

ATHENS-HOCKING-VINTON 317 BOARD

OPERATIONS: PROCUREMENT POLICY

Policy O-1

Current:

Revised Date:
Board Approved:
Effective Date:

Supersedes

Number: Earl's Internal Policy
Effective Date: ?

Purpose

To provide a uniform Board procurement policy that meets compliance with state and federal requirements.

This policy meets uniform processes for procurement transactions under a Federal award or subaward in compliance with the terms and conditions of the Federal award and the *Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards* (2 C.F.R. Part 200). *Note:* Procurement transactions are those conducted with “contractors” as defined in 2 C.F.R. Part 200.01 and 2 C.F.R. 200.331. Therefore, these procurement procedures do not apply to an entity that the Board has determined to be a “subrecipient” in accordance with those sections.

General

The Board shall utilize uniform processes for the procurement of services, supplies, equipment and materials and the administration of its contracts.

All procurement will be reviewed for necessity and follow standards to maximize the value for each dollar expended.

The procurement process shall avoid real or apparent conflicts of interest in making decisions about or administering the awarding of contracts or purchases.

Board shall not award funds to any person or company that is disbarred, suspended or otherwise excluded from or ineligible for participation for state or federal funding.

This policy shall apply to all personnel involved with any procurement of goods and services for the Board.

Procurement Methods

The following procurement methods are the minimum required methods for purchases with federal funding. Aggregate value relates to purchases which may reasonably and in good faith be deemed to constitute a separate contract or purchase order.

For purchases made with non-federal funds, the governing board may approve a higher threshold on a case-by-case basis. There may be more restrictive requirements from some governmental and private funders, in which case, the most restrictive requirements will be applied.

1. Non-Competitive Procurement:

- a. Noncompetitive procurement may be used if one of the following circumstances applies:
 - i. The aggregate amount of the transaction does not exceed the micro-purchase threshold (see below);
 - ii. There is only one source that can fulfill the procurement transaction;
 - iii. A public exigency or emergency prevents publicizing a competitive solicitation;
 - iv. The Federal agency or pass-through entity (i.e., OhioMHAS) provides written approval in response to the Board's request to use a noncompetitive procurement method; or
 - v. After soliciting several sources, competition is determined to be inadequate.
 - vi. The service being purchased meets the definition of sub-recipient per federal guidelines or the purchase of service is from a certified behavioral health provider per ORC 340.036 when the source of funds is state or local.

2. Micro Purchases:

- a. Does not exceed \$10,000 in the aggregate.
- b. The Board may increase this threshold to \$50,000 in accordance with procedure.
- c. Micro-purchases may be awarded without soliciting competitive price or rate quotations if the Board considers the price reasonable based on research, experience, purchase history, or other information.

3. Simplified Acquisitions:

- a. One of the following methods are required for purchases between \$10,000 and up to \$250,000 in the aggregate.

- i. Simplified acquisitions require rate quotations to be obtained from an adequate number of sources. The Board may determine the number of quotations considered to be adequate unless a number is specified by the Federal agency.
- ii. If the services fall under “professional design services (architect, engineer, surveyor, landscape architect), then ORC 153.65-153.73 must be followed. See Policy XX-XX.

4. Formal Procurement Methods:

- a. The following formal methods of procurement are required when the value of a procurement transaction under a Federal award is expected to exceed the simplified acquisition threshold of \$250,000 in aggregate value. In alignment with ORC 307.86, if the funding source is state or local funding, the governing board can pass a resolution to exempt formal procurement for the following services: “accountant, architect, attorney at law, physician, professional engineer, construction project manager, consultant, surveyor, or appraiser”. In this case, ORC 153.65-153.73 must still be followed. See Policy XX-XX.
 - i. Competitive Sealed Bid Procurements: Sealed bid procurements are publicly solicited through an invitation and a firm fixed-price contract is awarded to the responsible bidder whose bid conforms with all the material terms and conditions of the invitation and is lowest in price. The sealed bids procurement method is preferred for procuring construction services.
 - ii. Competitive Sealed Proposal Procurements: Procurement by competitive sealed proposals will be utilized when conditions are not appropriate for the use of competitive sealed bids such as when it is logical to award a contract based on factors other than price.

Responsibility

The Fiscal Director, Deputy Director and Executive Director share responsibility for this policy.

See Also

Procedures : Federal Procurement Procedures for more details on applying this policy.

Applicable Laws and Regulations:

O.R.C. Chapter 102

O.R.C. 153 Public Improvements

O.R.C. Section 2921.42

2 C.F.R. 200.212 Conflict of Interest

2 C.F.R. 200.318 General Procurement Standards

2 C.F.R. 200.319 Competition

2 C.F.R. 200.320 Procurement Methods

2 C.F.R. 200.321 Contracting with Small Business, Minority Business, Women's Business Enterprises, Veteran-Owned Businesses, and Labor Surplus Area Firms

2 C.F.R. 200.322 Domestic Preferences for Procurements

2 C.F.R. 200.323 Procurement of Recovered Materials

2 C.F.R. 200.324 Contract Cost and Price

2 C.F.R. 200.325 Federal Agency or Pass-Through Entity Review