

County of Allegheny
Division of Purchasing and Supplies
Purchasing Manual

Effective December 20, 2000
As Amended
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Section 1 **INTRODUCTION**

- 1.1 **Purpose** - This Purchasing Manual shall serve as (1) a source of instruction to all units of the Executive Branch, County Officers, Independently Elected Officials, the Courts and Agencies of Allegheny County and County Employees and (2) the purchasing rules and procedures as required by Article IX of the Administrative Code of Allegheny County.
- 1.2 **Scope** – The Scope of this Manual includes units of the Executive Branch, County Officers, Independently Elected Officials, the Courts and Agencies of Allegheny County.
- 1.2.1 This Manual preempts all previous purchasing manuals, policies and procedures. Any issues regarding the County purchasing process not covered in this Manual shall be addressed by the Chief Purchasing Officer on an individual basis taking into consideration the Administrative Code of Allegheny County and advice of the County Law Department.
- 1.3 **Definitions** – The following words, when used in the Manual, shall unless the context clearly indicates otherwise, or specifically redefined for the purposes of a section or subsection, be defined as follows:
- 1.3.1 “**Customer**” – shall mean any of the units of the Executive Branch, County Officers, Independently Elected Officials, the Courts and Agencies of Allegheny County;
- 1.3.2 “**Purchase**” or “**purchases**” – shall mean any contractual arrangement or transaction involving payment for the acquisition or lease of all materials, supplies, furnishings, equipment, insurance and surety and fidelity bonds or other personal property and non-professional services;
- 1.3.3 “**Personal property**” – includes materials, supplies, machinery, furnishings, equipment and any other tangible articles required for the conduct of business of the County;
- 1.3.4 “**Environmentally preferable products**” means products that have a lesser or reduced effect on human health and the environment when compared with competing products that serve the same purpose. This comparison may consider raw materials acquisition, production, manufacturing, packaging, distribution, reuse, operation, maintenance, or disposal of the product.
- 1.3.5 “**Post-consumer recycled material**” means only those products generated by a business or consumer which have served their intended end uses, and which have been separated or diverted from the solid waste stream for the purposes of collection, recycling and disposition.
- 1.3.6 “**Practicable**” means sufficient in performance and available at a reasonable price. Final determination of practicability of any given product must lie with the users of the product, since it is they who understand their performance and budgetary requirements. Evaluation should consider life cycle and replacement costs.
- 1.3.7 “**Life Cycle**” refers to the many stages a product or service completes throughout its lifespan from raw materials acquisition, product manufacturing, packaging, and transportation to its use and ultimate disposal.

- 1.3.8 **“Recyclable product”** means a product which, after its intended end use can demonstrably be diverted from Allegheny County’s solid waste stream to use as raw material in the manufacture of another product.
- 1.3.9 **“Recycled material”** means material and byproducts that have been recovered or diverted from solid waste and that can be utilized in place of raw or virgin material in manufacturing a product. It is derived from post-consumer recycled material, manufacturing waste, industrial scrap, agricultural waste, and other waste material, but does not include material or byproducts generated from, and commonly reused within an original manufacturing process.
- 1.3.10 **“Recycled product”** means a product containing recycled material.
- 1.3.11 **“Emergency”** – shall mean an unforeseen circumstance in which an immediate purchase is necessary in order to avoid a substantial hazard to life, health, property or a serious interruption of the operation of a Customer;
- 1.3.12 **“Purchasing Agent”** - shall mean those County employees in the Division of Purchasing and Supplies, with the titles of Purchasing Agent, Sr. Purchasing Agent or Deputy Chief Purchasing Officer, working under the supervision of the Chief Purchasing Officer, whose function it is to procure personal property, insurance and surety and fidelity bonds and non-professional services. These employees shall generally manage and be knowledgeable about a group of assigned commodities;
- 1.3.13 **“DBE”** – Disadvantaged Business Enterprise as defined in the Administrative Code of Allegheny County;
- 1.3.14 **“IFB”** – shall mean an Invitation for Bid;
- 1.3.15 **“RFP”** – shall mean a Request for Proposal;
- 1.3.16 **“Code”** – shall mean the Administrative Code of Allegheny County;
- 1.3.17 **“Manual”** – shall mean this Purchasing Manual;
- 1.3.18 **“Bid”** - a comprehensive offer submitted by a prospective supplier in response to an IFB issued by the Division of Purchasing and Supplies;
- 1.3.19 **“Proposal”** – the comprehensive document submitted by the proposer in response to an RFP to be used as the basis for negotiations for entering into a contract.
- 1.4 **Distribution** – This Manual will be distributed to all units of the Executive Branch, County Officers, Independently Elected Officials, the Courts and Agencies of Allegheny County and County Employees involved in the purchasing process. This Manual will also be available on the Division of Purchasing and Supplies’ Web site.

