



GEORGIA
BUILDING AUTHORITY

***PROCUREMENT SERVICES
PROCEDURES MANUAL***



EFFECTIVE DATE

April 20, 2017

Georgia Building Authority (GBA)
Procurement Services
1 Martin Luther King Jr. Drive, Atlanta, GA 30334
Rey A. Palma, CPPO, CPPB, MPA – Procurement Services Director

Table of Contents

INTRODUCTION.....	5
SECTION 1: GENERAL PROVISIONS	6
1.1 Effective Date	7
1.2 Scope	7
1.3 Exclusions	7
1.4 Severability	7
1.5 Specific Repealer	7
1.6 Authority.....	7
SECTION 2: DEFINITIONS	7
2.1 GBA Procurement Organization	7
2.2 Procurement Duties of the State Property Officer	8
2.3 Procurement Duties of the GBA Executive Deputy Director	8
2.4 Duties of the Procurement Services Director	8
2.5 Procurement Staff Responsibilities	8
2.6 Basic Procurement Definitions	8
SECTION 3: SOURCE SELECTION	9
3.1 Methods of Source Selection	9
3.2 Types of Sourcing Strategies	9
3.3 Bid Thresholds	11
3.4 Waiver of Competition	13
3.5 Fairness.....	13
3.6 Transparency	13
3.7 Procurement Challenge Recourse.....	14
3.8 Non Competitive Procurements	14
3.9 Exceptions.....	14
3.10 Special Procurements.....	14
3.11 Concession or Revenue Generating Contracts	14
3.12 Pre-Qualification.....	15
3.13 Reverse Auctions	15
SECTION 4: BID PROCESS	17
4.1 Bid Period	17
4.2 Pre-Bid Conferences.....	17
4.3 Bid Openings.....	17
4.4 Evaluations	18
4.5 Selection	18
4.6 Award.....	18
4.7 Contracting.....	19
4.8 Administration.....	19
4.9 Performance Evaluation	19
4.10 Proposal Process.....	19
SECTION 5: RENOVATIONS AND NEW CONSTRUCTION.....	21
5.1 Authority.....	21
5.2 Professional Services	21
5.3 Contracting for Construction	21
5.4 Bidding and Contracting Process for Renovations and New Construction	22
5.4 Administration.....	25
5.5 Project Delivery Methods.....	26
5.6 Small Construction Contracts.....	28
5.7 Best Value Selections (BVS).....	28
SECTION 6: STATE WIDE CONTRACTS (SWC)	30
6.1 Use of Statewide Contracts (SWC) or Similar Engagements.....	30
6.2 Types of Statewide Contracts.....	30
6.3 Georgia Correctional Industries (GCI) Administration.....	31
6.4 Georgia Enterprises for Products and Services (GEPS).....	32

6.5 Convenience Statewide Contracts	32
6.6 Competitive Bidding Requirements Waived	32
6.7 Development	32
6.8 Placing a SWC	33
6.9 Role of Contract Administrator	33
6.10 Use of the P-Card for SWC	33
6.11 Buying off SWC	33
SECTION 7: COOPERATIVES AND PIGGYBACKS	33
7.1 Cooperatives.....	34
7.2 Piggybacks	34
7.3 GBA Specific Cooperative Procurement.....	34
7.4 Agency Contracts.....	34
7.5 Sole Source	34
7.6 Sole Brand.....	35
7.7 Emergency Procurements	35
7.8 Administration of Procurements.....	36
SECTION 8: CONTRACT ADMINISTRATION	36
8.1 Contract Administration Particulars.....	36
8.2 Insurance Compliance	37
8.3 Surety.....	37
8.4 Notice of Intent to Award (NOITA).....	37
8.5 Notice of Award (NOA).....	37
8.6 Contract Amendment.....	38
8.7 Change Order	38
8.8 Right to Inspect.....	38
8.9 Right to Examine Records.....	38
8.10 Project Closeout and Completion	38
8.11 Audits.....	39
8.12 Vendor Evaluation	39
8.13 Reports	39
SECTION 9: SPECIFICATIONS	39
9.1 Proper Specifications.....	39
9.2 Specification Types	39
SECTION 10: CONSTRUCTION PROCUREMENT	41
10.1 Designated Procurement Services Representative.....	41
10.2 Field Representative.....	41
10.3 Project Manager GBA	42
10.4 Project Superintendent	42
10.5 Administration	42
SECTION 11: RISK MANAGEMENT.....	43
11.1 Bid Security.....	43
11.2 Protest Bond.....	43
11.3 Performance and Payment Bonds	43
11.4 Indemnification	44
11.5 Insurance Requirements	44
11.6 Alternate Forms of Security	44
11.7 Licensing	45
SECTION 12: PURCHASING CARD PROGRAM	45
SECTION 13: ELECTRONIC PROCUREMENT	45
13.1 Paperless Bids and Proposals	45
13.2 On-Line or Internet Procurements.....	45
13.3 Electronic Records and Signatures	46
13.4 Purchasing Card Use.....	46
SECTION 14: LEGAL AND CONTRACTUAL REMEDIES	46
14.1 Bid Protests.....	46
14.2 Contract Disputes.....	46

14.3	Suspension and Debarment	47
14.4	Solicitations or Award in Violation of Law or Policy.....	48
14.5	Taxes	48
14.6	Paying of Interest.....	48
14.7	Prompt Payment.....	48
SECTION 15: SOCIO ECONOMIC CONSIDERATIONS		49
15.1	Minority Business Participation.....	49
15.2	Georgia Income Tax Credit.....	49
15.3	Sustainable Procurement	49
15.4	Local Preference	50
15.5	Drug Free Workplace.....	50
15.6	Non-Discrimination	50
15.7	Fair Subcontracting	51
15.8	Immigration Provisions/Immigration Act Requirements.....	51
15.9	Reciprocal Preference	52
SECTION 16: PROPERTY CONTROL.....		52
16.1	Asset Management	53
16.2	Responsibility for Enforcement.....	53
16.3	Basic Employee Responsibilities.....	53
16.4	Basic Organizational Responsibilities	53
16.5	Department Inventory.....	55
16.6	Tagged Items	56
16.7	Pilferable Items.....	56
16.8	Justification for Missing Items.....	56
16.9	Summary of Findings	57
16.10	Building Inventory Schedule.....	57
16.11	Newly Purchased Equipment	57
16.12	P Card Purchases	57
16.13	Loaned Equipment	57
16.14	Relocation of Property	57
16.15	Disposal of Property	57
16.16	Property Destruction.....	58
16.17	Property Control Reports	58
16.18	Building Inventory Schedule.....	58
16.19	Definitions Related to Property Management.....	58
SECTION 17: VENDOR RELATIONS AND OUTREACH		59
17.1	GBA Procurement Policy	59
17.2	Registering on the GPR (Georgia Procurement Registry)	59
17.3	Responding to GBA Solicitations	59
17.4	Historical Documents – Bidder Info	60
17.5	Purchase Orders	60
17.6	Shipping/FOB Terms.....	60
17.7	Payment Terms.....	60
17.8	Shipping	60
17.9	Delivery.....	60
17.10	Returns	60
17.11	Final Acceptance.....	61
17.12	Vendor Appreciation Events.....	61
17.13	Outreach	61
SECTION 18: CENTRAL WAREHOUSE AND DISTRIBUTION CENTER.....		61
18.1	Organizational Structure	61
18.2	Inventory Type and Process	62
18.3	Supporting Systems	62
18.4	System Amenities	63
18.5	Specialized Services	63
18.6	Basic Procedures Associated with Warehouse Functions	63

18.7 Ordering Procedures	64
18.7 Annual Inventory Procedures.....	65
18.8 Forms	65
SECTION 19: PROCUREMENT TRAINING PROGRAM	65
SECTION 20: PROCUREMENT PROCESS IMPROVEMENT PROJECTS.....	66
SECTION 21: ETHICS.....	67
21.1 Principles and Values of Public Procurement	67
21.2 NIGP Code of Ethics.....	68
21.3 Annual Ethics Training.....	68
GLOSSARY OF PROCUREMENT TERMS.....	68
EXHIBITS SECTION.....	71
Exhibit 1: By Laws: Location	71
Exhibit 2: Enabling Legislation.....	71
Exhibit 3: BVS Selection Criteria.....	71
Exhibit 4: RFP Process	71
Exhibit 4A: ITB Process	71
Exhibit 5: Code of Ethics.....	71

INTRODUCTION

Use this Purchasing Manual in conjunction with the Georgia Building Authority (GBA) adopted Procurement Policy and Procedure document found at <http://sharepoint.spo.ga.gov/Purchasing%20Policies/GBA%20Procurement%20Policy.pdf>. GBA conforms its policies and procedures to the following criteria:

- State of Georgia Laws
- Adopted State Wide Policies
- GBA Policy and Procedures
- Procurement Best Practices
- Sound Business Practices

The Procurement Services Director manages all aspects of GBA Procurement Services. All procurement functions comply with all ethical and legal requirements set forth by the State of Georgia. The Procurement Services Director reports to the Support Services Director who in turn reports to the Executive Deputy Director (agency head leading GBA. Procurement Services activities managed by the GBA Procurement Services

Definition: Procurement

The term “procurement” is a comprehensive manner of describing all aspects of the buying, purchasing, renting, leasing, material management or acquisition of any supplies, services or construction within the scope of the Procurement Policy. It shall also include all functions that pertain to the obtaining of any supply, service or construction, including description of requirements, selection and solicitation of sources, preparation and award of contracts, and all phases of contract administration, close out and audit.

Director include but are not limited to personal and professional services contracting, management of the purchasing card program, oversight of all warehousing and property control, contracting for routine and complex consultant services and general procurement support.

The procurement mission is to support all GBA functions, enhance and support the equal, ethical, and legal rights of all vendors, contractors, suppliers and any person interfacing with Procurement Services. To that end, Procurement Services adheres to a strict code of ethics.

GBA Procurement Services - Purpose & Mission

It shall be the mission of GBA Procurement to:

- ✓ *Legally and Ethically Serve the citizens of the State of Georgia*
- ✓ *Provide public procurement guidance and instructions to all employees, clients and other persons or entities interfacing with GBA.*
- ✓ *To establish and maintain consistent procurement policy and procedure.*
- ✓ *To ensure pragmatic administration, compliance and coordination with the State of Georgia laws, rules and promulgations related to the procurement function.*
- ✓ *To add value to all procurement activity including planning, advertisement, soliciting, evaluation, award, contracting and contract administration.*
- ✓ *To make timely and relevant procurements.*
- ✓ *To improve processes and procedures regularly.*
- ✓ *To save taxpayer dollars.*
- ✓ *To provide strategic guidance on all procurement.*
- ✓ *To evolve the function to enhance support of all of GBA.*
- ✓ *To support the Vision and Mission of the Georgia Building Authority*

SECTION 1: GENERAL PROVISIONS

Introduction

This manual is intended to provide specific guidelines to all GBA Procurement Staff, departmental interface staff, end users, supervisors, directors, all other persons not specifically named, companies and vendors conducting public procurement business with and for the Georgia Building Authority (hereinafter the “GBA”). The interpreter of these policies, procedure and definitions shall be the GBA Procurement Services Director or his subsequent successor by title or function.

Purpose and Application

The specific and only purpose of this manual is to govern the procurement of public improvements, supplies, materials and services, including professional services, for GBA consistent with the adopted and periodically revised and updated applicable Procurement Policy or Georgia Law. It is intended that this Manual be advisory in that it is intended to provide guidance to all persons and companies interfacing with GBA Procurement Services such that all conduct business, in an orderly, consistent, ethical and fair administrative process.

Deviations from this manual shall not constitute grounds for protest or appeal by the persons affected by the activity at issue.

1.1 Effective Date

This manual shall become effective on the date first shown on this document.

1.2 Scope.

This manual shall apply to all contracts for public improvements and the purchase of all supplies, materials and services, including professional services, made by the GBA, irrespective of the source of funds, except as otherwise provided by law.

1.3 Exclusions

This manual does not apply to the purchase, lease or rental of real property and related licenses

1.4 Severability

If any provision of this manual or any application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or application of this manual which can be given effect without the invalid provision or application, and to this end the provisions of this Regulation are declared to be severable.

1.5 Specific Repealer

All users shall comply with current GBA Procurement Policy and this manual which supersede all department rules or guidelines to the contrary and any previous version of this manual or instrument of like function.

1.6 Authority

Authority for the issuance, implementation and use of this manual is granted in the respective portions of the following:

- The Constitution of the State of Georgia
- The Official Code of Georgia Annotated (O.C.G.A.)
- By Laws of the Georgia Building Authority
- The Georgia Building Authority Enabling Legislation

1.7 Process Guide

The Procurement Policy Manual requires all parties involved in the negotiation, performance or administration of GBA procurements to act in good faith.

SECTION 2: DEFINITIONS

2.1 GBA Procurement Organization

The current organizational structure of GBA Procurement consists of a hierarchical structure headed by the duly appointed State Property Officer for the State of Georgia. The State Property Officer delegates the administration of the GBA to the Executive Deputy Director. GBA Procurement Services serves Support Services Division as the agent for all procurement functions.

2.2 Procurement Duties of the State Property Officer

The State Property Officer is the Executive and administrative head of the GBA. All final decisions not delegated to an alternate part of the organization shall be made by the State Property Officer.

The State Property Officer will act as the signatory on all contracts exceeding \$1,000,000 for goods and services. All construction contracts regardless of the amount shall be signed by the State Property Officer.

The State Property Officer shall be the final arbiter of any disputes between vendors or contractors and the GBA.

2.3 Procurement Duties of the GBA Executive Deputy Director

The Executive Deputy Director shall delegate execution all contracts to be entered into by the GBA. Delegation shall be to the Procurement Services Director unless otherwise required.

The Executive Deputy Director may provide signatory authority to contracts and other engagements provided it has been duly delegated by the State Property Officer.

In some instances, the Executive Deputy Director shall act as an administrative hearing agent in matters of disputes between vendors and GBA Procurement Services.

2.4 Duties of the Procurement Services Director

The GBA Procurement Services Director shall legally, ethically and fairly administer all aspects of procurements made by the GBA to complete its requirements. The Procurement Services Director shall ensure that all aspects of good procurement practices, purchasing procedures, policies and rules are maintained for all aspects of the procurement process as defined and set forth in GBA policy and procedure. ***The Procurement Services Director duties shall include the consideration, evaluation, award and contracting of all procurements entered into by the GBA.***

2.5 Procurement Staff Responsibilities

Procurement staff consists of support personnel with specific levels of experience and responsibility suited to the work they must complete. Staff shall be in support of all aspects of procurement as defined in the seven steps of typical procurement activity.

2.6 Basic Procurement Definitions

GBA Procurement will use the National Institute of Governmental Purchasing Dictionary to interpret most common procurement terms. As necessary, all final interpretations shall be in context and with the support of legal reviews.

SECTION3: SOURCE SELECTION

3.1 Methods of Source Selection

Sources are generally defined as those vendors, contractor or service providers capable of properly providing a necessary good or service. Sourcing is the strategic method and consideration in which a procurement is best structured for the entity. Depending on which method of source selection is used; the greatest benefit to the organization should be realized.

3.2 Types of Sourcing Strategies

Before starting any competitive selection process, end users must consult with Procurement Services as to the strategic method of procurement. The goal will be to optimize agency and operational objectives while providing a method that is most effective and efficient. Below are definitions of some of the most common sourcing methods available.

3.2.1 Requests for Quotations or Quote (RFQ)

A Request for Quotations or Quote (RFQ) is an informal (not advertised) solicitation method that typically includes a well-defined specification or scope of work and contains required contractual terms and conditions. Use the RFQ to solicit price quotations or bids from prospective vendors. The RFQ also may seek to obtain price quotes from qualified vendors using the lowest priced quote meeting all specifications and delivery requirements as the determining factors for awarding the contract. Phone quotes, Internet quotes and other non-advertised and limited-respondent quotes fall into this category. Procurements estimated less than \$5000 may be informally solicited using a RFQ.

3.2.2 Request for Information (RFI) or Request for Letters of Interest (RFLOI)

A Request for Information (RFI) or Request for Letters of Interest (RFLOI) are informal (typically not advertised) methods for soliciting specific product or service information from a selected (sometimes designated “preferred”) list of vendors who may have unique or critical knowledge and information about a product or service that GBA is researching. The RFI/RFLOI methods are not intended to result in a contract award but is designed to allow for the collection of current or state-of-the art industry information that may then be used to determine if a RFQ or RFP solicitation method is appropriate to be used to further the procurement. Depending on the scope however, direct negotiations may result or a continued fact-finding period follow upon receiving responses.

3.2.3 Request for Qualified Contractors (RFQC)

Use a Request for Qualified Contractors (RFQC) when the GBA is attempting to find vendors with the qualifications to produce the product or service desired. Qualifications are published so that each respondent can gauge their compatibility. An evaluation team judges the respondents on their ability to meet or surpass the required qualifications. This form of solicitation may, but does not always, culminate in a contract award. [Note: This method of discerning qualified contractors may at times take the form of a “Qualification Based Selection (QBS)” which is discussed below.] The RFQC is a

prequalification process. An objective of the RFQC is to identify responsive and responsible suppliers. Service providers or suppliers will be compared as to their qualifications and abilities to provide the goods and/or services desired and described in the RFQC. Using the Georgia Procurement Registry (GPR) or similar tool, suppliers are electronically invited to participate in the solicitation. Interested parties respond by submitting written responses as defined in the solicitation documents. After evaluating all suppliers' responses received prior to the closing date of the RFQC, the results of the RFQC process will be publicly announced, including the names of those suppliers who were identified as qualified suppliers, unsuccessful suppliers and the reasons why those unsuccessful suppliers were not determined to be qualified. A list of qualified suppliers will be identified subject to the protest process. Only these qualified suppliers will be eligible to participate in further evaluations and ultimate contracting.

3.2.4 Invitations to Negotiate (ITN)

A competitive negotiation process that is used when the procurement authority deems it is in their best interest to negotiate with offerors to achieve "best value" (see Best Value Selection below). A form of source selection that is similar to the Request for Proposal process. A short list of acceptable proposers is determined. Two negotiation methods used: single negotiation and concurrent negotiation.

3.2.5 Invitations to Bid (ITB)

An Invitation to Bid (ITB) is a formal (advertised) solicitation for work, product or service that places emphasis on lowest price, responsibility of the bidder, responsiveness of the bidder and full and unwavering compliance with specifications by the bidder. The purchase is based on the lowest price from the responsive and responsible bidder that meets all specifications. Price and compliance with specifications are the sole determinants of award provided that the bid falls within budgeted or funded amounts. ITB's are typically used when the definition of the requirement is not subject to interpretation of the responses received. [Note: At times these types of solicitations may be known as Invitations for Bids (IFB).]

