

Cleveland Metroparks

Purchasing Manual

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CEO = Chief Executive Officer
CFO = Chief Financial Officer
CLEO = Chief Legal and Ethics Officer

Cleveland Metroparks Purchasing Manual

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This manual contains the basic policies, procedures and practices for procurement by staff of Cleveland Metroparks. The instructions within this manual are for the guidance of all Cleveland Metroparks personnel and have been prepared to provide information, direction, insurance of uniformity, compliance and control for all procurement-related activities.

The manual will be revised and supplemented, as required, to meet changing needs and conditions. It is the responsibility of all who have been delegated the authority to commit Cleveland Metroparks funds to adhere to the procedures contained in this manual. Generally, staff so delegated are supervisory/management persons with designated budget responsibility.

The Procurement Division is committed to taking an instructive, supportive and interactive role in the daily expenditures of Cleveland Metroparks. This commitment requires a monitoring system that is accountable, consistent and reliable. As that commitment grows, it becomes increasingly apparent that the Procurement Division must constantly review the purchasing procedures and study the economical patterns of the society we serve.

Such focus guarantees the taxpayer the ultimate dollar value and insures Cleveland Metroparks of a reputation molded by financial integrity. The intention of such fiscal responsibility is most significantly to purchase materials and services at the most efficient price, highest quality, and ultimately the best value to further insure that purchasing functions are in compliance with all local, state and federal statutes to which Cleveland Metroparks may be obligated.

Members of the purchasing staff contribute and channel a multitude of insights into the various expenditures akin to Cleveland Metroparks daily operation, spending every dollar as if it is their own. Market price variables, bulk purchase savings and legal challenges are researched and documented each and every day.

The parameters listed within describe the various purchasing "tools" and their correct usage. The Procurement Division asks that this manual is used to assure that the proper "tool" is used to correctly complete each task.

To assist the user of this manual in contacting the correct Procurement Division staff member, a chart is provided on the following page illustrating each agent's main responsibilities. This list is not all-encompassing but is provided to save the user steps when seeking purchasing information.

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*To maintain,
with a high degree of financial integrity,
a continuous supply of goods and services
necessary to support the quality of
conservation, education and recreation services
common to Cleveland Metroparks.*

Maintain

To maintain an uninterrupted flow of conservation, education and recreation services by obtaining and insuring delivery of an acceptable quality of goods and services within a designated time frame at a firm price.

Develop

To develop reliable sources to meet Cleveland Metroparks requirements.

Comply

To comply, in all respects, with the Ohio Revised Code and with all other applicable local and federal laws and regulations.

Purchase

To purchase materials and services for Cleveland Metroparks at the maximum end-use value per dollar spent.

Resolve

To resolve any complaints on purchased, leased/rented goods/services.

Provide

To provide leadership in the standardization of materials, supplies, equipment, services, procedures and any other categorical unit.

Plan

To plan and project needs of service and materials in a manner considerate of Cleveland Metroparks overall mission and reputation.

Requirement I

Only those persons delegated by the CEO in accordance with the By-Laws of the Board of Park Commissioners are authorized to make commitments for Cleveland Metroparks material, equipment, supplies and services.

Requirement II

The Procurement Manager has the responsibility for the procurement of all goods and services, and is to either provide the services for such procurement and processing or give functional direction to others delegated with authority to perform such services.

It is also the responsibility of the Procurement Manager to insure that all Cleveland Metroparks personnel involved in purchasing functions read and understand this manual and related procedures.

Requirement III

Under the direction of the Board of Park Commissioners/Chief Executive Officer, the Procurement Division has the responsibility of obligating Cleveland Metroparks and making the final determination for sources of supply, quantities purchased, delivery schedule and price negotiations. These decisions will be made after consultation with the Departments of Marketing and Visitor Services, Human Resources, Rangers, Park Operations, Planning, Design and Natural Resources, Cleveland Metroparks Zoo, Law, and the CFO.

Requirement IV

The Procurement Division is responsible for initiating and maintaining effective/professional relationships with suppliers, existing and potential.

Requirement V

The Procurement Division serves as the exclusive channel through which all requests regarding prices and products are handled. The Purchasing Division will conduct business and/or direct all correspondence with suppliers involving price or quotations. In cases where technical details are necessary, the user department may correspond with suppliers. In such cases, the Purchasing Division should be provided with copies of all such correspondence. Close communication and coordination between Purchasing and the user departments must be maintained.

Requirement VI

All negotiations are to be handled by the appropriate purchasing personnel within their delegated authority and at the discretion of the Procurement Manager.

Requirement VII

Supplier sales representatives may be directed to make personal calls on the Procurement Division, but budget managers are encouraged to investigate upgrades and improvements and report such findings to the Procurement Manager.

Requirement IIX

All employees involved in purchasing activities will work to maintain and enhance Cleveland Metroparks image by their personal conduct and professional business methods.

Requirement IX

All employees engaged in purchasing activities will recognize and practice good public relations by giving callers and visitors prompt, courteous treatment.

Requirement X

Vendor selection and products purchased are to meet the basic requirements of policy and standard practice as held by Cleveland Metroparks. The orderly replacement "by attrition" will occur when cost-effective and operating commitments can be met.

Requirement XI

Purchasing personnel are to seek to obtain and purchase all goods at the lowest possible total end-use cost, considering guidelines of price, service, quality and delivery. *An understood awareness that lowest price does not automatically indicate the best investment requires documented research that verifies valuable considerations other than cost.* The Procurement Division personnel investigate such points to present to the Procurement Manager for final deliberation.

Requirement XII

The Procurement Manager shall have full authority to question the quality and type of material requested so that the best interests of Cleveland Metroparks may be served and continually maintained.

Requirement XIII

Procurement Division personnel are to inform ordering departments whenever the quantity or specifications of materials ordered are inconsistent with sound purchasing practices or market conditions.

Requirement XIV

Procurement Division personnel shall work to establish and encourage punctual delivery of specified goods and services in accurate quantities.

Requirement XV

Procurement Division personnel will negotiate the return of rejected equipment or supplies to suppliers following discussion with the pertaining requestor. *While division representatives may negotiate the final phase of the circumstances, the requestor may be encouraged to make the initial call to the supplier.* This helps insure the situation is not merely an oversight or neglected item that required simple clarification.

Requirement XVI

In accordance with ***Cleveland Metroparks Sustainability Best Practices Guide***, Cleveland Metroparks recognizes its responsibility to the environment while supporting a diverse, equitable and vibrant community and economy. Cleveland Metroparks also recognizes that the products and services it buys have inherent social, human, health, environmental and economic impact and that Cleveland Metroparks should make purchasing decisions that embody, promote and encourage the commitment to sustainability when fiscally logical.

The Sustainable Purchasing Policy is intended to:

- Incorporate sustainability standards into purchasing decisions;
- Encourage the purchase and use of materials, products and services that best align with Park District fiscal, environmental, social, community and performance goals;
- Reduce the amount of environmental impact from Park District use of products including reduction of greenhouse gas emissions, reduction of waste to landfill, health and safety risks and resource consumption;
- Empower staff to be innovative and demonstrate leadership by incorporating progressive and best-practice sustainability specifications, strategies and practices in purchasing decisions.
- Encourage vendors to promote products and services that they offer which are most suited to the Park District sustainability principles.
- Communicate Cleveland Metroparks commitment to sustainable purchasing, by modeling the best product and services choices to citizens, other public agencies and private companies.

General Policy Statement: Cleveland Metroparks shall acquire its goods and services in a manner that integrates fiscal responsibility, social equity, and environmental stewardship. Each division shall encourage department decisions that reflect the policy objectives. Cleveland Metroparks shall promote and encourage product and service acquisitions compliant to the policies and guidelines adopted herein.

Sustainability Factors: Environmental factors to be considered in product and service acquisitions include but are not limited to, the assessment of: Pollutant releases and toxins, air emissions, water pollution, waste generation and minimization, greenhouse gas emissions, recyclability and recycled content, energy consumption and efficiency, use of renewable energy, depletion of natural resources, potential impact on human health, biodiversity, industrial environmental practices, third party certification, organic content, local purchasing and the cost to own. Refer to the “**Cleveland Metroparks Sustainability Best Practices Guide**” signed by Brian Zimmerman, CEO on June 5, 2018. Document located on the portal.

Accurate specifications assure receipt of proper quality and service. Financial integrity and precise accountability involves buying supplies, materials, goods and services of a grade sufficient to fulfill or exceed the requirements for which the goods are intended. The Procurement Division attempts to secure the best quality for the intended purpose and is expected to work with the other departments and divisions to obtain adequate specifications that are:

F

Flexible, to encourage vendors to suggest cost-saving alternatives.

A

Accountable and capable of being checked, including a description of the inspection methods to be used, where applicable.

I

In full consideration of contingencies such as freight costs, delays and improbabilities.

R

Reasonable in tolerances and within date of delivery (requires pre-planning).

B

Bias-Free, objective and capable of being met by several bidders.

U

Unadorned, clear and exact so that a supplier cannot evade any provisions.

