

ATTACHMENT 1 TO CAO POLICY MEMORANDUM 113(R)
December 14, 2016

INFORMAL AND FORMAL BID PROCEDURES

In accordance with the Public Bid Law, the City Charter, and other City policy memoranda, the City shall comply with the following procedures when the City solicits proposals for Public Work.

I. INFORMAL BID PROCEDURE

- A. In General. The City shall follow the Informal Bid Procedure for Public Work with a total value of \$150,000.00 or less. Said procedure differs according to the amount of the Public Work.
- B. Up to \$50,000.00. The Requesting Department shall submit a solicitation with specifications to a minimum of 3 potential contractors. The Requesting Department can contact contractors via telephone, facsimile, or e-mail. The Requesting Department shall keep a record of the communication(s) with potential contractors.
- C. From \$50,000.01 to \$150,000.00. The Requesting Department shall utilize the City's online purchasing portal to solicit quotes from a minimum of 3 potential contractors.
- D. Lowest Quote. In any case, the Public Work shall be awarded to the contractor with the lowest quote, unless the Requesting Department has a rationale to accept a quote that is not the lowest one. In the event that the Requesting Department decides not to accept the lowest quote, the Requesting Department must document and justify its reason(s). Said information will be evaluated by the Procurement Office.
- E. Form. The Requesting Department shall document the Informal Bid Procedure by using the "Informal Bid Quote Form" (See said form under ATTACHMENT 2). The Requesting Department is responsible for completing the said form and attaching all relevant supporting documentation.
- F. Review and Approval. Once completed and signed, the Requesting Department shall submit the Informal Bid Quote Form and supporting documentation to the Procurement Office. Said office shall then review, and approve or disapprove the submission. In case that the submission is approved, the Procurement Office shall issue a purchase order which will allow the Requesting Department to commence the work with the contractor.
- G. Retention of Inform Bid Procedure Documentation. The Procurement Office shall be the primary City department responsible for maintaining

a complete copy of the documentation submitted by the Requesting Department. However, the Requesting Department shall also maintain a copy in its file which matches the one kept by the Procurement Office.

II. FORMAL BID PROCEDURE

A. In General. The City shall follow the Public Bid Law, the City Charter, and the City's policy memoranda to procure Public Work at the total value of \$150,000.01 and over.

B. Prior to the Issuance of the Solicitation.

1. The Requesting Department shall:

- a. Identify the Public Work for the future Solicitation;
- b. Prepare budget for and fund the Public Work;
- c. Prepare the Specifications to include in the Solicitation;
- d. Obtain estimated "Probable Construction Costs" (defined under La R.S. 38:2211(9)). If the Public Work involved a design professional ("designer"), the Requesting Department will obtain the designer's estimate of cost. For projects without a design professional, the Requesting Department will confirm a cost estimate based on the completed specifications. For requirements contracts (use for maintenance services), the Requesting Department will confirm a cost estimate according to projected use during the first year;
- e. Obtain all applicable administrative approvals, including the CPO and CAO when necessary; and
- f. Submit to the Procurement Office the Specifications and the "Bid Procurement Authorization Form for Construction" (See said form under ATTACHMENT 2) for review and approval.

2. The Procurement Office shall:

- a. Review the Specifications to confirm that the appropriate documents are attached in the Specifications (for example: Louisiana Uniform Public Work Bid Form, Tax Clearance, Non-Collusion Affidavit, Attestation, etc.). In the event that a document is not valid, or must be updated, or needs to be removed, the Procurement Office shall inform the Requesting Department as soon as possible; and
- b. Review and approve the Bid Procurement Authorization Form for Construction submitted by the Requesting Department to establish that a Public Work is properly funded and budgeted.