1.5 **Implementation** –

- 1.5.1 In accordance with the Code, the Division of Purchasing and Supplies shall be responsible for contracting for the purchase or lease of all materials, supplies, furnishings, equipment, insurance and surety and fidelity bonds or other personal property and non-professional services.
- 1.5.2 The Chief Purchasing Officer as Manager of the Division of Purchasing and Supplies shall be responsible for implementing and enforcing the policies and procedures as set forth in this Manual.
- 1.5.3 The Chief Purchasing Officer shall exercise functional authority over the County purchasing process for the purpose of implementing and enforcing these policies and procedures on a countywide basis, as well as in the Division of Purchasing and Supplies for its role in the process.
- 1.5.4 Each Department Director in the Executive Branch, County Officer, Independently Elected Official, Agency Director and Court Administrator shall be responsible for implementing and enforcing these policies and procedures within their respective jurisdictions.
- 1.6 **Revisions** – This Manual is to serve as a permanent, up-to-date guide to County purchasing policies and Procedures. As necessary changes are made in policies and procedures, appropriate revisions will be made. The Division of Purchasing and Supplies shall be responsible for accurately maintaining this Manual and posting it on the Division’s Web site.
- 1.7 **Recommendations** – County employees are encouraged to make recommendations on sections of the Manual that may need to be revised. They are also encouraged to make recommendations on new subjects not currently included in the Manual. Any such recommendations should be submitted to the Chief Purchasing Officer.

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Section 2 **PURCHASES**

- 2.1 **Specifications** – The Chief Purchasing Officer and Purchasing Agents will work with Customers to develop specifications that allow maximum competitive bidding. The Chief Purchasing Officer retains the authority and responsibility to challenge specifications submitted by Customers describing the requirements of commodities to be purchased. Customers must show compelling reasons why there is a need for the particular type or model of commodity and whether there is more than one source or distributor for the product. The Chief Purchasing Officer shall review to determine if there are other suitable competitive products, or in the event there are not, whether there are alternative suppliers selling the desired product.
- 2.2 **Standardization** – The Purchasing Agents shall work with all Customers within their assigned commodities to identify and pursue standardization opportunities whenever possible.
- 2.3 **Requisitions** – Unless a purchase is an emergency under either Section 2.4 or 2.5 of this Manual, Customers who require materials, supplies, furnishings, equipment, insurance, surety and fidelity bonds, other personal property and non-professional services shall submit a requisition to the appropriate Purchasing Agent through an approved electronic format.
- 2.3.1 The Division of Purchasing and Supplies will work with Customers and their designated purchasing coordinators regarding the identification and timing of needs.
- 2.3.2 All information requested on the electronic requisition must be accurately provided. Item descriptions shall be complete, citing appropriate part numbers and specifications as applicable. In most cases, quantities must be requested by unit of measure.
- 2.3.3 All requisitions shall identify a Cost Center that has sufficient appropriations in the Comprehensive Fiscal Plan. Those requisitions without sufficient appropriations will be returned to the requesting Customer.
- 2.3.4 All requisitions shall be approved by an individual with signature authority for the Cost Center in which the items are being purchased.
- 2.4 **Confirming Orders** – The confirming order procedure as stated below is to be used to cover emergency orders that do not come under Section 903.05 of the Code. Confirming Orders shall be used sparingly and approval to place Confirming Orders is at the discretion of the individual Purchasing Agent.
- 2.4.1 When a Customer determines that an item must be purchased immediately, they shall call the Purchasing Agent responsible for the required item and request approval to place an order directly with the supplier.
- 2.4.2 The Purchasing Agent shall then ask relevant questions regarding the proposed purchase. The questions should determine the nature of the emergency and if funds are available for the purchase.
- 2.4.2.1 If the Purchasing Agent believes the confirming order to be reasonable, they shall give their approval and retain written documentation of such approval.

