

**VENDORS GUIDE
TO
DOING BUSINESS WITH
COCHISE COUNTY**

Cochise.az.gov

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FOREWARD

Thank you for your interest in doing business with Cochise County. This Vendor's Guide is intended to provide you with general information on doing business with the County of Cochise.

The Cochise County Procurement Department is dedicated to the principles of competition and fairness. It operates under the auspices of Federal, State, and local law. In addition, the Procurement Director assures that all public procurement practices are within the framework of the highest ethical standards. Procurement Department personnel are strictly prohibited from taking any actions which do not reflect the ideals of honor and integrity in the expenditure of public funds.

Our goal is to ensure that Cochise County taxpayers receive maximum value for their tax dollars. Towards that goal, we encourage all qualified vendors to participate in doing business with the County.

The purpose of this information is to acquaint vendor's who sell to Cochise County with a basic understanding of the County's Procurement processes, general requirements; and, provide a source of information that might be useful in preparing a response to County solicitations for Materials and Services. It seeks to promote professional and pleasant business relationships between County procurement personnel and the business community.

This information is intended as a general guide and as such may not answer all questions which you may have. If you have any questions which are not answered here, please contact the Procurement Director at (520) 432-8394 (telephone) or (520) 432-8397 (fax).

MISSION STATEMENT

Customer Service is our first priority! As a service department, our goal is to develop and maintain an excellent working relationship with County employees, departments, and vendors. The conduct of County procurement policy shall be accomplished in accordance with the highest ethical practices of the purchasing profession. We strive to ensure that all procurement transactions are conducted in a legal, ethical, and professional manner. We abide by the procurement laws and regulations set forth by the State of Arizona and the Policies and Procedures as established by the Cochise County Board of Supervisors. We offer all businesses an opportunity to compete for our requirements on an equal basis.

VISION STATEMENT

- Achieve excellence in customer service by working closely with our end users and vendors to improve the procurement support of our using departments and be good stewards of taxpayer's dollars.
- Embrace change as a means for continuous improvement and effectiveness. We will consistently seek 'Best Value' procurement solutions for our customers through innovation and working closely with our vendors.
- Harness the constantly changing environment of technology in order to maximize the Department's efficiency, productivity, and property accountability.

- We understand that our Customers are the other Departments within the County. We will work to maintain a customer service relationship that consistently exceeds their expectations because:

We believe High expectations produce High results!

LEGAL AUTHORITY

The legal authority for the operation of the Procurement Department is established by Arizona State law and the Cochise County Procurement Policy.

PROCUREMENT STAFF

David Seward C.P.M, CPPO	Procurement Director	520-432-8394
Terry Rutan	Senior Buyer	520-432-8392
Terry Hudson, CPPB	Senior Buyer	520-432-8391
Mike Clark	Property Manager	520-432-8399
Kathryn Randon	Administrative Assistant	520-432-8396

PROCUREMENT AUTHORITY

The Procurement Director, as stated in the Cochise County Procurement Policy, has the sole responsibility for the operation of the Procurement Department.

The Cochise County Procurement Policy prohibits the purchase of any item or service by anyone other than the County’s Procurement Director or designated agent. Orders not placed by the proper authority will not be paid for by Cochise County.

Bidders are encouraged to obtain a copy of the Cochise County Procurement Policy, which contains helpful information on bidding requirements. The County’s Procurement Policy may be downloaded from the Procurement website at: cochise.az.gov or obtained from the Cochise County Procurement Department.

LOCAL VENDOR PREFERENCE

Effective January 1, 2012 a local vendor preference policy was adopted by the Cochise County Board of Supervisors. The policy will allow for a 3% credit applicable to purchases on which transaction privilege taxes (TPT) and property taxes are paid within Cochise County by local businesses who qualify. In order to qualify you will need to complete a Local Vendor Preference Affidavit of Eligibility form and return it with your bid. The policy and Affidavit of Eligibility form can be found on the Procurement website.

BUSINESS HOURS

The Procurement Department's regular business hours are from 7:30 a.m. to 5:00 p.m., Local Arizona Time, Monday through Friday, at 1415 Melody Lane, Building C, Bisbee Arizona, 85603. We are closed for business during all recognized national holidays.

OFFICE VISITS

Sales representatives are a valuable source of information in obtaining bids, specifications, state of the art advancements, product improvement information, and in resolving problems in delivery, billing and payment difficulties, etc. We value your visits greatly. However, if possible, we recommend you call ahead to schedule an appointment in order to productively utilize your time and ours.

EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of the County to require that firms providing goods and services to the County adhere to a policy of equal employment opportunity. Firms shall demonstrate an effort to recruit, hire, promote, and upgrade the position of employees regardless of race, color, religion, ancestry, sex, physical handicap, national origin, or marital status.

VENDOR ETHICS

Cochise County requires vendors to be held to certain ethical requirements as follows:

- No bidder, offeror, contractor or subcontractor shall confer upon any public employee having official responsibility for a procurement transaction any payment, loan, subscription, advance, deposit of money, services or anything of more than nominal value, present or promised;
- All bidders, offerors, contractors or subcontractors shall submit with their bid a disclosure of interest form to inform any personal interest of any member of the Board of Supervisors, County Manager, County Attorney, Finance Director, Procurement Director, or the spouse of each official;
- Failure to make the required disclosure may result in disqualification, debarment, and suspension from bidding and recession of contracts;
- No contractor or subcontractor shall give, demand or receive from any supplier, subcontractor, or competitors any bribe, kickback, or anything of value in return for participation in a procurement transaction or agreeing not to compete in a transaction; and
- Architects or engineers employed by the county may not furnish building materials, supplies or equipment for any structure or project on which they are providing professional services. The County also does not accept bids or proposals from consultants or bidders who have solely and directly prepared specifications for a Architects or specific requirement, regardless of whether the consultant/bidder was paid for the specification.

PROCUREMENT SOLICITATION METHODS

The Cochise County Procurement Department utilizes the following methods of purchasing: Informal Bid Request (RFPQ -written and oral solicitations), formal Invitation for Bids (IFB), formal Request for Proposals (RFP), and formal Request for Qualifications (A/E Services, Alternative Construction Methods).

The preferred procurement process involves competitive sealed bids (IFBs, RFPs, and RFQs) which require posting of a public notice of the Official County Newspaper; delivery of a responsive and responsible sealed bid or proposal as directed by the bid documents; public bid opening or acknowledgment; and, an award by the Cochise County Board of Supervisors. Formal solicitations are for purchases of \$50,000 or more.

For small purchases, currently less than \$50,000 for the aggregate term of the contract/PO, the Procurement Policy allows for the use of a process referred to as a Request for Price Quotations (RFPQ). The requesting department may identify “suggested Suppliers” on their requisition but the final selection is at the discretion of the Procurement Department. Informal Bid Requests (RFPQs) between \$35,000 - \$50,000 shall be written. Informal Bid Requests up to \$35,000 may be written or oral. Although a sealed bid technique is not used, all informal quotations are made on a competitive basis securing quotes from at least three (3) qualified vendors whenever possible.

For Procurements that are difficult to define and quantify, a Request for Proposal (RFP) process may be used, which the county publishes in the “Official County Newspaper” and on the Procurement Department Website. The solicitation requests proposals that will be graded and ranked in accordance with the solicitation documents.

IFB & RFP SUBMITTALS

All bids and proposals shall be submitted as specified in the solicitation document and mailed to: Cochise County Procurement Department, 1415 Melody Lane, Building C, Bisbee, Arizona 85603, or delivered directly to the Procurement Department at the address shown above. Faxed or telephonic submittals will not be accepted.

Bids and proposals must be received and time stamped on the “Official Clock” in the Procurement Department before the due date and time stated for the opening of the bid/proposal. Bids and proposals received after the designated due date and time shall not be considered and will be returned to the Offeror unopened.

All submittals shall be presented to the Procurement Department in a sealed envelope or package.

The SOLICITATION NUMBER, ITEM/SERVICE DESCRIPTION, DATE, TIME, and SUBMITTAL OPENING DATE shall be clearly written on the envelope, along with the Offeror’s name and return address.

TYPES OF CONTRACTS

The County normally contracts for two types of purchases, either a one time contract or a term contract.

One Time Contract: The County procures required services or materials on a one time basis. A firm price is requested for fixed quantities with single or multiple delivery sites. Depending on the dollar amount of the purchase, the formal sealed solicitation method or informal bid method is used.

Term Contract: The County has established, and continues to establish, term contracts for estimated quantities of materials or services commonly used in volume by specific departments or on a County-wide basis. These contracts are awarded through a formal sealed solicitation method for a specified period of time.

