




PROCUREMENT

POLICY & BEST PRACTICES

AN INTRODUCTION FOR LOCAL LEADERS




**WORKFORCE
SERVICES**
HOUSING & COMMUNITY
DEVELOPMENT
COMMUNITY
DEVELOPMENT OFFICE



“A strategic approach to procurement is important because it can assist a department [city, town, county] in meeting its policy objectives...”

Procurement Performance Model – Tribunal de Contas ¹



Small local governments face several unique procurement challenges. The lack of staff, expertise, service providers, training, and clear policy can lead to inefficiency, waste, and poor accountability in procurement of goods and services. This document summarizes best practices in procurement policy to help local governments overcome these common challenges. A clear understanding of the procurement process, a comprehensive procurement policy, and well-defined evaluation metrics create the foundation for efficient procurement. Local leaders can further benefit from leveraging advertising, utilizing cooperative contracts, and learning negotiation techniques.

Local governments are not mandated to use the state purchasing policy although they may adopt the state's policy as their own. In any case, local governments should follow and implement the policy they adopt, whether the state's policy or their own.²

In simple terms, procurement is the purchasing of goods and services. In the private sector, executives are interested in getting the right goods and services at the best price so they can make a profit from their final product—the bottom line is the ultimate judge of the private sector procurement process. While price plays an important role in public sector procurement, there are also other factors that complicate the process. In the public sector, you cannot simply go out and buy a good or service; public procurement must follow laws and policies to ensure that public funds are being spent effectively, efficiently, and responsibly. Public procurement must balance the values of competition, impartiality, transparency, stewardship of public funds, and adherence to public policy and law. Navigating this complicated, bureaucratic process can be burdensome and challenging, especially for small local governments where procurement expertise and staffing is limited. This document is a guide for leaders in small communities to understand the procurement process and adopt procurement best practices.

PROCUREMENT CHALLENGES

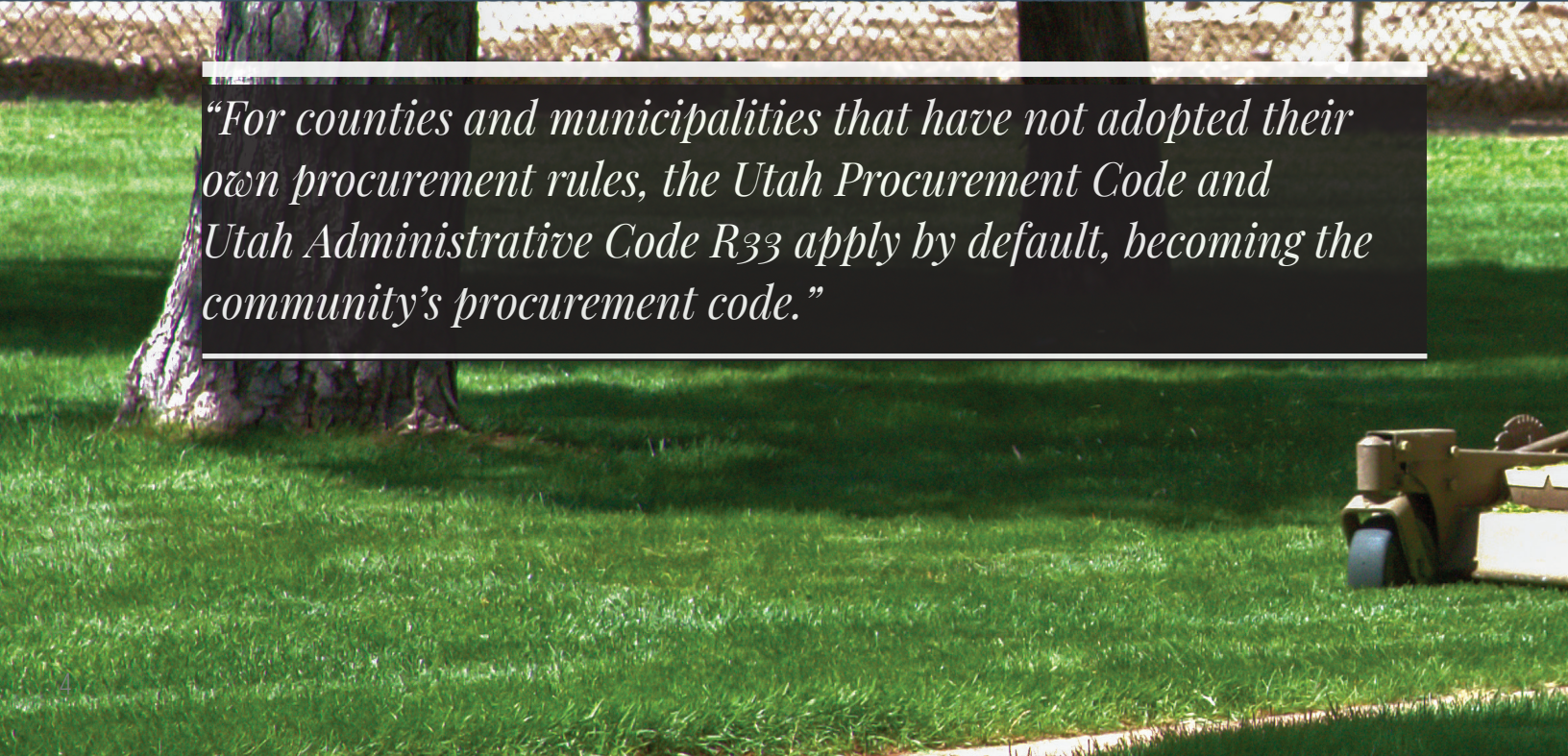
Rural communities are often only aware of a limited number of contractors and service providers to choose from when working on projects. Communities that lack expertise in government procurement can end up overpaying, receiving substandard services, or paying for unneeded services. Many rural municipalities purchase from the same limited number of suppliers due to convenience, established relationships, tradition, lack of awareness of other providers, and a lack of comprehensive procurement policy. At best, this results in paying slightly more for services; at worst, this can result in serious legal infractions by community officials.

