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| **Procurement Standards &****Procedures Policy** | Policy No.  | 18 |
| **Greater Nebraska Workforce Development Area** 550 South 16th Street Lincoln, NE 68508402.471.9878ndol.greaternebraska@nebraska.gov  | Effective Date | 7/1/2015 |
| Supersedes  |  |
| Revision Date |  |
| Revision No.  |  |
| Approval  | GNWDB / NDOL |

**Purpose**

To establish guidelines regarding the acquisition of Goods and Services needed to carry out the responsibilities of the Nebraska Department of Labor (NDOL). To provide overall direction for agency-wide procurement policies, regulations and procedures and to promote economy, efficiency, and effectiveness in the acquisition processes. To ensure NDOL’s compliance with the Department of Administrative Services (DAS) and Payroll & Financial Center procedures and guidelines. This policy is for administrative purchases and does not apply to program supportive services.

**Policy**

**1.Definitions**

* Approver: An individual who has the authority to purchase goods and services on behalf of NDOL.
* Commodity: A marketable item produced to satisfy wants or needs. Economic commodities comprise goods and services.
* Goods: A commodity you can see; a physical, tangible item.
* Request for Proposal (RFP): A document utilized for soliciting competitive proposals.
* Services: A commodity usually provided by another person; a non-physical, intangible item. For example, services provided to maintain, repair, or perform a function.
* Sole Source – Services or Goods: A service or good of such a unique nature that the contractor selected is clearly and justifiably the only practicable source to provide the service or good. Determination that the contractor selected is justifiably the sole source is based on either the uniqueness of the service or good and sole availability at the location required.

**2.Goods**

(a) **State Contracts**

DAS Purchasing has entered into Contracts for Goods with specific vendors in order to provide efficiencies in procurement across state government. NDOL is required to use vendors under these agreements.

(b) **Procurement Guidelines for Goods:**

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| <$2000 | Agency Level Decision (only 1 quote is required) |
| $2,000 thru $9,999 | Agency Level Decision (3 quotes required) if not a State Contract item |
| $10,000 thru$24,999

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 | Obtain 3 quotes if not a State Contract item. Order will route to DAS Purchasing for an informal bid if not on a State contract. DAS may not need to bid out informally if we provide the three (3) comparable quotes. |
| >$24,999 | Order will route to DAS Purchasing for a formal bid if item is not on a State Contract |

 (c) **Quotes**

Per state statute (LB 371), “it should be the policy of this state that, whenever possible, quotes should be obtained from Nebraska vendors. Taxpayer dollars should be reinvested with its individual and employer taxpayers in order to foster job retention and growth and to ensure a broad and healthy tax base for future investments vital to the state’s infrastructure.”

(d) **Procurement Procedures**

Individuals who have purchasing authority (Supervisor and/or Manager, Administrator,

Director, or Commissioner) shall submit an approved Purchase Request Form for any goods (with the exception of general office supplies and toner for leased copiers) and submit it to the Office of Administrative Services/Procurement (Purchasing) after appropriate approval signatures have been completed.

(i) Submit orders for Goods on an approved Purchase Request form to Purchasing.

(ii) Purchasing will process the order in accordance with DAS procedures & guidelines.

(iii) Exceptions are made when there is a State contract with a vendor (i.e. Dell, EnPointe, etc.).

(iv) Emergency or unique requests will be processed on a case by case basis. This may require additional documentation and guidance from DAS Purchasing.

(v) Any questions about orders should be directed to Purchasing. Purchasing is the liaison with DAS and individuals may not contact DAS Purchasing directly.

(vi) Requests to Purchasing by unauthorized individuals will be returned for proper authorization.

**Technology-related purchases**:

* Includes electronic equipment and upgrades to equipment, regardless of whether or not they will/will not connect to the NDOL network directly/indirectly.
* Include, but are not limited to, computer hardware/software, USB/flash/thumb/pen drives, computer peripherals, cell phones, land-line phones, PDA’s, tablets.
* All electronic equipment is considered an Office of Administrative Services/Information Technology (IT) purchase.
* Hardware/software purchases require contacting the IT Help Desk to obtain quotes (NDOL.IThelpdesk@nebraska.gov). If the item is on a State Contract only one (1) quote needs to be attached (IT will know this contract information when obtaining your quote(s). If not on State Contract, attach all three (3) quotes to the Purchase Request form.

