

**COLUMBIA COUNTY PUBLIC TRANSPORTATION
Procurement Policy**

THIS POLICY ESTABLISHES A PROCUREMENT POLICY FOR
COLUMBIA COUNTY PUBLIC TRANSPORTATION'S
EMPLOYEES AND OFFICIALS

General Policy: It is the goal of Columbia County Public Transportation's (hereinafter referred to as CCPT) Procurement Policy to obtain goods or services when needed, at a fair price and in a fair and equitable manner. All contracts executed with federal funds are subject to the requirements of fundamental procurement principles and applicable laws and regulations. All contracts executed with federal funds shall include all contractual clauses required by federal statute and regulation. Specifically, FTA Circular 4220.1E, third party contracting requirements are hereby adopted and made a part of this procurement policy by this reference. Careful review of said circular is required prior to the execution of any contract dealing with federal funds.

Competition: In the absence of extenuating circumstances, all procurement will take place only after determining that the competitive forces of the market place are present and that the market has been afforded the opportunity to respond to CCPT's needs. Extenuating circumstances would be emergency actions related to issues of safety, cases in which sole source procurement can be adequately justified and documented, and cases where the procurement cost to seek competition is deemed greater than the potential savings. Collusion and appearance of collusion shall be avoided in all cases.

Vendors: CCPT staff shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any third party contract, or subagreement supported with federal assistance derived from the US Department of Transportation, or in the administration of its DBE program or the requirements of 49 CFR, Part 26. As a recipient of federal funds, CCPT is required to make a good faith effort to facilitate participation by disadvantaged business enterprises (DBE) in its procurement processes.

Gifts from Suppliers: No CCPT employee, officer, agent, board member, or any members of their immediate families shall either solicit or accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to subagreements. However, the receipt of unsolicited items of nominal intrinsic value, which are commonly distributed for advertising purposes or consistent with accepted business practices, shall not be considered a gift or gratuity for purpose of this policy (examples of items of nominal value are: pins, hats, and note pads). Meals may be accepted if they are infrequent in nature, occur in conjunction with an acceptable business meeting, and do not exceed a nominal value.

Conflict of Interest: Any CCPT employee, officer, agent or board member responsible for approval of procurement in any way shall exclude themselves from any procurement action involving a supplier that is closely related to them or a partner/business that has a financial or other interest in the firm selected for the contract award.

Authority to Purchase: CCPT staff having authority to place orders for goods and services on behalf of CCPT are limited to those designated in this policy. An order placed by anyone else may not be accepted as an obligation of CCPT.

Contractor Appeals: CCPT shall maintain written protest procedures to handle and resolve disputes relating to their procurements and shall in all instances disclose information regarding the protest to the Federal Transportation Administration (FTA). All protest decisions must be in writing. The protestor must exhaust all administrative remedies with the grantee before pursuing a protest with FTA. Reviews of protests by FTA will be limited to a grantees failure to have or follow its protest procedures, or its failure to review a complaint or protest. An appeal to FTA must be received by the cognizant FTA regional or headquarters office within five (5) working days of the date the protestor knew or should have known of the violation. Violations of federal law or regulation will be handled by the complaint process stated within that law or regulation. Violations of state or local law or regulations will be under the jurisdiction of state or local authorities.

PURCHASE OPTIONS AVAILABLE

Introduction: There are two (2) basic ways to procure goods and services at CCPT, purchase order, and contract. Each of these methods includes an agreement between buyer and seller for the delivery of goods or services and states all of the terms and conditions of the sale.

