

COUNTY OF DUTCHESS

**OFFICE OF CENTRAL AND INFORMATION SERVICES
DIVISION OF CENTRAL SERVICES**

378 VIOLET AVENUE, SUITE 2

POUGHKEEPSIE, NEW YORK 12601

(845) 486-3670

The Division of Central Services has developed this Procurement Reference Manual to assist businesses that wish to provide goods and services to the County of Dutchess. To meet the needs of County Government, the Division of Central Services regularly acquires a variety of different commodities. To fulfill these needs in a fair, efficient and cooperative manner, we encourage vendors to be familiar with the manual as set forth.

Prospective bidders should especially note the procedures for submitting a bid and complying with its specific requirements. These procedures include local policies and those required under New York State General Municipal Law 103 and 104b. Additional general procedural information is also included to assist any prospective vendor in doing business with the County of Dutchess.

The County seeks to achieve an effective procedural agreement, which will benefit both parties. To accomplish this, we invite all responsible vendors to seek to do business with the County.

If you have any questions concerning the policies and procedures set forth in this manual, please contact the Dutchess County Division of Central Services.

Christopher G. Barclay

Director of Central Services

Updated July 2020

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1. SUPPLIER OBLIGATIONS

Suppliers are expected to fulfill basic responsibilities when dealing with the County of Dutchess:

- To handle all written and personal communications with the County through Central Services unless specifically instructed to do otherwise, in which case, Central Services is to receive copies of all correspondence and be kept informed of any oral communications.
- To negotiate all pricing and specifications with Central Services only, unless instructed otherwise.
- To conduct negotiations ethically, without attempts to influence through offerings of personal gifts or entertainment.
- To make available through Central Services or other representatives all technical, engineering, systems, services and other information that might improve the County's present or future use of supplier's products or services.
- To inform Central Services of changes in economic or other conditions that might affect purchasing or operating decisions.

2. WHOM DO I CONTACT?

The Division of Central Services has two main components for the purchasing function: the buying unit who handles purchases from contracts and all items not requiring a formal bid; and the contract unit that handles all processes required for bidding and awarding formal bids and request for proposals.

All formal quotes are the responsibility of the Buying Unit, as well as the sourcing of goods and services under the bidding threshold.

Purchasing Agent:
Angela Romano 845-486-3650

Contract Unit:
Ellie Theohary 845-486-3613

Buying Unit:
Mike Menton 845-486-3657

3. DEMONSTRATION OF PRODUCTS

Vendors are encouraged to show and demonstrate their products to the Central Service's staff. It is important to relieve any doubt or misunderstanding that could be corrected through a product demonstration. Demonstrations are also valuable to evaluate new products in their working environments. Any proposed viewing of demonstration to a County Department should be coordinated through the Central Services contact person. Any equipment left for trial purposes should be fully documented to allow for ease of removal.

4. SALES CALLS

Vendors are encouraged to visit the Central Services office at any time during normal business hours. No prior appointment is necessary; however, to assure that the necessary participants are available, calling ahead to schedule an appointment is strongly encouraged. If meetings are to include other departments, arrangements must be made in advance. Vendors are discouraged from contacting other departments or divisions directly without consultation with Central Services.

Central Services contact number: (845) 486-3670

5. SUPPLIER SELECTION

The selection of a supplier shall be the responsibility of the Director of Central Services or his designee. Several factors will be considered when making a selection: dependability, service record of the vendor, price, nature of the guaranty and warranty of the product, and quality. Central Services will work closely with ordering departments to obtain or develop adequate and reasonable specifications. Whenever possible, identification of brand names, or other sufficient detail, will be obtained to ensure that the correct item is obtained.

