

How to do Business with Fulton County Schools (FCS) Vendors' Guide 2010

FULTON COUNTY SCHOOLS



MISSION

To acquire goods and services for Fulton County Schools under the applicable rules, policies and laws promulgated by the Fulton County Board of Education, the State of Georgia and the Federal Government and meeting customer requirements for timeliness, quality and economy.



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FULTON FACTS

Dear Vendor:

Welcome to the Fulton County Schools' (FCS) Contracting Department's community of business associates. You will find our purchasing operations are similar to those encountered in many other government organizations. Full and open competition is the foundation of our purchasing program and we abide by the policy and procedures mandated by the Fulton County Board of Education and the appropriate State and Federal regulations and laws in all purchasing actions.

This guide is intended to provide an overview of how you can do business with us. For more detailed and current information of what we are purchasing, we invite you to visit our website at www.fcspurchasingdept.org. The site enables you to view a list of our recurring contract requirements, an interactive list of current requirements for bids or proposals, and of key importance, on-line vendor registration to be added to our Bidder's List.

We look forward to establishing a mutually beneficial business relationship with your organization. If we can be of further assistance please contact us at 404-669-8970 or use the e-mail capability to contact a buyer directly from our website.

Sincerely,

Angela R. Young
Director of Contracting

Our mission:

To educate every student to be a responsible, productive citizen.

Our vision:

The Fulton County School system is a place where all children learn to their full potential in a safe, nurturing environment supported by involved and committed staff, family, and community in helping to prepare them for a successful future.

Number of Schools: 99

58 elementary Schools, grades K-5
(Pre-kindergarten available in some schools)
19 middle schools-grades 6-8
16 high schools – grades 9-12
(includes two open campus high schools)
6 start-up Charter Schools

System-wide Enrollment: 90,000+

General Fund Budget 2009-2010: \$856,442,124

About Fulton County Schools

Founded in 1871, the Fulton County School System (FCS) is one of the oldest and largest school districts in Georgia. With a focus on student achievement and a commitment to continual improvement, Fulton has earned a reputation as a premier school system. This long history of excellence is evidenced by the many state and national honors bestowed on Fulton’s schools, staff and students.

Currently, the school system is experiencing tremendous growth. Many believe this is due to the system’s excellent reputation. The curriculum stresses academic achievement and success. It is both challenging and stimulating and exposes students to a broad range of experiences. The arts, both visual and performing, also flourish. Evidence of this can be found in the numerous academic, athletic and artistic awards received by the system’s students and staff.

FCS encourages, supports and appreciates parental and community involvement. Each school has active parent-teacher associations and advisory committees. All schools have business partners, and the Fulton Education Foundation provides additional financial support.

With its outstanding programs, facilities, students, staff, parents and community, FCS is a natural choice for those who make education a top priority.

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FULTON COUNTY SCHOOLS CONTRACTING DEPARTMENT

Mission & Goals

Mission: To acquire goods and services for Fulton County Schools under the applicable rules, policies and laws promulgated by the Fulton County Board of Education, the State of Georgia and the Federal Government and meeting customer requirements for timeliness, quality and economy.

Goals: It is the Contracting Department's goal to ensure that the daily logistic support to schools and departments is accomplished in an efficient and effective manner. Challenging goals have been established and progress is being measured to maximize mission performance. Our goals are:

Timeliness – We are committed to obtaining supplies and services for our schools and departments in the most timely manner possible.

Quality – We are committed to obtaining quality goods and services that meet the needs of our customers.

Economy – We are committed to obtaining the best price, or in certain cases the “best value,” based on full and open competition.

User Friendly – We strive to make our purchasing system easy to use for both our customers and vendors.

Purpose of the Vendors' Guide

The purpose of the vendors' guide is to provide information to vendors that will make doing business with Fulton County Schools' Contracting Department a positive and effective experience. While the guide does not encompass every detail of all regulations, policies and laws governing our purchasing practices, it does provide the basic principles of our procurement methods.

Contact Us

Phone: 404-669-8970
Fax: 404-765-7152
Website: www.fcspurchasingdept.org
Address: The Meadows Operations Center
5270 Northfield Boulevard
College Park, Georgia 30349

Driving Directions:

Take I-85 to Old National Highway (south of the airport). Go south on Old National Highway. Go through two traffic lights, pass McDonald's; turn right onto Old Bill Cook Road then left onto Northfield Boulevard. The Meadows Operations Center is at the end of Northfield Boulevard.

What We Buy

FCS has the need for an extensive variety of materials and services to support the education mission. The range of needs stretches from office supplies to school buses, paper to food items, and refuse pick-up to grounds maintenance. The list is much too long to place in this publication; however, our website, www.fcspurchasingdept.org provides a list of recurring contracts and a commodity list that should prove very informative for a potential vendor.

