

# Town of Oro Valley

*A Community of Excellence*



## Doing Business with the Town of Oro Valley



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## **FORWARD**

Thank you for your interest in doing business with the Town of Oro Valley. Oro Valley is a well-planned community that uses its resources to balance the needs of today with potential impacts on future generations. Oro Valley's lifestyle is defined by the highest standard of environmental integrity, education, infrastructure, services, public safety and economic sustainability. We are a community of people working together to ensure that the Town government remains responsive to the citizens' needs while maintaining the long-term financial stability of the Town.

In accordance with these goals, Oro Valley's Procurement Division strives to ensure the taxpayers receive the maximum value for every expenditure by encouraging qualified local, regional and national vendors to participate in doing business with the Town.

The following information is provided as a general guide to doing business with the Town. If you have any additional questions not addressed here, please feel free to contact Procurement at 520.229.4722 or visit our web site at <http://www.orovalleyaz.gov/town/departments/finance/procurement>.

## **MISSION STATEMENT**

The Town of Oro Valley's Procurement Division facilitates the timely procurement of goods and services needed by the Town in support of its strategic goals. We strive to maximize the value of every expenditure of public funds while ensuring that procurements are conducted with integrity under the principles of open and fair competition.

## **ETHICS**

Procurement activities are of public interest and a matter of public record. We are governed by the highest ideals of honor and integrity and conduct all Town business with professional courtesy, impartiality and objectivity to foster the respect and confidence of the citizens and organizations we serve.

Under no circumstances will a Procurement employee accept directly or indirectly, gifts or other items of value from individuals or firms. Town employees will not seek nor dispense personal favors. Issues shall be handled fairly, objectively and without discrimination. Reference the attached Exhibit A for the Town's Procurement Ethics Statement.

## **LEGAL AUTHORITY**

The legal authority for Procurement operations is established in the Town Code <http://www.codepublishing.com/az/orovalley/> and Arizona laws.

## **OFFICE VISITS**

The Town of Oro Valley offices are open from 8:00 a.m. to 5:00 p.m. Monday through Friday. We are located at 11000 N. La Canada Drive in Oro Valley, Arizona. Vendors are encouraged to visit with staff and advised to call ahead for an appointment.

## **WEB SITE**

The Procurement Division maintains a website located at <http://www.orovalleyaz.gov/town/departments/finance/procurement>. Information located here includes: 1.) listing of current solicitations; 2.) bid tabulations and award information; 3.) Oro Valley's Procurement Code; 4.) standard terms and conditions, and more.

Free internet access is available at all Pima County public libraries.

## **VENDOR LIST**

The Town has an electronic vendor registration system. It can be accessed at the following link:

<https://www.orovalleyaz.gov/town/departments/finance/procurement/vendor-registration>

Once registered with the Town, vendors will be electronically notified of competitive solicitation opportunities. Vendors are encouraged to regularly check Procurement's website for new solicitation opportunities.

## **PROCUREMENT METHODS**

The Town utilizes different methods of procurement based on the type and value of the purchase. Small dollar purchases of \$2,500.00 or less may be made by the Department representatives with as much competition as they deem practical. For purchases greater than \$2,500.00 but less than \$100,000.00, insofar as practicable, three (3) businesses shall be solicited to submit written quotations. Award shall be made to the responsible bidder submitting the quotation which is most advantageous to the Town. For purchases of \$100,000.00 or greater, the Town utilizes a formal solicitation process that begins with

posting a notice inviting business or firms to submit offers to provide the requested goods or services.

### **SOLICITATION REQUIREMENTS**

A response to a solicitation is an offer to contract with the Town based upon the contract provisions contained in the solicitation document, the specifications, scope of work and any special terms and conditions. Offerors who wish to propose modifications to the contract provisions must clearly identify the proposed deviations and any proposed substitute language. The provisions of the contract cannot be modified without the express written approval of the Procurement Administrator. If a proposal or offer is returned with modifications to the contract provisions that are not expressly approved in writing by the Procurement Agent, the contract provisions contained in the Town's solicitation document and standard contract shall prevail.

