

**HOW TO SELL TO
THE
CITY OF PEORIA**

Revision 1

June 12, 1998

City of Peoria

Department of Finance

Division of Purchasing

INTRODUCTION

The City of Peoria is one of Central Illinois' largest consumers of goods and services. Each year the City buys a variety of products ranging from office supplies to equipment to a wide variety of professional and technical services. These purchases are accomplished through the Division of Purchasing, in concert with City departments, the City Manager and the City Council.

DIVISION OF PURCHASING

The Division of Purchasing is primarily responsible for developing and administering city purchasing practices and procedures. Supplies, materials, and equipment for all City departments are procured through the Purchasing Division. The complete address of the Purchasing Division is:

City of Peoria

Division of Purchasing
419 Fulton Street Rm. 112
Peoria, Illinois 61602-1217

Ph: (309) 494-8507

Key officials within the Purchasing Division involved with City procurement and policies are the Purchasing Manager and the Purchasing Coordinator. Each city department delegates its own purchasing representative who works with the Division of Purchasing and prospective vendors when that department is purchasing goods or services.

HOW THE CITY BUYS

PURCHASING PROCEDURES

The City buys a wide variety of goods and equipment from all types of businesses. In most cases, the preferred method of buying is by competitive sealed bids. This process, which is managed by the **Division of Purchasing**, involves the following steps.

1. Invitation to Bid/Request for Proposal (RFP) This package contains important information about the purchase to be made including: user department, product specifications, contract terms and conditions, bid instructions, the bid opening date and Equal Employment Opportunity instructions. The formal bidding process is used for purchases in excess of \$5,000 with some exceptions that fall below \$5,000.

2. Public Notice of Bid - The Purchasing Manager will advertise the bid by:

> Advertising the bid in a selected local newspaper. The notice will be placed at least 5 working days prior to bid opening and states the date, place and time of the bid opening

> Posting the RFP in the Division of Purchasing for review by the general public

> Mailing an RFP to vendors already on the Bidders List for that item.

3. Equal Employment Opportunity Certification - Vendors must complete and return to the Equal Opportunity Office an Employer Report Form CC-1. The successful bidder will be required to conform to the requirements of Section 17-120 of the Peoria City Code, titled "Affirmative Action Requirement for Contracts With the City of Peoria".

4. Bid Opening - Bids are opened and publicly read in the Purchasing Manager's Office or in an otherwise designated area after the closing time. The City reserves the right to reject any or all bids and to waive any informality or irregularity in the bids received. The City will accept one of the proposals or reject all proposals within sixty (60) calendar days from the bid opening date.

5. Bid Evaluation and Contract Awards - Bids are evaluated and a contract is awarded to the lowest responsible bidder. The quality of the articles to be supplied, their conformity with specifications, their suitability to the requirements and the delivery terms will be taken into consideration in making the award.

6. Mayor and City Council Approval - The Mayor and City Council must approve all contract awards in excess of \$10,000.

ALTERNATIVES TO FORMAL BIDDING

Informal Bids

Current law provides that the City need not use the formal competitive bidding process in every instance. The Division of Purchasing may use a less formal, yet competitive, process to obtain bids to procure materials, supplies, equipment, construction and services not exceeding \$ 5,000.

Professional Services

Professional services may be solicited by RFP. Professional services include, but are not limited to, architects, attorneys, engineers, financial consultants, land surveyors and real estate appraisers. Contracts for professional services are not awarded solely on a vendor's proposed price. Consideration is also given to a vendor's qualifications and ability to provide the professional services sought.

When responding to a **Request for Proposal** for a professional service, vendors should respond completely to all information requested.

Steps in Receiving A Procurement Contract from the City of Peoria

Notice of Contract Opportunity

Vendors who wish to do business with the City of Peoria must first take steps to become aware of the materials, supplies, equipment, or services sought by the City. Vendors can register with the City by writing a letter to the Purchasing Manager describing the product or service that the vendor provides. The City sends copies of bid specifications to vendors registered for the specific product or service being bid.