3.2.6 Request for Proposal (RFP)

A Request for Proposal (RFP) is a formal (advertised) solicitation method that seeks to leverage the creativity and knowledge of business organizations to solve unique problems. The RFP typically solicits responses to perceived requirements without consideration of price. Awards of an RFP are based on a comparative determination of the respondents as to which offeror (respondent or proposer are terms used interchangeably) has the best qualifications, experience and plan to properly complete the perceived anticipated work. Pricing is not typically a consideration as pricing is negotiated after selection. Occasionally sealed pricing from prospective offerors is sought but not considered during award deliberations. RFP's may be structured such that they may discern elements that will obtain the "best value" for the GBA. If pricing is used, the award of the project will not use pricing as the single

determining factor, but, rather, uses a combination of lowest cost plus best proposed solution to determine the award.

3.2.7 Best Value Selections (BVS)

Best Value Selections allow the issuing agency to consider both pricing and qualifications from respondents to a properly structured solicitation. A properly structured solicitation will establish the percentages associated with the qualifications relative to price. Once established, the process could be one or two steps (or multiple steps) to ensure that best value elements are addressed. Depending on the sophistication of the evaluators and respondents, the BVS calculations could be more than elemental. Use of BVS is not recommended for routine procurements. Copies of BVS selection including definitions associated with BVS may be requested from Procurement Services. Please refer to these guidelines when desiring to use the BVS sourcing method.

3.2.8 Priced Proposal

For certain services not governed by statutory restrictions (e.g., professional services) it is proper to use a priced proposal solicitation. A priced proposal solicitation provides flexibility as to responses ranges regarding the work while estimating pricing for the proposed solution. All elements of the response, i.e., scope of work, approach, staffing, scheduling and pricing are subject and negotiated between the parties. The Priced Proposal solicitation document will be formatted much like a standard Request for Proposal (RFP) but will allow for negotiable pricing in addition to a proposed best solution. The scope will be defined in the manner of preferred solutions rather than prescriptive as to the approach or method of completion of the work.

3.2.9 E Quotes

Pursuant to the State Purchasing Act (Official Code of Georgia Annotated §§50-5-50 et. seq.) electronic Request for Quotes (“eRFQ or eQuotes”) may be electronically issued and awarded to establish a contract with one or more qualified suppliers who will provide needed products or services to the GBA. The objective of the e Quotes is to select one or more qualified suppliers. The E Quote process will be conducted to gather and evaluate responses from suppliers for potential award. All qualified suppliers are invited to participate by submitting responses pursuant to the instructions found in the GPR. After evaluating all suppliers’ responses received prior to the closing date of the E Quote, and resolution of any contract exceptions, the preliminary results of the process will be publicly announced, including the names of all participating suppliers and the evaluation results. Subject to the protest process, final contract award(s) will be publicly announced thereafter.

3.3 Bid Thresholds

GBA Procurement Services carries out procurement requirements in compliance with all legal, ethical, procedural and administrative best practices. Amongst those requirements is the establishment of sound bid thresholds to ensure consistency of action and protect the taxpayers. Depending on the

dollar amount, quotes may be secured by telephone, e mail, electronic or regular facsimile or by postal mail.

3.3.1 Requisitions under \$5000

Procurements under \$5000 do not require a formal purchase requisition. Procurements under \$5000 may be purchased without competition and if allowed using the purchasing card.

3.3.2 Requisitions above \$5000 but less than \$25,000

All requisitions \$5,000.00 or greater shall be processed through GBA Procurement Services using a formal purchase request (PR) form. The PR may be electronic or paper generated and must be approved by all appropriate levels of management. Purchase requisitions between \$5-25,000 shall be reviewed before issuance of a purchase order (see Figure 1 below).

The GBA Procurement Services Director will review and evaluate all purchase requisitions over \$25,000.00 to determine and apply the best solicitation process (see "DECISION MATRIX" below).

3.3.3 Requisitions more than \$25,000 but less than \$100,000.

Procurements for services, supplies and equipment for any item or group of similar items over \$25,000.00 must have competitive bids secured. GBA Procurement Services will determine the best mode of solicitation and procurement. A formal purchase requisition must be submitted for all procurements over \$25,000 before the solicitation process will begin. The purchase requisition must provide clear, precise direction and specifications to GBA Procurement Services. The client (using party) will work with the designated procurement department representative throughout the solicitation, award and administration processes.

3.3.4 Procurements over \$100,000

Procurements for services, supplies, and equipment for any item or group of similar items estimated to be over \$100,000 require the issuance of formal solicitations under a sealed Invitation to Bid (ITB) or formal Request for Proposal (RFP) process.

Only GBA Procurement Services is authorized to release and ITB or RFP on behalf of the GBA.

Formal solicitations result in the receipt of sealed responses, by GBA Procurement Services, by the appropriate date and time and in the proper place as indicated in the bid document. As a rule, any bid received after the designated date and time will not be accepted nor considered for evaluation or award.

Only bids that exceed the \$100,000.00 threshold will be publicly opened.

DECISION MATRIX

PHASES	DEPARTMENTAL ACTIONS				ADMINISTRATIVE REVIEWS		EXECUTIVE APPROVALS	
Specific Actions	End User ¹ Requestor Approval Required	Supervisor Approval Required	Department Manager or Director/Asst. Director Approval Required	Division or Assistant Director Approval Required	Budget Officer Approval Required	Procurement Services Director Approval	GBA Executive Deputy Director Approval Required	State Property Officer (SPO) Approval Required
Bid Thresholds								
Under \$5K ²	Yes	Yes	No	No	Yes	Yes	No	No
Over \$5K but less than \$25K	Yes	Yes	Yes	Yes	Yes	Yes	No	No
Over \$25K but less than \$100K ³	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
\$100K Plus ⁴	Yes	Yes	Yes	Yes	Yes	Yes	Yes ⁴	Yes ⁴
Construction Projects ⁵	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Notes to Matrix Above

- ¹ End User is the individual who prepares and has responsibility for Purchase Requisition entering the procurement process.
- ² P Cards may be used for purchases under \$5000.
- ³ Threshold is exclusive of procurement for professional services. Please consult the Procurement Services Manager for proper levels of procurement for professional services
- ⁴ SPO and Deputy Executive approval of the procurement is only required if there is a Contract to be executed.
- ⁵ Construction projects have unique procurement requirements. Please consult with the Procurement Services Manager before embarking on any construction procurement.

3.3.5 Small Purchases

Small purchases are those purchases that do not require competition and may be purchased using the GBA Procurement Card (P-Card). Please refer to the P-Card Manual for further instructions regarding small purchases.

3.4 Waiver of Competition

It is the general rule and policy of the GBA to compete all procurements. Even when using the p card or establishing a single or sole source procurement it is imperative that all available due diligence is followed. Amongst the steps necessary to ensure proper due diligence include but are not limited to the following:

The main characteristics of a tender (offer) which from a procedural point of view are:

Fairness: A fair tender ensures that all interested and competent companies have an equal chance to participate. From the procurer's side, this is to make sure that the best price and quality is achieved.

Transparency: A transparent tender ensures that all participating companies are treated on equal terms and that all procedural steps are based on written and known procedures. Furthermore, the criteria for the award of contract are known and do not favor any particular company. Transparency

also entails that the process can be backtracked through a paper trail and that the award of contract is done in an open way.

3.5 Procurement Challenge Recourse

A public procurement should be open to contestation and an independent system of recourse on procedural matters as well as the contract award should be in place.

3.6 Non Competitive Procurements

3.6.1 Procurement Card.

A purchase for services, supplies and equipment for any item or group of similar items under \$5,000.00 may be purchased using the Georgia Building Authority Purchasing Card (P Card). Policies and Procedures as defined in the *"GBA Procurement Card Manual"* must be followed by all cardholders.

3.6.2 Other Small Purchases

Purchases for services, supplies and equipment for any item or group of similar items with a purchase price from \$5,000.00 - \$25,000.00 may be purchased without competitive bidding. The GBA Procurement Services Director will make the determination as to the need to "compete or not compete" the procurement.

3.7 Exceptions

Nothing in this manual will prohibit the GBA from competing any item regardless the projected cost if it is found to be in the best interest of the GBA to do so.

3.8 Special Procurements

Notwithstanding any other provision of this Manual, upon a written determination by the GBA Procurement Services Director that an unusual or unique situation exists and that the application of all requirements of an Invitation to Bid or Request for Proposals is contrary to the best interests of the GBA, the GBA Procurement Services Director may, upon review by the Attorney for legal sufficiency, initiate a special procurement. Any special procurement under this sub-section shall be made with such competition as is practicable under the circumstances. The GBA Procurement Services Director may also conduct negotiations, as appropriate, as to price, delivery and terms. The GBA Procurement Services Director shall provide a copy of the written determination of the basis for the procurement and for the selection of the particular contractor to the GBA Deputy Executive Director or designee as soon as practicable with a copy to the contract file.

3.9 Concession or Revenue Generating Contracts

Concession and revenue generating contracts shall be awarded in accordance with the provisions cited herein (Source Selection), except that price shall be evaluated on the basis of the highest bid or offer.

3.10 Pre-Qualification

Prospective suppliers, service providers or construction contractors may be pre-qualified for particular types of supplies, services or construction. The method of submitting pre-qualification information shall be determined by the GBA Procurement Services Director in consultation with the ultimate user or Project Manager. Pre-qualification is subject to review and does not necessarily constitute a finding of responsibility for any particular contract award nor does it guarantee an amount to be awarded.

3.10.1 Construction.

The GBA may use a Request for Qualifications (RFQ) or Request for Qualified Contractors (RFQC) to pre-qualify offerors for construction projects.

3.10.2 Non-Construction.

An RFQ may be used as part of a two-step procurement process, or to create a pool of qualified vendors to use on an “as needed” basis.

3.10.3 Public Notice.

Public notice of the Request for Qualifications shall in accordance with the requirements of this Manual and Georgia Law.

3.11 Reverse Auctions

A procurement method wherein bidders, anonymous to each other, electronically submit real-time bids on designated goods or services, to a particular secure website address, at a specified time and date, resulting in real time awards. The GBA may award contracts for supplies and non-professional services by reverse auction. During the bidding process, bidders’ prices are revealed and bidders shall have the opportunity to modify their bid prices for the duration of the time period established by the solicitation. Award shall be made to the lowest responsive, responsible bidder.

3.11.1 Procedure for Phase One of Reverse Auction Process.

Reverse auctions shall be initiated by the issuance of an Invitation to Bid in the form required by the GBA Procurement Services Director. The reverse auction Invitation to Bid (ITB) shall provide:

Notice that suppliers are being pre-qualified; that bidders are to provide bid samples, descriptive literature, technical offers or other information to permit the GBA to determine if the supplies, services, or construction items offered are responsive; that it is a multi-step

procurement, and priced bids will be considered only in the second phase and only from those bidders whose un-priced offers are found acceptable with respect to responsiveness and responsibility in the first phase; and instructions for participating in the electronic reverse auction.

Public Notice. Public notice shall be given in accordance with all applicable sections of this Manual.

Pre-Bid Conferences. Pre-bid conferences may be conducted in accordance with standard procedures as found in this manual and in practice.

Amendments. Prior to the submittal of phase one statements and technical information, amendments may be issued. After receipt of phase one statements and technical information, amendments shall be distributed only to bidders who submitted offers.

Receipt and Handling of Statements of Qualifications and Technical Information. Submittals shall be publicly opened in front of one or more witnesses, with only the name of each bidder read and recorded. The record and each submittal shall be open to public inspection within the time frame specified in Georgia's Public Record law. If documents are to be submitted electronically, they shall remain in an electronic lockbox until the date and time established for receipt.

Evaluation of Statements of Qualification and Technical Information. With the exception of bid price, submittals shall be evaluated in accordance with standard practices and this Manual.

Notice of Unacceptable Submittal. After evaluation of the submittals, the GBA Procurement Services Director shall notify bidders who are not pre-qualified for participation in Phase Two.

Procedure for Phase Two of Reverse Auction Process.

Reverse Auction. Price offers shall be obtained during a real-time bidding process conducted on the Internet, where suppliers qualified in phase one, anonymous to each other, submit bids to supply the supplies, services or construction items. The GBA shall adopt operational procedures for conducting the auction, identifying participants and ensuring the security of offers being submitted.

Notice. The GBA Manager or designee shall notify suppliers qualified in phase one of the date, time and Internet address of the reverse auction.

Award. Award shall be made to the low bidder.

Documentation of Award. Following award, a record of the bids received and the basis for determining the successful bidder shall be made a part of the procurement file and subject to public inspection.

Mistakes in Bids during Reverse Auction Process. Mistakes may be corrected or submittals may be withdrawn during phase one at any time. During Phase Two, mistakes may be corrected or withdrawal permitted in accordance with the rules set forth in the bid documentation.

SECTION 4: BID PROCESS

As a rule, GBA will use the bid process to address all its operating requirements. Services, commodities, supplies and equipment will be specified as to its standards and parameters and bids will be sought to accomplish and ensure market awareness and competition such that the best price, value or offer is received.

4.1 Bid Period

The bid period is bracketed by two specific dates. The first date is the day the solicitation is issued and the second date is the day the bid “closes” or when we will no longer accept bids or proposals from interested parties. Formal bids are posted to the Georgia Procurement Registry (GPR). Formal bids are those bids exceeding twenty five (25) thousand dollars in estimated value. The typical bid period is thirty (30) consecutive calendar days. Upon consultation with the Procurement Services Manager and if allowed by law or rule bid periods may be decreased in length.

4.2 Pre-Bid Conferences

Pre-Bid, Pre-Solicitation or Pre-Proposal Conferences are publicly advertised and open meetings scheduled during the bid period in sufficient time before the bid closing date so that project principals can share additional information with interested parties and the interested parties can ask pertinent questions about the requirement under bid. The conferences enhance the knowledge, diminish ambiguities, and clarify elements found in the bid document specification, plans or instructions to bidders. Information shared at the meeting is reduced to writing and an addendum or addenda addressing the questions raised and points made are distributed to all attendees. Addenda are also posted to the GPR for general public consumption.

4.2.1 Mandatory Pre-Bid Conferences

Mandatory Pre-Bid Conferences require without alternative that any interested party wishing to respond to a solicitation attend the scheduled conference. Failure to attend the conference will disqualify any prospective bidder. No exceptions will be allowed. [Note: Overuse of mandatory conferences is not in the best interest of the GBA as it limits competition.]

4.2.2 Non-Mandatory Pre-Bid Conferences

Non-Mandatory Pre-Bid Conferences are optional to the prospective bidder. Failure to attend will not disqualify the bidder.

4.3 Bid Openings

All bids exceeding \$100 Thousand will be opened and read aloud in a room easily accessible by the public or where accommodations can be made for the public to witness the opening. It is at the option of the Procurement Representative if public bid openings are held for solicitations valued under \$100 Thousand or for solicitations not requiring pricing (e.g., Requests for Qualified Contractors).

4.4 Evaluations

There are two types of evaluations performed as a result of solicitations.

The first type of evaluation is performed when bids are received as a result of an ITB. This evaluation is typically collaboration between the user and the Procurement Representative. The evaluation in these instances focus on responsiveness, responsibility, adherence to specifications and bottom line price relative to budget. The firm exceeding all others relative to the elements described is deemed the apparent winner pending all necessary approvals.

The second type of evaluation is performed when responses are received as a result of a RFQC, RFP or RFQ, i.e., with criteria for selection including other things beyond price, responsiveness and responsibility elements. This evaluation is typically performed by a panel or pre-selected committee consisting of project stakeholders, end user(s), and subject matter experts. The Procurement Professional acts as a non-voting moderator/facilitator for the evaluation. The evaluation is based on specific criteria designated in the solicitation document and it is up to the evaluators to compare, contrast and grade the firms in a relative manner. Subsequent to the evaluation a short list is presented and used to request interviews and presentations. Upon completion of the presentations, a preferred or primary negotiating firm is selected and negotiations begin with them. Failing a successful negotiation, the firms ranking will determine who next gets a chance at reaching agreement with the selection committee.

4.5 Selection

Selection of the apparent low bidder meeting all specifications and found to be most responsive and responsible is a direct function of the evaluation of bid submittals received by the appropriate date and time. The low bidder meeting all specifications and found responsive and responsible will be selected and asked to either execute a contract or accept a purchase order for the work.

For solicitations where qualifications, experience and other elements other than price are used to evaluate responses, selection of the primary negotiating firm will be based on the steps shown in section 4.4 above. Once reaching a consensus, the selection is announced to all participants by the Procurement Representative and the primary firm will be granted an opportunity to review and negotiate contract terms as prescribed by the Legal Department.

4.6 Award

GBA Procurements are awarded upon receipt of a recommendation from the using department, confirmation by GBA Procurement that all procurement steps were met and receipt of final approval from the following individuals through the issuance of a Contract Authorization Form (when a contract is the resulting award document).

Type	Award Process	Approvals Required
Contracts		
Purchase Orders		
Inventory Orders		

4.7 Contracting

Contracting is the act of negotiating, formatting, executing and issuing a contract in the manner prescribed by policy and procedure. When procurement is awarded, GBA Procurement Services will coordinate all aspects associated with contracting including the following:

4.7.1 Advising all parties of the success or failure of negotiations.

4.7.2 Preparing the contract documents for execution upon completion of successful negotiations.

4.7.3 Issuance of any pertinent notices, e.g., Notices of Intent to Award, Notice of Award or if authorized, Notice to Proceed.

4.7.4 Post all pertinent information to the database.

4.7.5 Issue administrative progress notices as needed.

4.8 Administration

GBA Procurement Services acts as the administrator of all procurements. During the bid process only GBA Procurement Services is allowed to contact or be contacted regarding the solicitation.

4.9 Performance Evaluation

Procurement Services will issue periodic electronic performance evaluation requests to the using departments' contacts (managers) of all contracts. Assessments will be shared with the contractor to improve performance during the delivery of project and end of contract to assess desirability of future engagements. GBA Procurement Services will monitor the performance evaluation program and make assessments as to future engagement desirability, sanctioning, debarment or other administrative step.

4.10 Proposal Process

The GBA typically uses a proposal process for the following reasons:

- When the end product is known and there is a desire to receive multiple approaches on how to get there.
- To make requests of knowledgeable experts regarding the performance of a service where the GBA is open to both solution and process.

- Where a scope of work (SOW) has been developed and pricing is not as important as the qualifications and experience of the firm and individuals who are going to deliver the final product.