6. VENDOR RELATIONS

It is the policy of the Dutchess County Division of Central Services to maintain and practice the highest possible standards of business ethics, professional courtesy and competence in all dealings. At all times, applicable laws must be scrupulously observed. In this regard, the following guidelines shall be observed by the Central Services Staff:

- Accord prompt and courteous reception to all suppliers and their representatives.
- Provide for and allow fair and equal treatment to all vendors.
- Assure the confidentiality of all quotations prior to the public opening or award.
- Remain free from obligation to any supplier or their representative.
- Avoid putting the vendor to unnecessary expense or inconvenience by showing consideration for seller's difficulties whenever possible.
- Provide clear and concise instructions and explain fully and reason for rejection.

7. WHAT IS A PURCHASE ORDER?

The Purchase Order is a formal agreement between the Vendor and the County of Dutchess for the acquisition of specific supplies and materials as detailed in the description section of the order form. No other form is acceptable as a means of acquisition. The Purchase Order specifies the billing address and any shipping instructions necessary for the receipt of the merchandise. All prices and costs associated with the acquisition are detailed on the Purchase Order. No changes or modifications can be made without specific authorization from Central Services through the issuance of a Change Order. All instructions should be followed carefully to insure payment.

8. DELIVERY FROM PURCHASE ORDER

Each Purchase Order issued by the Division of Central Services details the address for delivery of the merchandise requested. These instructions should be followed completely as delivery to an improper address does not constitute a receipt and acceptance of the goods and will delay any payment until corrected by the Vendor.

Deliveries are accepted during the normal business hours unless stated otherwise.

9. DELIVERY WITHOUT A PURCHASE ORDER

The Purchase Order is the County's authorization to provide merchandise to one of its department locations. Any deliveries made without a Purchase Order are non-binding and will not be paid by the County. Unless a Purchase Order is issued, there is no agreement between the vendor and the County, and the vendor must bear the responsibility for the payment of invoice from the ordering individual. No obligation against the County will be honored unless a properly approved Purchase Order is issued in advance of delivery.

10. QUESTIONS: WHO TO CALL AND HOW TO GET ANSWERS

The Division of Central Services will provide all necessary information/clarification to bid specifications issued by them. The Director, Purchasing Agent and Assistant Purchasing Agent are available to answer questions during normal business hours. The Director or his designee is the only one authorized to make changes or alterations to anything contained in the bid specifications. All addenda to bid specifications are posted on the same website that the bid documents are obtained: www.bidnetdirect.com/new-york/county-of-dutchess. The addendum clearly indicates the change or alteration to the bid specifications. The Division of Central Services will not assume responsibility for oral instructions, interpretations of meaning, or other contract documents to any bidder by any person or persons.

Questions or clarifications to the technical specifications must be submitted per the instructions outlined in the bid documents. There will be times when the questions will be of such nature as to require research time; however, this shall not delay the bid opening.

Bidders are responsible for reporting any errors in the bid specifications to the Division of Central Services, 378 Violet Avenue, Suite 2, Poughkeepsie, New York 12601 or by email: purchasing@dutchessny.gov or as otherwise instructed in the bid documents.

11. HOW TO OBTAIN BID SPECIFICATIONS

The County of Dutchess utilizes a bid notification system, known as The Empire State Purchasing Group/Bid Net. By establishing a bidding and registration system, vendors will now have a single point of contact offering a broader access to new business opportunities throughout the Hudson Valley region, as well as the State of New York.

All vendors that wish to receive bid information, including the official bid documents as well as any addenda, must register on this system. Vendors who have internet access may register online at www.bidnetdirect.com/new-york/county-of-dutchess and follow the vendor registration instructions. If you have any questions regarding the registration process, call Bid Net vendor support at 1-800-835-4603 x2.

Once registered, you will have access to all current and future participating municipalities of the Empire State Purchasing Group.

By working together in using this system, the County of Dutchess expects to improve service to vendors by providing instant access to bids, proposals, quotes and amendments online; not only from the County of Dutchess, but also from other public entities throughout the State of New York.

12. BIDDERS RESPONSIBILITIES

It is the responsibility of the bidder to read all documents contained in the bid specifications carefully and follow the directions in the bid packet. Bidders are responsible for the timely submission of their proposal.

