

Cleveland Metroparks

Purchasing Manual

***Updated: January 2024***

*Chief Financial Officer: Wade Steen*

*Director of Procurement: Charlie Rosol, CPPO, CPPB, NIGP-CPP*

|  |
| --- |
| CEO = Chief Executive Officer  CFO = Chief Financial Officer  CLEO = Chief Legal and Ethics Officer |

**Cleveland Metroparks**

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*This manual contains the basic policies and practices for purchasing by staff of Cleveland Metroparks. The instructions within this manual are for the guidance of all Cleveland Metroparks personnel and have been prepared to provide information, direction, insurance of uniformity, compliance, and control for all purchasing-related activities.*

*The manual will be revised and supplemented, as required, to meet changing needs and conditions. It is the responsibility of all staff who have been delegated the authority to commit Cleveland Metroparks funds to adhere to the procedures contained in this manual. Generally, staff so delegated are supervisory/management persons with designated budget responsibility.*

*The Purchasing Division is committed to taking an instructive, supportive, and interactive role in the daily expenditures of Cleveland Metroparks. This commitment requires a monitoring system that is accountable, consistent, and reliable. As that commitment grows, it becomes increasingly apparent that the Purchasing Division must constantly review the purchasing procedures and study the economical patterns of the society we serve.*

*Such focus guarantees the taxpayer the ultimate dollar value and ensures Cleveland Metroparks of a reputation molded by financial integrity. The intention of such fiscal responsibility is most significantly to procure materials and services at the most efficient price, highest quality, and ultimately the best value to further ensure that purchasing functions are in compliance with all local, state and federal statutes to which Cleveland Metroparks may be obligated. Cleveland Metroparks is a sub-division of the State of Ohio and is tax-exempt.*

*Members of the Purchasing staff contribute and channel a multitude of insights into the various expenditures akin to Cleveland Metroparks daily operation, spending every dollar as if it is their own. Market price variables, bulk purchase savings and legal challenges are researched and documented.*

*The parameters listed within describe the various purchasing "tools" and their correct usage. The Purchasing Division asks that this manual is used to ensure that the proper "tool" is used to correctly complete each task.*

*The chart below lists the Purchasing Division team.*

**102 Purchasing Division Staff**

|  |
| --- |
| **Charlie Rosol, CPPO, CPPB, NIGP-CPP**  **Director of Procurement, 216-635-3225**  [**ecr@clevelandmetroparks.com**](mailto:ecr@clevelandmetroparks.com)  The Director of Procurement oversees the procurement of, and procures a large and varied range of supplies, equipment, and non-personal services in support of the Cleveland Metroparks’ goals, objectives, and requirements. The Director of Procurement coordinates various bid specifications and other contract requirements for all procurement applications including scheduling, directing, and interfacing with vendors and staff. And supports the daily procurement process to keep the flow of goods and services to Cleveland Metroparks staff while supporting the financial integrity of Cleveland Metroparks. |
| **Michelle McHale, MBA**  **Senior Procurement Analyst, 216-635-3230**  [**mlm7@clevelandmetroparks.com**](mailto:mlm7@clevelandmetroparks.com)  The Senior Procurement Analyst, under the direction of the Director of Procurement manages a continuous, uninterrupted flow of materials, supplies, equipment and non-personal services in support of Cleveland Metroparks’ goals, objectives and requirements. The Senior Procurement Analyst coordinates various bid specifications and other contract requirements for all procurement applications including scheduling, directing, and interfacing with vendors and staff. And supports the daily procurement process to keep the flow of goods and services to Cleveland Metroparks staff while supporting the financial integrity of Cleveland Metroparks. |
| **Annabelle Conway**  **Procurement Associate, 216-635-3224**  [**ac3@clevelandmetroparks.com**](mailto:ac3@clevelandmetroparks.com)  The Procurement Associate, under the direction of the Director of Procurement. Position is responsible for the daily management, administration, customer support, improvement, policy enforcement, and organizational effectiveness for Cleveland Metroparks procurement card (pcard) program. And supports the daily procurement process to keep the flow of goods and services to Cleveland Metroparks staff while supporting the financial integrity of Cleveland Metroparks. |

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**201 Mission Statement**

***The Purchasing Division will maintain,***

***with a high degree of financial integrity,***

***a continuous supply of goods and services***

***necessary to support the quality of***

***conservation, education, and recreation services***

***common to Cleveland Metroparks.***

**202 Vision Statement**

***The Purchasing Division will be a leader***

***in best practices for the procurement of goods***

***and services and sustainable procurement***

***standards that provides essential benefits to***

***the citizens and guests of the Park District.***

**203 Values**

**Honesty and Integrity** Integrity is the guidepost in all our affairs as it is required to earn and promote the trust of all stakeholders.

**Trust**  Developrelationships with co-workers, departments, and vendors based on trust and mutual respect.

**Teamwork** Work together to accomplish tasks and deliver prompt, accurate services and resources to work toward a common goal(s).

**Sustainability** Use financial resources in a sustainable manner for the life cycle of goods, products or services.

**Guest Focus**  Provide excellent customer service to our internal clients (staff), vendors and guests.

**Communication** Provide open and honest communication with all clients (staff, vendors, and guests).

**Education** Provide continuous educational opportunities to Purchasing Staff towards certifications and other procurement-related activities.

**204 Objectives**

***Maintain*** **T**o maintain an uninterrupted flow of conservation, education and recreation services by obtaining and insuring delivery of an acceptable quality of goods and services within a designated time frame at a firm price.

***Develop*** **T**o develop reliable sources to meet Cleveland Metroparks requirements.

***Comply*** **T**o comply, in all respects, with the Ohio Revised Code and with all other applicable local and federal laws and regulations.

***Purchase*** **T**o purchase materials and services for Cleveland Metroparks at the maximum end-use value per dollar spent.

***Resolve*** **T**o resolve any complaints on purchased, leased or rented goods or services.

***Provide*** **T**o provide leadership in the standardization of materials, supplies, equipment, services, procedures and any other categorical unit.

***Plan*** **T**o plan and project needs of service and materials in a manner considerate of Cleveland Metroparks overall mission and reputation.

**205 Requirements**

***Requirement I*** **O**nly those persons delegated by the CEO in accordance with the By-Laws of the Board of Park Commissioners (the “By-Laws”) are authorized to make commitments for Cleveland Metroparks material, equipment, supplies and services.

***Requirement II*** **T**he Director of Procurement has the responsibility for the procurement of all goods and services, and is to either provide the services for such procurement and processing or give functional direction to others delegated with authority to perform such services.

**I**t is also the responsibility of the Director of Procurement to ensure that all Cleveland Metroparks personnel involved in procurement functions read and understand this manual and related procedures.

***Requirement III*** **U**nder the direction of the Board of Park Commissioners/Chief Executive Officer (CEO), the Purchasing Division has the responsibility of obligating Cleveland Metroparks and making the final determination for sources of supply, quantities purchased, delivery schedule and price negotiations. These decisions may be made after consultation with P&D, Golf, ITS, Marketing, Human Resources, Police, Park Operations, Planning and Design, Cleveland Metroparks Zoo, Legal, and the CFO, and other divisions throughout the Park District.

***Requirement IV*** **T**he Purchasing Division is responsible for initiating and maintaining effective/professional relationships with suppliers, existing and potential.

***Requirement V*** **T**he Purchasing Division serves as the exclusive channel through which requests regarding prices and products are handled for various procurement thresholds as outlined in this manual and the By-laws. The Purchasing Division will conduct business and/or direct all correspondence with suppliers involving price or quotations. In cases where technical details are necessary, the user department may correspond with suppliers. In such cases, the Purchasing Division should be provided with copies of all such correspondence. Close communication and coordination between Purchasing and the user departments must be maintained.

**205 Requirements (Cont'd.)**

***Requirement VI*** **A**ll negotiations are to be handled by the appropriate Purchasing personnel within their delegated authority and at the discretion of the Director of Procurement.

***Requirement VII*** **S**upplier sales representatives may be directed to make calls directly to the Purchasing Division, but budget managers are encouraged to investigate upgrades and improvements and report such findings to the Director of Procurement.

***Requirement IIX*** **A**ll employees involved in procurement activities will work to maintain and enhance Cleveland Metroparks image by their personal conduct and professional business methods.

***Requirement IX*** **A**ll employees engaged in procurement activities will recognize and practice good public relations by giving callers and visitors prompt, courteous treatment.

***Requirement X*** **V**endor selection and products purchased are to meet the basic requirements of policy and standard practice as held by Cleveland Metroparks. The orderly replacement "by attrition" will occur when cost-effective and operating commitments can be met.

***Requirement XI*** **Purchasing** Division personnel are to seek to obtain and purchase all goods at the lowest possible total end-use cost, considering guidelines of price, service, quality and delivery. *An understood awareness that lowest price does not automatically indicate the best investment requires documented research that verifies valuable considerations other than cost*. The Purchasing Division personnel investigate such points to present to the Director of Procurement for final deliberation.

***Requirement XII*** **T**he Director of Procurement shall have full authority to question the quality and type of material requested so that the best interests of Cleveland Metroparks may be served and continually maintained.

**205 Requirements (Cont'd.)**

***Requirement XIII* Purchasing** Division personnel are to inform ordering departments whenever the quantity or specifications of materials ordered are inconsistent with sound procurement practices or market conditions.

***Requirement XIV*** **Purchasing** Division personnel shall work to establish and encourage punctual delivery of specified goods and services in accurate quantities.

***Requirement XV*** **Purchasing** Division personnel will negotiate the return of rejected equipment or supplies to suppliers following discussion with the pertaining requestor. *While division representatives may negotiate the final phase of the circumstances, the requestor may be encouraged to make the initial call to the supplier*. This helps ensure the situation is not merely an oversight or neglected item that required simple clarification.

**206 Sustainable Best Practices**

In accordance with ***Cleveland Metroparks Sustainability Best Practices Guide***, Cleveland Metroparks recognizes its responsibility to the environment while supporting a diverse, equitable and vibrant community and economy. Cleveland Metroparks also recognizes that the products and services it buys have inherent social, human, health, environmental and economic impact and that Cleveland Metroparks should make procurement decisions that embody, promote and encourage the commitment to sustainability when fiscally logical.

**The Sustainable Purchasing Policy is intended to**:

* + - * + Incorporate sustainability standards into procurement decisions;
        + Encourage the purchase and use of materials, products and services that best align with Park District’s fiscal, environmental, social, community and performance goals;
        + Reduce the amount of environmental impact from Park District use of products, including reduction of greenhouse gas emissions, reduction of waste to landfill, health and safety risks and resource consumption;
        + Empower staff to be innovative and demonstrate leadership by incorporating progressive and best-practice sustainability specifications, strategies and practices in procurement decisions.
        + Encourage vendors to promote products and services that they offer which are most suited to the Park District sustainability principles.
        + Communicate Cleveland Metroparks commitment to sustainable procurement by modeling the best product and services choices to citizens, other public agencies and private companies.