4.10.1 Solicitation Period

The solicitation period for most formal proposals shall be thirty (30) consecutive calendar days unless a longer period is warranted by the complexity of the work or the time of year dictates adjustment for holidays, weather issues or other acts of God.

4.10.2 Pre-Proposal Conferences

Pre-proposal conferences can be of two types – mandatory and non-mandatory. The purpose of each is essentially the same. During the pre-proposal conference the GBA will provide information enhancing the prospective respondents' ability to properly respond to the solicitation. The pre-proposal conference will be an opportunity for all interested parties to ask questions and clarify any issues found on plans, specifications, bid documents and special conditions. Answers to questions posed during the pre-proposal conferences will be definitive only if reduced to writing and posted as an addendum to the original solicitation.

Mandatory Pre-Proposal Conference. These types of conferences should only be used when there is sufficient need to clarify, add, or modify the original specifications or scope of work on a direct face-to-face manner and to be formatted and shared universally to all prospective respondents by way of addenda. The use of mandatory conferences should be at last resort because over use limits proper documentation development and may also limit competition by excluding qualified contractors unable or unavailable for pre-established meetings due to location or other factor.

Non-Mandatory Pre-Proposal Conference. If pre-proposal conferences are needed, the preferred method is non-mandatory. General and prospective offerors are invited to attend, data is shared and documented, issued and catalogued addenda are published for all to use.

4.10.3 Openings

Formal Request for Proposal openings maybe held publicly or in a witnessed setting. If public, the place and accommodations must be published. If in a witnessed setting a record of the participants shall be recorded or placed into the project file as notes/minutes.

4.10.4 Evaluations

The formal proposal process presumes that a criterion for evaluation (that may or may not include price) is included in the response requirements such that the content and manner of the response will be used to comparatively evaluate all the responses received for a particular proposal. An independent Evaluation Committee chosen for their expertise and ability to perform an unbiased and even-handed evaluation is assigned to review all responses. The procurement person assigned to the solicitation will be the chairperson or facilitator of the Evaluation Committee's actions.

4.10.5 Selection

The Selection Committee mentioned in sub section 4.10.4 above is tasked with ranking the respondents to an RFP. Once ranked, the recommended list is confirmed with the decision maker(s). Once approved by the decision maker(s), the Selection Committee's rankings are disclosed and the primary ranked firm is deemed the firm of choice for negotiating a contract. Failing successful negotiations with the primary ranked firm, the negotiations will proceed in order of ranking but only in an individual basis.

4.10.6 Award

Initial award granted will be for negotiation purposes. Award of negotiation rights will be subject to the sole discretion and desire to proceed of the GBA. Upon completion of a successful negotiation with the primary ranked firm, a contract award will be granted. Contract awards are subject to legal review and approval, fiscal compliance, approval of the executive management, and approval of the State Property Officer.

4.10.7 Contracting

The preparation, clause selection, document formatting, signature gathering, term and condition confirmation of all contracts negotiated as a result of an RFP are the responsibility of the Procurement staff. Together with legal and operational staff, Procurement will ensure all contract requirements are met and shown on the final document. The final document will be scanned and distributed to all stakeholders.

4.10.8 Administration

Once a contract is awarded, the administration of it begins. Administration can take many forms but typically requires the support of procurement for: renewals, extensions, amendments, cures, payment issues, insurance compliance, bond administration compliance and general support.

SECTION 5: RENOVATIONS AND NEW CONSTRUCTION

5.1 Authority

The GBA as an Authority has the right under its duly adopted by laws to enter into contracts for the renovation of buildings or initiation of new construction. GBA Procurement will provide full solicitation, award, contracting and administration services for all renovations and new construction required.

5.2 Professional Services

Professional services are defined in Georgia Statutes (see O.C.G.A. Chapter 50). The statutes also prescribe the manner in which professional services are to be solicited, selected and awarded. GBA Procurement follows the prescribed manner. Professional services are typically necessary to support the design, selection and construction administration of all major renovations and new construction.

5.3 Contracting for Construction

All GBA construction projects shall be completed pursuant and in strict adherence to the “By –Laws of the Georgia Building Authority” (Exhibit 1 hereto).

5.3.1 Construction Definition.

The process of using labor to build, alter, repair, improve, demolish any structure, building or public improvement shall be considered construction. Furthermore, the statutory definition of Public Works will be applicable to work considered for construction. This definition generally does not apply to routine maintenance, repair, or operation (MRO) of an existing improvement to real property.

The purchase of a requirement which will be met through the building, or construction of something related to real property is usually regarded as a “public works” and is defined by statute (See Exhibit 2 hereto.)

A special kind of purchase contract involving 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 is required to accomplish construction.

5.4 Bidding and Contracting Process for Renovations and New Construction

Process Level 1

The end user determines and submits to GBA Procurement the respective procurement requisition signed by all appropriate staff, and construction documents which may include plans, specifications, special conditions and other defining documents.

Process Level 2

As the end user prepares a requisition form and secures all necessary approvals, it shall be ensured that ample funding is available for the work.

Process Level 3

GBA Procurement will assign a Procurement Services Representative who will work with the user’s exact needs regarding specifications, conditions and schedule requirements. It shall be the objective to meet all aspects of the critical elements affecting the timely and proper completion of the work. Funding considerations as well as ultimate client requirements will be addressed in the final solicitation document and scheduling of the bid.

Process Level 4

The using department with the assistance of the Procurement Services Representative will select the Design Professional (Architect or Engineer) to prepare required drawings and specifications for the project when none exist.

Process Level 5

The Procurement Services Representative will coordinate the technical conditions, specifications and required drawings of the construction project with the end user and the Design Professional. This will include preparation and formatting to State standards of the complete bid package including all prints, general and technical specifications, and the standard terms and conditions for construction projects. A project manual with Standard Terms and Conditions must be included with all construction projects bids. It shall also be the Procurement Services Representative's duty to ensure proper bonding, insurance and other forms of surety are properly addressed in the bid documents pursuant to current policy and rule and proper evidence of submittal are turned in by the successful offeror or bidder.

Process Level 6

GBA Procurement Services Representative shall process the Purchase Requisition form and ensure that it (minimally) includes the following:

- ✓ The project description and location. These must read as it appears in the specifications and plans since this is the description that will appear in the contract and on all required bonding documents.
- ✓ If delegated to a third party, the name(s) and address(s) of person(s) who will be responsible for distribution of plans and specifications to contractors requesting copies.

If a reimbursement payment has been designated, the amount of deposit required for obtaining a copy of plans and specification.

The establishment of the time and date for opening of bids.

Administrative references to end user notifications and their appropriateness.

If so contracted, the Design Professional must distribute plans, specifications, project manuals, and all addenda to vendors, contracting firms and others. The Design Professional must maintain accurate records of firms, addresses, email and telephone numbers of parties receiving a copy of plans, specifications, project manual, and all addenda and provide a copy of the completed list to the Procurement Services Department Representative prior to the bid closing date.

The GBA Procurement Services Representative shall open and read in public on the date and hour stipulated in the solicitation all matters of bid interest and request.

The Design Professionals shall be invited to attend the bid openings.

If bid bonds are required, all bidders must submit a bid bond with the bid. Bid security shall be required for all competitive sealed bidding for construction contracts when the project is estimated in value to be **\$100,000.00** or more. The bid security shall be a bond provided by a surety company authorized to do business in the State of Georgia. The GBA may waive the requirements of such bonds on construction projects estimated in value under \$100,000.

The amount of the security shall be an amount specified in the solicitation. Typically bid bonds are 5% of the bid amount and Performance and Payment Bonds are for 100% of the final contract amount.

When the solicitation requires bid security, non-compliant bids will be rejected. After bids are opened, bid bonds shall be irrevocable for the period specified in the solicitation and typically until the evaluations are complete and an award is recommended.

If a bidder is permitted to withdraw the bid before award, or is excluded from competition before award, no action shall be taken against the bidder or the bid bond.

The contractor shall not commence work until proof of insurance has been provided at the limits specified in the contract.

The contract shall identify and hold harmless the GBA from and against any claims of liability from a third party for any loss due to injury or damage arising out of or resulting from the performance of the contractor.

The Procurement Representative will tabulate, post and evaluate all bid responses. If alternates are a part of the bid, the notice of acceptance must show the alternates to be exercised and the amount of each alternate along with the total expected amount of the contract.

5.3.1 Bid Rejections

If bids are to be rejected, the Procurement Department Representative must list reasons for rejection and whether re-bidding is desired in a public document to be maintained as part of the project file.

5.3.2 Bid Award

If bid is to be awarded, upon preparation of the Purchase Order the Procurement Services Representative will prepare proper contract documents and request that the lowest most responsive and responsible bidder (subsequent to comparative evaluations) execute the appropriate and required contract documents.

Upon receipt of completed documents from the duly designated lowest most responsive and responsible bidder, the Procurement Services Representative will check for completeness, correctness and compliance with all requirements of the bidding documents, including the submission of all documentation e.g., Performance and Payment Bond, Certificate of Insurance, and licenses.

When a construction contract is awarded and bonds are required, the following bonds shall be delivered to the GBA and shall become binding on the parties upon the execution of the contract:

- A performance bond ensuring that the work will be performed to the satisfaction of the GBA. The bond shall be in form satisfactory to the GBA, executed by a surety company authorized to do business in the State of Georgia or otherwise secured in a manner satisfactory to the State, in an amount equal to 100% of the contract price is required.
- A payment bond ensuring that all persons, material men, subcontractors and suppliers on the project will be duly paid if the contractor defaults on payment in any manner. A payment bond shall be in form satisfactory to the GBA, executed by a surety company authorized to do business in the State of Georgia or otherwise secured in a manner satisfactory to the State is required.

The contractor is also responsible for indemnifying the GBA for all of the contractor's agents, employees, or subcontractors.

5.3.3 Signatories

The Procurement Services Representative must have all copies of the contract signed by the appropriate person and forward one copy to the accepted contractor.

5.4 Administration

5.4.1 General

The Procurement Services Representative will assist the end user in administering contractual issues that may arise during the construction delivery phase.

5.4.2 Updates/Status

The end user's contract or project manager shall periodically update project status to the Procurement Services Representative in the manner prescribed. The contract management system administered by GBA Procurement will issue periodic notifications requesting project status

5.4.3 Questionnaire (ADD)

The end user's contract or project manager will provide written notice to the Procurement Services Representative upon experiencing a breach or delay, contract completion, final acceptance of the project or any other major contractual event.

5.5 Project Delivery Methods

5.5.1 D-B-B (Design Bid Build)

The DBB process is the most commonly used construction delivery method. The Owner (i.e. GBA) would procure design services or have a full design (100% construction drawings including specifications) prepared for the issuance of a solicitation document (Invitation to Bid – ITB) by Procurement Services. Procurement Services mates the construction documents with its procurement boilerplate and bid proposal pages. The solicitation is open to all interested bidders. Bids are publicly opened (If over \$100,000) and the awards are made to the overall low bidder found fully responsive and responsible. Contract management and construction administration is usually a collaborative effort between the Owner, Design Professional, Construction Professional and Procurement Services support. Please consult the Georgia State Construction Manual for specifics about the process and expectations of the DBB process.

5.5.2 C M @ Risk (Construction Management at Risk)

The construction management process whether at risk or not has been more commonly used during the past ten years as a means to control risk for the Owner, Design Professional and Construction Professional. The basic tenet of the construction management construction project delivery is the idea that a collaborative effort by all stakeholders whether procured or part of the end users will result in a project that is within budget, logically constructed for its intended use, and to be delivered in time agreeable to all the parties. Construction Managers, Owner and Design Professional together with the end users negotiate progress construction packages (change orders) that are competed individually by the construction manager for Owner approval using an ITB or Best Value method. All change orders are to fall within the approved budget unless otherwise approved. Please consult the Georgia State Construction Manual for specifics about the process and expectations of the CM@R process. The following information is found in the American Institute of Architects (AIA) website:

AIA Comments on CM@R

Construction management at-risk is a process that allows the client of a project to choose the CM before the design stage is complete. The CM is chosen based on qualifications, and then the entire operation is centralized under a single contract. The architect and CM work together in order to cultivate and assay the design. Then, the CM gives the client a guaranteed maximum price, and coordinates all subcontract work. The A/E is hired separately from the CM at-risk and the traditional client – A/E relationship is maintained. However, A/E's can generally perform the CM role, with various restrictions imposed based on state.

Proponents have cited many advantages to construction management at-risk over traditional methods of procurement. These advantages are:

- Increases the speed of the project and can also strengthen coordination between the architect/engineer and the construction manager.
- The client hires the construction manager based on qualifications, thus better ensuring a

AIA Comments on CM@R

construction manager with a strong allegiance to the client, because their business relies on references and repeat work.

- Construction managers, architects/engineers, and the client all collaborate. This creates enhanced synergies throughout the process.
- Transparency is enhanced, because all costs and fees are in the open, which diminishes adversarial relationships between components working on the project, while at the same time eliminating bid shopping.

4.6.3 D-B (Design-Build)

The design-build method of construction project delivery method like CM@ Risk combines elements of both qualification based selections and invitations to bid. In this instance however, the Design-Build firm is a comprehensively staffed firm that includes either under its organization or as a contracted party the design professional. Preliminary designs are prepared for owner review and approval and the preferred design is selected for construction through the design-build firm. The stage of the design is flexible with respect to contracting but the basic tenet is a hands free approach for the Owner as the work is completed in stages for review and acceptance of the Owner and in most cases also the final user if not the same as the Owner. The Design-Build Institute of America (DBIA) shares the information found on the text box on their website.

4.6.4 Job Order Contract

Job Order Contracting is a contracting procedure that allows for the award of a competitively negotiated, firm, fixed price, indefinite quantity contract to a contractor. The contract is bid by firms based on pricing that encompasses several upcoming construction tasks in a "Unit Price Book." The Unit Price Book reflects labor rates, construction material, and construction procurement costs in the area. Each contractor bids on the proposed umbrella contract by giving a coefficient that includes overhead, profit, bonds, insurance, and contingency costs. For example, a typical contractor may submit a bid with a factor of 1.25, and then each work item anticipated in the scope of work and established in the Unit Price Book is multiplied by 1.25 for a particular project. This allows the owner the opportunity to evaluate each contractor on performance and qualifications knowing that the fixed price has already been established. Finally, once a contractor has been accepted the contractor will be given projects in a work order format. The contractor and the owner will meet to establish the tasks associated with each project and outline the pricing in the unit price book. The contractor will be paid for each work order based on the tasks outlined and the multiplication factor already established. Individual orders will be consistent for the duration of the pricing structure.

4.6.5 Task Order Contracts

The Federal Acquisition Regulations (FAR) defined these types of contracts as follows:

Task order contracts are also an indefinite delivery contract used as an acquisition tool. There are three types of indefinite delivery contracts:

- definite quantity
- indefinite-quantity
- requirements contracts

All three are used to acquire supplies and/or services when the exact times and/or exact quantities of future deliveries are not known at the time of contract award. Requirements contracts and indefinite quantity contracts are also known as delivery order or “task order” contracts.

Task order contracts permit government stocks of specific items to be maintained at minimum levels and allow direct shipments to the users of products or services. They also permit great flexibility in both quantities and delivery scheduling and the ability of buyers to order supplies and services only after specific requirements for them materialize. Perhaps most significantly, task order contracts limit the Government's obligation to the minimum quantity specified in the contract. Task order contracts are used by buyers who cannot predetermine the precise quantities of supplies or services they will require during the contract period when it is inadvisable for them to commit to any more than a minimum quantity. Using an IDIQ vehicle, buyers place orders for individual requirements, and quantity limits may be stated as number of units or as dollar values. The contract must require the buyer to order and the contractor to furnish at least a stated minimum quantity of supplies or services. A task order contract must specify the period of performance, including the number of option periods, and must specify the total minimum and maximum quantity of supplies or services the Government will acquire under the contract.

5.6 Small Construction Contracts

GBA considers contracts valued at under \$100,000 small. Pursuant to rule, contracts at this value do not have to be formally advertised but we encourage all to do what is in the best interest of the GBA and State of Georgia. This includes ensuring that funds spent are properly administered, contracts are openly competed, and there is ample transparency in the process used.

In support of the preceding paragraph, Article VII, Section 2 (5) of the “By Laws of the Georgia Building Authority” provides in part that if the total budget for an improvement to Authority property is \$1 Million or less as provided in appropriation and budget then the Executive director may take the following actions without Authority action: award a construction contract on the basis of competitive bidding, competitive proposals, negotiation or any other basis conforming to law and the public interest.

5.7 Best Value Selections (BVS)

Use of Best Value to select a desired and preferred construction contractor combines elements of Qualification Based Selections (QBS) and a hard bid process similar to the Invitation to Bid (ITB) process. The desired result is the selection and award of the work to the firm deemed, by the Owner, to have submitted the *best value* proposal as defined in the solicitation document. The process is usually a two-step process requiring an initial discernment of qualifications followed immediately by the bidding of the work by those firms pre-qualified to participate in the second phase of the solicitation.

Phase 1	Selection of short list of contractors that will be hard bidding the project under phase 2 of the solicitation.
---------	-----------------------------------------------------------------------------------------------------------------

Phase 2	Comparative evaluation of respondents short-listed based both on pricing and qualifications. The percentage split between pricing and qualifications shall always favor qualifications because Best Value assumes award on the experience, qualifications, delivery methods and other tangible criteria other than pricing, i.e., the low bid.
---------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

The issuer of the solicitation uses weighted criteria to evaluate a combination of *total cost* and *other factors* in the selection. Factors included but not limited include experience, personal qualifications, firm capabilities, and financial solvency levels. An actual offer of a contract is subject to negotiation between issuer and the proposer. BVS may be used in acquiring creative and consultative services, complex management services, and other complex services where final scope definition is best made through discussion and planning with the selected firm.

For certain construction-related services, the GBA may be interested in receiving cost or fee information in conjunction with information related to the qualifications, and/or project methodologies proposed by the submitting firm. A complex evaluation of the combination of cost or fee and other factors will result in the selection of the firm that has submitted the “*best value*” or proposal, but not necessarily the cheapest price. Price is a factor of selection but never more than 49% of the expected cost.

Other services where this sourcing method may apply can include and are not limited to vendor selection (procurements) for FFE (Fixture, Furnishings and Equipment), some Consultant selections, and other non-major construction team member selections. Best Value is NOT generally recommended for selection of prime project team members such as a Design Professional, CM/GC, or Design-Builders. In rare cases, however, when it is determined at the beginning of the selection process that the selection time and the fee are of the utmost importance, and ONLY if fully-authorized to the extent allowed by enabling legislation, the Best Value method may be considered.