1) User contacts IT to discuss technology requirement via email or the telephone.

2) IT researches the technology solution and options, obtains price quotes, and makes recommendations to the user via email.

3) User chooses the recommendation that best fits the need, completes the Purchase Request form, and submits it to Approver.

4) The approved Purchase Request form is submitted to IT.

5) IT logs the Purchase Request, obtains appropriate IT approval signatures, and forwards it to Purchasing for processing the Purchase Order.

**Phone Equipment purchases (cell, land-line & phone accessories):**

Contact the agency Communications Coordinator in IT for assistance with ordering phones, headsets and all phone accessories.

**General office supply purchases:**

General office supplies may be requested on an approved Office Supply Order Form and submitted to Purchasing to be ordered from Office Depot’s State Contract. **Please note that items found on the Office Depot website may not be available and you should use the catalog for your selections.** Each office should have an Office Depot catalog to select items from.

**Copier Toner purchases:**

Toner for copiers is at no charge through the lease & can be ordered direct by calling

Copy State Policy

Capital Business Systems at **800-221-0604**. The 500 & 550 building staff should also send an email to the Mailroom to notify them of these toner deliveries.

(e) **Shipping/Receipt of Order**

(i) Item(s) will be shipped directly to the requested shipping address.

(ii) If the Goods are to be received at the Administrative Office, the Mailroom will call the designated person to pick up the order and send the packing slips to Purchasing.

(iii) All CPUs, laptops, and network printers will be shipped to IT to be configured before they are delivered.

(iv) If the Goods are shipped directly to the local office, the local office manager/ designee shall verify the shipment.

(v) The local office will be sent a copy of the order with a Goods Received Stamp.

(vi) The manager/designee **must sign** the designated area of the Goods Received Stamp and send the original to Purchasing along with the packing slip. **The office manager/designee must verify Goods have been received to ensure proper payment of the invoice and inventory tagging.**

(vii) An example of the Goods Received Stamp is below.

(f) **Vendor Invoices/Billings**

(i) All vendor invoices/billings must be sent to Purchasing. When all paperwork is received and verified, the Office of Finance will process payment to the vendor.

(ii) If the proper receiving information is not on file, Purchasing will contact the appropriate office designee to determine if the items have been received and verified.

(iii) Purchasing does not process payments from vendor statements. Original invoices/billings are required.

**3.Services**

(a) **State Contracts**

Contact Purchasing to confirm if the Service you need is available through an existing State Contract. DAS Purchasing has entered into Contracts for Services with specific vendors in order to provide efficiencies in procurement across state government. NDOL is required to use these vendors under these agreements.

(b) **Procurement Guidelines for Services:**

Contracts for the acquisition of services must contain IRS Publication 1075 Exhibit 7 language, as appropriate.

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| <$2000 | Agency Level Decision (only 1 quote is required) |
| $2,000 thru $49,999 | Agency Level Decision (3 quotes required). These purchases may be completed by the Agency with authorized approvals and three documented vender quotes. |
| >$49,999

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 | Service procurements greater than $50,000 shall be bid through the Request For Proposal (RFP) process. Allow a minimum of 5-6 months for this process. Contact Purchasing for the form. |
| >$49,999and Sole Source | Sole Source – Service procurements $50,000 & over must be submitted on a Sole Source – Deviation form attached to the Purchase Request form, and include all necessary justification and meet the requirements. The Sole Source request must be signed by the Commissioner prior to submission and review by DAS Purchasing. |

 (c) **Quotes**

Per state statute (LB 371), “it should be the policy of this state that, whenever possible, quotes should be obtained from Nebraska vendors. Taxpayer dollars should be reinvested with its individual and employer taxpayers in order to foster job retention and growth and to ensure a broad and healthy tax base for future investments vital to the state’s infrastructure.”

(d) **Procurement Procedures**

Individuals who have purchasing authority (Supervisor and/or Manager, Administrator, Director, or Commissioner) shall submit requests for the procurement of Service to the Office of Administrative Services/Procurement (Purchasing) by using the Purchase Request form.