Y

Yielding documented evidence, with regard to differences in quality and/or suitability for particular purposes.

**Purchases Not Covered
By The Purchasing Manual**

Expenditures requiring the use of the petty cash funds, the special purchases account and the travel expenses are not addressed in this manual.

This manual does not address the appraisal or purchase of real estate.

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Procurement of Goods, Services and Construction:

1. \$50,000.01: Formal Competitive Bid, RFP, RFQu required unless exemption applies.
2. \$50,000.00 - \$1,000.00: Provide 3 written quotes and submit with the requisition.
3. \$ 999.99 and below: Immediately available (use Pro Card if vendor accepts).
4. \$ 999.99 and below: Immediately available (submit requisition if vendor doesn't accept Pro Card).
5. CEO-approved-items are shown to the Board on the "Items between \$10,000 - \$50,000 List" presented each month in the Board Agenda.
6. Purchasing Levels Table (see below)

PURCHASING LEVELS

<u>\$50,000.01 +</u>	<u>\$50,000.00 and \$1,000.00</u>	<u>\$999.99 and below</u>	<u>\$999.99 and below</u>
Requires Board approval	CEO approval	Immediately available	Immediately available
Competitive Bid, RFP, RFQu, <i>Process required unless exemption applies.</i>	<i>Provide 3 written quotes and include them with the requisition.</i>	<i>Standard Purchase order</i>	<i>Using Pro - Card</i>

In addition to the above there are purchase orders that are issued after the invoice date and in error of the Ohio Revised Code requirements. Laws that mandate such provisions require that such purchase orders are recognized apart from standard purchase orders. They are therefore designated with an "S" and presented with the standard voucher resolution.

Procurement of goods, services, professionals services when cost is \$50,000.01 and greater:

a. Pursuant to Section 1545.07 of the Ohio Revised Code (ORC), in procuring any goods at a cost in excess of \$50,000.00, Cleveland Metroparks must utilize either the (1) Competitive Bidding Process (ORC §§ 307.86) or (2) the Request for Proposal Process (RFP or competitive sealed proposals in ORC [307.862](#)) except in the following instances and as otherwise provided in Ohio law:

- i. In the event of an emergency pursuant to Cleveland Metroparks By-law Article 5, Section 4(d); or,
- ii. The purchase consists of supplies or a replacement or supplemental part or parts for a product or equipment owned or leased by the Cleveland Metroparks, and the only source of supply for the supplies, part, or parts is limited to a single supplier; or
- iii. The purchase consists of services related to information technology, such as programming services, that are proprietary or limited to a single source; or,
- iv. The purchase is from the federal government, the state, the county or contracting authority of another county, or a board of education, educational service center, township, or municipal corporation.

*Pursuant to Article 5, Section 2, and unless otherwise specified by law, in procuring services, Cleveland Metroparks must use the competitive bid process in ORC §307.86, the RFP process in ORC §307.862, a modified a RFP process, a Request for Qualifications (RFQ) process, Request for Information (RFI) process or other competitive process.

b. Competitive Bidding Process is as follows:

(This process may be used for construction in addition to the other project delivery models permitted in the Ohio Revised Code.)

- i. **Post and advertise bid** - During this process, the bid is posted in Cleveland Metroparks Administrative Office Lobby bulletin board and advertised in a newspaper of general circulation within the county as well as on the Cleveland Metroparks' website and Public Purchase (www.publicpurchase.com). The advertising and posting period lasts for at least fifteen (15) days.
- ii. **Bid Opening** - After the fifteen (15) day posting and advertising period, the bids are publicly recorded by the Procurement Manager and/or his assigns who tabulates the bids. Prices must be guaranteed and held for a sixty (60) days.
- iii. **Evaluation of Bid, Board approval and Award** - During this sixty (60) day period, bids are reviewed by the purchasing division and evaluated based upon, but not limited to, the following factors in combination, not necessarily listed in their order of importance:

Price (including assessment of best value)

Bidder's previous record of performance and service

Ability of bidder to render satisfactory service

Availability of bidder's representative to consult with Cleveland Metroparks user departments

Quality and conformance to specifications

Bidder's qualifications

Dun & Bradstreet information

Written recommendation from user department

In case of disagreement, the Procurement Manager and/or CFO shall make the final recommendation for the award of bid to the Board of Park Commissioners or the CEO. At this time, the Board may either accept/approve a bid or fully or partially reject a bid.

- iv. **After Board approval or rejection** - If a bid is accepted/approved by the CEO and/or Board, an immediate contract is entered into with the awarded bidder (time frame contingent on contractor's and/or Cleveland Metroparks specified terms and conditions) and the successful bidder will secure the required surety or performance bond. If all bids are rejected by the Board, all bidders will be notified accordingly and bid-bonds, cashier checks, certified checks, or money orders will be returned to the unsuccessful bidders.

c. Request for Proposal Process (RFP or “competitive sealed proposals” in ORC [307.862](#))

- i. Budget Manager works with Purchasing Unit to develop a Request for Proposal (RFP) to develop factors and criteria to evaluate each proposal, specify the relative importance of each factor or criterion in writing, and describe the evaluation procedures that will be followed when awarding a contract to a vendor. This process may not be used for public improvement contracts. The following information must be included in each RFP:
 - (a) Cleveland Metroparks name and address;
 - (b) Instructions for vendors to follow when submitting proposals;
 - (c) Instructions governing communications between an vendor and Cleveland Metroparks, including, but not limited to, the name, title, and telephone number of the person to whom questions concerning the request for proposals should be directed;
 - (d) A description of the scope of work that Cleveland Metroparks requests an vendor to perform or supplies the Cleveland Metroparks plans to purchase;
 - (e) To the extent possible, a description of the performance criteria Cleveland Metroparks shall require an vendor to satisfy, including but not limited to, the quantity of the supplies, services, or both, to be purchased; the requirements the contracting authority shall follow for inspection and acceptance

- of the supplies, services, or both; and the delivery schedule for each such supply or service;
- (f) The factors and criteria Cleveland Metroparks shall consider in evaluating proposals received;
- (g) Any terms and conditions that Cleveland Metroparks is required by law to include in the contract the contracting authority awards, including any requirement for a bond and the amount required for that bond;
- (h) The date and time by which, and the place to which an vendor must deliver the vendor's proposal to Cleveland Metroparks in order to be considered for the contract;
- (i) A list of any documents that Cleveland Metroparks incorporates by reference in the request for proposals, provided that Cleveland Metroparks specifies in the request for proposals that the documents are readily available to all vendors and the location where an vendor may obtain those documents;
- (j) A statement that includes all of the following information:
 - (i) That Cleveland Metroparks reserves the right to reject any proposal in which the vendor takes exception to the terms and conditions of the request for proposals; fails to meet the terms and conditions of the request for proposals, including but not limited to, the standards, specifications, and requirements specified in the request for proposals; or submits prices that the Cleveland Metroparks considers to be excessive, compared to existing market conditions, or determines exceed the available funds of the contracting authority;
 - (ii) That Cleveland Metroparks reserves the right to reject, in whole or in part, any proposal that Cleveland Metroparks has determined, using the factors and criteria Cleveland Metroparks develops pursuant to this section, would not be in the best interest of the county;
 - (iii) That Cleveland Metroparks may conduct discussions with vendors who submit proposals for the purpose of clarifications or corrections regarding a proposal to ensure full understanding of, and responsiveness to, the requirements specified in the request for proposals.
- (k) Information concerning any potential partial or multiple party awards that Cleveland Metroparks may include in the contract, and a description of the supplies, services, or both that may be subject to a partial award or multiple awards;
- (l) Any additional information Cleveland Metroparks considers necessary for its purposes in determining to whom to award the contract.

- ii. **Post and advertise RFP** - During this process, the RFP is posted in Cleveland Metroparks Administrative Office Lobby bulletin board and advertised in a newspaper of general

circulation within the county as well as on the Cleveland Metroparks' website and Public Purchase (www.publicpurchase.com). The advertising and posting period lasts for at least fifteen (15) days.