### **DELIVERY OF RESPONSES TO SOLICITATIONS**

All responses to solicitations shall be submitted in a sealed envelope. The words "SEALED BID", "SEALED PROPOSAL" or similar, along with the solicitation number, title, due date and time and the offeror's name and address shall be written on the outside of the envelope. Responses received after the designated time will be returned unopened and will not be considered

### **AWARD**

Bids and informal price quotations are awarded to the lowest responsive and responsible bidder meeting specifications. Contracts as a result of a Request for Proposal process are awarded to the offeror whose proposal is deemed most advantageous to the City based upon the evaluation criteria. Contracts for professional registrants and for construction services are offered to and negotiated with the highest ranked offeror following the evaluation process.

Prior to formal awards, bids, proposals and statements of qualifications are not available for public inspection.

### **CONTRACT TYPES**

There are several types of contracts that may result from the solicitation process.

- **Firm Fixed Price Contracts:** This type of contract is awarded for a specific quantity of goods or services at the agreed to price. According to the terms of the contract, delivery may be in one or several shipments to a single or multiple locations.

- **Term or Requirements Contracts:** A contract that is established for estimated quantities of commodities or services over a particular time period (usually one year with optional year renewals). Town Departments would then order against the established contract without having to go through additional procurement processes.
- **Professional Services Contracts.** Contracts for technical registrants for the design or drafting of specifications for improvements to a public facility to include buildings, roadways, parks and water utilities. Contracts for professional services are awarded based on the offerors' experience and qualifications.
- **General Services Contracts.** Contracts for services that are not defined as professional services. These include; maintenance of equipment, janitorial, landscaping, planning, financial and legal consulting and others. Contracts for general services are commonly awarded based on the offerors' experience in similar projects, method of approach, proposed price and other factors.

### **PURCHASE ORDERS**

For purchases greater than \$2,500 the Town will issue a Purchase Order to the contracted vendor. The purchase order serves as the vendor's authority to deliver the stated product or service and invoice the Town accordingly. In the absence of a formal agreement, the Purchase Order shall act as the contract document and bind the vendor to the Town's standard terms and conditions for POs posted at <http://www.orovalleyaz.gov/town/departments/finance/procurement>.

Purchases of greater than \$2,500 without a formal purchase order are not authorized.

### **BUSINESS LICENSE**

Article 8-2 of the Oro Valley Town Code requires that all businesses located within the town limits or those businesses not located within the town limits but solicit, canvass or advertise within the town and deliver products or perform a service, must be licensed for business.

Business Licenses may be obtained by contacting the Town Clerk's Office at 520.229.4700 or downloading the application at <http://www.orovalleyaz.gov/town/departments/town-clerk/business-license>.

Business License Fees are \$80.00 per calendar year, and are pro-rated monthly. Once your application has been reviewed and approved, a Business License Certificate will be mailed to you.

## **APPLICABLE TAXES**

The Town's two and a half percent (2.5%) Business Privilege License Tax (sales tax) is applicable to sales made to the Town by Oro Valley. Resident Arizona vendors are responsible for the Arizona Transaction Privilege Tax (State Sales Tax). Applicable sales tax is not to be included in the bid price with the exception of construction contracts.

The Town's construction sales tax is 4% and is applicable to all projects procured by the Town. Contractors shall include all applicable taxes in their bids.

The Town does not pay sales tax to out-of-state vendors. The Town does pay directly to the State of Arizona all Arizona sales and excise tax. Therefore, all vendors who do not maintain a business presence, directly or through a subsidiary, a warehouse, sales office, distribution house, or other place of business in the State, are not to include State sales taxes in the bid price.

For additional tax information visit our website at <http://www.orovalleyaz.gov/town/departments/finance>.

## **TAX OFFSET POLICY**

In evaluating bids, except for procurement of construction, and for purposes of determining the low bidder, the Procurement Agent shall not include the amount of applicable business privilege tax. The amount of a city's business privilege tax shall not be included in the evaluation except in those instances in which the award is between an Oro Valley business and an Arizona-based, non-Oro Valley business. In this event, the applicable city business privilege tax shall be included in the non-Oro Valley bidder's price for evaluation purposes only to determine the lowest bidder. Out of state vendors are not affected by this policy.

