

DANIEL BOONE REGIONAL LIBRARY

SUBJECT: Procurement Policy

ADMIN 2-710

BOARD

SECTION: 700 – Fiscal Management

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POLICY

It is the policy of Daniel Boone Regional Library ("DBRL") to encourage, where practicable, competitive Bidding for the supplying to DBRL of those goods, articles, products, services and professional services that DBRL requires. Therefore, the personnel of DBRL will use the following Procurement Procedures in order to try to obtain the greatest practicable response from prospective Bidders to formal or informal requests for Bids or price quotations, Requests for Proposals, Requests for Purchase or Requests for Qualifications, as hereinafter described. Furthermore, all purchases of goods, materials, products or services shall conform to the applicable Statutes of the State of Missouri, which are from time to time in effect, including but not limited to those dealing with conflicts of interest, work authorization program and prevailing wages.

PROCEDURES

DBRL shall comply with the following procedures ("these Procedures") for the purchases of goods, materials, products or services (collectively "Goods and Services") and Professional Services by DBRL, and for the formal or informal solicitation of Bids for supplying such Goods, Services and Professional Services to DBRL, as hereinafter described:

- I. **Definitions.** For purposes of these Procedures, the following terms shall have the following meanings:
 1. "Agreement" or "Contract". The terms "Agreement" or "Contract" shall be synonymous and shall mean and refer to an Agreement or Contract entered into with a successful Bidder to provide to DBRL Goods or Services in response to an RFP.
 2. "Bid", "Quotation", or "Response". The terms "Bid", "Quotation" and "Response" shall, for purposes of these Procedures, be synonymous, and each such term shall refer to a response made by a Bidder to an RFP or RFQ submitted by DBRL.
 3. "Bidder". All references herein to a "Bidder" shall mean a Supplier which proposes to provide Goods or Services to DBRL, in a Response to an RFP or RFQ.

4. "Board" shall mean and refer to the Board of Trustees of DBRL.
5. "Budget Authority" shall mean the manager of that division or area of DBRL that is authorized by DBRL's adopted budget to purchase the Goods or Services in question.
6. "Chief Financial Officer (CFO)" shall be deemed to mean and to refer to the Chief Financial Officer of DBRL.
7. "The Committee" shall be deemed to mean and to refer to an ad hoc committee, formal committee or other designated committee of the Board of Trustees of DBRL that is empowered by the Board of Trustees of DBRL to evaluate Responses to an RFP or RFQ.
8. "Data Processing Items". All references herein to "Data Processing Items" shall mean and refer to all computers, computer hardware, data processing equipment, data processing hardware, computer and data processing hardware and software, and related supplies and accessories, all of which shall be subject to special provisions of these Procedures and none of which shall be purchased except with the prior approval of the Information Technology (IT) Manager in order to insure compatibility with existing Data Processing Items of DBRL.
9. "DBRL" shall refer to Daniel Boone Regional Library, the members of its Board of Trustees, its Executive Director, and any of its employees, agents or other representatives who are authorized by such Board of Trustees to purchase Goods or Services for DBRL.
10. "DBRL Affiliate" shall mean one of the Library Districts that is affiliated with DBRL, and shall, therefore, mean the Callaway County Library District or the Columbia and Boone County Public Library District.
11. "Executive Director" shall mean and refer to the Executive Director of DBRL or any person designated by the Executive Director to handle the processes with respect to an RFP or RFQ.
12. "Environmentally preferable product" means a product that by its chemical or physical nature has less adverse impact on the environment when compared to similar products with a different chemical or physical nature or a product whose manufacturing process is less harmful to the environment than the manufacturing process of an equivalent product.
13. "Facility" shall mean and refer to a library facility of DBRL or any of DBRL's Affiliates.
14. "Goods and Services". All references herein to "Goods and Services" shall mean and refer to all goods, materials, products, supplies and services that DBRL requires from time to time and that DBRL purchases from various Suppliers. The purchase of "Goods and Services" shall, generally, be subject to the Procedures of part II of these Procedures. Goods and Services shall not include Professional Services.
15. "Manager" shall mean and refer to the Manager of a department or service area of DBRL that requires the purchase of Goods or Services.