- iii. **Opening** - After the fifteen (15) day posting and advertising period, the proposals are publicly recorded by the Procurement Manager and/or his assigns. Prices must be guaranteed and held for a sixty (60) day period. Cleveland Metroparks will maintain the confidentiality of any proposals Cleveland Metroparks receives until after the award of the contract.
- iv. **Rankings** - Identified Cleveland Metroparks staff, in collaborating with the Procurement Manager or his designee, shall rank each proposal using the factors and criteria identified in the RFP.
- v. **Interviews** - If necessary, conduct discussions with vendors for the purpose of ensuring a full understanding of an responsiveness to the requirements specified in the RFP. Information derived by Cleveland Metroparks from such discussions must be kept confidential.
- vi. **Negotiation** – Identified Cleveland Metroparks staff, in collaboration with the Procurement Manager or his designee, will negotiate with the vendor who submits the proposal that Cleveland Metroparks determines is the most advantageous to Cleveland Metroparks based on the rankings performed by Cleveland Metroparks and any discussions with vendors. Only one vendor may be negotiated with at one time.
- vii. **Board approval and award of contract** - The identified Cleveland Metroparks staff and the Procurement Manager will make a recommendation to the CEO and/or Board of Park Commissioners. At this time, the Board may either approve a proposal or fully or partially reject a bid. If the proposal is approved, the contract will be entered into with Cleveland Metroparks and the successful vendor. If all proposals are rejected, Cleveland Metroparks staff will recommend next actions steps to the CEO for consideration.
- viii. **After Board approval or rejection** - If a proposal is accepted/approved by the CEO and/or Board, a contract is entered into with the awarded vendor (time frame contingent on contractor's and/or Cleveland Metroparks specified terms and conditions), and the successful bidder will secure the required surety or performance bond.
- ix. **Documentation and Notification** – The Procurement Manager, or his designee, shall maintain a contract file stating in writing the basis upon which an award is made. Successful vendors must be notified in writing of the contract award and this information must be made available to the public. The Procurement Manager, or his designee, shall also notify all unsuccessful vendors and return all bid-bonds, cashier checks, certified checks, or money orders to the unsuccessful bidders.

Procurement of professional design or design-build services up to \$50,000:

- a. **“Professional design services”** means services within the scope of practice of an architect or landscape architect registered under Chapter 4703. of the Revised Code or a professional engineer or surveyor registered under Chapter 4733. of the Revised Code.
- b. **Annual List:** Annually, Cleveland Metroparks shall solicit a statement of qualifications from design professionals and maintain a list of qualified design professionals.

- c. Selection: Cleveland Metroparks Chief of Planning and Design shall make a recommendation to the CEO to select a single design professional or firm from among those that have submitted a current statement of qualifications within the immediately preceding year, based upon the determination that the selected design professional or firm is the most qualified to provide the required professional design services;
 - i. “Qualifications” are defined as follows:
 - (a) For a professional design firm, competence to perform the required professional design services as indicated by the technical training, education, and experience of the firm's personnel, especially the technical training, education, and experience of the employees within the firm who would be assigned to perform the services;
 - (b) For a design-build firm, competence to perform the required design-build services as indicated by the technical training, education, and experience of the design-build firm's personnel and key consultants, especially the technical training, education, and experience of the employees and consultants of the design-build firm who would be assigned to perform the services, including the proposed architect or engineer of record.
 - (c) Ability of the firm in terms of its workload and the availability of qualified personnel, equipment, and facilities to perform the required professional design services or design-build services competently and expeditiously;
 - (d) Past performance of the firm as reflected by the evaluations of previous clients with respect to such factors as control of costs, quality of work, and meeting of deadlines;
 - (e) Any other relevant factors as determined by Cleveland Metroparks;

Procurement of professional design and design-build services \$50,000.01 and greater:

- a. “Professional design services” means services within the scope of practice of an architect or landscape architect registered under Chapter 4703. of the Revised Code or a professional engineer or surveyor registered under Chapter 4733. of the Revised Code.
- b. Notice & Announcement: Cleveland Metroparks shall publicly announce all contracts available estimated to be over \$50,000 for professional design services or design-build service in Cleveland Metroparks Administrative Office Lobby bulletin board and advertised in a newspaper of general circulation within the county as well as on the Cleveland Metroparks’ website and Public Purchase (www.publicpurchase.com). The advertising and posting period lasts for at least fifteen (15) days. The announcements shall:
 - i. Be made in a uniform and consistent manner and shall be made sufficiently in advance of the time that responses must be received from qualified professional design firms or design-build firms for the firms to have an adequate opportunity to submit a statement of interest in the project;
 - ii. Include a general description of the project, a statement of the specific professional design services or design-build services required, and a description of the qualifications required for the project;

- iii. Indicate how qualified professional design firms or design-build firms may submit statements of qualifications in order to be considered for a contract to design or design-build the project;
 - iv. Be sent to any of the following that the Chief of Planning and Design considers appropriate:
 - (1) Design-build firms, including contractors or other entities that seek to perform the work as a design-build firm;
 - (2) Architect, landscape architect, engineer, and surveyor associations;
 - (3) The news media;
 - (4) Any publications or other public media, including electronic media.
 - c. Evaluation of statements of qualification:
 - i. For every professional design services contract, the Architect and Chief of Planning and Design shall evaluate the statements of qualifications submitted by professional design firms specifically regarding the project, and may hold discussions with individual firms to explore further the firms' statements of qualifications, the scope and nature of the services the firms would provide, and the various technical approaches the firms may take toward the project.
 - d. Ranking and selection of firms
 - i. Following this evaluation, the Architect and Chief of Planning and Design shall:
 - (A) Select and rank no fewer than three firms which it considers to be the most qualified to provide the required professional design services, except when the Architect determines in writing that fewer than three qualified firms are available in which case the Architect and Chief of Planning and Design shall select and rank those firms;
 - (B) Negotiate a contract with the firm ranked most qualified to perform the required services at a compensation determined in writing to be fair and reasonable to the public authority. Contract negotiations shall be directed toward:
 - (1) Ensuring that the professional design firm and the agency have a mutual understanding of the essential requirements involved in providing the required services;
 - (2) Determining that the firm will make available the necessary personnel, equipment, and facilities to perform the services within the required time;
 - (3) Agreeing upon compensation which is fair and reasonable, taking into account the estimated value, scope, complexity, and nature of the services.
- vi. *Procurement of construction which is over \$1 million:***
- a. For each construction project over \$1,000,000, the project delivery model will be evaluated and determined by the CEO upon the advice of the Chief of Planning and Design in consultation with the Chief Financial Officer and Chief Legal & Ethics Officer.
 - b. The procurement process specified in the Ohio Revised Code for the specific project delivery model will be followed.
 - c. Cleveland Metroparks shall publicly announce all contracts available estimated to be over \$50,000 for construction or design-build service in Cleveland Metroparks Administrative Office Lobby bulletin board and advertised in a newspaper of general circulation within the county as well as on the Cleveland Metroparks' website and Public Purchase (www.publicpurchase.com).

The Procurement Manager has the responsibility for maintaining a uniform set of procedures and forms to facilitate various processes. These forms include:

- Vendor notifications
- Bid/Proposal analysis and summaries
- Bid bonds
- Bidder mailing lists
- Competitive invitations
- Instructions to bidders
- Other standard forms

The Procurement Manager has the responsibility of preparing all bids and proposals in excess of \$50,000.01 for presentation to the Board of Park Commissioners and to the CEO with regard to items under \$50,000.

The Purchasing Division is responsible for obtaining bids on all materials and/or services for both estimating purposes and purchases.

The Purchasing Division reserves the right to conduct an investigative, cost effective study comparing any items/services requested.

The authorized divisional budget manager has the responsibility to provide the Purchasing Division with information related to specifications and usage of products.

Computer and Computer Related Items, Approval to Purchase.

As with any organization as large as Cleveland Metroparks there is a need to standardize certain components to help allow for ease of maintenance, interoperability and the control of costs. Items like chain saws, snow plows and radio equipment are purchased with the idea of using standard components to achieve this goal. The same needs to hold true for computer systems.

To ensure their compliance with Cleveland Metroparks Information Systems standards and for possible auditing/tracking purposes, all purchases of computer and computer related equipment with a cost over \$100, excluding items that would be considered consumable or supplies such as toner, ink and blank disks, should be approved by the Cleveland Metroparks Information Systems Division prior to being purchased.

Computer equipment, including but not limited to personal computers, monitors, printers, scanners, external storage devices, pocket PCs / PDAs, cellular phones and other hardware requiring installation inside a computer and hardware that requires software installation for its use, should be approved by the Information Systems Division (IS).

Because of security issues, any equipment that connects to the Cleveland Metroparks' computer network or to another network must be approved and installed by the Information Systems Division.

All software, regardless of its price, should be approved by the Cleveland Metroparks Information Systems Division before the purchase and/or installation on any Cleveland Metroparks equipment. Approval is required for all purchases that fall under the above regardless of whether they are made with a Pro-Card, purchase order or any other approved purchasing procedure.

Ohio Revised Code Section 9.24 (A) (B) (D) and (E) provides that no state agency and no political subdivision shall award a contract for goods, services, or construction, paid for in whole or in part with state funds, to a person against whom a finding for recovery has been issued by the auditor of the state, if finding for recovery is unresolved. Therefore Cleveland Metroparks will print and maintain in the bid file, from the Auditor of State/State of Ohio website (www.auditor.state.oh.us), the verification of a certified search for unresolved findings for recovery. The search request is considered the path to validate that the potential awardee is in full compliance with the Ohio Revised Code with no unresolved findings for recovery from previous contracts.

A purchase of more than \$50,000.01 requires Board approval. Purchases between \$10,000 - \$50,000 require approval by the CEO and are presented to the Board as an information items.

Bid and proposal requests should be initiated by a division manager, approved by a department director and completed using a standard form whenever possible (See Sample Forms Index). Complete information should be provided including, but not limited to: quantity, description, delivery requirement, special conditions, drawings, specifications, date information required, etc. Purchasing Division representatives will not alter specifications without discussion with the division director and department Chief.