PROCUREMENT POLICY

One of the biggest challenges local governments face is the lack of a clear, comprehensive procurement policy. Proper procurement policy is essential for (1) ensuring public resources are used efficiently and effectively, (2) achieving high standards of fairness, openness, ethics, transparency, risk management and accountability, and (3) complying with legal requirements.³ Understanding the procurement process and establishing a procurement policy are essential to optimizing purchase price and quality of goods and services.

The Institute for Public Procurement states that “*procurement organizations should develop a comprehensive policy manual that clearly defines authority, responsibility, and establishes guidelines for the organization and the procurement professional to follow when carrying out their responsibilities.*”⁴ Without a clear procurement policy, the procurement process is less consistent, which leads to wasted money and perceived lack of impartiality.

Utah Code 63G-6a is the Procurement Code for the State of Utah. Administrative Rule R33 lays out the particular rules of procurement for state agencies and local governments in Utah. In conjunction with and within the bounds set by the Procurement Code, local governments can create their own rules, adopting them by ordinance. For counties and municipalities that have not adopted their own procurement rules, the Utah Procurement Code and Utah Administrative Code R33 apply by default, becoming the community’s procurement code. Each local government should adopt by ordinance a procurement policy that lays out their rules of procurement. Most counties and municipalities will find that the Utah Administrative Code R33 provides a great starting point for their own procurement policy. Some counties and municipalities may find it useful to put further limits on procurement and adapt the rules to fit their situations.



“For counties and municipalities that have not adopted their own procurement rules, the Utah Procurement Code and Utah Administrative Code R33 apply by default, becoming the community’s procurement code.”

Appendix A shows the basic components of a procurement policy. Each local government has unique needs, so management should adapt their policy as necessary. Appendix B contains a model purchasing policy outline from the Utah Division of Purchasing and General Services, and Appendix C contains a sample purchasing policy for local and special service districts from the State of Utah Auditor's Office. Appendix D contains a flowchart showing the purchasing process for the State of Utah.

PROCUREMENT PROCESS

Since many small local governments lack procurement experts or even employees fully aware of procurement best practices, local government employees who do participate in any part of the procurement process need to have training on procurement. The following steps break down the procurement process into their most essential components:

Step 1: Determine Whether to Contract or Not

There are several reasons municipalities contract services: efficiency, lack of expertise, innovation, quality, and productivity.⁶ For example, a local government might lack

the skills and expertise to create a new IT system. Other times a local government might have the ability to carry out the project but could save money by contracting the work out. Alternately, hiring a new person may fulfill the need most efficiently in other situations. The first step in the procurement process is making sure contracting out the project is the best use of resources. A municipality should contract out a project if they can save time and money, or improve quality, productivity, or innovation.

Example: Lynndyl Town, Utah has just over 100 full-time residents and very limited annual revenues. The mayor and town council recognize their financial constraints and provide many services on their own, prior to hiring out a project. For example, the community needed to assess the condition of its water lines. Rather than hiring a firm to perform the entire project, the mayor and council dug the necessary holes for the engineer to assess the pipeline, saving the town important funds. Similarly, when the town needed part of the parking for their town hall repaved, they dug the necessary depth with the town backhoe to save on funds before contracting out the asphalt work to a firm. This illustrates that the decision to contract should be done based on your communities condition, financial position, and the requirements of the project. Lynndyl's strategy works great for a tiny town, but may be more difficult to implement in a larger city, like Price.



Step 2: The Solicitation Process

Once a local government determines what goods or services it needs to purchase, they must decide the best way to solicit offers. The type of solicitation method used depends on the type and size of the project needed. There are many different solicitation methods, but the following three are the most common:⁷

INVITATIONS TO BID (ITB) OR REQUEST FOR BID (RFB)

A good or service needed is advertised and companies can make bids to set the price. The contract is awarded to the lowest, qualified, responsible bidder, and there is little opportunity to negotiate.⁸ Bidding works best for well-defined projects that are easily quantifiable. Examples include the purchase of equipment or printing large numbers of a report or flyer. While bidding is usually easiest and leads to the lowest price, there are also some limitations. Bidding is not effective when projects are complex or there are few available bidders.⁹ Also, bidding does not allow the buyer to utilize the contractor's expertise when designing the project.

Example: A small county weed abatement department in Idaho needed to purchase two four-wheelers to replace some of their older four-wheelers. They put out a RFB to multiple stores and selected the lowest bid.

REQUEST FOR PROPOSALS (RFP)

For more complicated or less defined projects, an RFP is useful. An RFP usually involves advertising a problem statement, then companies can submit proposals and negotiate terms.¹⁰ *"The request for proposals standard procurement process is appropriate to use for: (a) The procurement of professional services; (b) A design-build procurement; (c) When cost is not the most important factor to be considered in making the selection that is most advantageous to [the procurement unit]; or (d) When factors, in addition to cost, are highly significant in making the selection that is most advantageous to [the procurement unit]."*¹¹

Example: Communities often put out RFPs when updating their general plan or land use ordinance.

