

COUNTY OF SAN DIEGO



PROCUREMENT MANUAL

DEPARTMENT OF PURCHASING & CONTRACTING

Issued July 27, 2020





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INTRODUCTION

The County of San Diego Department of Purchasing and Contracting (DPC) is responsible for the acquisition of high quality goods and services quickly, efficiently, and at the best price available to meet the objectives of County Departments and best serve the residents of the San Diego region.

DPC maintains a portfolio of 3,000 active contracts with a total value of over \$10 billion. Nearly a quarter of the County's annual budget is allocated to contracted goods and services, with over \$1.3 billion spent each year in categories such as health and civic services, information technology, and construction. As an anchor institution in the San Diego region, the County not only plays a role in strengthening the regional economy through its purchasing choices and decisions, but also safeguards public funds by effecting fair, transparent, and sound procurement and contract monitoring practices.

Both large and small business are always in demand to provide goods and services. The County actively supports and promotes supplier diversity and healthy competition, which in turn produces better value for the taxpayer dollar. For businesses, working with the County is an opportunity to boost revenues, enhance their business portfolio and experience, and increase visibility in the region.

This Procurement Manual describes the County's procurement process and implementation of federal and State laws and regulations and the County of San Diego Board of Supervisors (BOS or Board) policies. The Manual also reflects DPC's vision and mission for competitive, transparent, and inclusive procurement.

MISSION, VISION AND VALUES

Vision. The Department of Purchasing and Contracting will deliver World-Class Procurement Services, focused on County Departments' needs, while providing value-added business advice with outstanding

customer service and in compliance with applicable laws, regulations, and policies.

Mission. The Department of Purchasing and Contracting operates to provide County Departments and other associated organizations outstanding procurement support necessary to meet their operational missions and objectives.

Our procurement services are aligned with our customers' organizations and are focused on:

- Acquiring high quality goods and services, as required and defined by the County Departments.
- Security services within the schedule and time periods needed by the County Department.
- Purchase of goods and services at fair and reasonable prices under contract terms which represent the best interest of the County.

Procurement of goods and services will be completed in compliance with all applicable laws, polices, and regulations in a manner that supports the best interests of the County.

DPC is committed to transparency and accountability of all purchasing and contracting transactions and making all contracting opportunities available to qualified businesses that can best meet the County's needs.

Values. DPC subscribes to the values and guiding principles established by NIGP: The Institute for Public Procurement, a leading public procurement professional organization. They include:



ETHICS

Doing the right thing. This value is essential to deserve the public's trust.



IMPARTIALITY

Unbiased decision-making and actions. This value is essential to ensure fairness for the public good.



ACCOUNTABILITY

Taking ownership and being responsible to all stakeholders for our actions. This value is essential to preserve the public trust and protect the public interest.



PROFESSIONALISM

Upholding high standards of job performance and ethical behavior. This value is essential to balance diverse public interests.



SERVICE

Obligation to assist stakeholders. This value is essential to support the public good.



TRANSPARENCY

Easily accessible and understandable policies and processes. This value is essential to demonstrate responsible use of public funds.

PROCUREMENT ETHICS AND STANDARDS OF CONDUCT

DPC established a [Procurement Ethics and Standards of Conduct](#) policy to implement the County's Code of Ethics and ensure fairness, honesty and integrity in all procurement actions. These standards apply to all individuals involved in the procurement process, including all County staff, consultants and contractors. The procurement process includes all pre-contract activities and post-award contract administration.

AUTHORITY AND GENERAL RESPONSIBILITIES

Purchasing authority and general responsibilities are established by the [Charter of the County of San Diego](#) (Charter), the [San Diego County Code of Administrative Ordinances](#) (Admin Code), and the [Board of Supervisors Policy Manual](#) (Board Policy).

Authority of the Purchasing Agent and DPC. [Charter Section 705](#) establishes the DPC Director as the County's Purchasing Agent. The Purchasing Agent may enter into non-service and service contracts on behalf of the County. The Purchasing Agent may also assign to other appropriate DPC staff the performance of duties and responsibilities related to the functions of the Purchasing Agent. Approval levels and authority are established by California law and referenced County of San Diego documents.