***General Policy Statement***: Cleveland Metroparks shall acquire its goods and services in a manner that integrates fiscal responsibility, social equity, and environmental stewardship. Each division shall encourage department decisions that reflect the policy objectives. Cleveland Metroparks shall promote and encourage product and service acquisitions compliant to the policies and guidelines adopted herein.

***Sustainability Factors***: Environmental factors to be considered in product and service acquisitions include but are not limited to, the assessment of: Pollutant releases and toxins, air emissions, water pollution, waste generation and minimization, greenhouse gas emissions, recyclability and recycled content, energy consumption and efficiency, use of renewable energy, depletion of natural resources, potential impact on human health, biodiversity, industrial environmental practices, third party certification, organic content, local procurement and the cost to own. Refer to the “***Cleveland Metroparks Sustainability Best Practices Guide”*** signed by Brian Zimmerman, CEO on September 14, 2022. Document located on the portal.

**207 Specifications & Quality**

**A**ccurate specifications assure receipt of proper quality and service. Financial integrity and precise accountability involves buying supplies, materials, goods and services of a grade sufficient to fulfill or exceed the requirements for which the goods are intended. The Purchasing Division attempts to secure the best quality for the intended purpose and is expected to work with the other departments and divisions to obtain adequate specifications that are:

F *Flexible, to encourage vendors to suggest cost-saving alternatives.*

A *Accountable and capable of being checked, including a description of the inspection methods to be used, where applicable.*

I *In full consideration of contingencies such as freight costs, delays and improbabilities.*

R *Reasonable in tolerances and within date of delivery (requires pre-planning).*

B *Bias-Free, objective and capable of being met by several bidders.*

U *Unadorned, clear and exact so that a supplier cannot evade any provisions.*

Y *Yielding documented evidence, with regard to differences in quality and/or suitability for particular purposes.*

**Purchases Not Covered**

**208 By The Purchasing Manual**

Expenditures requiring the use of the petty cash funds, the special purchases account and the travel expenses are not addressed in this manual.

This manual does not address the appraisal or purchase of real estate.

**300 Bid Process and Procedures**

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**301 Procurement Levels**

All Procurement levels and competitive processes are monitored and controlled by Purchasing (see section 303, pages 28-29 and section 305, page 31). Purchasing controls will adhere to Section 1545.07 of the Ohio Revised Code for competitive bids and by utilizing Munis (Accounting System) for requisitions, PO Change Orders, Contracts, Bids, etc. via Procurement workflow levels (as per the chart below).

***MUST READ***

***SPLIT ORDER purchases to avoid bidding requirements or other approvals outlined in this manual are prohibited.***

***Procurement of Goods, Services and Construction*:**

* + - * 1. $75,000.01: Formal Competitive Bid or RFP for goods, and RFP, RFQu, RFI or combination thereof for services required unless exemption applies.
        2. $75,000.00 - $5,000.01: Provide three (3) written quotes and submit with the requisition.
        3. $5,000.00 and below: Immediately available (use Pro Card if vendor accepts).
        4. $5,000.00 and below: Immediately available (submit requisition if vendor doesn’t accept Pro Card).
        5. CEO-approved-items are shown to the Board on the “Items between $25,000 - $75,000 List” presented each month in the Board Agenda.
        6. Procurement Levels Table (see below)

PROCUREMENT LEVELS APPROVALS

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **$75,000.01 +** | **$25,000.01 to $75,000.00** | **$5,000.01 to $10,000.00** | **$5,000.00 and below** | **$5,000.00 and below** |
| **Requires Board, Director of Procurement and CFO Approval** | **Requires Director of Procurement, CFO, and CEO approval** | **Requires Director of Procurement and CFO approval** | **Immediately available** | **Immediately available** |
| Competitive Bid or RFP for goods, and RFP, RFQu, RFI *process, or combination thereof for services, required unless exemption applies*. | *Provide 3 written quotes and include them with the requisition.* | *Provide 3 written quotes and include them with the requisition* | *Standard Purchase order if vendor doesn’t take Pro-Card.* | *Using Pro - Card* |

***Exemptions*:**

1. Emergency: *see Section 311 below*.
2. For the services of an accountant, attorney at law, physician, consultant, surveyor, or appraiser of $75,000.01 or greater: Provide 3 written quotes and submit with the requisition.
3. Purchases made pursuant to a joint Purchasing program or at prices at or below the joint Purchasing program: *see Section 310*.
4. Single source: *see Section 309 below*.
5. Purchase from the federal government, state, another county or contracting authority of another county, or a board of education, educational service center, township or municipal corporation: no quotes required.
6. The purchase consists of used goods and is made at a public auction.

**302 Definitions**

**DEFINITIONS:**

**1. Request for Proposal (RFP):** A process used to procure primarily services in which proposers are required to explain their qualifications and expertise, propose a plan to meet the service specifications or program, and delineate a budget and/or cost. The process serves as a tool for negotiations to get to the best and final offer, awarded based on best value, as well as a price point for the contract award. Price/cost is generally one, but not the only, evaluation factor; price does not need to be the primary evaluation factor.

**2. Request for Qualifications (RFQu):** A process which seeks out proposers in specific disciplines to submit a summary of qualifications to perform certain services and to obtain an understanding of the potential proposers’ project histories, skills and abilities. After receiving the summary of qualifications, Cleveland Metroparks may identify and invite only the qualified firms to submit proposals or may identify the qualified firm with which to contract unless otherwise provided in the Ohio Revised Code or Bylaws.

3. **Request for Information (RFI):** A non-binding process which seeks to obtain ideas, feedback or background information on a particular topic to better draft an RFP or RFQu through which responders will be invited to provide the necessary information; generally price or cost is not required. Upon receipt of the information, Cleveland Metroparks may then proceed with the RFP or RFQu Procedure with no obligation to do so.

4. **Invitation to Bid (BID or ITB):** An invitation process to contractors and vendors (suppliers) which seeks competitive pricing through a sealed bid process for a specific product(s) or service(s) generally focused on pricing and best value rather than on ideas or concepts.

**302 Procurement Process**

***Procurement of goods when cost is $75,000.01 and greater:***

1. Pursuant to Section 1545.07 of the Ohio Revised Code (ORC), in procuring any goods at a cost in excess of $75,000.00, Cleveland Metroparks must utilize either (1) an Invitation to Bid (ORC §§ 307.86) or (2) the Competitive Sealed Proposal Process (also known as an RFP) (ORC 307.862), except as set forth in Section 301, Exemptions.
2. **Competitive Bidding Process.**

Purchasing will collaborate with staff to draft, review, modify and approve specifications for various bids prior to the release of the bid.

i. **Post and advertise bid** - During this process, the bid is advertised in a newspaper of general circulation within the county as well as on the Cleveland Metroparks website and Public Purchase (www.publicpurchase.com). The advertising and posting period lasts for at least fifteen (15) days. Cleveland Metroparks staff may not reach out to individual potential bidders to notify them of bidding opportunities.

ii **Bid Opening** - After the fifteen (15) day posting and advertising period, the bids are publicly recorded by the Director of Procurement or his/her designee who tabulates the bids. Prices must be guaranteed and held for sixty (60) days.

iii. **Conflict of Interest Form**: Staff will complete the online conflict of interest form prior to review of all bids ($75,000.01 and greater). <https://my.cmparks.net/Departments/Legal/Declaration-Form>

iv. **Evaluation of Bid, Board approval and Award** - During this sixty (60) day period, bids are reviewed by staff in consultation with the Purchasing division to determine the lowest and best bidder. To determine lowest and best bid, bids may be evaluated based upon, but not limited to, the following factors in combination, not necessarily listed in their order of importance:

1. Price
2. Bidder's previous record of performance and service
3. Ability of bidder to render satisfactory service
4. Availability of bidder's representative to consult with Cleveland Metroparks user departments
5. Quality and conformance to specifications
6. Bidder's qualifications
7. Written recommendation from user department

1. State of Ohio and Federal Record Search
2. Bidder’s commitment to Cleveland Metroparks core values, including diversity, equity, and inclusion and sustainability

All criteria for evaluation must be announced. Bids can only be evaluated based on criteria publicly announced to bidders prior to submission of bids.

In case of disagreement or minor irregularities in a response to a bid, the Director of Procurement will review, approve, and, in the case of significant irregularity, should discuss the irregularity with Legal. Correspondence (email or letter) to the vendor may be required based on the significance of the irregularity. Upon review, the Director of Procurement, in consultation with Legal as required, and/or CFO shall make the final recommendation for the award of bid to the Board of Park Commissioners or the CEO. At this time, the Board may either accept/approve a bid or fully or partially reject a bid.

v. **After Board approval and purchase order** - If a bid is approved by the Board (or the CEO if the bid comes in at or under $75,000.00), a purchase order is entered into with the awarded bidder (time frame contingent on contractor's and/or Cleveland Metroparks specified terms and conditions) and the successful bidder will secure any required surety. Bid bonds, cashier checks, certified checks, or money orders will be returned to the unsuccessful bidders.

vi. **Rejection of all bids** - If all bids are rejected by the Board, all bidders will be notified accordingly and bid-bonds, cashier checks, certified checks, or money orders will be returned to the unsuccessful bidders.

1. **Request for Proposal Process (RFP or “competitive sealed proposals” in ORC 307.862)**

The following process should be used when releasing an RFP.