REQUEST FOR INFORMATION (RFI) / REQUEST FOR QUOTES (RFQ)

RFIs are used to gather information and not seek actual bids or quotes. RFIs are useful for unfamiliar or complex procurements, determining market availability, and determining best practices, industry standards, and product specifications.¹² RFQs are useful for obtaining quotes but not necessarily entering into a binding agreement.¹³ RFIs work well when the community has little knowledge for how to scope the project. RFQs are less formal and are often obtained over the phone or email.

Example: One small Utah town is having significant issues with roots that are damaging sidewalks and creating ADA compliance issues. The community did not want to cut down the trees, but did not know what efforts could be effective in eliminating the problem. In this case, an RFI to help the community understand the issue and whether or not there are possible solutions would be appropriate.



EXCEPTIONS

There are also exceptions that do not require following a competitive solicitation process as described above. First, small purchases can often be made without soliciting bids or proposals. The Utah Administrative Rule R33-5-104 defines a small purchase as an individual procurement item less than \$5,000 with a cumulative maximum of \$10,000 from one source at one time.¹⁴ However, it is important to note that splitting up procurements to qualify as a small purchase or to meet a threshold is illegal according to Utah Procurement Code 63G-6a-506.¹⁵ Communities have the authority to set their small purchase threshold at whatever level they would like, however, the state standard is advisable. Second, if there is only one provider for the procurement item, the competitive solicitation process is not required.¹⁶ Finally, in an emergency situation, the procurement officer does not have to follow the

procurement policy in order to “(a) avoid a lapse in a critical government service; (b) mitigate a circumstance that is likely to have a negative impact on public health, safety, welfare, or property; or (c) protect the legal interests of a public entity.”¹⁷

Step 3: Award the Contract

After advertising the request, the local government must determine to whom to award the contract. This is easy when a bidding process is used; you simply select the lowest cost provider. Awarding a contract when using the RFP process is more complicated. Evaluating proposals from an RFP process is more subjective than the bidding process, since quotes are flexible and can be negotiated.¹⁸ Evaluating RFP quotes is best done by creating evaluation criteria and ranking their importance. A few important evaluation criteria for a construction project might include cost, quality, aesthetics, delivery date, innovation, sustainability, and environmental characteristics. Using a decision analysis tool can be helpful for consistently and accurately choosing proposal with the best value.¹⁹

