

How to do Business with Williamson County



A Guide for Interested Vendors

Provided by the

**Williamson County Purchasing Department
301 SE Inner Loop – Suite 106
Georgetown, TX. 78626
(512) 943-3553
www.wilcogov.org/Procurement**

WELCOME TO THE WORLD OF WILLIAMSON COUNTY PURCHASING!

This manual has been developed to assist those vendors that are interested in doing business with our county. Whether you are a first time vendor, or you have been doing business with us for many years, this manual should help you more fully understand the legal and ethical responsibilities of the Williamson County purchasing department. We hope that it will clearly illustrate all of the areas within the county that you might expect to do business with us, as well. We'll talk about the payment process, so that you understand what to expect when we enter into a cooperative venture. We'll talk about small purchases as well as our larger ones, and spot type purchases compared to publicly bid purchases. We'll conclude by describing what we expect in order to maintain the business relationship once it begins.

The concept we used to develop this manual was to try to give as much practical information as possible, while keeping it simple when we could. We did try to keep it as non-technical as possible.

No one manual can cover every possible situation. We've done the best we could, and hopefully there are no outright blunders included.

If there is an area where we didn't cover the problem you are facing, don't despair. We can still help. Call us at 943-3553, - and we'll see if we can find an answer for you!

Sincerely,

Bob Space

Bob Space
Purchasing Director

Table of Contents

1. The Law
2. Code of Ethics
3. Business Principles
4. Purchasing Philosophy
5. Billing/Payments
6. Vendor Checklist
7. Important Contact Information
8. Purchasing Department Contact Information
9. General list of commodities/services and bid dates
10. Website information
11. Maintaining the business account

Purchasing Law

The most important aspect of our purchasing effort is adherence to applicable statutory requirements. Regardless of how attractive a business offer may be it simply cannot be done, under any circumstances, unless it follows applicable law.

The laws that govern the way counties procure goods and services in large part is specified in the Texas Local Government Code, Chapter 262.021, Subchapter C, as well as the County Purchasing Act. This information relates to the specific bid requirements prior to a purchase being made.

There are other laws as well, such as the Texas Local Government Code, Chapter 113.901, Subchapter Z, which requires the issuance of Purchase Orders prior to a purchase.

At times purchasing law for government appears to be restrictive, clumsy, time consuming, and expensive. In reality, when properly executed, it is just the opposite. When properly done it opens many more possibilities because of the public advertising, is very streamlined because of the legal guidelines, and can take about the same amount of time as in the private sector when an organization follows wise and prudent business procedures.

The following flowchart should help you understand what we are required to follow prior to making a commitment to purchase. Generally speaking, there are two rules of thumb: one, if the total amount of the purchase to be made will cause the county to have spent more than \$ 25,000.00 during the current budget year, the county cannot make the purchase without a public sealed bid process; second, all departments are required by county purchasing policy to obtain a minimum of three price quotes on spot type purchases that do not fall under the \$ 25,000.00 statutory limit. If you have any questions regarding the flowchart, or our purchasing policy, please give us a call.