16. "Professional Services" shall mean Professional Services required by DBRL, such as accounting services, auditing services, legal services, architectural services, engineering services, employee benefit planning or consulting services or employee benefit administration services, collection agency services, other consulting services, or other services that are usually and customarily considered to be "Professional Services." Generally, the obtaining of Professional Services shall be subject to Part III of these Procedures.
17. "Purchase Order". The term "Purchase Order" shall be deemed to mean and refer to a Purchase Order submitted by DBRL to a Supplier who:
- responds to an RFP and whose Bid or Response to such RFP is accepted; or
 - has submitted a price quote bid and whose quote is accepted; or
 - is selected after a staff review of published price comparisons and determination of the best price.
18. "Recycled product" means a product that utilizes recycled materials or materials diverted from waste stream, including an appropriate amount of post consumer waste, in its manufacture and construction.
19. "RFP". All references herein to an "RFP" shall mean a "Request for Proposals" or a "Request for Purchase" submitted by DBRL to various prospective Bidders in accordance with the provisions of these Procedures.
20. "RFQ" shall mean a "Request for Qualifications" that is submitted in accordance with a procedure for the obtaining of Professional Services by DBRL. An RFQ shall, generally, be used as a part of those processes that are to be followed for DBRL's purchase of Professional Services, in accordance with Section 3 of Part III of these Procedures.
21. The "Statutes" shall mean and refer to the Revised Statutes of the State of Missouri, as they are from time to time in effect, to the extent that any of such Statutes has any application to DBRL's purchase of Goods, Services or Professional Services, or to any RFQ or RFP. It is the intention of DBRL to comply at all times with such Statutes in purchasing Goods and Services and Professional Services and in submitting RFPs or RFQs or obtaining Responses thereto.
22. "Supplier" shall mean a merchant, contractor, supplier or vendor which proposes to provide Goods or Services to DBRL, or which might be available to provide such Goods or Services to DBRL.
23. "Year". All references to a "Year" shall be deemed to mean and refer to a calendar year, commencing on January 1st and ending on December 31st.
- II. Requests for Purchases or Requests for Proposals.** Purchases by DBRL staff of Goods and Services, other than Professional Services, shall be made by DBRL staff in conformity with the following procedures:
1. Small Purchases. It is not practicable to solicit by RFPs (formal or informal) or multiple Bids for small purchases of Goods or Services for DBRL. Small Purchases are when

the purchase cost will likely be Four Thousand Nine Hundred and Ninety Nine Dollars (\$4,999) or a lesser amount, as soliciting Bids for small purchases will not represent an effective or appropriate use of DBRL's staff time, and as the Board believes that there will be minimal interest on the part of Suppliers in participating in a competitive Bidding process to supply Goods or Services for the above cost range. Therefore, in the case of those purchases of Goods or Services likely to have a purchase cost in the above range, the Executive Director, CFO or their designee shall seek to obtain such Goods or Services at the lowest reasonable price by engaging in comparison pricing or shopping through direct contacts with Suppliers or through a review of advertisements, catalogues, price lists or information obtained from web pages, telephone quotes or similar sources. The Executive Director or their designee will then submit to the CFO information regarding decisions to purchase Goods or Services in accordance with the provisions of this Section 1 and DBRL Policy 2-706 (Approval of Contracts, Invoices and Purchasing).

