December 7, 2015

State of Iowa

Department of Administrative Services

Central Procurement Bureau (CPB)

Policy and Procedures Manual

MISSION STATEMENT

The Department of Administrative Services Central Procurement Bureau's mission is to facilitate a process that provides timely, cost-effective, high quality goods and services through cooperative and proactive procurement practices.

TABLE OF CONTENTS

TABLE OF CONTENTS I
DISCLAIMER 1
A. DAS-CPB PROFESSIONAL DEVELOPMENT FOR PROCUREMENT 2
B. THE PURCHASING CYCLE 4
C. WHO - WHAT - HOW - WHEN 6
Who is Authorized to Create a New Contract 6
What: Defining the Need 6
How: Procurement Types and Methods 7
D. AGENCY DIRECT PURCHASING AUTHORITY – GOODS 11
E. AGENCY DIRECT PURCHASING AUTHORITY - SERVICES 12
F. PROCUREMENT CONSIDERATIONS 13
Iowa Prison Industries (IPI) 11 IAC 117.5(3) 13
Commission for Blind, Food Service Iowa Code 216D.3 13
Targeted Small Business (TSB) Procurement 13
G. PURCHASES EXEMPT FROM COMPETITION 11 IAC 117.5 14
Exemptions from Competitive Procurement 14
Emergency Procurement 14
Sole Source Procurement 15
H. DAS-CPB TERM CONTRACTS 17
Initial Terms & Annual Renewals 17
Master Agreement (MA) 17
Multiple Award Contract (MAC) 18
Alternative to Master Agreement 18
I. AGENCY DIRECT PURCHASING 19
Agency Direct Purchase Process for Goods 19
Agency Direct Purchase Process for Services 20
J. DAS-CPB'S COMPETITIVE SOLICITATION PROCESS 21
Requisitions 21
The Request for Quote (RFQ) Process 21
The Request for Bid (RFB) Process 23
The Proposal (RFP) Process 27
K. ADDITIONAL PROCUREMENT CONSIDERATIONS 31
Vendor Compliance When Procurement Utilizes Federal Funds 31
Contract Pricing Strategies 31

Terms and Conditions 31
Best and Final Offer (BAFO) 32
Print Services 33
Lack of Competition 33
Rejection of Bids/Proposals 33
Cancellation of a Solicitation 33
Green Buying 33
Accountable Government Act 33
L. THE APPEAL PROCESS 11 IAC 117.20 34
M. ALTERNATIVE PURCHASING OPTIONS 35
Purchasing Goods and Services Using the State Pcard 35
Paying for Goods and Services through I/3 35
N. CONTRACT RENEWAL PROCESS 36
Agency Term Contract Renewal Process 36
O. CONSTRUCTION PROCUREMENT 37
DAS Responsibilities and Exempt Agencies Iowa Code 8A.302(4) 37
Competitive Bid Threshold for Construction Iowa Code 26.3 37
Construction Costs Greater than $5,000 but Less than $55,000 38
Construction Costs between $55,000 and $135,000 39
Construction Costs Greater than $135,000 40
Additional Construction Considerations 41
P. RECORDS RETENTION 42
Confidential Information 42
Q. VENDOR RELATIONS & PUBLIC SCRUTINY CONSIDERATIONS 43
Rights to Reasonable Notice and Appeal 43
Vendor Relations 43
Public Scrutiny 44
Ethical Standards Iowa Code 68B 44
Conflict of Interest 45
Public Records and Requests for Confidential Treatment 46
R. COMPLIANCE 47
Reporting Procurement Misconduct 47
ACKNOWLEDGEMENT OF RECEIPT 48
APPENDIX A-1: BASIC PURCHASING CYCLE FOR DAS-CPB 49
APPENDIX A-2: DETERMINING PROCUREMENT AUTHORITY 50
APPENDIX A-3: AGENCY DIRECT PURCHASE PROCESS FOR GOODS 51
APPENDIX A-4: AGENCY DIRECT PURCHASE PROCESS FOR SERVICES 52

APPENDIX A-4: AGENCY DIRECT PURCHASE PROCESS FOR SERVICES - CONTINUED 53
APPENDIX A-5: DAS-CPB REQUEST FOR QUOTE (RFQ) PROCESS 54
APPENDIX A-6: DAS-CPB REQUEST FOR BID (RFB) PROCESS 55
APPENDIX A-7: DAS-CPB REQUEST FOR PROPOSAL (RFP) PROCESS 56
APPENDIX A-8: DAS-CPB APPEAL PROCESS 57
APPENDIX A-9: PAYMENT PROCESS FROM AN AWARD DOCUMENT 58
APPENDIX A-10: DAS-CPB CONSTRUCTION PROCESS 59
APPENDIX A-10: DAS-CPB CONSTRUCTION PROCESS - CONTINUED 60
APPENDIX B: PURCHASING THRESHOLDS FOR GOODS/SERVICES 61
APPENDIX C: PURCHASING THRESHOLDS FOR CONSTRUCTION 62
APPENDIX D: ADDITIONAL PROCUREMENT APPROVALS 63
IDOM Approval 63
OCIO Approval 63
APPENDIX E: FLEET PROCUREMENT 64
APPENDIX F: PREFERENCE STATUTES 65
Iowa's Reciprocal Preference Law 65
Tied Bids and Veteran's Preference 11 IAC 117.13(4) 65
American Made Products Iowa Code 8A.311 65
APPENDIX G: VENDOR REGISTRATION AND COMPLIANCE 66
Vendor VSS Registration 66
Targeted Small Business (TSB) Certification Web Site 66
Vendor Complaints 66
Vendor Compliance 66
APPENDIX H: CREATING A CONTRACT IN I/3 69
Procedures for Completing a P.O. or Term Contract in I/3 69
Using Change Orders to Amend Contracts 69
APPENDIX I: I/3 GENERAL INFORMATION 70
I/3 Manual & Payment Processes 70
Special Characters and I/3 70
I/3 Tables 70
Data Warehouse Reports 70
APPENDIX J: INTER-AGENCY PROCUREMENT RELATIONS 71
DAS-CPB Responsibilities: 71
Agency Responsibilities: 71
APPENDIX K: DAS-CPB'S AUTHORITY 11 IAC 117 72
APPENDIX L: CONTACT AND REFERENCE INFORMATION 73
Iowa Code and Iowa Administrative Code Links 73

IT Contracts 73
TSB 73
Bid Posting Websites 73
DAS Design and Construction Resource Bureau 73
GSE Fleet Administration 73
State Accounting Enterprise's Payment Process Manual 73
DEFINITIONS OF COMMONLY USED TERMS 74
COMMONLY USED ACRONYMS 80
INDEX 81

DISCLAIMER

The DAS Director or DAS CP's Chief Operating Officer (COO), with the Director's approval, may change, delete, waive, suspend, or discontinue parts of, or the entirety of this policy, at any time without prior notice.

A. DAS-CPB PROFESSIONAL DEVELOPMENT FOR PROCUREMENT

DAS-CPB Procurement Training for Purchasing Agents (PA) & Agency Authorized Purchasers (AAP)

Procurement authority is limited to State of Iowa employees who have completed appropriate training in preparation to conduct procurement actions within the boundaries defined here. DAS-CPB has developed a required professional development plan for all State of Iowa employees designated to make purchases on behalf of the State.

Level A Certification. Authorized purchasers at this level are required to pass a web-based training module detailing State of Iowa procurement policy and procedures before they may make any purchases on behalf of the State.

Level 1 Certification. To qualify for basic procurement certification, which authorizes an employee to perform procurement actions up to $5,000; individuals must first complete and pass six web-based modules. Additionally, purchasers at this level must complete and pass Introduction to State Procurement.

Level 2 Certification. To qualify for Level 2 procurement authority (also known as "Advanced Procurement Authority"), individuals must complete prerequisite training as detailed under Level 1. In addition, purchasers must complete and pass the Advanced Procurement Certification seminar, Introduction to I/3 procurement and I/3 Advanced Procurement for Solicitation training, two NIGP courses (Introduction to Public Procurement and Legal Aspects), and have six months procurement experience. Level 2 purchasers must also complete re-certification two years after they have successfully completed the initial Level 2 Certification. Purchasers completing the requirements for Level 2 certification, the AAP may perform procurement actions up to $50,000 for Goods and over $50,000 for Services.

Level 3 Certification. This level is reserved for DAS CPB Purchasing Staff. To qualify for Level 3 procurement authority, individuals must complete and pass all training requirements as outlined in Level 1 and Level 2. Additionally, purchasers at this level must complete VSS training and re-certification.

Table 1. *DAS-CPB Professional Development Requirements - GOODS*

Training	Level A	Level 1 Up to $5,000	Level 2 $5,000-$50,000	Level 3 >$50,000
Buying Basics	X			
Procurement Code Training		X	X	X
PDS Introduction to State Procurement		X	X	X
Basic I/3 Financial			X	X
PDS Advanced Procurement Certification			X	X
VSS - Advanced I/3 Procurement			X	X
NIGP-Introduction to Public Procurement			X	X
NIGP – Legal Aspects			X	X
Re-certification Seminar			X	X

Table 2. *DAS-CPB Professional Development Requirements - SERVICES*

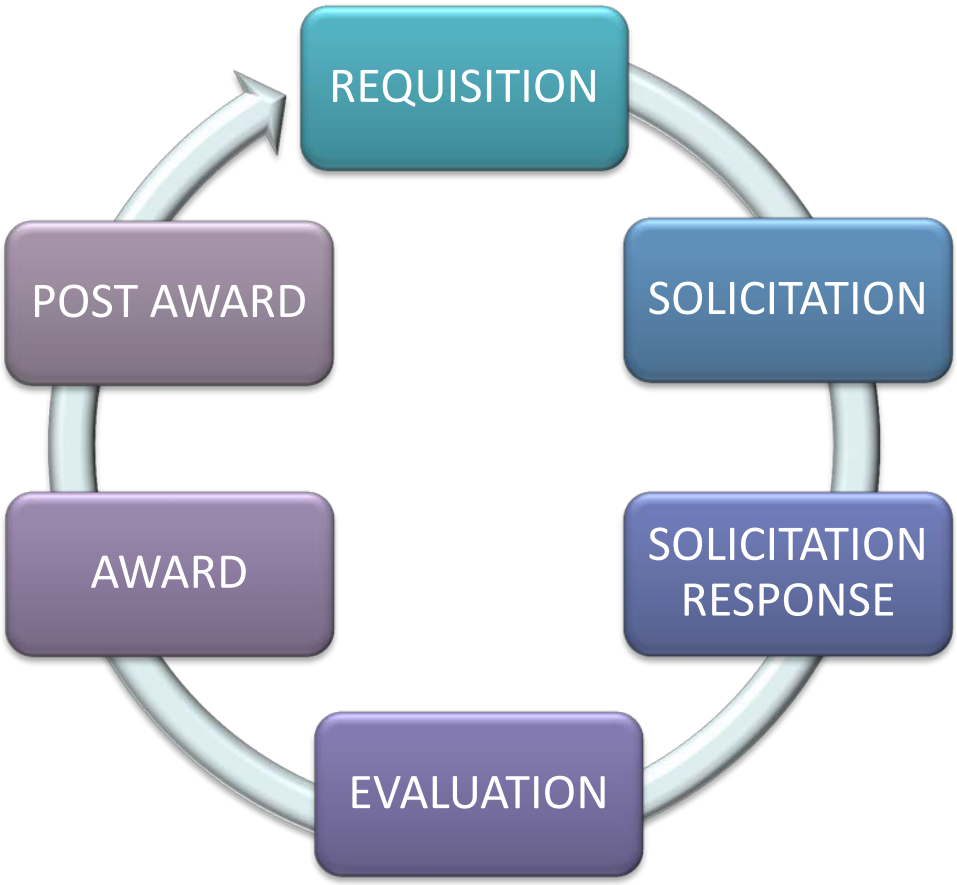
Training	Level A Up to $5,000	Level 1 $5,000 -$50,000	Level 2 >$50,000	Level 3 >$50,000
Buying Basics	X			
Procurement Code Training		X	X	X
PDS Introduction to State Procurement		X	X	X
Basic I/3 Financial			X	X
PDS Advanced Procurement Certification			X	X
VSS - Advanced I/3 Procurement			X	X
NIGP-Introduction to Public Procurement			X	X
NIGP – Legal Aspects			X	X
Re-certification Seminar			X	X

B. THE PURCHASING CYCLE

The State of Iowa's procurement lifecycle consists of the following six stages, though not all stages are required in all procurement situations.

Requisition:	Create a requisition for goods or services
Solicitation:	Advertise requirements for goods or services when seeking information, quotes, bids, or proposals
Solicitation Response:	Receive and record vendor responses to the solicitation
Evaluation:	Evaluate vendor responses to a solicitation for award
Award:	Establish formal agreement with a vendor to purchase either goods or services
Post Award:	Monitor and review the activities that take place during the remainder of a vendor contract, such as compliance, renewals, amendments, change orders, etc.

Figure 1. The Purchasing Cycle.



Following is an outline of the steps involved in the six stages of the Purchasing Cycle:

Requisition:

1. Recognize an agency's needs
2. Obtain Iowa Department of Management (IDOM) approval in accordance with its policies; attach the approval form to the requisition in I/3
3. Obtain any necessary approvals from the Office of the Chief Information Officer (OCIO) for IT procurements
4. Determine whether a Targeted Small Business (TSB), Iowa Prison Industries (IPI), or an existing contract will fulfill the need
5. Develop specifications or scope of services
6. Prepare a requisition in I/3 for processing
7. Review the requisition and specifications for accuracy and completeness

Solicitation:

8. Determine the appropriate type and method of solicitation
9. Prepare and post the solicitation package

Solicitation Response:

10. Receive bid responses
11. Prepare bid abstracts (tabulations)

Evaluation:

12. Review bids/proposals
13. Evaluate bids/proposals for compliance with specifications or scope of service and terms and conditions

Award

14. Prepare and issue Notice of Intent to Award
15. Allow expiration of the five-day appeal period
16. Complete vendor negotiations
17. Prepare Purchase Order or contract

Post Award

18. Administer the contract
19. Monitor and review performance periodically through the life of the contract

See Appendix A-1 for a flow chart of these 19 steps.

C. WHO - WHAT - HOW - WHEN

The first step in any procurement is to define what is needed, when it is needed, and in what quantity. It is the responsibility of the PA or AAP to review specifications, secure a vendor, and have the products or services delivered within the required timeframes and at competitive prices.

Who is Authorized to Create a New Contract

All procurements for a good or service are performed through DAS-CPB unless the agency has independent purchasing authority under its enabling statute or by executive order or the agency has an AAP with the required training certification (see Section A for information on training certification) to perform the procurement. The flowchart at Appendix A-2 will help the agency determine **who** creates the bid documents and handles the bid/proposal process.

See Appendix A-2 for a flowchart in determining procurement authority.

What: Defining the Need

Although not exhaustive, questions a PA or AAP should ask include:

1. What are the requested goods or services?
2. Can the good or service be purchased through a TSB, IPI, or an existing contract?
3. What is the approximate dollar value of the required good or service?
4. Is there an established budget for the procurement?
5. What will be the funding source and are the funds encumbered?
6. What is the timeline for this purchase and is it realistic?
7. Will this be a one-time purchase or recurring? If recurring, how often?
8. Will it be necessary to write specifications?
9. What method of solicitation is best for this type of purchase?
10. What are the potential risks with this purchase?
11. Should DAS-CPB solicit the good or service rather than the agency?
12. Are other agencies requiring the same goods or services?

If the responses to these questions are unacceptable, the PA or AAP may consider issuing a Request for Information (RFI). Post the RFI on the Bid Opportunities website to obtain information regarding goods and services currently available from the open market. An agency must provide a copy of the RFI and all responses to DAS-CPB.

How: Procurement Types and Methods

The PA or AAP determines the type and method of procurement appropriate for the solicitation. While in some cases Iowa Code or DAS Administrative Codes dictate the appropriate method, other circumstances allow discretion on the part of the PA or AAP. The choice of procurement method is a critical decision in purchasing a good or service. This section describes **why** and **how** certain methods are used.

Competitive Procurement

It is the policy of the State to obtain goods and services from the public sector for public purposes to achieve value for the taxpayer through a fair open and objective competitive process. Competitive procurements are the primary solicitation type used to procure goods and services greater than the maximum non-competitive dollar threshold.

INFORMAL

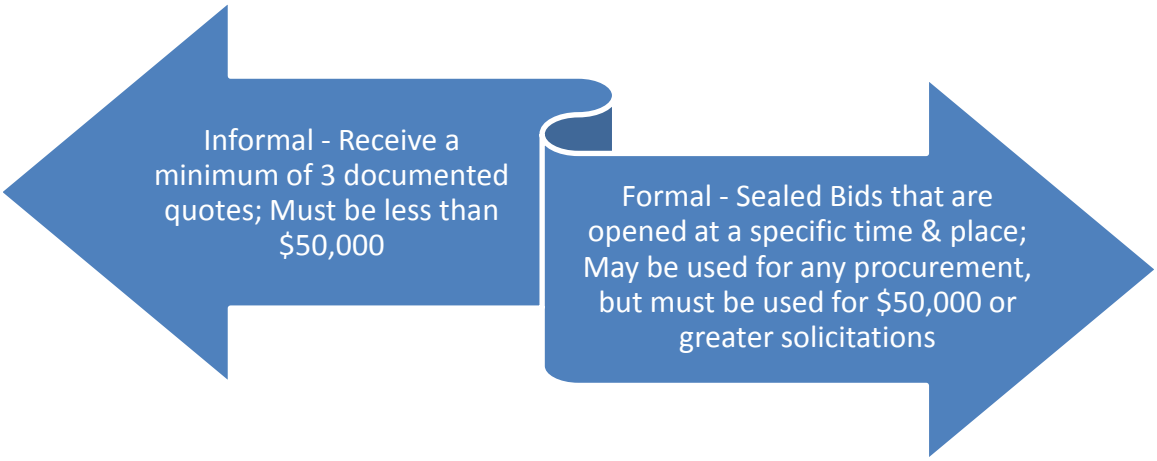
Informal solicitations are procurements up to $50,000 per transaction through unsealed quotes from a minimum of three vendors. Though informal solicitations are not required to be publicly advertised, it may be advantageous to publicly post for the following reasons:

- Additional exposure to the market
- Limited number of vendors or no particular vendors in mind
- Estimated value of the contract is close to the $50,000 threshold

Informal solicitations may be completed electronically, by telephone, fax, or in person. All informal quotes must be documented using the DAS-CPB Informal Quote Documentation Form.

FORMAL

Formal solicitations are procurements typically over $50,000 and are always a competitive, sealed bid or proposal which must be posted publicly on the Bid Opportunities website. Bid/proposal responses must be received in a sealed envelope, or if done through VSS, the bids are "locked down" until the close of the bid period. Vendors may be required to submit their technical and cost proposals in separate envelopes. Sealed bids/proposals are opened in a public forum.



Procurements Exempt from Competition

Certain purchases of goods and services are exempt from competitive procurement processes: solicitations and procurements involve obtaining marketplace information from vendors (RFI) or procuring goods or services without conducting a competitive procurement method among interested vendors. The PA or AAP generally obtains one quote or pre-determined/negotiated fixed price. Typically, these type procurements are appropriate for the following situations:

- TSB procurement
- IPI procurement
- Sole source purchases (must follow approval process first)
- Emergency purchases
- Master or other term agreement purchases
- Inter-governmental agreements (services)

Methods of Procurement

RFI

Request for Information (RFI) is used as a means of gathering marketplace information from vendors. Though an RFI is not a true method of procurement, it is often a first step to making informed procurements.

RFQ

A Request for Quote (RFQ) is an informal solicitation method which may be used for purchases under $50,000; such solicitations are not required to be posted publicly on the Bid Opportunities website and may be done via the telephone or in writing. In an RFQ, quotes are requested from a minimum of three vendors. This method is normally used for purchases of specific goods and services or easily defined goods.

RFB

A Request for Bid (RFB) is always a publicly-advertised, formal solicitation. The RFB includes well-defined specifications and/or scope of work, and contains all contractual terms and conditions. The PA or AAP solicits bids from prospective vendors. Bids for the goods or services must be received by a set date, time and place, where they are opened and read publicly. The award is made to the lowest responsible bidder.

RFP

A Request for Proposal (RFP) is defined as a competitive proposal process where cost is NOT the sole evaluation criterion for selection. The RFP includes well-defined specifications and/or scope of work, and contains all contractual terms and conditions. The RFP solicits two proposals -- technical and cost -- from prospective vendors. The objective is to obtain the “best value” for the state. The RFP method uses a combination of the price proposal plus the highest score from an analysis of the technical proposal to determine the award of a contract. An RFP is used any time when factors other than price are to be considered for evaluation.

DAS-CPB Cooperative Purchasing 11 IAC 117.5(4)
DAS-CPB is encouraged to exchange price information, vendor lists, bidder histories, and standard specifications with other governmental agencies and to enter into a purchasing consortium if DAS-CPB believes such a consortium is in the best interests of the State; and that the agreement was awarded in a fair and competitive manner.

Cooperative purchasing benefits states as well as cities, counties, public schools, institutions of higher education and other eligible entities. DAS-CPB may develop master agreements from regional purchasing contracts if it is in the best interest of the state. Agencies cannot establish regional purchasing contracts.

Reverse Auction 11 IAC 117.9(6)
DAS-CPB may purchase goods and services through a reverse auction; a repetitive competitive bidding process, which allows vendors to submit one or more bids, with each bid having a lower cost than the previous bid. Vendors shall receive notice as described in the Administrative Code. The notice shall include the start and ending time for the reverse auction and the method in which it will be conducted.

Vendors shall provide to the department a notice of their intent to participate and of their agreement to provide goods or services equal to or exceeding specifications. The department may require vendors to prequalify to participate in a reverse auction. Prequalification may include a requirement to commit to a baseline price.

Invitation to Qualify (ITQ) 11 IAC 117.9(7)
DAS-CPB may prequalify vendors and make available to an agency a list of vendors capable of providing the requested service. The department may prequalify vendors for certain classes of solicitations, including but not limited to the following:

1. Information technology consulting
2. Architectural services
3. Engineering services

Notification of ITQ Solicitation **11 IAC 117.9(7) (b)**
After the implementation of a prequalification process, DAS-CPB may select, in a competitive manner, a prequalified vendor without public notice and without further negotiation of general terms and conditions. A solicitation may be restricted only to prequalified vendors, in addition to the TSB notification required by 11 IAC 117.8(2). However, a vendor prequalification is not an award and does not create an obligation on the part of the State.

Purpose of ITQ **11 IAC 117.9(7) (d)**

DAS-CPB shall use an invitation to qualify process for facilitating a subsequent solicitation, which uses one of the other methods described in this manual. The purposes of using an invitation to qualify process include but are not limited to the following:

1. Standardize state terms and conditions relating to the type of procurement, thereby avoiding repetition and duplication.
2. Ensure prequalified vendors are capable of performing work in a manner consistent with operational standards developed and adopted by the State.
3. Implement a pay-for-performance model directly linking vendor payments to defined results as required by Iowa Code section 8.47.
4. Consolidate records of vendor qualifications and performance in one location for reference and review.
5. Reduce time required for solicitation of proposals from vendors for individual procurements.

When: Timetables

The time to complete a solicitation depends primarily upon what procurement method is used. The following schedule provides a guide to help in scheduling the timeline for completion of a solicitation. As no two solicitations are the same due to the complexity of the need, the timing for completion, and the workload of the PA or AAP, this table is a guideline only. Actual times will vary, depending upon the complexity of the topic.