**IS THE ESTIMATED DOLLAR
AMOUNT OF THIS PURCHASE
MORE THAN \$25,000 ?**

**(This is the cumulative
amount for this budget year
of this commodity)**

YES

NO

**IS NEED DEFINED AS
"EMERGENCY"
AND/OR "SOLE
SOURCE"**

**OBTAIN A MINIMUM
OF 3 PRICE
QUOTATIONS**

YES

NO

**HAS IT BEEN
DESIGNATED AS
SUCH BY THE
COMMISSIONERS
COURT ?**

**AWARD TO LOWEST
AND BEST**

**STATE PURCHASING AND
COOPERATIVE PURCHASING
AGREEMENTS ARE
POSSIBILITIES IN BOTH
CASES.**

**IF USED - THEY EXEMPT THE
NEED FOR PUBLIC
ADVERTISING**

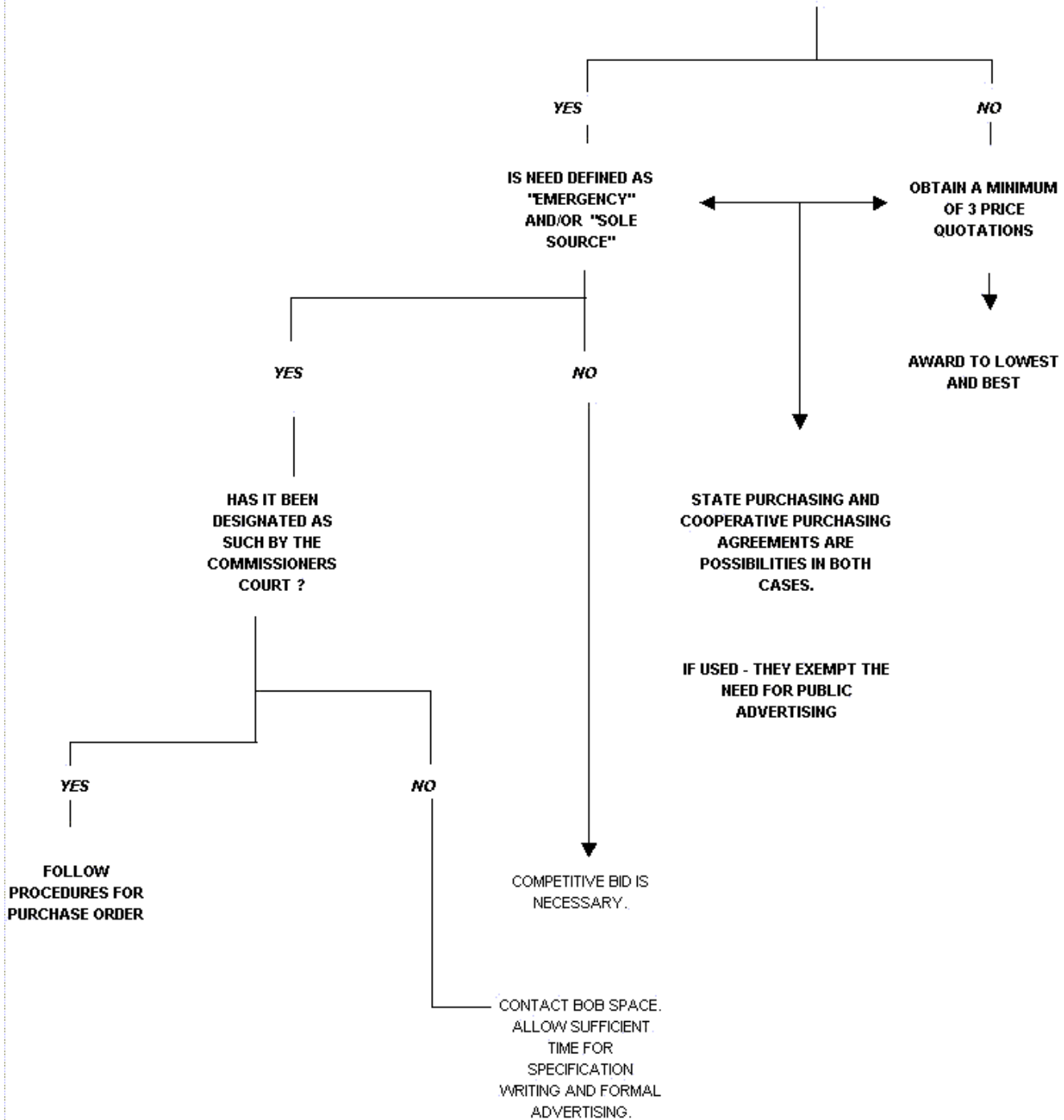
YES

NO

**FOLLOW
PROCEDURES FOR
PURCHASE ORDER**

**COMPETITIVE BID IS
NECESSARY.**

**CONTACT BOB SPACE.
ALLOW SUFFICIENT
TIME FOR
SPECIFICATION
WRITING AND FORMAL
ADVERTISING.**



Code of Ethics

Williamson County has adopted a Purchasing Policy that incorporates a strict code of ethics and provides guidelines for proper procurement procedures. County employees, as well as vendors are expected to adhere to this policy. As a part of the purchasing manual, the Code of Ethics serves as a constant reminder of how county purchasing is expected to occur, and under what type of conditions. The underlying premise of this policy is to:

- Protect the county's integrity
- Ensure that public monies are spent properly, legally, and for public projects only
- Assure fairness in competitive access to the county's procurement by responsible vendors.