NOTICE OF INVITATION FOR BIDS & REQUEST FOR PROPOSALS

When the County purchases goods, services, or materials using a formal competitive bid, a Notice of Invitation for Bids is posted on the Cochise County Procurement website at: cochise.az.gov.

All notices for construction, professional services, and federally-funded projects are published in the legal notices section of the "official" newspaper of the County in accordance with state law, and posted on the Procurement website.

When a wider distribution is deemed necessary for any type of solicitation, additional methods may be used to circulate the required information.

Vendors should register on the County's Bidders List and register on the e-notification system. A Hot Link to the E-notification Registration page has been provided on the Procurement Home Page. Once you have done this, you will automatically receive notification of all solicitations. If you do not register on the e-notification system, you will be notified of solicitations in the commodity classes for which you have registered.

Any vendor not already on the County's list of bidders may obtain a copy of a bid solicitation by downloading it from the Procurement website, or by visiting the Procurement Department. Information on formal solicitations may also be obtained by calling (520) 432-8390.

SUBMITTAL PREPARATION/PREBID CONFERENCES

IFB and RFP solicitations may include provisions for a conference at which clarifications and questions may be addressed. Attendance is not mandatory unless otherwise stated in the solicitation; although attendance by all potential respondents is highly encouraged.

Solicitation documents may be amended only via issue of an Addendum. Verbal responses do not modify the solicitation documents.

BID/PROPOSAL OPENING

Unless otherwise stated on the Notice page, all formal bids and proposals, including proposals for professional services, are opened publicly in the Procurement Department conference room, 1415 Melody Lane, Building C, Bisbee, Arizona, 85603, on the date and at the time shown in the formal solicitation Notice Page.

The Procurement Director or his/her designated representative presides over the formal solicitation openings. Other departmental representatives of the County may be in attendance. The designated representative shall read prices, delivery, terms, and conditions relating to the bid. Formal proposals are recognized publicly only by identification of the Proposer by name. Price or other proposal information is not divulged at the time of opening. A cordial invitation is extended to all bidders, offerors, sales staff, the press, and the interested public to be present at the solicitation opening.

No decisions of award or rejections are made during the solicitation opening. No discussions relating to the bids or proposals are entered into during the opening.

EVALUATION OF SUBMITTALS

Each solicitation is unique. The method used to evaluate submittals and to make the award recommendation is defined in the solicitation documents. No selection criteria may be used other than that published with the solicitation.

Generally, it is the County's practice to award to the "lowest" responsive and responsible bidder for IFB's or Highest Ranked Respondent for RFQ/RFP's. Responsive is a term that refers to the respondent's compliance with all requirements of the solicitation documents. Non-compliant submittals are deemed non-responsive and are not considered in the evaluation. Responsible is a term that generally refers to the respondent's capacity and competence to provide the solicited services and/or products.

TABULATION OF BIDS

All formal bids are tabulated in the Procurement Department. Copies of the tabulations will be sent to all vendors submitting a bid and, upon request, to any other vendor after official award of a contract. Copies are also available on the Procurement website or in the Procurement Office. Bid results are not given out over the telephone. Tabulations are not available for proposals.

Bids and proposals are public information and therefore may be inspected **AFTER** the official award of a contract by visiting the Procurement Department by appointment. The request for information must be in writing per the Freedom of Information Act. All formal bids and proposals are evaluated by the Procurement Director or designated representative, as well as the end using department. For bids, the award is made to the lowest responsive and responsible bidder meeting specifications. For proposals and statements of qualifications, the award is made to the offeror whose proposal is deemed to be most advantageous to the County based upon the evaluation criteria. Prior to formal award of a contract, neither bids nor proposals are available for public inspection.

AWARD RECOMMENDATION

Upon evaluation of submittals, and in accordance with the solicitation documents, the Requesting Department and Procurement must agree on the firm(s) to whom an award will be recommended. The recommendation for Award is posted on the Procurement website

Subsequent to the award being made by either the Procurement Director or the County Board of Supervisors, Procurement will prepare the contract or purchase order and coordinate execution with the selected vendor. After official award has been made, Procurement will issue a purchase order to the successful bidder/offeror.

Unless otherwise specified, following execution of the Purchase Order or Contract, the requesting Department is responsible for administering performance and payment of Invoices.

REJECTED BIDS

The County reserves the right to reject any or all bids or proposals and to waive any informality in any bid/proposal.

