

**Kalamazoo Valley Community College**

**Procurement Vendors' Manual**

**Financial and Business Services**

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# Procurement Vendors' Manual

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## **SCOPE**

The purpose of this Manual is to acquaint interested vendors with the policies and procedures governing the procurement and delivery of all materials, supplies, services, and equipment required in the operation of Kalamazoo Valley Community College – all of its campuses, the Kalamazoo Valley Museum and the Michigan Technical Education Center at Kalamazoo Valley Community College.

The procedures outlined in this manual are based on Kalamazoo Valley Community College Board Policies (BP 303 and BP 304). These policies and procedures shall govern the procurement of all Institutional property, including, but not limited to consumable and durable goods, as well as, contracts for the servicing or support of such goods and other services.

Vendors are encouraged to check [www.kvcc.edu/insidekvcc/vendor.htm](http://www.kvcc.edu/insidekvcc/vendor.htm) (KVCC's web page) for an up-to-date copy. The Institution reserves the right to modify these procedures without notice.

## **OBJECTIVES**

The following are the objectives of Kalamazoo Valley Community College and its procurement activities:

- 1) To operate the Institution's procurement activities economically and to maximize the purchasing value of public funds;
- 2) To provide for increased public confidence in the procedures used for procurement;
- 3) To ensure the fair and equitable treatment of all persons who deal with the procurement system of the Institution, and provide safeguards for the maintenance of a procurement system of quality and integrity; and
- 4) To foster broad-based competition within the free enterprise system.

## **INTER-GOVERNMENTAL AND CONSORTIUM AGREEMENTS**

KVCC is authorized and encouraged to enter into agreements with other public agencies and with purchasing consortiums to the extent that such agreements will support the objectives stated above and are not contrary to the policies and procedures of the Institution.

All such agreements are to be approved by the Business Manager.

## **VENDOR SELECTION**

### **A. Vendor List:**

The Institution has lists of vendors for each classification or group of materials. A vendor may be added to a list by contacting the Director of Purchasing. A vendor may be removed from these lists due to inactivity, as a consequence of poor performance, or to honor a specific request by a vendor to be deleted from the list.

### **B. Notice of Solicitation for Bids and Proposals:**

Bids and proposals may be solicited by mail, by e-mail, by public notice in a newspaper of general circulation, or on the internet.

### **C. Vendor Selection:**

For purchases under \$7,500.00, the Institution reserves the right to select vendors through means other than sealed bids or proposals to satisfy competitive pricing and Institutional goals.

## **SEALED BIDS AND PROPOSALS**

Solicitations will be sent to a sufficient number of vendors to ensure three or more sealed bids or proposals are received for purchases of goods and services greater than \$7,500.

### **A. Invitation for Bids and Proposals:**

An invitation for bids or proposals shall be given to each listed vendor in the procurement category. The solicitation shall include the date and time of bid or proposal opening as well as all specifications and contractual terms and conditions applicable to the procurement.

KVCC will only accept sealed bid responses on its approved form.

### **B. Bid or Proposal Opening:**

Bids and proposals shall be opened publicly in the presence of one or more witnesses at the time and place designated in the solicitation. The name of each vendor and such other relevant information as the Institution deems appropriate shall be recorded.

### **C. Acceptance and Evaluation of Bids and Proposals:**

Bids and proposals shall be evaluated only on the requirements set forth in the solicitation. The contract shall be awarded with reasonable promptness by written notice to the lowest responsible and responsive vendor whose bid or proposal meets the requirements and criteria set forth in the solicitation. KVCC reserves the right to negotiate the terms of all bids and proposals.

### **D. Errors and Withdrawals:**

Mistakes discovered before opening may be modified or withdrawn by written or facsimile notice received in the office designated in the solicitation prior to the time set for opening.

After bids or proposals have been opened, corrections shall be permitted only to the extent that the vendor can show by clear and convincing evidence that a mistake was made, the nature of the mistake, and the price actually intended. All decisions to permit a correction or withdrawal or to cancel an award or contract based on mistakes, shall be supported by a written determination.

**E. Cancellation of Solicitation:**

Each solicitation may be canceled and any bid or proposal may be rejected in whole or in part when it is in the best interest of the Institution to do so.

The reasons for cancellation of a solicitation shall be inserted in the bid file.

Notice of cancellation shall be sent to all vendors solicited. The notice shall identify the solicitation, explain the reasons for cancellation, and where appropriate, explain that an opportunity will be given to compete on any re-solicitation or any future procurement of similar items.

**F. Responsibility of Bidders and Offerors:**

If a bidder or offeror who otherwise would have been awarded a contract is found non-responsible, a written determination of non-responsibility setting forth the basis of the finding shall be prepared. The unreasonable failure of a bidder or offeror to promptly supply information in connection with an inquiry with respect to responsibility may be grounds for a determination of non-responsibility with respect to such bidder or offeror. A copy of the determination shall be promptly sent to the non-responsible bidder or offeror. The final determination shall be made part of the bid file.

**G. Non-Discrimination:**

The Institution will not discriminate because of race, color, sex, age, religion, national origin, or physical disability in accordance with all Federal, state or local regulations.

**H. Reporting of Anti-Competitive Practices:**

Collusion or other anti-competitive practices are prohibited. Suspected violations shall be reported to the Business Manager for review.

**PUBLIC ACCESS TO PROCUREMENT RECORDS**

Procurement information is a public record and is subject to the Freedom of Information Act (FOIA) except that no information shall be subject to review or release at such time or in such manner as to disclose the contents of a bid or offer prior to its acceptance, rejection, or withdrawal. Requests for information should be forwarded to the FOIA Coordinator at KVCC.

## **VENDOR CLAIMS**

### **A. Written Claims:**

All claims by a vendor against the Institution relating to the procurement or bid process shall be submitted in writing to the Business Manager not later than five (5) business days after the bid award and notification to the vendors.

### **B. Notice of Decision:**

A written decision shall be issued within five (5) business days of written receipt of vendor claim. The decision shall state the reasons for the decision reached, and shall inform the vendor of the vendor's appeal rights.

### **C. Finality of Decision:**

The Institution's decision shall be final and conclusive unless, within five (5) business days from the date of receipt of the decision, the vendor mails or otherwise delivers a written appeal to the office of the Vice President for Finance and Business.

### **D. Failure to Render Timely Decision:**

If the Institution does not issue a written decision regarding any contract controversy within five (5) days after written request for a final decision, or within such longer period as may be agreed upon between the parties, then the aggrieved vendor may proceed as if an adverse decision had been received.

### **E. Settlement of Protests and Claims:**

After consultation with the President, the Vice President for Finance and Business is authorized to settle any protests regarding the solicitation or award of an Institutional Contract, or any claims arising out of the performance of a contract, prior to an appeal to the President or the commencement of an action in a court of competent jurisdiction.

## **GRATUITIES**

Money in any amount or gratuities such as gifts, free samples, or complimentary services with a value greater than \$15 cannot be accepted for private use by the personnel of Kalamazoo Valley Community College from suppliers or potential suppliers.