- 2.4.2.2 If the Purchasing Agent does not believe the confirming order to be reasonable, they shall deny the request to place a confirming order and ask the Customer to place the order in the fashion as described in 2.3 of this Manual.
- 2.4.3 After the Customer receives approval to place a confirming order they shall:
- 2.4.3.1 Contact the approved supplier and provide a requisition or purchase order number as well as any other pertinent information. Inform the supplier that the provided number must appear on the invoice and request that the supplier verify the provided number.
- 2.4.3.2 Submit an electronic requisition, in a timely fashion as described in 2.3 of this Manual. The Customer must also note in the ORDER ATTACHMENT that it is a confirming order, the name of the approving Purchasing Agent and date the confirming order approval was received. (This is necessary so as not to duplicate the order.)
- 2.5 **Emergency Orders** – In the event of an emergency of the kind contemplated under Section 903.05 of the Code, the purchasing process as described in that Section shall be followed.
- 2.6 **Bidders Lists** - Purchasing Agents may retain lists of companies interested in bidding on commodities which a Purchasing Agent manages. Such lists may also be kept in electronic format through a central bid notification system.
- 2.7 **Purchases Under \$10,000 – Micro Purchase Process**
- 2.7.1 Customers, who require purchases of less than \$10,000 for items not under County contract, may solicit quotes from appropriate suppliers of the needed items. According to the Code, there is no requirement to obtain more than one quote. However, customers are urged, to attempt to obtain prices from at least three competent suppliers.
- 2.7.1.1 One of the three suppliers who is contacted shall be a DBE firm. The County’s Office of Minority, Women and Disadvantaged Business Enterprise is available to supply names of DBE firms. Customers may also use the County’s website to find DBE suppliers.
- 2.7.2 Upon submission of a requisition for less than \$10,000 for items not under County contract, Purchasing Agents shall use their discretion to either place the order as requested by the Customer or obtain additional quotes.
- 2.7.3 The Purchasing Agent is encouraged to negotiate with suppliers in order to get the lowest quotations for the purchase.
- 2.7.4 If Purchasing Agents believe it advantageous to the County, they may negotiate to have particular prices held steady for an established period of time through a Letter Agreement.
- 2.7.5 The Purchasing Agent shall consider cost, quality and performance in determining whether they believe a fair and reasonable price has been obtained.
- 2.7.6 Once an award decision has been made, the item is purchased with a County Purchase Order with appropriate terms and conditions and with the Purchasing Agent’s signature on the Purchase Order.

- 2.7.7 Purchases for less than \$10,000 may also be placed through the County's Purchasing Card. There will be separate policies and procedures for the County's Purchasing Card program.
- 2.8 **Purchases Between \$10,000 and \$30,000 – Small Purchase Process**
- 2.8.1 Customers who require purchases of between \$10,000 and \$30,000, for items not under County contract, shall submit to the Chief Purchasing Officer (via the approved form) specifications and names of potential suppliers for the required purchase. The Division of Purchasing and Supplies shall then solicit and attempt to obtain at least three quotes. The solicitation will be through an electronic central bid notification service. The Purchasing Agent, using their discretion, shall make a reasonable effort to obtain at least one quote from a DBE firm.
- 2.8.2 As a general guideline, Purchasing Agents shall attempt to broaden the list of suppliers from whom Purchasing Agents request quotes so as to afford other qualified suppliers a chance to earn County business. The goal being not to obtain quotes from the same three companies for similar purchases each time while at the same time obtaining the best deal for the County.
- 2.8.3 Purchasing Agents are encouraged to negotiate with suppliers in order to get the lowest quotations for the purchase.
- 2.8.4 If Purchasing Agents believe it advantageous to the County, they may negotiate to have particular prices held steady for an established period of time through a Letter Agreement.
- 2.8.5 The Purchasing Agent shall consider cost, quality and performance in determining whether they believe a fair and reasonable price has been obtained.
- 2.8.6 Purchasing Agents shall keep a record of all quotations received, setting forth the dates thereof, the companies who submitted the quotations and the awards made thereon.
- 2.8.7 Purchasing Agents may use electronic means, including auctions, to obtain quotes if the need arises.
- 2.8.8 Purchasing Agents shall see that the purchasing process is fair and equitable.
- 2.8.9 Once an award decision has been made, the item is purchased with a County Purchase Order with appropriate terms and conditions.
- 2.9 **Purchases Greater Than \$30,000 – Formal Purchase Process**
- 2.9.1 If the Chief Purchasing Officer or Purchasing Agent believes that the County will spend more than \$30,000 for either (1) a group of similar items over the course of a contract year or (2) one item on an individual purchase, the purchase shall be by an IFB or RFP.
- 2.9.2 The Chief Purchasing Officer or Purchasing Agent shall combine requisitions for similar purchases without regard to the potential total cost of the contract or purchase.
- 2.9.3 Contracts and purchases shall not be divided into separate contracts and purchases to avoid the financial threshold for the competitive purchasing process.