* + 1. A Contract Award Committee shall be assembled by the initiating staff person and shall include the initiating staff person and at least one representative from both the Purchasing Division and Legal Department and any other person that may add value to the process. This initiating staff person should begin this process no later than three weeks prior to the date the staff person would like the RFP/RFQu/RFI/ITB released.
    2. Each member of the Contract Award Committee shall sign an online Declaration of No Conflict of Interest relating to the RFP/RFQu/RFI/ITB. <https://my.cmparks.net/Departments/Legal/Declaration-Form>
    3. The initiating staff person shall obtain the current template RFP, RFQu RFI, or ITB provided by the Purchasing Division and edit the template to include the facts specific to the project including as many details as possible to ensure a skillfully drafted document. The following information must be included in each RFP:
       1. Cleveland Metroparks name and address;
       2. Instructions for vendors to follow when submitting proposals;
       3. Instructions governing communications between a vendor and Cleveland Metroparks, including, but not limited to, the name, title, and telephone number of the person to whom questions concerning the request for proposals should be directed;
       4. A description of the goods (or in the case below, services) Cleveland Metroparks plans to purchase;
       5. The requirements for the goods (or in the case below, services), including but not limited to, the quantity of the supplies, the requirements the contracting authority shall follow for inspection and acceptance of the goods, and the delivery schedule for each such good;
       6. The factors and criteria Cleveland Metroparks shall consider in evaluating proposals received, including but not limited to vendor’s adherence to Cleveland Metroparks core values, including diversity, equity and inclusion and sustainability;
       7. Any terms and conditions that Cleveland Metroparks is required by law to include in the contract it awards, including any requirement for a bond and the amount required for that bond;
       8. The date and time by which and the place to which a vendor must deliver the vendor's proposal to Cleveland Metroparks in order to be considered for the contract;
       9. A list of any documents that Cleveland Metroparks incorporates by reference in the request for proposals, provided that Cleveland Metroparks specifies in the request for proposals that the documents are readily available to all vendors and the location where a vendor may obtain those documents;
       10. A statement that includes all of the following information:(i) That Cleveland Metroparks reserves the right to reject any proposal in which the vendor takes exception to the terms and conditions of the request for proposals; fails to meet the terms and conditions of the request for proposals, including but not limited to, the standards, specifications, and requirements specified in the request for proposals; or submits prices that the Cleveland Metroparks considers to be excessive, compared to existing market conditions, or determines exceed the available funds of the contracting authority; (ii) That Cleveland Metroparks reserves the right to reject, in whole or in part, any proposal that Cleveland Metroparks has determined, using the factors and criteria Cleveland Metroparks develops pursuant to this section, would not be in the best interest of the county; (iii) That Cleveland Metroparks may conduct discussions with vendors who submit proposals for the purpose of clarifications or corrections regarding a proposal to ensure full understanding of, and responsiveness to, the requirements specified in the request for proposals.
       11. Information concerning any potential partial or multiple party awards that Cleveland Metroparks may include in the contract, and a description of the goods that may be subject to a partial award or multiple awards;
       12. Any additional information Cleveland Metroparks considers necessary for its purposes in determining to whom to award the contract
       13. The initiating staff person must include the evaluation criteria for the project in the RFP, RFQ, RFI and ITB, with appropriate weight assigned to each criteria. The weights must add up to 100 percent.
    4. Upon completion of the DRAFT RFP, RFQu RFI, or ITB the initiating staff person shall circulate said document to the entire Contract Award Committee for input during a specified time period. The initiating staff person should circulate the document no later than two weeks prior to the date the staff person would like the RFP/RFQu/RFI/ITB released.
    5. Once the comments are received from the Contract Award Committee, the RFP, RFQu RFI, or ITB shall be finalized and published according to the Ohio Revised Code and Cleveland Metroparks policy and procedure. Specifically, the RFP is advertised in a newspaper of general circulation within the county as well as on the Cleveland Metroparks’ website and Public Purchase (www.publicpurchase.com). The advertising and posting period lasts for at least fifteen (15) days.
    6. After the fifteen (15) day posting and advertising period, the proposals are publicly recorded by the Director of Procurement or his/her designee. Prices must be guaranteed and held for a sixty (60) day period. Cleveland Metroparks will maintain the confidentiality of any proposals Cleveland Metroparks receives until after the award of the contract.
    7. All members of the Contract Award Committee shall be invited and weigh in on the evaluation of the proposals, qualifications and/or information according to the criteria included in the procurement document. The Contract Award Committee should take the following steps:
       1. If interviews are held, all members of the Contract Award Committee should be invited to participate.
       2. Each member of the Contract Award Committee should then evaluate each proposal that meets the requirements of the RFP/RFQu/RFI/ITB, rating each proposal based on the evaluation criteria identified in the RFP/RFQu/RFI/ITB and using suggested documents provided by the Purchasing Department.
       3. The Contract Award Committee shall identify the proposal with the highest rating based on the identified judging criteria.
       4. During this process, the Contract Award Committee may reach out to all proposers to request a “lowest and best” or “highest and best” proposal provided the same opportunity is provided to all bidders.
       5. The Contract Award Committee may use a bi-furcated process to rate proposers based on written proposals and then invite only the top rated proposers to conduct interviews.
    8. The Contract Award Committee or its designated representative will negotiate with the vendor who submits the proposal that Cleveland Metroparks determines is the most advantageous to Cleveland Metroparks based on the rankings performed by Cleveland Metroparks and any discussions with vendors. Cleveland Metroparks may negotiate with only one vendor at a time.
    9. **Board approval and award of contract** - The identified member of the Contract Award Committee and the Director of Procurement will make a recommendation to the Board of Park Commissioners (or the CEO if the Proposal comes in at or under $75,000.00). At this time, the Board may either approve a proposal or fully or partially reject a proposal.
    10. **Rejection of all bids** - If all proposals are rejected by the Board, all proposers will be notified accordingly and bid-bonds, cashier checks, certified checks, or money orders will be returned to the unsuccessful bidders.
    11. **Documentation and Notification –** The Director of Procurement, or his/her designee, shall maintain a contract file stating in writing the basis upon which an award is made. Successful vendors must be notified in writing of the contract award and this information must be made available to the public. The Director of Procurement, or his designee, shall also notify all unsuccessful vendors and return all bid-bonds, cashier checks, certified checks, or money orders to the unsuccessful bidders.

***Procurement of services when cost is $75,000.01 and greater:***

a. Pursuant to By-Laws Article 5, Section 2(b), in procuring any services at a cost of or in excess of $75,000.01, Cleveland Metroparks must utilize (1) an RFP; (2) a Request for Qualifications (“RFQu”) in combination with an RFP; (3) a Request for Information (“RFI”) in combination with an RFP; or (4) other competitive process which allows Cleveland Metroparks to evaluate the competence, ability and availability of the service provider, except as set forth in Section 301, Exemptions.

b. Requests for Proposals are the preferred method for obtaining services valued at $75,000.01 and above. The same process detailed in Section (c) related to goods should be used for RFPs for services. (This process may be used for construction in addition to the other project delivery models permitted in the Ohio Revised Code.)

1. RFIs, RFQus, or other competitive processes shall be used only after approval from both Purchasing and Legal. Staff shall work with Purchasing and Legal to develop such RFI, RFQu, or other competitive process.
2. The RFP process may be used to develop a list of pre-approved vendors for various services that can be accessed throughout the year without a separate RFP for each project.

***Mixed purchases of goods and services (including software)***

There may be times when staff purchase a mix of goods and services. To determine whether staff must comply with the provisions for procuring goods or for procuringt services, staff must determine whether the predominant purpose of the purchase is the goods or the service.

For instance, staff may be procuring software. Off-the-shelf software is considered a good. If, however, staff is procuring software and associated services, including but not limited to installation, continuing analysis, collection, storage, reporting of data, maintenance, or training, the purchase will be considered the purchase of a service if the predominant purpose is the purchase of service with incidental purchase of the software and any associated hardware.

If you are not sure whether your purchase is a good or a service, please reach out to the Legal Department, which will assist in the determination of the proper procurement methodology.

***Procurement of construction or contracting services up to $50,000:***

1. "***Construction or contracting services***” incorporates all those services obtained by the Planning and Design department, including but not limited to professional design services, construction, construction manager at risk, and design-build services
2. “**Professional design services**” means services within the scope of practice of an architect or landscape architect registered under Chapter 4703. of the Revised Code or a professional engineer or surveyor registered under Chapter 4733. of the Revised Code.
3. “***Design -build Services***” means services that form an integrated delivery system for which a person is responsible to a public authority for both the design and construction, demolition, alteration, repair or reconstruction of an improvement
4. “***Construction Manager at Risk***” means a person with substantial discretion and authority to plan, coordinate, manage, direct, and construct all phases of a project for the construction, demolition, alteration, repair, or reconstruction of any improvement
5. **Annual List**: Annually, Cleveland Metroparks shall solicit a statement of qualifications from design professionals and maintain a list of qualified design professionals.
6. **Selection:** Cleveland Metroparks Chief of Planning and Design shall make a recommendation to the CEO to select a single design professional or firm from among those that have submitted a current statement of qualifications within the immediately preceding year, based upon the determination that the selected design professional or firm is the most qualified to provide the required professional design services;
   1. “Qualifications” are defined as follows:

(a) For a professional design firm, competence to perform the required professional design services as indicated by the technical training, education, and experience of the firm's personnel, especially the technical training, education, and experience of the employees within the firm who would be assigned to perform the services;

(b) For a design-build or construction-manager-at-risk firm, competence to perform the required design-build services as indicated by the technical training, education, and experience of the design-build firm's personnel and key consultants, especially the technical training, education, and experience of the employees and consultants of the design-build firm who would be assigned to perform the services, including the proposed architect or engineer of record.

(c) Ability of the firm in terms of its workload and the availability of qualified personnel, equipment, and facilities to perform the required professional design services or design-build services competently and expeditiously;

(d) Past performance of the firm as reflected by the evaluations of previous clients with respect to such factors as control of costs, quality of work, and meeting of deadlines;

(e) Any other relevant factors as determined by Cleveland Metroparks;

***Procurement of Construction or Contracting services $75,000.01 and greater:***

1. Purchasing will collaborate with staff to draft, review, modify and approve specifications for various bids prior to the release of the solicitation.
2. "***Construction or contracting services***” incorporates all those services obtained by the Planning and Design department, including but not limited to professional design services, construction, construction manager at risk, and design-build services.
3. “**Professional design services**” means services within the scope of practice of an architect or landscape architect registered under Chapter 4703. of the Revised Code or a professional engineer or surveyor registered under Chapter 4733. of the Revised Code.
4. “***Design -build Services***” means services that form an integrated delivery system for which a person is responsible to a public authority for both the design and construction, demolition, alteration, repair or reconstruction of an improvement.
5. “***Construction Manager at Risk***” means a person with substantial discretion and authority to plan, coordinate, manage, direct, and construct all phases of a project for the construction, demolition, alteration, repair, or reconstruction of any improvement.
6. **Notice & Announcement**: Cleveland Metroparks shall publicly announce all contracts available estimated to be over $75,000.01 for professional design services or design-build by advertising in a newspaper of general circulation within the county as well as on the Cleveland Metroparks’ website and Public Purchase (www.publicpurchase.com). The advertising and posting period lasts for at least thirty (30) days. The announcements shall:
   * 1. Be made in a uniform and consistent manner and shall be made sufficiently in advance of the time that responses must be received from qualified professional design firms or design-build firms for the firms to have an adequate opportunity to submit a statement of interest in the project;
     2. Include a general description of the project, a statement of the specific professional design services or design-build services required, and a description of the qualifications required for the project;
     3. Indicate how qualified professional design firms or design-build firms may submit statements of qualifications in order to be considered for a contract to design or design-build the project;
     4. Be sent to any of the following that the Chief of Planning and Design considers appropriate:

(1) Design-build firms, including contractors or other entities that seek to perform the work as a design-build firm;

(2) Architect, landscape architect, engineer, and surveyor associations;

(3) The news media;

(4) Any publications or other public media, including electronic media.