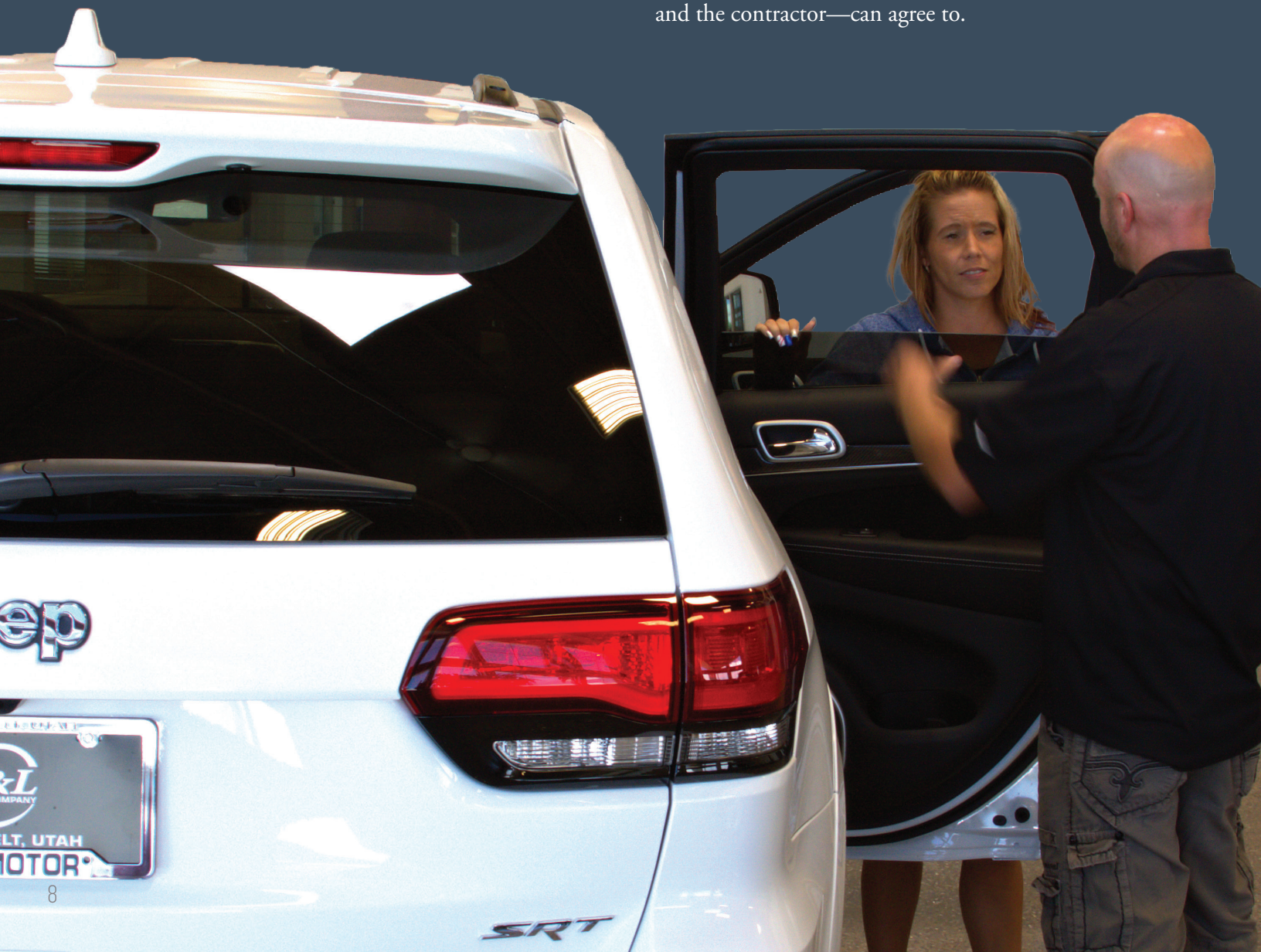


TEACHING NEGOTIATION TECHNIQUES

Despite having a strong procurement policy, leveraging online advertising, and utilizing cooperative contracts, local governments should always strive for the best value for their citizens. Proper negotiation techniques can ensure that local governments are not overspending on services and help leaders feel confident in the services and goods they purchase.

The ability to exert influence in negotiations depends on the combination of several factors: skill and knowledge, good relationships, good alternative, an elegant solution, legitimacy, and commitment.²⁰ Gaining negotiation skills takes time and practice, so negotiation training is advisable.

Training and preparation before a negotiation will lead to much better results. Two of the most practical suggestions for improving negotiation technique are (1) using objective criteria, and (2) developing a “Best Alternative To a Negotiated Agreement” (BATNA).²¹ Coming to a negotiation with data and objective criteria significantly strengthens your position. If a service provider demands a seemingly high price, bring market research and cost analysis data showing fair market prices. When a contractor still won’t budge, remember that an agreement should only happen when both parties benefit. Sometimes an agreement is not the best thing for your community. Carefully craft a BATNA by gathering as many attractive alternatives as you can.²² Knowing and leveraging your best alternative provides great negotiating power and leads to an agreement that all parties—you, your community, and the contractor—can agree to.



The following principles ensure an effective evaluation process:²³

- *Identify project goals, objectives, and priorities*
First, local governments should evaluate their current processes and environment. Tailor the evaluation criteria to fit your specific needs and priorities.
- *Involve the right people*
Identify your stakeholders and solicit their opinions while creating the evaluation criteria. Identify useful resources like State Purchasing Agents and technical consultants.
- *Clearly define evaluation criteria*
Ensure the evaluation criteria are specific, clear, and meaningful. Example: five years of experience might not be as useful as requiring a certain number of similar, successfully completed projects.
- *Weighting evaluation criteria*
Each criterion should be weighted according to its importance. Utilize computer software like Microsoft Excel to ensure consistency and correct math.
- *Budget constraints*
Create an acceptable range of costs according to the budget, and eliminate any proposals that exceed that range before conducting further evaluation.
- *Establish Thresholds*
Set up minimum scoring thresholds that determine whether a proposal continues through the evaluation process. Minimum scoring thresholds save evaluation time by eliminating substandard proposals early on.

Step 4: Manage Project

Successful procurement requires continued effort after the contract is awarded. Assign a single point of contact for the local government and the contractor to ensure clear, quick communication.²⁴ Monitor the project's progress throughout the contract using predetermined metrics. Common monitoring tools include periodic contractor reports, inspections, complaint reviews, budget updates, and client surveys.²⁵

Step 5: Project Wrap-up

Once the project is complete, evaluate the final product according to the initial objectives and benchmarks.²⁶ Be sure all contracts, correspondence, evaluations, and other project documents are stored in a project file. Coordinate with your Records Management Officer about where to store the project file.

PROCUREMENT METRICS

Ultimately, procurement should be supporting a local government's goals and plans.²⁷ Establishing and monitoring procurement metrics help local governments know how they are doing and how to improve. Some small communities purchase from the same contractors for the same rates because that is what they have always done. Many communities might not know that they could improve their procurement efficiency and effectiveness since they are not monitoring their procurement process. Procurement metrics help local governments find areas of improvement and allow citizens to know their money is being spent responsibly and effectively. Which performance metrics to use depends on the local government. Each local government should create metrics that relate to their goals and objectives.

RECOMMENDATIONS

Local governments can build a solid procurement foundation by understanding the procurement process, creating a comprehensive procurement policy, and establishing and monitoring procurement metrics. Then they can then take further steps to improve procurement efficiency.

Leveraging Advertising

The first recommendation is for every local government to leverage the available forms of advertising and soliciting proposals. Particularly with procurement projects related to professional services and information technology, there are many ways to advertise procurements online to a vast audience. The city of Philadelphia recently started increasing the number of bids and proposals by publishing procurement requests for professional services on the website Github.²⁸ Github is a platform for hosting open source software projects and has access to thousands of software engineers and developers. This new way of advertising allowed freelance developers to bid and participate in local government procurement projects, opening the door to more talent and competition. Some projects and products simply cannot be completed remotely, or the cost of transportation is not worth the benefit. However, for many professional and IT services, creatively expanding advertising will help provide better quality and better prices.