ERRORS/WITHDRAWALS

The County will allow for the correction or withdrawal of inadvertently erroneous bids before bid opening. After bid opening, corrections or withdrawals shall only be permitted to the extent that the Bidder or Offeror can show, by clear and convincing evidence, that a mistake of a non-judgmental character was made. Further information on errors and withdrawals is available in Section 7.6 of the Cochise County Procurement Policy.

PROCUREMENT WEB SITE

The Procurement Department's official web site is: cochise.az.gov

Information available on Procurement's web site includes:

- Listing of current solicitations (IFB, RFP, RFQ)
- Listing of staff members
- Procurement policy
- Surplus property information
- Bidder list application

For questions regarding Procurement's web site, please contact Procurement at (520)432-8390.

BIDDERS LIST

The Procurement Department has partnered with Public Purchase, an e-Procurement web based service, for the County's bid notification process.

Vendors are required to register with Public Purchase and specify the appropriate commodity classes through the registration process.

To register, a vendor currently may register on-line by clicking on the “vendor registration” link on the procurement home page.

The information required includes business name, address, phone, facsimile, e-mail address, etc., as well as information on the type of business and types of commodities and/or services the vendor can provide to the County.

Once registered, vendors will automatically receive a bid notification for bids that match the commodities they have registered for.

Failure to respond to a formal solicitation is defined as a total lack of response when invited to bid or submit a proposal. Notification of “No Bid” is considered a response. The County reserves the right to update and validate its bidders' list from time to time and may require renewal of applications on file. The County requires a current vendor registration form and a Federal W-9 form on file prior to the award of any contract.

CONSTRUCTION CONTRACTS

Construction services contracts for County projects are generally competitively bid through the Invitation for Bids (IFB) process and are awarded to the lowest responsive and responsible bidder.

Based upon Alternative Delivery Method legislation, applicable County projects may now be competitively solicited through a Qualification Based Selection (QBS) process. These alternative construction methods include Design-Build (D-B), Construction Manager @ Risk (CMAR), and Job Order Contracting (JOC).

Departments which regularly contract for construction include:

Highway & Floodplain Department: Projects include, but are not limited to, road improvements, overlays, bridge work, landscaping installations and improvements, drainage improvements, bank protection, demolitions, underground and above ground storage tank (UST and AST) removals, various installations, soil remediation, parks projects,

Facilities & Solid Waste Department: Projects include repairs, rehabilitations, irrigation installation, fencing, pipe lines, production wells, pumping plants, reservoirs, storage tanks, and new construction. Many of these projects are federally-funded through Community Development Block Grant (CDBG) funds.

The Procurement Department may be contacted at (520) 432-8394 to obtain information about these projects, including where to obtain plans, specifications/bid books, bid periods, bonds, and insurance requirements.

PROFESSIONAL SERVICES

Professional services (as defined by A.R.S. Title 34) are contracted through the Procurement Department, unless specifically specified otherwise. Procedures for Professional Consultant

Selection are specifically outlined in Section Twelve of the Cochise County Procurement Policy, which is available on the Procurement website at cochise.az.gov or through the Procurement Department.

APPLICABLE TAXES

Resident Arizona vendors are responsible for the Arizona Transaction Privilege Tax (State Sales Tax).

Applicable sales tax is not to be included in the bid price with the exception of construction contracts.

The County does not pay sales tax to out-of-state vendors. Sales Tax is applicable to merchandise purchases only and not on Services. The County does pay directly to the State of Arizona all Arizona sales and excise tax. Therefore, all vendors who do not maintain a business presence, directly or through a subsidiary, a warehouse, sales office, distribution house, or other place of business in the State, are not to include State sales taxes in their bid price. The tax on any such award will be paid by the County directly to the State of Arizona.

The County Finance Director, upon request, will execute the exemption certificates in connection with all orders when federal excise tax would otherwise be due.

DELIVERIES

All deliveries to the County are made F.O.B. Destination, unless otherwise specified. The County's title to goods occurs upon satisfactory delivery and acceptance at the delivery point shown on the purchase order. Shipping charges, if applicable, must be included in the unit price of the items bid.

All shipments to the County must be made to the specific location(s) designated on the purchase order. Deliveries may be required to be made to different departments and divisions located in various parts of the County. The purchase order number must appear on the shipping or delivery ticket. Failure to meet specified delivery schedules may result in cancellation of the order. At a minimum, such delinquency will be noted in the vendor's business file.