1. **Conflict of Interest Form**: Staff will complete the online conflict of interest form upon receipt of all bids/RFP’s/RFQu’s ($75,000.01 and greater). <https://my.cmparks.net/Departments/Legal/Declaration-Form>
2. **Evaluation of statements of qualification**:
3. For every professional design services contract, the Architect and Chief of Planning and Design shall evaluate the statements of qualifications submitted by professional design firms specifically regarding the project, and may hold discussions with individual firms to explore further the firms' statements of qualifications, the scope and nature of the services the firms would provide, and the various technical approaches the firms may take toward the project.
4. **Ranking and selection of firms for professional design services:**
5. Following this evaluation, the Architect and Chief of Planning and Design shall:

(A) Select and rank no fewer than three firms which it considers to be the most qualified to provide the required professional design services, except when the Architect determines in writing that fewer than three qualified firms are available in which case the Architect and Chief of Planning and Design shall select and rank those firms;

(B) Negotiate a contract with the firm ranked most qualified to perform the required services at a compensation determined in writing to be fair and reasonable to the public authority. Contract negotiations shall be directed toward:

(1) Ensuring that the professional design firm and the agency have a mutual understanding of the essential requirements involved in providing the required services;

(2) Determining that the firm will make available the necessary personnel, equipment, and facilities to perform the services within the required time;

(3) Agreeing upon compensation which is fair and reasonable, taking into account the estimated value, scope, complexity, and nature of the services.

1. **Ranking and selection of firms for design-build and construction manager at risk:**
2. Following the evaluation of the RFQu responses, the Chief of Planning and Design in consultation with the review team shall create a short list of responders, typically the top 3.
   1. An RFP shall then be released to the short list responders, typically via e-mail.
   2. The lowest and best responder shall be identified from the RFP responses.

***Procurement of construction which is over $1 million:***

1. For each construction project over $1,000,000, the project delivery model will be evaluated and determined by the CEO upon the advice of the Chief of Planning and Design in consultation with the Chief Financial Officer and Chief Legal & Ethics Officer.
2. The procurement process specified in the Ohio Revised Code for the specific project delivery model will be followed.
3. Purchasing will collaborate with staff to draft, review, modify and approve specifications for various bids prior to the release of the bid.
4. Cleveland Metroparks shall publicly announce all contracts available estimated to be over $75,000.01 for construction or design-build service by advertising in a newspaper of general circulation within the county as well as on the Cleveland Metroparks’ website and Public Purchase (www.publicpurchase.com).

**303 Responsibilities**

The Director of Procurement and staff have the responsibility of maintaining a uniform set of procedures to facilitate various processes (via Public Purchase).

* Vendor notifications
* Bid/Proposal analysis and summaries
* Bid bonds
* Bidder mailing lists
* Competitive invitations
* Instructions to bidders

TheDirector of Procurement and Purchasing staff have the responsibility of preparing all bids and proposals in excess of $75,000.01 for presentation to the Board of Park Commissioners and to the CEO with regard to items under $75,000.00.

The Purchasing Division is responsible for obtaining bids on all materials and/or services for both estimating purposes and purchases.

The Purchasing Division reserves the right to conduct an investigative, cost effective study comparing any items/services requested.

The authorized divisional budget manager has the responsibility to provide the Purchasing Division with information related to specifications and usage of products.

**Computer and Computer Related Items, Approval to Purchase.**

As with any organization as large as Cleveland Metroparks there is a need to standardize certain components to help allow for ease of maintenance, interoperability and the control of costs.

To ensure their compliance with Cleveland Metroparks Information Technology Systems (ITS) standards and for possible auditing/tracking purposes, **all purchases of computer and computer related equipment MUST be approved by the Cleveland Metroparks ITS** Division prior to being purchased. Refer to the Cleveland Metroparks handbook on page 72.

Computer equipment, including but not limited to personal computers, monitors, printers, scanners, external storage devices, pocket PCs / PDAs, cellular phones and other hardware requiring installation inside a computer and hardware that requires software installation for its use, should be approved by the ITS.

Because of security issues, any equipment that connects to the Cleveland Metroparks' computer network or to another network must be approved and installed by the ITS.

All software, regardless of its price, should be approved by ITS before the purchase and/or installation on any Cleveland Metroparks equipment. Approval

**303 Responsibilities (continued)**

is required for all purchases that fall under the above regardless of whether they are made with a Pro-Card, purchase order or any other approved procurement procedure.

**304 Award of Bid/Proposal Policy**

Ohio Revised Code Section 9.24 (A) (B) (D) and (E) provides that no state

agency and no political subdivision shall award a contract for goods, services, or construction, paid for in whole or in part with state funds, to a person against whom a finding for recovery has been issued by the auditor of the state, if finding for recovery is unresolved. Therefore, Cleveland Metroparks will maintain in the bid file, from the Auditor of State/State of Ohio website ([www.auditor.state.oh.us](http://www.auditor.state.oh.us)) and, as required, the Federal website (<https://www.sam.gov/SAM/pages/public/searchRecords/search.jsf>), the verification of a certified search for unresolved findings for recovery. The search request is considered the path to validate that the potential awardee is in full compliance with the Ohio Revised Code with no unresolved findings for recovery from previous contracts.

**305 General Notes Regarding Bids**

**A purchase of more than $75,000.00** requires Board approval. Purchases between $10,000 - $50,000 require approval by the CEO and are presented to the Board as information items.

**Awarded Vendors**. Once the Board has approved an awarded vendor(s) for a given commodity (office supplies, paper products, janitorial cleaning products, etc.) staff MUST purchase from that vendor. Purchasing will share relevant information with staff.

* 1. **Special Note –** If the awarded vendor(s) is/are unable to provide a good because the items(s) are out of stock, on back order, quantity (case size), etc. **staff MUST email** [**Purchasing@clevelandmetroparks.com**](mailto:purchasing@clevelandmetroparks.com) **requesting approval** to purchase the item(s) elsewhere. Staff MUST attach the approval email to their requisition or p-card statement in Munis.

**Bid/RFP/RFQu requests should be initiated by a staff member, approved by a department Chief and email request sent to** [**Purchasing@clevelandmetroparks.com**](mailto:purchasing@clevelandmetroparks.com)**.** Complete information should be provided including, but not limited to: quantity, description, delivery requirement, special conditions, drawings, specifications, date information required, etc. Purchasing Division representatives will not alter specifications without discussion with the requestor and/or department Chief.

In the case of single source, more than one price is often not possible and should be so noted on the request to the Purchasing Division, following Section 309 below.

**A bid contract** will only be entered into with vendors whom the Purchasing Division secures as qualified or can be qualified to meet all requirements.

**Answers to technical questions arising during the bidding or proposal process should be provided by the requestor (expert).** The Purchasing Division must coordinate the reply and ensure that all potential suppliers are provided the same information through addendum, questions posted in Public Purchase, etc.

**After all bids have been received and examined for accuracy, a tabulation of bids is to be prepared noting all the pertinent data and discrepancies.** Determination of the lowest and best bidder will be made only after all aspects, including a written recommendation preference of the requestor, have been considered. The information gathered will be kept with the bid/price electronic file as backup documentation. In cases of research for estimates, a copy of each bid response and summary sheet will be posted in Public Purchase.

**Suppliers who were not awarded the bid will receive a copy of the tabulation of the bids (via Public Purchase)** along with an email/letter and their bid or bid/performance bond or check, within one month of final, approved recommendation.

**Cleveland Metroparks reserves the right to reject any and all bids** or proposals and parts of any and all bids or proposals, unless so stated in the specifications. Cleveland Metroparks also reserves the right to waive all technicalities and split award any bid in which various unit costs offer a more desirable total cost, as long as coordination of delivery and supplies does not prove a detriment to construction or operation.

**306 Control of Commodity Purchases**

To maintain records of annual consumption and best determine quantities for bidding purposes, the Purchasing Division will log consumption and price of commodities when bids are based on per unit cost. At the end of the bid period (the anniversary of the bid), a report of the original quantity estimates and actual quantity usage for each commodity item will be prepared and used in developing the new bid. This report will be part of the bid recommendation to the Board of Park Commissioners.

In the event that the log of consumption approaches 90% of the original quantity estimate, an action item will be presented to the Board requesting an increase.

Commodity items include but are not limited to:

Fire Extinguishers Oils, Grease Fluids Aggregate Concrete

Gasoline, Heat Oil Asphaltic Concrete Rock Salt Zoo Grains

Topsoil, Bark Mulch Janitorial Supplies Uniforms Office Supplies

Ball Diamond Mat. Trash Hauling Tires Paper Products

Monthly commodities usage reports are generated by the Purchasing Staff and distributed to the Director of Procurement.

**307 Bonding Requirements For Bids**

***Construction***

***Contract Bonds*** Construction contract bonds are Bid/Performance Bonds in the full amount of the bid. If a vendor is selected to enter into a contract, said contract could begin immediately with all instruments complete and in place. If a certified check is submitted, it is in the form of 10 percent of the total bid. It must be converted to a 100% Performance Bond upon signing of the construction contracts.

***Service Contract***

***Bonds and/or***

***Certified Checks*** Service contract bid bonds and/or certified checks, as required, for agreements such as trash hauling should be in an amount equal to five percent of the total bid. This (5) five percent bond or certified check is held until execution of the contract. If a performance bond is required of the successful bidder, such bidder shall submit the performance bond at the time of contracting.

***Commodity Contract***

***Bonds and/or***

***Certified Checks*** Commodity contract bonds and/or certified checks for specific items are to be in an amount equal to five (5) percent of the total cost of the bid item. This bond/certified check should be held until all items are received according to specifications. There is usually no need for the status of this bond to be transformed into a performance bond.

|  |  |  |
| --- | --- | --- |
| ***Type of Contract*** | Bond/Check is ***% of Bid*** | Performance Bond is ***% of Bid*** |
| Construction Contract  Service Contract  Commodity Contract | 10 %  5 %  5 % | 100 %  5 %  5 % |

**308 Prevailing Wage**

Prevailing Wage packets are mandatory with bids and/or purchase orders for new construction and construction improvements to existing structures at the levels required by the Ohio Revised Code. When budgeting managers are assembling information for bid it is necessary that they determine if a job is to be covered by prevailing wage. Limits are updated by the State and should be investigated prior to any such bid release. Such trades include but are not limited to the following:

Asbestos Workers Linemen

Iron Workers Line Builders - Outside

Fence Erectors Line Builders - Inside

Riggers & Machine Movers Line Builders - Underground

Steel Sash Erectors Metal Finishers

Welders Millwrights

Boilermakers Painters

Blacksmiths Sandblasters

Bricklayers Tapers

Pointers, Caulkers Pile Drivers

Cleaners Plumbers

Tile Layers Pipe-fitters

Carpenters Roofers

Floor Layers Sheet Metal Workers

Linoleum Layers Sign Erectors

Blinds, Draperies Sign Painters

Window Shade Installers Sprinkler Fitters

Cement Masons Telephone Installers

Electricians Truck Drivers

Lathers Well Drillers

Operating Engineers Laborers

The Director of Procurement should be notified when the design of the bid is to include any or some of these trades as the state must be contacted to register such projects.