Utilizing Cooperative Contracts

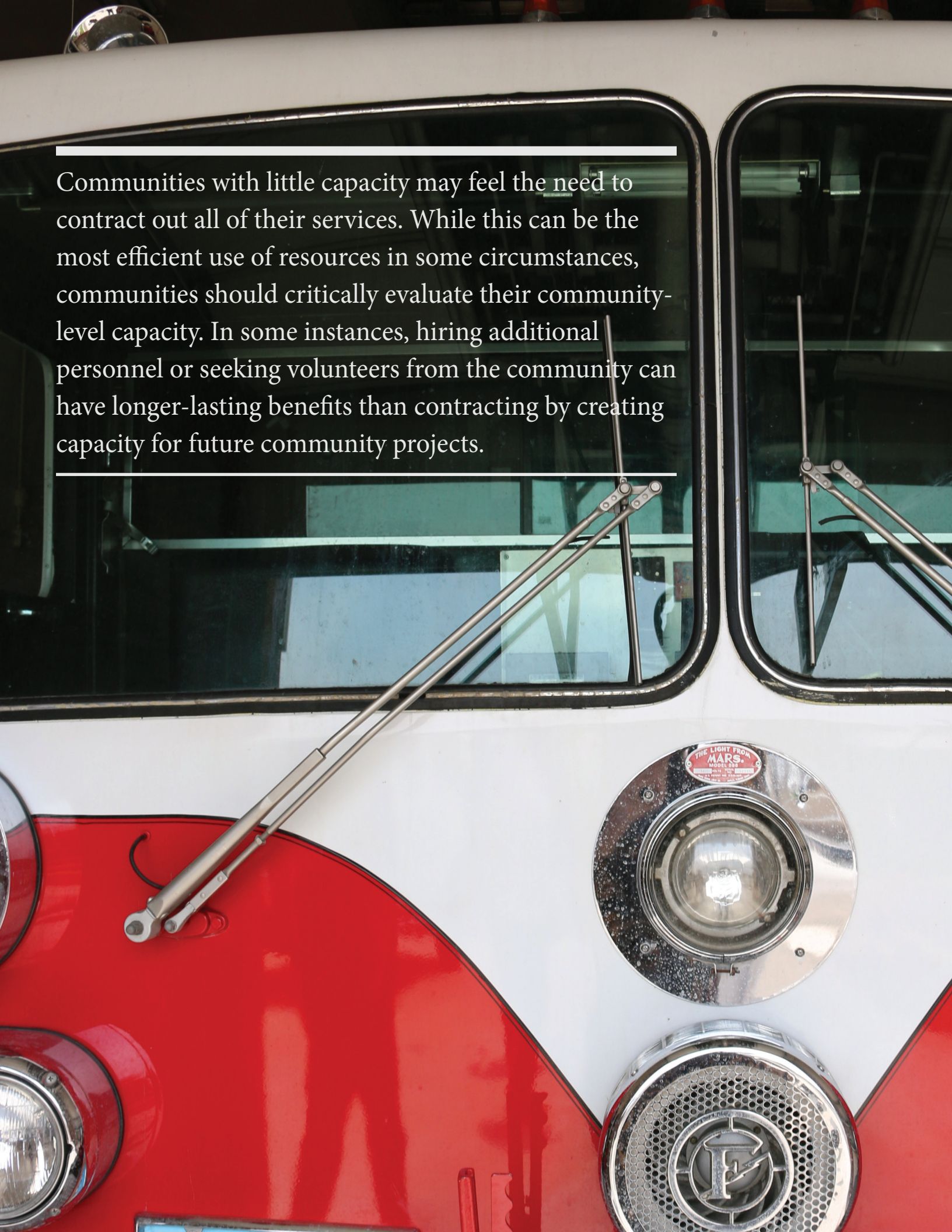
Local governments can save time and money by utilizing cooperative contracts. Cooperative contracts are shared contracts between multiple governments or government agencies.²⁹ Cooperative purchasing agreements use economies of scale from combining many governments to get lower prices and better quality. Cooperative contracts are particularly useful for small governments because small governments can enjoy the low prices of bulk purchasing despite not being a large entity.³⁰ In addition to lower product and service costs, the administrative costs are also lower, and governments get the benefit of knowing their procurement is done in accordance with applicable laws and policies. The state of Utah uses cooperative contracts and allows political subdivisions, like cities and counties, to participate.³¹ All public entities can use the Utah Division of Purchasing and General Services website to easily search for cooperative contracts.³²

Utilizing cooperative contracts is the cheapest and easiest way to improve procurement policy. The online infrastructure to participate in cooperative contracts in Utah is already in place. The Utah Division of Purchasing and General Services website (purchasing.utah.gov/) has a tab for easily searching state cooperative contracts. The website also offers free trainings.

As local governments follow procurement best practices they will improve the efficiency and accountability of their procurement process, avoid legally questionable practices, and find ways to save taxpayer money.

NOTE: This guide only provides a summary of basic procurement principles. For more indepth information and training contact the Utah Division of Purchasing and General Services (purchasing.utah.gov) or the Utah State Auditor (auditor.utah.gov).

Communities with little capacity may feel the need to contract out all of their services. While this can be the most efficient use of resources in some circumstances, communities should critically evaluate their community-level capacity. In some instances, hiring additional personnel or seeking volunteers from the community can have longer-lasting benefits than contracting by creating capacity for future community projects.



WORKS CITED

Please scan the QR code below to be able to access the list of references used to develop this guide.