- 2.9.4 The IFB or RFP shall be published at least one (1) time, not less than seven days prior to the date fixed for opening of the Bids or closing of the Proposals.
- 2.9.5 The IFB or RFP shall be in such form as deemed most useful, by the Chief Purchasing Officer, for a particular purchase, to include electronic IFB and RFP postings and electronic auctions. IFB's and RFP's shall be constructed in such a way as to make them "user-friendly" to potential bidders or proposers. IFB's and RFP's will be 1) well organized, 2) attractive, 3) readable, 4) well referenced, 5) created to allow for easy responses and 6) continuously improved.
- 2.9.6 The Chief Purchasing Officer shall have discretion to issue IFB's and RFP's on an item-by-item basis and/or on a total package basis in order to obtain the most favorable Bids or Proposals.
- 2.9.7 Purchasing Agents will attempt to provide IFB's and RFP's issued from the Division of Purchasing and Supplies to those suppliers on the "bidders lists".
- 2.9.8 **Bid Bonds** – In accordance with Section 903.02 D. of the Code, the Chief Purchasing Officer may require, after consultation with the County Manager, that Bids and Proposals be accompanied by a cashier's check, money order, bond or letter of credit. However, Bid Bonds are to be used sparingly, as they tend to increase the cost of bidding and reduce competition.
- 2.9.9 **Performance Bonds** – In accordance with Section 903.02 E. of the Code, the Chief Purchasing Officer may require that contract awardees furnish a cashier's check, money order, bond or letter of credit to guarantee performance. However, Performance Bonds are to be used sparingly, as they tend to increase the cost of bidding and reduce competition.
- 2.9.10 **Receipt of Bids** – All Bids unless otherwise approved by the Chief Purchasing Officer shall be submitted electronically via the approved Electronic Bid System (EBS). The Chief Purchasing Officer or his or her designee shall announce all Bid figures publicly and or make them available for review by the public. All Bids thereafter shall, in a timely manner, be referred to the Division of Purchasing and Supplies for tabulation.
- 2.9.11 **Bid Tabulations** – The EBS shall tabulate bids immediately after the bid opening process is complete. . The County Controller shall verify and return the tabulation to the Division of Purchasing and Supplies in a timely manner. The Controller shall not withhold verification nor return tabulations to be re-tabulated in the case of insubstantial, minor or trivial differences from the actual Bid .
- 2.9.12 **Record Retention** - The EBS shall retain electronic records of all bids received. The Purchasing Agents shall ensure that appropriate paper documentation of each bid is retained in the bid specification folder..
- 2.9.13 Whenever, for any reason, the Bid opening shall not be held, the same business may be transacted at the identical time on the next Business Day or at any time and place announced at the time of the scheduled Bid opening.
- 2.9.14 **Receipt of Proposals** - The Division of Purchasing and Supplies may receive Proposals solicited as a result of RFP's issued by the Division of Purchasing and Supplies. No Proposals shall be handled so as to permit disclosure of the identity of any proposer or the contents of any Proposal to competing

proposers during the process of negotiation. A register of Proposals shall be prepared containing the name of each proposer, the number of modifications received, if any, and a description sufficient to identify the item offered. The register of Proposals shall be open for public inspection only after contract award.

