are welcome during office hours, but it is suggested that you make an appointment with the Purchasing Agent so that both your time and our time may be more efficiently utilized. Call 973-285-6323 for an appointment.

All supplies, equipment and contractual services, having a projected annual cost in excess of State of New Jersey threshold of \$25,000.00 are purchased on the basis of formal, written, competitive, sealed solicitations of bids. The County of Morris bid solicitation documents must be used and are supplied by the Purchasing Division. Commodity totals are aggregated across all County departments. The County always strives to award to the lowest responsible bidder.

The County can and does participate with the State of New Jersey and the Township of Randolph in cooperative purchasing. The State of New Jersey formally bids commodities and extends to the County the opportunity to purchase from these contracts. It is an effective means of procurement and satisfies the bidding law.

Purchases valued between \$3,750.00 and \$25,000.00 are made on a competitive basis utilizing an informal request for quotation format of three (3) quotes and awarded to the lowest, most qualified proposal. Purchases valued at less than \$3,750.00 are made by soliciting either verbal or written quotations from at least three vendors and awarded to the lowest quoted vendor.

In case of an emergency, and with the consent of the Purchasing Agent, department may purchase necessary supplies, materials or equipment. This may be carried out only when it is absolutely essential that such purchases be made in order to safeguard County property or to provide services which affect the life, health or convenience of the citizens of the County of Morris.

At all times a County of Morris Purchase Order will be issued.

## **BIDDING PROCEDURES**

Specific bidding procedures have been established by the County to conform to requirements established by the State of New Jersey and the County of Morris which provide for uniform treatment of all vendors. It is important that each vendor be familiar with the following requirements and adhere to them.

## **NOTICE OF INVITATION TO BID**

The process of purchasing by formal, competitive solicitation of bids is initiated by the County of Morris. A bid notice is published in the Daily Record. When deemed appropriate, advertisements are also placed in other newspapers having specific planned coverage or having national exposure. Those responding to a solicitation advertisement will be given full opportunity to submit a bid proposal and will not be discriminated against on any basis.

Invitations for bid solicitations, proposals and quotations may also be mailed to vendors whose names are maintained on our computerized bidder's list. This list is maintained by the Purchasing Division for each class of commodity and service which is purchased by the County. The names and addresses of vendors who furnish the required products or services and who have indicated an interest in being contacted when the County purchases such items are maintained on a current basis.

Vendors that do not respond after receiving three (3) consecutive invitations may be deleted from the bidder's list. Please ensure that you respond if you wish to remain on the mailing list, even if you do not submit a bid. Application for placement on a bidder's list may be made in person at the Purchasing Division office, by letter or by FAX.

## **SPECIFICATIONS**

One of the most important factors in determining what the County buys is the quality requirement of the using department or division. This requirement is not necessarily the highest quality level nor the least quality of a commodity. The County determines specific quality levels for each individual application; that is, items that are both economical and deemed most suitable for the particular use. The quality or function required in an item or service is identified in the specification and these may become quite technical. In some instances, a brand name may be used. In either case the specification is an expression of the quality level required and NOT a preference for a particular name brand item. Vendors with products meeting or exceeding the quality requirements are invited to bid even though the brand name of their products may not be mentioned in the specifications.

## **SUBMISSION OF FORMAL BIDS**

Bid submissions must be submitted on the forms provided by the County. Completion of the bid package constitutes the most convenient method for both the County and the vendor. If a vendor cannot bid on all items, the bidder should mark the items on which there is no bid with the words no bid. Care should be taken that all amounts on the bid form are correct. Extensions should be checked to ensure their accuracy.

In case of a difference between the unit price and the extended totals, the unit price shall govern. In cases of a difference between written words and figures, the amount stated in written words shall govern. The bid must be signed by a representative or official of the bidder who has authority to bind that company, in the place so designated on the bid solicitation or quotation form.

## **DEVIATIONS**

Vendors have the responsibility to list all deviations to the technical specification of the solicitation requirements; if a vendor does not list deviations it is implied that the specifications as listed are being bid.

## **APPLICABLE TAXES**

The County is not subject to federal, state or other taxes.

## **DELIVERIES and DELIVERY DATES**

Vendors should always state the number of days required before delivery of a product will be made or indicate the specific date upon which delivery will be made. The time required for delivery may be one of the most important considerations in determining who shall be awarded the bid. Successful bidders are expected to deliver materials and/or services within the specified time. Late deliveries may jeopardize future awards. All merchandise received that does not meet the specifications will not be accepted. Vendors will arrange to have the unacceptable merchandise picked up at no cost to the County.