[Admin Code Section 401](#) authorizes the Purchasing Agent to enter into contracts without first obtaining the approval of the Board as follows:

- Single Source contracts where the annual cost does not exceed \$100,000. Note that Single Source contracts over \$50,000 and up to \$100,000 require approval of the Chief Administrative Officer (CAO) under [Board Policy A-87](#).
- Contracts for goods and services under a Categorical Exemption ([Board Policy A-87](#)) and the annual value does not exceed \$1,000,000.

- Contracts awarded through a Request for Proposal (RFP) where the annual value does not exceed \$1,000,000.
- Contracts awarded through a Request for Bid (RFB) or Reverse Auction (RA) process of any amount.
- Amendments to contracts where the contract price remains within the authorities stated, or amendments to contracts awarded through an RFP and the amendment does not increase the annual contract price above \$1,250,000.

The Purchasing Agent shall make all purchases for the County and may make them only upon receipt of an authorized requisition. Emergency purchases may be made by others authorized by the Board, but they shall be subsequently either approved by the Purchasing Agent or ratified by a four-fifths vote of the Board. Except in cases of emergency, the Purchasing Agent may not issue a formal purchase order without the Auditor and Controller's certification of sufficient funds.

A Supervisor or officer shall not attempt to influence or coerce the Purchasing Agent in the performance of duty. Except for the purpose of inquiry, a Supervisor shall not deal directly with the Purchasing Agent for the purpose of buying supplies. The Board shall conduct official business with the Purchasing Agent only when the Board is convened in regular session.

General Responsibilities of DPC. [Admin Code Section 407](#) assigns the Purchasing Agent the responsibility for coordinating efforts to improve the County's procurement and contracting process, including the development of standard procedures for the selection of contractors, standard contract provisions, standardized and simplified review procedures, and standardized contract administration practices. The Purchasing Agent shall monitor and evaluate procedures and provide assistance to the various County Departments in respect to procurement and contracting. The CAO shall assign personnel with necessary technical expertise to work with the Purchasing Agent in improving the contract process and providing contract review on a consolidated basis.



In addition to the coordinating the County's procurement and contracting processes, DPC also administers the Procurement Card (P-Card) program, Records Services, Travel Planners, and Property Disposal.

Key References:

- [Admin Code Section 400.1](#) – Effective and efficient procurement of goods, materials, and services supporting County Departments.
- [Board Policy A-87](#) – Implement sound procurement processes to acquire the quality goods and services at fair and reasonable prices, and with terms and conditions in the best interest of the County.
- [Board Policy A-94](#) – Dispose of surplus equipment and salvage materials.
- [Board Policy A-129](#) – Manage the Countywide Records Management program.

General Responsibilities of County Departments. [Board Policy A-81](#) sets forth the County Departments' responsibility for contract administration. The Department Head is responsible for the overall performance of the contract, while the Program Manager is responsible for the day-to-day operations of the contract, including ensuring compliance with contract requirements and processing contract payments.

Competition Requirements – Board Policy A-87. [Board Policy A-87](#) requires competitive procurement of goods and services, defines the various methods of competitively procuring goods and services, and sets forth exemptions and exceptions from the competitive procurement requirements for the procurement of certain goods and services. This policy also establishes the criteria where the exemptions and exceptions may be used and the process for using exemptions and exceptions. The policy implements provisions of applicable State and local laws and regulations governing the County's purchase of goods and services.



All procurements, unless otherwise authorized by State law, the Admin Code, or other Board Policy, will be implemented under the authority and approvals outlined in [Board Policy A-87](#). DPC staff shall document the applicable authority and process applied for each product or service acquired as appropriate.

Establishment of Guides and Procedures. The Purchasing Agent shall establish methods and procedures necessary for the proper functioning of County purchasing in an efficient, transparent, and economical manner. [Admin Code Section 407](#) establishes that the Purchasing Agency will issue procurement guides and procedures appropriate to enable effective and efficient procurement.

The Office of County Counsel reviews and advises on County contracting processes to enhance standardization and provide mitigation of risk. County Counsel will review and advise on non-standard contract clauses.

DOING BUSINESS WITH THE COUNTY

Who Can Do Business with the County? Any business that is a valid business with the ability to operate in California can do business with the County. All businesses must be reputable and in compliance with all applicable rules and regulations. The County does not require a business license, but cities within the County may require one when conducting business within the city limits. The County does require registration of a Fictitious Business Name when applicable. Please see the County's [Business Licenses](#) page for more information.