**309 Single Source**

There may arise situations in which staff cannot obtain multiple quotes or when an RFP or Bid will not result in multiple offers because a good or service comes from a single source. In those situations, to ensure the purchase of goods or services complies with the ORC, the By-Laws, and Ohio common law, staff shall comply with these provisions.

1. Determine whether the provider of the good or service is a single source. A single source exists if:
   1. Only one vendor is capable of supplying the good or service. Some examples include (i) the equipment staff is repairing requires a specific brand of part and only one company sells that part; (ii) utility services where there is no competition (e.g., NEORSD); (iii) an unusual service that must be provided and there is only one qualified service provider (e.g., you need a certain type of plant specialist to come to a reservation and there is only one in the area).[[1]](#footnote-2)
   2. Two or more vendors supply the good or service, but there are **real and substantial** reasons to choose only one vendor. Real and substantial reasons may exist if: (i) use of another supplier would result in incompatibility with existing conditions in the Park (for instance, the Park currently only owns and services one type of vehicle and adding another type would result in new maintenance costs and skills not available); (ii) implementation of a good or service other than the single source would require considerable training, time and money to implement; (iii) the prior vendor’s experience with Cleveland Metroparks is such that contracting with a new vendor would result in substantial costs to duplicate such knowledge and the prior vendor’s prices are competitive, resulting in substantial cost savings to the Park; or (iv) a particular brand of good has specifications that are not available from any other brand and those specifications are necessary for park use. For goods, you must determine **both** that there is only one brand that can meet your requirements and that there is only one source of supply for that brand.
   3. There is a proprietary (or named-brand) item that must be used, the item can be purchased direct from the manufacturer at a cost substantially lower than retail, and there is only one manufacturer that sells such an item.
   4. You are procuring used equipment, substantially similar used equipment is not available elsewhere, and the used equipment is a cost savings as compared to new equipment.
   5. You are procuring the services of an artist, including but not limited to a musician, painter, performer, provided such artist does not provide art that is identical to another artist’s work, by way of example only two performers who dress like a movie character and the performances are the same or two DJs who provide substantially similar musical choices.
   6. You are procuring an animal, for instance a police dog or horse, and there are specific breed and characteristics that are required for Cleveland Metroparks’ purposes and those breed and characteristics are available from only one breeder. Preference for a breeder does not make an animal single source.
   7. A single source **does not** exist for the following reasons: (i) personal preference for a product, vendor, or brand; (ii) lack of planning by staff that results in a product or service being available from only one source in a particular time frame; (iii) a prior history with Cleveland Metroparks; (iv) the supplier advertises as being “the best” or “highest quality” or other similar claim; (v) uniqueness of a good if another type of good can serve the same purpose (e.g., unique type of felt-tip pen when any type of pen would work); (vi) arbitrary specifications that are not necessary and exclude potential vendors.
2. Complete a Single Source Form
   1. List the requirements which could not be met by other sources and why those requirements are necessary, not just preferred, for Cleveland Metroparks.
   2. State which vendors/suppliers were contacted and how their good or service was deficient in meeting the requirements.
3. Obtain approval from Purchasing **before** you make the purchase or enter into a contract with the service provider. If staff intends to make a single source purchase for more than $50,000, Legal must also provide approval. Purchasing will work with Legal on a regular basis to review single source requests of $50,000 or less.
4. Single source as relates to software:
   1. Staff are reminded to confirm whether software is a good or service as detailed in Section 302. As a general rule, software off the shelf is a good and the procurement processes for goods shall be followed which requires a bid or RFP.
   2. However, for new off-the-shelf software, software will be consider a single source **if** staff objectively determines that off-the-shelf software has ***specific technical specifications*** ***that are required*** by Cleveland Metroparks to serve the public interest, those technical specifications are available from only one type of software, and that software is available from only one vendor. Staff must confirm with the Chief Information Officer (“CIO”), in consultation with Legal, that the unique specifications are, in fact, required. Staff should also be prepared to show that the pricing of the single source software is not unreasonable in comparison to other options on the market that do not have the specifications of the single source software.
   3. For renewals, upgrades, or modifications to existing software, the software will be a single source if, either: (i) it meets the uniqueness requirements of section (d)(1)(ii); or (ii) the software does not meet the uniqueness requirements of section (d)(1), but removing and replacing the software with a new software would result in substantial implementation costs, integration into multiple park systems, and substantial staff time to learn a new system.
5. At times, staff may purchase an item that is not currently a single source, but may become a single source. For instance, staff may be procuring a new point of sale (“POS”) system. While there are several options for that POS system before purchase, once the system is purchased, installed, and integrated, it will become a single source as detailed in section (d)(2)(ii). Similarly, staff may be procuring new golf carts. While there are many models on the market, future needs for uniformity in parts and service for the golf carts may result in the chosen golf cart brand and model becoming a single source. In these cases, staff should:
   1. Determine the likely cost of the single source over the life of the product and its progeny. For instance, in the case of the POS system, staff should determine the likely cost of the system over the ten years the park may use it, not the first year it is purchased. Or in the case of the golf cart, the cost not just of the first golf cart, but the 20 that are likely to be purchased.
   2. Use the procurement method appropriate for the level of spend for the life of the single source item. For instance, if the first year of the software agreement will be $2,000, but the lifetime costs are likely to be $25,000, staff should get three quotes rather than placing the initial purchase on a p-card with no quotes. Or, if the cost of the single golf cart is $22,000, but the needs of the park over the life of that brand will be $150,000, staff should put the golf cart out to bid rather than obtaining three quotes.

**310 Cooperative Purchasing Program**

Cleveland Metroparks participates in a variety of consortiums to obtain volume discounts. Staff may take advantage of cooperative purchasing programs without obtaining competitive quotes, bids, RFPs, etc. as follows:

***Ohio Cooperative***

***Purchasing Program*** Cleveland Metroparks utilizes the Ohio Cooperative Purchasing Program (where determined by the Director of Procurement to be advantageous or otherwise applicable) in accordance with Ohio Revised Code Section 125.04 as held in The Ohio Cooperative Purchasing Act (am. Sub. H. B. No. 100) and signed into law by Governor Richard F. Celeste on December 4, 1985 and effective March 6, 1986. This program was accepted through resolution by the Board of Park Commissioners, December, 1990.

***Ohio Department***

***of Transportation***

***Cooperative***

***Purchasing Program*** Cleveland Metroparks also utilizes the Ohio Department of Transportation Cooperative Purchasing Program (where determined by the Director of Procurement to be advantageous or otherwise applicable) in accordance with the Ohio Revised Code Section 5513.01 (B). This program was accepted through resolution by the Board of Park Commissioners, February, 1991.

***Ohio Schools Council***

***Cooperative Program*** Cleveland Metroparks also participates in the Ohio Schools

Council consortium for use of utility savings and bulk purchases

where applicable since 1999.

***Ohio Revised Code 125.04***

***(formerly House Bill 204)*** Cleveland Metroparks is entitled to purchase supplies and services outside of a purchase contract (i.e. - Ohio Cooperative Purchasing Program) and without complying with competitive selection procedures if the purchase can be made at a lower (or equal with better conditions) price than is available through such a contract. An affidavit (copy available in Sample Forms Index) is required that validates the vendor’s promise that the product or service is equivalent in all aspects and specifications as well as a copy of the equal or lower price quote.

\*Other cooperative contracts: OMNIA, SourceWell, PACE, etc.

A request form to purchase through any Cooperative Purchasing Program is in the Sample Form Index.

Governmental or "GSA" pricing indicated by vendors **IS NOT** linked to any of the above cooperative Purchasing programs. Staff is asked to contact the Purchasing Division for clarification of vendor's actual ability to extend such discounts when "GSA" prices are proposed. GSA pricing only pertains to IT or emergency preparation related purposes.

**311 Emergency Purchases**

If staff believes an emergency exists that requires a departure from standard procurement procedures, staff must adhere to the following procedure:

* 1. Determine whether an emergency exists. An emergency exists “when, due to an emergency beyond the control of the Board, or any of its officers, employees or agents, the CEO determines that the delay in utilizing the quoting, bidding or proposal process or the delay in bringing a contract in excess of $50,000 to the Board for approval would create a real and present danger to the health, safety or well-being of the public, Board employees, or Park animals or turf or other significant resources.”

1. Staff must consult with both Purchasing and Legal to confirm an emergency exists and obtain CEO approval.
   1. Staff should next determine whether it has time to conduct any type of competitive process.
2. If the purchase is for over $50,000 and staff can obtain quotes, even if it cannot release a bid or RFP, staff should attempt do so and choose the vendor to provide the emergency good or service using the lowest and best quote.
3. For any purchase, staff must justify why it believes it does not have sufficient time to do any type of competitive process.

**312 PO After Purchase is Made**

**PURCHASE ORDERS OBTAINED AFTER PURCHASE HAS BEEN MADE:**

***Purpose*** Ohio Revised Code (ORC 5705.41(0)) mandates that no purchases shall be made without a CFO's certification of funds. Cleveland Metroparks procurement procedures clearly instruct employees to obtain a purchase order with the CFO’s certification of funds before making a purchase. Emergency or other unusual situations occasionally make a deviation to this procedure necessary. Contact [Purchasing@clevelandmetroparks.com](mailto:purchasing@clevelandmetroparks.com) when these types of situations occur. The Director of Procurement will review the emergency situation prior the proceeding with the purchase.

**“S” PO’s**

Purchase orders that are issued after the invoice date and/or after the products or services are ordered and/or received violate Cleveland Metroparks’ policies regarding purchase order requirements. Such purchases may also require a then-and-now certificate from the Chief Financial Officer indicating that, both at the time the purchase was made and at the time it is paid, funds were available for payment.  Such purchase orders are recognized apart from standard purchase orders and include a different certification from the Chief Financial Officer.  They are therefore designated with an "S" on the requisition and presented with the standard voucher resolution.

Cleveland Metroparks staff should contact the Purchasing department in advance of placing an order or executing an agreement without a purchase order in place and should do so only in rare circumstances.

In any instance where a purchase is made or a contract is signed prior to a purchase order being in place and a super blanket certificate is not in place for such purchase or contract, Cleveland Metroparks Purchasing Department will notify the Chief Financial Officer of the “S” PO by email and the CFO will acknowledge such “S” PO by the following language: “It is hereby certified that both at the time of the making of this contract or order and at the date of the execution of this certificate, the amount of $XXXX required to pay this contract or order has been appropriated for the purpose of this contract or order and is in the treasury or in the process of collection to the credit of the Fund free from any previous encumbrance.” The approved email certification will be attached to the requisition in Munis. If the amount is $3,000.00 or more, a resolution to the Board will be presented within 30 days of the CFO’s certification.

At times, Cleveland Metroparks staff may have to make small-dollar purchases under tight time constraints. In these instances, it may be difficult to secure a PO prior to placing the order or signing a contract. Staff should use the pro-card to complete such purchases.