(Taken from the Williamson County Purchasing Manual)

COMMITMENT TO THE HIGHEST ETHICAL STANDARDS....

People involved in the purchasing process are exposed to more than ordinary temptation to abuse the powers of their office. This is because they direct the spending of a large amount of public money. Of course, it's a serious breach of the public trust to subvert the public purchasing process by directing purchases to certain favored vendors, or to tamper with the competitive bidding process, whether it's done for kickbacks, friendship or any other reason.

The statutes governing local government purchasing impose criminal penalties for violating the provisions of the various Acts. In addition, many local governments impose sanctions for violation of local ordinances on purchasing.

Since any misuse of the purchasing power of a local government carries such drastic consequences, and many such misuses are from a lack of clear guidelines about what constitutes an abuse of office, the guidelines outlined in this manual and the Code of Ethics outlined on the following page, must be strictly adhered to.

Williamson County also requires ethical conduct from those who do business with the county. Contracts will contain a clause stating that any effort to influence an employee to violate the standards of the Code is grounds to void the contract. Vendors to the government are required to certify that they will not attempt to influence any employee to violate the Code.

CODE OF ETHICS

Statement of Purchasing Policy

"Public employment is a public trust. It is the policy of Williamson County to promote and balance the objective of protecting the county's integrity and the objective of facilitating the recruitment and retention of personnel needed by Williamson County. Such policy is implemented by prescribing essential standards of ethical conduct without creating unnecessary obstacles to entering public service.

Public employees must discharge their duties impartially so as to assure fair competitive access to governmental procurement by responsible contractors. Moreover, they should conduct themselves in such a manner as to foster public confidence in the integrity of the Williamson County procurement organization.

To achieve the purpose of this Article, it is essential that those doing business with Williamson County also observe the ethical standards prescribed here."

General Ethical Standards

1. It shall be a breach of ethics to attempt to realize personal gain through public employment with Williamson County by any conduct inconsistent with the proper discharge of the employee's duties.
2. It shall be a breach of ethics to attempt to influence any public employee of Williamson County to breach the standards of ethical conduct set forth in this code.
3. It shall be a breach of ethics for any employee of Williamson County to participate directly or indirectly in procurement when the employee knows that:
 - the employee or any member of the employee's immediate family has a financial interest pertaining to the procurement;
 - a business or organization in which the employee, or any member of the employee's immediate family, has a financial interest pertaining to the procurement; or
 - any other person, business or organization with whom the employee or any member of the employee's immediate family is negotiating or has an arrangement concerning prospective employment is involved in the procurement.

4. Gratuities. It shall be a breach of ethics to offer, give or agree to give any employee or former employee of Williamson County, or for any employee or former employee of Williamson County to solicit, demand, accept or agree to accept from another person, a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, preparation of any part of a program requirement or purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity in any proceeding or application, request for ruling, determination, claim or controversy, or other particular matter pertaining to any program requirement or a contract or subcontract, or to any solicitation or proposal therefore pending before this government.
5. Kickbacks. It shall be a breach of ethics for any payment, gratuity or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier subcontractor for any contract for Williamson County, or any person associated therewith, as an inducement for the award of a subcontract or order.
6. Contract Clause. The prohibition against gratuities and kickbacks prescribed above shall be conspicuously set forth in every contract and solicitation therefore.
7. It shall be a breach of ethics for any employee or former employee of Williamson County knowingly to use confidential information for actual or anticipated personal gain, or for the actual or anticipated gain of any person.