- 2.9.15 The Chief Purchasing Officer, with the approval of the County Manager, reserves the right to reject any and all Bids or Proposals and to resolicit a contract or purchase.
- 2.9.16 If there are no Bids or Proposals received in response to two published IFB's or RFP's, the Chief Purchasing Officer or his/her designee may then negotiate in the open market to satisfy the specific requirement.
- 2.9.17 In cases where amendments to IFB's or RFP's are required, all such changes shall be issued through the Chief Purchasing Officer or Purchasing Agent. All changes not so issued shall be considered invalid. When amendments are issued, notification and copies of changes must be posted and made available to potential bidders or proposers..
- 2.9.18 **Response Withdrawals** – Bids or Proposals may be withdrawn at any time before the IFB opening or RFP deadline.
- 2.9.19 **Late Responses** – Solicitation responses (bids or proposals) received after the date and/or time deadlines specified in the Solicitation may, with the approval of the Chief Purchasing Officer, be returned unopened with a cover letter explaining why the Bid or Proposal is being returned. The Chief Purchasing Officer reserves the right to accept such late responses if the Chief Purchasing Officer deems it in the best interest of the County.
- 2.9.20 **Response Errors** – All Bids, Proposals and any required bonds must be signed and Bids and Proposals shall include pricing, otherwise the Bid or Proposal may be rejected. The Chief Purchasing Officer reserves the right to review any errors and accept or reject the Bid or Proposal.
- 2.10 **Formal Award Process** –
- 2.10.1 In response to an IFB, the successful bidder shall be the lowest responsible, responsive bidder meeting specifications, with full consideration of cost, quality and performance. Such considerations may include, but not be limited to: superior product quality or functionality; demonstrated experience and whether the bidder can perform the contract or provide the service promptly or within the time specified without delay or interference; the quality of performance of previous contracts or services; the previous and existing compliance by the bidder with laws and ordinances relating to the contract or service; special skills; staff training and financial strength consistent with applicable provisions of the Code. The Chief Purchasing Officer reserves the right to award on a “multiple-criteria” or “best-value” basis.
- 2.10.2 In response to an RFP, the award shall be made to the responsible proposer whose Proposal is determined in writing to be the most advantageous to the County, with full consideration of price and the evaluation factors set forth in the RFP. Such factors may include, but not be limited to: superior product quality or functionality; demonstrated experience and whether the proposer can perform the contract or provide the service promptly or within the time specified without delay or interference; the quality of

performance of previous contracts or services; the previous and existing compliance by the proposer with laws and ordinances relating to the contract or service; special skills; staff training and financial strength consistent with applicable provisions of the Code. No other factors except those set forth in the Request for Proposal or approved amendments shall be used in the evaluation of proposals. The Chief Purchasing Officer reserves the right to award on a “multiple-criteria” or “best-value” basis.

- 2.10.3 **Tie Bids** - In the event the County receives two completely identical responsive, responsible Bids, the Chief Purchasing Officer shall:
- 2.10.3.1 First, give preference to the lowest responsive, responsible bidder within Allegheny County who offers to supply items raised, grown, manufactured, fabricated, processed or assembled in Allegheny County, if price, quality and other factors are equal.
- 2.10.3.2 If both bidders are from Allegheny County, or neither is from Allegheny County, preference shall be given to the lowest responsive, responsible bidder who is a DBE firm.
- 2.10.3.3 Finally, if both bidders are DBE firms, or neither is a DBE firm, the winner shall be chosen by a coin toss.
- 2.10.3.4 If both bidders are from Allegheny County, or neither is from Allegheny County, preference shall be given to the lowest responsive, responsible bidder whose product is deemed the most environmentally preferable using the evaluation criteria in the EPP checklist and an internal team that shall include at minimum the Director of Purchasing or his or her designee and the Sustainability Manager.
- 2.10.4 **Written Contracts** - All purchases or rentals of materials, supplies, furnishings, equipment, or non-professional services more than thirty thousand dollars (\$30,000) shall be made pursuant to a written contract. All contracts for the purchase or rental of materials, supplies, furnishings, equipment, professional services, insurance, surety and fidelity bonds, other personal property and non-professional services by the County shall be in such form and include such terms as may be specified by the County Solicitor.
- 2.10.5 **Signed Contracts** - All contracts for the purchase or rental of materials, supplies, furnishings, equipment, professional services, insurance, surety and fidelity bonds, other personal property and non-professional services more than thirty thousand dollars (\$30,000) by the County shall be executed by the Chief Executive or an authorized representative or delegate.
- 2.10.6 Contract terms and conditions shall be in such a form as to decrease liability and risk to the County. The Chief Purchasing Officer and County Solicitor shall create and continuously improve contract terms and conditions.
- 2.10.7 After a contract has been executed, depending on the terms of the contract, Customers who wish to purchase items from the contract shall submit a requisition in the fashion described in Section 2.3 of this Manual, making certain to include the newly assigned contract number on the requisition.
- 2.11 **Exceptions to the Formal Purchase Process** – shall be as stated in Section 903.04 of the Code.