Bid Preparations

Vendors should give the utmost care to read and follow all instructions and requirements contained in the bid. Failure to strictly follow all instructions and

requirements may result in a vendor's bid being rejected by the City.

Two copies of all bid proposals must be returned in a sealed envelope to the office specified in the bid. Each returned envelope must indicate the vendor's name and address, the proposal name and number, and the bid opening date. Each bid must be signed in ink by a person authorized to legally bind the bidder. All bids must be received prior to the bid opening date and time indicated in the bid. If sending bids by U.S. mail or other express mail services, it is the vendor's responsibility to ensure that the bid is received on time and has sufficient postage. Proposals will not be accepted by FAX, telephone or telegraphic means. Late bids will be returned unopened.

Vendors must include with their bids any samples, descriptive literature, or price lists requested in the specifications. These items must be supplied free of charge to the City. Samples, if not destroyed, will be returned to a vendor at the vendor's request.

The following is a list of common mistakes which can result in disqualification of a vendor's bid:

Unsigned bid

Late bid

Insufficient postage (The City does not accept mail with postage due)

Failure to get City EEO certification

Failure to provide appropriate samples, descriptive literature, or price lists when requested

Failure to include a deposit, if required, in the bid package.

Failure to meet the specifications.

Pricing

Vendors are to quote firm or fixed prices for the duration of the contract period unless otherwise stated in the bid specifications. Unit prices govern the contract award. Vendors should not include federal or state tax in their price as the City is exempt from these taxes. Delivery costs should be included in the bid price.

Bid Deposit

When deemed necessary, by the Purchasing Manager, a bid deposit shall accompany the bid in order to guarantee that the bidder, if selected, signs the contract. A bidder who does not sign the contract forfeits the amount of the deposit. Unsuccessful bidders who submitted a certified check shall have their check returned to them. Bids which do not include a deposit as required will not be considered and will be returned unread.

Performance Bond

As deemed necessary, the Purchasing Manager shall require the successful bidder to furnish a performance bond equal to the full amount of the contract. The sureties on the bond are subject to the approval of the Corporation Counsel.

No Bid Response

If a vendor receives an Invitation to Bid or Request for Proposal and does not wish to submit a response, the vendor should mark the cover sheet of the proposal "No Bid" and return the cover page before the opening date. A vendor's failure to either bid or submit a "No Bid" response may result in removal from the vendor list.

Correction or Withdrawal of Bids

The bidder may withdraw a bid submission at any time prior to the bid closing time by telephone, fax or written request. A telephone request must be confirmed in writing within 24 hours of the call and prior to the bid opening. The individual withdrawing the bid must provide evidence that he/she is an authorized representative of the bidder. **Negligence on the part of the bidder in preparing a proposal confers no right of withdrawal or modification of a proposal after it has been opened.**

Bid Evaluation

Bid Openings

All bids are opened at the time, date and place noted in the bid. The City will not open or evaluate vendors' bids which are received after the bid opening date and time. **Late bids will be returned unopened.**

All bid openings are open to the general public. After bids are opened and items ordered, bid response may be examined by anyone wishing to do so in the Purchasing Division from 8:00 a.m. to 5:00 p.m., Monday through Friday, except for holidays.

Bid Evaluation

The City will evaluate all bid responses. Additional information to clarify a bid may be sought from bidders. A contract will be awarded to the lowest responsible bidder. The successful bidder's response must meet or exceed the specifications, terms and conditions of the bid. The City reserves the right to reject all bids received, waive any minor technicality in a bid, or disregard any vendor terms and conditions which conflict with the City's standard terms and conditions.

Contract Awards

A successful bidder will be required to sign a written contract with the City of Peoria within ten (10) days after receiving the contract for execution. Before the contract is presented to the bidder as completed, the Purchasing Manager must make an award, the Mayor and City Council must approve the purchase, and Corporation Counsel must approve the contract form. After the contract is in place, the successful bidder will receive the completed contract.