2. Purchase of Goods or Services with a Purchase Cost of Between \$5,000 and \$24,999. For those purchases of Goods or Services with a likely purchase cost of between Five Thousand Dollars (\$5,000) and Twenty-Four Thousand Nine Hundred and Ninety Nine Dollars (\$24,999), an informal Bidding process shall be utilized as described in this Section 2. With respect to such purchases, a formal RFP or RFQ process shall not be required. Bids to supply the desired Goods or Services in the above range will be sought informally by DBRL's Executive Director, CFO or their designee from no fewer than three (3) Suppliers, if practicable. However, this requirement for securing multiple Bids from Suppliers may be waived when a provision of section 4 of Part II is met.
 - a. It shall be the responsibility of the Manager or the Budget Authority to obtain the Quotations or Bids. Quotations or Bids, when obtained, will be submitted to the CFO, with a completed Purchase Order Request Form, for review by the CFO and in accordance with DBRL Policy 2-706 (Approval of Contracts, Invoices, and Purchasing). The CFO or Executive Director shall be responsible for reviewing and approving the Quotations or Bids and issuing the Purchase Order to the selected Supplier. Such informal bidding shall be advertised and circulated as follows:
 - i. An invitation to bid shall be listed, for at least five (5) days, on the DBRL web page; and
 - ii. Where practicable, it shall be mailed, e-mailed or hand delivered to those potential Suppliers who are known to DBRL staff (after reasonable investigation or inquiry) to be capable of supplying the Goods or Services or to have a possible interest in supplying same.
 - b. This requirement of securing multiple Bids from Suppliers may be waived when bids for the needed Goods or Services have been received from multiple Suppliers or Bidders within the immediately preceding twenty-four (24) months and where such Bids can reasonably be used to select a particular Supplier. This requirement may also be waived if the Executive Director reasonably believes that there is only a single Supplier or source for the desired Goods or Services.
 - c. Bid responses may be submitted by mail, fax, e-mail or telephone bids documented by a staff member. Sealed Bids will not be required.
 - d. In evaluating the qualifications of each vendor that responds to the bidding, the Executive Director, CFO or their designee shall use the criteria set forth in the

bidding. If any criteria for the Goods or Services in question are provided in a State Statute, then the requirements of such State Statute shall govern. Price will not govern. Other factors to be considered include, but are not limited to, previous experience, compliance with bidding requirements, references, reputation for reliability, reputation for quality of product or work, ability to perform and provide the Goods or Services in a timely manner, qualifications, available service, warranties offered and vendor's location.

3. Purchases of Goods or Services Involving an Anticipated Expenditure of More than \$25,000. Where Goods or Services are to be purchased for a cost anticipated to exceed Twenty-five Thousand Dollars (\$25,000), a formal RFP process shall be used, as follows:

- a. DBRL staff shall prepare, or shall have an appropriate professional source (for example, an architect) prepare, specifications that adequately and appropriately describe the required Goods or Services or project.
- b. Using such specifications, the appropriate DBRL staff member shall prepare a formal RFP for approval by the Executive Director, CFO or their designee.
- c. Using the RFP, the Executive Director, CFO or their designee shall solicit Responses (i.e., Bids) from Suppliers of the required Goods or Services by:
 - i. Publishing a notice of the RFP in at least one (1) newspaper of general circulation published in Boone County and/or Callaway County on at least one (1) date of publication of each such newspaper, with such publication to occur at least one (1) week prior to the required submission date for the Responses (i.e., the Bids); and
 - ii. Listing the invitation to bid on the DBRL web page for at least five (5) days.

In addition, if deemed necessary or practicable by the Executive Director or CFO, staff will have the option of:

- i. Faxing, mailing or emailing the invitation to bid or the RFP to those Suppliers who are reasonably capable of supplying the required Goods or Services and who are known to DBRL, after reasonable inspection; and/or
 - ii. Taking such other reasonable actions to solicit responses for Suppliers of the Goods or Services, as the Executive Director or CFO deem appropriate.
- d. Sealed bids shall be received through the mail or delivery. No e-mail or facsimile transmission will be allowed unless approved by the Executive Director, CFO or their designee.
 - e. The Executive Director, CFO or their designee will open and read the Responses to the RFP at a public meeting held for such purpose or at any meeting of the Board that is open to the public.
 - f. Subject to the provisions of section g, below, the Executive Director, CFO or their designee shall evaluate the Responses to the RFP in accordance with the criteria set forth in the RFP and shall recommend to the Board or appropriate committee the successful Bidder.
 - g. The Executive Director, CFO or their designee shall refer any Responses to the RFP in this price range to the Board for action.