Table 2. Solicitation timelines

SOLICITATION TIMELINES – In Business Days				
Phases of a Solicitation	**Informal Quote**	**Simple RFB/RFP**	**Complex RFB/RFP**	**Construction RFB**
Determine Need	By Agency	By Agency	By Agency	By Agency
Vendor/Market Research	1-2 days	2-10 days	3-30 days	n/a
Develop Solicitation	1-4 days	2-10 days	3-15 days	2-10 days
Post Bid	n/a	3-10 days	5-60 days	1-3 days
Bidder Conference (opt.)	n/a	n/a	1 day	1 day
Acceptance of bids	1 day	1 day	1 day	1 day
Evaluation[1]	1 day	1-5 days	2-90 days	1-20 days
Intent to Award/Appeal Period	n/a	5 days	5 days	5 days
Mobilization	1 day	Contract driven	Contract driven	Contract driven
Delivery	1 day	Contract driven	Contract driven	Contract driven
Estimated Total Lead Time	**6-12 days**	**14-40 days**	**20-200 days**	**15-40 days**

Please note that these times are ONLY ESTIMATES. This does not include any preapprovals by IDOM or OCIO. If either or both of these approvals are necessary, your lead-time may increase to accommodate response time.

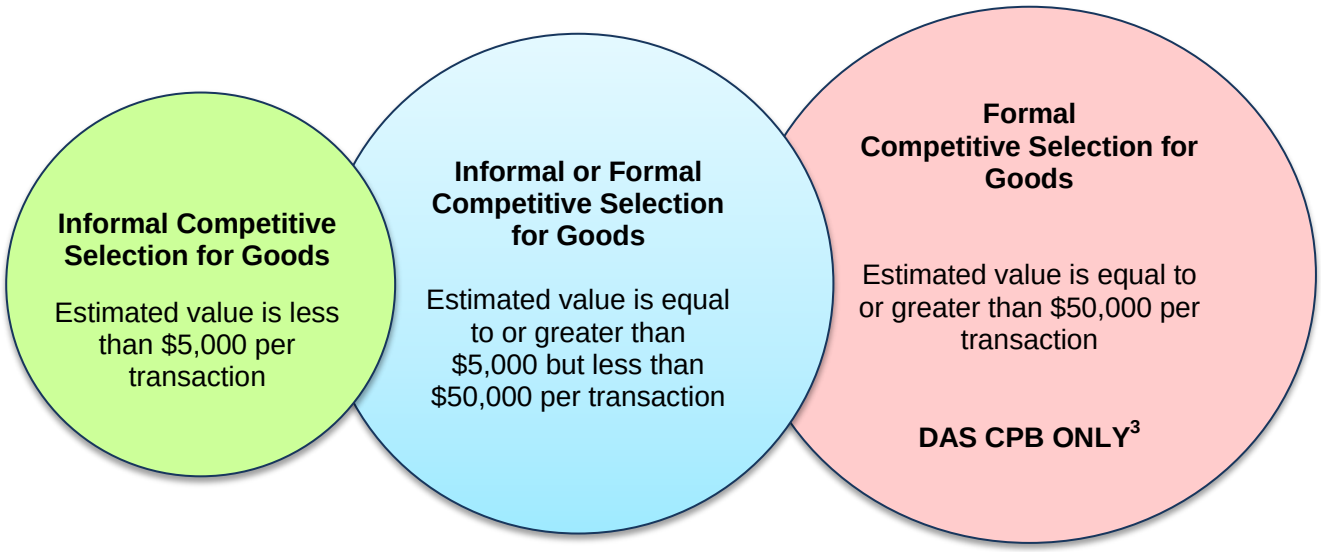
[1] Evaluation time may be longer dependent upon testing periods, etc. if required.

D. AGENCY DIRECT PURCHASING AUTHORITY – GOODS

Agencies must have an AAP with the required level of certification to procure goods based on the estimated total value of the goods contract, including renewals. See Section A for more information on certification levels and associated purchasing thresholds.

Pursuant to 11 IAC 117.15, agencies may procure non-master agreement goods under certain circumstances. An AAP with Level 1 Certification may competitively procure non-master agreement goods up to $5,000 per transaction, while an AAP with Level 2 Certification may competitively procure non-master agreement goods up to $50,000 per transaction. Three or more informal quotes are required[2]. The agency shall document the quotes using the Informal Quote Documentation Form. Attach all documentation to the form. Figure 2 illustrates a summary of thresholds and relative solicitation types.

Figure 2. Types of Solicitation for Goods.



See Appendix B for Purchasing Thresholds for Goods and Services

[2] Unless three quotes are not reasonably available or the procurement is from a Targeted Small Business. Document any circumstance resulting in fewer than three quotes.

[3] DAS CPB is required to purchase all *goods* over $50,000 for agencies.

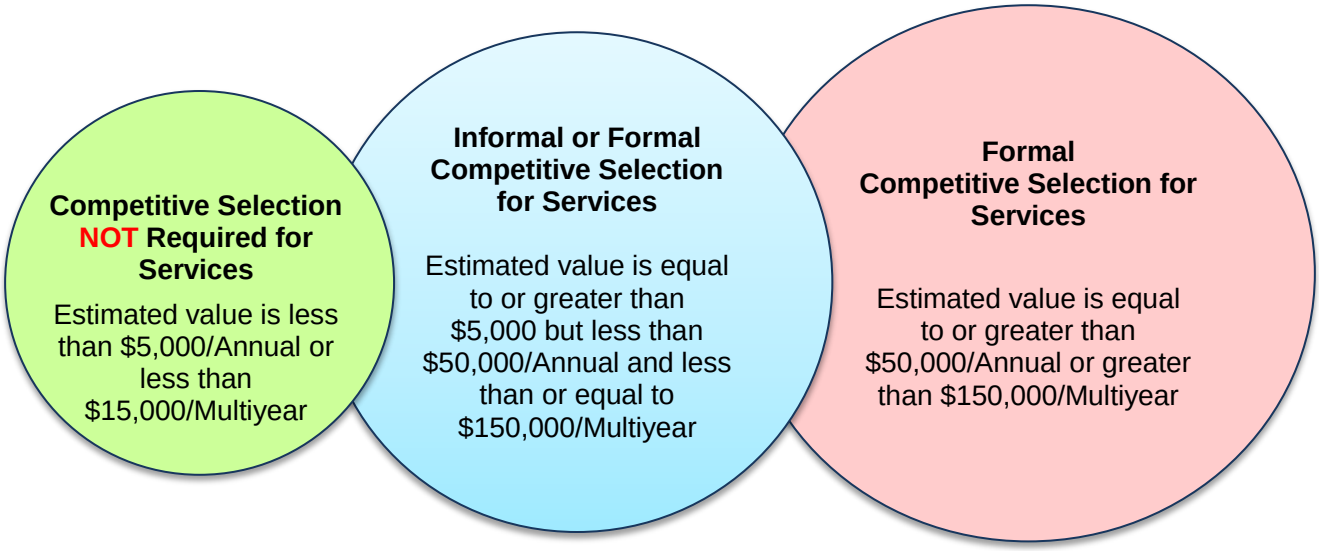
E. AGENCY DIRECT PURCHASING AUTHORITY - SERVICES

Agencies must have an AAP with the required level of certification to procure services based on the estimated value of the service contract, in total and including renewals. See Section A for more information on certification levels and associated purchasing thresholds.

Pursuant to 11 IAC 118.5 agencies may conduct their own solicitation and contracting for agency specific services and must follow competitive bidding processes with the exception *of service contracts with an estimated annual cost of* ***under $5,000*** *or when the estimated annual cost of a multiyear service contract is* ***under $15,000****. Service contracts below this level do not require* ***a competitive bid or TSB posting***.

DAS-CPB will assist agencies with service contracting needs or the agency may choose to conduct the solicitation on its own. Service contracts may not exceed a term of *six years,* including renewals. (IT service contracts may go up to but not exceed 10 years.) Figure 3 illustrates a summary of thresholds and relative solicitation types.

Figure 3. Types of Solicitation for Services.



See Appendix B for Purchasing Thresholds for Goods and Services

F. PROCUREMENT CONSIDERATIONS

The Iowa Code requires certain organizations receive first consideration on certain types of goods and services. Agencies must first check whether these organizations have the capability of meeting their need, either through existing contracts or through creation of new contracts, if the agency purchases goods and services.

Iowa Prison Industries (IPI) 11 IAC 117.5(3)

The Iowa Code 904.808 provides that agencies shall not purchase a product from a vendor other than IPI, if IPI offers the product on the purchase request except if the purchase is made under emergency circumstances per Iowa Code 904.808 (1)(a). Agencies may receive a waiver from purchasing a product from IPI if the Director of the Iowa Department of Corrections determines that IPI is unable to meet the performance characteristics of the purchase request. Purchase of standard office modular components and other furniture items shall be in accordance with 11 IAC 100.6(6). IPI's catalog is available at http://www.iaprisonind.com.

Commission for Blind, Food Service Iowa Code 216D.3

A governmental agency proposing to operate or continue a food service in a public office building shall first attempt in good faith to make an agreement for the Commission for the Blind to operate the food service without payment of rent. The governmental agency shall not offer or grant to any other party a contract or concession to operate such food service unless the governmental agency determines in good faith that the Commission for the Blind is not willing or cannot satisfactorily provide such food service.

Targeted Small Business (TSB) Procurement

Pursuant to Iowa Code section 73.16 (1) each agency of the state shall purchase goods and services supplied by small businesses and targeted small businesses in Iowa. All purchasing authorities shall assure that a proportionate share of small businesses and targeted small businesses receive the opportunity to bid on all solicitations issued by agencies and departments of state government. Agencies can view a list of all certified targeted small businesses at https://dia.iowa.gov/tsb. Agencies may purchase from a TSB without competition for a good or service up to $10,000.

Agencies must confirm certification of the vendor as a TSB by conducting a search on the Department of Inspections & Appeals website: https://dia.iowa.gov/tsb.

Competitive Procurement from a TSB - Notification IAC 11—117.8(2)

The Administrative Code requires TSBs receive notification of all solicitations at least 48 hours prior to the general release of the notice of solicitation via a posting on the State of Iowa's TSB website. After the 48-hour procurement notice period, a TSB will have the same consideration as all other bidders.

G. PURCHASES EXEMPT FROM COMPETITION 11 IAC INFORMA117.5

Exemptions from Competitive Procurement

The Director of DAS may exempt goods and services of general use from competitive procurement processes when the procurement meets one of the following conditions.

Emergency Procurement

Agencies shall not use the emergency procurement procedures to circumvent established Procurement Procedures. Nor shall failure to anticipate normal needs or project deadline dates, or a desire to expend remaining or excess budgeted funds prior to year-end, constitute an emergency.

Justification for Emergency Procurement

An emergency procurement shall be limited in scope and duration to meet the emergency. When considering the scope and duration of an emergency procurement, DAS-CPB or agency should consider price and availability of the good or service procured so the state obtains the best value for the funds spent under the circumstances. DAS-CPB and agencies shall attempt to acquire goods and services of general use with as much competition as practicable under the circumstances.

An emergency includes but is not limited to a condition:

- In which an immediate or emergency need exists for the item or service because of events and circumstances not reasonably foreseeable.
- That threatens the public health, safety, or welfare.
- In which there is a need to protect the health, safety, or welfare of persons occupying or visiting a public improvement or property located next to a public improvement.
- In which a state agency must act to preserve critical services or programs.

Special Procedures for Emergency Procurement

The agency Director or designee of the agency shall contact the DAS-CPB COO or designee if an emergency is during normal business hours to explain the nature of the emergency and to request approval for an emergency purchase according to the following guidelines:

1. Emergency procurements require documentation justifying the emergency purchases and submission of the documentation to the DAS Director for approval.
    a. IDOM approval may be required in accordance with their policies.

DAS-CPB recognizes that not all emergencies occur during business hours. If an emergency occurs outside of normal business hours, the agency may use its best judgement to address the emergency. However, notification with justification of the emergency procurement must be reported to DAS-CPB within two business days of the purchase.

2. Upon approval of the emergency procurement by the DAS Director and IDOM, if necessary, the CPB Administrator or designee shall either make the purchase or authorize the ordering agency to do so. In the event the CPB Administrator or designee is not available, the ordering agency Director shall notify the DAS Director before making the purchase.
3. Upon receipt of all necessary approvals, the ordering agency shall immediately initiate a requisition (RQN or RQS) for the emergency expenditure. The requisition must reference the competitive prices received, if applicable, and include a detailed explanation of the circumstances of the emergency purchase. The agency shall forward the requisition and all related documentation to the requesting agency's finance department for final processing.
4. DAS-CPB is required to maintain a record of each emergency procurement setting forth the basis for the emergency and the name of the contractor used to supply the item or provide the service to resolve the emergency. Purchase of goods and services shall be restricted to only those goods and services necessary to resolve the emergency.

Agencies should keep emergency contact numbers for all vendors, DAS Director, DAS-CPB COO and designee for when there is an emergency during non-business hours.

Sole Source Procurement

Agencies shall not use the sole source procurement procedures to circumvent established Procurement Procedures.

Justification for a Sole Source Procurement

A sole source procurement shall be avoided unless clearly necessary and justifiable. The DAS Director or designee may exempt the purchase of a good or service of *general use* from the competitive selection process when the purchase qualifies as sole source procurement as a result of any of the following circumstances:

- One vendor is the only one qualified or eligible to provide the good or service or is quite obviously the most qualified or eligible to provide the good or service.
- The procurement is of such a specialized nature or related to a specific geographical location that by virtue of experience, expertise, proximity, or ownership of intellectual property rights, only one vendor could most satisfactorily provide the good or service.
- Applicable law requires, provides for, or permits use of a sole source procurement.
- The federal government or other provider of funds for the procurement (other than the State of Iowa) has imposed clear and specific restrictions on the use of the funds in a way that restricts the procurement to only one vendor.
- The procurement is an information technology device or service that is systems software or an upgrade; or compatibility is the overriding consideration; or the procurement would prevent voidance or termination of a warranty, or the procurement would prevent or default under a contract or other obligations.
- Review other circumstances for services outlined in 11 IAC—118.7 .

Special Procedures for Sole Source Procurements

The agency desiring to establish a sole source contract with a vendor must complete the Sole Source Procurement Justification Form. DAS-CPB will provide guidance to agencies wishing to pursue sole source service procurement.

The following information is necessary to complete the form:

1. A copy of the existing agreement or contract, if applicable
2. A description of the purpose for the procurement
3. The agency or department wishing to make the sole source procurement
4. A description of the function of the good or service
5. Reasons this vendor is uniquely qualified
6. Documentation of reasons other vendors cannot provide the good or service
7. Criteria for determining whether the vendor's price was reasonable
8. Description of the financial impact of both approval and denial
9. Manager or supervisor approval
10. Department Director, or designee approval

Processing Note:
When completing the form enter the word "Requesting" in the field asking for the dates the sole source request appeared on the bid opportunities website. DAS-CPB will make the appropriate posting to the website upon approval to proceed with the establishment of the sole source procurement.

The DAS-CPB PA responsible for the procurement will review and research the request, and if appropriate, will post the necessary information to the TSB website and may post to bid opportunities website for 5 days to seek potential providers of good/service. If another vendor responds to the posting, the procurement will follow the standard procedures for a competitive solicitation. Should there be no response to the posting, the PA will make a recommendation to the DAS-CPB COO or designee for approval. Upon the Administrators approval, the PA sends the request to the DAS Director for final approval. The DAS Director or designee must approve all sole source requests for the purchase of a good or service of a general use.

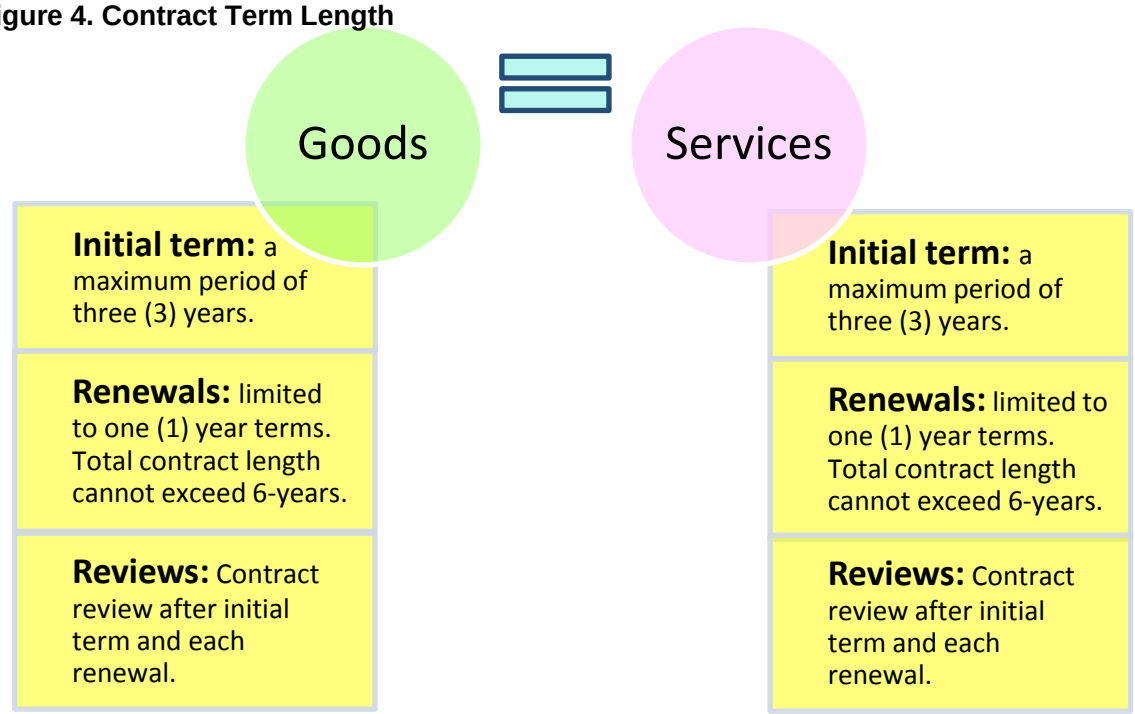
For additional considerations for sole source procurements of services by an agency, refer to 11 IAC 118.7.

H. DAS-CPB TERM CONTRACTS

Initial Terms & Annual Renewals

The State does not enter into "evergreen" contracts, i.e., contracts with no end date or contracts that renew automatically unless terminated. The State enters into contracts for a defined period, known as "term contracts". The Administrative Code states that service contracts are limited to a maximum term of six (6) years, including all renewals 11 IAC 118.11(3). To assist agencies in meeting their procurement needs, DAS-CPB has established, as a matter of policy, the same term limitations for both goods and services. However, OCIO service agreements may have a 10-year term.

Figure 4. Contract Term Length



It is at the discretion of the PA, in consultation with the agency, to determine the length of both the initial and renewal periods. Consider all factors of the procurement for this determination. It is not recommended to make all contracts for an initial period of three years, with three annual renewals. Also consider a one year initial term followed by 1 year renewal periods.

Master Agreement (MA)

An MA is a competitively bid contract for goods or services which establishes prices, terms and conditions for the purchase of goods and services and may be designed for use by more than one agency. Master agreements are term contracts that are effective for a defined period. **DAS-CPB is the only agency authorized to create MAs for goods and services for use by state agencies**. All MAs must have a base price sheet attached, a "discount off" pricing sheet attached,

or the "discount off" on the commodity line of the contract in I/3. Agencies may purchase any dollar amount from an MA without the need for any further competitive process[4], provided approved funds are available to cover the purchase, and it is within the spending limits established in the MA. MAs for a particular item or class of items may include a single vendor or multiple vendors.

Multiple Award Contract (MAC)

MAs for a particular item or class of items may be awarded to a single vendor or multiple vendors. A Multiple Award Contract (MAC) is appropriate where there is more than one vendor for the same or comparable goods or services or may be necessary for operational purposes. MACs are effective for a defined period. **DAS-CPB is the only agency authorized to create MACs**. All MACs must have a base price sheet attached, a "discount off" pricing sheet attached, or the "discount off" on the commodity line of the contract in I/3. Creation of MACs provides a better tracking mechanism within the I/3 system. Agencies may purchase any dollar amount from an MAC without the need for further competition, provided approved funds are available to cover the purchase, and it is within the spending limits established in the MAC.

An MAC is appropriate when one or more of the following business cases applies in determining best value:

- Regional vendor
- Costs, Timing
- Commodity based good
- Multiple types of products to meet need (see copier example below)

Upon identification of multiple vendors for the product, the AAP or PA completes and documents a review/analysis to select the best value.

Copier example:
Multiple vendors sell various copiers that meet differing needs. Analysis reveals Vendor X has the best price for copiers that produce 30-45 ppm, while Vendor Y has the best price for copiers that produce 45-55 ppm, etc. In this case, a single MA with a single Vendor does not meet the needs of all agencies.

Alternative to Master Agreement

Occasionally an agency needs to procure a large quantity of a single item available on a master agreement. Many MAs and participating addendums have language allowing an agency to request a discount from the vendor for an item based on the larger quantity. If the MA and/or participating addendums do not allow for negotiation with the vendor, the agency may do a competitive bid for the item per 11 IAC 117.15.

[4] Do not establish an MA with a TSB unless the MA was the result of a competitive process.

I. AGENCY DIRECT PURCHASING

Upon determining the agency need is not available from IPI, TSB, Department of the Blind or DAS-CPB MAs, and the value of the need does not exceed the agency's AP training certification level (refer to section A), the agency may make a direct purchase.

See Appendix A-3 for a summary flowchart of the agency direct purchase process for goods.

Agency Direct Purchase Process for Goods

Following are guidelines for all Agency direct goods procurements:

1. If an Agency's needs are $1,500 or below of non-master agreement goods, the procurement may be made without going through the competitive procurement process. 11 IAC 117.15(1)
2. **RFQ.** Solicit a minimum of three price quotes from three different vendors. Use the informal quote form to document the RFQ and attach the form to the requisition in I/3 for audit purposes.
3. **RFB/RFP.** The solicitation process for developing a formal bid (under $50,000 for goods) or proposal is much the same for agencies as it is for DAS-CPB and agencies should refer to Section J when developing solicitations.
4. **Preferences.** Consider application of the preferences as provided in 11 IAC 117.6, including preferences for Iowa products and services, Iowa-based businesses, American made products, American-based businesses, recycled product and content, and products made by persons with disabilities.
5. **IT Purchases.** Before developing a solicitation, refer to Appendix D regarding the approval requirements of OCIO and IDOM.
6. **Lowest Price/Highest Score.** Award the procurement to the lowest responsible bidder for all RFQs and RFBs; the agency must provide justification for not awarding to the lowest bidder. RFP awards are generally awarded to the respondent who received the highest total score on the technical proposal and cost proposal.
7. **Delivery**.

   Be sure to perform an inspection upon delivery or installation of goods, and to also monitor and review the performance of services. Upon discovery of product defects or failures to conform to specifications, or a failure of services to meet performance requirements, provide written notice to the vendor/contractor. Request for payments should not be processed until the matter is satisfactorily resolved.

   Agencies should consider the following when exercising their direct purchase authority:
   - Purchases do not exceed the established training certification requirements
   - Agencies may not split purchases of similar goods or services to circumvent competitive bidding
   - Purchases of equipment may require IDOM approval in accordance with its policies
   - Purchases of IT equipment may require OCIO approval in accordance with its policies

Agency Direct Purchase Process for Services

An agency may procure services unique to the agency's program or used primarily by that agency and not by other agencies if it has an Agency Authorized Purchaser with the appropriate level of training certification as defined in Section A. An agency must follow the appropriate type of competitive procurement per the value of the procurement. DAS-CPB will assist agencies with these procurements upon request. Procurement of services by an agency shall comply with the provisions of 11 IAC Chapters 118 and 119.