**313 Procurement Using Federal or State Funds**

Various park departments receive state or federal funds, including grants. When using these state or federal funds to procure goods or services, there may be additional procurement requirements. What follows is a summary of some of the most common additional requirements.

1. General Provisions Regarding Use of State or Federal Funds:
2. State and federal funds generally require that the funds be located in a separate account. You must work with Finance personnel to ensure state or federal funds are located in appropriate accounts.
3. Individual state and federal agencies and individual grants come with requirements that are specific to that funding source. Because of this variation among funding sources, you must notify Purchasing personnel and, to the extent a contract is required, legal department personnel that you are using state or federal funds so that they may assist you in complying with any requirements.
4. Most state or federal funds require reporting. If you are using grant funds, please reach out to Cleveland Metroparks grants personnel to assist you in complying with these requirements.
5. Procuring Goods with Federal Funds—the following additional requirements apply when using most federal funds:
6. Time and materials contracts are generally prohibited, unless a determination has been made that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk.
7. If you are making an award using a fixed price contract (lump sum or unit price), the awarded bid price must be the lowest, rather than lowest and best.
8. Before procuring goods, confirm whether the goods are required to contain recovered or recycled materials by vising epa.gov/smm/comprehensive-purchasing-guideline-cpg-program#products.
9. For construction or facility improvement contracts in excess of $150,000, the construction or improvement must be bonded as follows:
   1. A bid guarantee equal to 5% of the bid price;
   2. A performance or payment bond equal to 100% of the contract price.
10. Any contract for the services must include applicable provisions set forth in Appendix II to Part 200—Contract Provisions for non-Federal Entity Contracts of the CFR. You must reach out to Legal so that it can assist you in assuring these provisions are included.
11. Procuring Goods with State of Ohio Funds—the following additional requirements are applicable to most State of Ohio funds:
12. If your State of Ohio funds are pass-through funds (meaning they are federal funds being administered by the State of Ohio), ensure that you comply with Section A.
13. You may not purchase goods or services from any vendor that has been disbarred by the State of Ohio from participating in Ohio contracts.
14. You may not purchase goods or services in a manner that is inconsistent with Ohio Executive Order 2019-12D, which generally prohibits the purchase of goods or services from off-shore sources.

**400 Ethical Practices & Conflict of Interest**

Ethical Practices 401

Conflict of Interest 402

Conflict of Interest Form 403

**401** **Ethical Practice**

The suppliers to Cleveland Metroparks and their products, personnel and services are an extension of Cleveland Metroparks own resources. It is the responsibility of all employees to work to maintain a positive reputation of Cleveland Metroparks. Developing and maintaining good relations between Cleveland Metroparks and its suppliers is the responsibility of every Cleveland Metroparks employee. All staff should keep in mind that personal contacts form much of the basis for the supplier's opinion of Cleveland Metroparks.

In personal contacts with the suppliers, each employee represents Cleveland Metroparks and should reflect and present the interests and needs of all departments.

**402** **Conflict of Interest**

Employees must comply with all ethical provisions of the Cleveland Metroparks Employee Handbook, including but not limited to those provisions relating to procurement. Please refer to Chapter 3 of the Employee Handbook.

**500 Gifts and Gratuities**

Gifts and Personal Interactions 501

Inspections and Defects 502

**501** **Gifts and Personal Interactions**

1. Ohio Revised Code Section 102.03 (D) and (E) and Sections 2921.42 (A)(4) and 2921.43(A) prohibits a state official or employee from using the authority or influence of his/her position to secure, for personal travel, a “discounted” or “frequent flyer” airline ticket or other benefit from an airline if he/she has obtained the ticket or other benefit from the purchase of airline tickets, for use in official travel, the department, division, agency, institution, or other entity with which he/she serves, or by which he/she is employed or connected. **The use of “frequent flyer” miles is prohibited by any employee.**
2. Cleveland Metroparks employees shall comply with all ethical obligations set forth in the Cleveland Metroparks Employee Handbook, including regarding gifts and personal interactions. Please see Chapter 3 of the Employee Handbook.

**502** **Inspections and Defects**

Although inspection of goods received is not a primary function of the Purchasing Division, quality control can only be maintained by receivers of goods informing the Purchasing Division of any negative results of inspection so that appropriate action can be taken with the vendor. A request may be made at that time from the Director of Procurement for the receiver to verify the reasons for rejection or request for adjustment. Please email [Purchasing@clevelandmetroparks.com](mailto:purchasing@clevelandmetroparks.com) with any questions, concerns, etc.

**600 Specifications and Quality**

Responsibilities 601

Defective Equipment 602

Duty to Inspect 603

Receiving and Inspection Procedures 604

Defects Not Reasonably Discoverable on Receipt of Shipment 605

**601** **Responsibilities**

Accurate specifications help to insure receipt of proper quality and service.

***Adequate Specifications Should Be:***

* Simple, clear and precise.
* Capable of being verified, checked and defended including a description of the inspection methods to be used where applicable.

**602** **Defective Equipment**

Rights to recover losses and damages suffered as a result of defective equipment, materials and workmanship exist at the onset, either by "operation of law" or by reason of "expressed" contract provision. Cleveland Metroparks rights may arise by "operation of law" in the following ways:

* + - * + Warranties created by law rather than by expression of the parties.
        + Negligence on the part of supplier or manufacturer or a component part.
        + Violation of an expressed statutory duty.

In all situations, the Purchasing Division is to be advised and/or consulted before individual employees attempt to resolve such conflicts. Please email [Purchasing@clevelandmetroparks.com](mailto:purchasing@clevelandmetroparks.com) with any questions, concerns, etc.

**603** **Duty to Inspect**

Under state law, the Purchasing Division has no statutory duty to inspect goods upon arrival but failure to inspect goods at time of arrival may preclude the right to reject the shipment in its entirety, even though it does not constitute a waiver of the right to claim breach of warranty upon a subsequent discovery that the goods are faulty. Most vendors have sought to impose a duty to "inspect upon arrival" by inserting clauses in the contract stating that all claims must be made within ten (10) days after arrival of the shipment. Such clauses normally are interpreted by the courts to apply only to claims for defects readily apparent upon arrival.

With respect to non-apparent defects, so-called guarantee clauses may be found that expressly warrant against defects for one year and thereby limit the seller's liability to a one-year period rather than the usual period imposed by the law in the absence of an expressed agreement.

Staff shall inspect goods upon arrival or as soon as possible within normal business hours.

**604** **Receiving and Inspection Procedures**

Sound receiving and inspection procedures mark the starting point for preserving Cleveland Metroparks rights against suppliers. These procedures are essential to successful prosecution of claims for shortages or damages to shipment. Early detection of defects or obvious failures to comply with specifications often permits Cleveland Metroparks to secure a replacement at the suppliers' expense and puts Cleveland Metroparks in a more favorable position if a claim develops.

**Items should be counted, verified and approved for quality and quantity to the purchase order** **or the invoice**.

**605** **Defects Not Reasonably Discoverable**

In certain types of goods, a defect or fault is not reasonably discoverable on receipt of shipment. For example:

• Goods received in packages that are not opened until needed

• Goods shipped in sealed packages or containers

• Defects which do not appear until the goods are put into service

When the defect appears, prompt action is essential to remedy the failed performance of other deficiencies.

Purchase contract documents often contain obscure limitations against charging the supplier for cost of repairs attempted without advance approval. Cleveland Metroparks should not hold up all efforts to begin work merely to preserve its rights against the supplier of a defective minor part. Upon discovery of the defective minor part **the requester and the Director of Procurement will give the supplier prompt written notice, and advise them that Cleveland Metroparks will take independent action if they fail to respond by a stated time with instructions or assistance.** Where remedial work must begin before the supplier's response could reasonably be expected, prompt notice to the supplier usually will protect Cleveland Metroparks against accidental loss of rights against the supplier. The activities noted should be coordinated through the Director of Procurement and at his/her discretion. Email to [Purchasing@clevelandmetroparks.com](mailto:purchasing@clevelandmetroparks.com). If a defect is substantial, Legal should be contacted immediately.

Attempts shall be made by Cleveland Metroparks representatives, at the time of delivery/receipt, to thoroughly inspect all materials and products received to ensure compliance with the instructions and specifications requested, whether implied or written.

If damage is visible at time of delivery or there is a shortage of packages on the freight bill (delivery receipt), the receiver must make such notations on the freight bill. The driver should sign the freight bill thus verifying any written explanations BEFORE it is signed by an AUTHORIZED Cleveland Metroparks employee. The Purchasing Division should then be notified and a corrected freight bill (delivery receipt) forwarded. If the freight bill is not available from the vendor, submit "delivery receipt" as mentioned above. All deliveries received shall be signed as "Subject to further inspection." Email to [Purchasing@clevelandmetroparks.com](mailto:purchasing@clevelandmetroparks.com).

**Purchases by Employees**

**700 In The Field**

Purchases by Employees in the field 701

Chain of Procurement Authorization 702

General 703

Procurement Card information and user guide 704

**Purchases by Employees**

**701 In The Field**

Each Cleveland Metroparks Department Staff Member/Manager/Director/Chief is required to be aware of Cleveland Metroparks procurement policies. Goods or services cannot be ordered by any employee before they are authorized.

**Delegated Authority**

Any Cleveland Metroparks employee outside of the Purchasing Department MUST get approval by Purchasing and their respected Manager, Director and/or Chief. Upon approval, training is required.

**Training**

Staff members must contact Purchasing to set up **training to review the overall policies and procedures** as it relates to procuring goods and services. Training will cover p-cards, Munis (request for purchase orders, purchase order change orders, reporting, workflow, etc.), quotes, and request for Bids and RFP’s. (see sections 703, 801-802, pages 57 and 61-63)

**Split Order**

**SPLIT ORDER purchases to avoid bidding requirements or other approvals outlined in this manual are prohibited.**

***Any employee ordering goods or services in a manner not prescribed may be held personally liable for such an improper action and may be subject to disciplinary action by Cleveland Metroparks*** (see "Purchase Orders Obtained after Purchase Has Been Made" under New Procurement Procedures, Section 103). The planning aspect of the procurement process is the responsibility of each department. Each department that is requesting the procurement of goods and/or services has the working knowledge of the time requirements of the purchase and is aware of the adequacy of the particular department's budget. ***The responsibility for proper planning of the purchase rests with the originating department.***

**702 Chain of Procurement Authorization**

|  |
| --- |
| **SUPERVISORS, MANAGERS & PROFESSIONALS** |
| Initiate and approve individual purchases below $5,000.00 via pcard and propose the purchase, quotation or bid of items $5,000.01 and greater. |

**TO**

****

|  |
| --- |
| **DIRECTOR OF PROCUREMENT** |
| Approves all purchases $1,000.00 and greater (requisitions and/or vendors don’t accept pcard). Prepares the structure for procedure, selection and pricing for bid and non-bid items as proposed by staff to present to the CFO. |

**TO**

****

|  |
| --- |
| **CHIEF FINANCIAL OFFICER** |
| Approves all purchases and procedural preparation of bids and quotes by Director of Procurement and Purchasing Staff. |

**TO**

****

|  |
| --- |
| **CHIEF EXECUTIVE OFFICER** |
| Approves all quotes above $25,000.00 and up to $75,000.00. Approves all purchases $25,000.00 and below as prepared by CFO from Director of Procurement and Purchasing Staff. |

**TO**

****

|  |
| --- |
| **BOARD OF PARK COMMISSIONERS** |
| Approves all bids above $75,000.01 and all purchases below in totals as prepared by CEO, CFO, and Director of Procurement and presented at the Board meetings. |

**702 Chain of Procurement Authorization (Cont'd.)**

Vendors should understand that only the Board of Park Commissioners can authorize a contract or award a bid or proposal involving an amount of $75,000.01 or more. Such approval can only occur at a public meeting by Board resolution. Until a bid or proposal is awarded, the Board of Park Commissioners retains the right to reject any and all bids or proposals at its discretion.