The Executive Director or their designee shall give to the CFO the selected Bid, together with a Request for Purchase Order Form or Contract to be entered into by DBRL with the Bidder in compliance with the provisions of DBRL Policy 2-706 (Approval of Contracts, Invoices, and Purchasing). Any Contract or Purchase Order must contain terms and conditions that are consistent with those of the RFP, the approved Bid and the provisions of these Procedures.

4. Exemptions from Competitive Bidding Requirements Outlined in this Part II of these Procedures. All provisions of Part II of these Procedures to the contrary notwithstanding, competitive Bids or proposals shall not be required in the following circumstances:

- a. The Executive Director reasonably determines that the knowledge or experience of DBRL staff enables the staff to reasonably judge the probable outcomes of the competitive Bidding process without actually going through the competitive Bidding process;
- b. Books, periodicals, microfilm, non-print, electronic and audio-visual materials are purchased through the Materials Acquisition System following annual evaluation of current and potential vendors for each type of material based on the following criteria:
 - i. The amount of discount offered.
 - ii. The selection and availability of materials offered.
 - iii. The quality and cost of the processing of materials.

Based on the above factors, the primary and secondary vendors are identified for books or audio visual materials. When purchases are made for these types of materials, the order is placed with the primary vendor. If the materials are unavailable, a secondary vendor is checked.

For periodicals, staff will take price quotes from vendors "jobbers" that offer several magazine subscriptions. However, if the subscription is unavailable through the service, staff will go directly to periodical source (magazine or newspaper) to obtain the subscription. Staff will use their best effort to negotiate the best price possible when going directly to the periodical source.

Exceptions to the above procedures will be permitted, such as when the materials can only be obtained from a single source or when orders need to be filled quickly through the use of local vendors.

- c. For purchases from federal, state, or other local governmental units or purchases using purchase agreements of these entities;
- d. For the purchase of utilities such as electric, gas, water, sewer, telephone, etc;
- e. If the Executive Director reasonably determines that there is but a single source or Supplier for the necessary Good or Service, in which event this Part II of these Procedures may be waived by the Executive Director, and representatives of DBRL shall negotiate directly with such single source or Supplier.

A single source or Supplier shall be deemed to exist when:

- i. Goods and Services are proprietary and only available from the manufacturer or a single Supplier; or
 - ii. Based on past procurement experience, it is determined that only one (1) Supplier supplies the Goods and Services in the region in which same are needed; or
 - iii. The Goods and Services are available at a substantial discount from a single Supplier for a limited period of time; or
 - iv. Specialized Goods and Services are required, and same are provided only by a single Supplier in the region in which the Goods and Services are needed.
- f. The provisions of Section 3 shall not apply to purchases of a vehicle or data processing Items even though the total purchase cost of the items will exceed Twenty-five Thousand Dollars (\$25,000). The procedures for Part II Section 2 above shall be followed with respect to the purchase of such items except for Part II 2a, because staff will select vendors for comparison pricing and no advertising will be done. The DBRL Board of Trustees must approve the purchase of any vehicle.
- g. The requirement of securing multiple Bids from Suppliers may be waived when bids have been received from multiple Suppliers or Bidders within the immediately preceding twenty-four (24) months and such Bids can reasonably be used to select a Supplier who has submitted one of the Bids.
5. Emergency Conditions. If it reasonably appears to the Executive Director or their designee that an emergency situation exists that involves the safety of individuals, a significant risk of damage to persons or property or a disruption of DBRL services unless corrective action is taken promptly, and the emergency situation does not, in the Executive Director's reasonable belief, allow sufficient time for advertising or seeking competitive Bids under the applicable provision of these Procedures, then the provisions of these Procedures may be waived by the Executive Director. When Goods or Services are acquired without seeking competitive or multiple Bids from vendors because of an emergency, the circumstances giving rise to the emergency and the specific information concerning the purchase, shall be presented by the Executive Director to the Board, orally and/or in writing, at the next public meeting of the Board.
6. Cooperative Purchase Agreement. Instead of seeking bids, DBRL staff shall be permitted with the Executive Director's approval to enter into cooperative agreements for a cooperative purchase of Goods or Services with not for profit corporations or federal, state and local units or cooperative agency of government, when staff believes that such cooperative agreements will result in DBRL's obtaining the best price for the required Goods or Services. Under the cooperative purchasing arrangements, DBRL staff reserves the right to use any bidding results completed by a city, county, or state government as well as cooperative purchasing agencies such as, but not limited to, State of Missouri Cooperative Purchasing, Mid-Missouri Public Purchasing Cooperative, National

