



BASALT REGIONAL LIBRARY DISTRICT PURCHASING AND PROCUREMENT POLICY

It is the policy of the Basalt Regional Library District (BRLD) Board of Trustees to ensure accountability, maintain budgetary control over purchases, establish uniform purchasing guidelines, and secure quality goods and services at the best possible price.

Exclusions

This policy does not apply to the following:

- Real property
- Insurance
- Utility services
- Dues or memberships in trade or professional organizations
- Marketing costs
- Postage
- Employee benefits
- Library collection materials including subscriptions for periodicals
- Legal services
- Fees associated with job-related travel, seminars, registrations, and training

Responsibility

The Board of Trustees approves all purchases and contracts up to \$120,000.00 necessary to implement BRLD operations through the adoption of the annual budget, as required by law. The Board of Trustees must authorize any expenditure that exceeds the original approved item budget by more than \$30,000.00 and that would exceed the original budget contingencies through an amendment to the budget.

The Executive Director is designated by the Board of Trustees to oversee and implement the approved budget. Although no approval is required by the Board of Trustees, the Executive Director must notify the Board of Trustees of the need for any expenditure that exceeds the approved budget for that expenditure by up to \$30,000.00, provided that this expenditure will not require an amendment to the budget.

Purchasing

At no time is it acceptable to divide a purchase or manipulate the delivery of a purchase in a way that circumvents the intent of this policy. For quantity purchases and frequently used vendors, a vendor list will be kept, and discount information will routinely be requested. All purchases and expenditures must comply with the documentation and approval requirements listed in the following chart.

Purchase Limit	Documentation Required	Approval Level
\$0.01 - \$3000.00	Receipts, Invoices, Contracts	Department Manager

\$3,000.01 - \$15,000.00	Quotes, Receipts, Invoices, Contracts	Department Manager with approval from Executive Director
\$15,000.01 - \$119,999.99	At least three bids	Executive Director
\$120,000.00 +	Formal sealed bid/Request for Proposals (RFP), Published on the library website	Board of Trustees

Quotes

- For purchases requiring quotes, BRLD staff may use published catalog prices, online prices, or verbal quotes.
- BRLD can invite bids or quotes from persons, firms, or corporations.
- BRLD will determine the best value by considering timing, quality, quantity, price, vendor performance, and any other relevant criteria. BRLD reserves the right to reject any proposal and to accept the proposal that is in its best interest.

Competitive Bidding

An open and competitive environment will be maintained to ensure that all qualified buyers and sellers have access to BRLD's business and that all purchasing actions are conducted fairly and impartially.

- Major operational items, including capital items and construction projects expected to cost \$120,000.00 or more each, shall be purchased via a competitive bidding process.
- The Executive Director, with assistance from the Finance Manager or other delegated representative, may request bids/proposals via a Request for Proposals (RFP) from persons, firms, or corporations prior to the bid deadline.
- An invitation to bid or to submit a proposal shall be published on the library's website.
- All bids will be sealed and will only be opened when the bid window has closed.
- BRLD will analyze the acceptable proposals received and determine the best value by considering timing, quality, quantity, price, vendor performance, compliance with public policy, record of past performance, financial and technical resources, and any other relevant criteria. The vendors submitting the proposals which are most closely aligned to the RFP will be interviewed by the director and BRLD board of trustees.
- If there are not at least two bids which meet the requirements of the RFP and are within budget for the project, BRLD reserves the right to reject all bids and restart the competitive bidding process.
- BRLD may repeatedly reject all bids and again may submit to the same, or other persons, firms, or corporations the request for a quote, proposal, or bid, and/or again publish notice of the bid opportunity or RFP.
- The BRLD Board of Trustees will vote to move forward with contract negotiations with the vendor who has submitted the lowest or the best bid. BRLD reserves the right to accept any proposal that is in its best interest or reject any or all proposals.
- The final decision to purchase will be made on the appropriate level in the Purchasing chart above.
- All formal proposals are a matter of public record.