APPENDIX A: PROCUREMENT POLICY COMPONENTS

This list of policy components illustrates the number of details that can be associated with good procurement policy. The first section, “Objectives & Policies” establishes WHY your community is establishing a procurement policy in the first place and can help answer questions about what additional sections need to be included in your policy. Additionally, simplicity is key. While this list is intended to lay out many of the options available to communities, communities simply need to ensure their policy passes legal muster and works towards stated objectives and is in-line with established procurement principles as well.

COMPONENT ELEMENTS	DESCRIPTION
<i>Objectives & Principles</i>	
Procurement policy objectives. Outline policy intent and purpose.	Policy objectives and purpose examine WHY your community is bothering to have a procurement process:
Purchasing principles (e.g. ensuring fair competition, declaring conflicts of interest, etc.)	(1) Declare conflicts of interest, (2) use market forces to obtain the best prices for taxpayer monies, (3) eliminate fraud through a robust, transparent process.
<i>Definitions & Restrictions</i>	
Definitions and interpretations used in the procurement policy	Definitions and interpretations are critical. They set the common understanding of procurement policy language for community employees, ensure everyone understands terms the same way.
Restrictions, prohibitions, and exceptions	
Authorities and responsibilities of procurement staff, department heads, and other local government staff as defined in bylaws	
Authority and spending limit protocols	
General operational procurement	
Consulting services procurement	Communities should ensure that these different items are defined, so community staff are clear on where and when different processes should be followed.
Service agreements, rental and lease agreements	
Land and building purchases	
Capital equipment	
Public works and construction/renovation projects	
Reporting to council/board	
<i>Methods of Procurement</i>	
Request for information	RFIs are sent out to request information about specific suppliers resources, skills, etc.
Request for expressions of interest	EOIs gather information to help a community select a pool of potential suppliers prior to sending out requests for detailed bids on a project.
Request for qualifications	RFQs are another filtering tool, in which a community requests responses from potential suppliers who meet a base standard. Those who meet these qualifications can then be sent an RFP.
<i>Negotiations</i>	
Negotiated request for proposal	Negotiated RFPs are situations in which a community will engage in discussion with a potential provider before or shortly after they have submitted their proposal. these are typically used for projects where additional discussion is needed to ensure the community understands the proposal of the provider.
Invitation to tender	ITTs typically include clearly identified qualifications and specifications. An example might be a community seeking construction of a community center in which they have already identified the size of the building, amenities, etc.
Request for proposal	RFPs are more open, allowing suppliers to provide different alternatives that might address a communities desires.
Request for quotation	Requests for Quotations typically deal with smaller, very defined products or services that are to be procured.
Cooperative purchasing or government partnership agreements	Cooperative purchasing agreement policy should lay out the conditions under which a community would purchase a good or service with another entity.

Direct contract awards	DCA's address situations in which a community might not use a competitive process. These situations should not arise regularly and should be limited by procurement process and policy. An example is when there is only one qualified contractor.
Urgent and emergency situations	Urgent and emergency situations require different rules that allow leaders to act quickly, but the community should maintain some processes and policy that help protect against fraud and price gouging in emergency situations.
Discretionary purchases	Discretionary purchase policy should establish what purchases can be made at the discretion or in the judgment of the individual. These are non-essential purchases.
Purchasing card use	Purchasing card use should establish who has the authority to use the cards and what procedures must be followed for their use.
Petty cash	Petty cash is liquid cash kept for small purchases. Petty cash policy should establish appropriate situations, times, and types of purchases on which petty cash can be used.

Contracting for Goods & Services

Conditions for contracting for goods or services, construction-related services, and consulting services	Procurement policy should clearly define (above) contract, construction, and consulting services and establish the conditions under which each different type of procurement process may be implemented.
Requirements for bid / performance bonds	Policy should also state whether requirements for bid are needed and establish when performance bonds (bonding intended to ensure fulfillment of a particular contract) will be required.
Length of a contract and conditions allowing extension	Policy can also establish minimum or maximum contract lengths and conditions on which those contracts can be extended.
Contract dispute resolution procedures	Policy also generally establishes what type of dispute resolution procedures will be used (for instance, requiring that contracts be taken to mediation rather than court).
Review by legal counsel	Policy can require contracts be reviewed by legal counsel or establish conditions that warrant legal counsel review

Other Practices

Comprehensive car purchasing policy	
Issue of a public notice of intent to contract	
Unsolicited proposals	Policy should be established for how to handle unsolicited proposals--under what conditions will they be heard, evaluated, and accepted?
Guidance on the use of subcontractors (ensure primary contractor maintains liability)	
Compliance with competitive bid laws, alignment with trade agreements, and other legal obligations	
Document retention	Policy should establish how long documents will be held after completion of a contract or purchase of a good.
Supplier complaint process	Policy should state or provide a supplier complaint process.
Debriefing of unsuccessful bidders	Policy should state how unsuccessful bidders will be informed and what information they will be provided with.

Ethical Considerations

Code of conduct, conflict of interest, and non-disclosure agreements	Policy should establish a code of conduct, when a conflict has occurred, and whether the community will enter into non-disclosure agreements and/or under what circumstances the community will agree to a non-disclosure agreement.
Lobbying	
Employee acknowledgement with the procurement policy	Communities should require employees and elected officials with purchasing powers to review these policies and sign a document stating their intent to follow the guidelines.

