



## TITLE: PROCUREMENT POLICY # 3060 Revision 3

---

**Type:** Administrative Policy

**Date Established:** 01/01/2011

**Date Last Revised:** 08/01/2022

**Date Posted to Website:** 08/03/2015

**Status:** Final

**Supersedes:** N/A

---

### Purpose

This policy communicates the requirements for procurement under the Workforce Innovation and Opportunity Act (WIOA) and provides guidance regarding the procurement and purchase methods to adhere for allowable costs pursuant to federal regulations and PacMtn procedures.

---

### Policy

1. All procurement transactions for the acquisition of property or services required must be conducted in a manner providing full and open competition consistent with the standards of this policy and 2 CFR 200.320. Additionally, the processes shall align with and follow the most current minimum federal and state regulations and guidance that pertain to utilizing the funds.
2. Any discrepancies arising between PacMtn policy with federal and state provisions due to revisions will default to the minimum federal guidance provided.
3. PacMtn policy may set forth stricter requirements than provided by federal and state guidance, but in no case will PacMtn policy not meet minimum federal and state policy.
4. PacMtn will follow policies on codes of conduct and conflict of interest during purchasing and procurement activities.
5. PacMtn will conduct all procurement transactions in a manner providing full and open competition as consistent with federal regulations.
6. Procurement procedures will be consistent using non-federal and federal funds.
7. Procurements and purchases will be based upon funding and budget availability and for the purpose of goals and objectives approved in the PacMtn budget.
8. Noncompetitive proposals must meet minimum federal qualifications and be approved by CEO or designee prior to contract.

---

### Policy Guidelines

Methods of procurement vary by the size and type of the purchase. In all cases, purchases will be reviewed for cost reasonableness to foster greater economy and efficiency. Applicable PacMtn policies and procedures should be followed in conjunction with these policy guidelines.

### **Micro-purchases**

1. Procurement by micro-purchase is the acquisition of supplies or general professional and non-professional services, the aggregate dollar amount of which does not exceed \$3,000.
2. Micro-purchases may be awarded without soliciting competitive quotations if the price is considered to be reasonable.
3. Micro-purchases will be distributed equitably among qualified suppliers.

### **Small Purchases**

1. Purchases of supplies, equipment and general professional and non-professional services between \$3,000 and \$25,000 will be deemed small purchases.
2. Equipment and capital improvement purchases of \$5,000 and more with Federal funds needs prior approval from the awarding agency.
3. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the economical approach.
4. Informal written solicitation documentation shall be used to secure responses from at least three sources. Information collected should include a description of the item or service needed; proposed time schedule needed; comparison of costs including setup, delivery, taxes, etc.; and reason for selection if other than cost. Use of intergovernmental agreements where goods and services have already been evaluated and procured is encouraged and do not need additional solicitation documentation.
5. Purchases of services related to delivery of Workforce Innovation and Opportunity (WIOA) Title I-B or related activities, including one-stop operations, even if under \$25,000, will have additional requirements.

### **Competitive Proposals**

1. Purchases of supplies, equipment and any professional service, including delivery of services of WIOA Title I-B activities, of \$25,000 or more shall be procured through competitive proposal.
2. Requests for Proposals (RFP's) will be publicized and solicited from an adequate number of qualified sources.
3. Description of required services or components, clear description of any technical requirements, and evaluation factors and their relative importance will be identified in the proposal.
4. Responses will be reviewed and evaluated based on consistent grading methods for each proposal. Review Committees will be established for evaluating delivery of WIOA Title I-B services.
5. When selecting contractors and service providers, award will be made to the responsible firm whose proposal is most advantageous to the program. Selection consideration will be given to such matters as price, contractor integrity, compliance with public policy, record of past performance, and financial and technical resources. An additional price analysis will be conducted if the anticipated award amount is in excess of the Simplified Acquisition Threshold as set by federal guidance.
6. Contractors will be verified they are not excluded from participation in federal awards. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals will be excluded from competing for such procurements. Additionally, PacMtn does not restrict competition to include but not limited to the situations identified:
  - Place unreasonable requirements on firms in order for them to qualify to do business;

- Require unnecessary experience and excessive bonding;
  - Noncompetitive pricing practices between firms or between affiliated companies;
  - Noncompetitive contracts to consultants that are on retainer contracts;
  - Organizational conflicts of interest;
  - Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance or other relevant requirements of the procurement; and
  - Any arbitrary action in the procurement process.
  - Ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services, are current and include enough qualified sources to ensure maximum open and free competition.
7. Contracts will be administered to ensure contractor conformance with the terms, conditions and specifications. Contractor performance reviews and monitoring shall be done per programmatic requirements.
  8. Records sufficient to detail the history of procurement will be maintained. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.
  9. Bidders will be notified with the results of the procurement. Bidders may file a written appeal within seven (7) calendar days after the award, to the Chief Executive Officer at the PacMtn administrative office. Appeals will be handled according to PacMtn’s complaint resolution procedures. If appealed, the effective date of contract award may be delayed pending resolution of the appeal. PacMtn reserves the right to renegotiate or reissue an RFP should an appeal for non-award be upheld.