When Competitive Bidding is not Required

- Library materials (e.g. books, periodicals, audiovisual materials), printing services, computing and networking services, etc. may be bid by vendor rather than item by item.

- A sole source purchase may be made if it has been determined that only one vendor can meet all specifications and purchase requirements or that it is in BRLD's best interests. Purchases may then be made based on prices established by negotiation.
- BRLD is eligible to purchase commodities under the Colorado State Purchasing Program. Contracts and price agreements that have been awarded by the State are acceptable as satisfying the bid and quote requirements of BRLD.
- Services (gas, electricity, telephone services, etc.) purchased from a public utility at a price or rate determined by the applicable government authority.
- Where proposed equipment, and/or services vary to the extent that sealed bids are not practical, detailed proposals may be accepted instead of such bids.
- BRLD may participate in joint bidding and/or other cooperative purchasing ventures with other library organizations and government agencies if it is deemed in the best interest of BRLD to do so.

Service Contracts

A service contract consists of an agreement between the service vendor and the library for the former to provide specified services integral to maintaining the library. Contract provisions will include showing proof of the contracting party's carrying Worker's Compensation coverage, a clause holding the library harmless for damages or injuries resulting from the provision of services, and a Contractor's Certification of Compliance (where applicable). The contractor must also agree to provide monthly, itemized bills for services so that expenses can be tracked throughout the year.

The library may not enter into contracts for periods of more than one calendar year. Contracts of a greater term may be permitted if the contract results in overall savings to the library and such multi-year contracts include an annual "opt-out" provision in the event the necessary funds were not budgeted in succeeding fiscal years.

All contracts will be reviewed ninety (90) days before termination or renewal to determine acceptable performance, financial considerations, competition, and other factors that would inform a decision to continue the contractual relationship.

Local Vendor Preference

It is the preference of BRLD to solicit vendors located in the Roaring Fork Valley from Aspen to Glenwood Springs, extending to Eagle and/or Parachute if necessary. When selecting a local vendor over an out-of-area vendor, all other factors used to determine the best value must be equal.

Minority-Owned Business Preference

It is the preference of BRLD to solicit proposals from companies owned and operated by minorities. When selecting a minority vendor over a non-minority vendor, all other factors used to determine the best value must be equal.

Construction Projects and Professional Services

- Agreements for construction or professional services, including but not limited to architectural, engineering, legal, and consulting services, will be negotiated based on demonstrated competence, qualifications, and fees not to exceed market rates. Agreements for construction services will also comply with Colorado Revised Statutes (CRS) 24-91-202 *et seq.* and CRS 38-26-101 *et seq.* as applicable.

- BRLD may use an open-ended, time-and-materials type contract only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. Time-and-materials type means a contract whose cost is the sum of the actual cost of materials plus direct labor hours charged at a fixed hourly rate.

Emergency Purchases

In the event of an unforeseen emergency which necessitates purchases be made immediately, portions of this policy can be foregone with approval by the Executive Director as long as the policy is adhered to as closely as conditions permit. The Executive Director will notify the Board within 24 hours when any such emergency purchase is necessary.

Budget and Record Keeping

- The Finance Manager is authorized to adjust line items for the current budget year that will fall within the overall budget level for the year. This type of adjustment is to be temporary unless adopted as permanent in the subsequent budget cycle, through analysis of needs across the District.
- BRLD must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to, the following: documentation requirements (notice of RFP publication, all submitted bids, quotes, approvals, etc.), rationale for vendor selection or rejection, and the basis for the contract/product price.
- BRLD retains records in accordance with the Colorado State Archives Records manual for Colorado Special Districts.

Code of Ethics

Unless given written consent by the Executive Director and majority vote by the Board, no BRLD employee or trustee may participate in the selection, award, or administration of contracts if they have a real or apparent conflict of interest. Such a conflict of interest would arise when the employee or Trustee, any member of their immediate family, or an organization owned by or which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a company considered for a purchase/contract. Under no circumstances will employees and Trustees of BRLD solicit or accept gratuities, favors, or anything of monetary value from vendors/contractors or parties to subcontracts.