Reference: Auditor General for Local Government. (2016, January). IMPROVING LOCAL GOVERNMENT PROCUREMENT PROCESSES THROUGH: Procurement Policy Enhancements, Procurement Performance Metrics and Reporting, and Vendor Performance Management. Pages 17 - 18. Retrieved January 18, 2023, from <https://www.aglg.ca/app/uploads/sites/26/2017/04/Perspectives-T1-T1-PDF.pdf>

APPENDIX B: MODEL PURCHASING OUTLINE

Model Purchasing Policy Outline, based on Utah State Code provisions. This outline is included as a general outline template that communities can use to evaluate their own procurement codes or as a guide for writing a new code.

1. ARTICLE 1 - General Provisions

A. The underlying purposes of this policy are:

B. Compliance - Exemptions from this policy

C. Definitions

- (1) Business
- (2) Change order
- (3) Contract
- (4) Invitation for bids
- (5) Person
- (6) Procurement
- (7) Purchasing agent
- (8) Purchase description
- (9) Request for proposals

2. ARTICLE 2 - Office of the Purchasing Agent

3. ARTICLE 3 - Source selection and contract information - General Provisions

- A. Purchases not requiring sealed bids
- B. Purchases requiring sealed bids
- C. Public Improvement Contracts
- D. Building Improvements and Public Works Projects
- E. Use of competitive sealed proposals in lieu of bids
- F. Architect-Engineer services are qualification-based

G. Cancellation and rejection of bids

H. Determination of non-responsibility of bidder or offer or

I. Cost-plus-a-percentage-of-cost contracts prohibited

J. Required contract clauses

4. ARTICLE 4 – Specifications

5. ARTICLE 5 - Appeals

A. Appeal to the purchasing agent

B. Right to appeal to the governing board

C. Final appeal on the City level

D. Further appeals

6. ARTICLE 6 - Ethics in Public Contracting

A. Conflict of interest

B. Felony charges

REFERENCES

1. Office of the Utah State Auditor. Uniform Accounting Manual for All Local Governments. June, 2014. NOTE: This publication has since been updated and the superceded version is no longer available on the Utah Auditors' website.
2. UCA –63G-6a (State procurement code)
3. UCA—11-39 (Building Improvements & Public Works Projects)
4. UCA—72-6-108 & 109 (Class B & C Roads Improvement Projects – Contracts – Retainage)

APPENDIX C: SAMPLE PURCHASING POLICY

Sample purchasing policy for local governments and special service districts taken from the State of Utah Auditor's Office publication: Little Manual: Local & Special Service Districts.

Authority to Purchase

The governing board shall approve all expenditures of the district. No individual may make purchases on behalf of the district unless they have been duly authorized by the governing board and designated as a purchasing agent. No purchase greater than \$2,000 may be made without obtaining prior approval from the governing board.

Purchasing Agent

The governing board may authorize a purchasing agent to make routine purchases for items such as payroll checks, if the checks are prepared in accordance with a schedule approved by the board, and routine expenditures, such as utility bills, payroll-related expenses, supplies and materials. All expenditures made by the purchasing agent will be reviewed and approved by the governing board subsequent to the purchase.

The purchasing agent may not have accounting or bookkeeping responsibilities or have access to the accounts records.

Prior Authorization

Prior authorization by the governing board is required for all purchases that exceed \$[amount] and for all purchases not considered payroll or routine as noted above.

Purchasing Procedure

No purchase may be artificially divided to circumvent procedures noted below.

Purchases up to \$[amount] - The purchaser may select the best source without seeking competitive quotes.

Purchases from \$[amount] to \$[amount] - Obtain price quotes from at least two vendors. Price quotes must be obtained by phone, FAX, or letter from a representative of an established, viable vendor and documented on a quote sheet.

Purchases from \$[amount] to \$[amount] - Obtain written price quotes from at least three vendors. Price quotes must be written proposals from a representative of an established, viable vendor who is properly licensed to complete the work.

Purchases greater than \$[amount] - Purchases greater than \$[amount] are subject to competitive sealed bidding. The purchasing agent may contact potential vendors seeking requests

for proposals; however, a request for proposals will also be publicly advertised in at least one newspaper of general circulation in the area.

Sole Source Procurement

If at least two quotes cannot be obtained, the purchase is considered a sole-source purchase. Sole-source purchases require prior governing board approval and if the service is on-going, the service must be re-approved by the governing board annually.

Open Charge Accounts

All open charge accounts must be re-approved by the governing board annually.

Emergency Purchases

An emergency condition is a situation which creates a threat to public health, welfare, or safety such as may arise by reason of floods, epidemics, riots, equipment failures, or such other reason as may be determined by the governing board. The existence of such condition creates an immediate and serious need for supplies, services, or construction that cannot be met through normal procurement methods.

Emergency procurement shall be limited to only those supplies, services or construction items necessary to meet the emergency.

When an emergency arises, the purchaser should seek competitive procurement as practical; however, competitive procurement procedures may be omitted. The person responsible for making an emergency procurement shall make a written determination stating the basis for an emergency procurement and for the selection of the particular supplier.