### **Noncompetitive Proposals**

1. Procurement by noncompetitive proposals, or sole source, is procurement through solicitation of a proposal from only one source and may be used only when one or more of the following conditions apply:
  - a. The item is available only from a single source;
  - b. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
  - c. The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity; or
  - d. After solicitation of a number of sources, competition is determined inadequate.
2. Noncompetitive proposals pertaining to the selection of a one-stop operator, eligible training providers, etc. must follow the guidance provided in the Workforce Innovation and Opportunity Act.

### **Administrative Procedures**

1. Selecting a One-Stop Operator – PacMtn WDC, in agreement with chief elected officials, will conduct a competitive procurement for the selection of a One-Stop Operator.
  2. This includes providing at least 30-day public notice through which prospective local, state, and national bidders typically identify such opportunities (e.g., PacMtn website, and other media outlets suited for this type RFP).
-

## References:

---

Public Law 113-128

Workforce Innovation and Opportunity Act of 2014, Sections 107(d)(10), 107(g)(1), 121(d)(1-2), 123, 134(c)(2)(C)

OMB Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards

ESD Policy 5404R1, Procurement & Selection of One-Stop Operators & Service Providers (Effective 11/30/2021)

2 CFR .313 - 316

2 CFR .317 – 326

29 CFR 95

29 CFR 97

29 CFR 98

PacMtn Policy – 3010 Conflict of Interest

PacMtn Policy – 3120 Allowable Cost and Prior Approval Requirements

PacMtn Policy – 3050 Property Management and Inventory

---

## Attachment:

---

Request For Information and Appeals Process

---

**DATE APPROVED: July 23, 2015, 4/8/2021, 8/01/2022**

---

**Direct Inquiries to:**

**Pacific Mountain Workforce Development**

**Council 1570 Irving Street SW Tumwater, WA**

**98512 Telephone: (360) 704-3568**

**Email: [info@pacmtn.org](mailto:info@pacmtn.org)**

PacMtn is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. WA Relay 711.



**REQUEST FOR  
INFORMATION and PROCESS  
APPEALS**

**Informal Debrief Meeting:** A bidder may request an informal debriefing meeting to seek clarification of the process or specific feedback on their bid submission. Informal debrief meetings do not include review of materials unrelated to the bidder. This process is available to exchange information, including how to improve future bids and help improve future procurement processes.

**Formal Appeal:** This Form is to be utilized when a bidder of record, from an open procurement believes there have been procedural errors, violation of laws or regulations, or unfair or inequitable treatment in the procurement or selection process. Only official bidders from the procurement may file an appeal. This Form must be completed and submitted to the CEO of PacMtn within in the time specified in the RFP. Forms may be submitted electronically via email to [Contracts@pacmtn.org](mailto:Contracts@pacmtn.org).

**Copies:** Bidders and the public may also request copies of submitted bids. Copies of bids will not be available until after award and distribution of award information or posting of such information electronically for public review, the bids, quotes, and proposals of all bidders shall be open to public inspection.

<b>Requesting Applicant Organization:</b>	
<b>Procurement Process:</b>	
Contact Person:	
Mailing Address:	
Email:	
Phone:	

- Request For:**
- Copies of Bids**
  - Informal Debrief Meeting
  - Formal Appeal
  - Other

**Formal Appeal**

Briefly describe the alleged violation that occurred during the RFP review or selection process:

Provide description of evidence that supports your allegations and assertions:

In support of your claim, please indicate what materials you want to review and/or to be reviewed during the Appeal Process:

I attest that the claims made against the PacMtn procurement process are based on information that is factual and accurate to the best of my knowledge.

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Date*

**You will be contacted within 3 working days in response to the inquiry. This could include notification that the appeal is not merited, requests for clarification of request, providing information, access to copies or scheduling an appeals conference for further discussion.**

\_\_\_\_\_  
**Date Received: \_\_\_\_\_ By: \_\_\_\_\_**

**Final Dispensation: Attach other sheets as necessary.**

Pacific Mountain Workforce Development Council is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. WA Relay 711.