In accordance with Section 31 of the California State Constitution, the County does not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the public procurement function. Therefore, no special or preferential set-asides are allowed. Regardless, the County encourages and supports participation of small business in County solicitations. Representatives regularly attend community outreach



events where small businesses are counseled and assisted in registering on [BuyNet](#). DPC is dedicated to providing support to the small business community desiring to do business with the County.

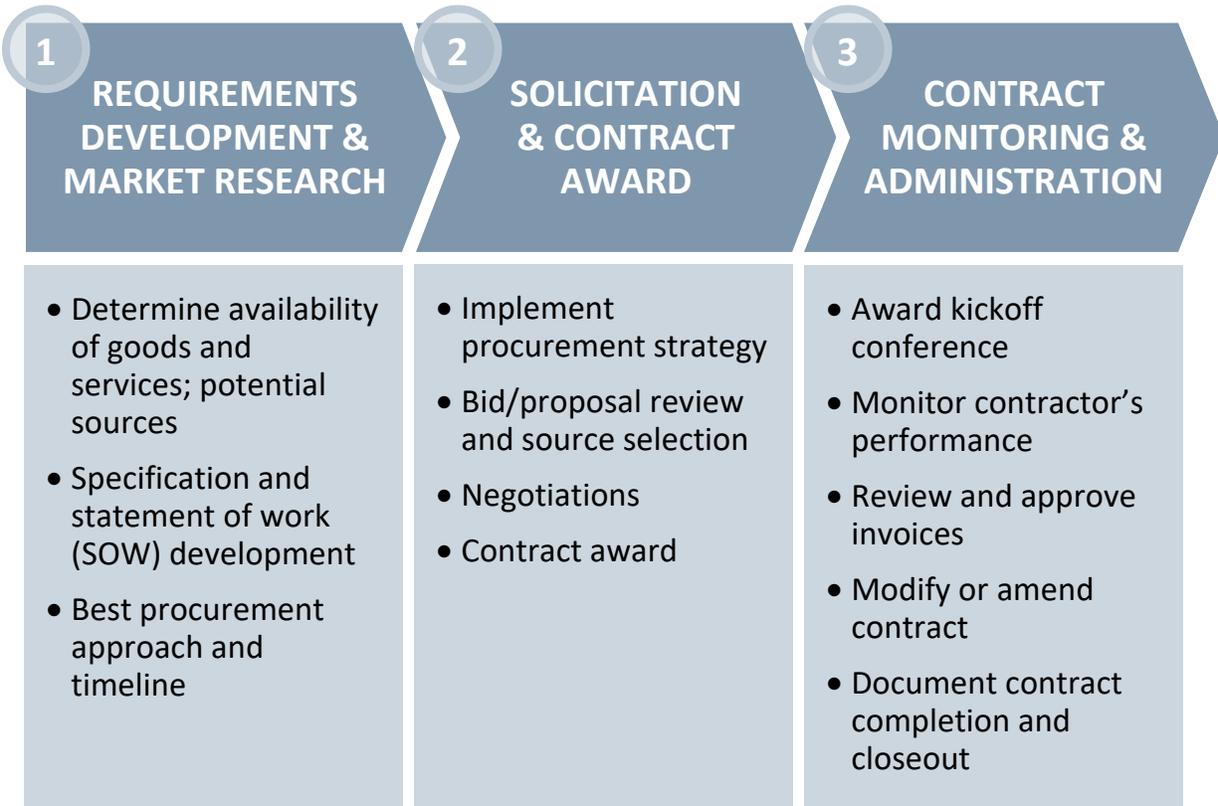
The County also promotes local small businesses through a preference program for registered local Small Business Entities (SBEs), Veteran-Owned Businesses (VOBs), and Disabled Veteran Business Enterprises (DVBES). Please see the Local Small Business Programs section of this manual for more information.