A minimum of three suppliers is mandatory (five or more are preferred), providing the Purchasing Division is familiar with the market and prices of the material in question. In the case of proprietary items, more than one price is often not possible and should be so noted on the request form. In cases where less than three bids are received, the Purchasing Division will justify the cause of low response via follow up phone calls or similar investigation. These results will be provided to the Board/CEO with the recommended action.

A bid contract will only be entered into with vendors whom the Purchasing Division secures as qualified or can be qualified to meet all requirements.

Answers to technical questions arising during the bidding or proposal process should be provided by the requestor (expert). The Purchasing Division must coordinate the reply and insure that all potential suppliers are provided the same information through addendum, etc.

After all bids have been received and examined for accuracy, a tabulation of bids (see Sample Form Index) is to be prepared noting all the pertinent data and discrepancies. Determination of the lowest and best bidder will be made only after all aspects, including a written recommendation preference of the requestor, have been considered. The information gathered will be kept with the bid/price quote packet as backup documentation. In cases of research for estimates, a copy of each bid response may be sent to the requestor along with the bid summary sheet.

Suppliers who were not awarded the bid will receive a copy of the tabulation of the bids along with a letter and their bid or bid/performance bond or check, within one month of final, approved recommendation.

Cleveland Metroparks reserves the right to reject any and all bids or proposals and parts of any and all bids or proposals, unless so stated in the specifications. Cleveland Metroparks also reserves the right to waive all technicalities and split award any bid in which various unit costs offer a more desirable total cost, as long as coordination of delivery and supplies does not prove a detriment to construction or operation.

To maintain records of annual consumption and best determine quantities for bidding purposes, the purchasing division will log consumption and price of commodities when bids are based on per unit cost. At the end of the bid period (the anniversary of the bid), a report of the original quantity estimates and actual quantity usage for each commodity item will be prepared and used in developing the new bid. This report will be part of the bid presentation to the Board of Park Commissioners.

In the event that the log of consumption approaches 90% of the original quantity estimate, an action item will be presented to the Board requesting an increase.

Commodity items include but are not limited to:

! Fire Extinguishers	! Oils, Grease Fluids	! Aggregate	! Carpenter Tools
! Gasoline, Heat Oil	! Asphaltic Concrete	! Rock Salt	! Mechanic Tools
! Topsoil, Bark Mulch	! Janitorial Supplies	! Uniforms	! Lawn/garden tools
! Ball Diamond Mat.	! Trash Hauling	! Tires	! Safety Equipment

Monthly commodities usage reports are generated by the Buyers and distributed to all Operations Department managers/supervisors and the Procurement Manager.

***Construction
Contract Bonds***

Construction contract bonds are Bid/Performance Bonds in the full amount of the bid. If a vendor is selected to enter into a contract, said contract could begin immediately with all instruments complete and in place. If a certified check is submitted, it is in the form of 10% of the total bid. It must be converted to a 100% Performance Bond upon signing of the construction contracts.

***Service Contract
Bonds and/or
Certified Checks***

Service contract bonds and/or certified checks for agreements such as trash hauling should be in an amount equal to five percent of the total bid. This 5% bond or certified check is held through the life of the bid and should be submitted as a bid AND performance bond. It is not necessary to turn this bond or certified check into a performance bond upon acceptance of a vendor unless the bond is not a bid/performance type and solely a bid bond. The certified check can be retained as equivalent to the bid and performance bond.

***Commodity Contract
Bonds and/or
Certified Checks***

Commodity contract bonds and/or certified checks for specific items are to be in an amount equal to five percent of the total cost of the bid item. This bond/certified check should be held until all items are received according to specifications. There is usually no need for the status of this bond to be transformed into a performance bond.

<i>Type of Contract</i>	<i>Check is % of Bid</i>	<i>Bond is % of Bid</i>
! Construction Contract	10 %	100 %
! Service Contract	5 %	5 %
! Commodity Contract	5 %	5 %

Prevailing Wage packets are mandatory with bids and/or purchase orders for new construction and construction improvements to existing structures per Ohio Revised Code. When budgeting managers are assembling information for bid it is necessary that they determine if a job is to be covered by prevailing wage. Limits are updated by the State and should be investigated prior to any such bid release. Such trades include but are not limited to the following:

Asbestos Workers	Linemen
Iron Workers	Line Builders - Outside
Fence Erectors	Line Builders - Inside
Riggers & Machine Movers	Line Builders - Underground
Steel Sash Erectors	Metal Finishers
Welders	Millwrights
Boilermakers	Painters
Blacksmiths	Sandblasters
Bricklayers	Tapers
Pointers, Caulkers	Pile Drivers
Cleaners	Plumbers
Tile Layers	Pipe-fitters
Carpenters	Roofers
Floor Layers	Sheet Metal Workers
Linoleum Layers	Sign Erectors
Blinds, Draperies	Sign Painters
Window Shade Installers	Sprinkler Fitters
Cement Masons	Telephone Installers
Electricians	Truck Drivers
Lathers	Well Drillers
Operating Engineers	Laborers

The Procurement Manager should be notified when the design of the bid is to include any or some of these trades as the state must be contacted to register such projects.

Competitive bidding will not be required when the items to be purchased are proprietary items or proprietary articles not available for sale at a competitive wholesale price and which are purchased for sale in the pro/gift shops at Cleveland Metroparks Golf Courses and nature centers. Said articles must be certified as such on a list prepared by the Procurement Manager and filed and approved by the CFO who shall notify the Board of Park Commissioners accordingly.

Proprietary articles are defined as goods manufactured and sold at a wholesale price only by the owner of the brand name or trademark associated with the product.

Cleveland Metroparks participates in a variety of consortiums to obtain volume discounts. Among them:

***Ohio Revised Code 125.04
(formerly House Bill 204)***

Cleveland Metroparks is entitled to purchase supplies and services outside of a purchase contract (i.e. - Ohio Cooperative Purchasing Program) and without complying with competitive selection procedures if the purchase can be made at a lower (or equal with better conditions) price than is available through such a contract. An affidavit (copy available in Sample Forms Index) is required that validates the vendor's promise that the product or service is equivalent in all aspects and specifications as well as a copy of the equal or lower price quote.

***Ohio Cooperative
Purchasing Program***

Cleveland Metroparks utilizes the Ohio Cooperative Purchasing Program (where determined by the Procurement Manager to be advantageous or otherwise applicable) in accordance with Ohio Revised Code Section 125.04 as held in The Ohio Cooperative Purchasing Act (am. Sub. H. B. No. 100) and signed into law by Governor Richard F. Celeste on December 4, 1985 and effective March 6, 1986. This program was accepted through resolution by the Board of Park Commissioners, December, 1990.

***Ohio Department
of Transportation
Cooperative
Purchasing Program***

Cleveland Metroparks also utilizes the Ohio Department of Transportation Cooperative Purchasing Program (where determined by the Procurement Manager to be advantageous or otherwise applicable) in accordance with the Ohio Revised Code Section 5513.01 (B). This program was accepted through resolution by the Board of Park Commissioners, February, 1991.

***Ohio Schools Council
Cooperative Program***

Cleveland Metroparks also participates in the Ohio Schools Council consortium for use of utility savings and bulk purchases where applicable since 1999.

Other cooperative contracts: US Communities, SourceWell, National IPA, WSCA/NASPO, etc.

A request form to purchase through any Cooperative Purchasing Program is in the Sample Form Index. Governmental or "GSA" pricing indicated by vendors **IS NOT** linked to any of the above cooperative purchasing programs. Staff is asked to contact the Purchasing Division for clarification of vendor's actual ability to extend such discounts when "GSA" prices are proposed. GSA pricing only pertaining to IT or emergency preparation related purposes.

PURCHASE ORDERS OBTAINED AFTER PURCHASE HAS BEEN MADE:***Purpose***

Ohio Revised Code [5705.41(0)] mandates that no purchases shall be made without a CFO's certification of funds. Cleveland Metroparks purchasing procedures clearly instruct employees to obtain a purchase order with the treasurer's certification of funds before making a purchase. Emergency or other unusual situations occasionally make a deviation to this procedure necessary. In order to comply with audit standards of the auditor of state, any purchase for which a purchase order is issued after the purchase has been made shall be presented to the Board of Park Commissioners for retroactive approval.

Procedure for approval

Invoices submitted to the purchasing division for retroactive purchase orders and purchase orders which are issued after the purchase has been made will be categorized as code "S" for voucher processing and on the voucher summary for Board approval. These purchases are considered "then and now" as provided by statute. The voucher summary legend will list "S" as "***purchases obtained without certification of funds.***" On the invoice approved for payment, price source "S" shall include, as part of the description, the name of the budget manager who made the purchase. The resolution presented to the board, after listing the fees and charges, shall include the following: ". . . and those purchases listed on the attached voucher summary for which certification of funds was not obtained before the purchase." The Board is notified prior to each Board meeting of any such "S" purchase orders in excess of \$1,000 through memoranda from the CFO.