See Appendix A-4 for a summary flowchart of the agency direct purchase process for services.

Following are guidelines for all service contracts:

1. An initial contract period for a **service** is one to three years with a maximum of five annual renewal periods not to exceed six years in aggregate.[5]
2. 11 IAC 118.11(1). Each service contract signed by a state agency shall have a specific starting and ending date.
3. 11 IAC 118.11(2). State agencies shall not sign self-renewing service contracts.
4. 11 IAC 118.11(3). Conducting a competitive selection on a regular basis for all service contracts allows a state agency to obtain the best value for the funds spent, avoids inefficiencies, waste, duplication, and may take advantage of innovations, ideas, and technology.

Agency Direct Purchase Documents

Agencies may create only these types of documents:

1) **Purchase Orders**:
   a) Purchase Order (PO) is a contract for a one-time purchase of goods
   b) With proper approvals, an agency may get permission to create a CT. A CT is a contract for multiple purchases of a good or services by a single agency.
   c) Direct Order (DO) is a one-time purchase document created from an MA or Contracts (CT).

[5] A state agency may seek a waiver of the term period provision or another Administrative Code by following the procedures described in 11 IAC 118.16.

J. DAS-CPB'S COMPETITIVE SOLICITATION PROCESS

This section provides an overview of the competitive selection processes used by DAS-CPB to provide maximum competition in all stages of the procurement process ensuring best value for the customer agency. Competitive selection is the process DAS-CPB uses to make purchases on behalf of agencies. The three primary methods of solicitation considered are a) competitive quotes (RFQs), b) competitive sealed bids (RFBs), and c) competitive proposals (RFPs).

The solicitation process differs depending upon the procurement method used. When developing solicitation documents, DAS-CPB will work closely with the agency from beginning to end. The PA will review specs to ensure the needs of an agency are met. Upon receipt and opening of bids or proposals, the PA will involve the agency in the evaluation and award process prior to finalizing the contract. A checklist ensures the PA takes all the appropriate steps during the development of a solicitation. After issuing the Notice of Intent to Award, it is the responsibility of DAS-CPB to create the award documents, with the exception of infrastructure awards (Dept. 335-Design and Construction Resource Bureau).

Requisitions

When requesting a one-time purchase bid, the agency will enter a requisition in I/3 including all funding information and specifications. After the requisition receives all required approvals, it will route to DAS-CPB as part of the workflow.

Should an agency not have access to the I/3 system, it will need to fill out and submit the Online Requisition Form. If the agency is not able to access the website or fill out an I/3 RQN, the agency many send an email to DAS-CPB with the necessary information for the requisition.

I/3 RQS: Includes accounting information and pre-encumbers funds. Agencies and DAS-CPB could initiate Agency Specific Contract(ASC), CTs, POs, and SCs through this document

I/3 RQN: Includes accounting information but does not pre-encumber funds. Agencies and DAS-CPB could initiate ASCs, CTs, POs, and SCs through this document

I/3 RQM: Initiates the process to establish an MA or MAC for goods or services and does not encumber funds. Only DAS-CPB should use this document, as it is the only entity that may create multiple use and multiple vendor contracts

Delay of a requisition may occur due to a lack of information. Be certain to provide:

- A clear definition of need
- A contact person and phone number
- Clear specifications and avoid sole source or brand specific
- If possible, provide suggested manufacturer's name and model number with the statement "equal to or greater than these specifications"

The Request for Quote (RFQ) Process

An RFQ is an informal competitive process for goods or services under $50,000. Though an individual may have the appropriate certification level, upon request DAS-CPB is available to

create and issue the solicitation. The RFQ may require additional approvals from OCIO or IDOM in accordance with its policies. Refer to Appendix D for further information.

See Appendix A-5 for a flowchart of the DAS CPB procurement process for an RFQ.

Communication

Vendors may not initiate contact regarding any competitive solicitation with any State employee except the issuing officer at any time during the procurement process until issuance of a "Notice of Intent to Award".

The Request for Quotes process includes the following steps:

1. Posting the Request for Quote
2. Receiving and tabulating bidders' quote
3. Awarding the contract to the lowest responsible bidder
4. Issuing Notice of Intent to Award
5. Negotiating with the vendor (if any negotiation is needed)
6. Creating the Purchase Order

Posting the Request for Quote

TSB Notification IAC 117.7(2)

Post all solicitations to the TSB web page at least 48 hours prior to a general posting on the Bid Opportunities web page. The password to the TSB web page changes monthly; each agency shall assign an employee current access to the web page.

Contacting 3 or more vendors (directly or publicly)

PAs shall attempt to solicit quotes from 3 or more vendors. This may be done directly by means such as email or phone call or publically by posting the RFQ in a public location.

Receiving Bids

Bids received to the PA by the due date and time will be reviewed to ensure they meet the requirements of the RFQ.

Award contract

Notice of Intent to Award 11 IAC 117.13 (1)

DAS-CPB recommends to the agency a quote based on lowest responsible bidder and issues a Notice of Intent to Award, 11 IAC 117.13(1), to the successful vendor. All bidders will receive Award notification through VSS or directly via email. The Notice of Intent to Award will include a statement to the five-day appeal period.

DAS-CPB will contact the submitting agency if the result of the bid is over budget, if the agency has requested to review the bid, or if there are questions regarding compliance.

Negotiating with the vendor

After issuance of the Notice of Intent to Award, the PA may enter into contract negotiations with the successful vendor. DAS-CPB may cancel the award if the parties fail to reach an agreement within 30 days after the Notice of Intent to Award is issued. The PA may rescind the intent to award if the parties fail to reach an agreement. The PA may then issue a new Notice of Intent to

Award to the next vendor in the evaluation sequence. Alternatively, the agency may withdraw the bid and start the process over.

If there is an appeal, it is DAS-CPB policy that the PA or AP may suspend negotiations with the successful vendor on the contract. The DAS-CPB COO or designee must approve moving forward with the contract before the appeal process is complete.

Creating the Purchase Order

The AP or PA issues the PO after the expiration of the five-day appeal period. For all one-time purchases, DAS-CPB uses a Purchase Order (PO) as the contract in I/3. DAS-CPB creates the PO, sends it to the vendor, and copies the agency. When delivery is completed and proper invoice received, the agency issues a Commodity Based Payment Request (PRC) in I/3 to initiate payment to the vendor.

Delivery

Best practices demand an agency should inspect products upon delivery, installation, monitor, and review the vendor's performance of services. DAS-CPB or agency should serve written notice to the vendor/contractor upon discovery of defects, failures to meet specifications, or performance failures, and forward a copy to the surety if a performance bond as appropriate. A request for payment will not process until the matter is satisfactorily resolved.

The Request for Bid (RFB) Process

DAS-CPB creates the RFB in consultation with the user agency. The process begins with an agency completing and submitting a requisition in I/3, or submitting an online requisition on the DAS-CPB website, or submitting an email to DAS-CPB. The RFB may require additional approvals from OCIO or IDOM in accordance with its policies (refer to Appendix D). Upon submission, DAS-CPB will review the documents and provide the agency with the bid timeline.

See Appendix A-6 for a flowchart of the DAS CPB procurement process for an RFB.

The competitive sealed bid process includes the following steps:

1. Creating the Request for Bid (RFB)
2. Posting the Bid Opportunity
3. Receiving and Opening bids
4. Evaluating the Bids
5. Negotiating the Contract
6. Generating the Contract

Creating the RFB

A standard RFB contains the following sections:

1. ***Bid Information.*** This section includes the date and time for the opening and closing of the solicitation, the location for submitting bids, the name of the Issuing Officer, the bid number

and title, and information regarding the Question & Answer period. Also included are any notes about the bid, lists activities such as on-site visits, and displays any messages such as the Notice of Intent to Award.

2. ***Bid Attachments.*** This section lists any attachments associated with the opportunity that require separate retrieval.
3. ***Bid Attributes***. This section includes vendor instructions, RFB background information, the term of the contract, and vendor information.
   a. ***Certified Statements****.* By checking the box on the bid form, bidders certify the information contained in their bid is accurate and complete, including several specific statements. For example, bidders must certify that they qualify for an in-state preference, have not submitted their bid in collusion with another bidder, and have not been subject to government action within the last three years.
   b. ***Authorization to Release Information Letter***. By checking the box on the bid form, bidders authorize the agency to obtain information regarding its performance on other contracts.
4. ***Firm Bid Period.*** Unless otherwise stated, the contractor agrees its bid will remain firm 120 days following the deadline for submitting bids.
5. ***Contract Terms and Conditions****.* This section contains a reference to the legal terms and conditions that will govern the contract.
6. ***Attach Specification Sheets.*** This section describes how to fill in the price per line item and attach a specification sheet for line items.
7. ***Line Item Specifications****.* This section gives a detailed description of what the selected vendor must provide the state under the contract. The bidder enters a price for each line item in this section and may add notes per line item.

In addition to the standard sections of the RFB, each RFB may have several attachments. The following are the most common attachments:

8. ***Cost Summary****.* This attachment is the sheet all vendors must use to identify all costs the state will have to pay for the supplies, equipment and services the vendor will deliver.
9. ***Additional Attachments****.* Each RFB is unique and may have various attachments in addition to those listed above that are unique to the types of supplies, equipment, and services covered by the particular RFB.

Posting the Bid Opportunity

Upon creation of an RFB that fully defines a need, DAS-CPB advertises the opportunity to the vendor community in several ways.

TSB Notification
Post all solicitations to the TSB web page at least 48 hours prior to a general posting on VSS and the Bid Opportunities websites. Each agency shall assign an employee with the appropriate level of procurement training to have access to the web page.

General Notification 11 IAC 117.8(1)
Following the 48-hour TSB posting period, the PA posts the bid to VSS and Bid Opportunities websites. Vendors registered in VSS with a commodity code matching a particular opportunity will receive notification via email.

Bid Opportunity Questions & Changes
During the publication period, prospective respondents may not contact the Issuing Officer (IO) in person or by phone. However, vendors may contact the IO via email. The IO posts all responses to email inquiries on the Bid Opportunities website such that all prospective vendors receive consistent information and no vendor receives information not provided to all vendors.
On occasion, these inquiries may require an RFB modification. In those instances, DAS-CPB will issue an addendum detailing the changes. For RFBs posted on VSS, participating bidders will automatically receive email notification of bid opportunity updates. The IO will email the addendum to the participating vendors they originally emailed with the opportunity. It is the responsibility of prospective bidders to keep current on any addenda and consider these changes in their bid submittal. Some bids include a pre-bid conference or site visit as specified in the solicitation documents.

Bid Openings

Opening of sealed bid responses occur at the time and day specified in the RFB. All responses shall be documented, evaluated, tabulated, and available for public inspection. The purchasing officer will not open or evaluate late submissions.

Evaluating the Bids

The PA prepares a Bid abstract and evaluates all bids to determine compliance with all specifications and ability of the bidders to perform the contract. When evaluating each bid, the PA must keep in mind specific preferences as referenced in Appendix F.

DAS-CPB may contact a bidder for clarification. In some cases, DAS-CPB may request the vendor(s) submit a Best and Final Offer (BAFO). Please see Section K for more information on BAFOs.

Notice of Intent to Award 11 IAC 117.13 (1)
DAS-CPB recommends to the agency a bid based on lowest responsible bidder and issues a Notice of Intent to Award, 11 IAC 117.13(1), to the successful bidder. All bidders will receive Award notification through VSS or directly via email. The Notice of Intent to Award will include a statement to the five-day appeal period.

DAS-CPB will contact the submitting agency if the result of the bid is over budget, if the agency has requested to review the bid, or if there are questions regarding compliance.

Rejection of Bids 11 IAC 117.13(2)
DAS-CPB may reject all bids at any time for any reason up until a contract is entered into with the successful bidder.

Negotiating the Contract

After issuance of the Notice of Intent to Award, the PA will enter into contract negotiations with the successful vendor. DAS-CPB may cancel the award if the parties fail to reach an agreement within 30 days after the Notice of Intent to Award is issued. The PA may rescind the intent to award if the parties fail to reach an agreement. The PA may then issue a new Notice of Intent to Award to the next vendor in the evaluation sequence. Alternatively, the agency may withdraw the bid and start the process over.

If there is a bid appeal in process, it is DAS-CPB policy that the PA or AP may suspend negotiations with the successful vendor on the contract. The DAS-CPB COO or designee must approve moving forward with the contract before the appeal process is complete.

Generating the Contract

The AAP or PA issues the contract after the expiration of the five-day appeal period. For all one-time purchases, DAS-CPB uses a Purchase Order (PO) as the contract in I/3. DAS-CPB creates the PO, sends it to the vendor, and copies the agency. When delivery is completed and proper invoice received, the agency issues a Commodity Based Payment Request (PRC) in I/3 to initiate payment to the vendor.

See Appendix H for information on creating appropriate documents inside the I/3 system.

The evaluation, negotiation, and contracting processes for MAs, MACs, and ASCs are the same as for one-time bids with the exception that purchases are made directly by the agency through a Delivery Order (DO) against the term contract. DAS-CPB will provide the agency with the contract itemizing the awarded goods or services, the contractor(s), pricing and all terms and conditions of the contract.

The Proposal (RFP) Process

When price is not the sole consideration for awarding a procurement contract, DAS-CPB uses a Request for Proposal process. In this process, the award goes to the respondent whose proposal is determined to be most advantageous to the state for both technical and price criteria set forth in the RFP. The RFP may require additional approvals from OCIO or IDOM in accordance with its policies (refer to Appendix D).

See Appendix A-7 for a flowchart of the DAS CPB procurement process for an RFP.

Issuing Officer

The Issuing Officer identified in the RFP is the sole point of contact regarding the RFP from the date of issuance until a Notice of Intent to Award the Contract is issued.

The Request for Proposal process includes the following steps:

1. Creating the Request for Proposal (RFP)
2. Posting the Proposal Opportunity
3. Opening the Proposals
4. Evaluating and Scoring the Proposals
5. Negotiating the Contract
6. Generating the Contract

Creating the RFP

The RFP process begins with an agency contacting DAS-CPB regarding its service need. DAS-CPB then creates the RFP in consultation with the requesting agency.

DAS-CPB will notify the submitting agency promptly upon receipt of the requisition. DAS-CPB will determine a proposal timeline and will prepare the RFP in accordance with this timeline.

A standard RFP contains the following sections:

1. **RFP Cover Sheet/Introduction**. This section provides summary information about the RFP, such as the purpose, background, objectives, and overview of the project along with key dates. This section includes the date, time, and location for submission of proposals and describes how to receive DAS-CPB announcements regarding information about and amendments to the RFP.
2. **Administrative Information.** This section describes how the procurement process will proceed, including restrictions on communications, vendor questions and answers, reasons for rejection of proposals, requests for confidential treatment of information included in a proposal, contract award, and appeals.
3. **Form and Content of Proposals**. This section provides instructions about how to structure the proposal, what information to include, the technical proposal, and the cost proposal.
4. **Specifications and Technical Requirements**. This section defines the mandatory technical requirements and provides a list of all items that are Scored Technical Requirements. It may also contain optional specifications.

5. **Evaluation and Selection**. This section notifies respondents how the committee will evaluate the proposals and on what criteria. Generally, specific elements within each section of a proposal receive a point assignment.
6. **Contractual Terms and Conditions**. This section contains the legal provisions that will govern the performance of the project by the selected respondent. DAS-CPB has separate, standard terms and conditions for goods contracts, services contracts and IT contracts; contract negotiations are to be based upon these terms and conditions. Agencies may not alter them without prior approval from DAS-CPB.
7. **Certification Letter**. By signing the letter, respondents certify the information contained in their proposal is accurate and complete, including several specific statements. For example, respondents must certify they qualify for in-state preference, they have not submitted their proposal in collusion with another respondent, and they have not been subject to government action within the last three years.
8. **Authorization to Release Information Letter**. By signing the form, respondents authorize the agency to obtain information regarding their performance on other contracts.

Posting the Proposal Opportunity Iowa Code 73.2

Upon creation of an RFP, DAS-CPB advertises the opportunity to the vendor community in several ways.

TSB Notification IAC 117.7(2)
Post all solicitations to the TSB web page at least 48 hours prior to a general posting on the Bid Opportunities web page.

General Notification IAC 117.7(1)
Following the 48-hour TSB posting period, the IO must post the bid to the Bid Opportunities website. This is the publication period. The IO may also email the posting to known vendors and vendors who have asked to be notified of certain categories of bid opportunities.

Bid Opportunity Questions & Answers
During the publication period, prospective respondents may not contact the issuing PA in person or by phone. However, vendors may contact the PA via email. The PA posts all responses to email inquiries on the state procurement web page such that all prospective vendors receive consistent information and no vendor receives information not provided to all vendors.

On occasion, these inquiries may require an RFP modification. In those instances, DAS-CPB will issue an addendum detailing the changes and post them to the Bid Opportunities website. The PA will email the addendum to the participating vendors they originally emailed the PA regarding the opportunity. It is the responsibility of prospective vendors to keep current on any addenda and consider these changes in their proposal.

Pre-Proposal Conference/Site Visit
Some RFPs include a conference or site visit as specified in the solicitation documents prior to the due date for proposals. Occasionally, site visits are necessary or helpful to provide respondents with additional information.

Opening the Proposals

The RFP specifies the date, time, and location where the issuing officer must receive sealed proposals. The PA will automatically reject any late submissions. The issuing PA then checks in all responses and tabulates and discloses the names of respondents, but does not otherwise

disclose the contents of the proposals. To ensure a fair and impartial evaluation, proposals are not available for public inspection until after issuance of the Notice of Intent to Award.

Evaluating and Scoring the Proposals

The PA obtains signed confidentiality and non-conflict of interest forms from the members of the evaluation committee prior to releasing the proposals to them.

There are several methods for evaluating and scoring proposals:

Technical Proposal. The evaluation committee shall select the most effective method relative to the scope of work and on the scoring criteria described in the RFP. The two most common methods are:

1. Consensus Scoring – Committee members review proposals independently and then meet to determine a single score for each proposal.

2. Average Scoring - Committee members independently review, evaluate, and score each technical proposal. The members then meet to average their scores for a final score.

Regardless of which method is chosen, the evaluation committee must:
- Evaluate each submission separately
- Go through each evaluation criterion line by line
- Focus discussion on how well each proposal meets each evaluation criteria

Cost Proposal. After scoring the technical proposals, the evaluation committee reviews the cost proposals and scores them by applying the scoring formula described in the RFP.

Combined Scores. The scores of the technical and cost proposals will be combined. The evaluation committee recommends an award to the vendor earning the highest combined score.

Communication

During the evaluation phase, respondents may not initiate any communication with the evaluation committee. However, the evaluation committee, through the Issuing Officer, may contact a respondent and ask the respondent to provide written clarification of specific items in its proposals. If the RFP requires a product demonstration, the evaluation committee may be present during the demonstration and may ask questions of the respondents to gather additional information as necessary. However, the members of the evaluation committee may not comment on the merits of any of the proposals.

In some cases, the committee may request the respondent(s) submit a Best and Final Offer (BAFO). Please see Section K for more information on BAFOs. When evaluating each proposal, the members of the committee must keep in mind specific preferences as referenced in Appendix F.

Notice of Intent to Award 11 IAC 117.13(1)

Once the technical and cost evaluations are complete, the evaluation committee determines the successful vendor and the issuing PA delivers the Notice of Intent to Award. The PA notifies all respondents of the outcome via email. The Notice of Intent to Award will include a reference to the five-day appeal period.

Rejection of Bids 11 IAC 117.13(2)

DAS-CPB may reject all bids at any time for any reason up until entering into a contract with the successful bidder.

Negotiating the Contract

After issuance of the Notice of Intent to Award, contract negotiations will commence with the successful vendor. DAS-CPB may cancel the award if the parties fail to reach an agreement within a reasonable timeframe after the issuance of the Notice of Intent to Award. The IO may rescind the Intent to Award if the parties fail to reach an agreement. The IO may then issue a new Notice of Intent to Award to the next vendor in the evaluation sequence. Alternatively, the agency may cancel the RFP and start the process over.

If there is a bid appeal in process, it is DAS-CPB policy that the PA or AP stops working with the vendor on the contract. The DAS-CPB COO or designee must approve moving forward with the contract before the appeal process is complete.

Generating the Contract

The AAP or PA issues the contract after the expiration of the five-day appeal period. For all one-time purchases, DAS-CPB uses a Purchase Order (PO) as the contract in I/3. DAS-CPB creates the PO, sends it to the vendor, and copies the agency. When delivery is completed and proper invoice received, the agency issues a Commodity Based Payment Request (PRC) in I/3 to initiate payment to the vendor.

See Appendix H for information on creating appropriate documents inside the I/3 system.

K. ADDITIONAL PROCUREMENT CONSIDERATIONS

Vendor Compliance When Procurement Utilizes Federal Funds

Any agency seeking a procurement involving the expenditure of federal funds must take special caution when awarding the bid to a vendor. When a procurement utilizes federal funds, the agency must ensure vendor compliance with applicable federal law. By way of example, all vendors utilizing federal funds must comply with Title VI of the Civil Rights Act of 1964. "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." (42 U.S.C. 2000d).

A variety of other restrictions may exist. Agencies are responsible for ensuring vendors comply with all federal laws and restrictions identified in the federal grant documents.

Contract Pricing Strategies

The compensation arrangement is an important consideration, as it will determine the relationship between the vendor and the state. It also influences the State's contract administration responsibilities. Contract pricing strategy also determines the level of risk assumed by the vendor and the state. Pricing strategies are typically determined through collaboration between the PA or AAP and the agency.

Firm Fixed Price
This is the most commonly used type of contract because the pricing remains constant for the duration of the contract period. The vendor assumes the full risk of completing the purchase.

Fixed Price with Price Adjustment
This contract type provides for upward or downward adjustment of price based on certain contingencies specified in the contract. This type of pricing is appropriate when there is concern about the stability of the market and labor conditions during the period of the contract. Contract administration concerns for this type of pricing:

- Ensuring price changes are handled properly
- Verifying the validity of all requests for increased compensation
- Ensuring the state receives the benefits of any price reductions

Other
Alternative pricing strategies include:

- Time and Material
- Percent Off or Discount off a published price
- Fixed Price with Redetermination
- Market basket

Terms and Conditions

Terms and conditions are a part of every contract issued by DAS-CPB and agencies. They serve to protect the interests of both the state and the vendor. The DAS-CPB standard terms and conditions used for goods and services are located at:

Goods Terms & Conditions Services Terms & Conditions

The terms and conditions for services contracts include provisions, which fulfill the Accountable Government Act requirements. The AGA requires agencies to use these terms and conditions for all service contracts with the exception of IT procurement contracts unless an agency receives approval for agency-specific terms and conditions from IDOM.

Best and Final Offer (BAFO)

Agencies may take this optional step at the completion of the evaluation process of a Request for Bid (RFB) or Request of Proposal (RFP).

