

Policies and Procedures



Subject: Purchasing Policy

Department: Administrative
Approved By: Steve Williamson

Approved/Amended by EMSA BOT: 12/14/2011
Effective Date: 07/01/2007

This policy/procedure supersedes all other policies/procedures of the same subject

I. Purpose

To ensure that the types, quantities and prices associated with goods and services ordered are authorized in accordance with management's criteria and that only goods and services authorized are accepted and ultimately paid for.

II. Scope

This policy applies to all purchases of goods and services as well as contractual obligations of the Company. It shall not include professional or other contractual services that are in their nature unique and/or not subject to competition.

III. General

All purchases of supplies, materials, and equipment or services having an estimated cost less than \$25,000 may be made on the open market, without newspaper advertisement and without observing the procedure prescribed in this policy for the award of formal contracts.

A purchase requisition will be completed for all purchases (see exhibit I) greater than \$2,500. If the amount is between \$2,500 and \$25,000, three quotes are required or, in their absence, the reason three quotes could not be obtained. The purchase requisition should explain the reason for the purchase in enough detail so that the approvers can formulate an opinion whether the purchase is required. All required approvers should be convinced the expenditure is needed before approval is given.

IV. Approval Authority

1. All requisitions will be approved by the President, Executive Vice President and the Chief Financial Officer.
2. All requisitions that relate to radio and phone communications will be approved by the person responsible for those areas.

3. All other requisitions that relate to computer and CAD equipment and supplies, including hardware, software and maintenance will be approved by the Chief Information Officer.
4. A requisition must have two approvals before it can generate a purchase and the initiator cannot also be an approver.

V. Formal Contract and Open Market Procedure

All expenditures for supplies, materials, equipment, construction, labor repairs or other services when the estimated cost shall exceed \$25,000 shall be purchased by formal written contract from the lowest secure bidder, after due notice inviting proposals; **except that such purchases may be made by EMSA directly from any contract awarded by the State of Oklahoma or any State of Oklahoma agency under the Oklahoma Central Purchasing Act, by the City of Tulsa, by the City of Oklahoma City, by any county in the State of Oklahoma or by the U.S. General Services Administration. A purchase greater than \$50,000 cannot be made by contract from a county or from the GSA.**

A. Notice Inviting Bids

1. Newspaper: EMSA shall cause to be published notice inviting bids in at least one newspaper of general circulation in the City of Tulsa and one in the City of Oklahoma City once a week for two successive weeks prior to the date on which bids are received and opened. The newspaper notice required herein shall include a general description of the services required or the articles to be purchased and shall state where bid forms and specifications may be secured and the time and place for opening bids.
2. EMSA shall also solicit sealed bids from all responsible prospective suppliers who have requested their names to be added to a "Bidders List" maintained by EMSA by sending a copy of such newspaper notice or such other notice as will acquaint them with the proposed purchase or sale. In any case, invitations sent to the vendors on the Bidders' List shall be limited to commodities that are similar in character and ordinarily handled by the trade group to which the invitations are sent.

- B. Bid Deposits: When deemed necessary by EMSA, bid deposits shall be prescribed in the public notices inviting bids. Unsuccessful bidders shall be entitled to return of surety where it has been required. A successful bidder shall forfeit any surety required upon failure on his part to enter a contract within ten days after award.

C. Bid Opening Procedures

1. Sealed : Bids shall be submitted sealed to the EMSA office located at 1417 N. Lansing Avenue, Tulsa, Oklahoma 74106, and shall be identified on the envelope as bids.
2. Opening : Bids shall be opened in public at the time and place stated in the public notice.

3. Tabulation: A tabulation of all bids received shall be made by EMSA and the tabulation shall be available for public inspection in EMSA's Tulsa office at all reasonable times.