How Can You Do Business with the County? The County hosts its own interactive procurement website called [BuyNet](#), which shows what the County is looking to purchase in the way of products and services. All businesses interested in doing business with the County should register on [BuyNet](#), which is free of charge. [BuyNet](#) allows users to view solicitations, create commodity profiles, elect to receive notifications of new solicitations based on their profile, download solicitation documents and attachments, respond to Request for Quotations (RFQs), and view award notices.

The County hosts free workshops and DPC representatives are available at various outreach events across the region throughout the year to answer questions and help businesses register on [BuyNet](#). Please visit the [DPC website](#) for upcoming events and details. For all other inquiries, please contact COSD_procurement@sdcounty.ca.gov or (858) 505-6367 during normal business hours.

THE PROCUREMENT AND CONTRACTING PROCESS

Three Phases & Major Tasks



(1) Requirements Development and Market Research



Departments and DPC Relationship. County Departments work with DPC to decide how to buy goods and services that best meet the Department's needs. This partnership helps ensure that the Department



is able to procure goods and services in the most effective, economical, and timely manner. The planning process encompasses several factors:

- What are the needs? Can new technologies or services deliver on those needs?
- Are there existing County contracts or agreements for those goods and services?
- Has the County or other public agencies procured these goods or services before?
- Are the goods or services common or unique to our area?
- Are there multiple suppliers or contractors available?

Market Research. Market research is critical in making sure Departments take advantage of the latest goods, services, and capabilities available in the marketplace. Market research can include:

- Industry and vendor conferences
- Current publications and reference materials
- Internet searches on goods or services
- Information from other agency contracts for similar goods or services
- A Request for Information (RFI) from industry stakeholders

Request for Information. RFIs are utilized to collect information about the capabilities of potential suppliers and contractors. It is important for potential suppliers and contractors to respond to RFIs as the information collected will likely be used to formulate specifications, SOWs, other solicitation documents, or the procurement method. All RFIs are posted to [BuyNet](#) similar to other solicitations.

Types of Requirement Documents – Specifications and SOWs.

Specifications and SOWs define the requirements for the procured material, product, or service and are used during both the procurement and contract monitoring process.



Specifications generally describe the technical requirements for a material, product, or service and include criteria to determine whether the requirements were met.

SOWs are similar to specifications but typically include sections that allow Departments to review and monitor performance throughout the contract term. A SOW should include:

- Description of the material, product, or service
- Roles and responsibilities of all parties involved
- Performance expectations, outcomes, and deliverables
- Period of performance and deliverable dates
- Inspection and acceptance
- Warranty of services or products (if required)
- Personnel and staffing requirements such as qualifications, background checks, etc.
- Special terms and conditions of work such as equipment, locations, licenses, clearances, etc.
- Meetings (if required) and details on who, when, where, and what topics should be covered
- Timely notices to the County and third parties of events and affected areas

Specifications and SOWs can be written to enhance or inhibit competition. County policy requires DPC to seek competition to the maximum feasible degree and that specifications and SOWs enhance competition. Requirement documents such as specifications, SOWs, and other technical documents should not specify one product, solution, approach, or supplier. Requests for a single source provider must be properly justified and approved in accordance with County policies (see [Board Policy A-87](#)).

(2) Solicitation and Contract Award



Solicitation Methods. Following the conclusion of the requirements development and market research phase, DPC and the County Department will decide on the most appropriate procurement method to solicit and award a contract for the needed goods and services.

Commonly used procurement methods include:

Procurement Card (P-Card) – *The P-Card program allows Departments to streamline low value purchases under \$2,500 for certain categories of supplies and services using a County credit card. Cardholders are required to obtain at least two quotes for purchases over \$1,000. No quotes are required if there is an existing Blanket Purchase Agreement (BPA).*

Request for Quotation (RFQ) – An RFQ is an informal procurement method for small purchases up to \$250,000 total and less than \$100,000 per year. RFQs are posted to [BuyNet](#) with applicable terms and conditions to solicit quotations. Evaluations do not require a formal committee and may consider other factors in addition to lowest price. Awards and final contract terms are based on best value.

Request for Statement of Qualifications (RFSQ) – An RFSQ is used to establish a pre-qualified list of potential offerors by allowing interested suppliers to show that they meet minimum qualifications or requirements to provide a material, product, or service. RFSQs are not binding offers, bids, or proposals. Rather, an RFSQ may be used to initiate a formal procurement process.