A BAFO process might be appropriate under one of the following circumstances:

- The bids submitted by all vendors are over the budget or considerably higher than anticipated
- A submitted proposal (RFP) has a significant lower cost than all other proposals under consideration, yet it does not have the overall highest score.
- The scores of two or more vendors (RFP) are very close

The process and procedures for using a BAFO are as follows:

1. The evaluation committee shall decide if the BAFO option is appropriate and will determine who of the bidders/respondents will receive an invitation to submit a BAFO (all bidders/respondents may be invited). However, the agency should only invite bidders/respondents who could potentially receive the award.
2. The content of the BAFO solicitation may request additional information regarding important specifications such as levels of support, contract terms, implementation schedules, and/or costs.
3. The BAFO solicitation CANNOT contain any material modifications to the initial solicitation or the evaluation criteria.
4. The BAFO solicitation will follow the same requirements and process as an original solicitation: sealed bids/proposals, specific timeframes, etc.
5. Bidders/respondents who receive a BAFO solicitation are not required to submit a BAFO or they may simply respond with a written statement that their response remains as originally submitted.

The following is the scoring process for the BAFO:

- There should be no changes to the evaluation committee for an RFP
- The PA or AP should develop the scoring sheets based upon the additional information requested in the BAFO, and used by the evaluation committee
- Dependent upon the additional information requested in the BAFO, there may or may not be an independent scoring from the initial solicitation scoring.

Example: If the agency requests only one aspect of the original RFP for the BAFO, combining the scores is appropriate. However, if the evaluation committee requested several items, it may be advantageous to score those items independently.

Upon completion of the analysis by the evaluation committee, the award goes to the respondent with the highest score and the process continues as specified in this manual.

Print Services

Pursuant to 11 IAC 117.14 (1) The department and state agencies shall procure printing by competitive selection according to the rules of this chapter except when the printing is produced by state printing pursuant to 11 IAC 102, or the procurement is otherwise exempt from competitive selection pursuant to 11 IAC 117.5. When an agency elects to purchase printing by competitive selection rather than using the services of state printing or a TSB, state printing and TSBs shall be part of the bidding process.

Lack of Competition

If there are no bidders, the agency may amend the solicitation to make it more attractive to vendors or cancel the solicitation. In the event of only one or two acceptable offers, the agency will determine whether to:

1. Negotiate with the vendor(s) to ensure the state receives the 'best value', or
2. change the solicitation specifications and re-post to encourage more responses, or
3. cancel the solicitation

Rejection of Bids/Proposals

A bid/proposal response which fails to provide the required forms or which does not comply to the specifications, terms and conditions of the RFB or RFP may be considered as non-responsive and rejected. Unless stated otherwise in the solicitation documents, submissions that include an alternate bid/proposal are unresponsive and subject to disqualification.

Cancellation of a Solicitation

Agencies may cancel a solicitation at any time during the procurement process prior to signing a contract if the requirement stated in the solicitation no longer exists, funds are lacking, the state decides not to proceed with the solicitation, or for any other reason.

Green Buying

It is the policy of the State of Iowa to make every effort to protect Iowa's environment in the procurement of goods. DAS-CPB is a member of the Responsible Purchasing Network and encourages all state procurement employees to follow green buyer recommendations. DAS-CPB has established guidelines and other helpful information to assist with green buying efforts.

Accountable Government Act

The Accountable Government Act imposes responsibilities on state agencies when contracting for services. The Act fosters greater accountability in the use of public funds by ensuring agencies actually receive the performance they have bargained for when contracting for services. The requirements allow the agency, the persons serviced by a contract, service providers, and Iowa citizens to assess the extent to which the expenditure of public funds ties to satisfactory performance. Inclusion of these terms and conditions ensure fulfillment of the three interrelated categories: payment terms, monitoring performance, and reviewing performance.

L. THE APPEAL PROCESS 11 IAC 117.20

An aggrieved vendor who filed a timely bid or proposal may appeal the award decision by filing a written Notice of Appeal before the DAS Director within five calendar days (exclusive of Saturdays, Sundays and legal state holidays) of the date of award. The appeal is not timely unless the agency actually receives the Notice of Appeal within the specified period. The Notice of Appeal shall state the grounds upon which the vendor challenges the agency's award. The appealing party may petition for stay of the award of the contract until the appeal process is completed. The petition must be filed with the Notice of Appeal.

See Appendix A-8 for a flowchart summarizing the DAS CPB appeal process.

M. ALTERNATIVE PURCHASING OPTIONS

Purchasing Goods and Services Using the State Pcard

The State offers two types of "purchasing cards" – a Pcard for goods and services and a Travel Card used exclusively for specific, approved travel and conference expenses. References to the Pcard shall mean the general purchasing card for goods and services, and Travel Card for exclusive use of travel-related and conference expenses.

State of Iowa purchasing cards:

- VISA credit cards issued by US Bank, they work just like a personal credit card, except the State pays for authorized charges.
- Reduce the number of requisitions, Purchase Orders, invoices and warrants, plus processing costs and time at all levels.
- Provide faster delivery of goods and services to agencies and quicker payment to suppliers (US Bank pays suppliers directly within 48 hours of transaction).
- Allow for a convenient, cost-effective method of paying regularly recurring expenses and making everyday purchases such as maintenance supplies, telecommunications equipment, and services.

Prohibited Pcard use:

- To avoid or bypass state procurement or payment policies and procedures
- For payments between state agencies
- For personal use or entertainment purchases
- For travel expenses
- By anyone other than the Cardholder identified on the card

Paying for Goods and Services through I/3

If the Pcard is not appropriate for the purchase, most agencies will follow established processes to ensure a smooth purchase and payment through the I/3 financial system.

See Appendix A-9 for a flowchart summarizing the payment process from an award document.

It is imperative that agencies use the proper forms in order to meet the tracking and reporting needs of purchases through the I/3 financial system to obtain payment of the invoice. To pay an invoice for a good or service, use **a PRC (commodity based payment request) and reference the related MA, MAC, or ASC**. A GAX (general accounting expenditure) is not authorized to pay an invoice with commodities on one of the three term contract types.

Appendix I: I/3 General Information has links to the I/3 manual and payment processes.

N. CONTRACT RENEWAL PROCESS

Agency Term Contract Renewal Process

Procedures Prior to Renewal

The following list comprises various processes and procedures to consider before authorizing a renewal:

1. Review terms and conditions to determine usage of state forms
2. Conduct Spend Analysis (see below) to determine prior year purchase amounts from vendor
3. Evaluate spends that did not reference the term contract
4. Compare invoice pricing to contract pricing
5. Contact vendor to update contact information for pending procurement
6. Request feedback (Survey Monkey or email) on agency's intent to continue use
7. Present vendor with list of concerns, which need to be resolved in order to seek renewal
8. Follow up with vendor to assess whether concerns have been resolved
9. Review terms and conditions to ensure state's interests are protected
10. Include or update any pricing sheets/discount tables as appropriate
11. Determine prices are clearly defined and easily obtained

Rebid Instead of Renewal

In some instances, the PA in consultation with the using agency will determine that it is in the best interest of the state to pursue a rebid instead of renewing the contract. In those cases, DAS-CPB recommends the following steps:

1. Request using agency to prepare specifications
2. Begin process of preparing bid documents for solicitation (See Section L for Bid or Proposal procedures)

Spend Analysis

These are the steps for a PA to complete a spend analysis:

1. Run the "All Payments Related to a Specific Agreement" report in Data Warehouse for spend information. This report will provide all payments made to this vendor, including GAXs and non-referencing PRCs. However, this report will not reflect payments using the Pcard. Note: This report also reflects payments for all contracts associated with a vendor. Separate out the payments for the specific contract under renewal consideration.
2. Request a Pcard spend report from the Pcard administrator to capture potential spends outside of I/3.
3. Request the vendor provides an expenditure report to cross check against internal reports.

O. CONSTRUCTION PROCUREMENT

Construction bids have different dollar thresholds and additional bond requirements when compared to other types of bids. They are also exempt from IDOM approval. Contract awards for the public improvement shall go to the responsible bidder submitting the lowest responsive bid.

DAS Responsibilities and Exempt Agencies Iowa Code 8A.302(4)

The duties of DAS as it relates to the physical resources of state government shall include but not necessarily be limited to providing architectural services, contracting for construction and construction oversight for state agencies except for the Board of Regents, Department of Transportation, the National Guard, Natural Resource Commission, and the Iowa Public Employees' Retirement System. For purposes of this Section O, "agency" shall mean a non-exempt agency.

Competitive Bid Thresholds for Design Services

The design services as described in this section refer to architectural and engineering services as provided in 11 IAC 117.10. The competitive bid thresholds for these services are the same as the rules and policies established in this manual for the procurement of services.

Services Greater than $5,000 but Less than $50,000

Competitive selection is required when the estimated design service fees for the specific project is equal to or great than $5,000 for services. The method used to procure the service may be either informal or formal.

Services of $50,000 and Greater

When the estimated design service fees for the specific project is equal to or greater than $50,000 a state agency shall use a formal competitive selection process to procure the service.

Electronic Posting of Bids/Proposals
Though 11 IAC 117.8(1)(c), allows for the option of electronic posting of an RFP for architectural and engineering services regardless of whether it is formal or informal. DAS-CPB encourages posting all formal RFPs to the VSS website.

Professional Liability Coverage
As a matter of policy, DAS-CPB requires all design firms to provide evidence of $1,000,000 of professional liability insurance coverage.

Competitive Bid Threshold for Construction Iowa Code 26.3

If the estimated total cost of a public improvement exceeds the competitive bid threshold of one hundred thirty five thousand dollars ($135,000), as provided in Iowa Code section 314.1B(2), the governmental entity shall advertise for sealed bids for the proposed public improvement by publishing a notice to bidders. Iowa Code section 314.1B(2) establishes horizontal and vertical bid threshold subcommittees, which meet at least every other year to adjust the bid and quote thresholds for city and county projects.

Agencies must follow the construction thresholds as provided in Iowa Code.

See Appendix C for Purchasing Thresholds for Construction

Construction Costs Greater than $5,000 but Less than $55,000

1. Agency must contact the DAS Design and Construction Resource Bureau (DCRB) (see Appendix L for contact information) to discuss whether to assign a project manager to the construction project from the DCRB or allow the agency to manage the project. Generally, if the total project cost is over $10,000, the DCRB will assign a project manager.
2. If DCRB accepts the project and assigns a project manager, the DAS-CPB PA creates the RFP (either formal or informal) for design services. If DAS-CPB allows the agency to assign a project manager, the agency must choose whether they want DAS-CPB to create the RFQ or whether the agency will handle the total project.
3. The selected design firm will provide DCRB with construction documents, bid forms, and an estimate of the construction costs.
4. If the estimated cost of construction exceeds $25,000, all bidders must post bid security.
   a) For projects $55,000 or less, this bond may be waived for a TSB if the TSB demonstrates the inability of securing such a bond because of a lack of experience and/or lack of net worth or capital.
   b) The TSB waiver is not applicable if the business shows a record of repeated negative performance issues. See Iowa Code Chapter 12.44.
5. All solicitations must be posted to the TSB website for at least 48 hours before released to the public.
6. Posting to the Bid Opportunities website is optional, but encouraged if the estimated value is $25,000 or higher.
7. When the cost is $25,000 or more, a performance and materials payment bond (100%) is required to enter into the contract.
8. Per Iowa Code Chapter 26.10(2), DAS-CPB will return the bid security of unsuccessful bidders upon issuance of the Notice of Intent to Award or within 30 days, whichever is sooner. Pursuant to Iowa Code Chapter 26.10(1), DAS-CPB retains the bid security of the successful bidder until execution of the contract and filing of a performance and materials payment bond to guarantee performance of contract.
9. Proof of insurance is required prior to contractor beginning work.
10. Per Iowa Code section 8A.311, Within 48 hours after the published date and time by which bids are due a bidder must disclose to the state agency awarding the contract the names of all subcontractors and vendors who will work on the project.
11. Work shall not begin until the execution of a written contract with appropriate terms and conditions.

Construction Costs between $55,000 and $135,000

1. Agency must contact DCRB for review of the project and DCRB will assign a project manager (see Appendix L for contact information).
2. Once DCRB has reviewed the project and assigned a project manager, DAS-CPB creates the RFP (formal or informal dependent upon cost) for design services.
3. The selected design firm will provide DAS-CPB and DCRB with construction documents, bid forms, and an estimate of construction costs. DCRB will work with DAS-CPB on coordination of the procurement process.
4. All construction bidders must submit bid security. The bid security amount must equal at least five percent, but shall not exceed ten percent, of either the estimated total contract cost of the public improvement or the amount of each bid.
5. Post all construction solicitations to the TSB website at least 48 hours prior to public posting.
6. Posting to the Bid Opportunities website is optional for quotes but required for (formal) bids. DAS-CPB encourages that agencies post informal quotes estimated to be $25,000 or higher.
7. A performance and materials payment bond (100%) is required to enter into the contract.
8. Per Iowa Code Chapter 26.10(2), DAS-CPB will return the bid securities of unsuccessful bidders upon Notice of Intent to Award, or within 30 days, whichever is sooner. Per Iowa Code Chapter 26.10(1), DAS-CPB retains the bid security of the successful bidder until the execution of the contract.
9. Proof of insurance is required prior to contractor beginning work.
10. Per Iowa Code section 8A.311, Within 48 hours after the published date and time by which bids are due a bidder must disclose to the state agency awarding the contract the names of all subcontractors and vendors who will work on the project.
11. Work shall not begin prior to the execution of a written contract with appropriate terms and conditions.

Construction Costs Greater than $135,000

Agencies may not divide a project in order to avoid the $135,000 threshold.

1. Agency must contact DAS Design and Construction Resource Bureau (DCRB) for review of the project and assignment of a DCRB project manager. (See Appendix L for contact information).
2. Once DCRB has reviewed the project and assigned a project manager, DAS-CPB creates the RFP (formal or informal dependent upon cost) for design services.
3. The selected design firm will provide DAS-CPB with the construction documents, bid forms, and an estimate of construction costs. DCRB will work with DAS-CPB on coordination of the procurement process.
4. All construction bidders must submit bid security. The bid security amount must equal at least five percent, but shall not exceed ten percent, of either the estimated total contract cost of the public improvement or the amount of each bid.
5. Post all solicitations to the TSB website for at least 48 hours before any public posting.
6. Code requires posting of projects with estimated total costs greater than $135,000 to the Bid Opportunities website.
7. Advertise the solicitation in a newspaper at least once, not less than four days and not more than 45 days before bids are due.
8. The winning bidder must post a Performance bond (100%) to enter into a contract along with a Materials Payment bond.
9. Per Iowa Code Chapter 26.10(2), DAS-CPB returns the bid securities of unsuccessful bidders upon Notice of Intent to Award, or within 30 days, whichever is sooner. Pursuant to Iowa Code Chapter 26.10(1), DAS-CPB retains the bid security of the successful bidder until the execution of the contract.
10. Contractors must provide proof of insurance prior to beginning work.
11. Iowa Code section 8A.311 states a bidder must disclose to the state agency awarding the contract the names of all subcontractors and vendors who will work on the project within 48 hours after the published date and time for bid submissions.
12. Code requires the execution of a written contract with appropriate terms and conditions prior to beginning work.

See Appendix A-10 for a flowchart summarizing the DAS CP construction process.

Be aware that most bond issuers will make a stipulation within the bond contract that they must receive notification immediately upon the discovery of any potential problems that could result in the payout of the bond.

Additional Construction Considerations

Consider the following when procuring for construction.

Construction and Supervision

Agencies must contact the Administrator at DCRB to discuss their construction projects prior to bidding the project. Refer to Appendix L for contact information.

Building Automation Contracts

DAS-CPB has created master agreements for agencies' building automation needs. Each master agreement is brand specific and has a $30,000 project cost limit. Projects over $30,000 require a separate competitive bid.

Bid Security/Performance Bonds - Iowa Code 26.8 and Iowa Code 12.44

Bid security and performance/payment bonds are required for construction projects that are $25,000 or more. Each bidder will provide a bid security with its bid. Bid security provides security that the successful bidder will enter into a contract for the work bid upon and will furnish after the award of contract a performance bond for the faithful performance of the contract, in an amount equal to one hundred percent of the amount of the contract. Bid security may be in the form of bid bonds, cashier's check, or certified check. A successful bidder shall forfeit the bid security required in the solicitation if the bidder fails to enter into a contract within the specified time after the award, usually 60-90 days after notification of award. Unsuccessful bidders shall be entitled to the return of security, upon issuance of the Notice of Intent to Award, or within 30 days, whichever is sooner. For projects $50,000 or less, bond may be waived for a TSB if the TSB demonstrates the inability of securing such a bond. TSB waiver is not applicable if the business shows a record of repeated performance issues.

After the award, the successful bidder will provide a performance and materials payment bond equal to 100% of the value of the contract. A Performance and Materials Payment Bond is an instrument executed, subsequent to award, by a successful bidder, which protects the public entity from loss due to the bidder's inability to complete the contract as agreed.

Changing Subcontractors and Cost

In accordance with Iowa Code section 8A.311, an approved subcontractor or supplier, disclosed and approved under Iowa Code section 8A.311.15(a), may not be changed without the approval of state agency awarding the contract. Requests for changing a subcontractor or supplier must identify the reason for the proposed change, the name of the new subcontractor or supplier, and any change in cost because of the change. If the state agency approves, any change in cost should be reflected in a Change Order.

Iowa Code 73A.21

The State shall require non-resident (out of State) bidders to identify in their bid any preference (including labor) vendors receive when bidding on their home State's projects. The DAS-CPB "Enforcement of Reciprocal Resident Bidder Preference and Resident Labor Force Preference Codified at Iowa Code Section 73A.21" language must be included in all construction bids.

P. RECORDS RETENTION

Purchasing agents shall document all solicitation and purchase transactions in the appropriate location, such as I/3, PaperVision, SharePoint, etc. As applicable, each electronic record shall include:

1. Requisition
2. Required approval to proceed with acquisition
3. Original offers if in writing, or written documentation of informal verbal offers received
4. Worksheets/evaluations
5. Distribution list, if used
6. Written justification for waiver, emergency purchase, or sole source
7. Evaluation of offers received
8. Notice of Intent to Award
9. Documentation of an appeal, if applicable
10. Copy of Purchase Order(s) or letter from agency authorizing placing of order
11. Related correspondence
12. Reason(s) for receiving only one offer in response to a solicitation, if applicable
13. Award document

After the award of contract, all material in the contract record, **except confidential information**, shall be open to interested persons, by appointment, during normal office hours in accordance with the Iowa Public Records Act.

Confidential Information

Iowa Code Chapter 22 states there are some public records that remain confidential unless otherwise ordered by a court, a lawful custodian, or another person duly authorized to release information. Some of these confidential records include:

1. Trade secrets and proprietary information recognized and protected as such by law [Iowa Code 22.7(3)].
2. Records that represent and constitute the work product of an attorney, related to litigation or claim made by or against a public body [Iowa Code 22.7(4)].
3. Reports to governmental agencies that if released, would give advantage to competitors and serve no public purpose. [Iowa Code 22.7(6)].
4. Personal information in confidential personnel records of government bodies relating to identified or identifiable individuals who are officials, officers, or employees of the government bodies [Iowa Code 22.7(11)(a)].
5. Social security number of payees included on state warrants included in records systems maintained by the department of administrative services for the purpose of documenting and tracking outdated warrants pursuant to Iowa Code section 556.2C and Iowa Code 22.7(32).

6. Pursuant to Iowa Code Chapter 422.20, it is unlawful for an officer, employee, agent, former officer, employee, or agent of the state, to disclose to any person, except as authorized in subsection 1 of this section, any federal tax return or return information as defined in section 6103(b) of the Internal Revenue Code.
7. Copies of voided checks from vendors containing bank account information.

For the complete list of records considered confidential, please refer to Iowa Code Chapter 22.

Q. VENDOR RELATIONS & PUBLIC SCRUTINY CONSIDERATIONS

Obtaining goods and services for a government agency differs from procurement for a private sector business in two significant respects: a) vendors' rights to a fair, open, transparent, and objective process, and b) public scrutiny. A high level of ethical standards is critical throughout the procurement process to protect the safety and welfare of the public's monies.

Rights to Reasonable Notice and Appeal

Vendors expect a fair opportunity to compete for government business. A government agency's or public employee's best protection against critical, adverse reaction to a procurement decision or delay in receiving a needed product or service is to provide all vendors a fair opportunity to compete for government business with reasonable notice of the procurement opportunity, unbiased specifications, and an objective evaluation process.

Unlike the private sector, a vendor in the public sector has the right to question your procurement decision. Administrative remedies include formal appeals and may include review of your procurement decision by an Administrative Law Judge and the Courts.

Vendor Relations

DAS-CPB strives to develop effective relationships with vendors. To avoid any perception of unethical behavior, all state employees shall follow these guidelines:

1. Coordinate Interviews with vendors by appointment only.
2. Conduct discussions with sales representatives in an open and general manner with no commitment to preferences to specific goods or services, which might in any way compromise the state.
3. Maintain confidentiality regarding prices, proposals, quotations, or specific information concerning a competitive bid until after the award of a contract or issuance of a Purchase Order.
4. DAS Director or designee shall have the authority to suspend or debar a vendor for cause from consideration of award of contracts for goods and some services as provided under the purchasing authority granted DAS-CPB pursuant to Iowa Code Chapter 8A.

Public Scrutiny

Government employees who make procurement decisions should expect to have their decisions reviewed and questioned. All citizens have the right to view purchasing non-confidential documentation. State auditors may review a purchase with respect to legality, budget compliance, suitability of purpose, and cost effectiveness.

Ethical Standards Iowa Code 68B

State officials and employees adhere to a high standard of ethics and conduct, as set forth by the National Institute of Governmental Purchasing, and must comply with applicable state and federal law in conducting the procurement process. All state officials and employees should endeavor to pursue a course of conduct that does not raise suspicion among the public. Therefore, they shall avoid acts that are improper or give the appearance of impropriety. This conduct is particularly important for state purchasing personnel and contract management personnel charged with the disposition of state funds. Any erosion of public trust or any shadow of impropriety is detrimental to the integrity of the purchasing process. The credibility of a purchasing program requires the establishment of a clear set of guidelines and rules. The intention of these guidelines is to prevent current or potential vendors from influencing state employees in discharging their official duties.

Use of Confidential Information IAC 351-6.9

No official or employee shall disclose or use confidential information, including the contents of a sealed bid acquired during the course of the official or employee's state duties, for the personal gain or benefit of any person. This rule does not apply to the release of information mandated by law, rule, or court order.

Gifts Accepted or Received Iowa Code 68B.22

Iowa Code section 68B.22 contains prohibitions against public employees and public officials (and members of their immediate families) accepting or receiving gifts or a series of gifts from a “restricted donor”. For purposes of the procurement process, a restricted donor is a person or entity that is seeking to be a party to any one or any combination of sales, purchases, leases, or contracts to, from, or with the agency in which a public employee or public official is employed or holds office. Exceptions to this prohibition include:

- Plaques or items of negligible resale value which are given as recognition for the public services of the recipient
- Nonmonetary items with a value of three dollars or less received from any one donor during one calendar day

Honoraria — Banned Iowa Code 68B.23

Except as provided in Iowa Code 68b.23(2), a public official or public employee shall not seek or accept an honorarium from a restricted donor. A public official or public employee may accept an honorarium under the following circumstances:

- Payment of actual expenses for registration, food, beverages, travel, and lodging paid in return for participation in a speaking engagement when the expenses relate directly to the day(s) on which the recipient participated.

- Payment made to a public official or public employee for services rendered as part of a bona fide private business, trade, or profession in which the public official or public employee is engaged if the payment is commensurate with the actual services rendered and because of the person's special expertise or other qualification.

Loans — Receipt from Lobbyists Prohibited Iowa Code 68B.24

Iowa Code prohibits loans between a public official or public employee and a lobbyist; however, no prohibition exists regarding loans made in the ordinary course of business, where the terms and finance charges are the same or substantially the same as available to the public.