To solicit any interested firms, the Owner typically advertises and issues a “RFP – Request for Proposals or RFQ – Request for Qualifications. A “proposal” is defined as any document submitted for consideration by the Owner, in full response to the Owner’s solicitation. Upon receipt and review of responses, the Owner will determine which of the respondents and proposals are in the sole judgment of the Owner in the best interest of the Owner with respect to the evaluation criteria stated in the RFP. Similarly, when requesting qualifications, the respondents closest to meeting the pre-established criteria are short-listed for further consideration and defined scrutiny.

The best practice for competitive consideration of best value is to determine, while developing the solicitation documents, the degree of importance of the fees, and then to establish fee evaluation as a portion of the evaluation criteria, usually expressed as a percentage of the overall evaluation. For example, a Selection Committee might determine that the importance of fees warrants an evaluation based on 80% (Qualifications) and 20% (Fee) criteria. Selection Committees must be careful to not let consideration of proposed fees

overshadow a thorough evaluation of qualifications. To limit any undue or improper consideration of fees, the consideration of qualifications information should be “blind” to the fees: The scores and rankings of the qualifications information of firms must be completely finalized prior to opening the separately-sealed fee proposals. Then, the fee proposals are scored using a pre-determined scale. The fee scores are then combined with the final qualifications ranking for an overall selection of a highest-ranked or best-value proposal.

SECTION 6: STATE WIDE CONTRACTS (SWC)

6.1 Use of Statewide Contracts (SWC) or Similar Engagements

The Department of Administrative Services (DOAS), State Purchasing Division (SPD) is an agency of the executive branch of state government created pursuant to the *Official Code of Georgia Annotated* (O.C.G.A.) Section 50-5-1. The “State Purchasing Act” establishes DOAS as the unit of state government charged with the responsibility for the establishment of contracts, leases, purchase orders or other agreements for the procurement of supplies, materials, equipment, services, and construction, and for overseeing statewide contracts (SWC) and other contracts serving multiple state entities.

6.2 Types of Statewide Contracts

Statewide contracts are established by SPD for use by all state entities as appropriate. By aggregating common purchasing needs of state entities, SPD can establish the most competitive levels of pricing and services for the state as a whole. There are two types of statewide contracts:

- Mandatory statewide contracts
- Convenience statewide contracts

Tier 1 Mandatory State Contracts

Only mandatory statewide contracts are included in Tier 1 of the Order of Precedence. In the event a statewide contract has been designated by SPD as mandatory, all state entities must use the mandatory statewide contract unless SPD grants a written waiver. In the event there is more than one mandatory statewide contract meeting the state entity’s need, the state entity may freely choose amongst the mandatory statewide contracts unless SPD specifically instructs otherwise. Purchases from mandatory statewide contracts are not limited by dollar amount or the state entity’s delegated purchasing authority. Procurement professionals may view a list of current statewide contracts by accessing SPD’s website.

Tier 2 Existing State Entity Contracts

Existing contracts held by the state entity represent the Tier 2 of the Order of Precedence. The state entity must purchase goods/services that are available on existing contracts for that particular state entity and any deviations from such contracts must be documented and approved by the Procurement Representative. Ordinarily, a state entity would not possess a contract for the same good or service that is covered by a mandatory statewide contract. However, some state entity contracts may exist at

the time SPD awards a new mandatory statewide contract. In this scenario, the state entity may continue to use the existing state entity contract; however, the state entity should also promptly notify SPD of the existing state entity contract and work with SPD to transition to the new mandatory statewide contract as appropriate and expeditiously as possible. The Procurement Representative must notify the identified SPD staff member that is listed as the main contact for the specific mandatory statewide contract as listed on the list of statewide contracts.

As another example in which the state entity may have a state entity contract at the same time a mandatory statewide contract is in effect, the state entity may have developed a new contract as a result of SPD's grant of authority in response to the state entity's written waiver request. The establishment of new state entity contracts is subject to the competitive bidding requirements of the State Purchasing Act and the limits of the state entity's delegated purchasing authority.

Tier 3 - Statutory Sources Designated as Mandatory

Certain products and services which have been certified as mandatory represent Tier 3 of the Order of Precedence. Specifically, state entities are required by statute to purchase certain products and services from Georgia Correctional Industries Administration (GCI) and Georgia Enterprises for Products and Services (GEPS) where the products/services being purchased have been certified in writing. In the event both GCI and GEPS offer certified products/services capable of meeting the state entity's needs, the state entity has its choice of either source.

Tier 4 - Convenience Statewide Contracts, Preferred Products, Piggyback Purchases, Consortia or Cooperative Purchasing and Open Market Purchases

If the Procurement Representative cannot satisfy the purchasing need using Tier 1, Tier 2 or Tier 3, then the Procurement Representative may pursue any one of several options available in Tier 4 of the Order of Precedence. The options available in Tier 4 include using a convenience statewide contract, purchasing a preferred product, making an SPD-approved piggyback purchase, using an SPD pre-approved consortia or cooperative purchasing program, or making an open market purchase.

6.3 Georgia Correctional Industries (GCI) Administration

In accordance with (O.C.G.A.) Section 50-5-73, the Commissioner of the Department of Corrections may certify certain products or services provided by GCI as "available and of competitive quality and price". GCI and the Commissioner of Corrections are required to report the certification criteria to SPD, including but not limited to cost, delivery schedules, and availability within fifteen days of notice of certification. Any subsequent changes to certified products or services must be reported to SPD within fifteen days of any such change. Only goods and services identified to SPD that are certified in accordance with this section are considered to be in Tier 3 of the Order of Precedence. A list of certified products/services may be viewed by accessing the GCI Certified Products and Services List. These purchases are not subject to dollar limits or the state entity's delegated purchasing authority. Although only goods and services certified in accordance with this section are considered to be in Tier

3 of the Order of Precedence, state entities are authorized to contract with GCI for needed goods and services pursuant to an intergovernmental agreement.

6.4 Georgia Enterprises for Products and Services (GEPS).

State Use Law sets forth at (O.C.G.A.) 50-5-135 et seq. that it is intended to create opportunities for disabled persons employed by community-based rehabilitation programs and training centers that are certified by the State Use Council. In order to effectuate the purposes of the State Use Law, SPD and the State Use Council have agreed that, unless specifically identified as a "*preferred source*" by SPD and the State Use Council, the goods and services identified on the State Use Procurement List are mandatory sources and that state entities are required to purchase such items at the prices stated pursuant to (O.C.G.A.) Section 50-5-136(b) (2). Only goods and services identified as mandatory are considered to be in Tier 3 of the Order of Precedence. A copy of the current State Use Procurement List showing both mandatory and preferred sources provided by GEPS, which may be amended from time to time, can be found on SPD's website.

6.5 Convenience Statewide Contracts.

Any statewide contract that has not been designated by SPD as a mandatory statewide contract (as further described in Tier 1 of the Order of Precedence) is a convenience statewide contract. State entities may, but are not required to, use a convenience statewide contract. However, SPD strongly encourages the use of convenience statewide contracts as they offer several benefits to the Procurement Representative in terms of saving time and ensuring compliance with procurement rules. For example, pricing and contract terms have already been finalized so the Procurement Representative is not required to spend time establishing these terms. Use of statewide contracts (both mandatory and convenience) is not limited by dollar amounts or the state entity's delegated purchasing authority. As a result, by using a convenience statewide contract, the Procurement Representative is not required to monitor spend to ensure compliance with the competitive bidding threshold or the state entity's delegated purchasing authority. Convenience statewide contracts may be viewed online.

6.6 Competitive Bidding Requirements Waived

SWC purchases are exempt from competitive bidding requirements unless otherwise ordered by SPD. In the event a mandatory statewide contract exists, the state entity must use the mandatory statewide contract unless SPD grants a written waiver. See the appropriate Georgia Procurement Manual (GPM) for procedures on how to submit written waivers to the SPD.

6.7 Development

SPD is authorized to establish centralized contracts such as statewide contracts that use standard specifications or performance requirements in order to decrease the overall cost of commodities and/or services to the state. Purchasing personnel are encouraged to submit their specific requests for statewide contracts to SPD on a regular and continuing basis to ensure that their most urgent needs are reflected in the current work schedules and are invited to contact SPD to discuss their

consolidating and contracting ideas. SPD may form a group of individuals with technical skills or subject matter expertise with respect to the specific commodity or service area to assist in the development process of new statewide contracts.

6.8 Placing a SWC

SPD's analysis of the scope of need for statewide contracts may include analysis of historical purchases or usage by all state entities as well as local government entities. Reviewing historical purchases or usage will assist the procurement professional in identifying stakeholders. The procurement professional may also ask the individual making the purchasing request to identify any similar program areas or co-workers likely to share an identical or similar need for the requested goods or services. SPD procurement professionals should identify stakeholders for potential statewide contracts by consulting with interested state entities and by using form SPD-PS004b Category Profile Spend Analysis Template.

6.9 Role of Contract Administrator

For purposes of this manual, the procurement professional primarily responsible for administering and managing the contract will be called the *contract administrator*. For state entity contracts, the Procurement Representative (or his/her designee) is the contract administrator. For statewide contracts, the SPD issuing officer or other appropriate staff Department of Administrative Services

6.10 Use of the P-Card for SWC

It is SPD's preference that most if not all statewide contract suppliers accept the state's P-Card as a form of payment.

6.11 Buying off SWC

When a needed good/service is identified, the user must first access the Virtual Catalog to search available statewide contracts. Mandatory statewide contracts must be used and convenience statewide contracts may be used if desired. If the user purchases from a statewide contract available in Virtual Catalog, then the user has two purchasing options:

6.11.1 Processing the transaction directly through the Virtual Catalog, or

6.11.2 Conducting a face-to-face transaction at the supplier's physical location. In a face-to-face transaction, the state representative is physically present at the supplier's location to make the purchase.

SECTION 7: COOPERATIVES AND PIGGYBACKS

On occasion it is expedient to make use of pre-existing and approved contracts or engagements. Typical types of engagements include cooperatives and piggybacks. Below the definition of each is presented.

7.1 Cooperatives

Whenever two or more entities combine their requirements to obtain economic advantages through volume purchasing (including administrative cost savings), quantity discounts and delivery leveraging, the action taken by the parties results in a cooperative venture. Cooperatives may be informally formed or bound by contractual requirements. Usually, one entity will act as the “lead” while the other(s) support with verifiable purchase volume projections. The manner in which the entities combine efforts usually takes the form of an Invitation to Bid (ITB) or Request for Proposal (RFP) depending on the type of procurement contemplated. Cooperative procurement efforts may result in contracts that other entities may “piggyback”.

7.2 Piggybacks

Piggybacks or Cooperative Piggybacks are a form of intergovernmental cooperative purchasing in which an entity will be extended the pricing and terms of a contract entered into by a separate entity. Generally a larger entity will competitively award a contract that will include language allowing for other entities to utilize the contract which may be to their advantage in terms of pricing, delivery, and product quality, thereby gaining economies of scale that they normally would not receive if they competed on their own. State agencies, departments and authorities have the ability to use Statewide Contracts (SWC) to obtain goods and services at typically better deals than can be achieved singularly.

7.3 GBA Specific Cooperative Procurement

GBA is authorized pursuant to rule and statute to participate and procure commodities and services either as a primary participant in a cooperative procurement or as a user of established cooperatively bid procurements. Cooperatives available to the GBA include but are not limited to the following:

- National Cooperatives – e.g., US Communities and NJPA
- NASPO Sanctioned procurements
- Regional Cooperatives – e.g., WSCA

7.4 Agency Contracts

The State of Georgia government is divided into many functions administered through many departments, agencies, authorities, commissions, and other sanctioned instrumentalities that will make procurements to carry out their respective missions. Typically, these “agency contracts” may be interchangeably used by other State entities in a manner such that there is no need to competitively solicit for the same product or service provided all aspects of the established Agency Contract are accepted by the using agency and the vendor/contractor upon receiving approval for use from the host agency.

Sole sourcing shall be used sparingly to avoid limiting competition and shall always be accompanied by substantial justifications. Before Procurement Services will accept a determination of sole source, ample research must be conducted to determine if other products or service providers exist and can satisfy the requirements. Sound procurement practice requires that sole source procurements be used when it is truly the only option and not as an attempt to contract with a favored service provider for a favored product.

7.5 Sole Source

A sole source procurement is a procurement that by its nature can only be acquired from one unique and singular company, vendor or contractor. A sole source form or memo shall be provided to

Procurement pursuant to the form provided on the Intranet. The Sole Source Justification form must include a letter from the Original Equipment Manufacturer (OEM) justifying the sole source designation. The Procurement Services Director shall be the final arbiter of the acceptability of a sole source designation request.

7.6 Sole Brand

When Using one or more manufacturers' brand name, with identifying model numbers, to describe the standards of quality, performance and other characteristics needed to meet the requirements of a solicitation, and which invites bids for equivalent products from any manufacturer this is considered a sole brand procurement. A requested single brand name tends to limit competition as vendors may not sell that particular brand and all other items will be excluded from further consideration. Before making a determination of Sole Brand, requestor should undertake reasonable research to determine if other products, equipment, services, etc. exist which can also meet the needs in a timely manner. Sound procurement practice requires that Sole Brand procurement be used only as a last resort when all other resources have failed. In a Sole Brand situation, complete a justification form and attach it to the Purchase Requisition form. Sole Brand justification forms or formats may be acquired from the Procurement Services and should minimally address the following:

- **Request Number:** Provide the Purchase Requisition or Purchase Order Number.
- **Proposed Source:** Provide the name and telephone number of the supplier (service) or manufacturer (item).
- **Scope of Work:** Provide the information to establish the context of the sole brand, for example, the function of the item or service. Indicate where and how the item or service is to be used, operational environment, previous experience or history, etc. Use layman's terms to identify any efforts made to locate other possible sources such as review of Thomas Register, Industry Organizations, Internet searches, Consultants, RFIs, Buyers Laboratory, Advertisements in Industry Publications, contact with Buyer, etc.
- **Sole Brand Justification:** Some requirements may need to be provided by a certain manufacturer (for example: "to match existing uniforms"). Use this block to explain why only a particular style, type or manufacturer is acceptable. A request for "Sole Brand" does not automatically eliminate bidding requirements, as the item may be available from more than one vendor.

7.7 Emergency Procurements

Emergency procurements are defined as those procurements that due to a verified threat to the life, safety, economic condition and welfare of the public and employees served by GBA Procurement require that Procurement policy and procedures be waived or reasonably relaxed on a case by case basis. Emergency procurements may be requested from Procurement Services for approval provided one or more of the following conditions are present:

- An immediate threat to the welfare and safety of any citizen or employee;
- State property or equipment are endangered;
- It is necessary to maintain or restore vital services;
- It is necessary to comply with State of Georgia Statutes or other regulatory laws and permits; or
- A major financial impact to the State would be incurred if an immediate action is not taken.

Emergency Procurements will be processed through the Procurement Department but in an expedited manner.

NOTE: All requests for an emergency procurement must be accompanied by an end user justification within twenty four (24) hours after the submittal of the appropriate purchasing request (i.e., Purchase Requisition – PR) submitted for the emergency purchase.

7.8 Administration of Procurements

GBA has established centralized procurement functions to perform GBA's purchasing and contracting in compliance with State of Georgia Law, GBA By-Laws, policies and procedures promulgated thereby and all applicable good business practices of the public sector. GBA Procurement has the responsibility to prescribe uniform procedures for requisitioning, receiving, transferring, and accounting for supplies, materials, equipment and services in accordance with all applicable laws, rules, regulations and policies. The procedures contained in this manual are applicable to all GBA personnel involved in the requisitioning, receiving, transferring and replacement of supplies, material, equipment and services. The GBA Procurement Services Manager is responsible for purchasing and contracting oversight on all procurement including operational, renovation, maintenance, and construction projects as well as the supply and redistribution warehouse administrative functions.

SECTION 8: CONTRACT ADMINISTRATION

8.1 Contract Administration Particulars

Contract administration occurs following the award of a contract; it is the management actions that must be taken to assure full compliance with all of the terms and conditions contained within the contract document, including price adherence. Action steps that assure that the contractor is in full compliance with the entire contract. Contract administration activities include payment, monitoring of progress, inspection and acceptance, quality assurance, monitoring and surveillance, modifications, negotiations, contract closeout, and other activities. To assist in contract administration the following may be used

- **Contract Administration Plan (CAP):** In many entities a planning tool that provides the framework for effective contract administration with an emphasis on process, output and outcome. The length and detail of the CAP depends on the complexity and potential risk of the contract. Also referred to as Contract Acquisition Plan.

- **Contract Administration Team:** A cross-functional team comprised of such members as the procurement contracting officer, subject matter expert, IT, engineering, legal advisers, price and cost analysts, quality assurance specialists, contracting officer's representative who all offer their expertise to the contract. Such a team is generally used on complex projects. This team may also assist in resolving conflict that arises during the contract performance.

8.2 Insurance Compliance

Risk management on any procurement or project is a critical aspect of contract administration. At contract outset proper levels of insurance limits are established and a Certificate of Insurance designating proper coverage is secured from the contractor initially and periodically thereafter. Changes to insurance coverage are only allowed by authority of the Owner and are to be reported to the Owner in accordance with contract requirements. Levels of insurance coverage depend on the risk involved to the GBA and limits set by the State of Georgia Risk Management Group.

8.3 Surety

Much like and in some instances as part of insurance coverage sureties financially back contractors who purchase surety bonds from them. A surety bond is based on the cost of the project, potential risk and the work history (prior completion) of projects by the purchaser of the bond. For a percentage of the face value of the bond, sureties ensure that the work is completed as contracted (performance bond) and that all suppliers and other creditors are properly paid if the contractor fails to do so (payment bond).

8.4 Notice of Intent to Award (NOITA)

After initial evaluation and determination of the firm meeting all requirements of a solicitation but prior to the final award of the work an entity may opt to post a NOITA with the successful bidder/offeror contingent on the achievement of certain requirement or completion of steps towards award. During this time the entity may opt to allow comments from other bidders/offerors questioning the award intent by posting the intent in a public forum and allowing a certain amount of time to comment and discuss. GBA does not use the NOITA but is allowed to do so and would do so under certain circumstances as recommended by the Procurement Services Manager.

8.5 Notice of Award (NOA)

Upon initiating a contract or amending a contract it is customary for Procurement Services to announce to the preferred firm meeting all requirements of a solicitation that they have been awarded either negotiating rights (as in a QBS selection) or the outright award as in compliance with all aspects of an Invitation to Bid by the overall low bidder. Notices of Award include the following information at minimum:

- Project summary
- Identification of Project Managers

- Confirmation of pricing
- Confirmation of any outstanding submittals
- Schedule of negotiations
- Procurement contact and role information

8.6 Contract Amendment

This is a document mutually agreed to and executed modifying a salient part or parts of the original agreement executed between the parties.

