

ETHICS IN PUBLIC PROCUREMENT

Frederick County employees follow a strict code of conduct in relation to procurement transactions. An employee may not participate in a procurement transaction when the employee, employee's partner or any member of the immediate family:

Is employed by a vendor involved in the procurement; or
Holds an executive position with the vendor, or owns or controls an interest of more than 5% in the company; or
Has a pecuniary interest arising from the procurement; or
Is negotiating, or has an arrangement concerning prospective employment with the vendor.

PROHIBITION OF GIFTS

Because public employees' actions are subject to intense and constant scrutiny, acceptance of a gift from a vendor can be easily misconstrued. Therefore, the existing Code of Virginia and County policies prohibits the offering and acceptance of gifts of more than a nominal value to County employees.

County employees are encouraged to decline **any** gift or gratuity offered by a vendor or business, even where acceptance of such gifts may be technically within the law, due to the perception of impropriety which can be as damaging to the image of the County and the employee as actual impropriety.

DISCRIMINATION PROHIBITED

In the solicitation of awarding of contracts, the County does not discriminate because of race, religion, color, sex, or national origin of the bidder or offeror.



VENDOR'S QUICK GUIDE



Additional Resources can be found at:

- Frederick County Terms and Conditions
www.fcva.us/purchasing
- View solicitations and awards at:
www.eVA.virginia.gov
- Virginia Public Procurement Act
<https://law.lis.virginia.gov/vacode/title2.2/chapter43/>
- Virginia Small Business & Supplier Directory
<https://directory.sbsd.virginia.gov>

QUESTIONS?

Vendors may obtain additional information or clarification of any part of the procurement process in Frederick County, by contacting the Purchasing Manager by phone at 540-722-8363, email at mneal@fcva.us or by mail at 107 N. Kent Street, 3rd Floor, Winchester VA 22601.

Department of Finance – Purchasing
107 N. Kent Street
Winchester, VA 22601

540-665-5610
www.fcva.us/purchasing



PURCHASING OBJECTIVE

Frederick County strives to purchase goods and services in an open and fair manner to receive the best value for money spent on behalf of its citizens.

PURCHASING PRINCIPLES

The guiding principles for competitive procurement are set out in the Code of Virginia, Title 2.2; Virginia Public Procurement Act, Chapter 43 and the Frederick County Board of Supervisors Policies, which promote:

- All procurement procedures are conducted in a fair and impartial manner;
- All qualified vendors have access to public business;
- No vendor is arbitrarily or capriciously excluded;
- Competition is sought to the maximum feasible degree;
- Rules governing contract awards are clear in advance of the competition; and
- Specifications reflect the procurement needs of the County, rather than being drawn to favor a particular vendor.

THE PROCUREMENT PROCESS

Depending on the value, type and complexity of the goods or services being procured, the County may use a variety of processes/methods to obtain the goods or services needed.

PROCUREMENT METHODS

The County of Frederick awards contracts through the following methods:

➤ **Small Purchases Procedures**

Purchases under \$70,000 must be competitively sought and quotes obtained.

➤ **Competitive Sealed Bidding (IFB)**

Purchases with a value over \$70,000, an Invitation for Bids is used when the County can clearly specify its requirements, price is the main factor in determining the award. Many include minimum qualification requirements.

➤ **Competitive Negotiation (RFP)**

Purchases with a value over \$70,000, a Request for Proposals is used when the County must consider factors other than price to determine which firm provides "best value" to the County.

➤ **Cooperative Procurement**

Frederick County may purchase from a contract solicited by another public body, even if it did not participate in the solicitation, as long as the awarding entity follows all applicable regulations of fairness and competition.

➤ **Sole Source Procurement**

A contract may be awarded directly to a vendor without the competitive process if it is determined there is only one source practicably available for the goods/services being procured.

➤ **Emergency Procurement**

The County may procure goods/services on an emergency basis, for a serious and urgent nature for any amount that demand immediate action to protect personal safety, life or property.

BIDDER/OFFEROR REGISTRATION

Vendors interested in doing business with the County, should register online with eVA. Registering with eVA allows a vendor to receive a notice when the commodity or the service they are interested in providing is needed by the County.

VENDOR REQUIREMENTS

All vendors must comply with all federal, state and local statutes, ordinances and regulations. Vendors must also possess all necessary licenses, permits and insurance required to conduct business with the County.

PAYMENT METHODS

To be paid by the County, a completed Request for Taxpayer ID Number and Certification must be furnished and on file with the Finance Department.

The county issues payment to vendors for goods and services received using the following methods:

➤ **VISA Purchasing Card (P-Card)**

This is the County's preferred method of payment for the purchase of all goods and services, regardless of amount.

➤ **Automated Clearing House (ACH)**

ACH electronically transfers funds from the County's bank account to the vendor's designated bank account. There is no dollar threshold. A completed ACH enrollment form is required.

➤ **Check**

A paper check is the method of payment for non-VISA merchants and vendors not accepting ACH payments. The check is mailed through the United States Postal Service – check pick up is not permitted.