Williamson County Purchasing Efforts are based on:

“Sound Business Principles”

The information that follows has been taken from the Williamson County Purchasing Manual. Departments are required to follow these guidelines; therefore it would be beneficial to review them to know exactly what the purchasing department requires of the individual departments.

COMPETITIVE BIDDING - AN EXPLANATION....

Competitive bidding means letting the available vendors compete with each other to provide goods and/or services. In the case of local governments, the bidding process has two additional purposes.

The first purpose is to ensure that the public monies are spent properly, legally and for public projects only, and that the best possible value is received for the money. The second purpose is to give those qualified and responsible vendors who desire to do business with the County a fair and equitable opportunity to do so. The use of a standard bidding procedure gives the public assurance that their monies are properly safeguarded.

Competitive bidding can be accomplished on two levels. The first level of bidding consists of contacting vendors, either by telephone or in writing, to allow them the opportunity to give a price quotation on a desired good or service. The next level uses formal sealed bids, which is the process that is normally referred to as "competitive bidding."

Price quotations should be sought on all purchases less than the dollar level which requires sealed competitive bids, unless the purchase is a relatively minor purchase or an emergency purchase. Even emergency purchases should use all practical means to obtain the best price available. This is discussed in the section on negotiated or non-bid purchases.

Formal sealed bids are used for those bids exceeding a set dollar level, specified by statute. The bid consists of the items offered by the vendor in response to the specifications, along with details governing the offer. Bidding for the various local governments is controlled by the appropriate purchasing statute. All statutes contain the following general requirements:

The bids are to be advertised, based on the specifications and conditions of purchase provided by the government.

Bids are received until a certain future date and hour set out in the specifications. After that date and time, no further bids are accepted.

The bids are opened at the specified date and hour, and submitted to the governing body. Generally the lowest and best responsible bid is accepted, but only one bid may be accepted. If no bid is found to be acceptable, the entire bidding process **must be repeated**.

It should be the consistent policy of the county to use competitive principles in awarding all public contracts of any amount with very limited exceptions. This includes the purchase and lease of goods, the purchase of services, and construction projects. These competitive principles should apply to all departments and divisions of the county.

Bids may be subject to bonding requirements. Typically, a bid bond may be required for public works projects or on bids exceeding \$100,000. This is to ensure that if the bidder attempts to withdraw after his bid is accepted, the county will not suffer loss.

The successful bidder on a public works contract exceeding \$25,000 must post a performance bond. The successful bidder on any other contract exceeding \$50,000 may have to post a performance bond if required by the county.

Bonds are to be executed with a surety company authorized to do business in this state.

The county should always use careful judgment in deciding whether to require a bond when there is a choice. If there is substantial danger of loss, a bond should be required. But remember that the cost of bonding will undoubtedly be passed along in the contract price. Also, some smaller contractors may find it difficult to obtain or afford large bonds, and may be shut out of the bidding. Bid bond requirements are contained in the purchasing law section.

COMPETITIVE PROPOSALS - AN EXPLANATION

Competitive Proposals are similar to competitive bids, but are limited in scope by Texas statutes. They can only be used for procurement of high-technology products or services. Counties can also use competitive proposals for procuring insurance. The chief differences are:

The specification is written using performance standards rather than the description of the good or service. The specification also lists the factors by which the proposal will be judged, and the weight to be given to each factor.

Vendors submit proposals of their own design for a system to satisfy the requirement set forth in the proposal. Proposals may incorporate entirely different hardware or services to accomplish the same performance.

After proposals are received, the county may enter into negotiations with as many vendors as have submitted feasible proposals in order to arrive at the best possible proposal for each vendor.

A LOOK AT

INVITATIONS TO BID / REQUESTS FOR PROPOSALS

Invitations to Bid (ITB)/Requests for Proposals (RFP) Its and Raps are the means for notifying vendors that the county has specific requirements for goods/services and that they are being offered an opportunity to fulfill those requirements.