8.7 Change Order

This is a document providing a written alteration issued to modify or change a contract or purchase order. The change order may take a bilateral (agreed to by all parties) or unilateral (government orders a contract change without the consent of the contractor) request which directs the contractor to make changes to the contracted scope of work or specifications. In reference to construction contracts, it relates primarily to changes caused by unanticipated conditions encountered during construction not addressed by the drawings, plans or specifications of the project.

8.8 Right to Inspect

In most contracts there will be a clause allowing the Owner (GBA) to inspect the work, worksite, administrative offices or other contractually bound area to impromptu or scheduled inspections. These inspections are reasonably scheduled and must be accommodated by the Contractor.

8.9 Right to Examine Records

Similar to the right to inspect work, the Owner is typically contractually allowed to inspect project pecuniary and work records including but not limited to the following:

- As-Built Drawings
- Payroll
- Work logs
- Warranty and installation manuals
- Construction and Security Videos

8.10 Project Closeout and Completion

Proper closeout and completion of contracts requires specific steps be taken to comply with bonding, fiscal and administrative matters associated with the contract. Final payment is usually made contingent on the accomplishment and approval of “punch list items” and the release of retainages or other proof that the work was completed in accordance with Owner requirements. In some instances due to funding sources (e.g., Federal Grants) additional steps regarding inspections and audits (see Section 8.11 below) must be completed prior to final release being granted to contractors. In more

common instances, a surety release must be secured acknowledging that all liens, payments, claims and other encumbrances against the work are satisfied.

8.11 Audits

An audit is a detailed review and examination of records, documents and the business processes with the confirmation by outside experts of a situation or condition concluding with a detailed report of findings. The audit could take the form of a formal examination or verification of financial accounts or other business operations. Examples include financial, compliance and management audits. In GBA contracts, audits may be conducted by us and to us. In either instance, verifiable data will be investigated and findings may affect project completion or closeouts.

8.12 Vendor Evaluation

A project is not successfully complete until a full assessment of performance is completed between the contracting parties. GBA's Contract Management Module provides for ongoing information sharing between the project manager(s) and the Procurement Representative focused on ensuring proper performance meets contractual requirements. Ultimately, the contractor will be given a final performance assessment based on the completed evaluations. Assessments are not punitive but rather to assist in future work performance.

8.13 Reports

Proper contract administration requires that periodic progress reports be turned in by the contractor. Typically these reports take the form of progress highlights submitted with the request for payment. The purpose of the reports is to confirm actions taken as part of progress meetings and to ensure that new instructions not warranting a change order or amendment are implemented. Monthly payments to the contractor are sometimes contingent on the progress reports acceptance by the Owner.

SECTION 9: SPECIFICATIONS

9.1 Proper Specifications

Whenever an end user identifies the need for a service, supplies or equipment the process should begin with the development of specifications by the end user or with a request for assistance to a Procurement Services Representative to research or help develop proper specifications. Together with a properly approved Purchase Requisition, the end user should submit a request for specification development assistance or a pre-determined specification document to GBA Procurement Services. All specifications submitted to GBA Procurement Services shall be subject to approval by the Procurement Services Manager or designee.

9.2 Specification Types

9.2.1 Design

A written specification that establishes the characteristics an item possessing sufficient detail necessary and indicating how it is to be manufactured. May include engineering plans or drawings and blueprints. Design Specifications tells the contractor in very prescriptive terms, what they are to provide the buyer.

9.2.2 Performance

A written specification that describes a product or service by establishing general functional requirements recited as performance characteristics required to achieve an end result or outcome desired. It does not require the bidder/offeror to comply with specific design requirements but rather provides a goal and objective to be achieved and flexibility on how it is to be achieved provided the performance required is guaranteed.

9.2.3 Brand Name

Specifications of these types provide a name, term, symbol, design, or any combination of these that identifies a seller's products and distinguishes them from competitive products. A name that serves to identify a manufacturer's product and may be protected by a trade name or trademark. Brand name specifications dictate the manufacturer but not the source of supply. As such, competition requirements are usually met by supplier actions.

9.2.4 Equal or Approved Equal

When using these types of specifications, the designer has a preferred design but will consider equivalent designs if it meets the functional or operational needs of the Owner. Bidders are given a specific time as to when to submit their alternates for consideration and the designer in conjunction with the Owner approve or reject the alternate request to be considered an equal. In general when you see "equal or approved equal" used, it indicates that an item may be substituted for a required item if it is equal in quality, performance and other characteristics.

9.2.5 Qualified Products List (QPL)

Based on knowledgeable and sanctioned body or authority, a list of items (products) that have been examined and tested (professionally) and have satisfied all applicable qualification requirements may be compiled into a QPL. These lists if used on procurements will restrict bidders/offerors to those products on the lists. *May also be referred to as an Approved Brands List (ABL) or an Approved Products List (APL).*

9.2.6 Samples

One or more units selected from the material or process lot and represented as a specimen of quality.

9.2.7 Combinations of the Six Shown Above

Self-explanatory; may not restrict completion and shall be subject to GBA Procurement Services approval.

SECTION 10: CONSTRUCTION PROCUREMENT

Procurements associated with construction follow logical steps dictated by solicitation processes and contractual requirements compliant with law; they do not tend to sway from the norm unless field decisions are needed. Construction procurements must however adhere to a strict contractual basis but create a pragmatic approach to field decisions as granted to the Project Manager representing GBA whether a third party contractor or GBA employee. The basic public procurement premise of open, fair and transparent competition for public dollars must not be violated even after the work is let to the contractor. Procedures must be in place to ensure that the contractor protects the public interest without jeopardizing sound construction practices and compliant legal steps.

Basic Construction Procurement processes include the following methods as outlined in section 5.6 above and repeated by title below:

- Project Delivery Methods
- Design-Bid-Build (DBB)
- Construction Manager (CM)
- Construction Manager at Risk (CM@R)
- Design-Build (DB)
- Job Order Contracts (JOC)
- Task Order Contracts (TOC)

This section will highlight some unique aspects of Construction Procurements. Please refer to the Georgia Construction Manual for further information and definitions.

10.1 Designated Procurement Services Representative

For each construction services solicitation issued by GBA Procurement Services, a designated Procurement Services Representative shall be assigned based on their expertise. The designated Procurement Services representative shall at minimum review all plans, specifications and addenda for determination of the following:

10.1.1 Limitation of Competition

10.1.2 Applicability

10.1.3 Clarity

10.1.4 Legality

10.1.5 Compliance with Policy and Procedure

10.2 Field Representative

GBA will assign an employee to act as its “eyes and ears” during the construction process. Their involvement begins during the design phases of the project and continues through closeout and audits. The GBA field representative may also hold the added responsibility of project management and maybe so duly designated as the Project Manager.

10.3 Project Manager GBA

An employee of the GBA or an assigned project manager from GBA's sister agency (GSFIC) will act as the official project manager for the construction work. This individual will have day to day responsibility for the construction work and provide ongoing guidance within their administrative and contractual limitations to the contractor. The Project Manager may have a Field Representative (hired for the work or an employee of the GBA) to assist him in his responsibilities.

10.4 Project Superintendent

The direct contact between the Owner (GBA) and the contractor shall be an employee of the contractor generally known as the Project Superintendent. This individual will guide the work of his company and be on call to coordinate efforts with the GBA representatives. The Superintendent will work to ensure that work gets completed on time, on budget and that the product delivery meets all requirements.

10.5 Administration

10.5.1 Change Orders

Field change orders require that all parties agree to the scope of work but not necessarily the cost. Although it is preferred that cost be negotiated and documented as part of a change order, to expedite projects change order amounts are sometimes negotiated at project end/final reconciliation. Change orders address the scope change, the amount of the contract change (up or down) and the time for completion (also increased or decreased).

10.5.2 Punch List

At a designated time a contractor may request a final inspection from the Owner. The result of the inspection may be the preparation of a list of items needing attention to bring them up to specification, properly deliver them or even properly run (such as motors and other equipment). Commonly, this list of open issues is called a "punch list" as each item is marked complete (punched) as they occur. A Project Punch List Procedure should be made part of the construction manual to ensure basic compliance and what constitutes conditional occupancy and final acceptance.

10.5.3 Close Out

Final project closeout (or acceptance) may take many steps but ultimately completes the punch list, commissions all equipment and provides proof of proper working conditions, testing and needed documentation for the whole project. Owner confirms all surety releases are compliant and Contractor ensures all is in working order or part of warranty matters.

10.5.4 Audit

Depending on the funding source a project audit may occur at random times during a specified period. The audit may be conducted by the funding agency or as an independent auditor may perform in

compliance with contractual elements of a funding agreement. The purpose of the audit may be fiscal or managerial. The prior confirms funds were used for their intended purpose and the latter that all parts of administration, payouts (such as for minorities) were also compliant with goals of the funding source.

10.5.5 Warranty Period

The period of warranty for most projects begins upon final acceptance. Warranty issues are managed as part of the project and no project is fully released from GBA control until all warranty expires pursuant to the contract. Warranty is both project specific and individual equipment and building system (e.g., HVAC) specific.

SECTION 11: RISK MANAGEMENT

11.1 Bid Security

GBA will require bid security typically in the form of a “Bid Bond” on all competitively solicited procurements exceeding \$10,000.00 (ten thousand dollars) in value. The bid bond shall be for 5% of the bid amount offered by the bidder. Bid security will either be by a bid bond issued by a surety with an AM Best rating of “A” or above sanctioned to do business in the State of Georgia, money order or by a cashier’s check issued from a bank licensed to do business in the State of Georgia. Bid security shall be forfeited by the bidder if they fail to comply with all elements of the bid process, withdraw without excused reason or fail to contract should the bidder be considered the most responsive and responsible bidder after evaluation of all proper responses to a GBA solicitation.

11.2 Protest Bond

GBA may opt to include as part of its bid instructions the necessity for an aggrieved bidder to file a protest bond in conjunction with their protest of the award process or actual award of a bid. The magnitude, form and manner of submittal of the protest bond shall be disclosed in the bid documents.

11.3 Performance and Payment Bonds

Performance and payment bonds may either be one document issued addressing both the performance and payment aspects of any work or separate documents one each for performance and the other for payment of the aspects of the work to be addressed. Definitions of each follow:

Performance Bond: *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. A risk mechanism that secures the fulfillment of all contract requirements.*

Payment Bond: *A financial or contractual instrument, issued by a surety that guarantees that subcontractors will be paid for labor and materials expended on the contract. Acceptable forms of payment bonds may include: cashier’s check, certified check, or irrevocable letter of credit issued by a*

financial institution; a surety or blanket bond; United States Treasury bond; or certificate of deposit. Also known as Labor and Materials Bond.

11.4 Indemnification

Most contracts require that the contracting parties consider and act on what level of culpability one will have over another with respect to actions taken by one or the other party. In essence, it is the agreement of a contracting party to hold the other party harmless, to secure the other party against loss or damage, or to give security for the reimbursement of the other party in case of an anticipated loss. GBA Agreements typically have an indemnification clause.

11.5 Insurance Requirements

GBA typically follows the DOAS (Department of Administrative Services) guide on risk management issues. Guidance regarding insurance matters with respect to need, type and magnitude can be found on the following website:

<http://www.doas.georgia.gov/STATELOCAL/RISK/Pages/Home.aspx>

Included in this location are instructions as to what type of insurance would be required depending on the type and degree of exposure the GBA (re: State) would incur if something was to go awry. Each contracting party should be weighed on its own relative merit but generally we have standardized, legally appropriate language that addresses all expected conditions relative to the size of the contractual engagement. Please consult with GBA Procurement Services Director for proper use and magnitude of insurance coverage.

11.6 Alternate Forms of Security

If allowed by law and under policy and procedures adopted by GBA and as sanctioned and promulgated due to its By Laws, alternate forms of security may be accepted for bid, performance, payment, warranty and other pertinent bonding. Each time alternate forms of security acceptance are requested by a bidder or contractor, the GBA Procurement Services Director shall consider the request and make a recommendation to be reviewed and approved by Legal Services and the Deputy Director of the GBA. Typical alternate forms of security include but are not limited to the following:

- Cashier's Check
- Letters of Credit from a Certifiable Bank or Financial Institution
- Third-party endorsements
- Self-Insured Programs
- Industry-wide Bonds

Security needs as a rule follow common sense business practices.

11.7 Licensing

Bidders must have all the necessary, valid and current contractor licenses to do business in the State of Georgia as issued by the respective State Boards and Government Agencies responsible for regulating and licensing the services to be provided and performed.

SECTION 12: PURCHASING CARD PROGRAM

The GBA Purchasing Card Program has been adopted to address small purchases. Small purchases are generally defined as those not exceeding \$5000.00 in total cost. Purchasing Cards (P-Cards) are issued at the discretion of the Department Director and approved for issuance pursuant to adopted policy.

POLICY: To expedite small procurements (under \$5000), GBA has established a procurement card (P-Card) program governed by specific sound business practice and policy. Please consult the P-Card Policy and Procedure Manual at the following Intranet link:

<http://sharepoint.spo.ga.gov/Purchasing%20Policies/P-Card%20Manual.pdf>

Please note that proper assessment of need and training must be completed by the cardholder and respective supervisors before the issuance of a p-card to an employee.

SECTION 13: ELECTRONIC PROCUREMENT

GBA will use electronic means whenever possible to post, secure and award bids and contracts. Use of electronic signatures will be agreed to between contracting parties before outset of negotiations and contract approval.

13.1 Paperless Bids and Proposals

All applicable procurement rules such as timeliness, responsiveness, responsibility assessments, evaluation criteria, and award/contracting apply when the medium used is electronic. It shall be GBA Procurement's responsibility to maintain all security and equity for all bids and proposals solicited, evaluated, recommended for award and contracted using electronic means. In no instance shall any standing rule(s) regarding any element of procurement be violated because electronic means are used.

13.2 On-Line or Internet Procurements

On occasion it is imperative that GBA make procurements through the Internet. GBA allows such procurements when using the GBA sanctioned P-Card and admonishes not to agree to any "terms and conditions" that may be required to complete a transaction. When that occurs, the procurement must

be reviewed and approved by the GBA Procurement Services Director. Since the intent of such procurements is to expedite delivery, this action typically stops the procurement.

If there are no superseding terms and conditions, on line/Internet procurements may occur.

13.3 Electronic Records and Signatures

Upon agreement of the contracting parties and adoption of proper electronic recordkeeping rules by the GBA, all transactions performed on procurement and contracting matters may be documented using electronic steps and measures sanctioned by law and rule. This includes but is not limited to actual documents and the recording of signatures

13.4 Purchasing Card Use

Please see Section 12 above regarding the use of the Purchasing Card. The purchasing card program is considered part of the electronic procurement functions.

SECTION 14: LEGAL AND CONTRACTUAL REMEDIES

14.1 Bid Protests

Bid protests shall be managed by the Procurement Services Director in compliance with the adopted bid protest procedure found at the following link:

<http://sharepoint.spo.ga.gov/Purchasing%20Policies/GBA%20Bid%20Protest%20Policy.pdf>

Bidders/proposers are advised in all solicitations as to the proper manner in which to file a protest.

14.2 Contract Disputes

Contract disputes occur when a contractual disagreement or misunderstanding between contracting parties specific to contract provisions or language. Resolution is generally through pre-established administrative procedures or agreed upon alternative dispute resolution provisions. GBA will rely on the stipulations of the disputed contract with regards to resolving

Dispute panels or review boards may be used as a form of ADR (alternative dispute resolution). The panels uses one or more neutral or impartial individuals who are available to the parties as a means to clarify misperceptions, fill in information gaps, or resolve differences over data or facts. Alternatively, a Dispute Resolution Officers (DRO) may be designated either as an individual within the agency to resolve business disputes between the agency and its bidders and vendors or a third party independent party versed in the contractual matters may be used to reach binding or non-binding resolutions.

14.3 Suspension and Debarment

It shall be the GBA's sole prerogative to suspend or debar any vendor, supplier or contractor failing to comply with requirements of any purchase order, contract or sanctioned directive. Suspension and debarment duration shall be in direct proportion to the severity of the violation. Process for the administration of suspensions and debarments is outlined below.

A list of debarred, suspended or procurement participating ineligible entities will be maintained by the GBA Procurement Services Manager. Inclusion in the ineligible entity list shall be subject to specific and documented actions taken by the GBA in consultation with Legal Services and after proper notification and actions taken against the offending vendor or contractor.

The Debarred, Suspended or Ineligible Firms List shall include information regarding the entities that are debarred, suspended, or otherwise ineligible for award of contracts by or with the GBA

GBA Procurement Services Manager shall monitor and administer the Debarred, Suspended or Ineligible Firms List.

14.3.1 Definition of Ineligible Entities

"A contractor that has been declared in default or a contractor that is owned or controlled by the same person(s), firm(s), or corporations(s) or is a parent, subsidiary, branch, or affiliate of a contractor that has been declared in default, shall not be eligible for award of an additional contract until the default has been cured." Contracts providing that a contractor that fails to meet the Final Completion Date shall trigger when and if a contractor is eligible for award of contract under specific circumstances. Thus, entities listed as "Ineligible" on the Debarred, Suspended or Ineligible Entities List shall include those entities that are currently in default under the terms of a contract and those entities that are ineligible pursuant to a contract provision or agreement.

14.3.2 Definition of Debarred or Suspended Entities

Debarment requires a formal hearing process to ensure that all parties are given notice and an opportunity to be heard upon the alleged violation which is deemed cause for debarment or suspension. The debarment hearing is intended to be fair to those subject to debarment while recognizing GBA's duty to Georgia taxpayers to ensure the quality of all projects. Entities listed as "Debarred" are those entities that have been formally debarred pursuant to policy. Entities listed as "Suspended" shall be so deemed when debarment has been requested but it has been determined there is probable cause to debar the entity, but no final decision has been made pursuant to the Debarment Policy.

Debarment or suspension shall require the concurrence and guidance of GBA Legal Services.

14.4 Solicitations or Award in Violation of Law or Policy

If it is found and confirmed that any award of a purchase has been completed in violation of any law or adopted policy applicable to the procurement functions of the GBA, the Procurement Services Manager or designee shall, in writing, determine the course of action to be pursued regarding the rescindment, suspension or cancellation of award of a purchase.