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- 2.12 **Purchase from State, Municipal, Authority, and other Intergovernmental and Cooperative Purchasing Plans** – In accordance with Sections 903.04 A. 9. and 907.01, the Division of Purchasing and Supplies shall investigate from what contracts the County may “piggy-back”. Such contracting agencies may include, but not be limited to, the Commonwealth of Pennsylvania, the City of Pittsburgh, the Pittsburgh Board of Education (Pittsburgh Public Schools), Allegheny County councils of government (COG’s), the US Communities Government Purchasing Alliance and the United States Government where allowable. Where it makes sense to purchase off contracts awarded by such agencies, the County may do so.

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Section 3 **OTHER PURCHASING CONSIDERATIONS**

- 3.1 **Innovative Purchasing Processes** – The Chief Purchasing Officer may analyze, develop and implement innovative purchasing processes, including, but not limited to “on-line” purchases through computers. These processes may include, but not be limited to, electronic bid distribution, electronic Bid submissions, electronic reverse-auctions, and purchases over the Internet to include business-to-business and business-to-government trading sites.
- 3.2 **Environmentally Preferable Purchasing-** The procurement of environmentally preferable products and services.
- 3.3 **Evidence of Receipt of Material** –
- 3.3.1 Upon receipt of ordered items, Customers shall immediately enter evidence of the receipt through the approved electronic format.
- 3.3.2 This procedure is subject to change with an electronic purchase and receipt system. The procedure may also change to establish a monetary threshold where if a purchase is less than a particular dollar amount an ROM is not required.
- 3.4 **Samples** – When sample materials are required of suppliers for the purpose of evaluation, requests for such samples shall be arranged through the Division of Purchasing and Supplies. It shall be the responsibility of the appropriate Purchasing Agent to expedite evaluations so that suppliers may be advised of results in a reasonable period of time after submission of samples. The Customer shall notify the Division of Purchasing and Supplies, in writing, as to the results of commodity evaluations, which shall, in turn, so notify the supplier. Samples shall not be returned to suppliers. Purchasing Agents shall use discretion in disposing of samples.
- 3.5 **Delegated Purchasing Authority to Units of the Executive Branch, County Officers, Independently Elected Officials, the Courts and Agencies of Allegheny County -**
- 3.5.1 The Chief Purchasing Officer may delegate purchasing authority to those individuals throughout the County who are responsible for coordinating purchasing for their department, row office or agency. There will be training and policies developed to institute such a delegation.
- 3.5.2 The Chief Purchasing Officer may authorize certain individuals throughout the County who are responsible for coordinating purchasing for their department, row office or agency to place their own confirming orders. The Chief Purchasing Officer shall authorize such individuals with a memo stating the dollar limits on the confirming orders. The Chief Purchasing Officer shall retain this memo on file.
- 3.6 **Performance Record** – The Chief Purchasing Officer may establish a supplier performance rating system for use in eliminating those suppliers who fail to perform or perform unsatisfactorily. The rating system may be used for Bid and Proposal evaluation and award of contracts.
- 3.6.1 The Chief Purchasing Officer may establish a system to maintain information about environmentally preferable products and recycled products containing the maximum practicable amount of recycled

materials to be purchased by agencies whenever possible. This system can be used to disseminate information on recycled and environmentally preferable product procurement opportunities, specifications, and performance to agencies