**703 General ($5,000.00 or less)**

The following progression is standard for non-bid or contract related items (Some bid/contract related vendors are set up to accept pcard. Purchasing will share relative information):

I. Authorized employee has the need to purchase items and/or services

II. Employee obtains authorization for the purchase from their supervisor (Manager, Director or Chief)

A. This approval can be immediate or in advance

B. Approval by the supervisor is based upon the recommendation of the Purchasing Division for specific types of items and/or services.

III. Authorized employee contacts vendor

1. Purchases $5,000.01 or more (see sections 801-802, pages 60-62)

B. Company accepts Pro-Card ($5,000.00 or less)

1. Employee secures prices and availability from vendor

2. Employee utilizes Pro-Card with Vendor

3. After receipt of the material the item is posted and authorized on the statement in Munis.

C. Company does not accept Pro-Card

1. Employee secures prices and availability from vendor and utilizes their division code and submits a requisition in Munis. This is “Blanket” status now utilized for all PO’s $5,000.00 and under where the ProCard is not accepted.

* 1. New company to be verified for compatibility through the Purchasing Division. The following information is required and entered on the New Vendor Form and attached to the requisition. The vendors W9 is also required.

**EXCEPTIONS:**

All exceptions must be cleared by the Purchasing Division via email at [Purchasing@clevelandmetroparks.com](mailto:purchasing@clevelandmetroparks.com) and verified at the discretion of the Director of Procurement. The Director of Procurement will review the exception prior the proceeding with the purchase.

**704 Procurement Cards**

The procurement card is intended to eliminate many administrative delays associated with processing small-dollar purchases for non-bid/contract items and some bid/contract items as specified by the Purchasing Division, resulting in benefits to employees, the Park District and its suppliers. Card holders are empowered to obtain certain goods and services much faster and easier. Paperwork and related processing in the Purchasing and Accounting Divisions is also reduced. The cycle times for acquisition, payment, and reimbursement has been shortened as well. These efficiencies are intended to allow all groups and individuals involved to be more effective at focusing on the value added aspects of their jobs. Cleveland Metroparks Procurement Card program delegates appropriate levels of authority to purchase small-dollar items directly to the user. Any questions regarding use of the Pro-Card should be directed to the [pcard@clevelandmetroparks.com](mailto:pcard@clevelandmetroparks.com) and/or please reference the Pcard Manual on the portal.

**800 Quotations**

General Information 801

Types of Quotations 802

**801 General Information**

The following procedure applies to transactions on materials and/or services with an estimated unit price **under $75,000.00**. For materials and/or services with an estimated unit price of $75,000.01 or over, see "Bids/Proposals".

Staff working with the Purchasing Division, are responsible for obtaining quotations on materials and/or services that are expected to exceed $5,000.01 up to $75,000.00. This shall be done for estimating purposes and purchases. Request for a purchase order must be completed in Munis via the Requisition process (see instructions listed on the Portal under Finance/Purchasing) or contact Purchasing at [Purchasing@clevelandmetroparks.com](mailto:purchasing@clevelandmetroparks.com) assistance.

**802 Types of Quotations**

***Written Quotations***

***$5,000.01 to $75,000.00*** Written or internet quotations must be obtained for items costing between $5,000.01 and $75,000.00, unless such item is being obtained directly from the manufacturer. At least three (3) quotes are required. Competitive prices, contact person and phone number must be recorded for each quote and attached to the requisition via Munis. The Purchasing Division will conduct periodic verification of competitive prices through a monthly internal auditing procedure. Proper approvals shall be given **prior** to the order being placed. **The ONLY exception to the above procedure is to gain approval from the CFO and the Director of Procurement to waive the quotations. Email** [**Purchasing@clevelandmetroparks.com**](mailto:purchasing@clevelandmetroparks.com)**.**

* The Purchasing Division, when procuring materials and/or services requiring written requests for quotation, will solicit prices from three or more vendors. Factors such as delivery time, past service, past product performance and proximity to the location will be used in determining the lowest and best price. Such information will be maintained by the Purchasing Division in order to develop a running history of vendors and the products used by Cleveland Metroparks.
* Any personnel authorized by their manager, when obtaining quotations, should be mindful of alternatives that may have been developed in situations encountered by the Purchasing Division. It would be helpful to begin any materials search with contact to the Purchasing Division to check if a precedent case exists.
* A vendor list will be maintained by the Purchasing Division and accessible on the MUNIS and/or the Portal.
* Answers to technical questions arising during the quotation period should be provided by the requesting department. The reply should be coordinated to ensure all potential suppliers are provided the same information.

* After all quotations have been received and examined for completeness, a Requisition for a Purchase Order must be submitted into Munis The determination of the lowest and best offer will be made by the Purchasing Division after all aspects including quality of product and service have been considered. Award of the request will be made after proper approvals have been obtained. The information gathered will be kept with the purchase order for documentation.

**802 Types of Quotations (Cont'd.)**

* When circumstances make the solicitation of quotations inappropriate, the requestor shall document the facts on the reverse side of the purchase requisition and obtain the specific approval of the Director of Procurement. Any problems of interpretation should be referred to the Director of Procurement.
* The Director of Procurement will review and may approve any minor irregularities to quotations during the requisition process. Correspondence (email or letter) to the vendor may be required based on the severity of the irregularity.
* **Special Note** – There are some quotations the Purchasing Division will facilitate (such as Automotive Fluids, Lamps and Ballasts, etc.) If the awarded vendor(s) are unable to provide a good due to the items(s) being out of stock, on back order, quantity, etc. **staff MUST email** [**Purchasing@clevelandmetroparks.com**](mailto:purchasing@clevelandmetroparks.com) **requesting approval** to purchase the item(s) elsewhere. Staff MUST attach the approval email to their requisition or pcard statement in Munis.

**901 Level Itemization**

**REQUIREMENTS AT VARIOUS PROCUREMENT LEVELS**

***$5,000.00 or less***

***using Pro Card*** • Secure prices (including or excluding freight)

• Utilize Pro Card for transaction

• Review Munis reporting for budget balance

• Verify weekly statement for Purchasing Division in Munis

Delivery Receipt should be scanned and attached to the appropriate transaction in Munis

***$5,000.00 or less***

***Not accepting Pro Card*** • Secure prices (including or excluding freight)

• Complete Requisition via Munis

• Send delivery receipt and/or invoice to Accounts Payable noting purchase order number, Project String if applicable, etc.

***$5,000.01 - $75,000.00*** • Secure three written quotes

* Complete Requisition via Munis

• Purchases between $10,000.00 and $75,000.00 are approved by the CEO PRIOR to ordering

• Purchase order number is issued

• Send delivery receipt and/or invoice to Accounts Payable noting purchase order number

***$75,000.01 and over*** • Purchases $75,000.01 are approved by the Board of Park Commissioners

* Contact Purchasing to receive bid number via email and begin preliminary discussions of bid, draft bid documents, etc.
* Complete Requisition via Munis once Board approved

All should understand that only the Board of Park Commissioners can authorize a contract or award a bid involving an amount of $75,000.01 or more. Such approval can only occur at a public meeting by Board resolution. Until a bid or proposal is awarded, the Board of Park Commissioners retains the right to reject any or all bids at its discretion.

**1000 Vendors**

Obligations 1001

Selection 1002

Relations 1003

**1001 Obligations**

***Vendors are expected to fulfill certain basic responsibilities:***

• To handle all written and personal communication with Cleveland Metroparks through the Purchasing Division unless otherwise instructed by the Director of Procurement. The Purchasing Division should receive copies of all correspondence and be kept informed of any oral communications.

• To conduct negotiations ethically, without attempts to influence through offering personal gifts or entertainment.

• To make available, through the Purchasing Division or other designated representatives, all available technical and engineering procedures, services and ideas that might improve Cleveland Metroparks present or future use of supplier's products and services.

• To advise the Purchasing Division or other designated representative(s) of any product liability, malfunction, recall, safety defect, etc. that might affect their products or personnel using their products.

• To advise the Purchasing Division of other designated representative(s) of any new products as soon as such information is available.

• To inform the Purchasing Division of changes in economic or other conditions that might affect procurement or operating decisions.

• To obtain through the Director of Procurement, further information about selling products to Cleveland Metroparks.

**1002 Selection**

When Cleveland Metroparks staff wishes to enlist services of a new vendor, a "New Vendor's Form" must be completed, attached to Requisition in Munis or emailed to [Purchasing@clevelandmetroparks.com](mailto:purchasing@clevelandmetroparks.com) prior to Requisition and approved by the Purchasing Division. The Purchasing Division will be responsible for evaluating and verifying information submitted by the vendor or Cleveland Metroparks budget manager requesting enlistment of the vendor.

The Purchasing Division may also use Dun & Bradstreet Directories, State of Ohio Audit Search or Federal Audit Search via SAM to access information concerning a company's operation, stability and financial background.

The Purchasing Division will keep current a "Vendors List" which will contain the names of vendors that have met the criteria listed and are approved by Cleveland Metroparks. The Vendors List will be continuously updated and available on the Intranet.

Within the bid process, a statement of Bidder's Qualification (see Sample Form Index) must be completed by all prospective bidders as part of the bid package. Prior to the award of any bid, the Purchasing Division may obtain a Dun & Bradstreet Directories, State of Ohio Audit Search or Federal Audit Search via SAM report on the apparent successful bidder to assist in determining their ability to meet requirements of the bid or proposal.

If the purchase is necessary to prevent the interruption of public service which endangers public health, safety and welfare, an exception can be made to allow utilization of a vendor that is not fully inspected. Immediately following delivery of the items, the Purchasing Division will evaluate the vendor involved. Please email [Purchasing@clevelandmetroparks.com](mailto:purchasing@clevelandmetroparks.com) with any questions, concerns, etc.

