

PROCUREMENT POLICY

All procurements made by the Wheatfield Local Development Corporation (WLDC) involving the expenditure of funds will be made in accordance with the following procurement standards.

Procurement transactions, regardless of method or dollar value, will maximize proper stewardship and responsible expenditure of funds.

I. METHODS FOR PROCUREMENT

Procurements shall be made using one of the following methods: (a) small expenditure/purchase procedures, (b) competitive sealed bids

A. Small Expenditures

Expenditures which cost up to \$1000 may be made at the discretion of the Treasurer as part of the on-going operations of the organization. The Treasurer shall update the Board on all expenditures during the Finance Committee report at the next regular occurring board meeting. Any expenditure in excess of \$1000 shall be brought by the Treasurer to the Board of Directors for the review and approval. For such purchases, efforts will be made to get the lowest and best price and written records of such efforts shall be maintained.

Purchases of significant quantity of supplies, equipment and services from consultants and specific expert suppliers, will require the development and distribution of Requests for Proposals (RFPs). The WLDC will solicit written responses from at least three vendors, and if no such responses are available, a statement explaining the procurement will be prepared and filed.

B. Competitive Sealed Bids

Bidding will be employed when detailed specifications for the goods or services to be procured can be prepared and the primary basis for the award is cost. When the cost of a contract, lease or other agreement for materials, supplies, equipment or contractual services, exceeds \$2,500, a Request for Proposal (RFP) notice will generally be prepared.

The RFP will include a complete, accurate and realistic specification and description of the goods and services to be procured, the bid deposit, payment bond and bond performance required (if applicable), the time and place for opening bids, and whether the bid award will be made on the basis of lowest price or lowest evaluated price. The WLDC will make the decision as to whom the contract shall be awarded. After the bid award is made by WLDC, an agreement will be prepared for the execution by the successful bidder.

The WLDC may cancel an RFP or reject all bids if it determined that such is in the best interests of the WLDC. Bidders will be notified in writing if such cancellation or rejection. The WLDC may allow a vendor to withdraw a bid if requested at any time

prior to the bid opening. Bids received after the time set for bid opening shall be returned to the vendor unopened.

C. Noncompetitive Negotiations

Noncompetitive negotiations may be used for procurements when bidding or competitive negotiations, in the view of the WLDC, are not feasible. The WLDC may purchase goods and services through noncompetitive negotiations when it is determined in writing by the Treasurer that competitive negotiation or bidding is not feasible and that:

1. An emergency exists which will cause harm to the organization as a result of the delay caused by following competitive purchasing procedures, or
2. The product or service can be obtained only from one source, or
3. The contract is for the purchase of perishable items purchased on a weekly or more frequent basis, or
4. Only one satisfactory proposal is received through the RFP

Procurement by noncompetitive negotiation requires the strictest attention to the observation of impartiality toward all suppliers. The WLDC Finance Committee must approve all procurements by noncompetitive negotiation when only one supplier is involved or only one bid or response to an RFP is received.

II. LOCALLY OWNED, MINORITY OWNED, FEMALE OWNED AND SMALL BUSINESSES

All necessary affirmative steps will be taken and documented to solicit participation of locally owned, minority owned, woman owned and small businesses. The WLDC will solicit proposals from locally owned, minority owned, woman owned and small businesses that provide the goods and services that are being sought, when possible. Locally owned, minority owned, woman owned and small businesses located within the community shall be researched and used when issuing RFPs.

III. CODE OF CONDUCT

A. Conflict of Interest

No WLDC member, employee, consultant, elected official, appointed official or designated agent of the WLDC will take part or have an interest in the award of any procurement transaction of a conflict of interest, real or apparent, exists. A conflict of interest occurs when the official, employee or designated agent of the WLDC partners with such individuals, immediate family members, or an organization which employs or intends to employ any of the above has a financial or other interest in any of the competing firms.

No WLDC member, employee or designated agent of the WLDC may acquire a financial interest in or benefit in any way from any activity of the WLDC. Exception to these rules may be sought by presentation to and approval by the Board of Directors.

B. Acceptance of Gratuities

No WLDC member, employee or designated agent of the WLDC shall solicit or accept gratuities, favors or anything of monetary value from contractors, potential contractors, subcontractors or potential subcontractors.

C. Penalties

Any WLDC member, employee or designated agent of the WLDC who knowingly and deliberately violates the provisions of this code will be open to civil suit by the WLDC without the legal protection of the WLDC. Furthermore, such a violation of these procurement standards is grounds for dismissal by the WLDC or sanctions as available under the law (if an elected official)

Any contractor or potential contractor who knowingly and deliberately violates the provisions of these procurement standards will be barred from future transactions with the WLDC.

Adopted by LDC Board of Directors
4/11/16



Section I (A) Amended by LDC Board of Directors
1/8/19