Acceptance of Proposals

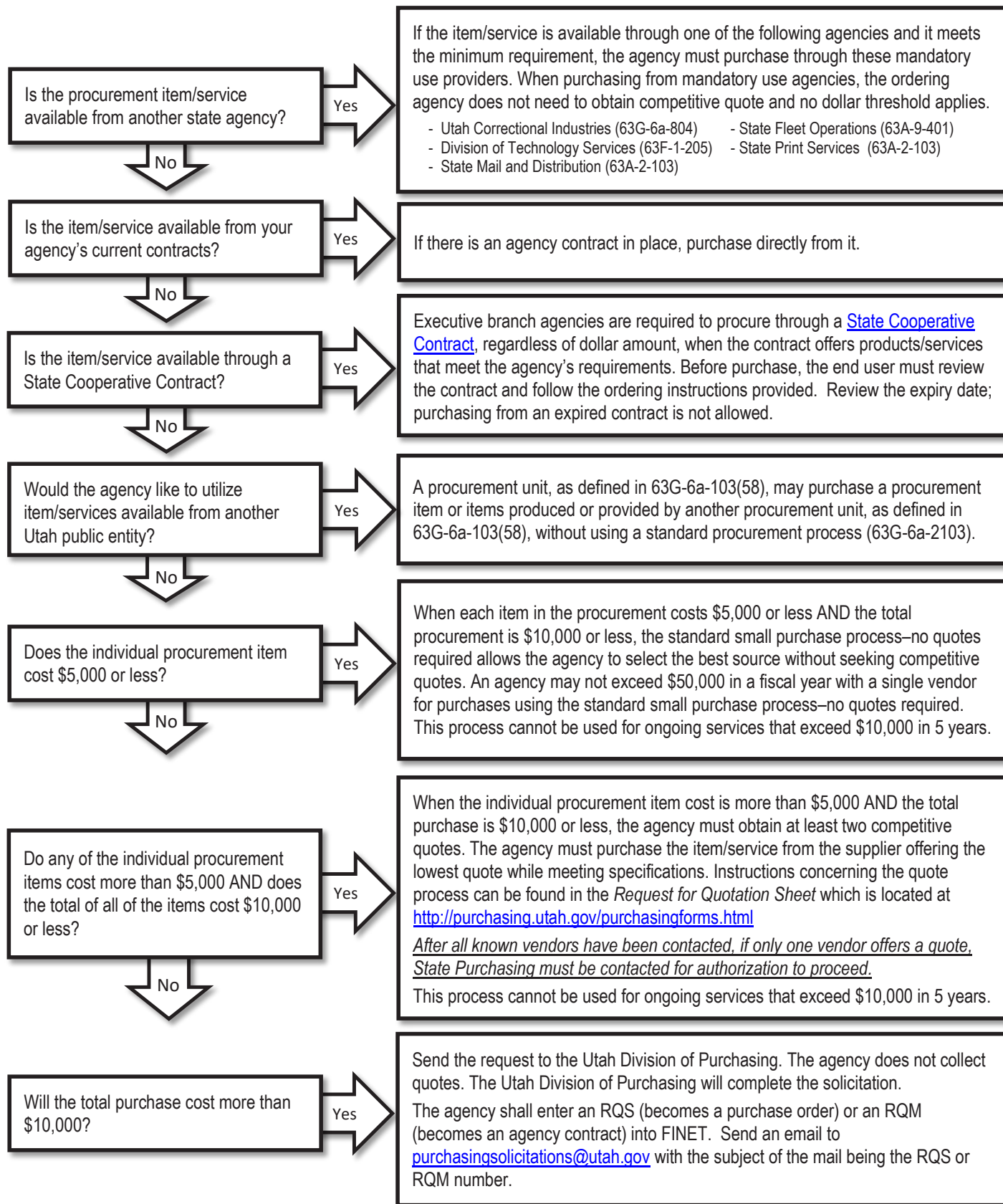
Award must be made to the vendor submitting the lowest quote meeting the minimum reasonable specifications and delivery date.

Noncompliance

Individuals who do not comply with provisions of this policy will be subject to withdrawal of the authority to make purchases.

Reference: Office of Utah State Auditor. Little Manual for Local and Special Service Districts. 2016. NOTE: This publication has since been updated and the superceded version is no longer available on the Utah Auditors' website.

APPENDIX D: PURCHASING FLOW CHART



Utah Division of Purchasing and General Services. (2022, June 6). Purchasing Flow Chart - Utah Division of Purchasing and General Services. Retrieved January 31, 2023, from https://purchasing.utah.gov/wp-content/uploads/1_Purchasing-Flow-Chart.pdf

ADDITIONAL RESOURCES

TITLE	ORGANIZATION	LINK
Purchasing Forms	Division of Purchasing and General Services	purchasing.utah.gov/forms/
Introductory Training for Municipal Officials	Utah State Auditor's Office	training.auditor.utah.gov/courses/introductory-training-for-municipal-officials-2023
Procurement Training	Utah Association of Special Districts	www.uasd.org/training.php
Negotiation: Lost Art or Core Competency?	National Institute for Public Procurement	www.nigp.org/resource/position-papers/NEGOTIATION.%20Lost%20art%20or%20core%20competency%20Position%20Paper?dl=true
Verify a License	Utah Division of Occupational and Professional Licensing	secure.utah.gov/llv/search/index.html
Best Value Cooperative Contracts Search	Division of Purchasing and General Services	purchasing.utah.gov/statecontractdirectory/
Prequalified Vendor List	Division of Purchasing and General Services	purchasing.utah.gov/statecontractdirectory/prequal-avl/
Prequalified Design Professional Services	Division of Purchasing and General Services	purchasing.utah.gov/statecontractdirectory/prequal-avl/design-professional-services/

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JAN2023