C. From the Issuance to the Opening.

1. The Procurement Office shall:

- a. Advertise the Solicitation;

POLICY MEMORANDUM NO. 113 (R) – ATTACHMENT 1

Dated 12/14/16

Page 2 of 5

- b. Conduct the mandatory bid conference;
 - c. Issue any addenda to the Solicitation;
 - d. Receive question(s) from bidder(s). The Procurement Office shall forward to the Requesting Department question(s) that relate to the Specifications. The Procurement Office shall collect and submit response(s) to bidders via the issuance of an addendum to the Solicitation; and
 - e. Open bid(s) on the date and at the location identified in the Solicitation.
2. The Requesting Department shall:
- a. Provide response(s) to question(s) submitted by bidder(s) to the Procurement Office in connection with the Solicitation.

D. From Post-Opening to the Responsibility Check.

1. The Procurement Office shall:
- a. Publish the list of bidders who submitted a proposal to the Solicitation;
 - b. Determine the apparent lowest bidder;
 - c. Confirm whether the bidder is registered and in good standing with SAM;
 - d. Determine whether the apparent lowest bidder is responsive. This determination includes the one submitted by the Office of Supplier Diversity on whether the apparent lowest bidder is responsive or not regarding DBE documentation;
 - e. Receive post-bid documents submitted by the 2 apparent lowest bidders within 3 days from the opening of the Solicitation;
 - f. Notify in writing the apparent lowest bidder if the bidder is non-responsive;
 - g. Collect the determinations made by the Requesting Department and the Officer of Supplier Diversity as to whether the bidder is responsible or not;
 - h. Notify in writing the apparent lowest responsive bidder that the said bidder is being disqualified as non-responsive. In the notification, the Procurement Office shall inform the disqualified bidder of its opportunity to dispute the reason(s) for disqualification in front of an administrative hearing officer as well as the date, time, and location of the informal hearing; and
 - i. Initiate the informal hearing procedure for disqualification in accordance with Public Bid Law and its guidelines.

2. The Requesting Department shall:
 - a. Review the proposal submitted by the apparent lowest responsive bidder to determine if the bidder is responsible or not;
 - b. Submit to the Procurement Office a "Bid Recommendation Request" (see form under Attachment 2) in which the Requesting Department recommends the name of the bidder to be selected; and
 - c. Supplement its Bid Recommendation Request with an explanation in writing if the Requesting Department seeks to disqualify the apparent lowest responsive bidder for being non-responsible.

E. Award or Reject or Extend.

1. Within the time period specified by Public Bid Law, the Procurement Office shall either:
 - (1) issue an intent to award letter to the lowest responsible and responsive bidder, or
 - (2) reject all bids, or
 - (3) extend the deadline for award by one or more extensions of 30 calendar provided the lowest responsible and responsive bidder agrees in writing to the extension(s).
2. In the event that the Procurement Office issues an intent to award letter, said letter shall contain the name of the Requesting Department's project manager who will oversee the Public Work. It shall also contain a non-exhaustive list of documents that the awarded bidder will be required to provide to the project manager (for example: certificate of insurance, certification of good standing from the Louisiana secretary of state, IRS Form W-9, etc.).

F. After Issuance of the Intent to Award Letter. Contract.

1. The Requesting Department shall:
 - a. Contact the selected bidder to obtain the documents listed in the intent to award letter issued by the Procurement Office;
 - b. Compile the supporting documents required by CAO Policy Memorandum 122(r) to route a contract;
 - c. Comply with the procedures established by CAO Policy Memorandum 122(r) to route a contract;

- d. Route a draft contract and the supporting documents to the City Attorney's Office for review and approval prior to final execution by the mayor of the City; and
- e. Maintain an original of the full executed contract in its file.

G. After Execution of the Contract.

- 1. The Requesting Department shall;
 - a. Notify the Procurement Office that the contract has been fully executed, so that a purchase order may be issued for the full amount of the contract;
 - b. Issue a Notice To Proceed ("NTP") to the selected bidder after full execution of the contract with the City for the Public Work;
 - c. Agree to extend the deadline to issue the NTP provided that the selected bidder agrees in writing as well;
 - d. Manage the Public Work and its contract;
 - e. Obtain the necessary approvals and signatures for all Change Orders;
 - f. Approve invoices;
 - g. Approve completion of the Public Work.

[END OF ATTACHMENT 1 – INFORMAL AND FORMAL BID PROCEDURES]