## **PAYMENT TERMS**

Bidders must ensure that payment terms are specifically stated on their bid. The offering of a discount for prompt payment may be a decisive factor as to whether a particular vendor is the low bidder.

## **SHIPPING POINT**

All bids are to be submitted as specified in the bid solicitation documents, with the bid price to include all shipping and delivery charges to the specified address. Any variations from this requirement must be clearly described in the bidder's written response. Generally all purchases are F.O.B. County of Morris; Freight Paid by vendor.

## **SAMPLES**

Bidders should always closely examine the solicitation documents to determine if they are required to submit samples with a bid or quotation. When samples are requested, they will be held until the award is made unless otherwise specified. If a bidder wishes to submit a sample of the proposed product for trial or use, the product must be presented at no obligation to the County. Samples required for prolonged testing will be paid for by the County. Samples must not be left with County employees without prior arrangements being made by the Purchasing Division. All samples are submitted at the bidder's risk.

## **SUBMITTING THE BIDS**

All bids must be properly identified and submitted in a sealed envelope to the Purchasing Division. The County Bid Solicitation Number should always be used to identify your proposal.

All submissions must be received by the Purchasing Division prior to the time and date noted in the solicitation documents. Bids WILL NOT be accepted after the designated time and will be returned unopened and will not be considered under any circumstances.

## **BID GUARANTEE**

Bid guarantee with a Power of Attorney are required to be submitted with formal, sealed bid solicitations. They are required as a guarantee that the successful bidder will accept the order and will perform at the price noted on the bid submission. The County of Morris accepts bid guarantees in the form of bid bonds, certified and registered checks. The guarantee shall be in the amount of 10% of the bid, but not to exceed \$20,000.00.

When a Performance Guarantee is required a Consent of Surety is also required when submitting your bid submission. All surety must be made in the name of the County of Morris. Performance Guarantees vary from 5% to 100% of the contract value. Each bid specification details the appropriate percentage requirement.

Failure to submit your bid guarantee and consent of surety with your bid submission is grounds for rejection of your complete bid submission. All bid guarantee will be returned after the contract has been authorized by the Board of Chosen Freeholders.

## **BIDDER LISTS**

Bidder lists will not be made available to anyone prior to the bid opening date. A County's bidder's list is not a public record required to be kept by law; therefore, it is not subject to disclosure under the Right to Know Law. Further, under the common law right to examine public documents, a contractor's interest in obtaining access to bidder's lists is outweighed by the potential for bid rigging that could result from disclosure of the list.

## **BID OPENING**

All formal solicitations are opened and read publicly in the presence of any parties bidding or their agents, who are then and there present, and shall also make proper record of the prices and terms, upon the tabulation worksheets, at the County Office Building at the time and date shown in the solicitation documents.

Bid solicitations are normally opened at 2:00 p.m.; the cover sheet for each bid specification has the specific date and time for that particular bid opening.

## **TABULATIONS AND AWARDS**

All submissions are evaluated by the Purchasing Division and the using department. An award is made to the lowest responsive and responsible bidder providing a submission that results in the lowest ultimate cost to the County of Morris. In determining the responsiveness of a bid submission, the County Purchasing Agent will review the bidder's response as to its conformity with all stated requirements of the bid solicitation. Once a bidder is determined to be responsive, bids will be reviewed as to price and value consideration of their comparative products as normally stated within the technical specifications section of the solicitation.

Quite often, a committee approach is used in the evaluation of bid responses. In such an approach, the Purchasing Division works with technical personnel within using departments to reach a decision as to responsiveness and to make an award recommendation.

Vendor or bidder responsiveness is also considered prior to any award recommendation. Past performance histories are considered and any requested bidder references are checked.

## **RIGHT TO REJECT BIDS**

The County of Morris reserves the right to reject any or all bids. The County reserves the right to accept or reject any specific item or group of items on a bid unless the vendor states that the entire bid must be accepted in total. The County of Morris will not accept any vendor that is listed on any of the Debarred Lists administered by the State of New Jersey.