D. Rejection of Bids

1. Public Interest : the Board of Trustees shall have the authority to reject all bids, parts of all bids, or all bids for any one or more supplies or contractual services included in the proposed contract when the public interest will be served thereby.
2. Bidders in Default to EMSA : EMSA shall not accept the bids of a contractor who is in default on an obligation due EMSA.
3. Bidders Not Attending Pre-bid Conference: EMSA shall not accept the bids of a contractor who did not attend a mandatory pre-bid conference.

E. Award of Contract

1. Authority in the Board: The Board of Trustees shall have the authority to award contracts within the purview of this policy.
2. Lowest and Best Secure Bidder: Contracts shall be awarded to the lowest and best bidder meeting specifications. In determining "lowest secure bidder", in addition to price, the following factors shall be considered:
 - a. The ability, capacity and skill of the bidder to perform the contract or provide the service required;
 - b. Whether the bidder can perform the contract or provide the service promptly or within the time specified, without delay or interference;
 - c. The character, integrity, reputation, judgment, experience and efficiency of the bidder;
 - d. The quality of performance of previous contracts or services;
 - e. The previous and existing compliance by the bidder with laws and ordinances relating to the contract or service;
 - f. The sufficiency of the financial resources and ability of the bidder to perform the contract or provide the service;
 - g. The quality, availability and adaptability of the supplies or contractual services to the particular use required;
 - h. The ability of the bidder to provide future maintenance and service for the use of the subject of the contract;

- i. Where an earlier delivery date would be of great benefit, the date and terms of delivery may be considered in the bid award;
 - j. The number and scope of conditions attached to the bid; and
 - k. If a point system has been utilized in the bid specifications, the number of points earned by the bidder.
- 3. Award to Other Than Lowest Secure Bidder: When the award is not given to the lowest bidder meeting specifications, a full and complete statement of reasons for placing the order with one other than the lowest secure bidder shall be entered in the minutes of the Board of Trustees.
- 4. Tie Bids
 - a. Local Bidders: If two or more bids received are for the same total amount of unit price, quality and service being equal, the contract shall be awarded to the local bidder.
 - b. Bidders of Equal Status: Where the preceding paragraph is not determinative, EMSA shall award the contract to one of the tie bidders by drawing lots in public.
- 5. Performance Bonds: Before entering a contract, EMSA shall have the authority to require a performance bond in such amount as shall be found reasonably necessary to protect the best interests of EMSA.
- F. Prohibition Against Subdivision: No contract or purchase shall be subdivided to avoid the requirements of this section.

VI. Sole Source

The Board of Trustees may waive the requirement for competitive bidding when some material feature or characteristic of the item or service sought to be purchased is unique and the Company has certified that to the best of its knowledge, after diligent inquiry, the item or service is available from only one source. The Company may require the department head or official requesting the bid waiver to submit a written statement identifying the unique and material features or characteristic of the item or service.

This section shall also apply to purchases for items less than \$25,000 where only quotes are required. Sole source shall be noted on the face of the requisition and the rationale attached thereto.

Nothing in this section shall be construed to prohibit emergency purchases made in accordance with Section VII.

VII. Emergency Purchases

In case of an apparent emergency which requires immediate purchase of supplies or services, the President and Financial Vice President shall be empowered to grant written authorization to secure by open market procedure as herein set forth, at the lowest obtainable price, any supplies or services, regardless of the amount of the expenditure. "Emergency Purchase" shall be noted on the face of the requisition and the reason attached thereto.

VIII. Competitive Bidding Act

Contracts exceeding \$50,000 in amounts awarded by EMSA for the purpose of making any public improvements or constructing any public building or making repairs to or performing maintenance on the same shall comply with the provisions of the Oklahoma Public Competitive Bidding Act.

IX. Section 176.H of Title 60 of the Oklahoma Statutes

Contracts awarded by EMSA for construction, labor, equipment, material or repairs in excess of \$50,000 shall comply with the provisions of Section 176. H of Title 60 of the Oklahoma Statutes.

X. Penalty

All EMSA officers and employees shall comply with the provisions of this policy. Noncompliance could be sufficient grounds for dismissal from the service of EMSA.