Purchase Order Procurement: GRADUATED PURCHASING AUTHORITY

Staff shall acquire authorization for purchases in accordance with the following:

- Petty cash (under \$100): General manager or a GM-authorized staff member or senior secretary
- Products and services with a cost less than \$3,000: General manager or a GM-authorized staff member
- Products and services with cost between \$3,000 and \$25,000: General Manager
- Products and services costing more than \$25,000: The Board of Trustees

PURCHASE PROCEDURES BY THRESHOLD

CCPT shall purchase products and services in accordance with the following:

- Micro-Purchases – Procurements less than or equal to \$3,000:
 - Equitably distribute among qualified suppliers.
 - Document that the purchase was “fair and reasonable” with a description of how this determination was made
- Small Purchases – Procurements greater than \$3,000 but less than \$100,000:
 - Perform an independent cost estimate.
 - Avoid unreasonable qualifications, specifying brand, and geographic preference.
 - Obtain documented price or rate quotations from an adequate number of qualified sources.
 - Perform a cost or price analysis.
- Large Procurements –Procurements \$100,000 or more:
 - Formal bid process adhering to all FTA procurement requirements (including Buy America): RFI, RFP or Joint Procurement
 - Vehicles and equipment procurement will be publicly solicited and the vehicles and equipment specifications should follow the Full and Open Competition Principle (BPPM 2.4.2.1) and not restrict competition.
 - Perform an independent cost estimate for any non-commercial or custom products.

APPEAL AND PROTEST PROCEDURES

Any bidder or contractor who is aggrieved in connection with the solicitation or award of a bid or contracted products and services may file an appeal with CCPT. Bidders or contractors may submit an appeal of an award to the General Manager in accordance with the following procedure:

1. Bidder or contractor shall submit an appeal no later than five (5) business days after notification of the bid award. Such appeals must be received by the General Manager no later than 5:00 p.m. within five (5) days of notice of award postmark date.
2. All appeals must be in writing and signed by the bidder or an authorized agent of the bidder.
3. The appeal shall include the name and address of the bidder or contractor.
4. The appeal shall include a detailed description of the facts and disagreement that form the basis of the bidder's or contractor's appeal and supporting documentation and the specific decision requested. The bidder or contractor shall also promptly provide any additional documentation related to the appeal upon request from the General Manager.
5. The General Manager or authorized representative of CCPT will provide the allegedly aggrieved bidder or contractor with a written decision within five (5) business days after receipt of the appeal. Decision by the General Manager of CCPT is final. If additional time is mutually agreed on, the General Manager shall notify the bidder or contractor of any delay.
6. Failure to comply with the appeal procedure shall render an appeal untimely or inadequate and result in rejection by CCPT Transit.

In the case of WSDOT-grant funded operation, the vendor may further file a protest of the decision that resulted in the appeal process to WSDOT. The protest to WSDOT shall include a detailed description of the facts and disagreement that form the basis of the bidder's or contractor's protest and supporting documentation and the specific decision requested.

Contract Procurement: In a contract procurement, the buyer and seller agree to all the terms and conditions of the sale prior to the delivery of

any goods and services. Upon execution, it becomes a binding agreement to sell on the part of the seller, and to accept and pay on the part of the buyer. All items will be delivered to CCPT free on board, and are subject to inspection acceptance prior to payment being issued. The General Manager is authorized herein to contract for contracts or services that do not exceed \$100,000.00. The General Manager is required to seek additional authority from the board of directors for larger contracts. **If the quarterly regular business meeting is more than two (2) weeks out, the chairman of the board may authorize the General Manager to sign the contract subject to ratification by the board of directors at its next regularly scheduled business meeting. If the next meeting of the board is within two (2) weeks, the contract shall be presented to the board for approval at that time.**

The contract procurement is triggered by issuing either a request for bids, or a request for proposals containing the technical specification for the goods and services required. CCPT will encourage disadvantaged business enterprises (DBE), to submit bids or proposals. The choice between which process to use, whether bids or request for proposal, will be made upon the criteria as set forth in the attached FTA Circular 4220.1(e).

APPROVED
COLUMBIA COUNTY TRANSPORTATION AUTHORITY BOARD

_____Chairman
_____Director
_____Director
_____Director
_____Director
Date _____