- 3.7 **Penalties for Non-Performance** – The Chief Purchasing Officer may establish penalties for non-performance, for delivery failures or default in contract. Continual failure to respond to IFB’s or RFP’s may result in removal from bidders lists.
- 3.8 **Ineligible Source List** – The Chief Purchasing Officer may establish an Ineligible Source List for a reasonable period not to exceed three years. The following may be reasons to place a supplier on the Ineligible Source List:
- 3.8.1 Any supplier who submits a Bid or Proposal in bad faith,
- 3.8.2 Any supplier who willfully breaches a contract with the County,
- 3.8.3 Any supplier who refuses to accept an award,
- 3.8.4 Any supplier who has established a pattern or practice of unethical or immoral business practices,
- 3.8.5 Any supplier who may otherwise be deemed to be “non-responsible”.
- 3.9 **Purchases from County Contracts** –
- 3.9.1 The County may, as requested by municipalities, school districts and authorities within the County, consolidate its requirements with these municipalities, school districts and authorities to realize cost-savings accruing from this consolidated purchasing power. The Division of Purchasing and Supplies shall, to the maximum extent possible, include in its IFB’s and RFP’s a provision which shall grant municipalities, school districts and authorities within the County permission to purchase under contracts awarded by the County.
- 3.10 **Inventory Control and Sale / Disposition of Surplus Material or Equipment** –
- 3.10.1 No longer a Purchasing function – see Controllers Office.
- 3.10.2 Items having no further useful life to any County Customers and of nominal value shall be disposed of through scrap or salvage. The Division of Purchasing and Supplies and the Controller’s Office share responsibility in this activity.
- 3.10.3 Prior to disposal of products through scrap or salvage, consideration should be made to determine the components of the product that can be diverted from the waste stream and be recycled or reused
- 3.10.4 Customers shall notify the Controller’s Office and the Division of Purchasing and Supplies that surplus material or equipment is available for disposition. A representative of the Controller’s Office then appraises the value of the subject items(s). The information is forwarded to the Division of Purchasing and Supplies and a request made that Bids be solicited.
- 3.10.5 If the appraised value of the item(s) is over \$5000, the Division of Purchasing and Supplies shall formally advertise for Bid requests under terms and conditions prescribed and approved by Ordinance.

In cases where the appraised value is less than \$5000, the County may sell the item(s) at private sale under terms and conditions prescribed and approved by Ordinance.

- 3.11 **Electronic Auction Bidding** – In accordance with Section 903.03 of the Code, if the Chief Purchasing Officer believes that a particular purchase may be in the County’s best interest if purchased through an electronic auction bidding process, the Chief Purchasing Officer shall request the County Manager approve the use of electronic auction bidding for that purchase.
- 3.12 **Gratuities** – Purchasing Agents shall not accept gratuities of any sort (excluding promotional materials of nominal value, for example – pens, pencils and calendars) from prospective suppliers, unless approval is specifically received from the Chief Purchasing Officer. Purchasing Agents shall not accept gratuities of greater than \$35.00 or any cash gratuities from current suppliers (unless the supplier’s contract is to expire within 120 days, in which case only promotional items of nominal value may be accepted). On occasion, suppliers may offer a gratuity to the Division of Purchasing and Supplies as a group. The Director of Administrative Services shall decide if the Division of Purchasing and Supplies may accept the gratuity and how the gratuity will be given to individuals.
- 3.13 **Revenue Contracts** – Contracts involving the payment of money or monies to the County shall be awarded and made in accordance with the procedures set forth in Section 909 of the Code.
- 3.14 **Public Works Contracts** – The Chief Purchasing Officer and the Division of Purchasing and Supplies shall be involved in contracts for “Public Works” as defined and stated in Section 913 of the Code.
- 3.15 **“Buy American” Policy** – As required in Section 911.03 C. of the Code, for the purchase or procurement of materials, supplies, furnishings, equipment or other personal property and non-professional services, the guideline to govern the County’s “Buy American” policy is:
- 3.15.1 Purchases shall consist of raw materials mined or produced in the U.S., or manufactured items that are made in the U.S. from materials or items mined, produced or manufactured in the U.S. Exceptions to the “Buy American” Policy are:
- 3.15.1.1 If the items are not available in the U.S. in commercial quantities of good quality,
- 3.15.1.2 If the cost of the domestic items is unreasonable, which shall be if the cost of the domestic items is greater than two percent more than the cost of comparable foreign items, unless for a particular purchase, two percent represents a nominal amount. IFB’s and RFP’s shall also request prices for non-domestic items in order to determine the price differential,
- 3.15.1.3 If a purchase is worth a value of \$30,000 or less, or
- 3.15.1.4 If the Chief Purchasing Officer decides that it is in the County’s best interest to waive the Buy American policy.

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3.16 **Anti Sweat Shop**

In accordance with Allegheny County Ordinance 08-07-OR, Bill No. 2379-06, as amended, The Chief Purchasing Officer shall require all suppliers to submit documentation with any bid packet “that the vendor is unaware of any circumstance or fact that would lead it to believe that any of the conditions proscribed in 5-903.02.A.1.a exist in any of the facilities involved in its manufacturing process. The signed statements required by this subsection shall be retained by the Division of Purchasing and supplies for a period of at least five years”.