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**Ethical Practices and
Conflict of Interest**

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The suppliers to Cleveland Metroparks and their products, personnel and services are an extension of Cleveland Metroparks own resources. It is the responsibility of all employees to work to maintain a positive reputation of Cleveland Metroparks. Developing and maintaining good relations between Cleveland Metroparks and its suppliers is the responsibility of every Cleveland Metroparks employee. All staff should keep in mind that personal contacts form much of the basis for the supplier's opinion of Cleveland Metroparks.

In personal contacts with the suppliers, each employee represents Cleveland Metroparks and should reflect and present the interests and needs of all departments.

Employees engaged in the purchasing function are expected to be free of interests or relationships which are actually or potentially detrimental to the best interests of Cleveland Metroparks and are expected to fully comply with all provisions of Chapter 102 and Sections 2921.01, 2921.42, 2921.421 and 2921.43 of the Ohio Revised Code.

Any employee engaged in the purchasing function who has assumed, or is about to assume, a financial or other outside business relationship that might involve a conflict of interest, must immediately inform their supervisor and the Procurement Manager of the circumstances involved. A conflict of interest exists where an employee:

Has a direct or indirect interest in or relationship with an outsider that is inherently unethical or that might be implied or construed to be, or make possible personal gain due to the employee's ability to influence dealings.

Render the employee partial toward the outsider for personal reasons or otherwise inhibit the impartiality of the employee's business judgment.

Place the employee or the organization in an equivocal, embarrassing or ethically questionable position.

Detrimentially reflect on the integrity of the organization.

If an employee does not inform the manager and the Procurement Manager of such potential, appropriate employee disciplinary action may follow. In an effort to assist the Board and its employees with their compliance with the conflict of interest provisions of the Ohio Ethics Laws, and annual conflict of interest vetting process shall be conducted at least annually and shall involve a review of the current list of Cleveland Metroparks vendors. In the event that a conflict of interest scenario would arise after the annual conflict of interest process was conducted, the Board member or employee shall present the issue to the CFO and CLEO for further direction.

Cleveland Metroparks employees are expected to be free of any relationships that may create or appear to create a conflict of interest. These relationships are also known as related parties. A "related party" is defined as someone who will be selling merchandise and/or services to Cleveland Metroparks and is either a direct relation¹ or personal acquaintance² of the Cleveland Metroparks employee.

Cleveland Metroparks utilizes a related party disclosure form to document all potential related parties. Annually a related party disclosure form (see Sample Form Index) is sent by the CFO's office to all full and part-time employees and by Human Resources when a new full or part-time employee is hired. It is to be completed and returned to the CFO's office within 30 days of receipt. If a potential related party is identified, it will be reviewed by the CFO and the CLEO and any additional outside consultation that may be required. A determination will be made if the relationship between the related party and Cleveland Metroparks is allowable, requires written approval from the CFO or CLEO, or is unallowable. A related party may be considered unallowable if any of the following conditions are met.

- the employee or a related party has had or will have material interest, direct or indirect, in any transaction in which Cleveland Metroparks or any affiliate was or is to be a party; or
- the employee or a related party has had or will have any material interest, direct or indirect, in any pending or incomplete transaction to which Cleveland Metroparks is to be a party; or
- the employee or a related party has been indebted to Cleveland Metroparks at any time before or during the employee's term of employment, excluding amounts for travel or expense advance.

If a potential related party becomes known to an employee during the year, the employee should notify their supervisor and Procurement Manager. A determination will be made within by the CFO and CLEO regarding the proper course of action based on the nature of the relationship. The Procurement Manager will then notify the appropriate parties, including the employee, the employee's supervisor, and the CFO, if the outcome requires formal approval or is unallowable.

All documentation related to related parties is maintained in the CFO's office.

¹ **Direct Relation** is defined as spouse, same sex domestic partners, children, parents, siblings, grandparents, grandchildren, stepchildren, stepbrother, stepsister, nieces, nephews, aunts, uncles and/or in-law relationships.

² **Personal Acquaintance** includes business partners, friends, neighbors, etc.

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Gifts and Gratuities

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! No Cleveland Metroparks employee shall accept gifts, personal loans, entertainment or other special considerations from an individual or business organization doing business with Cleveland Metroparks.

! Loans are not to be accepted from an individual or organization having prospective dealings with Cleveland Metroparks unless it is a reputable financial institution designated for doing business in personal loans, car loans, etc.

! No employee shall permit any influence which could conflict with the best interest of Cleveland Metroparks or prejudice Cleveland Metroparks reputation.

! When a gift is part of a marketing promotion and is received because of a purchase, it becomes the property of Cleveland Metroparks and will be used within the District's property without individual preference.

! **Sole responsibility is with the Cleveland Metroparks employee for adherence to this policy.** Individuals who represent Cleveland Metroparks must be beyond challenge or reproach in every business transaction and not allow themselves to be put into a position where their judgments can be influenced.

! Any employee who is offered or receives a payment or gift of more than a nominal value (\$25.00 or more) from a vendor shall advise his supervisor and the Procurement Manager. The gift must be refused or returned to the giver in a tactful and dignified manner, advising the giver of Cleveland Metroparks policy prohibiting its acceptance.

- Ohio Revised Code Section 102.03 (D) and (E) and Sections 2921.42 (A)(4) and 2921.43(A) prohibits a state official or employee from using the authority or influence of his/her position to secure, for personal travel, a "discounted" or "frequent flyer" airline ticket or other benefit from an airline if he/she has obtained the ticket or other benefit from the purchase of airline tickets, for use in official travel, the department, division, agency, institution, or other entity with which he/she serves, or by which he/she is employed or connected. To that end, any "frequent flyer" miles accumulated while on business for Cleveland Metroparks should be applied only to future flight discounts for Cleveland Metroparks and not for any personal use whatsoever. Discounts from unused mileage that are about to expire unless used are also ineligible for personal use.

Any employee not complying with policy shall be subject to appropriate disciplinary action.

Although inspection of goods received is not a primary function of the Purchasing Division, quality control can only be maintained by receivers of goods informing the Purchasing Division of any negative results of inspection so that appropriate action can be taken with the vendor. A request may be made at that time from the Procurement Manager for the receiver to verify the reasons for rejection or request for adjustment.

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Specifications and Quality

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Accurate specifications help to insure receipt of proper quality and service.

Adequate Specifications Should Be:

- ! Simple, clear and precise.
- ! Capable of being verified, checked and defended including a description of the inspection methods to be used where applicable.

Rights to recover losses and damages suffered as a result of defective equipment, materials and workmanship exist at the onset, either by "operation of law" or by reason of "expressed" contract provision. Cleveland Metroparks rights may arise by "operation of law" in the following ways:

Warranties created by law rather than by expression of the parties.

Negligence on the part of supplier or manufacturer or a component part.

Violation of an expressed statutory duty.

In all situations, the Procurement Division is to be advised and/or consulted before individual employees attempt to resolve such conflicts.

Under state law, a buyer has no statutory duty to inspect goods upon arrival but failure to inspect goods at time of arrival may preclude the right to reject the shipment in its entirety, even though it does not constitute a waiver of the right to claim breach of warranty upon a subsequent discovery that the goods are faulty. Most vendors have sought to impose a duty to "inspect upon arrival" by inserting clauses in the contract stating that all claims must be made within ten (10) days after arrival of the shipment. Such clauses normally are interpreted by the courts to apply only to claims for defects readily apparent upon arrival.

With respect to non-apparent defects, so-called guarantee clauses may be found that expressly warrant against defects for one year and thereby limit the seller's liability to a one-year period rather than the usual period imposed by the law in the absence of an expressed agreement.

Sound receiving and inspection procedures mark the starting point for preserving Cleveland Metroparks rights against suppliers. These procedures are essential to successful prosecution of claims for shortages or damages to shipment. Early detection of defects or obvious failures to comply with specifications often permits Cleveland Metroparks to secure a replacement at the suppliers' expense and puts Cleveland Metroparks in a more favorable position if a claim develops.

Items should be counted, verified and approved for quality and quantity to the purchase order or the invoice. The purchasing stamp initialed by the receiver and signed by the budget manager or designated supervisor (in the event of absence) attesting to the quantity and quality of the items ordered. In cases where a delivery receipt is not provided or available, supervisors should complete the delivery receipt substitution form (see Sample Form Index) available through Accounts Payable and kept in pad form at each location.

In certain types of goods a defect or fault is not reasonably discoverable on receipt of shipment. For example:

- Goods received in packages that are not opened until needed
- Goods shipped in sealed packages or containers
- Defects which do not appear until the goods are put into service

When the defect appears, prompt action is essential to remedy the failed performance of other deficiencies.

Purchase contract documents often contain obscure limitations against charging the supplier for cost of repairs attempted without advance approval. Cleveland Metroparks should not hold up all efforts to begin work merely to preserve its rights against the supplier of a defective minor part. Upon discovery of the defective minor part **the purchasing requester and the Procurement Manager will give the supplier prompt written notice, and advise them that Cleveland Metroparks will take independent action if they fail to respond by a stated time with instructions or assistance.** Where remedial work must begin before the supplier's response could reasonably be expected, prompt notice to the supplier usually will protect Cleveland Metroparks against accidental loss of rights against the supplier. The activities noted should be coordinated through the Procurement Manager and at his discretion.