Association of Counties, Government Purchasing Alliance (U.S. Communities) and Western States Contracting.

7. Deductions, Options, Add Ons and Alternates. Occasionally, a Supplier's Response to an RFP may provide for deductions, options, add ons, alternates or proposed substitutions that the Supplier believes would provide DBRL with a superior product for less cost. DBRL reserves the right to negotiate, with respect to such deductions, options, add ons, alternates or proposed substitutions, with the Supplier who proposes same or other Suppliers, if it is believed that such discussions or negotiations will result in a savings to DBRL.
8. Services to be Provided on DBRL Property. If any Supplier is to provide Services on the property of a Facility of DBRL or one of its Affiliates, then the Supplier who is to provide such Services shall, if required, provide DBRL (prior to the start of such Services) with proof that such Supplier has in effect general liability insurance, automobile liability insurance, workman's compensation insurance, employers' liability insurance, professional liability insurance, property damage insurance or other insurance deemed appropriate for the work being performed for DBRL.
9. Price Does Not Always Govern. Although price will be a major consideration in all DBRL purchases, and the goal of DBRL is to purchase Goods and Services at the lowest reasonable price, price will not be the sole consideration with respect to DBRL's purchases of Goods or Services. DBRL reserves the right to:
 - a. Check references of Bidders;
 - b. Check, investigate and verify the reputation of a Bidder for performance, timeliness of performance and suitability of work or services of Goods and Services supplied;
 - c. Verify the experience of a Bidder;
 - d. Consider such factors as product durability, design, performance and anticipated operating costs; and/or
 - e. Consider such other factors in determining whether or not the Bid of a Bidder should be accepted, as DBRL finds to be appropriate.

DBRL staff or board reserves the right to reject the lowest bid or price quote when either has reasonable reservations about the quality or suitability of the proposed Goods or Services, the qualifications of the Bidder or the reputation of the Bidder. DBRL staff or board has the right to reject any or all Bids or Responses to RFPs. It is the intent of DBRL to award a Bid, or a Contract, to the lowest, best qualified and responsible Bidder, as opposed to awarding the Bid or contract to the Bidder that offers the lowest price.

10. Irregularity. DBRL board reserves the right to accept or reject part of a Bid, to waive minor irregularities in submission of Bids, or to waive normal Bidding procedures in an emergency when it is in its best interests to do so or under any other circumstance that makes it reasonably apparent that it is in its best interests to do so.