Bidders are responsible for reporting any errors or omissions, in writing or by email, to the Division of Central Services.

Bidders are required to read fully and understand all submission requirements detailed in the bid package and adhere to any timeline stated in the bid.

13. CONTENTS OF THE BID DOCUMENT

Each bid packet contains:

- Name and number of the bid
- Instructions and Information for Bidders
- Time and date on which the bid is due in the Division of Central Services
- Technical specifications
- Bid proposal form
- Non-collusion affidavit

14. BIDDING REQUIREMENTS

The County of Dutchess is required, under General Municipal Law §103 & 104-b and specific local law, to obtain public bids for the products and services that meet or exceed predetermined cost thresholds. A formal, publicly advertised competitive bid is required when the acquisition of goods or services can reasonably be anticipated to meet or exceed \$20,000.00. Formal bids may also be requested for lesser amounts at the discretion of the Director of Central Services.

Contracts and services for public works, which include material and labor components, are required to be put out to public bid if the cost can be reasonably anticipated to exceed \$35,000.00.

The County of Dutchess is further required to obtain quotes for any product and material purchases more than \$5,000.00, but less than \$20,000.00.

15. PRE-BID CONFERENCES/MEETINGS

Pre-bid conferences are included in specifications where a particular service or piece of equipment may be complex or technical as to need visual clarification.

Attendance at a pre-bid conference is highly encouraged as there will be no other opportunity to see or receive the information reviewed at that time.

16. RECEIPT AND OPENING OF BIDS

The time and date of all public bid openings is on the Information and Instructions for Bidders page in the bid package and is published in the County's two official newspapers: the Poughkeepsie Journal and/or the Southern Dutchess News.

All submitted bids must be sealed and the following must be distinctly marked on the outside of the mailing envelope: the bidder's name, the bid number and the title of the bid.

All sealed bids will be received in the Division of Central Services, 378 Violet Avenue, Suite 2, Poughkeepsie, New York 12601, on or before the date and time specified in the bid documents. All bids are time-stamped in on the official time/date stamp machine located in the Division of Central Services. In addition, after the sealed bid is time-stamped, the bid is logged in the Bid Register book, including the following information: bid number, name of vendor submitting the bid, time bid received, date bid received, mode of delivery of bid and signature of recipient.

17. BID OPENING PROCEDURES

Each bid document contains detailed specifications of the item and/or service required. The bid package includes a boilerplate containing *Instructions and Information for Bidders*; the time, date, and place of the bid opening; bid proposal form(s); vendor name, address, and incorporation/partnership forms; and non-collusion forms. Each part of the bid package is vital to the correct and complete submission of the bid and should be regarded as such.

18. BID VIEWING

All competitive bid openings are public, and anyone is permitted to attend. Anyone not present at the public opening may request the tabulation sheet by contacting the Division of Central Services at 845-486-3613.

For request for proposals, the proposals are received, time stamped and recorded in the bid register book. There is not a public opening for a request for proposal. Once the proposal has been awarded and the formal contract has been fully executed with the awarded proposer(s), then the names of all the proposers can be given upon receipt of a FOIL request.

19. SELECTION OF WINNING BIDS

A competitive bid will be awarded to the most responsible, responsive bidder offering the best price. A responsible bidder is a manufacturer, producer, dealer, vendor or bona fide manufacturer's agent who has demonstrated judgment and integrity, is of good reputation, is experienced, and has a record of satisfactory performance and financial security.

The Division of Central Services may use a reference from the ordering department or bidder qualification sheet (included in some bid packages) to determine the successful bidder.

Regarding request for proposals, the contract will be awarded to the responsible proposer best meeting the needs of the County, based on, but not limited to:

- a) Approach to the project;
- b) Experience in meeting the needs of the project (i.e. list of similar projects);
- c) Experience working with other entities (list of references);
- d) Ability to provide services in a timely manner, meeting established project deadlines, including a strategy of key activities and ability to meet target schedule;
and
- e) Proposed Cost.