Be sure to think about the full scope of your Service project so you can include any and all potential work or future enhancement possibilities up front. Determine if ongoing maintenance is something you also need to include in your quotes. Even if your program does not have the funds now, it is recommended to include the option for any possible enhancements you may need later in case dollars become available. Enhancements can always be included in a contract extension and if dollars aren’t available at that time, then we are not committed to contracting those services. This will save going back through the approval processes in the future and causing a contract to be over $50,000, which would necessitate DAS approvals.

(i) **Services < $2,000**

* Check with Purchasing to see if the service you need maybe on a State Contract. If not on a Contract, contact a vendor who can provide the service and obtain one (1) quote.
* Prepare and submit to Purchasing a Purchase Request form, including all Approver signatures and attach the quote.

(ii) **Services $2,000 thru $49,999**

* + - Contact the IT Director/Manager prior to submitting a request for IT-related services.
		- Check with Purchasing to see if the service you need may be on a State Contract.
		- If not on a Contract, prepare your specifications & contact potential vendors to obtain three (3) quotes.
		- Prepare and submit to Purchasing a Purchase Request form, including all Approver signatures, attach your specifications and the three quotes, indicating the lowest responsible bidder desired.
		- If you are requesting a Sole Source – Service **in lieu of other quotes**, complete the Sole Source form Sole Source-Deviation form, which requires the justification. Have Purchasing review the Sole Source before sending the final version with the approved Purchase Request form. The justification must include why the service is of such a unique nature that the contractor selected is clearly and justifiably the only practicable source to provide the service.
		- Purchasing will then direct you to contact the Office of General Counsel with all supporting documentation to prepare your contract with the selected bidder.
		- The Office of General Counsel will prepare the contract, route a draft internally for review & when approved will send to the vendor & copy appropriate staff.
		- Inform Purchasing of Acceptance of Deliverables and provide invoices for payment..

(iii) **Services > $49,999**

* + - Contact the IT Director/Manager prior to submitting a request for IT-related services.
		- IT-related RFP procurements must be submitted to the Office of the Chief Information Officer (OCIO) for review.
		- Check with Purchasing to see if the service you need may be on a State Contract.
		- If the service is $50,000 or higher, **and does not qualify for a sole source**, prepare specifications using the RFP boilerplate form. Contact Purchasing for the correct and current version of the RFP boilerplate form.
		- Submit the RFP boiler plate form and an approved Purchase Request form to Purchasing. Purchasing staff will work directly with Office designees through the entire RFP process.
		- **Plan at least 5-6 months for the RFP process.** Purchasing staff will keep the Office designee informed of RFP progress, receipt of proposals, and contract award.
		- Purchasing will then direct you to contact the Office of General Counsel with all supporting documentation to prepare a contract with the selected bidder.
		- The Office of General Counsel will prepare the contract, route a draft internally for review & when approved will send to the vendor & copy appropriate staff.
		- Inform Purchasing of Acceptance of Deliverables and provide invoices for payment.

(iv) **Services > $49,999 AND Sole Source**

* + - Contact the IT Director/Manager prior to submitting a request for IT-related services.
		- Check with Purchasing to see if the service you need may be on a State Contract.
		- Obtain a quote from the vendor for the desired service. Contact other vendors to determine if they can provide the same desired service. If the service is unique, it may qualify as a Sole Source service. A Sole Source service is of such a unique nature that the contractor selected is clearly and justifiably the only practical source to provide the service based on either the uniqueness of the service or sole availability at the location required.
		- Contact Purchasing to review your documentation that supports this is the only vendor able to provide this service, and to determine if the request may qualify as a Sole Source service.
		- If your request qualifies as a Sole Source service, submit the Sole Source-Deviation form and justification with the approved Purchase Request form to Purchasing.
		- Purchasing will obtain required Commissioner’s signature on the Sole Source-Deviation form.
		- Once approved, Purchasing will then direct you to contact the Office of General Counsel with all supporting documentation to prepare a DRAFT contract with the selected bidder.
		- The Office of General Counsel will prepare the DRAFT contract.
		- Purchasing submits the DRAFT contract & Sole Source-Deviation form to DAS Purchasing for their review and approval. **Plan for this review/approval process to take several weeks.**
		- Once approved, Purchasing notifies Office of General Counsel to proceed with a FINAL service contract.
		- Requestor informs Purchasing of Acceptance of Deliverables and provides invoices for payment.