11. Written Records. DBRL staff will retain written records for all specifications, RFPs, Responses thereto and Bids received, in compliance with its Record Retention practices.
12. Reservation. DBRL board shall have the right to reject any and all Bids and to advertise for new Bids or to issue new RFPs, or to purchase required Goods or Services on the open market, if they can be so purchased at a better price to DBRL.
13. Information Technology (IT) Manager. The IT Manager must approve all Computer and Data Processing Items in order to insure compatibility with existing Data Processing Items.
14. Compliance by Board Members, Officers or Employees. All DBRL Board Members, Officers or Employees who engage in purchases of Goods or Services on behalf of DBRL shall be required to comply with DBRL Policy 2-617 (Code of Ethics, Public Disclosure) and, if a Board Member, Policy 2-616 (Ethics Statement for DBRL Trustees).
15. Indemnification. If a Supplier of Goods or Services is to perform Services upon the premises of a Facility of DBRL or any of its Affiliates, then the Supplier must agree to save and indemnify and hold harmless DBRL, and its Affiliate, and its (and each of their) administrators, board members, employees, staff, agents, and insurers from and against any and all claims, demands, damages, losses, penalties, fines and expenses (including but not limited to attorneys fees and expenses, including those incurred enforcing this provision) to the extent that same arise, in whole or in part, or result, in whole or in part, from the performance by the Supplier of Services on the premises of such Facility, and from any claim, damage, loss or expense (including but not limited to attorneys fees) that is (1) attributable to bodily injury, sickness or disease, or death or injury, or destruction of tangible property; and (2) caused, in whole or in part, by any negligent or intentional act or omission of such Supplier, anyone directly or indirectly employed by such Supplier or by anyone of whose acts the Supplier may be liable.
16. Contract. All contracts shall follow DBRL Policy 2-706 (Contracts, Invoices, and Purchasing) and its procedures.
17. Domestic Content Policy. Sections 34.350 through 34.359 of the Statutes, the so-called "Domestic Product Procurement Act (Buy American)" of the State of Missouri requires that contracts for the purchase or lease of manufactured goods or commodities by any political subdivision of the State of Missouri (including library districts), and each contract made by such a political subdivision for construction, alteration, repair or maintenance of any public work shall contain a provision that any manufactured goods or commodities used or supplied in the performance of that contract or any subcontract thereto, shall be manufactured or produced in the United States. Section 34.353.2 RSMo provides that the requirements of such sections of the Statutes "shall not apply where the purchase, lease or contract involves an expenditure of less than \$25,000" or where "only one line of a particular good or product is manufactured in the United

States." In accordance with Section 34.353.3 of the Statutes, a copy of which is attached hereto as Exhibit A and is hereby incorporated herein by reference, DBRL hereby adopts a policy of encouraging the purchase of products manufactured or produced in the United States when the products required by DBRL are manufactured in the United States and it is reasonably practicable for DBRL to acquire such products manufactured in the United States at reasonable cost to DBRL; provided, however, that the requirements of this Section shall not apply when a purchase, lease or contract involves an expenditure of less than Twenty-five Thousand Dollars (\$25,000), or when only one (1) line of a particular good or product is manufactured or produced in the United States, or it is not practicable to obtain competitive Bids for goods or products manufactured or produced in the United States, or when goods or products produced in the United States cannot be obtained by DBRL at reasonable cost.

18. Environmentally Preferred or Recycled Products. In evaluating bids and awarding contracts, the Executive Director is authorized to give preference to environmentally preferable and recycled products.

III. Professional Services. DBRL shall seek to negotiate and enter into Contracts for Professional Services including, but not limited to, architectural services, engineering services, legal services, accounting services, auditing services, insurance brokerage services, banking services, financial advisor services, consulting services, collection agency services and employee benefit consultation on the basis of demonstrated competency and qualifications of Professional Firms for the type of services required. Such competency and qualifications shall be subject to the provisions of this Part III and generally be demonstrated through responses ("Responses") to Requests for Qualifications ("RFQs") of Professional Firms ("Firms") who or which provide Services of the type desired. Therefore, Professional Services shall not be acquired solely on the basis of price, as qualifications and competency are of the utmost importance. "Firm" shall mean any individual, partnership, corporation, association or other legal entity that is permitted by law to provide Services of the desired type. The preceding provisions notwithstanding, Professional Services must be provided at prices that the Executive Director, CFO or their designee, the Committee or the Board, determines to be fair and reasonable, and that are reasonably consistent with charges made for comparable services by Firms that provide such Services in the general geographic area where the Services are to be provided.