Attempts shall be made by Cleveland Metroparks representatives, at the time of delivery/receipt, to thoroughly inspect all materials and products received to insure compliance with the instructions and specifications requested, whether implied or written.

If damage is visible at time of delivery or there is a shortage of packages on the freight bill (delivery receipt), the receiver must make such notations on the freight bill. The driver should sign the freight bill thus verifying any written explanations BEFORE it is signed by an AUTHORIZED Cleveland Metroparks employee. The Purchasing Division should then be notified and a corrected freight bill (delivery receipt) forwarded. If the freight bill is not available from the vendor, submit "delivery receipt" as mentioned above. All deliveries received shall be signed as "Subject to further inspection."

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Purchases by Employees In The Field

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Each Cleveland Metroparks Department Director is required to be aware of Cleveland Metroparks purchasing policies. Goods or services cannot be ordered by any employee before they are authorized. Split order purchases in an effort to avoid bidding requirements or other approvals outlined in this manual are prohibited. **Any employee ordering goods or services in a manner not prescribed may be held personally liable for such an improper action and may be subject to disciplinary action by Cleveland Metroparks** (see "Purchase Orders Obtained after Purchase Has Been Made" under New Purchasing Procedures, Section 103). The planning aspect of the procurement process is the responsibility of each department. Each department that is requesting the procurement of goods and/or services has the working knowledge of the time requirements of the purchase and is aware of the adequacy of the particular department's budget. **The responsibility for proper planning of the purchase rests with the originating department.**

Chain of Purchasing Authorization

SUPERVISORS, MANAGERS & PROFESSIONALS

Initiate and approve individual purchases below \$1,000.00 and propose the purchase, quotation or bid of items \$1,000.00 and up.

TO

∴

PROCUREMENT MANAGER

Approves all purchases below \$1,000.00. Prepares the structure for procedure, selection and pricing for bid and non-bid items as proposed by ENN staff to present to the CFO.

TO

∴

CHIEF FINANCIAL OFFICER

Approves all quotes from \$1,000.00 to \$10,000.00. Approves all purchases and procedural preparation of bids and quotes by Procurement Manager.

TO

∴

CHIEF EXECUTIVE OFFICER

Approves all quotes above \$10,000.00 and up to \$50,000.00. Approves all purchases \$10,000.00 and below as prepared by CFO from Procurement Manager.

TO

∴

BOARD OF PARK COMMISSIONERS

Approves all bids above \$50,000.00 and all purchases below in totals as prepared by CEO, CFO, and Procurement Manager and presented at the Board meetings.

702 Chain of Purchasing Authorization (Cont'd.)

Vendors should understand that only the Board of Park Commissioners can authorize a contract or award a bid or proposal involving an amount of \$50,000 or more. Such approval can only occur at a public meeting by Board resolution. Until a bid or proposal is awarded, the Board of Park Commissioners retains the right to reject any and all bids or proposals at its discretion.

The following progression is standard:

- I. Authorized employee has the need to purchase items and/or services
- II. Employee obtains authorization for the purchase from their supervisor
 - A. This approval can be immediate or in advance
 - B. Approval by the supervisor is based upon the recommendation of the Purchasing Division for specific types of items and/or services.
- III. Authorized employee contacts vendor
 - A. Company accepts Pro-Card (less than \$1000)
 1. Employee secures prices and availability from vendor
 2. Employee utilizes Pro-Card with Vendor
 3. After receipt of the material the item is posted and authorized on the statement.

General (Less Than) Cont'd.

B. Company does not accept Pro-Card

1. Employee secures prices and availability from vendor and utilizes his/her Division code with a "N" prefix (i.e. - N1240) as the purchase order number. This is "Blanket" status now utilized for all PO's under \$1000 where the ProCard is not accepted. The delivery ticket is stamped and signed as in #2 below.
2. Employee stamps and signs delivery ticket, including:
 - a. Date of purchase
 - b. Person receiving/person approving
 - c. Charge codes and project code where applicable
 - d. Company name (when not already indicated on ticket)
 - e. Vendor name and number
 - f. Unit prices of items purchased with extensions
 - g. Delivery location and charges (with initials of receiver)
 - h. "N" prefix with division code as PO number
 - i. Managerial signature to validate budget expenditure

New company to be verified for compatibility through the Purchasing Division. A minimum of one (1) working day will be needed to complete this procedure. The following information is required and entered on the New Vendor Form:

- a. Nine digit Federal Tax I.D. number
- b. Notification of whether the company is incorporated
- c. Full company name, address, representative, phone/fax
- d. Other data as stated above (under B-2)

Purchasing Division will check the following sources:

- a. Trans Union Credit - Where applicable
- b. IL, IN, KY, MI, OH, WV, WI - Dunn & Bradstreet)
3. Purchasing Division will call employee when approval complete
4. Order placed by requesting employee where applicable.

EXCEPTIONS:

All exceptions must be cleared by the Purchasing Division and verified at the discretion of the Procurement Manager. Such instances include but are not limited to:

- Only supplier in normal market area
- Emergency situation with respect to public safety
- Special services for repairs
- Special services, obtaining competitive price impractical

The procurement card is intended to eliminate many administrative delays associated with processing small-dollar purchases, resulting in benefits to employees, the Park District and its suppliers. Card holders are empowered to obtain certain goods and services much faster and easier than before. Paperwork and related processing in the Purchasing and Accounting Divisions is also reduced. The cycle times for acquisition, payment, and reimbursement has been shortened as well. These efficiencies are intended to allow all groups and individuals involved to be more effective at focusing on the value added aspects of their jobs. Cleveland Metroparks Purchasing Card program delegates appropriate levels of authority to purchase small-dollar items directly to the user. Any questions regarding use of the Pro-Card should be directed to the Program Administrator (Purchasing Specialist).

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The following procedure applies to transactions on materials and/or services with an estimated unit price **under \$50,000**. For materials and/or services with an estimated unit price of \$50,000 or over see "Bids/Proposals".

The Procurement Division and/or its delegates are responsible for obtaining quotations on materials and/or services that are expected to exceed \$1,000. This shall be done for estimating purposes and purchases. Request for a purchase order must be completed in Munis via the Requisition process (see instructions listed on the Portal under Finance/Purchasing) for such purchases or contact Purchasing at purchasing@clevelandmetroparks.com assistance.

Written Quotations
\$1,000.00 to \$50,000.00

Written or internet quotations must be obtained for items costing between \$1,000 and \$50,000.00, unless such item is being obtained directly from the manufacturer. At least three (3) quotes are required. Competitive prices, contact person and phone number must be recorded for each quote and attached to the requisition via Munis. The Procurement Division will conduct periodic verification of competitive prices through a monthly internal auditing procedure. Proper approvals shall be given **prior** to the order being placed. **The ONLY exception to the above procedure is to gain approval from the CFO and the Procurement Manager to waive the quotations.**

- The Procurement division, when purchasing materials and/or services requiring written requests for quotation, will solicit prices from three or more vendors. Factors such as delivery time, past service, past product performance and proximity to the location will be used in determining the lowest and best price. Such information will be maintained by the Purchasing Division in order to develop a running history of vendors and the products used by Cleveland Metroparks.
- Authorized personnel, when obtaining quotations, should be mindful of alternatives that may have been developed in situations encountered by the Purchasing Division. It would be helpful to begin any materials search with contact to the Procurement Division to check if a precedent case exists.
- Quotations will be solicited only from vendors the Procurement Division determines as qualified or potentially qualified to meet all requirements. An approved vendor list will be maintained by the Procurement Division and accessible on the Intranet. Examination of the financial condition of the company, its ability to perform and its facilities will be part of the criteria examined to determine an acceptable vendor.
- Answers to technical questions arising during the quotation period should be provided by the requesting department. The reply should be coordinated to ensure all potential suppliers are provided the same information.

- After all quotations have been received and examined for completeness, a summary sheet is to be prepared noting all the pertinent data and discrepancies (Requisition request via Munis). The determination of the low bidder will be made by the Procurement Division after all aspects including quality of product and service have been considered. Award of the order will be made after proper approvals have been obtained. The information gathered will be kept with the purchase order for documentation.
- When circumstances warrant the solicitation of quotations inappropriate, the requestor shall document the facts on the reverse side of the purchase requisition and obtain the specific approval of the Procurement Manager. Any problems of interpretation should be referred to the Procurement Manager.
- The Procurement Division will randomly select and verify the authenticity of quotations as an internal audit procedure through the use of a spot audit form.

Sole Source Procurement

A situation created due to the inability to obtain competition, item sold directly through manufacturer, May result because only one vendor or supplier possesses the unique ability or capability to meet the particular requirements of the product or service.

