Kalamazoo Valley Community College

Procurement Vendors’ Manual

Financial and Business Services

July 2010
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 and all KVCC affiliates.

The procedures outlined in this manual are based on KVCC Board Policy and Cabinet member operating policy. These procedures shall govern the procurement of all Institutional property, including, but not limited to consumable and durable goods, contracts for the servicing or support of such goods and other services.

Vendors are encouraged to check 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 KVCC and its procurement activities:

1) To ensure the educational programs have the supplies and equipment to carry out training;
2) To operate the Institution’s procurement activities economically and to maximize the purchasing value of public funds;
3) To provide public confidence in the procedures used for procurement;
4) 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
5) 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

In selecting vendors, if goods or services are competitively priced and of comparable quality, preference shall be given to:

- American goods and services over foreign
- Michigan manufactured or provided goods and services
• Goods and services manufactured or provided by Michigan businesses owned and operated by veterans

Reasonable steps shall be taken to ensure vendors in deprived and depressed communities compete for and perform contracts for goods and services.

A vendor may contact the Director of Purchasing to be considered for future purchases. A vendor may be removed from consideration as a consequence of poor performance or to honor a specific request by a vendor to be removed from consideration.

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.

Vendor Selection:
For purchases under $10,000, 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 in the amount of $10,000 or greater.

Projects over $50,000 will require 100% performance and payment bonds from vendors. In addition, projects over $100,000 will require 5% bid bonds from vendors.

If the project is sponsored by the State of Michigan, prevailing wage rates apply. If the project is sponsored solely by the College, prevailing wage rates apply for projects over $30,000.

Reasonable steps shall be taken to ensure vendors in deprived and depressed communities compete for and perform contracts for goods and services.

Invitation for Bids and Proposals:
An invitation for bids or proposals shall be given to selected vendors. Vendors are selected 1) by the soliciting department based on prior bids or purchases, 2) by a review of local vendors, and 3) through an internet search. 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. Bids and proposals may be solicited by mail, by e-mail, by public notice in a newspaper of general circulation, or on the internet.

When a bid form is provided, KVCC will only accept sealed bid responses on its approved form.
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.

Evaluation and Acceptance 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 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.

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.

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.

Responsibility of Bidders and Offerors:
If a bidder or offeror who otherwise would have been awarded a contract is found to be unable
to carry out the terms and conditions of their bid or offer, a written determination of non-
responsibility setting forth the basis of the finding shall be prepared. The 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.

Non-Discrimination:
The Institution will not discriminate because of race, color, religion, national origin, age, sex,
weight, height, marital status, veteran status, disability or any other characteristic protected by
law in accordance with all Federal, state or local regulations.
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 until the time for public opening of bids or proposals, or if a public opening is not conducted, until the deadline for submission of bids or proposals has expired. Requests for information should be forwarded to the FOIA Coordinator at KVCC.

VENDOR CLAIMS
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.

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.

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.

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.

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 $25 cannot be accepted for private use by the personnel of Kalamazoo Valley Community College from suppliers or potential suppliers.