Conflict of Interest

The law provides that when a potential or actual conflict of interest arises, the state employee with the actual or potential conflict shall make his or her interest known to the state and refrain from taking any actions on the matter creating the potential for a conflict of interest.

State officers or employees of a public agency (or their relatives) must disclose any substantial interest in a contract, sale, purchase, or service to any public agency. Such persons must make their interest known in the public record and must refrain from voting upon, or otherwise participating in any manner as an officer or employee in such contract, sale, or purchase.

All current and future procurement agents must complete and submit the Conflict of Interest Acknowledgement and Disclosure Statement to the DAS-CPB COO or designee identifying what, if any, relationship exists that could present a potential for a conflict of interest.

Prohibited Outside Employment Iowa Code 68B.2A

Any person in service or employ of the state or a political subdivision of the state shall not engage in any of the following conduct:

1. Outside employment or an activity that involves the use of the state's or the political subdivision's time, facilities, equipment, and supplies; the use of the state or political subdivision badge uniform, business card, or other evidences of office or employment to give the person, or member of the person's immediate family, an advantage or pecuniary benefit that is not available to other similarly situated members or classes of members of the general public.
2. Outside employment or an activity that involves the receipt, promise, or acceptance of money or other consideration by the person or member of the person's immediate family, or from anyone other than the state or the political subdivision for the performance of any act that the person would be required or expected to perform as a part of the person's regular duties; or during the hours which the person performs service or work for the state or political subdivision of the state.
3. Outside employment or an activity that is subject to the official control, inspection, review, audit, or enforcement authority of the person, during the performance of the person's duties of office or employment.

If the outside employment or activity is employment or activity described in paragraph *"1"* or *"2"* the person shall immediately cease the employment or activity. If the outside employment or activity is employment or activity described in paragraph *"3"*, unless otherwise provided by law, the person shall take one of the following courses of action:

1. Cease the outside employment or activity.
2. Publicly disclose the existence of the conflict and refrain from taking any official action or performing any official duty that would detrimentally affect or create a benefit for the outside employment or activity. For purposes of this paragraph, *"official action"* or *"official duty"* includes, but is not limited to, participating in any vote, affirmatively acting to influence any vote, granting any license or permit, determining the facts or law in a contested case or rulemaking proceeding, conducting any inspection, or providing any other official service or thing not available generally to members of the public, in order to further the interests of the outside employment or activity.

Disclosure of Income from Other Sales Iowa Code 68B.3

An official or state employee cannot sell, in any one transaction, any good or service having a value in excess of $2,000 to any state agency unless the sale is through the competitive bidding process. Except when performing official state duties, an official or a state employee making a permissible sale under this section shall file a report disclosing this income with the Iowa ethics and campaign disclosure board within twenty days of making the sale.

Public Records and Requests for Confidential Treatment

DAS-CPB and procuring agencies will treat all information submitted by a vendor as public information unless the vendor properly requests that specific parts of the bid remain confidential at the time of submitting the Bid. Iowa Code Chapter 22 governs DAS-CPB's and the procuring agency's release of information. Vendors are encouraged to familiarize themselves with Iowa Code Chapter 22 prior to submitting a bid or proposal. DAS-CPB or the procuring agency will provide copies of public records as necessary for compliance within the public records laws.

Any request for confidential treatment of specific information must be included in the transmittal letter with the vendor's bid. In addition, the vendor must enumerate the specific grounds in Iowa Code Chapter 22 or other applicable law that support treatment of the material as confidential and explain why disclosure is not in the best interest of the public; however, DAS-CPB does not consider pricing information confidential. The request for confidential treatment of information must also include the name, address, and telephone number of the person authorized by the vendor to respond to any inquiries by DAS-CPB or the procuring agency concerning the confidential status of the materials.

Setting Fees and Procedures

Upon receipt of a written request for information by DAS-CPB or the procuring agency, the request document receives a date and time stamp unless received via email, in which case the date and time of the email serves this purpose. The AP or PA will gather the information requested and provide electronic copies to the DAS Public Information Officer (PIO) or their respective agency PIO. The DAS-CPB PA shall respond to the request for information within five business days.

Request for copies of information will be fulfilled within a period of ten business days from the date of request unless it is determined the requested information is, in whole or in part, exempt or more time is needed to attain the information. DAS Counsel will advise should there be a question concerning whether the requested information, in whole or in part, is exempt. Review Iowa Code Chapter 22 for a listing of records considered confidential or recognized and protected by law. Fees charged for copies of Public Records accrue according to actual labor and material costs incurred through the fulfillment of the request for information.

R. COMPLIANCE

Agencies shall not use their delegated purchasing authority to avoid the use of master agreements or competitive activity. The agency shall not break purchasing into smaller increments for the purpose of avoiding threshold requirements in IAC 11-117.15(1) and 11-117.15(2).

As a remedy, the department may recover administrative fees appropriate to the improper execution of procurement under 11 IAC 117.15(4). The intention of this rule is not to prohibit agencies from aggressively seeking competitive prices. Agencies may purchase outside of master agreements under 11 IAC 117.15(4) if the quantity required or an emergency or immediate need makes it cost-effective to purchase from a non-master agreement vendor.

The department may rescind delegated authority of an agency, or its agents, which misuses its authority or fails to follow state of Iowa rules and procedures under 11 IAC 117.15(4).

DAS-CPB implements the use of Fiscal & Policy Analysts to review the procurement activities of agencies and entities of the state, including transactions and contract references, to ensure those activities comply with state of Iowa rules and procedures.

Any state agencies or employees involved in state procurement found to be in violation of DAS-CPB's policy will receive official notice of the infraction. DAS-CPB will make all reasonable attempts to resolve the problem or situation.

Reporting Procurement Misconduct

All state employees are required to report instances of Procurement Misconduct to the DAS Fiscal & Policy Analysts. When reporting Procurement Misconduct there must be sufficient reason to believe misconduct has occurred. The information provided including the reporting employee is confidential. To report the alleged misconduct, complete the Reporting a Procurement Misconduct form.

ACKNOWLEDGEMENT OF RECEIPT

State of Iowa

Department of Administrative Services

Central Procurement Bureau

Policy and Procedures Manual

I, _____, acknowledge that I have received the *State of Iowa, Department of Administrative Services, Central Procurement Bureau's Policy and Procedures Manual*. I have been directed to read this document and was offered an opportunity to ask questions about its content. I am also aware that I am expected to read and be familiar with any updates to the information contained in this manual.

_____

Name (Printed)

_____ _____

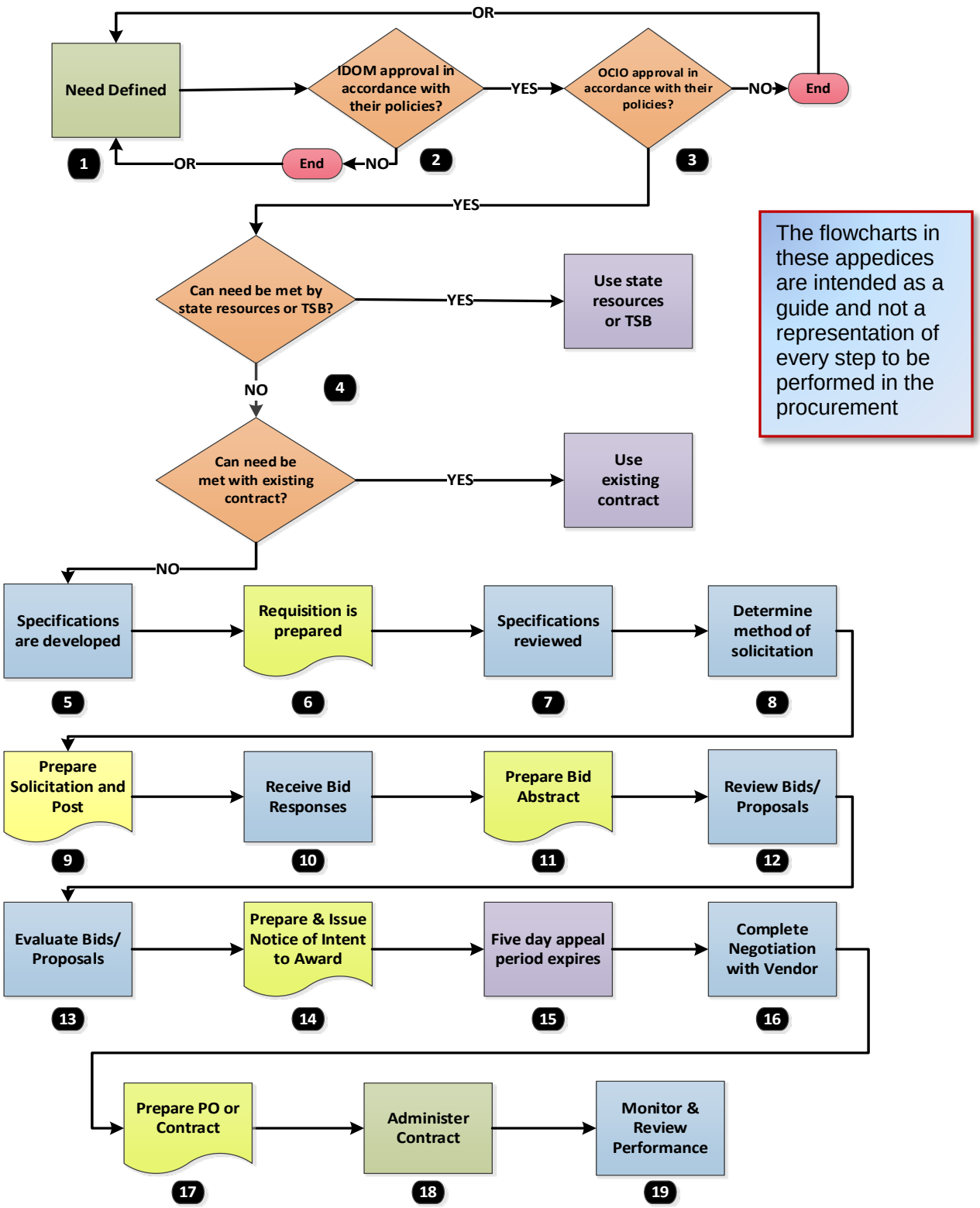
Signature Date

_____ _____

Supervisor's Signature Date

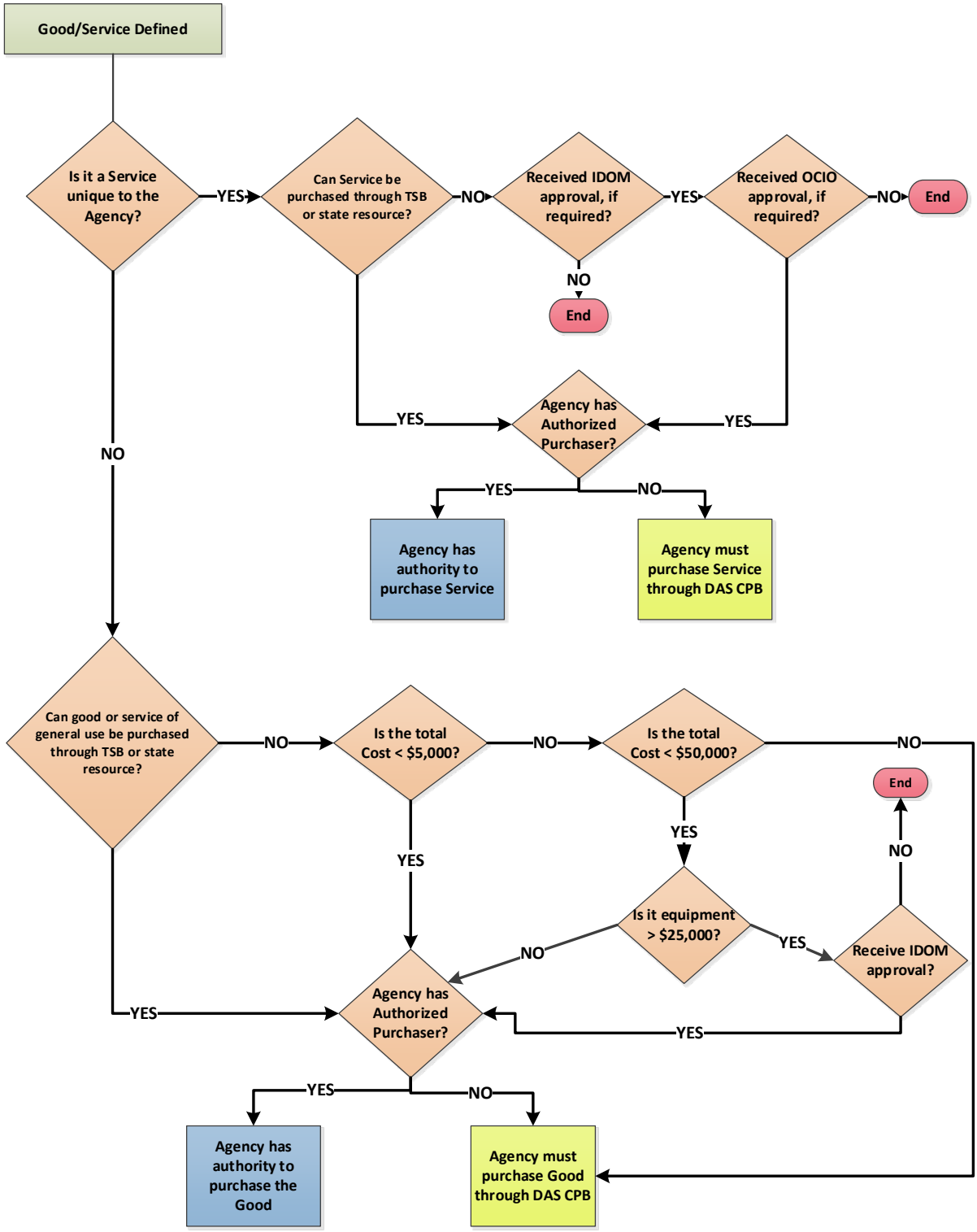
Place the original of this form in the employee's personnel file. Provide a copy to the employee.

APPENDIX A-1: BASIC PURCHASING CYCLE FOR DAS-CPB

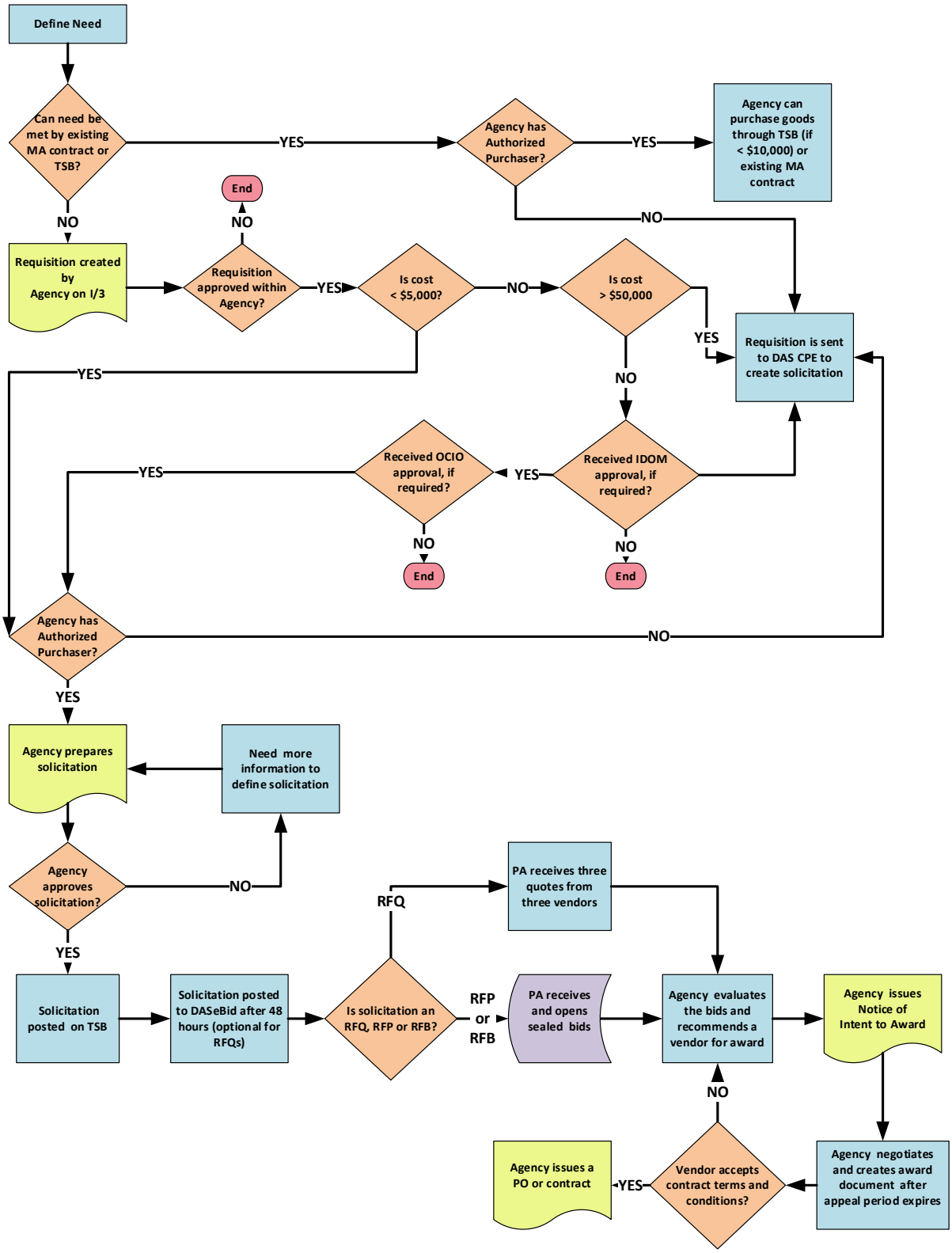


The flowcharts in these appedices are intended as a guide and not a representation of every step to be performed in the procurement

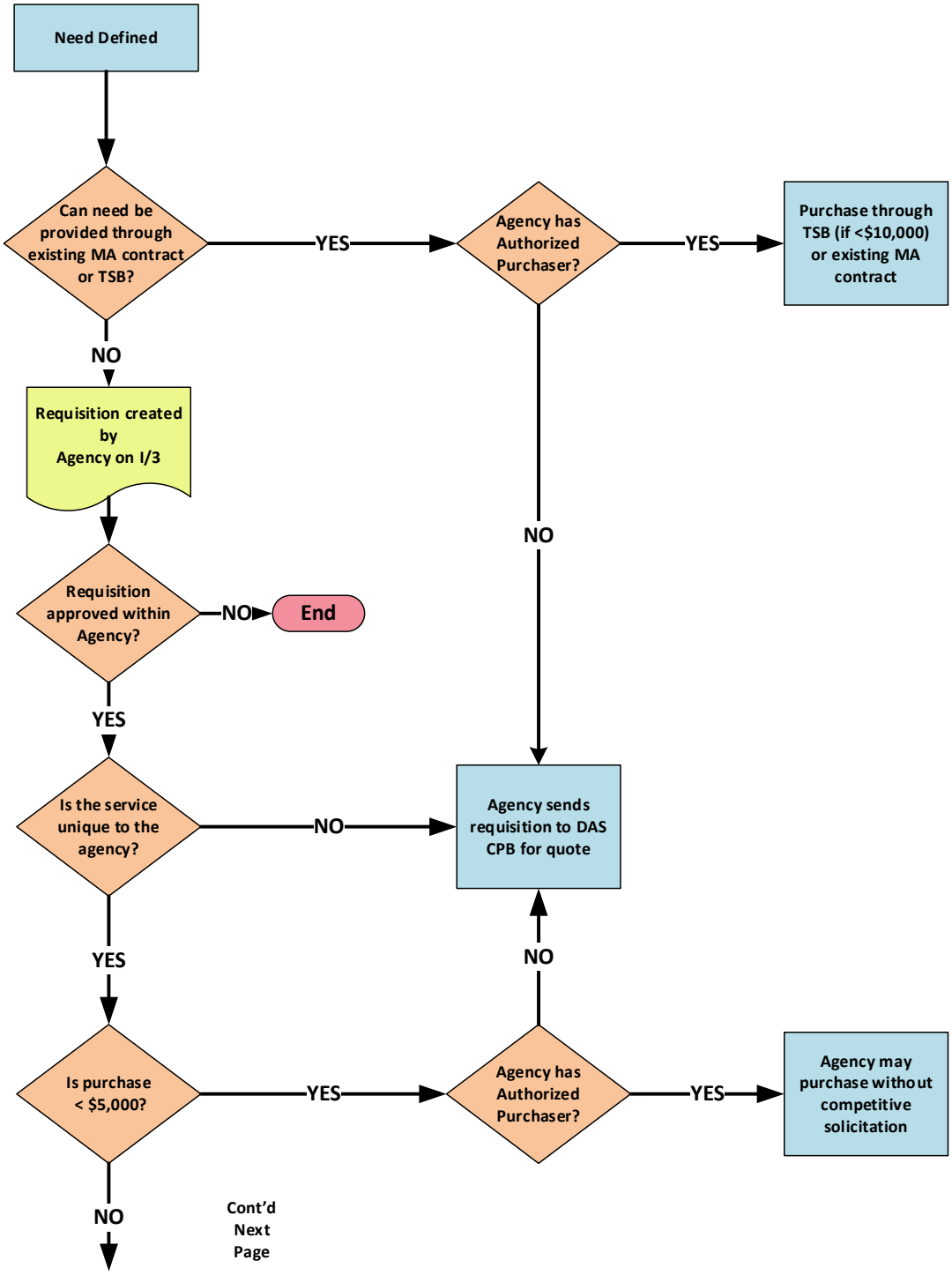
APPENDIX A-2: DETERMINING PROCUREMENT AUTHORITY