## **DELIVERIES**

All purchases are made F.O.B. Destination, unless otherwise specified. The Town's title to goods occurs upon satisfactory delivery and acceptance at the delivery point shown on the purchase order. Shipping charges, if applicable, must be included in the unit price of the items bid.

All shipments to the Town must be made to the locations designated on the purchase order. Deliveries may be required to be made to different departments and divisions in various Town locations. The purchase order number must appear on the shipping or delivery ticket. Failure to meet specified delivery schedules may result in cancellation of the order.

## INVOICES

In order to receive payment for goods or services furnished to the Town, vendors shall submit the original invoice to the Department ordering the goods or services.

Invoices must show: (1) Town purchase order number (if applicable); (2) Complete descriptions of the goods or services furnished; (3) Quantity; (4) Unit prices and extensions; (5) All applicable taxes; (6) Discount terms; and (7) Name of department/division to which shipment was made.

## PAYMENTS

Vendors receive payment from the Town following delivery and acceptance of the goods or services. The Town Department representative must sign for acceptance prior to the payment being authorized. The Town's standard payment time is 30 days; however, the Town reserves the right to make expedited payments in order to take advantage of any vendor offered discounts.

## LEGAL / CONTRACTUAL REMEDIES

### **Protests**

In accordance with Section 3-4-9 of the Oro Valley Procurement Code, Any actual or prospective bidder, offeror, or respondent who is aggrieved in connection with the solicitation or award of a contract may protest to the Town Manager. The Manager shall have the authority, prior to the commencement of an action in court concerning the controversy, to settle and resolve a protest of an aggrieved bidder, offeror, or contractor, actual or prospective, concerning the solicitation or award of a contract. Protest shall be in writing and shall include the name, address, telephone number and email address of the protestant; the signature of the protestant or its representative; identification of the solicitation or contract number; a detailed statement of the legal and factual grounds of the protest including copies of relevant documents; and the form of relief requested.

Specific information on filing, timing and resolutions is addressed in the Code.

### **Debarment or Suspension**

The Procurement Administrator has the sole authority to debar or suspend a person from participating in Town procurements.

Specific information regarding debarment and suspension is addressed in the Code.

## **SURPLUS AUCTIONS**

The Town may dispose of surplus property no longer needed by using Departments in many ways to include: selling the property at public auction; trading it in for credit on new purchase or gifts to charity. The Town regularly disposes of surplus property by posting it for auction online. Interested bidders may register, view auctions and bid online by visiting <http://www.publicsurplus.com/sms/orovalley,az/browse/home>.

## **EXHIBIT A**



### **TOWN OF ORO VALLEY**

#### **PROCUREMENT ETHICS POLICY STATEMENT**

***The following provisions shall govern the professional conduct of all Town Employees and Officers directly or indirectly involved in the Procurement function for the Town***

1. Strive to maximize the value of every expenditure of public funds.
2. Ensure that all procurements are conducted with integrity under the principles of open and fair competition.
3. Conduct all Town business with professional courtesy, impartiality and objectivity fostering the respect and confidence of the citizens and organizations we serve.
4. Do not solicit or accept gifts, gratuities, favors, or benefits of any kind that can influence or appear to influence procurement related decisions. This restriction shall not apply to product samples, items, or holiday related gifts for general distribution with a value of less than \$25 except that any promotional or sample items shall not contain any identification marks or logos of any kind attributable to the supplier.
5. Carry out all job functions, transactions and dealings in accordance with the Town of Oro Valley Procurement Code and all applicable State and Federal regulations.
6. Immediately advise the Procurement Administrator of any actual or potential conflict of interest as related to the selection or utilization of any vendor or potential vendor. Report the existence of any personal relationship with any offeror or subcontractor of the offeror that could affect or give the appearance of affecting objectivity.
7. Maintain vendor information confidential as required by the Oro Valley Procurement Code and other applicable policies and directives.
8. Promote positive supplier relationships by maintaining a professional climate that affords equal treatment to all businesses and all persons.