

**Frankfort Community Public Library
Clinton County Contractual Public Library**

PURCHASING POLICY

The Board of Trustees of the Frankfort Community Public Library/Clinton County Contractual Public Library have established this Purchasing Policy to govern the purchase of goods, supplies and services for the Library. The Library Director serves as the purchasing agent.

1. State and Federal Laws

All purchases will be made within the legal requirements of the laws of the State of Indiana and of the United States.

2. Small Purchase Policy

- a. If the purchase agent expects the purchase to be less than \$50,000, the purchase may be made without soliciting bids or proposals.
- b. In making purchase of less than \$50,000, the following guidelines shall be followed:
 1. The purchasing agent shall compare prices from as many suppliers of the goods or services required as practical, and shall purchase from the supplier where total costs are lowest, when quality and timeliness of delivery are comparable.
 2. Preference will be given to products manufactured in the United States.
 3. Preference will be given to purchasing from Clinton County businesses when total cost, quality and timeliness of delivery are comparable.
- c. The Director is authorized to establish charge accounts with businesses from which the library will make purchases on a continuing basis. Library employees who may make purchases using the established charge accounts must be authorized before using any charge account. The Treasurer shall maintain a list of employees who have been authorized by the Director to charge and continually update the list with the business affected.
- d. Any purchase for more than \$100.00 shall have the prior approval of the Director.
- e. Library materials that will be added to the Library Collection are exempt from the conditions of this policy.

3. Routine Public Works Projects

Follow the small purchase thresholds.

4. Requests for Proposals
If the purchasing agent expects the purchase to be more than \$50,000, but less than \$150,000, the purchasing agent shall solicit quotes from three or more vendors known to provide the goods or services required, as specified in IC 5-22-8.
5. Competitive Bidding
If the purchasing agent expects the purchase to exceed \$150,000, the purchasing agent shall prepare Requests for Proposals or follow the competitive bidding procedures as specified in IC 5-22-7-1, except for those conditions which allow for special purchasing methods as defined in IC 5-22-10-1.
6. Purchases from the Department of Corrections
As required by IC 5-22-11-2, the purchasing agent shall purchase from the Department of Corrections when the supplies and/or services can be furnished in a timely manner, meet the specifications and needs of the Library, and can be purchased at a fair market value.
7. Purchases from the Rehabilitation Center
As required by IC 5-22-12-4, the purchasing agent shall purchase from the Rehabilitation Center under the same conditions as articles produced by the Department of Corrections.
8. Goods or services purchased under an award or contract under federal grants shall follow the above Library policies and State Laws. In addition, the following federal rules shall be followed:
 - a. The following Standards of Conduct will apply:
 1. Any employee, officer or agent of the Library will not participate in the selection, award, or administration of a contract under a federal grant if the employee, any of the employee's family members or partners, or an organization which employs or is about to employ any of these persons, has a financial or other interest in the organization selected for the contract. This would be an inappropriate conflict of interest.
 2. The Library's employees will not solicit or accept gratuities, favors, or anything of monetary value from the library's contractors, unless the gift is an unsolicited item of nominal value (ie: pens, notepads, etc.)
 3. Any violation of this standard of conduct will be subject to disciplinary action.
 - b. The Library will maintain a contract administration system which ensures that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.
 - c. The Library will provide for a review of proposed procurements to avoid purchase of unnecessary or duplicative items. Where appropriate, an

- analysis of lease vs. purchase alternatives will be made, and the most economical approach will be selected.
- d. The Library will consider entering into State and local intergovernmental agreements for procurement or use of common goods and services when total cost, quality, and timeliness of delivery are comparable.
 - e. The Library will consider the use of Federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.
 - f. The Library will consider the use of value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions.
 - g. The Library will make awards only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement.
 - h. The Library will maintain records sufficient to detail the significant history of the procurement for a period of 5 years.
 - i. The Library will use time and material contracts only:
 - 1. After a determination that no other contract is suitable.
 - 2. If the contract includes a ceiling price that the contractor exceeds at its own risk
 - j. The Library will have protest procedures to handle and resolve disputes relating to procurements and shall disclose information regarding the protest to the awarding agency.
 - k. All procurement transactions will be conducted in a manner providing full and open competition. Some of the situations considered to be restrictive of competition include, but are not limited to:
 - 1. Placing unreasonable requirements of firms in order for them to qualify to do business.
 - 2. Requiring unnecessary experience and excessive bonding.
 - 3. Noncompetitive pricing practices between firms or between affiliated companies.
 - 4. Noncompetitive awards to consultants that are on retainer contracts.
 - 5. Organizational conflicts of interest.
 - 6. Specifying only a “brand name” product instead of allowing an “equal” product to be offered and describing the performance of other relevant requirements of the procurement.
 - 7. Any arbitrary action in the procurement process.
 - l. Procurements will be conducted in a manner that prohibits the use of statutorily or administratively imposed in-State or local geographical preference in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference.
 - m. The Library will follow written selection procedures for procurement transactions.
 - n. The Library will ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and

include enough qualified sources to ensure maximum open and free competition.

- o. Procurement by sealed bids will conform to the following:
 - 1. Bids will be publicly solicited and a firm-fixed-price contract will be awarded to the responsible bidder whose bid is the lowest in price
- p. Procurement by competitive proposals will conform to the following:
 - 1. Requests for proposals will be publicized and identify all evaluation factors and their relative importance.
 - 2. The Library will have a method for conducting technical evaluations of the proposals received and for selecting awardees.
 - 3. Awards will be made to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.
 - 4. The Library will use the qualifications based procurement of architectural/engineering professional services.
- q. Procurement by non-competitive proposals may be used only when the award of a contract is infeasible under small purchase procedures, sealed bids or competitive proposals, and one of the following circumstances apply:
 - 1. The item is available only from a single source.
 - 2. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation.
 - 3. The awarding agency authorizes non-competitive proposals
 - 4. After solicitation of a number of sources, competition is determined inadequate.
- r. The Library will follow written guidelines for contracting soliciting Small and minority firms, women's business enterprises and labor surplus area firms.
- s. The Library will perform a cost or price analysis in connection with every procurement action including contract modifications.
- t. The Library will make available upon request of the awarding agency, technical specifications on proposed procurements where the awarding agency believes such review is needed to ensure that the item and/or service specified is the one being proposed for purchase, and will make available to the awarding agency upon request, pre-award review procurement documents.
- u. The Library's contracts shall contain the following contract provisions:
 - 1. No contract will be entered into with parties that are debarred, suspended or excluded from Federal assistance programs.
 - 2. Compliance with the Equal Opportunity Act
 - 3. Compliance with the Copeland Anti-Kickback Act.
 - 4. Compliance with the Davis-Bacon Act.
 - 5. Compliance with Sections 103 and 107 of the Contract Work hours and safety standards act.
 - 6. Notice of awarding agency requirements and regulations pertaining to reporting.

7. Notice of awarding agency requirements and regulations pertaining to patent rights with respect to any discovery or invention which arises or is developed in the course of or under such contract.
 8. Awarding agency requirements and regulations pertaining to copyrights and rights in data.
 9. Access by the Library, the Federal grantor agency, the Comptroller General of the United States, or any of their duly authorized representatives to any books, documents, papers, and records of the contractor which are directly pertinent to that specific contract for the purpose of making audit transcriptions.
 10. Retention of all required records for three years after the Library makes final payments and the grant is closed-out.
- v. Payment to consultants shall adhere to the awarding agencies authorized direct salary cap.