The Purchasing Division and/or park staff will place orders mindful of dependability and service records of vendors, the nature of the guarantee and warranty of the product and its price and quality. Preference will be given to the following types of vendors, providing this involves no sacrifice in quality, service or price:

• Suppliers who are developing new and improved products or equipment, or designing a special product for Cleveland Metroparks exclusive use.

• Suppliers located near Cleveland Metroparks, in instances where delivery is not normally included.

• Suppliers with adequate financial strength who also have a reputation for adhering to specifications and delivery schedules.

**1003 Relations**

It is Cleveland Metroparks policy to maintain and practice the highest possible standard of business ethics, professional courtesy and competence in all of its dealings. At all times, applicable laws must be observed. The following should be observed when dealing with suppliers and their representatives:

• Accord prompt and courteous reception, as well as fair and equal treatment, to all suppliers and their representatives.

• Provide equal opportunity for all suppliers to make price and specification quotations.

• Decline to take advantage of seller's errors, and show consideration for seller's difficulties by cooperating with them whenever possible.

• Avoid putting seller to unnecessary expense or inconvenience on returned goods.

• Explain clearly and fully as possible, the reason for rejection of supplier's bids/proposals.

• Remain free from obligations to any supplier.

• Keep informed about sources of supply, methods, services and materials and encourage their testing.

Please email [Purchasing@clevelandmetroparks.com](mailto:purchasing@clevelandmetroparks.com) with any questions, concerns, etc.

**1100 Samples - Product Testing**

Samples 1101

Products for A Trial Basis 1102

**1101 Samples**

When vendors offer, or Cleveland Metroparks employees request samples for evaluation, they will be accepted only under the following conditions:

• The product is one which is of a type presently in use or is of potential use to Cleveland Metroparks. Samples of goods not likely to be purchased will not be accepted.

• The quantity or size of the samples is relatively small and of low value. The object of the sample is the examination of its fitness for Cleveland Metroparks service, not intended to provide an inventory of the material.

• Any chemicals offered as vendor samples shall not be accepted unless accompanied by an OSHA Product Safety Data Sheet.

• If vendor samples are accepted, they shall be promptly conveyed to the appropriate department for testing. The vendor is entitled to and will receive prompt evaluation of their sample.

Please email [Purchasing@clevelandmetroparks.com](mailto:purchasing@clevelandmetroparks.com) with any questions, concerns, etc.

**1102 Products For A Trial Basis**

Whenever a product is requested for trial use (portable recorders, pagers, mowers, etc.) a purchase order number must be issued prior to receiving this merchandise. The purchase order will be written to state "ON LOAN ONLY," and the item will be purchased only if it meets approval.

**1200 Equal Opportunity Policy**

Equal Opportunity Policy 1201

Definitions 1202

**1201 Equal Opportunity Policy**

Cleveland Metroparks sources and involves minority enterprises in all of its bids and quotes for competitive participation. Source books (**Regional Directory of Minority & Women-Owned Business Firms,** **The Hispanic Business and Community Resource Directory; Ohio Edition**, **City of Cleveland: Minority Business Enterprise and Female Business Enterprise Registry** , **The Cleveland Growth Association’s Regional Minority Purchasing Council, Inc.’s Directory** and the **Board of Cuyahoga County Commissioners Directory of Certified Minority and Women Business Enterprises)** on file in the Purchasing Division office are referred to in all bid situations and minority and female businesses (MBE/FBE/DBE’s) are invited to participate.

These efforts are reinforced by corporate membership in Cleveland Growth Association’s Ohio **Minority Supplier Development Council (OMSDC). MSDC** programs may be coordinated so that all area MBE/FBE’s are notified and directed to contact Cleveland Metroparks Administrative Offices to receive any and all available bid packages.

Under direction of the **Ohio Revised Code**, Cleveland Metroparks and its vendors must be cognizant of the governing statutes that mandate complete fairness and objectivity. Cleveland Metroparks strives to follow these parameters with bid packages and procedures that are in the best interest of the community served and without weighted favor.

The Director of Procurement is kept abreast of new and applicable MBE’s by MSDC. **New vendors to Cleveland Metroparks are “coded” in the accounting computer system** to enable a “snapshot” at any time regarding the percentage of MBE/FBE’s currently under contract in a given year.

A pamphlet entitled, ***“How to Conduct Business with Cleveland Metroparks”*** , is available (in both English and Spanish) on the Cleveland Metroparks website and at the Administrative Offices and bulk copies are made available for distribution at various MBE/FBE outreach conferences and trade shows.

**1202 Definitions**

***Minority Business***

***Enterprise*** "Minority" means a United States citizen of lawful, permanent residence who is Black, Hispanic, Asian American, American Indian or Eskimo/Aleutians.

• The business must be owned and controlled by 51% minority, including corporate stock, if a corporation. Such owners must have control over the management and day-to-day operations, have interest in the capital, assets and profits and losses proportionate to their percentage of ownership.

• The business shall be owned and controlled by such person for at least one (1) year prior to a bid being awarded. Ohio Revised Code 122.71 E(I), (2).

***Female Business***

***Enterprise*** A business that must have a minimum of 51% female ownership, have women owners responsible for day-to-day management and have been in existence for at least one (1) year.

***Disadvantaged Business***

***Enterprise*** A business that is at least 51 percent owned by one or more individuals who are both socially and economically disadvantaged or, in the case of a corporation, in which 51 percent of the stock is owned by one or more such individuals, and whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it.

**Changing Existing &**

**1301 Establishing New Procedures**

***Changing Existing and Establishing New Procedures:***

At least once each year, the procedures in this manual are to be reviewed and where deemed appropriate, modified to reflect changes in Cleveland Metroparks operation, provide clarity to the material and/or delete information that is not current.

As part of the annual review, an audit of the Purchasing Manual List of Distribution is made via email to staff and/or posted on the Portal to determine that all of the appropriate people are in possession of the manual and that the contents of manuals are complete and current.

**1400 Prospective Vendors**

Letter to Prospective Vendors 1401

New Bidders 1402

New Vendors 1403

Bid Information 1404

Deliveries 1405

Invoicing 1406

**1401 Letter To Prospective Vendors**

The Purchasing Division welcomes the interest of sales representatives who can offer supplies, materials, equipment and services to Cleveland Metroparks. We appreciate your sales call or email to keep us informed of the latest developments in the many fields in which our purchases are made. We feel that through the cooperation of the vendors and Cleveland Metroparks, the best value can be obtained in an atmosphere that is pleasing to all.

The enclosed information should acquaint you with the practice of the Purchasing Division. If you have any further questions, please feel free to call or email [Purchasing@clevelandmetroparks.com](mailto:purchasing@clevelandmetroparks.com)..

The Purchasing Division of Cleveland Metroparks is a part of the Office of the Chief Financial Officer and serves under the Chief Executive Officer. It is located in the Cleveland Metroparks Administrative Offices at 4101 Fulton Parkway, Cleveland, Ohio 44144, any may be reached by telephone at (216) 635-3200. Office hours are Monday through Friday, 8:00 a.m. to 4:30 p.m.

The Purchasing Division plans, procures, and manages the purchases of supplies, materials, services and equipment. The Purchasing Division is always interested in acquiring the best quality at the very best price. Product aspects such as service, availability, vendor performance and suitability of a product for its determined use will be considered. Alternates as recommended by vendors will be given considerate evaluation.

**1402 New Bidders**

New bidders must register with Public Purchase ([www.publicpurchase.com](http://www.publicpurchase.com)) to receive any open solicitation posted by Cleveland Metroparks. Plan Holders and contractors may also obtain specification for construction bids by Public Purchase.

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**1403 New Vendors**

***Vendor List:***

For a vendor to be added to the vendor list, a Cleveland Metroparks representative must present a request to the Director of Procurement requesting the company be investigated and embraced as a common vendor. At the discretion of the Director of Procurement, such vendors shall be added. Please email [purchasing@clevelandmetroparks.com](mailto:purchasing@clevelandmetroparks.com) with any questions, concerns, etc. A new vendor form and W9 must be submitted.

***Bid List:***

Any vendor can be placed on the bid list to receive pertinent invitations to bid, RFP’s, or RFQu’s without scrutiny or specific qualification by registering with Public Purchase (www.publicpurchase.com).

***Federal Tax Identification and/or Social Security Numbers:***

1099 tax forms are sent to applicable vendors at year end in cooperation with Federal requirements. These are determined through Federal Tax ID numbers obtained when a new vendor is set up. In lieu of a Federal Tax ID number, proprietors/one-person businesses should utilize their Social Security numbers.

**1404 Bid Information**

Bids/RFP’s/RFQu’s that are estimated to exceed $75,000.01, are advertised in the local newspaper (Cleveland Plain Dealer and Cleveland.com) and specifications are obtained by Public Purchase ([www.publicpurchase.com](http://www.publicpurchase.com)).

Once an award and/or contract is approved and fully excuted, a tabulation of the award will be posted to Public Purchase. All bids/RFP’s/RFQu’s are a matter of public record and may be posted on Cleveland Metroparks website and/or Public Purchase.

**1405 Deliveries**

Vendors are advised against making a delivery or performing a service for Cleveland Metroparks without an authorized purchase order. Deliveries should be made to the address indicated on the purchase order.

**1406 Invoicing**

After material has been delivered or a service **has been performed,** invoices should be mailed or emailed to:

Cleveland Metroparks

Attn: Accounts Payable

[accountspayable@clevelandmetroparks.com](mailto:accountspayable@clevelandmetroparks.com)

4101 Fulton Parkway

Cleveland, Ohio 44144

To ensure prompt payment, the purchase order number should appear on your invoice. Failure to indicate Cleveland Metroparks purchase order number may result in a delay of payment.

**1500 Forms Index**

***\*For Cleveland Metroparks Staff only***

Affidavit for Ohio Revised Code 125.04 - Electronic Form

Division & Account Codes – Electronic on portal

Request for BID/RFP/RFQu/RFI Form via email to [purchasing@clevelandmetroparks.com](mailto:purchasing@clevelandmetroparks.com)

Bid Tabulation Form - Electronic Form

New Vendor Qualification Form - Electronic Form

Legal Conflict of Interest Disclosure Form - Electronic Form submittal

Payment in Lieu of Form - Electronic Form

Columbus Hotel/Motel Excise Tax Exemption Certificate

Ohio Tax Exemption Certificate

Kentucky Tax Exemption Certificate

Florida Tax Exemption Certificate

West Virginia Tax Exemption Certificate

Vendor List – On Portal under Purchasing

Purchasing Munis Procedures - On Portal under Purchasing

Procard Agreement Form - Electronic Form

\*Forms may be found on the Portal.

1. This is sometimes referred to as a “sole” rather than “single” source, but is incorporated into Cleveland Metroparks’ definition of a single source. [↑](#footnote-ref-2)