These documents are designed to solicit bids or proposals from well-qualified vendors. They are usually sent to vendors known to provide the particular commodity, or who are on a list of vendors as providing that particular commodity. The ITB/RFP is also advertised in the local newspaper according to statutory requirements.

Competitive bidding and competitive proposals are required by statute for purchases over certain dollar limits. Currently, most counties and all cities with over 50,000 population must competitively bid all contracts for amounts exceeding \$25,000.

The system should be simple and practical, and the bids must be advertised as widely as possible, for competition to work. Complicated bid invitations or requests for proposals discourage competition and drive up prices.

ITBs and RFPs may be cancelled by the county at any time before the date set for opening bids. Notice should be mailed to all vendors receiving bid/proposal invitations.

ITBs and RFPs may also be modified after being issued. When modifications are required, the same requirements for notification and advertising are required. The modification notification should state whether the bid opening date is or is not extended. The bid opening date must be extended if the period from the date the modification or amendment is issued is less than the required notification period. When considering an amendment or modification it is important to remember that the required notification period occurs before the 14th day prior to the date of the bid opening.

PROCEDURE FOR MAKING NORMAL NON-BID PURCHASES...

For any purchase that is less than the level requiring competitive bids, the following procedures should be used:

A. Obtaining Price Quotations. Price quotations should be obtained from a sufficient number of vendors to ensure competition. The required number that is recommended is a minimum of 3 (three). However, based on the buyer's professional judgment, as many as ten price quotes may be requested, based on the estimated cost of the purchase.

Procedures for obtaining price quotations are not established by state law, and may be structured according to the needs of the county. The following procedures

are suggested, although the county should set the dollar levels based on its own requirements.

1. Purchases costing between \$2000 and the bid limit. On receiving a requisition for a purchase below bid limits, but costing \$2000 or over, purchasing consults its vendor file for reliable vendors providing the desired good or service.

(a) Written requests for price quotations are sent to at least five vendors. The list of vendors should be rotated so that, over time, all vendors are contacted an approximately equal number of times.

(b) The request for price quotations should be on a standard form. It should contain at least the following information:

- (1) name and address of vendor,
- (2) description of item,
- (3) quantity required,
- (4) last date quotations accepted,
- (5) approximate date delivery is required, and
- (6) terms and conditions of purchase.

(c) The standard form should request certain specific information, such as:

- (1) total or unit price, as specified, and
- (2) the date through which quoted price will be effective.

(d) The request for price quotations should require that the quoted price would be honored during the stated period.

2. Purchases costing less than \$2000. On receiving a requisition for a purchase for less than \$2000, purchasing consults its vendor file for reliable vendors providing the desired goods and/or services.

(a) Written or telephone requests for price quotations are made to at least three vendors. The list of vendors should be rotated so that all vendors are contacted an approximately equal number of times.

(b) The written price quotations are made as described for purchases over \$2000.

For telephoned price quotations, certain information should be provided to the vendor, including at least the following:

- (1) description of item,
- (2) number of items required,

(3) date delivery required, as accurately as possible, and

(4) the terms and conditions of purchase.

(c) Whether a written or telephoned price quotation is received, certain specific information should be obtained, and recorded in writing, such as:

(1) the name and address of the vendor,

(2) total or unit price, as specified,

(3) date through which quoted price will be effective,

(4) name of the representative giving the quote, and

(5) the specific product offered, if not already stated.

B. Selecting the Vendor. After price quotations are taken, a vendor is selected. The selection is based on several factors, including:

- price - All other factors being equal, the lowest price should always be taken.
- quality of good or service - If more than one vendor can deliver at an acceptable price, the relative quality of each should be considered.
- reliability of the vendor - Based on past performance as documented in the vendor file.
- ability to service the item.
- Other relevant factors.