Other examples may include but not limited to:

- used equipment or product
- repair, maintenance or part(s) only available from the source of the original purchase
- upgrade to existing software or product
- unique factors

REQUIREMENTS AT VARIOUS PURCHASING LEVELS

Less Than \$1,000 using Pro Card

- Secure prices (including or excluding freight)
- Utilize Pro Card for transaction
- Delivery receipt stamped - or statement signed by AUTHORIZED personnel - sent to Purchasing Division
- Maintain own ledger/records for budget balance
- Verify weekly statement for Purchasing Division

Less Than \$1,000 Not accepting Pro Card

- Secure prices (including or excluding freight)
- Complete Requisition via Munis
- Send AUTHORIZED delivery receipt and/or invoice to Accounts Payable noting purchase order number, etc.

Over \$1,000 - \$50,000

- Secure three written quotes
- Complete Requisition via Munis
- Purchases between \$10,000 and \$50,000 are approved by the Executive Director-Secretary PRIOR to ordering
- Purchase order number is issued
- Send delivery receipt and/or invoice to Accounts Payable noting purchase order number

Over \$50,000

- Purchases over \$50,000 are approved by the Board of Park Commissioners
- Complete Bid Request Form found on Intranet
- Contact Purchasing for instructions and/or directions

All should understand that only the Board of Park Commissioners can authorize a contract or award a bid involving an amount of \$50,000 or more. Such approval can only occur at a public meeting by Board resolution. Until a bid or proposal is awarded, the Board of Park Commissioners retains the right to reject any or all bids at its discretion.

Evaluation of Bids, RFPs, RFQu's and RFIs

According to the Ohio Revised Code and/or the Bylaws of the Board of Park Commissioners for the Cleveland Metropolitan Park District (Cleveland Metroparks), requests for proposals, qualifications and/or information and invitations to bid shall be or may be issued.

DEFINITIONS:

- 1. Request for Proposal (RFP):** A process used to procure primarily services in which proposers are required to explain their qualifications and expertise, propose a plan to meet the service specifications or program, and delineate a budget and/or cost. The process serves as a tool for negotiations to get to the best and final offer, awarding based on best value, as well as a price point for the contract award. Price/cost is generally one, but not the only, evaluation factor; price does not need to be the primary evaluation factor.
- 2. Request for Qualifications (RFQu):** A process which seeks out proposers in specific disciplines to submit a summary of qualifications to perform certain services and to obtain an understanding of the potential proposers' project histories, skills and abilities. After receiving the summary of qualifications, Cleveland Metroparks may identify and invite only the qualified firms to submit proposals or may identify the qualified firm with which to contract unless otherwise provided in the Ohio Revised Code or Bylaws.
- 3. Request for Information (RFI):** A non-binding process which seeks to obtain ideas, feedback or background information on a particular topic to better draft an RFP or RFQu through which responders will be invited to provide the necessary information; generally price or cost is not required. Upon receipt of the information, Cleveland Metroparks may then proceed with the RFP or RFQu Procedure with no obligation to do so.
- 4. Invitation to Bid (BID or ITB):** An invitation process to contractors and vendors (suppliers) which seeks competitive pricing through a sealed bid process for a specific product(s) or service(s) generally focused on pricing and best value rather than on ideas or concepts.

PROCESS:

For every RFP, RFQu or RFI that is issued by Cleveland Metroparks and for those ITBs issued by Cleveland Metroparks that include a request for services, staff shall comply with the following process:

1. A Contract Award Committee shall be assembled by the initiating staff person and shall include the initiating staff person and at least one representative from both the Purchasing Division and Legal Department and any other person that may add value to the process. This initiating staff person should begin this process no later than three weeks prior to the date the staff person would like the RFP/RFQu/RFI/ITB released.

- a. Each member of the Contract Award Committee shall sign a Declaration of No Conflict of Interest relating to the RFP/RFQu/RFI/ITB.
2. The initiating staff person shall obtain the current template RFP, RFQu RFI, or ITB provided by the Purchasing Division and edit the template to include the facts specific to the project including as many details as possible to ensure a skillfully drafted document.
 - a. The initiating staff person must include the evaluation criteria for the project in the RFP, RFQ, RFI and ITB, with appropriate weight assigned to each criteria. The weights must add up to 100 percent.
 - b. The Purchasing Division and the Legal Department shall at least biennially review the template RFP, RFQu RFI, and ITB.
 3. Upon completion of the DRAFT RFP, RFQu RFI, or ITB the initiating staff person shall circulate said document to the entire Contract Award Committee for input during a specified time period. The initiating staff person should circulate the document no later than two weeks prior to the date the staff person would like the RFP/RFQu/RFI/ITB released.
 4. Once the comments are received from the Contract Award Committee, the RFP, RFQu RFI, or ITB shall be finalized and published according to the Ohio Revised Code and Cleveland Metroparks policy and procedure.
 5. All members of the Contract Award Committee shall be invited and weigh in on the evaluation of the proposals, qualifications and/or information according to the criteria included in the procurement document. The Contract Award Committee should take the following steps:
 - a. If interviews are held, all members of the Contract Award Committee should be invited to participate.
 - b. Each member of the Contract Award Committee should independently evaluate each proposal and determine, first, whether the proposal meets each of the requirements of the RFP/RFQu/RFI/ITB. If a proposal does not meet the requirements, the proposal should not be considered further.
 - c. Each member of the Contract Award Committee should then evaluate each proposal that meets the requirements of the RFP/RFQu/RFI/ITB, rating each proposal based on the evaluation criteria identified in the RFP/RFQu/RFI/ITB and using suggested documents provided by the Purchasing Department.
 - d. The Contract Award Committee shall identify the proposal with the highest rating based on the identified judging criteria.

6. The initiating staff person shall draft any necessary Board Action and submit it for review by the Contract Award Committee's Purchasing Division and the Legal Department representatives. Once finalized, the Board shall consider the Contract Award Committee's recommendation.

7. Prior to or upon the Board's approval of the Contract Award Committee's recommendation, the initiating staff person shall follow the CEO Contract Process Policy to initiate the contract preparation/review process.

Obligations	1101
Selection	1102
Relations	1103

Vendors are expected to fulfill certain basic responsibilities:

- To handle all written and personal communication with Cleveland Metroparks through the Purchasing Division unless otherwise instructed by the Procurement Manager. The Purchasing Division should receive copies of all correspondence and be kept informed of any oral communications.
- To conduct negotiations ethically, without attempts to influence through offering personal gifts or entertainment.
- To make available, through the Purchasing Division or other designated representatives, all available technical and engineering procedures, services and ideas that might improve Cleveland Metroparks present or future use of supplier's products and services.
- To advise the Purchasing Division or other designated representative(s) of any product liability, malfunction, recall, safety defect, etc. that might affect their products or personnel using their products.
- To advise the Purchasing Division of other designated representative(s) of any new products as soon as such information is available.
- To inform the Purchasing Division of changes in economic or other conditions that might affect purchasing or operating decisions.
- To inquire through the Procurement Manager, for further information about selling products to Cleveland Metroparks.

When Cleveland Metroparks staff wishes to enlist services of a new vendor, a "New Vendor's Form" must be completed, attached to Requisition in Munis or emailed to purchasing@clevelandmetroparks.com prior to Requisition and approved by the Procurement Division. The Procurement Division will be responsible for evaluating and verifying information submitted by the vendor or Cleveland Metroparks budget manager requesting enlistment of the vendor.

The Procurement Division will also use Dun & Bradstreet Directories to access information concerning a company's operation, stability and financial background. By use of this system, verifying the existence of a vendor, identifying specific vendors, locating sources of supplies, verifying the credit situation of the vendor and assessing the vendor's ability to meet commitments, is possible.

The Procurement Division will keep current a "Vendors List" which will contain the names of vendors that have met the criteria listed and are approved by Cleveland Metroparks. The Vendors List will be continuously updated and available on the Intranet.

Within the bid process, a statement of Bidder's Qualification (see Sample Form Index) must be completed by all prospective bidders as part of the bid package. Prior to the award of any bid, the Purchasing Division may obtain a Dun & Bradstreet report on the apparent successful bidder to assist in determining their ability to meet requirements of the bid proposal.

If the purchase is necessary to prevent the interruption of public service which endangers public health, safety and welfare, an exception can be made to allow utilization of a vendor that is not fully inspected. Immediately following delivery of the items, the Procurement Division will evaluate the vendor involved.

The Procurement Division and/or park staff will place orders mindful of dependability and service records of vendors, the nature of the guarantee and warranty of the product and its price and quality. Preference will be given to the following types of vendors, providing this involves no sacrifice in quality, service or price:

- Suppliers who are developing new and improved products or equipment, or designing a special product for Cleveland Metroparks exclusive use.
- Suppliers located near Cleveland Metroparks, in instances where delivery is not normally included.
- Suppliers with adequate financial strength who also have a reputation for adhering to specifications and delivery schedules.