In addition, RFP award consideration includes, in its review, a proposer who has demonstrated judgment and integrity, is of good reputation, experienced in his/her work, whose record of past performance in the trade is established as satisfactory, and whose financial status is such to provide no risk to the County of Dutchess in its contractual relations.

20. LOCAL BUSINESS CONSIDERATION

Dutchess County utilizes a local business strategy when allowable by law. Specifically, when a formal written quotation is used, and the lowest responsible and responsive bidder is not a local business, then the lowest responsible and responsive local business bidder (if applicable or available) who is within ten percent (10%) of the lowest bidder, shall be provided with notice and an opportunity to reduce its bid to match that of the lowest.

The local business shall have three (3) business days to match the lowest bid in writing. Should the local business so match, it will be deemed the lowest responsible and responsive bidder and receive the award. Should the lowest local business bidder decline to match, the next lowest local bidder who is within ten percent (10%) of the lowest bidder will be given the same notice and opportunity.

This process shall continue as necessary until an award is made either to a local business bidder who is within ten percent (10%) or the lowest bidder itself.

For the full details of this program and how to qualify, contact the Division of Central Services at (845) 486-3670.

21. REJECTION OF A BID

The Director reserves the right to reject all bids, or all bids for any one or more supplies or services included in the proposal, when such rejection is in the best interest of the taxpayers of the County of Dutchess.

Causes for rejection can be, but are not limited to: poor past performance, noncompliance with any portion of the specifications, and/or failure to provide a bid bond and/or a performance bond. Late submission of a bid is **always** a cause for rejection.

Bid proposals received late are returned unopened.

22. NOTIFICATION OF AWARD

The Division of Central Services will tabulate all bids received and accepted and shall determine the lowest responsive, responsible bidder(s). In an instance where two or more vendors submit the same price for the same item, the award shall be determined by a lottery.

A letter of award shall be mailed to all bidders and the award information shall be posted on Bid Net, www.bidnetdirect.com/new-york/county-of-dutchess, indicating the successful vendor(s) and price(s). The successful vendor(s) will be issued a Purchase Order for those items they have been awarded. Where there is a formal contract required, the department who requested the goods/services will initiate the contract process.

No bidder may withdraw a bid within forty-five (45) days after the actual date of the bid opening.

23. REFERENCES AND BONDING ISSUES

Bids and projects that involve a service require at least three (3) current references. Completion of a bidder qualification form as part of the bid package is also required.

A bid bond and/or performance bond may also be required. A bid bond is a guarantee that the vendor can provide a performance bond in 100% of the dollar amount of the bid. If the vendor cannot provide the performance bond, the bid bond is forfeited, and the next lowest bidder is awarded the contract. This bid bond requirement may be waived if it is in the best interest of the County to do so.

The performance bond is used as a guarantee that the work will be performed satisfactorily. If the vendor does not perform, the bond is used as liquidated damages in the amount of the difference between vendor's price and the next lowest bidder's price.

24. GRIEVANCE/PROTEST PROCEDURES

Any protest to the Division of Central Services' consideration of any bid must be submitted in writing and received by the Director of Central Services no later than five (5) calendar days after the bid award. A written reply to the protest will be sent to the protesting bidder by the Director of Central Services.

The protest must contain:

- Identification of the statute or procedure that is alleged to have been violated,
- A precise statement of the relevant facts,
- Identification of the issues to be resolved, and
- Aggrieved party's argument and support documentation.

Any notice of protest received after the deadline will not be considered.

25. BIDDER DEFAULT-CONSEQUENCES

If a bidder fails to fulfill the term and conditions of the bid, they may forfeit their bid/performance bond and may be removed from the bidder's list for future bid solicitation. In addition, penalties may be incurred for late deliveries or frequent back orders. With documentation, a vendor may have the contract revoked and be subject to liquidated damages for the remainder of the contract term.