Philosophy of the Purchasing Department

The philosophy related to the Williamson County Purchasing effort is quite simple. We believe in helping our departments get what they need as quickly as possible. There are however, specific guidelines that we all must follow. We simply cannot make a purchase without following the law that is specific to that purchase. Additionally, there are rules and guidelines regarding wise and prudent business practices that have been placed in the process to assure that the tax dollars expended return the most benefits possible. For most governmental entities this is a lengthy, cumbersome, and time-consuming process. However, in Williamson County, we believe that we have effectively removed many of the obstacles that other governmental entities have in the purchasing flow process. We have done this by working with the departments, utilizing their talents and resources to make purchases. We believe that as the end users, they know what they need to do their job in the most professional manner possible. We listen closely to them, hearing their needs. We work closely with them, regarding budgetary issues. When the purchasing process is complete, the result is that they are more satisfied with their goods and services because they have had a great deal of involvement in the process, and they have accomplished this following statutory requirements and court mandates for wise business practices.

What does this all mean to you? After all, all that you asked was how to do business with us.

We hope that this explanation will tell you several things. We hope that you understand that our efforts allow us to work together as a team to assure that we get what we want when we make a purchase. As a vendor, you know when you sell us something, that all of the applicable laws have been followed in our buy/sell agreement. Having said that, most likely the most valuable information to you at this point is this; for you to do business with the county you should contact BOTH the Purchasing Department, AND the individual departments that will be utilizing your products or services. We encourage this communication. And, because it is a three way team effort, we ALL must be aware of the possibilities that exist for a mutually beneficial relationship.

Billing / Payment

We understand that cash flow is a concern for anyone involved in business. That is why we encourage you to know what our payment process is *before* we do business. If you have questions, we want you to ask them. Our accounts payable department is available and happy to answer any and all of your questions. They can be reached at 512-943-1500.

To speed the payment process as much as possible, you are encouraged to forward invoices directly to the department that you are providing your product or service to. If you are not sure about the mailing address or contact information, you can contact our accounts payable department and they will assist you. There are a couple of things that are very important to assure that your invoice is processed in the most expeditious manner possible. Please be sure that:

- you have entered accurate totals, shipments, delivery, unit price, address
- you have included the Purchase Order Number on your invoice
- you have mailed the invoice to the correct address
- you have directed the invoice to the appropriate contact person
- you have communicated with the department regarding receipt of the item or service ordered (the county cannot pay for an item or service that has not been received)

When the using department receives the invoice, they will verify the information for accuracy. If everything is in order, they will forward it to the auditor's office for audit. Presentation to the auditor's office is a process that must occur by law. All demands for payment must be audited prior to presenting the invoice to the commissioner's court for approval.

So as you can see, the speed of the process actually begins with you and the accuracy of the invoice you are submitting. If the information is not accurate, the possibility of delay is greater at any step along the approval route.

How do I do business with Williamson County?

Any successful business relationship requires a mutual understanding of the basic needs and expectations of the related parties. The purchasing department works closely with individual departments, sharing information about general as well as specific needs that you, the individual business owner, may have in our business relationship. We too, expect that you will work closely with us, to assure that you are aware of what our requirements and limitations are in regard to:

- Purchasing laws
- County purchasing policy

It is only when we understand, communicate, and work together, that our relationship actually becomes mutually beneficial.

A Checklist

- provide information about your company and what commodities and services you can provide
 - to county departments
 - to the purchasing department(Be sure to keep your information updated so that we always have the most current information about your business)
- Familiarize yourself with the period of time that various commodities and services will be publicly bid.
(Visit our website, contact us by e-mail or telephone, keep handout where you can periodically review it)
- Familiarize yourself with the procedures the county uses in publicly advertising for bids
(Review this on page 3 of this manual)
- Visit the procurement web-site often
(<http://wcportals.wilco.org/Procurement>)
- Follow-up, Follow-up, Follow-up

Important Contact Information

The following is a list of departments and contact information. These are departments that have a significant number of annual bids. If you believe that you have a product and/or service that might be useful to them, you may forward it to their attention (and don't forget to forward it to the Purchasing Department as well).

