

GFDA Procurement Policy

Adopted 9/25/23

The Great Falls Development Authority (GFDA) believes in an open, fair and competitive procurement process. Our goal is to utilize open, fair and competitive procurement practices to ensure that GFDA obtains the greatest possible value for our public and private investors. Value is a combination of quality, timeliness, effectiveness and cost.

Compliance

At all times, the procurement processes utilized by GFDA shall conform to federal and state procurement laws and regulations. Procurement practices shall also comply with GFDA Financial Management, Sunshine and Conflict of Interest policies.

GFDA must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to, the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.

Preference

When not using federal or state funds and when allowable by federal and state laws and regulations, GFDA shall give preference in procurement first to investor members, then to firms located in the Great Falls trade area, then to firms located in the State of Montana. Such preference shall not exceed 5% of cost and shall be limited to firms that demonstrate the required skills and experience.

Competitive Process

For procurement of any goods or services expected to cost in excess of \$5,000, the process utilized shall be Request for Proposal or Bid, 3 Bids, or Request for Qualifications. For each of these processes, a point scoring system will be utilized to select the firm offering the best value to GFDA, including consideration of quality, timeliness, effectiveness and cost.

Procurement of goods and services expected to cost less than \$5,000 shall be done in such a way as to ensure that GFDA obtains the greatest possible value.

Request for Proposal or Bid

For any purchase of goods or services expected to cost in excess of \$15,000, a Request for Proposal (RFP) or Request for Bid (RFB) shall be publicly issued. The RFP or RFB shall include a clear scope of the work, schedule, and skills and experience required. A scoring committee comprised of at least three persons will score the responses. The President shall approve the RFP or RFB prior to issuance, and membership of the scoring committee.

3 Bids

For any purchase of goods or services expected to cost \$5,000-\$15,000, GFDA may opt to secure three bids rather than issue an RFP or RFB. A minimum of 3 written bids will be secured from vendors. The three bids will be scored by a scoring committee comprised of at least three persons. The President or Senior Vice President shall approve the use of the 3 bids process, and membership of the scoring committee.

Request for Qualifications

A Request for Qualifications (RFQ) may be issued for procurement of ongoing or intermittent need for professional services when individual projects are expected to cost less than \$5,000. The RFQ shall be

publicly issued and detail the skills and experience required. A scoring committee comprised of at least three persons will score the responses. The President or Senior Vice President shall approve the RFQ prior to issuance, and membership of the scoring committee.

In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements.

Selection

When utilizing an RFP, RFB, 3 Bid or RFQ process, the scoring shall rank firms in numerical order. Once scoring is complete, GFDA will attempt to negotiate a contract with the highest scored firm. If negotiations are unsuccessful, negotiations will be attempted with the second highest scoring firm and so on until an acceptable contract has been agreed to.

GFDA shall always reserve the right to cancel the procurement prior to execution of a contract. A contract shall be executed within six months of date of issuance of an RFP.

No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest.

Liability

All vendors shall be required to provide copies of their liability and workers compensation insurance policies prior to the execution of a contract with GFDA.

Contracts will not be awarded to vendors that are debarred, suspended or otherwise excluded from or ineligible for participation in Federal assistance programs or activities.

Guidelines for Purchases

Purchases are evaluated to ensure they are reasonable, allocable, and allowable. The vendor or contractor that meets the required quality standards at the lowest cost are selected. Regardless of the cost of acquisition, the organization avoids purchasing unnecessary items. Where applicable, the organization evaluates lease vs. purchase options to determine which is more economical. Considerable authority has been entrusted to employees who make purchasing decisions. The convenience afforded by this decentralized environment is coupled with full responsibility for decisions and a complete understanding of the procurement and purchasing policies and procedures of the organization. All purchasing decisions should be made in the best interests of the organization and its related funders.

Purchasing with Federal Award Funds

Purchases made when procuring property or services through a federal award with federal funds follow the procurement standards under the Federal Uniform Grants Guidance. Procurement transactions maximize free and open competition. Written solicitations have a clear scope of work, requirements and features prospective bidders must meet, a preference to conserving natural resources and the environment, and positive efforts to use small, disadvantaged and minority owned firms when possible. The organization documents the reason for the type of procurement bin used, the basis for contractor selection, a justification for lack of competition or sole-source procurement, and the basis for award cost and price.

Purchase requirements are based on the current federally adopted simplified acquisition thresholds (SAT). Purchases exceeding \$10,000 are subject to pre-award review by the Federal Entity to ensure procurement procedures are adequate. Special consideration is given to environmentally friendly, and energy efficient products/services (2 CFR 200.322). Quotes and bids must include specifications and

qualifying characteristics considered by the vendor/contractor, including delivery and time frame, the scope of work, references, and other relevant specifications. A quote is a written statement from a vendor regarding the price for a specific good or service.

Before entering into any agreement with any organization, GFDA will check the status of the organization on www.sam.gov to assure that they are not subject to debarment or suspension. Often a contract or sub-recipient will be written into the grant proposal. In all cases, the contractor/sub-recipient must be approved by the granting agency.

Disadvantaged and Small Business Enterprises (DBE / SBE)

It is the policy of GFDA to ensure that Disadvantaged Business Enterprises have an equal opportunity to receive and participate in contracts. It is also the practice of the organization to ensure nondiscrimination in the award and administration of contracts; to create a level playing field on which DBEs and small businesses can compete fairly for contracts; to ensure that the DBE program is narrowly tailored in accordance with applicable law; to ensure that only firms that fully meet eligibility standards are permitted to participate as DBEs; to help remove barriers to the participation of DBEs and small businesses in federally funded contracts; and to assist the development of firms that can compete successfully in the marketplace outside the DBE program.

Whenever possible, DBE and SBE contractors and vendors shall be given procurement preference when multiple bids have been received that are equal in value and services to be provided. When services or goods related to Capital Projects are to be procured, staff shall comply with all SBE and DBE requirements outlined in the funding agreements. These Good Faith Efforts are methods used by GFDA to ensure Disadvantaged Business Enterprises (DBE) have the opportunity to compete for procurements funded by federal financial assistance dollars.

The organization documents the methods used to adhere to the Good Faith Efforts and will retain the documentation in the records of the organization. Documentation will include, but is not limited to, email logs, phone logs, electronic searches and communication, handouts, flyers, or similar records. In addition, if one or more of the Good Faith Efforts cannot be performed, the circumstances that have prohibited the full execution of each step will be documented and retained.