1. The RFQ will follow the same applicable requirements outlined in Part II. Using such criteria, the Executive Director, CFO, their designee or the Committee may select a limited number of Firms, or a single Firm, or all of the Firms that Respond to the RFQ for competitive interviews and may conduct (an) interview(s) with such Firm(s).
2. Services based on percentage fees such as collection agency services shall be procured using procedures outlined in Part II Section 1 because the anticipated costs will be difficult to estimate.

- IV. Temporary Personnel.** The competitive RFP, RFQ and Bidding process described in II and III above shall not apply to DBRL's procurement of temporary personnel services.
- V. Speakers.** The competitive RFP, RFQ and Bidding process described in II and III above shall not apply to DBRL's procurement of speaker professional services for events, programs, training, etc.
- VI. Real Property Purchases.** The competitive RFP, RFQ and Bidding process described in II and III above shall not apply to DBRL's procurement of real property. Real property purchases will be investigated by staff and presented to the DBRL Board of Trustees for authorization of purchase.
- VII. Nondiscrimination in Employment.** DBRL and all Suppliers and Firms providing or seeking to provide Goods or Services or Professional Services to DBRL agree to comply with the Fair Labor Standards Act, Fair Employment Practices, Equal Opportunity Employment Act, and all other applicable Federal and State laws, and further agree to insert the foregoing provision in all subcontracts awarded hereunder. All Suppliers and Firms providing or seeking to provide Goods or Services or Professional Services to DBRL shall have a policy or at least a practice of not tolerating sexual harassment of their or DBRL's employees.
- VIII. Americans with Disabilities Act.** The successful contractor agrees to comply with all applicable provisions of the Americans with Disabilities Act and the regulations implementing the Act, including those regulations governing employment practices. If this contract involves the contractor providing services directly to the public, the successful contractor shall make the services, programs and activities governed by this agreement accessible to the disabled as required by the Americans with Disabilities Act and its implementing regulations.
- IX. Work Authorization Program.** As applicable in sections II and III above, any business contracting with a political subdivision for more than Five Thousand Dollars (\$5,000) is required by Chapter 285.530 (2) RSMo to affirm by sworn affidavit that it has enrolled and participates in a federal work authorization program with respect to the employees working in connection with the contracted services and that the company does not knowingly employ any person who is an unauthorized alien in connection with the contracted services.
- X. Insurance Bidding.** If an insurance broker/consultant is to be used, DBRL staff shall issue a Request for Proposal or Request for Qualifications to secure their services. The insurance broker/consultant would then be responsible for bidding the insurance coverage(s) for DBRL.
- XI. Revised Bidding Procedures.** The Executive Director shall have the authority to allow staff the option to issue a Request for Qualification (RFQ) to narrow the list of firms invited to submit a Request for Proposal (RFP). An example of this is the selection of the Retirement Plan Provider. DBRL may bid and select a consultant to assist in this process.
- XII. Gratuity.** It shall be considered unethical for any person to offer, give or agree to give any DBRL staff member or their immediate family a gratuity in connection with

any decision, approval, disapproval, recommendation, or preparation of any part of a program requirement or a purchase request. It is likewise unethical for a DBRL staff member or their immediate family to solicit, demand, accept or agree to accept such a gratuity from another person. DBRL staff members are advised not to accept meals or gifts from any supplier during a bid process to avoid the appearance of any influence.

Attachments:

Exhibit A - Section 34.353 of the Statutes

Exhibit B – Executive Summary

Exhibit A

Missouri Revised Statutes Chapter 34 State Purchasing and Printing Section 34.353 Exhibit C

<http://www.moga.state.mo.us/statutes/c000-099/0340353.htm>

All public agencies and political subdivisions to purchase or lease only goods or commodities produced in the United States, exceptions, procedure.