## **DELIVERIES**

All shipments to the County of Morris must be made to the locations designated on the purchase order. Deliveries may be required to be made to various departments and divisions throughout the County. A County of Morris purchase order number must appear on all shipping documents. Failure to meet specified delivery schedules may result in cancellation of the order or jeopardize all future orders.

## **PARTIAL DELIVERIES**

A delivery normally must be made in the exact quantity called for in the purchase order. Partial deliveries, however, may be required and accepted in some instances.

## **VENDORS' INVOICES**

In order to receive payment for goods or services furnished to the County of Morris, the vendor must submit to the using department shown on the County purchase order an original and at least one copy of an invoice for such goods or services and a properly completed County Voucher Form. Invoices should not be sent to the Purchasing Division. To do so will delay payment.

Invoices must show:

1. County of Morris purchase order number;
2. Complete description of the goods or services furnished;
3. Quantity shipped, date and carrier;
4. Unit prices and extensions;
5. The terms of payment;
6. Vendor's invoice number and date;
7. with, County of Morris voucher completed and attached.

## **PAYMENT**

After a purchase order has been awarded to a vendor, five steps remain before the transaction is completed. These steps are:

1. Delivery and acceptance of the goods or services to the using department;
2. Submitting an original invoice(s) with signed Morris County voucher to the using department;
3. The using department submits receiving documents and original invoice to County Audit Department;
4. County Audit Department matches receiving reports, invoices and purchase order; submits to Freeholders for authorization to pay;
5. Payment by the County.

## **UNLAWFUL CONTRACTS NULL and VOID**

All vendors, offerors, and contractors are cautioned and strongly advised to ensure that a written, legally binding contract, purchase order, amendment, or other contract document is obtained and include signatures from the appropriate officials of the County prior to performing any service or incurring any expense. The County of Morris shall not be responsible for any expenditure of moneys or other expenses incurred by the bidder unless the bidder has received a signed contract and a purchase order.

## **ETHICS**

The County of Morris expects a high standard of ethics in conducting its business, and reserves the right to reject any supplier whose performance breaches these standards. Employees of the County of Morris may not accept gifts, gratuities, trips or anything of value from a vendor even though the intent of such a gesture may be honorable or a customary practice. The Purchasing Division maintains membership in the National Institute of Governmental Purchasing and subscribes to their Code of Ethics.

## **PREPARING FOR SUCCESS**

These recommended actions will enhance a bidder's opportunity for success in preparing a proposal:

1. Give an incoming quote or bid solicitation an immediate and thorough reading. Pay special attention to any special terms and to any mandatory or required specifications to be met.
2. Contact the Purchasing Division to answer any questions or to settle any points of confusion. Don't wait until the last moment and hope to accomplish this clarification. If a clarification may be material to the outcome of the bid, submit your questions in writing.
3. Present a clear, well organized and well prepared bid response. Follow any bid preparation instructions that are given with the solicitation document. Whenever possible, type a bid response and thoroughly proof read the prepared response. Pay careful attention to the accuracy of pricing data.
4. Attend the pre-bid conferences and pre-bid site visits when a solicitation calls for this type of information exchange.
5. Sign all required signature pages and return the complete solicitation document. An unsigned bid and /or substantially incomplete bid will not be considered and is the same as not bidding at all.
6. Bid a reasonable, competitive and firm contract price.
7. Provide the product that meets or exceeds the specifications.
8. Process all demands against the contract promptly and accurately.
9. Make sure that a bid response is received by the County Purchasing Division prior to the designated date and time for scheduled bid opening. Late bids are not considered.
10. Use the check list contained in the bid package to assure your compliance with all requirements.

## **PRE-BID CONFERENCES and PRE-BID SITE VISITS**

Pre-bid conferences and Pre-bid Site Visits may be held for formal solicitations. The intent of the conference is to respond to the inquiries by vendors and to clarify all points of concern. It is highly recommended that you attend and contribute at the pre-bid conference and to visit the sites. Notice of pre-bid conferences and pre-bid site visits are shown in the legal advertisements and the solicitation documents. Responses to questions or clarifications are sent to all holders of solicitation packages.

## **AFFIRMATIVE ACTION**

All County contracts prohibit the discrimination in the hiring of persons who are qualified and available to perform work to which the contract relates by reason of age, race, creed, color, national origin, or ancestry, marital status, sex, affectional or sexual orientation in accordance with P.L. 1975, c. 127 (N.J.A.C. 17:27).