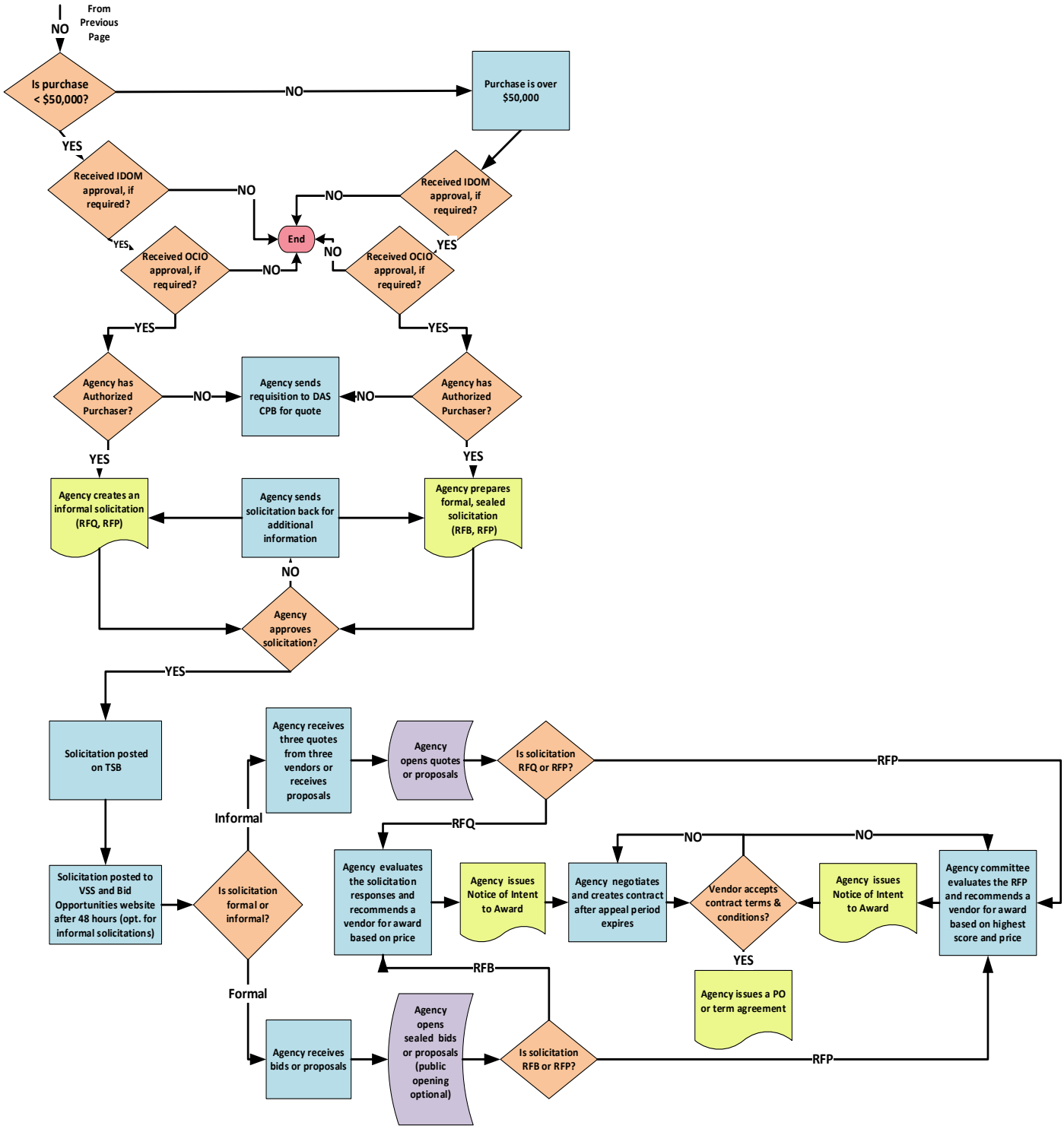
APPENDIX A-3: AGENCY DIRECT PURCHASE PROCESS FOR GOODS



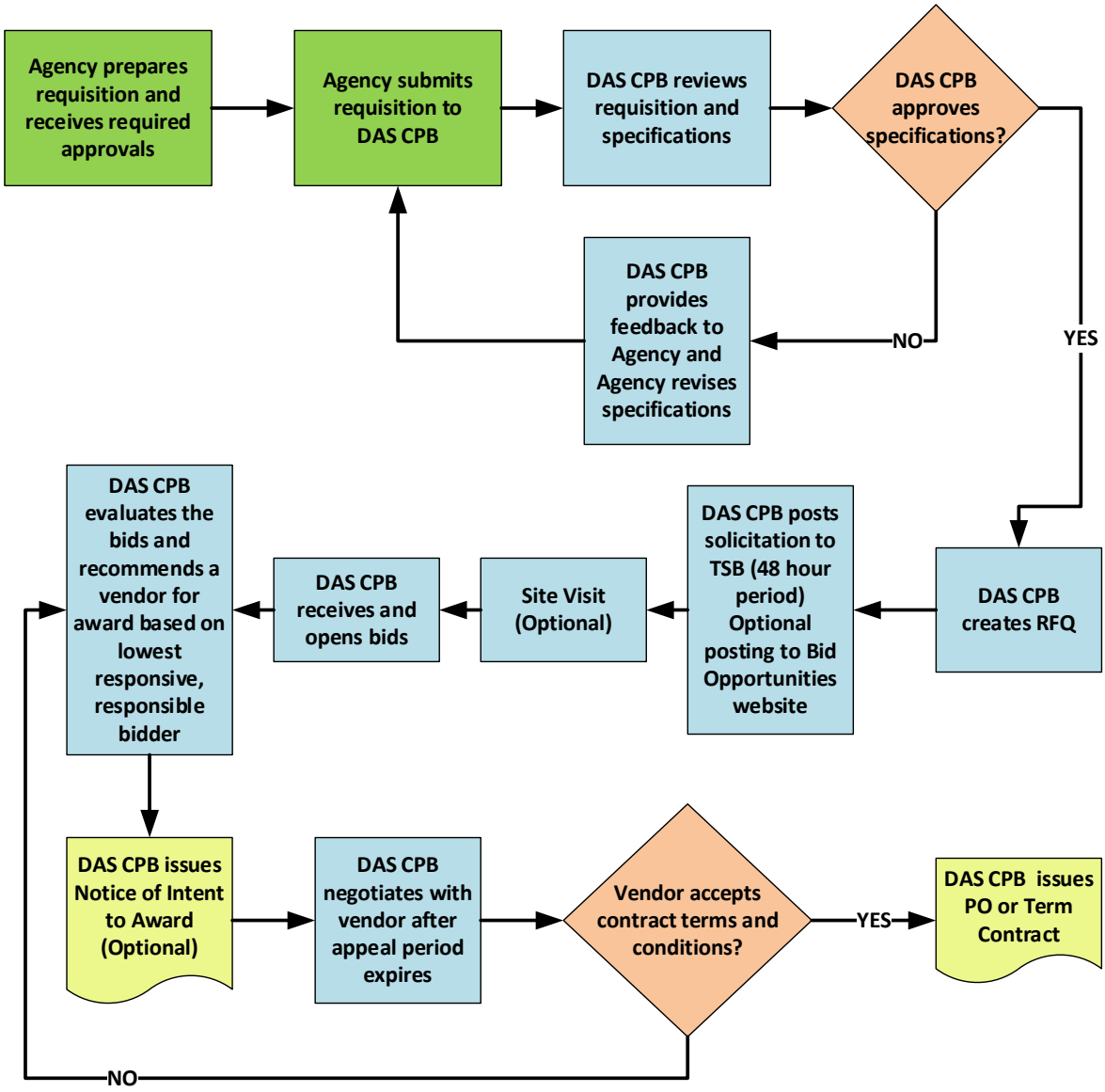
APPENDIX A-4: AGENCY DIRECT PURCHASE PROCESS FOR SERVICES



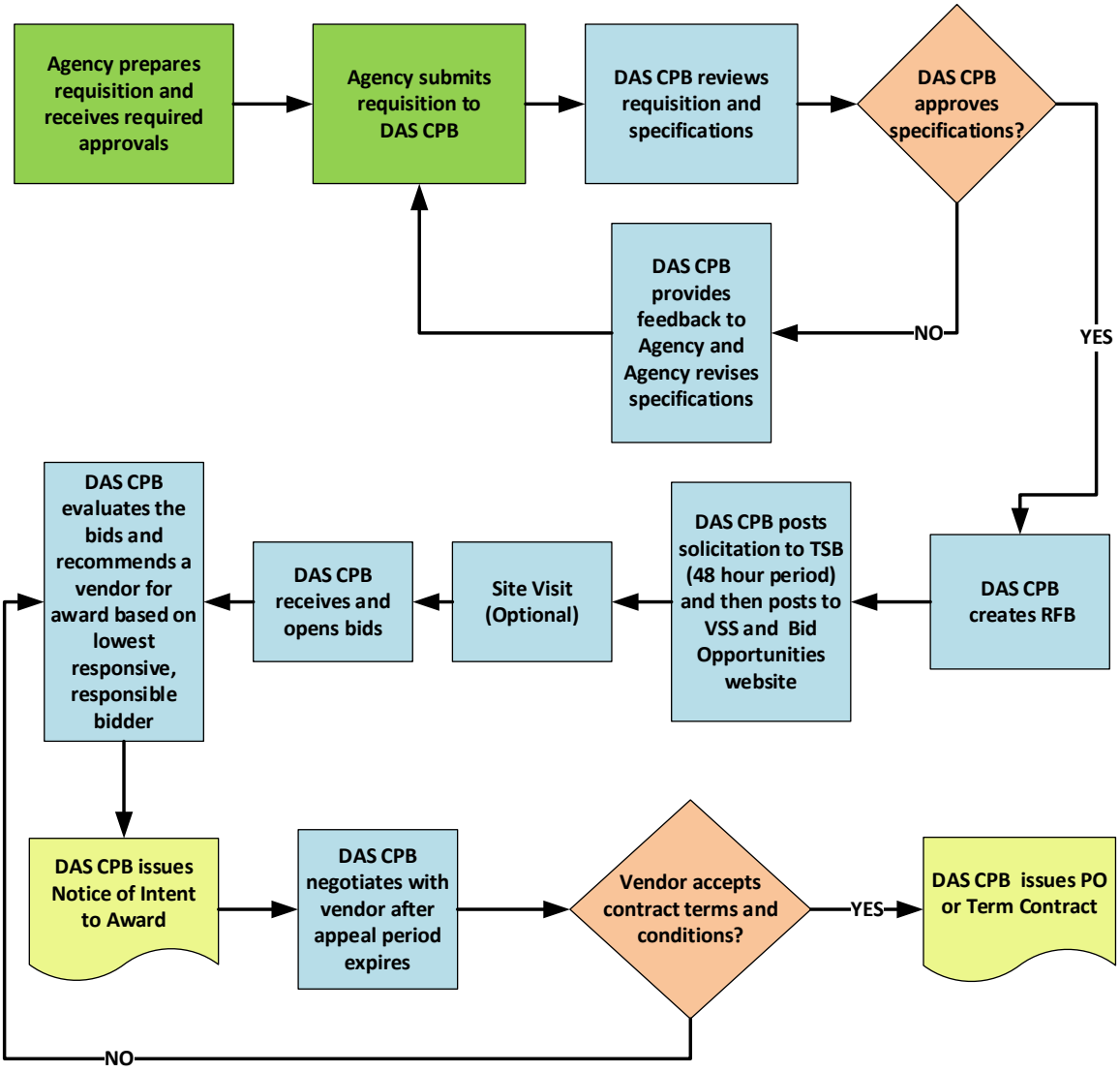
APPENDIX A-4: AGENCY DIRECT PURCHASE PROCESS FOR SERVICES - CONTINUED



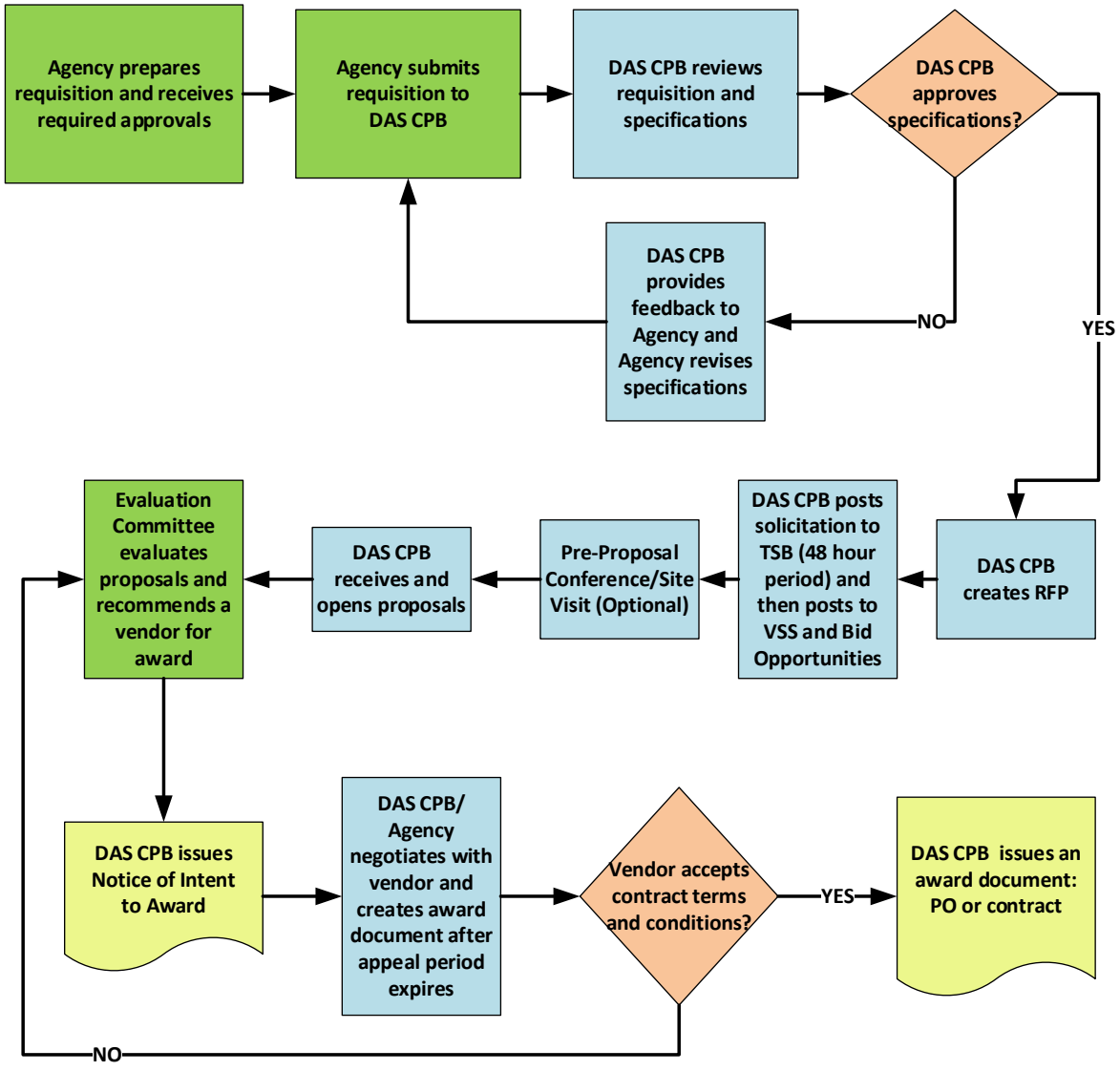
APPENDIX A-5: DAS-CPB REQUEST FOR QUOTE (RFQ) PROCESS



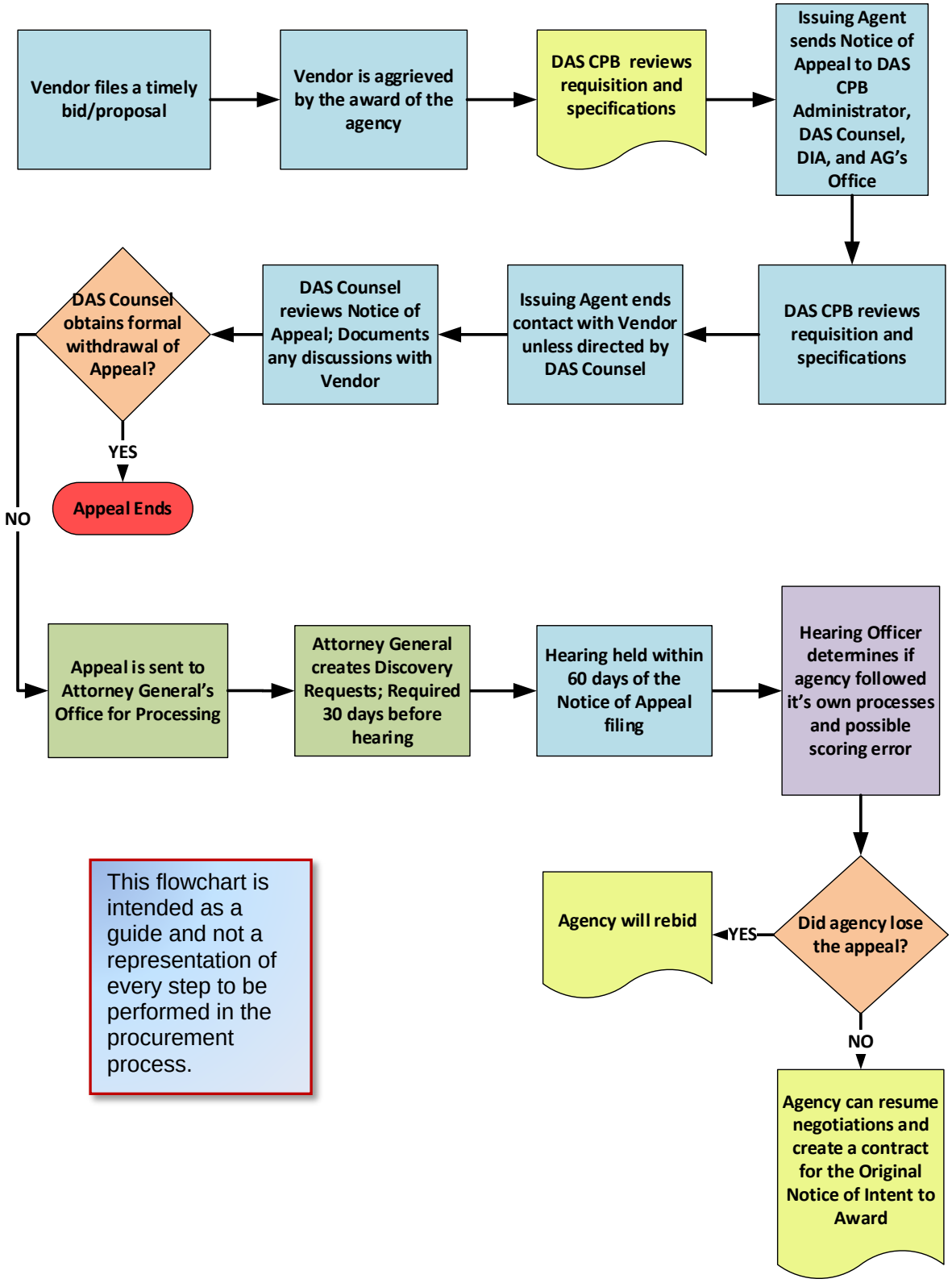
APPENDIX A-6: DAS-CPB REQUEST FOR BID (RFB) PROCESS



APPENDIX A-7: DAS-CPB REQUEST FOR PROPOSAL (RFP) PROCESS

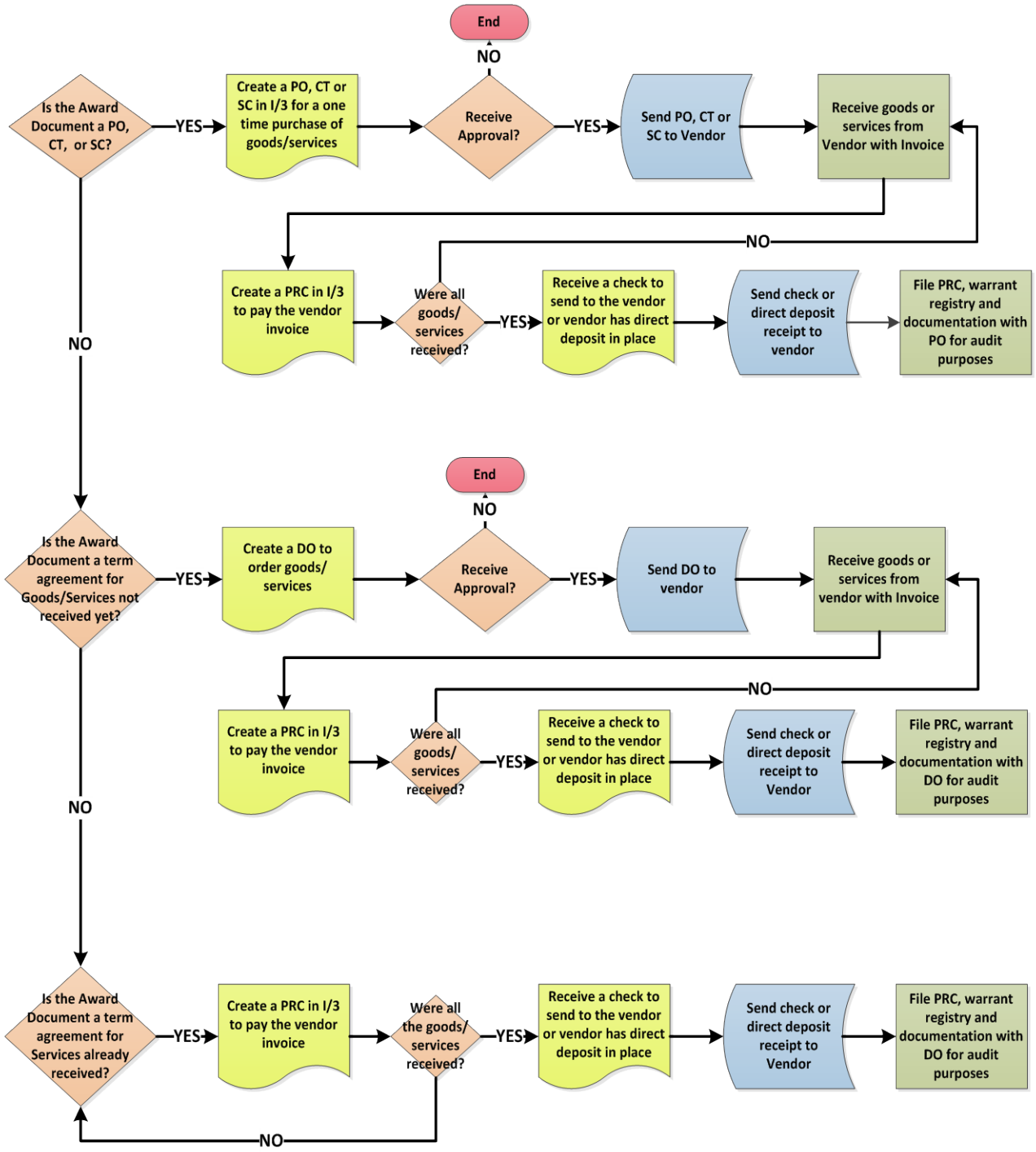


APPENDIX A-8: DAS-CPB APPEAL PROCESS

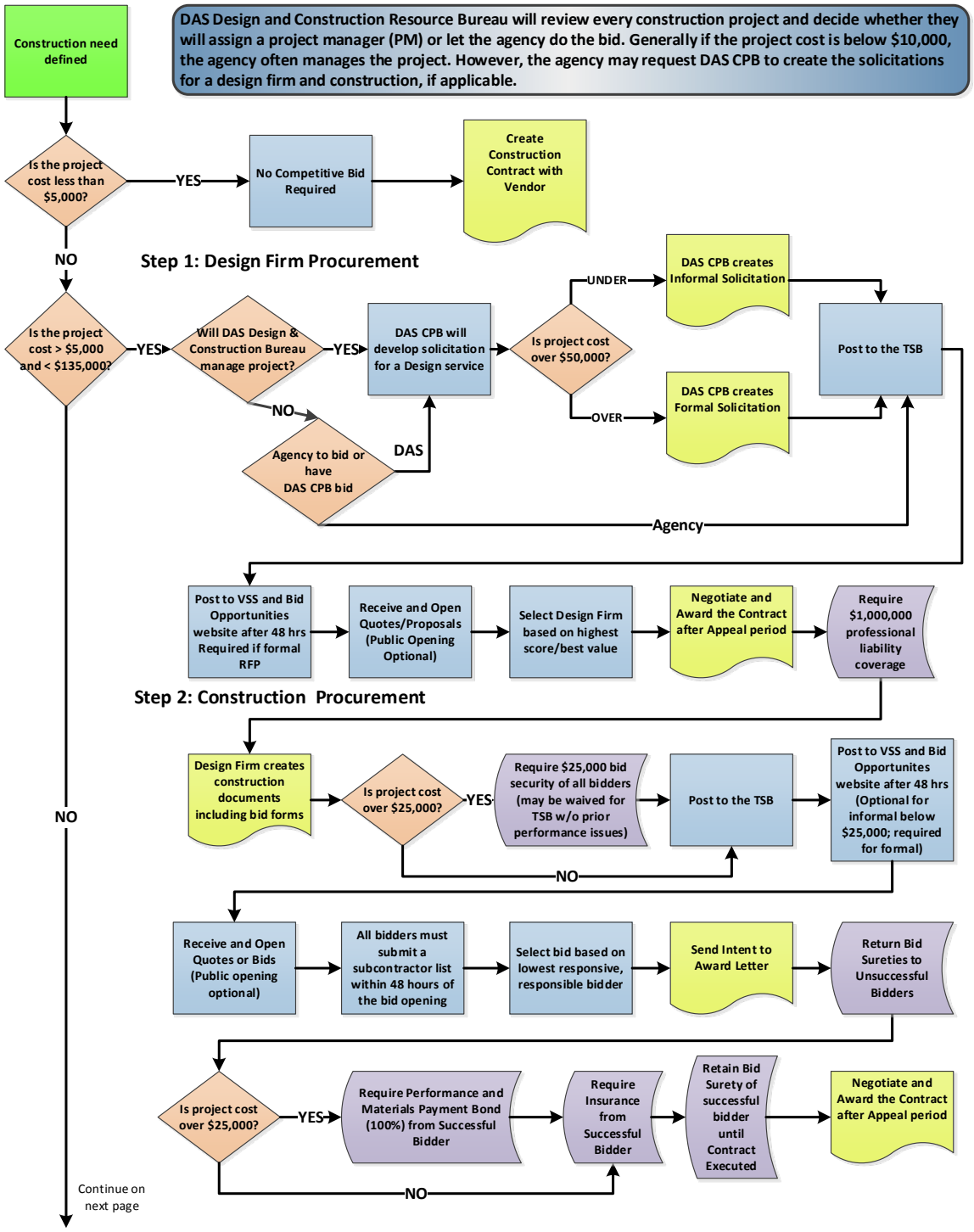


This flowchart is intended as a guide and not a representation of every step to be performed in the procurement process.