- 34.353.1. Each contract for the purchase or lease of manufactured goods or commodities by any public agency, and each contract made by a public agency for construction, alteration, repair, or maintenance of any public works shall contain a provision that any manufactured goods or commodities used or supplied in the performance of that contract or any subcontract thereto shall be manufactured or produced in the United States.
2. This section shall not apply where the purchase, lease, or contract involves an expenditure of less than twenty-five thousand dollars. This section shall not apply when only one line of a particular good or product is manufactured or produced in the United States.
3. This section shall not apply where the executive head of the public agency certifies in writing that:
 - (1) The specified products are not manufactured or produced in the United States in sufficient quantities to meet the agency's requirements or cannot be manufactured or produced in the United States within the necessary time in sufficient quantities to meet the agency's requirements;
 - (2) Obtaining the specified products manufactured or produced in the United States would increase the cost of the contract by more than ten percent;
 - (3) The specified products are to be purchased or leased by a state-supported four-year institute of higher education and such certification as required by subdivision (1) or (2) of this subsection has been made within the last three years;
 - (4) The specified products are to be purchased or leased by a publicly supported institution and such certification as required by subdivision (1) or (2) of this subsection has been made within the last three years; or
 - (5) The political subdivision has adopted a formal written policy to encourage the purchase of products manufactured or produced in the United States.
4. The certificate required by this section shall specify the nature of the contract, the product being purchased or leased, the names and addresses of the United States manufacturers and producers contacted by the public agency or the project architect or engineer, and an indication that such manufacturers or producers could not supply sufficient quantities or that the price of the products would increase the cost of the contract by more than ten percent.
5. Certificates required by this section shall be maintained by the public agency for a period of three years.

Exhibit B
Executive Summary
Goods, Services or Professional Services

Dollar Limits	Requirements	Comments
\$4,999 or less	<ol style="list-style-type: none"> 1. No bids required. 2. Documented and/or undocumented comparison shopping will be performed. Documentation may be required by CFO. 	<ol style="list-style-type: none"> 1. Obtain purchase order before ordering, if required. 2. Bidding will not be required for purchase of books, periodicals, microfilm, non-print, and audiovisual materials regardless of the amount spent. 3. No contract entered into shall be for a term greater than two (2) years, except contracts for regularly required plumbing, electrical, printing, and heating and air conditioning services, which shall be for a term of not greater than (5) years. Contracts for the Integrated Library System and catalog overlay will be for an indefinite period of time unless system needs upgrading.
At least \$5,000 but less than \$24,999	<ol style="list-style-type: none"> 1. Informal RFP will be required which should include the following: <ol style="list-style-type: none"> a. Description of item or service being bid. b. Date the bid is due. c. Criteria for selecting successful bidder 2. At least three bids will be sought. 	<ol style="list-style-type: none"> 1. Obtain purchase order before placing order. 2. The bids can be used up to 24 months. 3. List the invitation to bid on the District's web page for five days.
\$25,000 or greater	<ol style="list-style-type: none"> 1. Formal RFP and Bid Form that have been approved by the Executive Director are required and must include bid specifications approved by the Executive Director. 2. Solicit responses to the RFP by publishing a notice of the RFP in at least 2 newspapers in Boone and/or Callaway County at least one week prior to the submission date for the responses. 3. List the invitation to bid on District's web page for five days. 4. Open and read responses to the RFP at a public meeting held for that purpose. 5. Executive Director or designee shall refer to the Board for action, any responses to the RFP. 	<ol style="list-style-type: none"> 1. Obtain purchase order before placing order. 2. List on Cooperative web pages, if applicable. 3. The bids can be used up to 24 months. 4. Executive Director can require bid security in the form of a bid bond or cashier's check made payable to DBRL in an amount not less than 5% of the bid. 5. Provisions in this section shall not apply to purchases of data processing items and vehicles.