Lowest Responsible Bidder

A contract shall be awarded to the lowest responsible bidder. In determining "lowest responsible bidder", in addition to price, the following factors shall be considered:

- > The ability, capacity and skill of the bidder to perform the contract or provide the service required;
- > Ability of the bidder to perform the contract or provide the service promptly, or within the time specified, without delay;

- > The character, integrity, reputation, judgment, experience and efficiency of the bidder;
- > The quality of performance on previous contracts or services;
- > Previous and existing EEO compliance by the bidder;
- > Sufficient financial resources to perform the contract;
- > The ability of the bidder to provide future maintenance;
- > The number and scope of conditions attached to the bid

Award to Other than Lowest Bidder

When the award is not given to the lowest bidder, a complete statement of the reasons for placing the order elsewhere shall be prepared and filed with all papers relating to the transaction.

Tie Bids

Local Vendors. If the lowest bids received are for the same total amount and unit price, quality and service being equal, the contract shall be awarded to the local bidder. If a tie bid occurs between local bidders then the contract will be awarded by drawing lots publicly.

Outside Vendors. In the event of a tie bid, and no local bidder is competitive, the contract shall be awarded by drawing lots publicly.

VENDOR CHECKLIST

In summary, vendors wishing to explore contract opportunities with the City of Peoria should do the following:

- >Write a letter indicating the company's name, address and a list of commodities your business is interested in providing.

> Complete and return to the Equal Opportunity Office an Employer Report Form CC-1 .

> When submitting bids be sure to: (a) read and follow all instructions and requirements, (b) sign your bid, (c) submit your bid on time, and (d) follow other specific recommendations as indicated in this pamphlet.

INVOICING & PAYMENT PROCEDURE

Upon delivery and acceptance of the goods ordered or performance of the services procured, vendors are required to prepare an invoice for payment.

For large orders requiring partial or periodic deliveries and/or involving large amounts of money, separate invoices may be submitted as goods and/or services are delivered. The City of Peoria, through its Finance Department, will make every effort to assure prompt payment. Written inquiries on delayed payments and other payment concerns should be directed to the Division of Purchasing.

QUALITY CONTROL

City departments not satisfied with the performance of a vendor, or which experience delinquent delivery or vendor default will file a vendor complaint with the Division of Purchasing. The Division of Purchasing will evaluate the complaint and take appropriate action. The vendor should respond immediately to the Division of Purchasing regarding the product/service performance inquiry. If the vendor fails to respond, the vendor may be subject to the following penalties:

Immediate cancellation of the contract or purchase order;

Removal from bidders' eligibility lists;

Liability to cover the costs of delays and/or substitute procurement on the open market.

Band from doing business with the City for one year.

Vendors who experience difficulties with City departments not meeting the terms and conditions of contracts may also file complaints with the Purchasing Manager. Such complaints will be promptly investigated and appropriate action taken.

VENDOR PROTEST PROCEDURE

Any vendor seeking to challenge a bid award should **PROMPTLY, DIRECTLY,** and **IN WRITING:**

Submit a letter of protest challenging the bid award within five working days after the occurrence which prompted the bid challenge. The letter of protest should be sent to the attention of:

Purchasing Manager, City of Peoria

419 Fulton Street, Room 112

Peoria, IL 61602-1217

The letter should clearly identify the bid award being challenged and the reason for the challenge.

The Purchasing Manager or the Department Representative will review the bid award being challenged and will provide the protesting vendor with a written response indicating the City's decision on the matter. Any timely written protest will be promptly investigated and answered.

THIS PAMPHLET HAS BEEN WRITTEN AS A PUBLIC SERVICE TO ASSIST VENDORS WHO WISH TO SELL TO THE CITY AND IS NOT TO BE CONSTRUED AS A LEGAL DOCUMENT. IT CREATES NO CONTRACTUAL RIGHTS NOR OBLIGATIONS BETWEEN THE CITY AND PROSPECTIVE VENDORS. THE STATEMENTS MADE HEREIN ARE NOT MEANT FOR THE PURPOSE OF INDUCING ANY PERSON OR ENTITY TO BECOME A VENDOR OR TO EXPEND FUNDS OR INCUR DEBT.