Williamson County:

Facilities Maintenance

508 Holly St.

Georgetown, TX. 78626

Joe Latteo – Director (512)-943-1599

Sheriff's Department

508 Rock St.

Georgetown, TX. 78626

Kurt Showalter – Auditor (512)-943-1359

EMS

408 MLK Blvd.

Georgetown, TX. 78626

Kenny Schnell – Director (512)-943-1264

Unified Road System

1900 Georgetown Innerloop

Georgetown, TX. 78626

Greg Bergeron – Administrator (512)-943-3330

If you would like additional contact information regarding smaller spot type purchases such as office supplies, etc. you may contact the purchasing office for names and telephone numbers.

Purchasing Department Contact Information

Robert Space
Purchasing Director
301 SE Inner Loop Ste. 106
Georgetown, TX. 78626
512-943-1555
rspace@wilco.org

Construction and Projects

Jonathan Harris
Assistant Purchasing
Agent
512-943-1692
Joharris@wilco.org

Patrick Strittmatter
Purchasing Specialist
512-943-1478
pstrittmatter@wilco.org

Ursula Stone
Purchasing Assistant
512-943-1553
ustone@wilco.org

Commodities

Barry Becker
Assistant Purchasing
Agent
512-943-1607
barrybecker@wilco.org

Kerstin Cummings
Purchasing Specialist
512-943-3553
kcummings@wilco.org

Zeta Forsyth
Purchasing Assistant
512-943-3553
zforsyth@wilco.org

Website Information

Information regarding Williamson County can be found at:

www.wilco.gov.org

Information about Purchasing in Williamson County can be found at our website:

www.wilco.gov.org/Procurement/

Upcoming Invitations for Bids

Commodity/Service	Schedule
Culverts - Box culverts and headwalls	Third quarter of calendar year
Windshield Glass	Third quarter of calendar year
Fluids and Grease	Second quarter of calendar year
Food Services for Juvenile Services	Second quarter of calendar year
Road Striping	Third quarter of calendar year
Landscape maintenance	Third quarter of calendar year
Pesticides and Herbicides - Ant poison	Third quarter of calendar year
Pesticides and Herbicides - Roadside vegetation spray	Third quarter of calendar year
Medical Supplies for Jail -	Third quarter of calendar year
Fuel	Third quarter of calendar year
Seal Coating	Mid calendar year
Uniforms	Third quarter of calendar year
Vehicles	Last quarter of calendar year
Wrecker service	Third quarter of calendar year

Past Invitations for Bids

NOTE: THESE BIDS ARE NOT CURRENT - THEY ARE FOR INFORMATION ONLY!

Commodity/Service	Date	Bid Package (NOT Valid for a current bid)
Diabetic Supplies for Indigent Care	July 26, 2007	Specifications NOT Valid: Information ONLY
Annual Contract: Electrical Services	August 10, 2006	Specifications NOT Valid: Information ONLY
Annual Contract: Medical Supplies for EMS	August 10, 2006	Specifications Spreadsheet NOT Valid: Information ONLY
Annual Contract: Medical Grade Oxygen	July 26, 2007	Instructions NOT Valid: Information ONLY
Annual Contract: Hygiene Products	July 26, 2007	Instructions and Specifications NOT Valid: Information ONLY
Annual Contract: Uniform Services for URS	August 10, 2006	Instructions NOT Valid: Information ONLY
Annual Contract: EMS Uniforms	August 10, 2006	Instructions NOT Valid: Information ONLY
Annual Contract: Fluids & Grease	June 22, 2005	Instructions NOT Valid: Information ONLY
Annual Contract: Asphalt	September 5, 2007	Instructions NOT Valid: Information ONLY

Revised
04-22-2008

Maintaining the business account

It is important to remember that we are really no different from you when it comes to our business relationships. We are looking for many of the same things that you as a business owner are looking for. **Quality**, **service**, and of course **price** are essential to maintaining us as a customer. One without the other is not acceptable. We understand that long-term relationships can be a tremendous help to all of us. And we hope that our business relationship is long standing. But it can only be if these 3 elements exist.

With this in mind it is important to add that even with quality, service, and price, there must be **trust** and most importantly, **communication**. We cannot say enough about communication. Our door is open. Let's work together to maintain a mutually beneficial relationship.