DELIVERY DATES

Vendors should always state, on the bid form, the number of consecutive calendar days required before delivery of a product can be made, or they should indicate the specific date upon which delivery will be made. The time required for delivery may be one of the most important considerations in determining who shall be awarded the bid. Successful bidders will be expected to deliver the materials and/or services they are providing within the specified time. If delivery dates cannot be met, the Procurement Department must be notified immediately. The Procurement Department will decide, after notification of late delivery, what action should be taken.

PARTIAL DELIVERIES

A delivery normally must be made in the exact quantity called for on the purchase order. Partial deliveries, however, are required and accepted in some instances at the County's sole

discretion. The County will make payment on partial deliveries when, (1) a contract for the supply of goods, commodities, or contractual services extends over a period of months, (2) authorization for payment is made by the receiving department.

In the case of any partial delivery, the shipping ticket and invoices must indicate the quantity being delivered and not the quantity ordered by the County.

HAZARD COMMUNICATION ACT

Vendors are advised that the County requires proper labeling and Material Safety Data Sheets (MSDS) on all products covered by the Hazard Communication Act -29 CFR 1910.1200. It is the vendor's responsibility to determine which products are covered by the act and to provide MSDS with the initial shipment. It is also the vendor's responsibility to provide any updates or revisions of MSDS as they may become available for any products sold or delivered to Cochise County.

VENDOR INVOICES

In order to receive payment for goods or services furnished to the County, the vendor is required to submit one original and one copy of an invoice.

Invoices must show:

- County purchase order number;
- Complete descriptions of the goods or services furnished;
- Quantity
- Unit prices and extensions
- All applicable taxes;
- Discount terms;
- Name of department/division to which shipment was made;
- The vendor's invoice number

HOW THE COUNTY PAYS

The County currently pays for commodities/services through the use of a County Procurement Card or by purchase order.

If a purchase order has been awarded to a vendor, four steps remain before a transaction is completed. These steps are:

- Delivery and acceptance of goods or services to the using department;
- Report verifying receipt of goods or services by using agency;
- Invoicing by the vendor; and,
- Payment by the County.

PAYMENT

The vendor receives payment from the County after delivery and acceptance of the goods, commodities, or services. After the vendor has submitted an original and one copy of an

invoice for goods or services, the invoice is matched with the County's receiving report and a copy of the purchase order. The Finance Department then issues payment for the amount due to the vendor.

PAYMENT TERMS

Vendors must insure that payment terms are specifically stated in their bid. The County will pay vendors within thirty (30) days following the receipt of itemized invoice(s). County will take advantage of prompt payment discount terms whenever possible. However, prompt payment terms are not currently considered as an evaluation factor in determining the lowest responsive and responsible bidder.

LEGAL AND CONTRACTUAL REMEDIES **PROTEST**

In accordance with Section of the Cochise County Procurement Policy, any actual or prospective bidder may protest a solicitation, proposed award, or the award of a contract. The protest must be submitted to the Procurement Department in writing and must include the name, address, and telephone number of the protestant; signature of the protestant; identification of the solicitation or contract number; a detailed statement of the legal and factual grounds of the protest, including copies of relevant documents; and the form of relief being requested.

Specific information on filing, timing, resolution, and the appeals process are addressed in Section fifteen of the Cochise County Procurement Policy. It is the responsibility of the interested party to become familiar with the Policy requirements. All requirements will be strictly adhered to by the Procurement Department.

DEBARMENT AND SUSPENSION

The Procurement Director has the sole authority to debar and suspend an organization or individual from participating in County procurements. Additional information regarding debarment and suspension is available in Section 2.6 of the Cochise County Procurement Policy.

SURPLUS/AUCTIONS

When the County has surplus property no longer required by using departments, the Procurement Department utilizes one of several competitive bid methods to sell the property, including electronic auction. Sales are held as needed throughout the year. Registering with the County, under surplus sales, will insure interested bidders receive notifications of sale.

Public auctions are used to sell all types of County surplus equipment, including vehicles, office furniture, office machines, computers, recovered property, etc. County surplus property auctions are held as-required throughout the year. The County will soon be conducting on-line auctions. As soon as arrangements are finalized, the County's official

auction website will be linked to the Procurement home page
www.cochise.az.gov/procurement.

Questions regarding the County's surplus property program should be directed to the Cochise County Property Manager at (520) 432-8399.