- Rescindment of Award: All contractual rights granted to the awardee shall be removed in whole and granted to the second lowest bidder or ranked offeror.
- Suspension of Award: Pending final action by the GBA, regarding the actions taken to award in violation of law or policy, all contracting shall cease. Once final resolution is reached the GBA may award or cancel the solicitation. Award may be to the alleged violator or to an alternate bidder/respondent depending on whether it is expedient to do so, it is legal to do so, the new award does not anew violate a policy or law.
- Cancellation of Award. Due to the circumstances discovered regarding the violation of law or policy, it is decided that it is in the best interest of the GBA to cancel award and reissue the solicitation. The party which is relieved of the award is allowed to bid on the new solicitation.

14.5 Taxes

The Georgia Building Authority is exempt from the payment of sales taxes. All sales transacted with the GBA shall tax free. Vendors charging the GBA tax shall be asked to reimburse the GBA for the amount of the tax collected. To ensure that the vendor used is aware of the tax exempt status of the GBA, we have posted a Sales and Use Tax Certificate of Exemption to our website at: <http://sharepoint.spo.ga.gov/Payroll%20Forms/GBA%20Tax%20Exempt%20Form.pdf>. In addition, when using a p card, cardholders are asked to ensure that no point of sales tax is charged. If point of sales tax is charged, a reimbursement will be requested.

14.6 Paying of Interest.

Only the GBA Chief Financial Officer can entertain or pay properly incurred interest. It is a general rule that all financial transactions that will incur interest must first receive approval of the Chief Financial Officer. If a question arises about interest payment on any transaction, please consult with Chief Financial Officer.

As another general rule, Procurement Services may consider interest payments related to prompt payment of invoices or when borrowing to pay for a procurement will initially evaluate interest in a competitive and comparative manner.

14.7 Prompt Payment

GBA will comply with all requirements adopted by the State of Georgia regarding prompt payment of vendors and contractors. The applicable Official Code of Georgia Annotated (O. C. G. A.) reference is as follows:

SECTION 15: SOCIO ECONOMIC CONSIDERATIONS

15.1 Minority Business Participation

The GBA shall conform all its solicitations such that it meets the requirements and intent of the laws of the State of Georgia as cited in the references below from the O. C. G. A. All solicitations issued by the GBA shall make reference to the requirements set forth below in a succinct deferential manner. Specifically, the GBA shall endorse in all their solicitations our compliance with the following sections of law.

15.2 Georgia Income Tax Credit

Contractors and subcontractors who utilize qualified minority subcontractors may qualify for Georgia state income tax credits for qualified payments made to minority subcontractors. See Official Code of Georgia Annotated (O.C.G.A.) §48-7-38 shown below

15.3 Sustainable Procurement

Procurement supports efforts towards creating a sustainable environment and will diligently work to establish policy, support procedure, and create specifications that result in the most sustainable procurement. Public procurement will act as a conduit for fostering social inclusion, equality and environmental objectives.

Sustainable procurement (or Green procurement) results when spending and investment processes typically associated with public policy are linked to the wider agenda of sustainable development. Organizations practicing sustainable procurement meet their needs for goods, services, utilities and works with a view to maximizing net benefits for themselves and the wider world. In doing so they must incorporate extrinsic cost considerations into decisions alongside the conventional procurement criteria of price and quality, although in practice the sustainable impacts of a potential supplier's approach are often assessed as a form of quality consideration. These considerations are typically divided thus: environmental, economic and social (also known as the "triple bottom line" – people, planet and profit). There is no single definition of sustainable procurement – not least because sustainability is a contested concept – and applications vary across organizational hierarchy and sector. However, there is a general acceptance that it involves a higher degree of collaboration and engagement between all parties in a supply chain. Many businesses have adopted a broad interpretation of sustainable procurement and have developed tools and techniques to support this engagement and collaboration.

15.3.1 Processes

- Product-based. This is where an organization examines a products movement along the supply chain and assesses the environmental credentials of themselves and of their suppliers. This path is commonly used when an organization wishes to understand the impact of a product or product range for strategic and marketing purposes. This approach can also provide a vivid picture of supplier processes.
- Supplier-based. An organization may analyze the management systems of a supplier and whether its practices conform with law and to the standards of "buying" organization. Thus, the organization measures the environmental and social risk a supplier may impose upon them. Implemented effectively, this method will show whether a supplier meets the environmental standards of the organization, along with whether suppliers are meeting the requirements of law. In order to assess the management systems companies can use:
 - Self-assessment questionnaires
 - On-site audits programs managed internally or through third parties.

15.4 Local Preference

The GBA prefers when all else is deemed equal to procure products and services from its local vendors and suppliers. Local may be defined as a company registered to do business in the State of Georgia. Registration of companies is performed by the Secretary of State. Companies contracting with the GBA must provide proof from the Georgia Secretary of State that they have properly registered to do business in the state of Georgia (see sample on the left of this page).



15.5 Drug Free Workplace

The GBA requires that any person or business providing services or products shall ensure that no illegal drugs are acceptable for use by its employees. Proof of a program or policy of a drug free workplace shall be required and provided to the respective procurement representative before contracting with the GBA.

15.6 Non-Discrimination

GBA is an "equal opportunity employer." As such, GBA will not discriminate and will take "affirmative action" measures to ensure no practice or policy promoting discrimination in employment, contracting, bidding,

purchases, recruitment, advertisements, compensation, termination, against any employee or job applicant on the basis of race, creed, sexual orientation, color, national origin, or sex is promoted or promulgated.

Small and Minority Business Enterprise Provisions. It is the policy of the State of Georgia that small businesses and minority businesses (see O.C.G.A. §50-5-121 and §50-5-131, respectively – excerpts below) have a fair and equal opportunity to participate in the State purchasing process. Therefore, the GBA encourages all small and minority-owned businesses as defined in statute to compete for contracts to provide goods, services, and construction, and encourages contractors to solicit small and minority-owned businesses in procuring subcontractors and suppliers. This desire on the part of the GBA is not intended to restrict or limit competitive bidding or to increase the cost of the work. The GBA supports a healthy free market system that seeks to include responsible businesses and provides ample opportunity for business growth and development. Contractors and subcontractors who utilize qualified minority subcontractors may qualify for Georgia state income tax credits for qualified payments made to minority subcontractors. See Official Code of Georgia Annotated (O.C.G.A.) O.C.G.A. Section 48-7-38.

15.7 Fair Subcontracting

All vendors doing business with the GBA shall be required to incorporate all provisions, requirements, terms and conditions imposed on the vendor by the GBA into any and all engagements and arrangements of a subcontracted nature entered into by the vendor with a subcontractor to comply with the requirements set forth in the GBA's engagement with the vendor.

15.8 Immigration Provisions/Immigration Act Requirements

All Bidders must have no current or open record of violation of the Immigration Act as applicable to the State of Georgia. Bidder shall verify its compliance with O.C.G.A. § 13-10-91, stating affirmatively on the form provided by the GBA (see sample below) and attached that the individual, firm or corporation which is to be engaged in the physical performance of services on behalf of the Georgia Building Authority (GBA) has registered with, is authorized to use, and uses the Federal Government work authorization program commonly known as "E-Verify" or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the bidder will continue to use the Federal work authorization program throughout the engagement period and will contract for the physical performance of services in satisfaction of the resulting contract only with subcontractors who present an affidavit to the contractor with the information required by O.C.G.A. § 13-10-91(b). Contractor attests that its federal work authorization user identification number and date of authorization are found in said form to be provided with each bid to the respective Procurement Services Representative.

SAMPLE

GEORGIA SECURITY AND IMMIGRATION COMPLIANCE ACT AFFIDAVIT

Project No. and Name: _____
COUNTY OF _____)

STATE OF GEORGIA

Contractor Affidavit under O.C.G.A. § 13-10-91(b) (1)

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services on behalf of (name of public employer) has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the undersigned

contractor will continue to use the federal work authorization program throughout the contract period and the undersigned contractor will contract for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the contractor with the information required by O.C.G.A. § 13-10-91(b). Contractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

Federal Work Authorization User Identification Number

Date of Authorization

Name of Contractor

Name of Project

Name of Public Employer

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, __, 201__ in _____ (city), _____ (state).

Signature of Authorized Officer or Agent

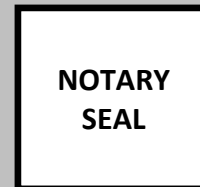
Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME

ON THIS THE _____ DAY OF _____, 201__.

NOTARY PUBLIC
(End of Form)

My Commission Expires:



15.9 Reciprocal Preference

For the purposes of evaluation only, a bidder that resides in the State of Georgia will be granted the same preference over bidders that reside in another State in the same manner, on the same basis, and to the same extent that preference is granted in awarding bids for the same goods or services by such other State to bidders that reside therein. For the purposes of this law, the definition of a resident bidder is one who maintains a place of business with at least one employee inside the State of Georgia. A post office box address will not satisfy this requirement.

SECTION 16: PROPERTY CONTROL

It shall be the responsibility of all individuals issued GBA property to ensure that it is managed within the guidelines set forth in respective policies. Procurement Services will assist departments in meeting the requirements of property control policy by performing the following services:

- Annual inventory of all fixed assets and pilferable items.
- Coordination of all property transfer between agencies and within our agency.
- Providing ready sources of disposal or re-deployment for surplus, obsolete or scrap generated items of the GBA.

Please consult the GBA Disposal of Property Policy located at <http://sharepoint.spo.ga.gov/Purchasing%20Policies/GBA%20Property%20Disposal%20Policy.pdf>.

16.1 Asset Management

GBA Procurement will verify by annual count, dispose of surplus and obsolete assets, account for and audit information recorded in the property records. The annual physical inventory of all property shall be performed by Procurement Services with assistance from the IT Department. An audit of assets will also be performed whenever there is a change of custodian for the property or the user leaves employ of the GBA.

16.2 Responsibility for Enforcement

The responsibility for enforcement for asset management shall fall on the Procurement Services Manager. The Procurement Services Manager shall ensure that personnel involved in the asset management and agency-wide inventory functions have the knowledge, tools and skills to properly process and to administer the required elements and steps of confirmation. The Procurement Services Manager shall monitor, conform and record all actions to applicable rule and law.

16.3 Basic Employee Responsibilities

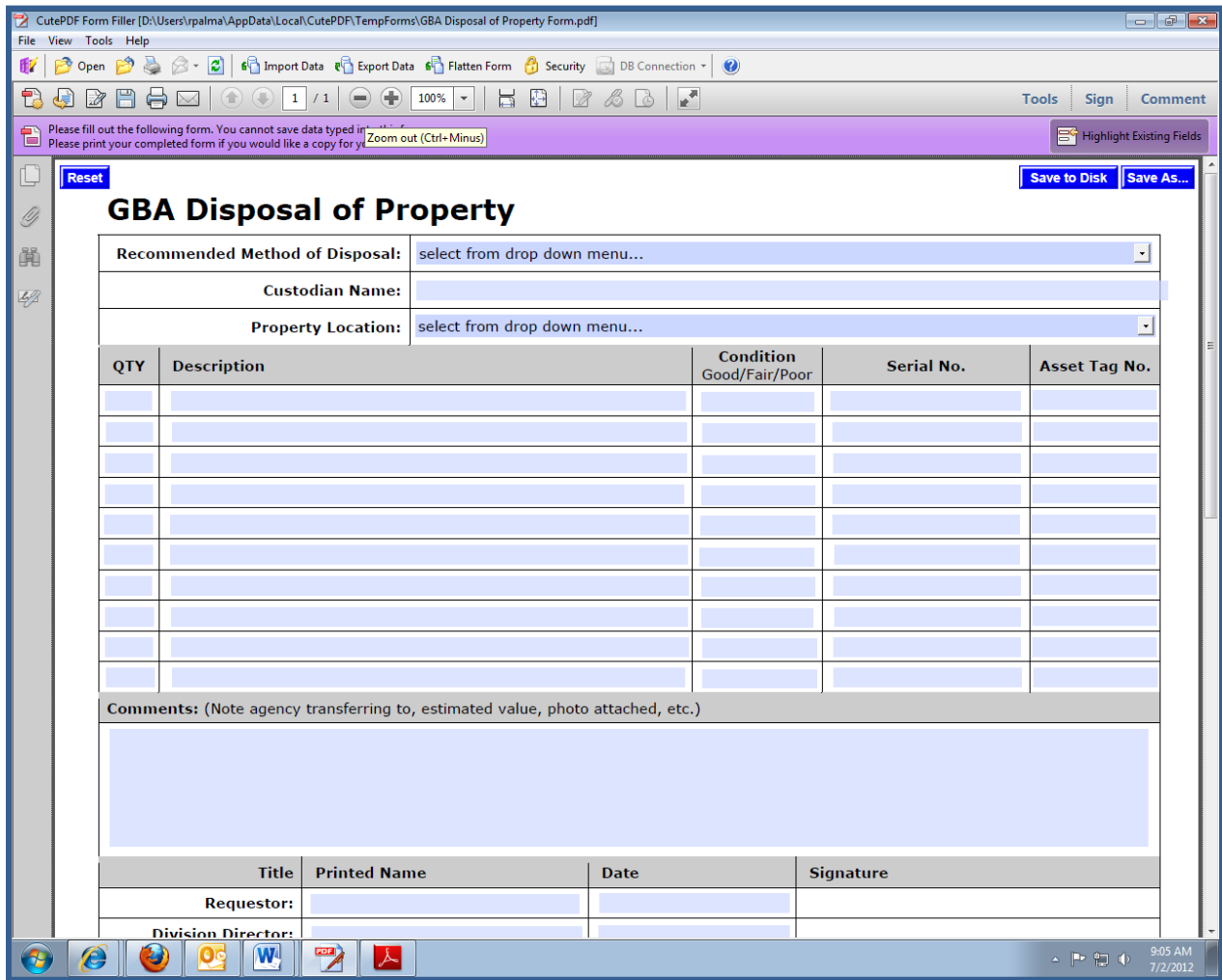
No equipment, furniture, computers and their components shall be moved, disposed of, traded-in, or transferred without prior approval of the Departmental Custodian, Department Director, and Procurement Services Manager.

16.4 Basic Organizational Responsibilities

Under powers granted by the State of Georgia, all assets addressed by this procedure are considered owned by GBA, assigned to departments, and recorded to the specific office in which the assets are physically located. Individuals who move assets without the proper authorization are invalidating property records and placing GBA at risk of audit evaluations.

16.4.1 A "GBA Disposal of Property Form"

Form (see below) shall be initially routed as directed and ultimately approved before any assets are relocated, disposed, redeployed or moved in any manner; this will allow Procurement Services to



maintain current updates of all department inventory records and a manner in which to begin competitive disposal methods as necessary.

16.4.2 Asset Manager

The Procurement Services Manager shall be the de facto Asset Manager for the GBA. As such, the Procurement Services Manager shall be responsible for conducting an annual physical inventory by taking an actual count of all GBA owned asset/equipment to determine the quantity and condition of the equipment and to ensure proper records of inventory for each departmentally held item. This process is done to ensure that the assets recorded in the property system physically exist, to determine unrecorded or improperly recorded transactions, and to identify any excess, defective, or obsolete assets on hand need further processing.

16.4.3 Responsibility of Department Director (Custodian)

Each Department Director is hereby designated as the custodian of all assets for their department. The custodian duties may be delegated but the responsibility for the property assets shall always rest with the director. The director may assign a person as an Inventory Coordinator to maintain an accurate inventory of the department's property and adhere to all procedures and regulations pertaining to management of assets under the directors' custody. The inventory coordinator must assist in

performing physical inventories. Inventory coordinators shall be responsible for the physical count and routine accounting of all assets for their respective department/custodian. The Inventory Coordinator shall notify Procurement Services of any changes in assets (e.g., added/deleted) or of new assets that must be tagged.

It is the responsibility of the Department Director as delegated to the inventory coordinator to:

- (1) Notify all parties when a determination is made that certain equipment is no longer needed by the department to perform its responsibilities;
- (2) Ensure that new equipment is properly marked, identified and loaded into the asset management system;
- (3) Verify location of all equipment within the department when required to do so;
- (4) Notify Procurement Services before moving equipment;
- (5) Notify Procurement Services before borrowing or loaning equipment;
- (6) Notify Procurement Services when equipment is lost, stolen, non-repairable or obsolete.
- (7) Notify FAC of each time there is a change in property custodian.
- (8) Complete a "GBA Disposal of Property Form" (see above) before any equipment is removed from the department, by providing employee's name, address and telephone number and justification for removing equipment from the department as provided for in said form.;
- (9) Return such equipment as laptops, BlackBerry, cellular phones, pagers, etc., to Information Technology (IT) Department before employee is released from employment, either by resignation or termination.
- (10) The Custodian Department Director and Inventory Coordinator are responsible for notifying Procurement Services when an employee is transferred from their department or leaves the employ of GBA. Procurement Services must be notified, in writing at least five days prior to the employee's last day of work. Procurement Services will conduct a site inventory and record the findings. The Procurement Services Manager shall make a determination as to whether or not to pursue actions with against any employee who cannot account for assets assigned to them.
- (11) In the event that custodial changes occur, it is the responsibility of the Department to complete the form and return it to Procurement Services in a timely manner. If changes in inventory occur that are not properly documented and Procurement Services is not notified, the Department Director will be informed and will have to explain the reason(s) procedures were not followed.

16.5 Department Inventory

Under the supervision of the respective Department Director (Custodian), each Department shall be responsible for maintaining and safeguarding the property entrusted. The physical taking of a thorough and complete physical inventory of all property and equipment will be completed annually on a specific date as designated by Procurement Services. Report findings (inaccuracies) will be presented for appropriate resolution.

16.6 Tagged Items

All assets will be tagged with an adhesive barcode label. Labels for the type of asset may be distinguished by color. Labels will carry the asset number along with the words "Property of GBA." Under no circumstances should this tag be altered or removed.

16.7 Pilferable Items

Sensitive equipment items **prone to theft** or misplacement and easily convertible to personal use shall be called pilferable items. At the outset of employment, employees receiving such items will be issued an equipment list for them to acknowledge and record. For the sake of this procedure, pilferable items generally are but not limited to those listed below:

- Laptops, notebooks, I Pads or other form of portable computers
- Computer components (add-on components, purchased separate from computer)
- Printers
- Fax machines
- Typewriters and encoders
- Copiers
- Televisions
- Recording Video devices and the like
- Projectors
- Scanners
- Personal Phones, e.g., Blackberry, I Phones, Pads, Kindles
- Two-way Radios

Small office machines such as typewriters, calculators, tape recorders, etc., are more susceptible to theft than other types of equipment. Whenever is practical, unsecured small items should be placed in locked cabinets at the end of each working day. During absences from the office, doors should be closed and locked. It is the ultimate responsibility of the Department Director to insure adequate security measures are in place.