Request for Bid (RFB) – RFBs are a formal competitive procurement method by which awards are made to the lowest bid. The winning bid must be both responsive (conforms to specific bid requirements) and responsible (competent and otherwise qualified to perform under the resulting contract).

Request for Proposal (RFP) – An RFP is a formal negotiated competitive procurement process and is the most flexible method for obtaining contracted services and certain types of goods. In response to the solicitation, offerors submit proposals detailing their technical and business experience, capabilities, and specific approach to achieve the requirements established for the services or goods requested. The RFP will include evaluation factors and criteria as well as their relative importance for award selection. Evaluation of proposals is completed by an appointed Source Selection Committee. Awards are made on best value in consideration of price and other factors. RFPs may establish minimum or pre-qualification requirements to be eligible for consideration.

Qualification-Based Selection (QBS) – A QBS selects the most qualified offeror and does not consider price during the evaluation process. QBSs are commonly used to contract professional services including architectural, engineering, and other related professional services in accordance with [Board Policy F-40](#). Other uses of the QBS process typically require additional authority.

Reverse Auctions (RA) – When appropriate, the County may use an RA, which is a procurement process by which offerors submit decreasing incremental offers openly and in real-time. The award is based on the lowest price from a responsive and qualified offeror. Interested offerors typically must complete pre-qualification requirements such as providing evidence of licenses, insurance, or bonds, and other contract documents prior to the auction date. The County will establish the rules and terms for each RA.

Managed Competition – A managed competitive process allows County employees to compete against non-County service providers to determine which offers the most economical and efficient way to provide services to the public. Managed competition also taps the creativity, experience, and resourcefulness of County employees, giving them the opportunity to manage their operation as if it were a competitive business. Managed competitions are conducted in accordance with the [Managed Competition Guide](#).

Piggyback Contracting – The County may use competitively awarded government contracts or cooperative agreements to acquire the same commodities or services at the same or lower price. Generally, the original contract includes language allowing other entities to use the contract. This may be advantageous in terms of pricing and gaining economies of scale that would not otherwise be available to the County.

Prior to using a piggyback process, DPC will confirm that the contract is in the County's best interest by verifying the following:

- Goods and services meet County requirements
- Agreements were established competitively
- Quantities are to the County's advantage
- Pricing is current for the marketplace

Other Procurement Methods – The County uses other procurement methods as appropriate. These include public works methods described in the [Public Contract Code](#), additional simplified procurement methods described in the [Admin Code](#) or [Board Policy](#), and those authorized by the Board.

Contract Award and Protest Process. Notices of Intent to Award and contract awards are posted to [BuyNet](#). The County has established protest procedures for proposed contract awards. [Board Policy A-97](#) addresses protest procedures for all formal procurements except in cases where the procurement includes an alternate process to resolve protests. Unsuccessful

offerors for solicitations awarded based on best value may also request a debriefing to discuss why another proposal was selected by reaching out to the assigned buyer on the solicitation.

(3) Contract Monitoring & Administration



Contract Administration. [Board Policy A-81](#) assigns contract administration responsibilities to the County Department that requested the goods or services. The Department Head is responsible for the overall performance of the contract. The Program Manager is responsible for the day-to-day operations of the contract which includes ensuring compliance with the technical requirements of the contract and processing contract payments.

Contracting Officer’s Representative (COR). All term contracts procured through DPC are assigned a COR, who is the primary point of contact for contract management. CORs act as the liaison between the contractor and the County and are responsible for the performance, monitoring, and evaluation of the contract. The COR assignment is made by the Department Head and authority is designated by the DPC Director. This designation does not supersede or modify the responsibilities assigned to Department Heads and Program Managers per [Board Policy A-81](#).

Debarment and Suspension. Certain poor performance, non-performance or criminal conduct may warrant barring a contractor or other individuals from doing business with the County. [Admin Code Section 429](#) establishes a process for debarring and suspending

contracts or individuals who have engaged in egregious conduct such as submission of false claims or criminal conduct, or who have been debarred by another entity.