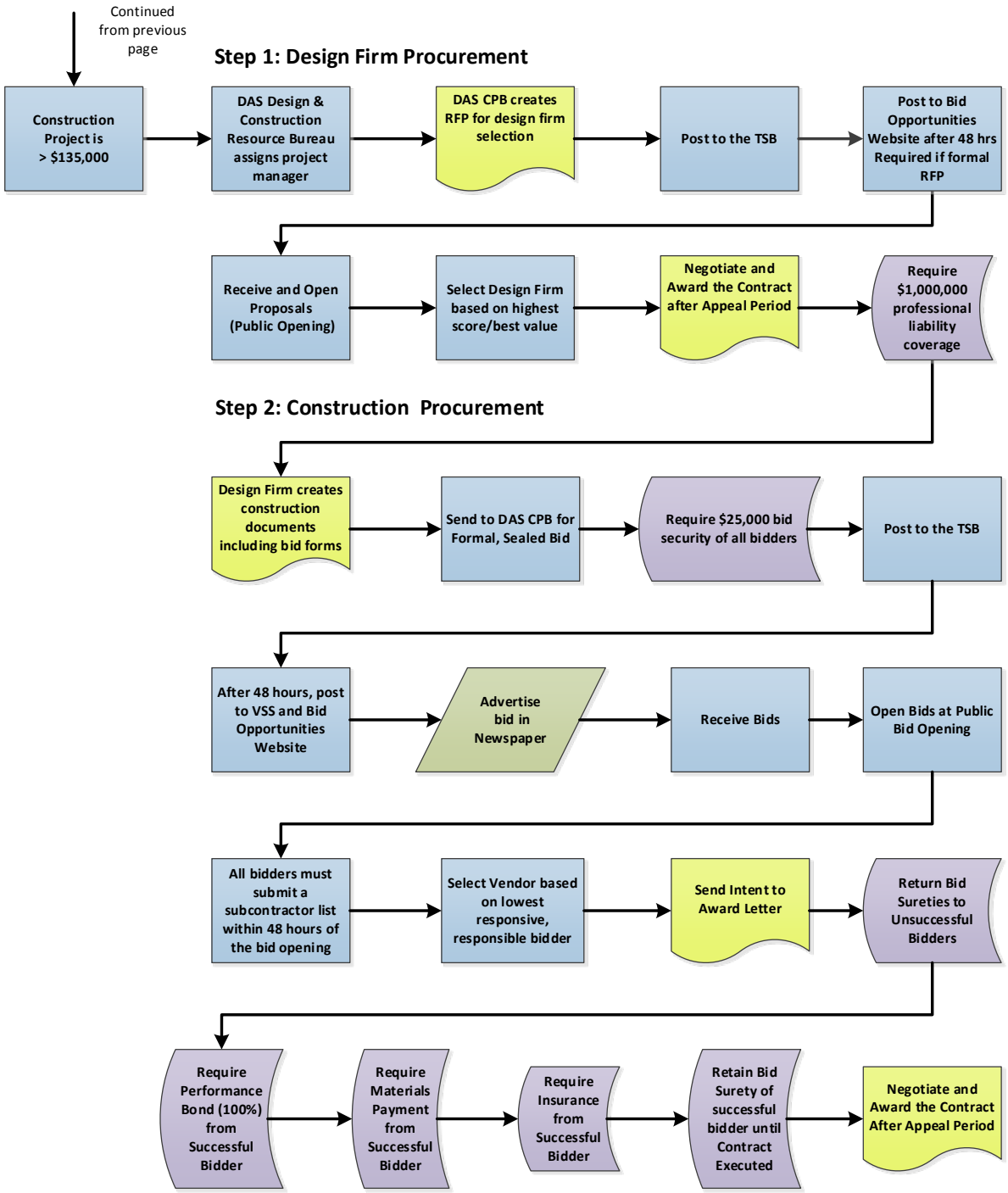
APPENDIX A-9: PAYMENT PROCESS FROM AN AWARD DOCUMENT



APPENDIX A-10: DAS-CPB CONSTRUCTION PROCESS



APPENDIX A-10: DAS-CPB CONSTRUCTION PROCESS - CONTINUED



APPENDIX B: PURCHASING THRESHOLDS FOR GOODS/SERVICES

GOODS	SERVICES[1]
Non-Competitive Within Specified Limits	
Agency - Level A Training Certification Purchase from MA, TSB, or IPI	**Agency - Level A Training Certification** Purchase from MA, TSB, or IPI
Competitive Informal **< $5,000**	**Non-Competitive** **< $5,000**
Agency - Level 1 Training Certification 3 Phone/Fax Informal Quotes TSB Posting Required	**Agency - Level 1 Training Certification** No Competitive Quotes Required
Competitive Informal or Formal **> $5,000 and < $50,000 – DAS-CPB or Agency[2]**	
DAS-CPB TSB Posting Required Bid Opportunities Opt. for informal VSS posting **Agency - Level 2 Training Certification** 3 Phone/Fax Informal Quotes or RFP TSB Posting Required Bid Opportunities Opt. for informal VSS Posting	**DAS-CPB** TSB Posting Required Bid Opportunities Opt. for informal VSS Posting **Agency - Level 2 Training Certification** 3 Phone/Fax Informal Quotes or RFP TSB Posting Required Bid Opportunities Opt. for informal VSS Posting
Competitive Formal Bid or Proposal **$50,000 or greater - DAS-CPB or Agency**	
DAS-CPB TSB Posting Required Bid Opportunities Required VSS posting **Sealed Bids/Proposals** RFB - Price Only Consideration RFP - Price NOT Sole Consideration **Agency** **Cannot bid on goods > $50,000**	**DAS-CPB** TSB Posting Required Bid Opportunities Required VSS Posting **Sealed Bids/Proposals** RFB - Price Only Consideration RFP - Price NOT Sole Consideration **Agency – Level 2 Training Certification** **Sealed Bids/Proposals** RFB - Price Only Consideration RFP - Price NOT Sole Consideration

[1] OCIO must approve all Information Technology RFPs and RFBs over $25,000; All Information Technology procurements must meet operational standards prescribed by OCIO.
[2] Approval from IDOM may be required in accordance with their policies.

Master Agreements may only be established through DAS-CPB
Agencies should purchase from Master Agreements without further competition
Specific goods & services being purchased must match with the goods & services offered in the MA

APPENDIX C: PURCHASING THRESHOLDS FOR CONSTRUCTION

Construction Bids*

Projects cannot be divided to come under the $135,000 threshold

< $5,000 - Agency

No bid required

No TSB Posting Required

$5,000 - $50,000 - DAS Design & Construction Oversight

Informal Quotes or RFP

TSB Posting Required
Bid Opportunities Posting Opt. for informal
VSS posting

> $25,000, Bid bond required of all bidders

> $25,000 Performance Bond and Materials Payment Bond Required

Retain Bid Security until contract is executed

Proof of Insurance required

Awarded Contractor provides Subcontractor list within 48 hours after award

Written signed contract with appropriate terms and conditions

Construction is defined as:

The process of building, altering, repairing, improving, or demolishing any public structure or building, or other public improvement of any kind to any public real property; does not include routine repair, operation, or maintenance of existing real property.

* Construction is exempt from IDOM approval

$50,000 - $135,000 - DAS-CPB

Informal Quotes/RFP or Formal Bid

TSB Posting Required

Bid Opportunities Posting Opt. for informal

Bid bond required of all bidders

Materials Payment Bond

Performance Bond

Proof of Insurance required

Retain bid sureties until contract executed

Awarded Contractor provides Subcontractor list within 48 hours after award

Written signed contract with appropriate terms and conditions

> $135,000 - DAS-CPB

Formal, sealed, competitive RFB required

TSB Posting Required

Bid Opportunities Posting Required

Bid bond required of all bidders

Advertise bid in newspaper at least once

Retain bid sureties until contract executed

Performance Bond and Materials Payment Bond

Proof of Insurance required

Awarded Contractor provides Subcontractor list within 48 hours after award

Written signed contract with appropriate terms and conditions

APPENDIX D: ADDITIONAL PROCUREMENT APPROVALS

IDOM Approval

Currently, the Iowa Department of Management (IDOM) has implemented a restriction on agencies entering into equipment, service and consulting contracts or purchases over $25,000 without receiving prior approval from IDOM. This prohibition includes contracts and purchases using general, federal, and other funding sources, but excludes Iowa Department of Transportation (DOT) and Regents.

Contact your agency's fiscal & policy analyst at the Iowa Department of Management (IDOM) to complete the necessary forms for the request. IDOM will notify you upon the approval of your requested equipment or service contract.

An approved copy of the IDOM Approval document (when required by IDOM rules) must be provided to DAS CPB and made a part of the retained documentation attached to I/3.

OCIO Approval

All procurement of information technology (IT) devices and services must meet operational standards prescribed by OCIO per 11 IAC 117.11. IT purchases $25,000 and more need to be sent to OCIO for review. Approval must be received in accordance to 11 IAC 117.11 from the State Office of the Chief Information Officer.

APPENDIX E: FLEET PROCUREMENT

Iowa Code 8A.362(4)(a) provides for the purchase of motor vehicles for all branches of the state government, except the state Department of Transportation, institutions under the control of the state Board of Regents, the Department for the Blind, and any other state agency exempted by law, which are not rented or leased pursuant to Iowa Code section 8A.367. New vehicle purchases shall be in accordance with competitive bidding procedures for goods or services as provided in the Iowa Code.

Before beginning an acquisition for a vehicle, the agency *must contact CPFSE Fleet Administration* to coordinate the required paperwork for state vehicles.

The vehicle bid usually contains the following components:

Section 1: Bid Overview, Rules, and Response

This section explains the bidder's conference, equipment and accessories, code requirements for fuel economy, warranties, and pricing. The preparation of the proposals and submission guidelines are also described in this section.

Section 2: Evaluation and Award

This section describes how the evaluation and contract award will occur as well as listing the individuals who will be responsible for evaluating the proposals. Also included is an explanation of determining the Life Cycle Costing of a motor vehicle.

Section 3: Order, Delivery, Inspection, Acceptance, and Title

This section provides a description of the payment type, catalogs that may be required, the colors, order acknowledgement procedures, and delivery details.

Section 4: Payment and Vendor Performance

This last section includes the payment terms and requirements, dispute resolution, contractor reporting requirements, and purchases by political subdivisions.

APPENDIX F: PREFERENCE STATUTES

Iowa's Reciprocal Preference Law

A reciprocal preference statute states that the governmental entity will apply whatever preference statute the bidder or respondent would receive in their home state.

Iowa Code 8A.311 "Preference shall be given to purchasing Iowa products and purchases from Iowa-based businesses if the Iowa-based business bids submitted are comparable in price to bids submitted by out-of-state businesses and otherwise meet the required specifications. If the laws of another state mandate a percentage preference for businesses or products from that state, and the effect of the preference is that bids of Iowa businesses or products that are otherwise low and responsive are not selected in the other state, the same percentage preference shall be applied to Iowa businesses and products when businesses or products from that other state are bid to supply Iowa requirements."

Be sure to verify the accuracy and currency of the information regarding another state's preference law before applying.

Tied Bids and Veteran's Preference 11 IAC 117.13(4)

Whenever a tie involves an Iowa vendor and a vendor outside the state of Iowa, the Iowa vendor will receive preference. Whenever a tie involves one or more Iowa vendors and one or more vendors outside the state of Iowa, the drawing includes the Iowa vendors only. Tied bids involving Iowa-produced or Iowa-manufactured products and items produced or manufactured outside the state of Iowa will be resolved in favor of the Iowa product.

In the event of a tied bid between Iowa vendors, the department shall contact the Iowa Employer Support of the Guard and Reserve (ESGR) committee for confirmation and verification as to whether the vendors have complied with ESGR standards. Preference, in the case of a tied bid, shall go to Iowa vendors complying with ESGR standards. An award shall be determined by a drawing when responses are equal in all respects and tied in price. Whenever it is practical to do so, the drawing occurs in the presence of the vendors tied in price. Otherwise, the drawing occurs in front of at least three non-interested parties; all drawings shall be documented.

American Made Products Iowa Code 8A.311

Preference shall go to purchasing American-made products and purchases from American-based businesses if the life cycle costs are comparable to those products of foreign businesses and which most adequately fulfill the department's need.

APPENDIX G: VENDOR REGISTRATION AND COMPLIANCE

Vendor VSS Registration

DAS-CPB invites vendors to view bids posted on VSS, the State of Iowa's online bidding and vendor response system. Vendors should visit https://VSS.ionwave.net/Login.aspx where they can view all VSS opportunities and submit a response to a bid. They can click on Vendor Registration to register before submitting a response and select the commodities they provide. There is no fee for registering.

Targeted Small Business (TSB) Certification Web Site

The Iowa Department of Inspections and Appeals (DIA) certifies businesses owned, operated, and actively managed by women, minority group members, or persons with disabilities as targeted small businesses. Certified TSBs are eligible to apply for low-interest loans and equity grants through the Iowa Economic Development Authority (IEDA). State purchasing officers also consider TSBs when seeking bids for state-purchased goods and services. In order to become a certified TSB, the individual's business must meet the following minimum requirements:

- Be located in the state of Iowa
- Be operated for a profit
- Have a gross income of less than $4.0 million computed as an average of the preceding three fiscal years, and
- Be owned, operated, and actively managed by a female, a minority group member, a person with a disability, or a service-disabled veteran

All applicants for certification must complete the general application form. Applicants must mail applications for initial certification or recertification to the Department of Inspections and Appeals, along with the appropriate processing fee.

Vendor Complaints

Agencies should report complaints relating to vendor performance in writing to DAS-CPB. Complete this form as soon as possible after observing the problem. Reporting is necessary in order to monitor and evaluate vendor performance, and if required, to take appropriate and timely action.

Vendor Compliance

The Department of Administrative Services (DAS), CPB Administrator, or designee shall have the authority to suspend or debar a vendor for cause from consideration of award of contracts for goods and services as provided under the purchasing authority granted DAS-CPB pursuant to Iowa Code Chapter 8A.

Cause for Suspension or Debarment – 11 IAC 117.18(2)

Cause for suspension or debarment shall include, but is not limited to, any or all of the following:

1. Failure to deliver within the specified delivery dates without agreement of the department or the agency

2. Failure to deliver in accordance with the specifications
3. Attempts to influence the decision of any state employee involved in the procurement process
4. Evidence of agreements by vendors to restrain trade or impede competitive bidding; DAS-CPB will report such activities to the attorney general for appropriate action
5. Determination by the civil rights commission that a vendor conducts discriminatory employment practices in violation of civil rights legislation and executive order
6. Evidence a vendor has willfully certified a false submission with the department
7. Debarment by the federal government

Suspension or Debarment Procedure – Affected Entity Initial Step

The affected entity i.e. department, agency, institution, division or bureau shall consult with the DAS-CPB COO or designee regarding the cause for suspension or debarment of the contractor or prospective contractor. The cause for suspension shall be stated in writing and provide specific and complete information relating to the circumstance(s). The DAS-CPB COO or designee may request additional information from the affected entity to provide more complete information. The DAS-CPB COO or designee may consult with legal counsel regarding the request.

Corrective Performance – Cure Notification

The DAS-CPB COO or designee shall notify in writing any contractor or prospective contractor considered for suspension or debarment and provide the contractor an opportunity to cure the alleged situation. This notice shall set forth the specific failure(s) of the contractor or prospective contractor, a timeline for cure completion, and notice that failure to satisfy within timeline may lead to suspension from eligibility to bid on contracts for up to one year or debarment from doing any future business with the state, depending on the severity of the contractor's actions.

If the contractor or prospective contractor successfully satisfies the cure requirements in accordance with the required timeline, DAS-CPB will provide a notice of satisfaction of cure to the contractor or prospective contractor and place a copy in the project and/or contractor performance file.

Suspension or Debarment Notification Requirement

If the contractor or prospective contractor fails to cure the alleged situation, the DAS-CPB COO or designee may proceed with the issuance of formal written notice that the contractor has failed to cure and is therefore suspended/debarred. For suspensions, the notice shall also provide the effective period of the suspension. The notice should reference the contractor's right to appeal the decision pursuant to 11 IAC 117.20 – Vendor Appeal. DAS-CPB shall mail this notice via certified mail with acknowledgement of receipt.

If the contractor or prospective contractor appeals the suspension or debarment to the DAS Director, is shall be a contested case proceeding and conducted in accordance with the provision of the department's Administrative Codes governing contested case proceedings. The Department of Inspections and Appeals shall appoint an administrative law judge to hear the case.

Suspended contractors or prospective contractors will be removed from the solicitation bid list and any bids/proposals submitted will not receive consideration for the period of suspension. Debarred contractors will be barred from submitting bids/proposals.

Upon the completion of the suspension period, it shall be the responsibility of the contractor to request reinstatement.

APPENDIX H: CREATING A CONTRACT IN I/3

Procedures for Completing a P.O. or Term Contract in I/3

The following steps are required to create an MA, MAC or ASC in the I/3 system:

For steps on how to create a PO or any other documents in I/3 please follow the I/3 manual:

http://intranet.iowa.gov/i3/

The vendor must agree to comply with the terms and conditions noted on the following attachments which are incorporated into the Agreement by specific reference in the Agreement.

Following are the attachment requirements before completing a PO or term contract document:

1. Attachment 1: General Terms and Conditions for *service/goods* contracts posted at:
   a) Goods Terms & Conditions last updated 2/1/16
   b) Services Terms & Conditions last updated 2/1/16
2. Attachment 2: Competitive Bid (insert bid number)
3. Attachment 3: Bidder's Response to Competitive Bid (except for any bidder objection or amendment to the Competitive Bid Document requirements the state has not explicitly agreed to in writing)
4. Attachment 4: Bidders' Cost (final pricing documentation) response to Competitive Bidding Document
5. Attachment 5: Special Terms (exclusions/changes) (if any)
6. Other documents that may be required:
   a) FOB Performance Bond (if required)
   b) Amount of Insurance (if required)
   c) Payment Terms (if any)
   d) Minimum Order Amount (if any)
   e) Maximum Order amount (if any)
   f) Not to Exceed Amount (if any)

Do NOT use Vendor's Terms & Conditions on contracts.

Using Change Orders to Amend Contracts

Generally, the level of authority for approval of a Change Order Request is the same level of authority required to approve the original purchase requisition.

APPENDIX I: I/3 GENERAL INFORMATION

Agency Buyers: For service contracts, you must attach to the PRC the Services Pre-Contract Questionnaire (PCQ). Complete the PCQ when total purchases from the service vendor exceeds $1,000 (one-time or in aggregate).

I/3 Manual & Payment Processes

For systematic instructions on the payment process in I/3, please refer to the I/3 manuals at:
http://intranet.iowa.gov/i3/
DAS SAE-Internal Services - PRC
DAS SAE-Internal Services - GAX

Special Characters and I/3

Except when searching with the wildcard (*), **please do not use** special characters in I/3 Financial. **Please do not use any special characters in document numbering.** Certain special characters are not allowed in the I/3 Financial application. Additionally, Adobe does not allow special characters for printing. To avoid problems that occur when special characters are used, please do not use them in the I/3 financial application. To avoid problems downloading information from the data warehouse, please avoid using a double-quote in fields, particularly text fields such as line descriptions. At a minimum, never use a double-quote next to a comma in a description field. This combination of characters creates problems when downloading data from the data warehouse.

I/3 Tables

- **VCUST:** Maintains primary information about vendors and customers
- **VENDCOMM:** Contains all vendors who have registered for commodities
- **COMM**: Contains valid commodity codes
- **VTH:** Provides a history of transactions processed for a specific vendor

Data Warehouse Reports

- **FR039:** Displays the amount paid to a vendor by department and/or FY. This amount will not include Pcard payments
- **FR047:** Displays all payments to a Headquarters account and all locations
- **FR053:** Displays all vendor codes for a TIN number

APPENDIX J: INTER-AGENCY PROCUREMENT RELATIONS

DAS-CPB will purchase goods and services on behalf of agencies in accordance with the policies and procedures contained within this manual.

DAS-CPB Responsibilities:

1. Become acquainted with the needs of all agencies
2. Provide guidance and training on how to prepare specifications
3. Review specifications provided by agencies to assure they are not proprietary in nature and allow for open competition
4. Provide guidance on the best methods of proposal evaluation
5. Process requisitions and bids/proposals in a timely manner
6. Create term contracts such as master agreements for general use by all agencies
7. Perform agency surveys, spend analyses, vendor evaluations, contract analysis, and market research to evaluate the renewal of term contracts
8. Grant purchasing authority based on training and procurement compliance

Agency Responsibilities:

- Provide DAS-CPB a report (pursuant to 2010 Iowa Acts, Chapter 1031(SF2088) Division VII section 76) on an annual basis regarding planned purchases and steps taken to standardize products and services.
- Review master agreements for similar goods or services before beginning a new procurement
- Write clear and accurate descriptions of materials and equipment to be purchased, excluding brand names
- Prepare technical specifications for goods and services requiring formal bidding
- Provide the technical evaluation of proposals
- Advise DAS-CPB of special projects or requirements for procurements in advance in order to avoid delays and to allow adequate time for the procurement process
- Provide DAS-CPB written documentation of any pertinent delivery and/or vendor problems or complaints using the Vendor Performance Form.
- Expedite the delivery of purchases as needed; work with the vendor in resolving problems with defective merchandise, the return of goods, or unsatisfactory service per Terms and Conditions of the agreement
- Comply with DAS-CPB's procurement policies, procedures and training

APPENDIX K: DAS-CPB'S AUTHORITY 11 IAC 117

Iowa Administrative Code requires DAS-CPB to procure goods and services of general use for all state agencies[6] with the exceptions of those agencies exempted by law, which include the following:

Board of Regents	Department of Transportation
Lottery	Department of the Blind
State Fair Authority	Department of Human Services[7]

Pursuant to 11 IAC 117.7(2), DAS-CPB shall assist agencies in developing purchasing procedures consistent with central purchasing policy and procedures and recommended governmental procurement standards. DAS-CPB currently creates master agreements to purchase goods and services on behalf of the state agencies. These master agreements, established by competitive bid, allow agencies to purchase directly from the vendor using these contracts without further competition. Moreover, political subdivisions (cities, counties, and schools) may utilize many of these contracts.