It is Cleveland Metroparks policy to maintain and practice the highest possible standard of business ethics, professional courtesy and competence in all of its dealings. At all times, applicable laws must be observed. The following should be observed when dealing with suppliers and their representatives:

- Accord prompt and courteous reception, as well as fair and equal treatment, to all suppliers and their representatives.
- Provide equal opportunity for all suppliers to make price and specification quotations.
- Decline to take advantage of seller's errors, and show consideration for seller's difficulties by cooperating with them whenever possible.
- Avoid putting seller to unnecessary expense or inconvenience on returned goods.
- Explain clearly and fully as possible, the reason for rejection of supplier's bids/proposals.
- Remain free from obligations to any supplier.
- Keep informed about sources of supply, methods, services and materials and encourage their testing.

1200

Samples - Product Testing

Samples	1201
Products for A Trial Basis	1202

When vendors offer, or Cleveland Metroparks employees request samples for evaluation, they will be accepted only under the following conditions:

- The product is one which is of a type presently in use or is of potential use to Cleveland Metroparks. Samples of goods not likely to be purchased will not be accepted.
- The quantity or size of the samples is relatively small and of low value. The object of the sample is the examination of its fitness for Cleveland Metroparks service, not intended to provide an inventory of the material.
- Any chemicals offered as vendor samples shall not be accepted unless accompanied by an OSHA Product Safety Data Sheet.
- If vendor samples are accepted, they shall be promptly conveyed to the appropriate department for testing. The vendor is entitled to and will receive prompt evaluation of their sample. A Product Testing Form (see Sample Form Index) must be completed after testing.

Whenever a product is requested for trial use (portable recorders, pagers, mowers, etc.) a purchase order number must be issued prior to receiving this merchandise. The purchase order will be written to state "ON LOAN ONLY," and the item will be purchased only if it meets approval.

1300

Equal Opportunity Policy

Equal Opportunity Policy

1301

Definitions

1302

Cleveland Metroparks sources and involves minority enterprises in all of its bids and quotes for competitive participation. Source books (**Regional Directory of Minority & Women-Owned Business Firms**, **The Hispanic Business and Community Resource Directory; Ohio Edition**, **City of Cleveland: Minority Business Enterprise and Female Business Enterprise Registry** , **The Cleveland Growth Association's Regional Minority Purchasing Council, Inc.'s Directory** and the **Board of Cuyahoga County Commissioners Directory of Certified Minority and Women Business Enterprises**) on file in the Purchasing Division office are referred to in all bid situations and where applicable, minority and female businesses (MBE/FBE's) are invited to participate. When that list of applicable MBE/FBE's is compiled, it is sent to the **Cuyahoga County Office of Procurement and Diversity** where it is reviewed and cross-referenced for completeness and accuracy.

These efforts are reinforced by corporate membership in Cleveland Growth Association's **Northern Ohio Minority Business Council (NOMBC)**. **NOMBC** programs are coordinated so that all area MBE/FBE's are notified and directed to contact Cleveland Metroparks Administrative Offices to receive any and all available bid packages.

Under direction of the **Ohio Revised Code**, Cleveland Metroparks and its vendors must be cognizant of the governing statutes that mandate complete fairness and objectivity. Cleveland Metroparks strives to follow these parameters with bid packages and procedures that are in the best interest of the community served and without weighted favor.

The Procurement Manager is kept abreast of new and applicable MBE's by **the NOMBC and the Cuyahoga County Office of Procurement and Diversity**. **New vendors to Cleveland Metroparks are "coded" in the accounting computer system** to enable a "snapshot" at any time regarding the percentage of MBE/FBE's currently under contract in a given year.

A pamphlet entitled, ***"How to Conduct Business with Cleveland Metroparks,"*** is available (in both English and Spanish) on the Cleveland Metroparks website and at the Administrative Offices and bulk copies are made available for distribution at various MBE/FBE outreach conferences and trade shows.

These efforts have been reviewed and approved by the **Cuyahoga County Office of Procurement and Diversity** and **NOMBC** both of which advise local governmental agencies regarding MBE/FBE outreach methods.

***Minority Business
Enterprise***

"Minority" means a United States citizen of lawful, permanent residence who is Black, Hispanic, Asian American, American Indian or Eskimo/Aleutians.

- The business must be owned and controlled by 51% minority, including corporate stock, if a corporation. Such owners must have control over the management and day-to-day operations, have interest in the capital, assets and profits and losses proportionate to their percentage of ownership.
- The business shall be owned and controlled by such person for at least one (1) year prior to a bid being awarded. Ohio Revised Code 122.71 E(I), (2).

***Female Business
Enterprise***

A business that must have a minimum of 51% female ownership, have women owners responsible for day-to-day management and have been in existence for at least one (1) year.

1400

**Changing Existing &
Establishing New Procedures**

Changing Existing & Establishing New Procedures

1401

Changing Existing and Establishing New Procedures:

At least once each year, the procedures in this manual are to be reviewed and where deemed appropriate, modified to reflect changes in Cleveland Metroparks operation, provide clarity to the material and/or delete information that is not current.

As part of the annual review, an audit of the Purchasing Manual List of Distribution is made to determine that all of the appropriate people are in possession of the manual and that the contents of manuals are complete and current.

1500

Prospective Vendors

Letter to Prospective Vendors	1501
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The Procurement Division welcomes the interest of sales representatives who are able to offer supplies, materials, equipment and services to Cleveland Metroparks. We appreciate your sales call made to keep us informed of the latest developments in the many fields in which our purchases are made. We feel that through the cooperation of the vendors and Cleveland Metroparks, the best value can be obtained in an atmosphere that is pleasing to all.

The enclosed information should acquaint you with the practice of the Procurement Division. If you have any further questions, please feel free to call during regular office hours.

The Procurement Division of Cleveland Metroparks is a part of the Office of the Chief Financial Officer and serves under the Executive Director-Secretary. It is located in the Cleveland Metroparks Administrative Offices at 4101 Fulton Parkway, Cleveland, Ohio 44144, any may be reached by telephone at (216) 635-3200. Office hours are Monday through Friday, 8:00 a.m. to 4:30 p.m.

The Procurement Division plans, procures and manages the purchases of supplies, materials, services and equipment. The Procurement Division is always interested in acquiring the best quality at the very best price. Product aspects such as service, availability, vendor performance and suitability of a product for its determined use will be considered. Alternates as recommended by vendors will be given considerate evaluation.

New bidders must register with Public Purchase (www.publicpurchase.com) to receive any open solicitation posted by Cleveland Metroparks. Plan Holders and contractors may also obtain specification for construction bids via Public Purchase or S.E. Blueprint.

Vendors are asked to submit or report information on a "Vendor Qualification Form" (see Sample Form Index). The form is to be completed in its entirety and is mandatory for the Purchasing Division to enter the vendor into the computer system files.

The bidder's list is maintained by continuous evaluation of the vendor's performance.

Vendor List:

For a vendor to be added to the vendor list, a Cleveland Metroparks representative must present a request to the Procurement Manager requesting the company be investigated and embraced as a common vendor. At the discretion of the Procurement Manager, such vendors shall be added.

Bid List:

Any vendor can be placed on the bid list to receive pertinent invitations to bid without scrutiny or specific qualification by registering with Public Purchase (www.publicpurchase.com).

Federal Tax Identification and/or Social Security Numbers:

1099 tax forms are sent to applicable vendors at year end in cooperation with Federal requirements. These are determined through Federal Tax ID numbers obtained when a new vendor is set up. In lieu of a Federal Tax ID number, proprietors/one-person businesses should utilize their Social Security numbers.

Bids that are estimated to exceed \$50,000, when designated for bid by the Procurement Manager or those that exceed \$50,000 in all cases, are advertised in the local newspaper, posted in the lobby of Cleveland Metroparks Administrative Office and specifications are obtained via Public Purchase (www.publicpurchase.com).

Once an award is made, a tabulation of the award is posted to Public Purchase. All bids are a matter of public record and are posted on Cleveland Metroparks website, Public Purchase and SE Blueprint (for construction only).

Vendors are advised against making a delivery or performing a service for Cleveland Metroparks without an authorized purchase order. Deliveries should be made to the address indicated on the purchase order.

After material has been delivered or a service **has been performed**, invoices should be mailed to:

Cleveland Metroparks
Attn: Accounts Payable
accountspayable@clevelandmetroparks.com
4101 Fulton Parkway
Cleveland, Ohio 44144

To insure prompt payment, the purchase order number should appear on your invoice. Failure to indicate Cleveland Metroparks purchase order number may result in a delay of payment.

Affidavit for Ohio Revised Code 125.04

Division & Account Codes

Request for BID/RFP/RFQu/RFI Form (FileBound)

Bid Tabulation Form

New Vendor Qualification Form

Cooperative Purchasing Request Form

Fax Transmission Log

Related Party Questionnaire

Payment in Lieu of Form

Columbus Hotel/Motel Excise Tax Exemption Certificate

Ohio Tax Exemption Certificate

Kentucky Tax Exemption Certificate

Florida Tax Exemption Certificate

West Virginia Tax Exemption Certificate

Vendor List

Purchasing Munis Procedures

Procard Agreement Form

Procard Self Audit Form

*Forms may be found on the Portal.