16.8 Justification for Missing Items

Upon completion of the inventory count and the discovery and verification that any asset counted item(s) are missing or have been somehow lost, the custodian shall file with Procurement Services a memorandum signed by the immediate supervisor describing the following conditions:

- (1) Any discrepancies (i.e., missing property) between the count and the historical data.
- (2) A memo shall be provided to the Procurement Services Manager within ten (10) days after discovering the irreconcilable difference.

- (3) Only verifiable explanations of discrepancies can be accepted. For example, an undocumented but properly executed Disposal Request Form for a move or transfer of property; a police report; a statement from the current custodian receiving the item without proper processing. Note; A statement alone from the Department Director that an item cannot be located or is missing is not a valid explanation.
- (4) If the Department Director determines that an item is truly missing and/or unaccounted for, they must report the theft. A police report of theft is required.

16.9 Summary of Findings

A summary of annual findings shall be maintained by the Procurement Services Director and shared with the Department Director/Custodian.

16.10 Building Inventory Schedule

Procurement Services will conduct an annual inventory of every department and will periodically conduct follow-up physical inventories to ensure the accuracy of property records.

16.11 Newly Purchased Equipment

All newly purchased equipment deemed a fixed asset or otherwise documented, will be tagged or assigned a sequential inventory control number when received. Equipment will be delivered to the department within one to two days of proper identification and receipt.

16.12 P Card Purchases

Fixed assets will generally not be purchased using the p card. Procurement Services on a monthly basis shall review all purchasing card transaction statements to identify items that need to be tagged and added to GBA asset management records.

16.13 Loaned Equipment

Equipment loaned between departments for any extended period of time shall be documented and such documentation shall be recorded as part of the inventory records of GBA.

16.14 Relocation of Property

Prior to relocating on a permanent or temporary basis any recognized assets, departments shall advise Procurement Services of the reason why and place where the relocation shall be implemented. No equipment should be moved without first receiving proper approvals.

16.15 Disposal of Property

Disposal and sale of GBA property shall be done pursuant to applicable policy. A proper form signed by the Department Director, Procurement Services Manager must be completed and accompany the asset which has been deemed ready for disposal as excess, obsolete, otherwise surplus or defective

property/equipment. Departments are strictly prohibited from disposing of any equipment on their own accord.

In general:

- (1) An item may be declared surplus property when it is no longer necessary for the efficient operation of the institution or has been replaced.
- (2) Surplus property shall be disposed of:
 - a. By trading it per adopted procedures and policy;
 - b. By auctioning it off per adopted procedures and policy;
 - c. By selling it in a manner that fosters competition to the extent practical, considering the value of the item and the availability of prospective purchasers adopted procedures and policy;
 - d. With proper documentation, by transference, including by donation to another institution or function within the GBA, a nonprofit organization, the State, or a local government.
 - e. If deemed no value the asset may be scrapped to garner as much value as possible or ultimately trashed as rubbish without any value as described in Section 16.11 below.

16.16 Property Destruction

Property Destruction is authorized when it is in the GBA's best interest for the entity to destroy he property on-site or as part of a properly placed disposal and destruction solicitation package. The request and approval for authorization must occur *prior* to destruction. Authorizations "after-the-fact" will not be issued nor recognized. These transactions are authorized by the Procurement Services Manager upon receipt of all proper documentation.

16.17 Property Control Reports

After the inventory and reconciliation of the data are updated Procurement Services will issue to each inventoried department a report showing the results of the physical inventory. The report may consist of:

- (1) Cover memo explaining the results and what is now required of the department.
- (2) A detailed printout of all department property.

16.18 Building Inventory Schedule

Procurement Services will conduct an annual inventory of every department and will randomly and periodically conduct follow-up physical inventories to ensure the accuracy of property records. A Building inventory schedule shall be maintained by Procurement Services. IT will maintain a similar schedule for all electronic equipment.

16.19 Definitions Related to Property Management

- (1) Capital Equipment- Equipment having a unit cost of \$5000 or more.

- (2) Department – A sub-division of GSFIC, i.e. division, unit or any part thereof.
- (3) Location - Where equipment is placed, i.e. department, building, etc.
- (4) Non-Capital Equipment_– Equipment having a unit cost of less than \$5000.
- (5) Obsolete Equipment - Damaged equipment that is no longer usable or functional.
- (6) Pilferable/Sensitive Equipment- Equipment regardless of cost, that is prone to theft and is easily convertible to personal use. This includes, but not limited to, computer software, firearms, electronic equipment and calculators. This category of equipment does not include desks, chairs, bookcases, and other pieces of furniture under \$500.
- (7) Property Tag - Number stamped on the property control bar-code tag applied to equipment.
- (8) Physical Inventory – Taking an actual count of all assets, to determine quantity of assets on hand relative to proper records of inventory for each department.
- (9) Serial Number – Manufacturer’s identification number assigned to a product.
- (10) Stolen or Missing Equipment – Missing or stolen property that should immediately be reported to the FAC.
- (11) Transferred Equipment – Equipment moved from one department to another, transferring of the responsibility from one Department Director to another.

SECTION 17: VENDOR RELATIONS AND OUTREACH

As promoted in policy and implemented by procedure, GBA will ensure that all vendors and contractors receive total equal and fair treatment in all matters related to any procurement made in support of operations. These include procurements at any dollar level, competitively bid, negotiated or if exempt from competition. It shall be foremost in our procedures that a partnership is recognized and established without compromising the trust of the state’s taxpayers.

Vendors and contractors wishing to do business with GBA shall be guided and trained regarding the following:

17.1 GBA Procurement Policy

Provides the rules and steps to which all procedures must comply. It is the “law” as adopted by GBA. Each buyer will ensure comprehension and understanding from their vendors and contractors.

Website: <http://gba.georgia.gov/02/gba/home/0,2240,59377335,00.html>

17.2 Registering on the GPR (Georgia Procurement Registry)

GPR provides a service or vendor registration using the NIGP Commodity Codes that will notify its subscribers of bids under their chosen categories. The method and reason for enrollment will be spelled out on our website. Location: http://ssl.doas.state.ga.us/PRSapp/PR_index.jsp

17.3 Responding to GBA Solicitations

GBA uses RFP, ITB, RFQC and E-Quotes mostly when competitively soliciting procurements. Derivatives or enhanced versions of these basic documents can and will be used as necessary. Sample documents will be shared on Line.

17.4 Historical Documents – Bidder Info

All bid documents will be maintained electronically by bid number in the GBA’s “V-Drive” or its logical successor. The Contract Administration Module (QuickBase module) will be used as the tool to track all bid and contract documents

17.5 Purchase Orders

Vendors and contractors will be advised as to form and requirements of each purchase order. Emphasis will be on adherence to Terms and Conditions. TBD = Website All vendors will be required to acknowledge their understanding and acceptance of our terms and conditions.

17.6 Shipping/FOB Terms

Without exception, GBA will request that all shipments be pre-paid or shipping costs made part of the billing. Website shall be www.gba.gov . GBA will not take responsibility or liability for the procurement until it reaches the GBA dock and it is accepted by authorized personnel.

17.7 Payment Terms

GBA will endeavor to pay all its vendors within 30 days after receipt of order. GBA adheres to the State’s Prompt Payment statutory provisions. Website: GBA Intranet. No interest will be accrued on unpaid invoices unless allowed by the GBA. Maximum interest is capped at 12% annual.

17.8 Shipping

Shipping shall be by common carrier or delivery over land service. Parties will see this provision in all purchase orders.

17.8.1 Express Shipping

Express or overnight shipping will only be allowed with the prior approval of the requestor’s immediate supervisor. Buyer will ensure proper approvals are received.

17.9 Delivery

Proper delivery will not occur until “final acceptance” is made by the GBA in accordance with the terms and conditions of the engagement. Consult the GBA Procurement Policy and Procedures Manual. The receiving agent for GBA shall ensure that there is no level of requirement unmet by the shipper. The receiving agent has the right to refuse acceptance of any order not shipped in accordance with the requirements of the engagement.

17.10 Returns

GBA shall have the right to return all non-conforming, damaged or otherwise unacceptable shipments. GBA Terms and Conditions can be found at <http://gba.georgia.gov/documents/purchase-order-terms-and-conditions-0>.

The procurement services representative shall coordinate returns with the assistance of the requestor and receiving agent.

17.11 Final Acceptance

Final Acceptance shall occur either by signature on a receiving report, electronic approvals, or implied through the use of the item as conforming to GBA requirements. The procurement services representative shall coordinate Final Acceptance with the assistance of the requestor and receiving agent.

17.12 Vendor Appreciation Events

GBA Will host vendor appreciation events and reverse tradeshow to coincide with known needs, edification of staff and maintaining the principles of what constitutes “Purchasing Month.”

17.13 Outreach

The Procurement Services Manager shall conduct occasional training and “how to do business” workshops with the vendor and contractor community.

- (1) The GBA will participate in the GA-NIGP or Georgia Association of Procurement events such as the annual trade show.
- (2) The GBA will manage tables at special community events describing the manner in which we do business for specialized groups such as the contractor associations and minority business advocates.
- (3) The GBA will post on annual basis reports advising how much of our procurement dollar has been paid to small, minority, women-owned, and disadvantaged businesses.

BENEFITS OF IN-HOUSE WAREHOUSING

The benefits of having an internal warehouse are that the items are readily available to employees. Items are competitively bid and items can be purchased in bulk reducing the cost of the item and lowering shipping charges and/or fuel surcharges. It also reduces the number of trips to the local hardware store saving time and fuel.

SECTION 18: CENTRAL WAREHOUSE AND DISTRIBUTION CENTER

The Central Warehouse and Distribution Center (stockroom) provides a ready source of the supplies and materials that are needed to support the operational functions of the GBA. The stockroom stores in a controlled manner the following representative categories: cleaning and other sanitary products; maintenance supplies; industrial janitorial supplies; and unique items which are used by more than one department, or are used on a repetitive frequent or infrequent basis by one or more department.

18.1 Organizational Structure

The Warehouse Manager is responsible for the supervision of all warehouse personnel assigned to him or her. The Warehouse Manager reports to the Procurement Services Manager. The Warehouse Manager is responsible for ensuring that adequate personnel are assigned to address the demands of the internal customers and delivery companies.

MAXIMO SOFTWARE

At the publishing of this manual, the Maximo Inventory Module is used to control stock at all levels. Orders placed are requisitioned using the Maximo system. Upon issuance the cost is expensed back to the user department or charged to the appropriate work order at the average

18.2 Inventory Type and Process

A FIFO (First In – First Out) inventory will be used to ensure proper distribution of all goods and material stored in the Central Warehouse and all other designated stockrooms. The FIFO process shall ensure that all categories of stock are managed in the most economically sound basis. GBA classifies inventory for management purposes as found in the text box immediately to the left.

The integrity of the process shall be confirmed on an annual basis using external auditor count verification. The inventory shall take into primary consideration the carrying costs, frequency of use, lifetime and demand of the items being stored.

A-B-C Inventory Classification

- Class A: Mission critical; long lead times; sole source; high dollar item.
- Class B: General Commodity Items; off-the-shelf materials; high usage rates.
- Class C: High volume and activity; MRO materials; very low dollar value.

18.3 Supporting Systems

The inventory is an integral part of the fiscal management processes of the organization. Inventory is “sold” from the stockroom in much the same way that a private store sells products or materials to its customers. The warehouse personnel are charged with proper distribution of all products and the

consequential tracking that it entails. To that end, we will require the following steps to ensure proper accountability:

- (1) Material requests must be in writing and reflect the work order number assigned to the inventory sale.
- (2) The person receiving the item on behalf of the user for implementation into a project shall sign as the responsible receiving agent for the item.
- (3) Warehouse Manager shall ensure that all items removed from inventory are properly documented and traceable to the receiving agent.
- (4) Warehouse Manager shall monitor use and purchase adequate restocking materials in a manner that meets the frequency of use. On occasion the Warehouse Manager may overstock in anticipation of higher demand (e.g., melting compound during winter storms) or as requested by a using department in support of a special project. Overstock not used may be maintained for future use or restocked to the vendor provided whatever option chosen provides the most economic option for the GBA.
- (5) Once inventory is issued, the respective electronic system used shall be updated to ensure the most current and accurate count. This sub-process may be accomplished manually or electronically.

- (6) Periodically, all items deemed surplus or obsolete shall be purged from the system using the appropriate forms and processes adopted by the GBA. Below is a synopsis of the process:
- a. Warehouse Manager qualifies a stocked item as “surplus” if it is no longer applicable to the manner in which we do business.
 - b. Warehouse Manager qualifies a stocked item as “obsolete” if it does not have any value relative to its original intent.
 - c. Warehouse Manager with the approval of the Procurement Services Manager issues the “purge list” to all respective personnel agency-wide for deliberation as to its final disposition. Deliberation results shall be either (1) truly surplus or obsolete and may be disposed of in the most economically beneficial manner to the GBA; (2) a redeployment opportunity is recognized either internal or external to GBA and the transfer is made at no cost or at cost for the item; (3) the item is deemed scrap and sold for the elements it consists of; or (4) and item is deemed trash (rubbish) and disposed of in the appropriate manner taking into consideration any liability the GBA may encounter if inappropriately disposed.

18.4 System Amenities

- (1) On-Line Catalogs. The system provides for a picture confirming “on-line catalog” of current stock to assist users in their respective source selection.
- (2) Just In Time. Certain companies used by the GBA offer next day delivery provided a purchasing card is used. Whenever possible, users are asked to order on line for next day deliveries. Proceeding in this manner will reduce administrative expense, reduce storage space needs and reduce handling expense.
- (3) Inventory Control. It is our goal to reduce the value of the inventory without losing optimal performance of the warehouse and its users.
- (4) Bar Coding. All items stocked shall be coded using a barcode system. Scanning and bar coding shall be used in support of annual inventory requirements.

18.5 Specialized Services

- (1) Warehouse may temporarily store surplus or obsolete materials.
- (2) Warehouse may temporarily store archival materials as a staging area.

18.6 Basic Procedures Associated with Warehouse Functions

18.6.1 Definitions:

- (1) Regular Supply Order: Supplies that are needed to carry out the day to day operations of GBA.
- (2) Emergency Supply Order: An unforeseen circumstance that arises and requires immediate action.

(3) Reorder Point: Point in time when purchase of warehouse items will be entered into the Maximo requisition by the Warehouse Manager using the reorder point report. Orders will be sent to the assigned Purchasing Agent who will find the optimal manner in which to restock.

18.6.2 Inventory Adjustments

Adjustments to the Inventory can be made to correct errors in posting, provide credits for returned goods and record damaged goods are documented. Adjustments to compensate for overages/shortages will only be made with the approval of the Procurement Services Manager.

18.7 Ordering Procedures

- (1) The end user determines the need for supplies.
- (2) The end user determines if the needed item(s) is/are available from the Warehouse by looking at the Warehouse Inventory List. The Warehouse Inventory List is available on the Intranet.
- (3) If the merchandise is available from the Warehouse, the employee completes a written request using the Inventory Supply Form. The form can be hand delivered, faxed or emailed (InventoryReq) to the warehouse. End User assures that requestor name, building location, requestor telephone #, sub account # and delivery date are included.
- (4) If the merchandise is not a regular stock inventory item, the end user will follow GBA Purchasing Procedures.
- (5) If the request is an emergency order, upon receipt of the request, warehouse staff will fill the order and deliver immediately or the order will be made available for the end user to pick up.
- (6) All orders, other than emergency orders, that are received at the Warehouse prior to 11:00 a.m., will be filled the day the request is received and delivered or shall be made available for pick up. Orders received after 11:00 a.m. will be delivered next business day or when advised that it is ready for pick up.
- (7) Warehouse staff shall deliver the request to the indicated location along with the Issue Report and the original request.
- (8) Upon delivery, receipt of all items are verified and signed for by the end user.
- (9) The Warehouse staff retains the original copy of the Issue Report and the original request.
- (10) Discrepancies discovered upon delivery are resolved as follows:
 - An incorrect item is returned to the Warehouse and replaced with the correct item the next day. This error is noted on the issue form that is returned to the Warehouse.
 - An overage is returned to the Warehouse and re-stocked. This is documented on the Issue Form.
 - A shortage is pulled from stock and delivered the next day. This is noted on the Issue Form.
 - All discrepancies are corrected in Maximo by Warehouse personnel and the adjustment report is filed with the issue report and the original request.

18.7 Annual Inventory Procedures

An inventory will be conducted annually the month prior to the fiscal year end in June. The inventory will be supervised by the Procurement Services Manager.

- (1) All inventory will be frozen at a pre-designed time and will remain frozen until completion of the external audit and release of inventory by the Procurement Services Manager.
- (2) Designated counting teams acting independently of each other will conduct the inventory. Both teams will use the Inventory Count Form to record their count.
- (3) Counts will be compared against each other and then compared against the Maximo count by the Warehouse Manager and the Procurement Services Manager. If at any time the counts do not agree on a given item, then a recount of that item will be taken.
- (4) Upon completion of the physical inventory count, the Inventory Report shall be finalized and submitted to the Chief Financial Officer.
- (5) Upon external audit confirmation, the Warehouse Manager will notify M2 to make the necessary changes to the inventory count in Maximo.

18.8 Forms

Most forms will be on line. Typical forms are listed below:

- Inventory Item list
- Warehouse Requisition
- Inventory Order Form
- Surplus and Obsolete Item Request

SECTION 19: PROCUREMENT TRAINING PROGRAM

Procurement training shall consist of two a three-pronged approach. We will address the training needs of procurement/warehouse staff, GBA Procurement interfaces and the vendors/contractors. The table below describes the needs and the narrative that follows confirms the processes to be followed.