Other Exemptions:
ICN is exempt for telecommunications purchases per Iowa Code 8D.3.

The National Guard is exempt for real estate purchases per Iowa Code 29A.57.2 and construction contracts per Iowa Code 8A.302(4).

The Natural Resource Commission and Iowa Public Employee's Retirement System are exempt for construction contracts per Iowa Code 8A.302(4).

[6] The office of the governor or an elective official, the general assembly and the judicial branches are not state agencies. See 11 IAC 117.2 under "Agency".

[8] The Department of Human Services has limited independent procurement/contracting authority that is set forth in various provisions of law, including, but not limited to Iowa Code, appropriation bills, and session law. The following provisions are provided for illustrative purposes only and are not an all-inclusive listing of all applicable provisions:

Iowa Code Sections: 217.33, 218.5, 218.52, 225C.4(u), 234.6(5), 237.13, 237.14, 249A.4, 252B.5, 252B.7(3)

APPENDIX L: CONTACT AND REFERENCE INFORMATION

Iowa Code and Iowa Administrative Code Links

Iowa Code Chapter 8A.311, 8A.311A and 8A.312 (primary source, see other links throughout the manual)

Iowa Administrative Code Chapters 117, 118 and 119

DAS CPB website: https://das.iowa.gov/procurement

IT Contracts

IT Standards: https://ocio.iowa.gov/standards

Technology Coordinating Committee:

http://sp.iowa.gov/sites/00011/TCC/SitePages/Home.aspx

TSB

Information on the TSB Program: https://dia.iowa.gov/tsb

TSB 48 Hour Notice Website:
http://www.iowaeconomicdevelopment.com/business/tsb/tsbsearchlogin.asp

List of certified TSB vendors: https://dia.iowa.gov/tsb/index.php/search

Bid Posting Websites

Bid Opportunities: http://bidopportunities.iowa.gov/

DAS Design and Construction Resource Bureau

Administrator: https://das.iowa.gov/general-services/design-and-construction

GSE Fleet Administration

Administrator: https://das.iowa.gov/procurement/fleet-services

State Accounting Enterprise's Payment Process Manual

https://das.iowa.gov/state-accounting/sae-policies-procedures-manual

DEFINITIONS OF COMMONLY USED TERMS

The words defined in this section, derived from Iowa Code, Iowa Administrative Code and the National Institute of Governmental Purchasing (NIGP), shall have the meanings set forth below whenever they appear in this Policies and Procedures Manual. Unless the context in which they are used clearly requires a different meaning or a different definition is necessary for a particular section or provision.

Addendum (*pl. Addenda*) is a written change, addition, alteration, correction, or revision to a bid, proposal, or contract document. Issuance of Addendum/Addenda to a bid may occur following a pre-bid/pre-proposal conference or because of a specification or work scope change to the solicitation. NIGP

Agency means a unit of state government, which is an authority, board, commission, committee, council, department, examining board, or independent agency. 11 IAC 117.2

Agency Specific Contract (ASC) for the purpose of this manual is a contract developed for one agency's unique needs for goods or services.

Authorized Purchaser for the purpose of this manual is any state employee with the required level of training certification to purchase goods or services for specified purchasing thresholds.

Award means the selection of a vendor to receive a master agreement or order of a good or service. 11 IAC 117.2

Best and Final Offer (BAFO) in a competitive negotiation, is a negotiating option in which the Authorized Purchaser requests one or more respondents to submit a final offer with the most favorable terms for price, service, and delivery. The department may enter into negotiations with the highest ranked respondent or conduct simultaneous negotiations with a number of the most highly ranked respondents whose scores are relatively close. 11 IAC 117.8 (5) (paraphrased).

Bid *(noun)* is the response submitted by a bidder to a request for bids. NIGP

Bid Security for the purpose of this manual means a sum of money or certified/cashier's check deposited by a bidder to guarantee that the bidder will enter into the contract within a specified time and furnish any required performance bond.

Bidder is one who submits a response to an invitation to bid. NIGP

Bidders' Conference is a meeting to discuss with potential bidders, technical, operational and performance specifications before the bid closes. NIGP

Bid Opening is the official process in which sealed bids are opened, usually in the presence of one or more witnesses, at the time and place specified in the invitation for bid. The amount of each bid is *documented, evaluated, tabulated, and available for public inspection*. NIGP (*modified to conform to Iowa law*)

Bid Preferences are based on procurement laws mandating that bid prices for a preferred class of bidders be given special consideration when comparing their bid prices with those of other bidders not in the preferred class, i.e., local vendors may be given a bid preference over out-of-state vendors. NIGP

Bid Specification means the standards or qualities which must be met before a contract to purchase will be awarded and any terms which the director has set as a condition precedent to the awarding of a contract. 11 IAC 117.2

Business means any corporation, partnership, individual, sole proprietorship, joint stock company, joint venture, or any other private legal entity. NIGP

Buyer for the purpose of this manual is any state employee having authorization, by their agency director or department manager, to make purchases from an established MA, TSB, IPI, etc. These individuals purchase from sources that do not require further competition and include Pcard holders. (See Purchaser for NIGP definition)

Change Order (CO) A written alteration that is issued to modify or amend a contract or Purchase Order. In reference to construction contracts, it relates primarily to changes caused by unanticipated conditions encountered during construction not covered by the drawings, plans, or specifications of the project. NIGP

Code of Ethics for the purpose of this manual is a guide to acceptable and ethical behavior as defined by an organization or public body. It is a standard of behavior adopted by an organization with written policies or guidelines, which apply to the ethical behavior of members of an organization, business, or public entity.

Competitive Selection means a formal or informal process engaged in by a state agency to compare provider qualifications, terms, conditions, and prices of equal or similar goods or services in order to meet the objective of purchasing goods or services based on quality, performance, price, or any combination thereof. During a competitive selection process, a state agency may weigh the relevant selection criteria in whatever fashion it believes will enable it to select the service provider that submits the best proposal. The lowest priced proposal is not necessarily the best proposal. 11 IAC 118.3; (11 IAC 120.2)

Confidential Information is material submitted in response to a solicitation identified by the respondent as proprietary or confidential. In accordance with Iowa Code section 22.7, all submissions by a vendor are public information. 11 IAC 120.2

Construction means the process of utilizing labor to erect, build, alter, repair, improve, or demolish any structure, building or public improvement; generally does not apply to routine maintenance, repair, or operation of existing real property. NIGP

Contract Modification is any written alteration in specifications, delivery point, delivery frequency, period of performance, price, quantity, or other provisions of the contract, accomplished by mutual agreement of the parties to the contract. NIGP

Contractor is any individual or business having a contract with a governmental body to furnish goods, services, or construction. NIGP

Debarment for the purpose of this manual means to exclude or shut out of future solicitations and contracting opportunities.

Designee means a duly authorized representative. NIGP

Director means the director of the department of administrative services or the director's designee. 11 IAC 117.2

Emergency Procurement means an acquisition resulting from an emergency need. 11 IAC 120.2

Estimated total cost of a public improvement or estimated total cost means the estimated total cost to the governmental entity to construct a public improvement, including cost of labor, materials, equipment, and supplies, but excluding the cost of architectural, landscape architectural, or engineering design services and inspection. Iowa Code 26.2

Evaluation Criteria are generally part of the Request for Proposal (RFP) method. Qualitative factors that an evaluation committee will use to evaluate/score a proposal and select the most qualified proposer. Criteria may include such factors as past performance, references, management and technical capability, price, quality and performance requirements. NIGP

Evaluation of Bids is the examination of bids after opening to determine the bidder's responsibility, responsiveness to requirements, including costs, and other aspects of the bid to determine the successful bidder. NIGP

Fiscal and Policy Analyst (FPA) for the purpose of this manual is an individual who is employed by the Department of Administrative Services for the purpose of analyzing and researching procurement activities and testing of compliance.

Fiscal Year for the purpose of this manual is a 12-month period for accounting purposes; in Iowa, it is the period beginning July 1 and ending June 30.

Formal Competition means a competitive selection process for the procurement of any good or service or group of goods or services of general use costing $50,000 or more. 11 IAC 117.3(2)

Formal Bid is a bid submitted in a sealed envelope and in conformance with a prescribed format to be opened in public at a specified date and time. NIGP

Good or goods means products or personal property other than money that is tangible or movable at the time of purchase, including specially manufactured goods. A contract for goods is a contract in which the predominant factor, thrust, and purpose of the contract as reasonably stated is for the acquisition of goods. When there is a contract for both goods and services and the predominant factor, thrust, and purpose of the contract as reasonably stated is for the acquisition of goods, a contract for goods exists. 11 IAC 117.2

Governmental Entity means any unit of government in the executive, legislative, or judicial branch of government; an agency or political subdivision; any unit of another state government; any unit of the United States government; or any association or other organization whose membership consists primarily of one or more of any of the foregoing. 11 IAC 117.2

Informal Competition means a streamlined competitive selection process in which a department or agency makes an effort to contact at least three prospective vendors identified by the department or purchasing agency as qualified to perform the work described in the scope of work to request that they provide bids or proposals for the delivery of the goods or services the department or agency is seeking. 11 IAC 117.2

Information Technology Procurement means a procurement for goods or services in which the predominant factor, thrust, and purpose of the procurement as reasonably stated is for the purchase of information technology devices or information technology services. Information technology procurements do not include procurements for goods or services in which the purchase of information technology devices or information technology services is an incidental, minor or limited part of the contract. NIGP

Information Technology Services means services designed to provide functions, maintenance, and support of information technology devices, or services including but not limited to computer systems application development and maintenance; systems integration and interoperability; operating systems maintenance and design; computer systems programming; computer systems software support; planning and security relating to information technology devices; data management consultation; information technology education and consulting; information technology planning and standards; and establishment of local area network and workstation management standards. 11 IAC 117.2

Intergovernmental Agreement means an agreement for services between a state agency and any other governmental entity whether federal, state, or local and any department, division, unit or subdivision thereof. 11 IAC 118.3

Iowa-based business means an entity that has its principal place of business in Iowa. 11 IAC 117.2

Lowest responsible bidder means the responsible bidder that is compliant with the requirements and terms of the competitive selection document and that submits the lowest price(s) or cost(s). 11 IAC 117.2

Master Agreement means a contract arrived at competitively which establishes prices, terms, and conditions for the purchase of goods and services in common use. Agencies may purchase from a master agreement without further competition. These contracts may involve the needs of one or more state agencies. Master agreements for a particular item or class of items may be awarded to a single vendor or multiple vendors. 11 IAC 117.2

Material Modification relating to an approved IT procurement means a change in the procurement of 10 percent or $50,000 whichever is less, or a change of sufficient importance or relevance to have possible significant influence on the outcome. 11 IAC 117.2

Notice of Intent to Award for the purpose of this manual is a notification to all bid respondents to a solicitation that an award of contract will be made to a vendor pending negotiations.

Performance Bond is an instrument executed, subsequent to award, by a successful bidder that protects the public entity from loss due to the bidder's inability to complete the contract as agreed. The bond is a risk mechanism that secures the fulfillment of all contract requirements. NIGP

Pre-Qualification (of bidder) for the purpose of this manual is the screening of potential vendors/contractors in which such factors as financial capability and questionnaire responses are considered in order to develop a list of qualified businesses who may then be allowed to submit bids/offers.

Procurement Card for the purpose of this manual is a state credit card used as a method of procurement payment for defined approved purchases of goods and services.

Public Improvement means a building or construction work which is constructed under the control of a governmental entity and is paid for in whole or in part with funds of the governmental entity, including a building or improvement constructed or operated jointly with any other public or private agency, but excluding urban renewal demolition and low-rent housing projects, industrial aid projects authorized under Iowa Code chapter 419, emergency work or repair or maintenance work performed by employees of a governmental entity, and excluding a highway, bridge, or culvert project, and excluding construction or repair or maintenance work performed for a city utility under Iowa Code chapter 388 by its employees or performed for a rural water district under Iowa Code chapter 357A by its employees. 761—180.3 (314)

Purchase Order is a purchaser's written document to a vendor formalizing all the terms and conditions of a proposed transaction, such as a description of the requested items, delivery schedule, terms of payment, and transportation. NIGP

Purchaser or procurer of products and services are titles that refer to an individual who is responsible for the procurement activities of an entity. A job title within a procurement organization also commonly referred to as a Purchasing or Procurement Agent. NIGP (see Buyer for manual definition)

Purchasing Agent (PA) for the purpose of this manual means all authorized purchasing personnel who are employed by DAS Central Procurement Bureau.

Requisition is an internal document by which a using agency sends details of supplies, services, or materials required to the purchasing department. NIGP

Request for Bid (RFB) is the document used to solicit bids from potential providers for goods and services of general use on the basis of price. 11 IAC 117.9(3)

Request for Information (RFI) is a non-binding method whereby a governmental entity requests its need for information and input from interested parties for an upcoming solicitation. A procurement practice used to obtain comments, feedback, or reactions from potential vendors (contractors) prior to the issuing of a solicitation. With an RFI, generally price or cost is not required. Feedback may include best practices, industry standards, technology issues, etc. NIGP

Request for Proposal (RFP) is the document used to solicit proposals from potential providers for goods and services where cost is not the sole evaluation criterion for selection. 11 IAC 117.9(4)(a)

Request for Quotation (RFQ) is a small order amount purchasing method. An RFQ is generally used for small orders under a certain dollar threshold. A request is sent to vendors along with a description of the commodity or services needed and the vendor is asked to respond with price and other 0information by a pre-determined date. NIGP

Responsible Bidder means a vendor that has the capability in all respects to perform the contract requirements. In determining whether a vendor is a responsible bidder, the department may consider various factors including, but not limited to, the vendor's competence and qualification for the type of services required, the vendor's integrity and reliability, the past performance of the vendor relative to the quality of the good or service, the past experience of the department in relation to the good or service, the relative quality of the good or service, the proposed terms of delivery, and the best interest of the state. 11 IAC 117.2

Sealed means the submission of responses to a solicitation in a form that prevents disclosure of the contents prior to a date and time established by the department for opening the responses. Sealed responses may be received electronically. 11 IAC 117.2

Service or services means work performed for an agency or its clients by a service provider. A contract for services is a procurement where the predominant factor, thrust, and purpose of the contract as reasonably stated is for services. When there is a mixed contract for goods and services, if the predominant factor, thrust, and purpose of the contract as reasonably stated is for service, with goods incidentally involved, a contract for services exists. 11 IAC 117.2

Service Contract for the purpose of this manual means a contract for a service or services when the predominant factor, thrust, and purpose of the contract as reasonably stated is for the provision or rendering of services. When there is a contract for both goods and services and the predominant factor, thrust, and purpose of the contract as reasonably stated is for the provision or rendering of services with goods incidentally involved, a service contract exists.

Service Provider means a vendor that enters into a service contract with a state agency. 11 IAC 118.3

Services of General Use means services that are not unique to an agency's program or that are needed by more than one agency. 11 IAC 117.2

Software means an ordered set of instructions or statements that causes information technology devices to process data and includes any program or set of programs, procedures, or routines used to employ and control capabilities of computer hardware. "Software" also includes, but is not limited to, an operating system; compiler; assembler; utility; library resource; maintenance routine; application; or a computer networking program's non-mechanized and nonphysical components; arrangements; algorithms; procedures; programs; services; sequences and routines utilized to support, guide, control, direct, or monitor information technology equipment or applications; and "data processing software" as defined in Iowa Code section 22.3A(1)"e." 11 IAC 117.2

Sole Source Procurement means a purchase of a good or service in which the department or agency selects a vendor without engaging in a competitive selection process. 11 IAC 117.2

Specification is a precise description of the physical or functional characteristics of a product, good or construction item. A description of what the purchaser seeks to buy and what a bidder must be responsive to in order to be considered for award of a contract. NIGP

Spend Analysis is the process of collecting, classifying, and analyzing expenditure data from all sources within the organization (i.e. purchasing card, eProcurement systems, etc.). The process analyzes the current, past and forecasted expenditures to allow visibility of data, within the organization at various levels, e.g. by vendor, commodity, service, or by department. Spend analysis can be used to make management decisions by providing answers to such questions as: what was bought; when was it bought; where was it purchased; how many vendors were used, how much was spent with each vendor; and how much was paid for the item. NIGP

Supplies are all tangible items purchased or consumed by an organization. NIGP

Targeted Small Business (TSB) means a targeted small business as defined in Iowa Code section 15.102 that is certified by the department of inspections and appeals pursuant to Iowa Code section 10A.104 and as authorized by Iowa Code chapter 73. 11 IAC 117.2

Terms and Conditions for the purpose of this manual means standard boilerplate language that includes standard clauses and rules, which apply to RFBs and RFPs that are incorporated into the final contract.

Upgrade means additional hardware or software enhancements, extensions, features, options, or devices to support, enhance, or extend the life or increase the usefulness of previously procured information technology devices. 11 IAC 117.2

Vendor means a person, firm, corporation, partnership, business, or other commercial entity that provides services or offers goods for sale or lease. 11 IAC 117.2

Vendor On-line System means a state computer system that enables vendors to conduct business electronically with the state through an Internet location on the World Wide Web. 11 IAC 117.2

Vendor Suspension or Debarment is when prior performance on a state contract may cause a vendor to be disqualified or prevent the vendor from being considered a qualified bidder. 11 IAC 117.18(2)

COMMONLY USED ACRONYMS

AAP	Agency Authorized Purchaser
ASC	Agency Specific Contract
BAFO	Best and Final Offer
CIO	Chief Information Officer
CO	Change Order
COMM	Commodity Table
CPB	Central Procurement Bureau
CT	Contract for Technical
DAS	Department of Administrative Services
VSS	DAS Electronic Bid Posting System
DCRB	Design and Construction Resource Bureau
DIA	Department of Inspection and Appeals
DO	Delivery Order
DOT	Department of Transportation
ESGR	Iowa Employer Support of the Guard and Reserve
FOB	Free on Board
FPA	Fiscal & Policy Analyst
FY	Fiscal Year
GAX	General Accounting Expenditure
GSE	General Services Enterprise
IAC	Iowa Administrative Code
IDOM	Iowa Department of Management
IPI	Iowa Prison Industries
IT	Information Technology
ITE	Information Technology Enterprise
MA	Master Agreement
MAC	Multiple Award Contract
NASPO	National Association of State Procurement Officials
NIGP	National Institute of Governmental Purchasing
PA	Purchasing Agent
PO	Purchase Order
PRC	Commodity Based Payment Request
RFB	Request for Bid
RFI	Request for Information
RFP	Request for Proposal
RFQ	Request for Quote
RQM	Requisition for Master Agreements
RQN	Requisition with no pre-encumbered funds
RQS	Requisition with pre-encumbered funds
SC	Service Contract
TCC	Technology Coordinating Committee
TSB	Targeted Small Business
VCOMM	Vendor Commodity Table
VCUST	Vendor Customer Table
VTH	Vendor Transaction History
WSCA	Western States Contracting Alliance
VSS	Vendor Self-Serve

INDEX

Advanced Procurement Authority, 2
Advertising the Bid Opportunity, 24
Advertising the Proposal Opportunity, 27
Agency Specific Contract, 17, 20, 76, 82
American Made Products, 67
Authorized Purchaser, 2, 5, 6, 7, 10, 19, 25, 29, 30, 76
Award, 3, 4, 9, 17, 19, 21, 23, 25, 29, 39, 40, 41, 43, 66, 82
BAFO, 24, 29, 31, 76, 82
Bid bonds, 42
Bid Document Identifier Procedures, 18
Bid Opportunities website, 5, 6, 7, 27, 39, 40, 41
Buyers, 2
Commission for the Blind, 12
Competitive procurements, 6
Competitive selection, 14, 21, 32, 65, 77, 78, 80
Compliance, 4, 24, 25, 45, 46, 48, 49, 73, 78
Confidential Information, 43
Conflict of Interest, 47
Construction, 38, 39, 40, 41, 42, 74, 75, 77, 79, 80
Construction bids, 38
Contract Extension, 36
OCIO Approval, 65
DAS Print, 32
VSS, 18, 24, 25, 68
Department of Inspections & Appeals, 12
Design and Construction Resource Bureau, 39, 41, 42, 75, 82
Emergency, 7, 12, 13, 14, 15, 43, 77, 79
Ethical Standards, 45
Evaluation, 3, 4, 9, 26, 28, 43, 66, 77
Evaluation committee, 29, 31
Firm Fixed Price, 30
Fixed Price with Escalation, 30
Fleet Procurement, 66
Formal solicitations, 6
General use, 13, 14, 16, 73, 74, 80
Goods, 10
Green Buying, 32
IDOM, 4, 13, 14, 15, 19, 22, 26, 38, 63, 64, 65, 82
Informal, 6, 7, 10, 19, 21, 22, 39, 40, 41, 43, 64, 77
Informal Quote Documentation Form, 6, 10, 19
Informal solicitations, 6
Information technology, 14, 65, 78, 80, 81
IPI, 12, 82
Master agreements, 8, 17, 42, 49, 73, 74
Method of solicitation, 4, 5, 6
Misconduct, 49
National Institute of Governmental Purchasing (NIGP) Code of, 46
Non-competitive solicitations, 7
Non-master agreement goods, 10
Notice of Appeal, 33
Pcard, 34, 36, 37
PCQ, 72
Performance bond, 39, 40, 41, 42, 76
Post Award:, 3
Posting the Proposal, 28
Professional Development For Procurement, 2
Proposal, 6, 7, 19, 24, 26, 27, 28, 29, 32, 33, 48, 73, 76, 77, 78
Public Records, 48
Public Scrutiny, 45
Purchase Order, 4, 20, 25, 29, 82
Purchasing Agent, 2, 5, 79, 82
Purchasing Cycle, 3, 4
Reciprocal Preference Law, 67
Renewals, 35
Reporting a Procurement Misconduct, 49
Request for Bid, 7, 22, 31, 79, 82
Request for Information, 7, 79, 82
Request for Proposal, 7, 26, 77, 79, 82
Request for Quote, 7, 82
Requisition, 3, 4, 21, 43, 82
Reverse Auction, 8
RFB. See Request for Bid
RFQ. See Request for Quote
Rights To Reasonable Notice And Appeal, 44
Scoring, 28, 31, 33
Service contract, 20, 65, 78, 80
Services Pre-Contract Questionnaire (PCQ), 72
Sole source procurement, 14
Solicitation, 3, 4, 9, 18, 21, 32
Specifications, 4, 5, 7, 8, 21, 22, 24, 31, 32, 44, 67, 69, 73, 76, 77
Spend analysis, 36, 37
Targeted Small Business, 10, 12, 27, 80
Term contracts, 16, 17, 25, 29, 73, 74

Terms and conditions, 4, 7, 21, 23, 25, 27, 30, 32, 39, 41, 64, 71, 79
Tied Bids, 67
Travel Card, 34
TSB, 4, 10, 11, 12, 24, 27, 32, 39, 40, 41, 63, 64, 68, 75, 80, 82
Type of procurement, 6
Vendor Compliance, 69
Vendor Relations, 44