ADDITIONAL PROCUREMENT TOPICS AND INFORMATION

Local Small Business Program. The County is committed to supplier diversity and facilitating the successful participation of local small businesses in County procurements. The County's Local Small Business Program is established by [Admin Code Section 405](#), [Board Policy B-39a](#), and [Board Policy B-53](#) and applies to qualified Small Business Entities (SBEs), Veteran Owned Businesses (VOBs), and Disabled Veteran Business Enterprises (DVBEs).

Definitions:

Small Business Enterprise – An SBE is a business certified as a Small Business (SB) by the State of California.

Veteran Owned Business – Qualifying VOBs are businesses certified by the U.S. Department of Veterans Affairs as a Veteran-Owned Small Business (VOSB) or Service-Disabled Veteran-Owned Small Business (SDVOSB) or certified by the State of California as a DVBE.

Disabled Veteran Business Enterprise – A DVBE is a business certified by the State of California as a DVBE.

Local Business Preference Program. Beginning January 1, 2020, qualifying local SBEs, VOBs, and DVBEs as defined in [Admin Code Section 405](#) will receive a 5% preference on bids or proposed price. The amount will be subtracted from the bid or proposed price prior to evaluation for award, up to \$50,000.



Exemption from Competition. Procurements of up to \$50,000 in goods or services from a DVBE are exempt from competitive procurement requirements. Procurements of up to \$100,000 using a competitive or simplified procurement procedure may be reserved exclusively for SBEs and VOBs to compete for award. See Board Policies [B-39a](#) and [A-87](#).

DVBE Subcontractor Participation Goal. Pursuant to [Board Policy B-39a](#), prime contractors must meet or exceed 3% DVBE subcontractor participation on public works procurements estimated to exceed \$1 million. For public works procurements estimated to be between \$500,000 and \$1 million and procurements for services estimated to exceed \$1 million, the prime contractor shall make a good faith effort to meet or exceed 3% DVBE subcontractor participation.

Appendix A – Abbreviations and Definitions

Admin Code. San Diego County Code of Administrative Ordinances

Board. Board of Supervisors

Board Policy. Board of Supervisors Policy Manual

BOS. Board of Supervisors

CAO. Chief Administrative Officer

Charter. Charter of the County of San Diego

COR. Contracting Officer’s Representative

County. County of San Diego

DPC. Department of Purchasing and Contracting

DVBE. Disabled Veteran Business Enterprise

OGA. Other Governmental Agency

P-card. Procurement Card

QBS. Qualification-Based Selection

RA. Reverse Auction

RFB. Request for Bid

RFI. Request for Information

RFP. Request for Proposal

RFQ. Request for Quotation

RFSQ. Request for Statement of Qualifications

SB. Small Business

SBE. Small Business Entity

SBP. Small Business Policy

SDVOSB. Service-Disabled Veteran-Owned Small Business

SOW. Statement of Work

VOB. Veteran Owned Business

VOSB. Veteran-Owned Small Business

Appendix B – References and Links

- [\(Admin Code\) San Diego County Code of Administrative Ordinances](#)
 - [Admin Code Article XXIII Department of Purchasing and Contracting, Sections 400-429](#)
- [Board of Supervisors Policy Manual](#)
 - [Board Policy A-81: Procurement of Contracted Services](#)
 - [Board Policy A-87: Competitive Procurement](#)
 - [Board Policy A-94: Disposal of Personal Property](#)
 - [Board Policy A-97: Protest Procedures for Award of Contracts](#)
 - [Board Policy A-129: Compliance with the Countywide Records Management Program](#)
 - [Board Policy B-39a: Disabled Veterans Business Enterprise \(DVBE\) Program](#)
 - [Board Policy B-53: Small Business Policy \(SBP\)](#)
 - [Board Policy B-66: Procurement of Products and Services from Other Governmental Agencies \(OGAs\) including the California Prison Industry Authority \(PIA\)](#)
 - [Board Policy B-67: Environmentally Preferable Procurement](#)
 - [Board Policy F-40: Procuring Architectural, Engineering and Related Professional Services](#)
- [BuyNet](#)
- [Charter of the County of San Diego](#)
 - [Charter Article VII, Section 705. Purchasing Agent](#)
- [Contract Search Tool](#)
- [County of San Diego Website](#)
- [Department of Purchasing & Contracting Website](#)
- [Procurement Ethics and Standards of Conduct](#)
- [Prohibition on Accepting Gifts and Gratuities](#)