



## PROCUREMENT POLICIES & PROCEDURES

1. Any purchase of goods or services less than \$5,000.00 require the approval of the Chairman/Executive Director.
2. Any purchase of goods or services between \$5,000.00 - \$25,000.00 requires three written quotation request and approval by the Chairman/Executive Director.
3. Any purchase of goods or services over \$25,000.00 requires a formal sealed bid request and full board approval.
4. Request For Proposals will be used for a specific need and on all commercial re-development projects. They will be date and time specific. They will be opened and read publicly at the time and date specified in the proposal. Proposals received after the time and date specified will not be accepted.
5. Professional services are defined as unique, technical and/or infrequent functions performed by an independent contractor by education, experience and/or technical ability to provide services. Professional services engagements may involve partnerships, corporations, or individuals. The competitive bidding requirements are not applicable in the following circumstances:
  - a. Transactions between the Ingham County Land Bank and any other governmental unit;
  - b. Emergency repairs or services;
  - c. Real Estate purchases;
  - d. Sole-source purchases;
  - e. Construction purchases;
  - f. Professional services under \$25,000.00.
6. Preference will be given to a vendor who operates a business within the legally defined boundaries of Ingham County as follows:

To be considered for preference as operating a business within the legally defined boundaries of Ingham County, the vendor must register as a "registered local vendor"(RLV) by providing the Land Bank with a verifiable physical business address (not a P.O. Box) within Ingham County at which the business is conducted.

The RLV who submits a responsive quote which is within 5% of the lowest responsive quote shall be given the opportunity to reduce its quote to meet the lowest responsive Quote, and upon doing so, shall be considered to be the lowest responsive quote, provided however, that the initial lowest responsive quote is not from another RLV.

In the event that two (2) or more RLVs submit responsive quotes which are within 5% of the lowest responsive quote, the RLV with the lowest responsive quote shall be given the opportunity to reduce their quote to meet or be less than the lowest responsive quote, and upon doing so, shall be considered to be the lowest responsive quote,

provided however, the initial lowest responsive quote is not from another RLV. In the event of a tie between two RLVs, where all other factors are equal in the sole discretion of the Land Bank, and where the Land Bank is unable to break the tie through additional negotiations, the award of the quote shall be by coin toss. However, negotiations shall be based solely upon the quote price, and the Land Bank shall not negotiate any changes to, or otherwise vary, the specifications, contract requirements or scope of work.

The RLV who submits a responsive proposal which includes a cost proposal which is within 5% of the cost of the lowest responsive proposal shall be given the opportunity to reduce its proposed cost to meet the cost of the lowest responsive proposal, and upon doing so, the proposal shall be evaluated as having a cost component which is the lowest; provided however, that the initial lowest responsive proposal is not from another RLV. Having the lowest cost proposal, however, does not necessarily result in the award of the proposal, because of other factors also being evaluated. In addition, a lowered cost proposal by an RLV which is premised upon, in whole or in part, changes to or variances to the published specifications, contract requirements or scope of work shall be considered non-responsive and will not be considered.

In the event that two (2) or more RLVs submit responsive proposals which are within 5% of the lowest responsive proposal, and the lowest responsive proposal is not from another RLV, the RLV with the lowest responsive proposal shall be given the opportunity to reduce the cost portion of their proposal to meet or be less than the cost component of the lowest responsive proposal. That proposal will be evaluated with the revised cost proposals. Having the lowest cost proposal, however, does not necessarily result in the award of the proposal, because of other factors also being evaluated.

If the RLVs who are given the opportunity to reduce cost quotes or proposals are unable or unwilling to reduce their quote or proposal costs to match the lowest responsive quote or proposal of a non-RLV, then the quote/proposal shall be awarded without regard to RLV status.

RLVs who utilize non-RLVs as subcontractors for more than 50% of the value in a specific quote/proposal shall not be entitled to preference as a RLV for that specific quote or proposal.

When a RLV submits a responsive quote or proposal which is equal to a bid or proposal submitted by a non-RLV, then the responsive quote or proposal shall be awarded to the RLV.

The following purchases are exempt from the provisions of this policy:

- a. Purchases resulting from exigent emergency conditions where any delay in completion or performance would jeopardize public health, safety or welfare of the citizens of the County, or where in the judgment of the Land Bank the operational effectiveness or a significant Land Bank function would be seriously threatened if a purchase was not made expeditiously;
- b. Purchases with any sole source supplier for supplies, materials, or other equipment;
- c. Purchases between the Ingham County Land Bank and any other governmental unit.

Any person, firm, corporation or entity intentionally submitting false information to the Land Bank in an attempt to qualify for the local purchasing preference shall be barred from bidding on Land Bank contracts or a period of not less than three years.

Nothing in this policy shall be deemed to waive or constrain, in any manner, the sole discretion of the Land Bank, including, but not limited to:

- a. The right, in the exercise of sole discretion, to reject any and all quotes/proposals, waive any and all informalities and/or to negotiate contract terms with the successful bidder/vendor;
  - b. The right, in the exercise of sole discretion, to disregard all nonconforming, non-responsive, unbalanced or conditionals quotes/proposals;
  - c. The right, in the exercise of sole discretion, to evaluate the qualifications of the bidders/vendors, whether or not the quotes comply with the prescribed requirement, and alternatives and unit prices if requested in the quote/proposal forms;
  - d. The right, in the exercise of sole discretion, to consider the qualifications and experience of subcontractors and other organizations (including those who are to furnish items of material or equipment), or to evaluate operation costs, maintenance considerations, performance data and guarantees of materials and/or equipment;
  - e. To conduct such investigation as is deemed, in the exercise of sole discretion, necessary to assist in the evaluation of any quote/proposal and/or to establish the responsibility, qualifications and financial ability of the bidders/vendors, proposal subcontractors and other persons or organizations to do the work in accord with the contract documents to the Land Banks satisfaction and/or within the prescribed time;
  - f. The right, in the exercise of sole discretion, to reject the quote/proposal of any bidder/vendor who does not pass any such evaluation to the Land Banks satisfaction;
  - g. The right, in the exercise of sole discretion, to reject all bids and suspend, discontinue or abandon the project/purchase, re-bid the project/purchase, or change or amend the requirements of the project/purchase.
7. Ingham County Land Bank will follow the same procedures regarding the Living Wage as directed by the Ingham County Board of Commissioners.