

# Procurement Policy

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Missouri River Regional Library will endeavor to obtain the greatest value for every tax dollar expended.

The Library follows all laws, rules and regulations of the State of Missouri pertaining to libraries and political subdivisions, including, but not limited to, Missouri Revised Statutes Chapters [34](#), [67](#), and [182](#) and [Missouri Code of State Regulations](#). The Library's intention is to seek competitive pricing and comparison pricing whenever possible in order to maximize the purchasing power of the Library. The administration will encourage purchasing from local vendors when possible and if it is in the best interest of the Library. The Library Administration will also regularly review discounts available from vendors and through institutional memberships to insure the Library is getting the best value for its tax dollars.

Approved March 16, 2021

## Guidelines

### Conflict of Interest

Members of the Board of Trustees shall be restricted in bidding of sales to, or purchases from the library to those items placed under formal competitive bid. Trustees shall not be allowed to bid on professional services or take place in unofficial bidding processes. Trustees who are owners or officers of firms dealing in this formal bidding process should designate another member of their staff to handle all negotiations with the library. Trustees should abstain from voting on any purchases or contracts in representing the library as a Trustee.

The library shall be allowed to transact business with banks in the Counties whose board members or employees are also members of the library Board of Trustees, provided that the Trustee does not negotiate or represent either the bank or the library in active negotiations or voting on contracts. This restriction shall apply to both depository services and competitive placement of investment funds.

Products or services from businesses in which members of the library administrative or managerial staff have a material interest shall not be considered for purchase by the library. In cases where the business is the sole source of the product or service needed, the library staff member shall have no part of the bidding or procurement process.

## Bids

- For small purchases of goods or services, it is not practical to solicit RFPs or multiple bids. Small purchases are when the purchase cost will likely be \$4,999 or a lesser amount. The library shall seek to obtain such goods or services at the lowest reasonable price by engaging in comparison pricing or shopping through direct contact, or through a review of advertisements, catalogs, or web pages.
- Purchases with an anticipated cost between \$5,000 and \$74,999 will be made using an informal bidding process. With respect to such purchases, an RFP or RFQ process shall not be required. Bids for these goods or services will be sought informally by the Library Director or designee from no fewer than three suppliers, if practical. Informal bids may be received by mail, e-mail, fax, or in person.
- Purchases with an anticipated bid amount of \$75,000 or greater shall be completed through a formal bid process. These bids shall be advertised in at least one paper with broad general distribution within Cole and Osage Counties, with such publications to occur at least one week prior to the required submission date for responses. These bids will also be advertised on the library website. Where practical to elicit greater responses for bids, additional listings may be made on cooperating web pages and notices may be sent to potential bidders.
  - Sealed bids may be received by mail or delivery only. No e-mail or fax transmissions will be allowed for sealed bids unless approved by the Library Director or their designee. No negotiation will be allowed as to bid amount after submission, unless such options are clearly spelled out in the bid document. Occasionally, bid documents may contain deductions for options that the vendor feels would provide a superior product for less cost. The library reserves the right to negotiate such changes with the submitting vendor, or other vendors if that would result in savings. The library reserves the right to use cooperative purchasing agreements or listed advertisements for purchases if that results in a lower cost, even if these sources do not respond to the library's bid notices.
  - Although price shall normally be a major consideration in all purchases, the library reserves the right to take such factors as durability, timeliness, availability and operating cost into consideration when awarding a bid. Low bidders may be rejected where serious reservations about the quality or suitability of items or services exist. The library reserves the right to waive minor irregularities in submitted bids, or to waive normal bidding procedures in an emergency when it is in its best interest to do so.
- In order to obtain the best price, the library shall be allowed to enter into cooperative purchasing agreements with federal, state or local units of government, or not for profit corporations. Cooperative agreements may be entered into, or already negotiated contracts may be assumed. Existing bids may be renegotiated or extended if it is to the library's benefit.
- Library books and materials as well as single-source products and services necessary for library operations are not subject to these procedures or to bid requirements. Purchases for these items are made under appropriation approval through the library's annual budget.
- Construction purchases, change orders and large unbudgeted expenses require a motion by the library Board of Trustees.

## **Professional Services**

Professional services include, but are not limited to audit and banking services, equipment and custodial maintenance contracts as well as special one-time consultant service needs. Depending on the nature of the service, professional services may be solicited through the bid process or by Requests for Qualifications (RFQ) or Requests for Proposal (RFP). Contracts for ongoing services may be rebid when in the best interest of the Library.

## **Requests for Proposal (RFP)**

The Library reserves the right to secure products and services through a Request for Proposal when that is in the best interests of the Library. Requests for Proposal shall normally be limited to complex projects, especially those with multiple or unknown ways of accomplishing a certain objective.

Requests for Proposal may involve intellectual property or the quest for new ideas that do not lend themselves to traditional bidding. In general, the Library shall advertise requests for proposals in the same manner as bids, however the Library shall reserve more latitude in considering low price as the primary indicator of acceptance.

If only one response to a bid, RFP, or RFQ is received, the library reserves the right to accept that response if it is reasonably believed that extending the deadline or reposting will not yield more responses or is not possible due to other constraints.

If no response is received, the library reserves the right to repost for responses or award the contract directly if reposting is reasonably believed to be unlikely to yield more responses or is not possible due to other constraints.

## **Exemptions from Competitive Bidding Requirements**

Competitive Bids or proposals shall not be required in the following circumstances:

- The Library Director reasonably determines that the knowledge or experience of library staff enables the staff to reasonably judge the probable outcomes of the competitive bidding process without actually going through the competitive bidding process.
- For purchases from federal, state, or other local governmental units or purchases using purchase agreements of these entities.
- For the purchases of utilities such as electric, gas, water, sewer, telephone, etc.
- For purchases of a vehicle or data processing items including software purchases. These purchases will be made by selecting vendors for comparison pricing, and no advertising will be done.

- The requirement of securing multiple bids may be waived when bids have been received from multiple suppliers within the immediately preceding 24 months and such bids can be reasonably used to select a supplier who has submitted one of the bids.
- For previously bid items, commodity items and supplies for which uniformity is crucial, or computer equipment which exists on a local or wide area network.

### **Emergency Purchases**

If it reasonably appears to the Library Director or their designee that an emergency situation exists that involves safety of individuals, a significant risk of damage to persons or property, or a disruption of library services unless corrective action is taken promptly, and the emergency situation does not allow sufficient time for advertising or seeking competitive bids, then the provisions of these procedures may be waived by the Library Director. When goods or services are acquired without seeking competitive bids from vendors due to an emergency, the circumstances giving rise to the emergency and specific information concerning the purchase shall be presented by the Library Director to the Board, orally and/or in writing, at the next public meeting of the Board.