GROUP	TRAINING NEEDS	PROCESS RESPONSIBILITY
(1) Procurement and Warehouse Staff	<ol style="list-style-type: none">a. Basic purchasing classb. Ongoing process improvementc. Problem-solvingd. Certification requirementse. P Cardsf. Maximo	<ol style="list-style-type: none">a. On Line Power Point - tutorialb. Specialized classes; Procurement Services Director.c. Specialized classesd. NIGP, SPD, otherse. BOA; On-line tutorials; Procurement Stafff. On line tutorials and purchased classes

GROUP	TRAINING NEEDS	PROCESS RESPONSIBILITY
(2) <i>GBA Interfacing Staff and Supervisors</i>	<ul style="list-style-type: none"> (a) <i>Basic Procurement Process</i> (b) <i>Purchase Requisitions</i> (c) <i>Inventory Ordering</i> (d) <i>Receiving</i> (e) <i>P Card Use</i> (f) <i>Maximo Reports</i> 	<ul style="list-style-type: none"> (a) <i>NIGP, SPD, Procurement Services Director</i> (b) <i>Maximo tutorial; Purchasing Staff</i> (c) <i>Maximo/ tutorial; Purchasing & Warehouse Staff</i> (d) <i>Maximo/ tutorial; Purchasing & Warehouse Staff</i> (e) <i>BOA; On-Line Tutorials</i> (f) <i>Maximo</i>
(3) <i>Vendors and Contractors</i>	<ul style="list-style-type: none"> (a) <i>How to Do Business</i> (b) <i>GPR – Georgia Procurement Registry</i> (c) <i>RFP vs. ITB</i> (d) <i>Checklist</i> <ul style="list-style-type: none"> (1) <i>Certificate of Insurance</i> (2) <i>Conflict of Interest</i> (3) <i>PO & Contract Terms and Conditions</i> (4) <i>Instructions for Working on GBA Property</i> (5) <i>Payment & Performance Bond</i> (6) <i>E Verify</i> (7) <i>Immigration Affidavit</i> (8) <i>Proof of Contractor registration as viable GA vendor (Secretary of State)</i> (9) <i>Licenses</i> (10) <i>Subcontracting</i> (11) <i>Principals</i> (e) <i>Socio Economic Issues</i> 	<ul style="list-style-type: none"> (a) <i>On Line Presentation</i> (b) <i>DOAS and tutorials</i> (c) <i>NIGP and Procurement Services Director</i> (d) <i>NIGP and Procurement Services Director</i> (e) <i>NIGP and Procurement Services Director</i>

SECTION 20: Procurement Process Improvement Projects

To maintain the leading edge in all procurement activity, Procurement Services will strive to test its processes against industry standards and best practices. Procurement Services will utilize one or more of the following criteria and compete for the award recognition that accrue to each.

➤ National Procurement Institute (NPI) - Award of Excellence in Procurement



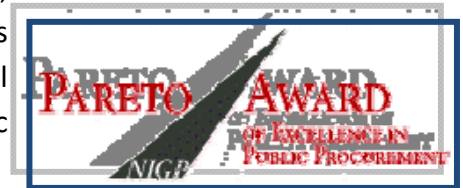
➤ **National Institute of Government Procurement (NIGP) Accreditation Programs**

- NIGP Outstanding Agency Accreditation Achievement Award: The **OA4** recognizes agencies that lead the public procurement profession through the implementation of best practices. The program is founded on a self-evaluation process using the NIGP Agency Accreditation Criteria Form.

Agencies meeting the minimum requirements are OA4-accredited for three years.

- Pareto Award: The **Pareto** award was named after the founder of the 80/20 rule, and is the most prestigious and highest award of agency achievement in our profession. Pareto may be earned only by agencies that have achieved OA4 accreditation and successfully completed a prescribed peer review process. The Pareto Award is not easily earned due to the rigors inherent to the review process. Agencies should allow four to six months to complete the Pareto accreditation assessment.

In addition to seeking out awards such as the ones described above, Procurement Services will address incremental changes to all its processes using flow charting, benchmarking, system evaluations, and technological assessments. The Procurement Services Manager shall use ad hoc committees and peer reviews to seek out improvements.



SECTION 21: ETHICS

GBA supports the Principles of Public Procurement and has adopted them as part of our Procurement Policy. Specifically:

21.1 Principles and Values of Public Procurement

VALUES AND GUIDING PRINCIPLES

GBA adopts the “Values and Guiding Principles of Public Procurement” developed by the National Institute of Governmental Purchasing (NIGP):

Accountability

Take ownership and be responsible to stakeholders to preserve the public trust and protect the public interest.

Ethics

Act in a manner true to these values to preserve the public’s trust.

Impartiality

Ensure fairness through unbiased decision-making.

Professionalism

Uphold high standards of job performance and ethical behavior to balance diverse public interests.

Service

Assist stakeholders to support the public good.

Transparency

Provide easily accessible and understandable policies and processes to demonstrate responsible use of public funds.

21.2 NIGP Code of Ethics

GBA hereby adopts the NIGP Code of Ethics as the primary ethical code applicable to the transaction of business and conduct of all procurement personnel.

21.3 Annual Ethics Training

All GBA Procurement personnel shall review and report to their respective managers the completion of the review of the existing State of Georgia ethics policy and NIGP Code of Ethics.

GLOSSARY OF PROCUREMENT TERMS

Addendum or Addenda

With respect to a solicitation an addendum (or plural addenda) are officially issued supplemental information to be incorporated, evaluated or considered by respondents of a particular solicitation.

With respect to a contract or agreement, addendum or addenda materially change the content of a contract by adding pertinent and compliable information to be adhered to by one or more of the contractual parties. A contractual addendum may or may not create a compensable condition.

Amendment

With respect to a contract or purchase order, an amendment provides for the modification of the original confirming contract or purchase order through mutual agreement of the parties. An amendment may or may not create a compensable condition.

Change Order

A mutually agreed to action between parties that is unilaterally let by the Owner of the work. The change order may or not create additional compensation.

CPPB – Certified Professional Public Buyer

A professional certification earned by experienced and qualified procurement personnel through the Universal Public Procurement Certification Council (UPPCC).

CPPO – Certified Professional Procurement Officer

A professional certification earned by experienced and qualified Procurement Services Directors or directors through the Universal Public Procurement Certification Council (UPPCC).

DOAS – Department of Administrative Services

DOAS is the Department under the State of Georgia organizational structure that provides policy guidance and carries out statewide functions sanctioned by law with respect to procurement matters. Authorities such as GBA must follow statutory requirements but not administrative matters used by DOAS to carry out its administrative functions.

DPA – Delegated Procurement Authority

Procurement process or steps assigned to other parts of the GBA organization besides Procurement Services is called delegated authority. In addition, any procurement matter assigned to Procurement Services by the GBA's Executive Director through the Deputy GBA Executive Director is called delegated authority and is limited as to what is allowed in law and in the GBA By Laws.

eProcurement

Procurements advertised, solicited, awarded and managed using no paper are called "eProcurements or electronic procurements". GBA uses the DOAS' eSource method to perform its electronic procurements.

GCI – Georgia Correctional Industries

As statutorily sanctioned, the Department of Corrections in Georgia may use its inmate labor to produce marketable commercial and industrial goods. GBA may purchase GCI products without competition.

GPM – Georgia Procurement Manual

These are the guidelines for policy and procedures issued by the DOAS for statewide use. Visit the following address for the latest document:

http://doas.ga.gov/StateLocal/SPD/Docs_SPD_Official_Announcements/GeorgiaProcurementManual.pdf

NIGP Dictionary

GBA adheres to the definitions found in the “NIGP Dictionary of Purchasing Terms” found at the following Intranet Policies and Manuals Section of the webpage located at:

<http://sharepoint.spo.ga.gov/Pages/Policies.aspx>.

Procurement Services Representative/Issuing Officer

For all solicitations GBA procurement shall designate a single individual responsible for ensuring that the bidders in the case of an ITB and offerors in the case of an RFP are properly informed and that the solicitation is properly managed. This individual shall be an employee of GBA Procurement Services.

Request for Proposal (RFP)

See Section 3.2.6 – whereby a solicitation method may be used that requires the use of qualitative selection criteria. The solicitation shall be evaluated using elements other than cost, responsiveness and responsibility.

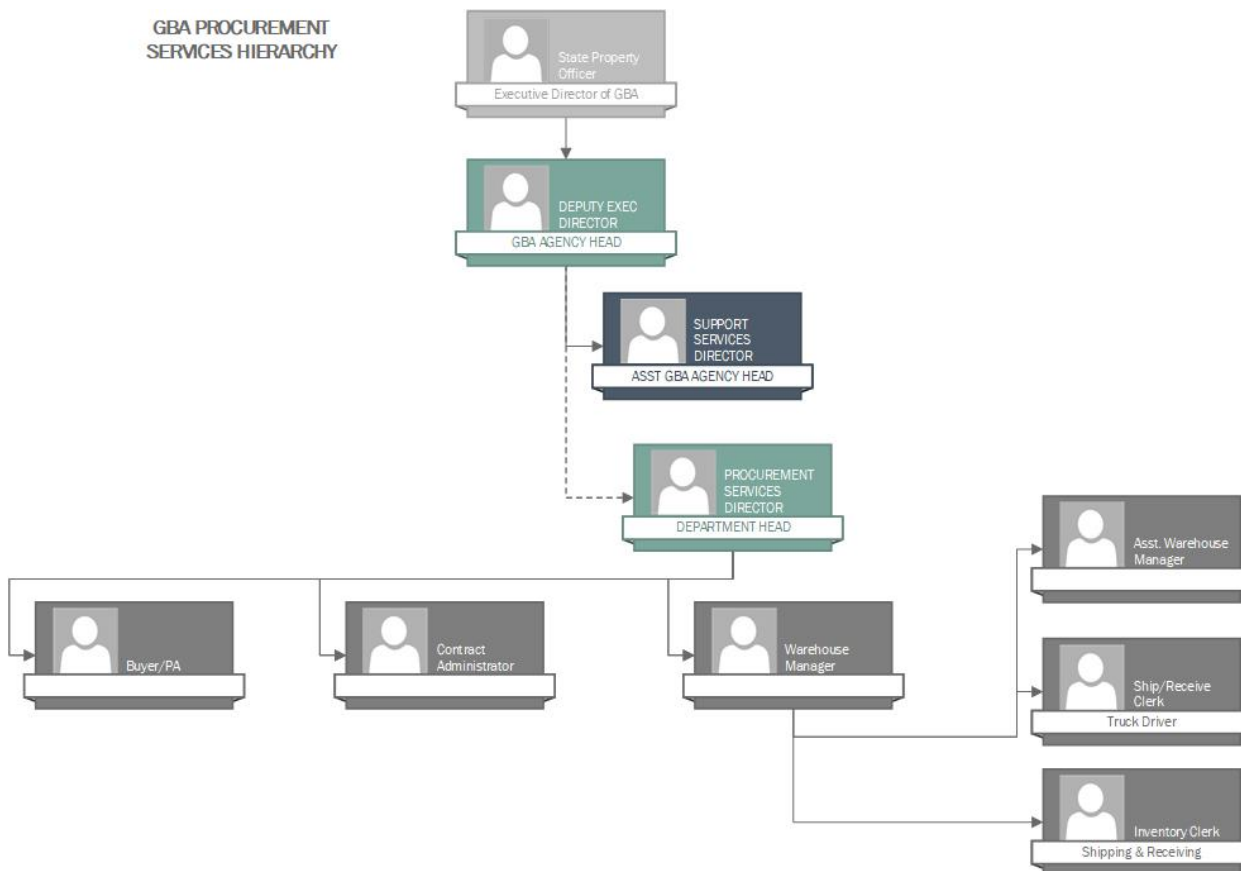


Figure 1 - GBA PROCUREMENT SERVICES ORG CHART

EXHIBITS SECTION

Exhibit 1: By Laws: Location

F:\GBA PROCUREMENT\Policy&Procedure\LAW & REGULATIONS

Exhibit 2: Enabling Legislation

F:\GBA PROCUREMENT\Policy&Procedure\LAW & REGULATIONS

Exhibit 3: BVS Selection Criteria

Exhibit 4: RFP Process

F:\GBA PROCUREMENT\Policy&Procedure\PROCESS & PROCEDURE

Exhibit 4A: ITB Process

F:\GBA PROCUREMENT\Policy&Procedure\PROCESS & PROCEDURE

Exhibit 5: Code of Ethics

Manual

EXHIBIT 5

NATIONAL INSTITUTE OF GOVERNMENTAL PURCHASING NIGP CODE OF ETHICS

The Institute believes, and it is a condition of membership, that the following ethical principles should govern the conduct of every person employed by a public sector procurement or materials management organization.

Seeks or accepts a position as head (or employee) only when fully in accord with the professional principles applicable thereto and when confident of possessing the qualifications to serve under those principles to the advantage of the employing organization.

Believes in the dignity and worth of the service rendered by the organization, and the societal responsibilities assumed as a trusted public servant.

Is governed by the highest ideals of honor and integrity in all public and personal relationships in order to merit the respect and inspire the confidence of the organization and the public being served.

Believes that personal aggrandizement or personal profit obtained through misuse of public or personal relationships is dishonest and not tolerable.

Identifies and eliminates participation of any individual in operational situations where a conflict of interest may be involved.

Believes that members of the Institute and its staff should at no time, or under any circumstances, accept directly or indirectly, gifts, gratuities, or other things of value from suppliers, which might influence or appear to influence purchasing decisions.

Keeps the governmental organization informed, through appropriate channels, on problems and progress of applicable operations by emphasizing the importance of the facts.

Resists encroachment on control of personnel in order to preserve integrity as a professional manager.

Handles all personnel matters on a merit basis, and in compliance with applicable laws prohibiting discrimination in employment on the basis of politics, religion, color, national origin, disability, gender, age, pregnancy and other protected characteristics.

Seeks or dispenses no personal favors. Handles each administrative problem objectively and empathetically, without discrimination.

Subscribes to and supports the professional aims and objectives of the National Institute of Governmental Purchasing, Inc.

GUIDELINES TO THE NIGP CODE OF ETHICS

I. RESPONSIBILITY TO YOUR EMPLOYER

Follow the lawful instructions or laws of the employer.

Understand the authority granted by the employer.

Avoid activities, which would compromise or give the perception of compromising the best interest of the employer.

Reduce the potential for any charges of preferential treatment by actively promoting the concept of competition.

Obtain the maximum benefit for funds spent as agents for the employer.

II. CONFLICT OF INTEREST

Avoid any private or professional activity that would create a conflict between your personal interest and the interests of your employer.

Avoid engaging in personal business with any company that is a supplier to your employer.

Avoid lending money to or borrowing money from any supplier.

III. PERCEPTION

Avoid the appearance of unethical or compromising practices in relationships, actions and communications.

Avoid business relationships with personal friends. Request a reassignment if the situation arises.

Avoid noticeable displays of affection, which may give an impression of impropriety.

Avoid holding business meetings with suppliers outside the office.

When such meetings do occur, the meeting location should be carefully chosen so as not to be perceived as inappropriate by other persons in the business community or your peers.

IV. GRATUITIES

Never solicit or accept money, loans, credits or prejudicial discounts, gifts, entertainment, favors or services from your present or potential suppliers which might influence or appear to influence purchasing decisions.

Never solicit gratuities in any form for yourself or your employer.

Items of nominal value offered by suppliers for public relations purposes are acceptable when the value of such items has been established by your employer and would not be perceived by the offeror, receiver or others as posing an ethical breach. Gifts offered exceeding nominal value should be returned with an explanation or if perishable either returned or donated to a charity in the name of the supplier. In the case of any gift, care should be taken to evaluate the intent and perception of acceptance to ensure that it is legal, that it will not influence your buying decisions, and that it will not be perceived by your peers and others as unethical.

V. BUSINESS MEALS

There are times when during the course of business it may be appropriate to conduct business during meals. In such instances, the meal should be for a specific business purpose.

Avoid frequent meals with the same supplier.

The purchasing professional should be able to pay for meals as frequently as the supplier. Budgeted funds should be available for such purposes.

VI. CONFIDENTIAL INFORMATION

Keep bidders' proprietary information confidential.

Develop a formal policy on the handling of confidential information.

VII. RELATIONSHIP WITH THE SUPPLIER

Maintain and practice, to the highest degree possible, business ethics, professional courtesy, and competence in all transactions.

Association with suppliers at lunches, dinners or business organization meetings is an acceptable professional practice enabling the buyer to establish better business relations provided that the buyer keeps free of obligation. Accordingly, it is strongly recommended that if a seller pays for an activity that the buyer reciprocate.

Purchase without prejudice, striving to obtain the maximum value for each dollar of expenditure.

Preclude from showing favoritism or be influenced by suppliers through the acceptance of gifts, gratuities, loans or favors.

Gifts of a nominal value that display the name of a firm which is intended for advertisement may or may not be accepted in accordance with the recipient's own conscience or jurisdictional rules.

Adhere to and protect the supplier's business and legal rights to confidentiality for trade secrets, and other proprietary information.

Refrain from publicly endorsing products.

VIII. RELATIONSHIP WITH THE EMPLOYER

Remain free of any and all interests and activities, which are or could be detrimental or in conflict with the best interests of the employer.

Refrain from engaging in activities where the buyer has a significant personal or indirect financial interest.

Exercise discretionary authority on behalf of the employer.

Avoid acquiring interest or incurring obligations that could conflict with the interests of the employer.

IX. RELATIONSHIPS WITH OTHER AGENCIES AND ORGANIZATIONS

A buyer shall not use his position to exert leverage on individuals or firms for the purpose of creating a benefit for agencies or organizations that he may represent.

All involvement and transactions shall be handled in a professional manner with the interest of the buyer's employer taking precedent.

X. RELATIONSHIP WITH PROFESSIONAL PURCHASING ORGANIZATIONS AND ASSOCIATIONS.

It is the obligation and the responsibility of the buyer, through affiliation with professional organization, to represent that organization in a professional and ethical manner.

A buyer shall not use his position to persuade an individual or firm to provide a benefit to an organization.

XI. POLICY

It is the policy of NIGP that any member of the Institute who personally, or on behalf of his local chapter, is involved in the process of acquiring advertisers and/or exhibitors on behalf of the Institute, shall act only in the capacity of providing referrals of potential or interested parties to the Institute. As a result of such referral, should the Institute form a contractual obligation, appropriate credit shall be given to the individual or chapter.

GBA serves the public trust. We make it our mission to be ethical in all matters of service delivery to our clients



Search GO

Mobile | [FAQ](#) | [Site Map](#) | [Jobs](#) | [Online Services](#) | [Contact Us](#)

About GBA

Vision & Mission

[Governing Board](#)

[Organization](#)

[Leadership Team](#)

[Career Opportunities](#)

[FAQ](#)

Services

[Buildings](#)

[Events Calendar](#)

[Tenant Notifications](#)

[Forms](#) | [Publications](#) | [Policies](#)

[Contact Us](#)

[Home](#) > [About GBA](#) > [Vision & Mission](#)

Vision & Mission



Vision

Setting the standard of excellence for facility management in government.

Mission

To provide a clean, comfortable, and safe environment on Capitol Hill.

Values

We believe in...

- Excellence
- Integrity
- Respect

We will...

- Serve with competence, efficiency, and pride.
- Uphold our customers' trust.
- Demonstrate fairness, courtesy, and understanding.



Georgia Building Authority

Vision: Setting the standard of excellence for facility management in government.

Mission: To provide a clean, comfortable, and safe environment on Capitol Hill.

Values:

We believe in...

- Excellence
- Integrity
- Respect

We will...

- Serve with competence, efficiency, and pride.
 - Uphold our customers' trust.
- Demonstrate fairness, courtesy, and understanding.