How We Buy

Purchase Cards:

The purchase card is a VISA card issued by a local bank. Each school and most departments within FCS have a purchase card to make low dollar transactions for goods and services. The cards are restricted by dollar limits, in most cases \$2,500 per transaction and \$25,000 per month, and commodity codes. The commodity code assigned to a business is controlled by the VISA authorities, which assign the codes by business type. Our cards restrict purchases to those commodity codes that offer goods and services most likely to be used by a K-12 school system.

Purchase Orders (POs)

\$1.00 to \$2,500.00 -The Contracting Department will issue a PO based on a single oral quote.

\$2,500.01 to \$5,000.00 - The Contracting Department will issue a PO based on a minimum of two oral quotes.

\$5,000.01 to \$10,000.00 -The Contracting Department will issue a PO based on a minimum of two written quotes.

Above \$10,000.00 -The Contracting Department will solicit quotes, bids or proposals to award a contract. Actual purchases will be made by a purchase order or the purchase card.

The Solicitation Process

- A. Forms of Solicitation:** The solicitation will follow three basic formats:
- (1) **Invitation for Bid (IFB)** - Bids will be opened in public and award will be made to the lowest priced, responsible, responsive bidder.
 - (2) **Request for Proposals (RFP)** - Proposals are evaluated by a committee and award of a contract is based on “best value.” (See Appendix A for more detail on the RFP process)
 - (3) **Requests for Qualification (RFQ)** - Submittals are evaluated, usually by a committee and award of a contract is based on “best qualified”.
 - (4) **Requests for Quotes (RFQ)** - Quotes will be received and award will be made to the lowest priced, responsible, responsive quoter.
- B. Notification of Solicitations:** - FCS posts all Invitation for Bids, Request for Proposals, Request for Qualifications and addenda on our website www.fcspurchasingdept.org. It is suggested that interested vendors monitor the website on a frequent basis. Vendors registered on the FCS Bidder’s List are notified by postcard and/or e-mail when a solicitation within their commodity group is posted.
- C. Late Bids, Proposals, Quotes and Submittals:** Bids, proposals, quotes and submittals must be received by the time and date stated in the solicitation or they will not be accepted. No exception will be made to this policy.
- D. Pre-Bid/Proposal Conference:** Pre-bid/proposal conferences are held to clarify specifications, answer vendor questions, and in some cases perform an on-site inspection.
- E. Addenda:** Addenda may be required based on many factors, including but not limited to, written questions submitted, questions asked at pre-bid/proposal conferences or changes to the FCS requirement. Changes to the solicitation will be made by addenda posted to the FCS Contracting Department’s website www.fcspurchasingdept.org. It is the vendor’s responsibility to monitor the site for addenda to solicitations for which they have an interest.

Registering for the FCS' Bidder's List

Vendor Application: Vendors desiring to provide goods or services to FCS may complete a bidder's application online at the FCS' Contracting Department website – [Vendor Application](#).

Limited Commodities: Vendors are only permitted to sign up for ten commodities on their application for which they are sure to submit a bid, a proposal or a submittal. If FCS' Contracting Department does not receive a response (to include a written "no bid") for three consecutive solicitations, the vendor will be removed from the appropriate commodity on the Vendor's List.

Changes to Vendor Status: Changes to the vendor's status, such as change of address, change in phone number, etc., may be entered into the vendor's application by returning to the website and making the appropriate changes. It is the vendor's responsibility to maintain current and accurate data on the bidder's list.

Submitting Bids, Proposals, Quotes or Submittals

The specific solicitation will give specific instructions for submitting a bid, a proposal, a quote or a submittal. The following provides general guidance:

- A. **Bid Openings:** Public bid openings occur at FCS' Contracting Department twice a week, Tuesday and Thursday, at 2:30 p.m. unless otherwise specified in the solicitation. Vendors are encouraged to attend.
- B. **Revision or Withdrawal of Bid:** A bid may be revised or withdrawn by the bidder prior to the bid opening date and with the permission of the FCS Director of Contracting. Requests to withdraw a bid, along with supporting documentation, shall be made in writing to the Director of Contracting. After the bid opening, the FCS Director of Contracting will permit withdrawal only when the best interest of FCS would be served. Generally, withdrawal will only be allowed in cases where there has been an honest mistake made in preparing the bid not resulting from negligence and the mistake is clearly ascertainable. If withdrawal is allowed, FCS reserves the right to disqualify the withdrawing bidder from bidding on FCS solicitations up to one year.
- C. **Schedules (Bid, Proposal, Quote & Qualification):** All prices and related correspondence shall be submitted on the Solicitation Schedule furnished by the FCS' Contracting Department or attached to said schedule or on a facsimile of such containing information required by solicitation documents. Extra copies of the solicitation documents are available in the Contracting Department.

All documents shall be submitted in a sealed envelope addressed to the Director of Contracting, The Meadows Operations Center, 5270 Northfield Boulevard, College Park, Georgia 30349, plainly marked on the envelope as a bid (nomenclature, date, time of opening/submission, and the solicitation number) for the work as set forth in the solicitation.

- D. Examination of Solicitation Documents:** Bidders are notified that they must thoroughly examine solicitation documents which may include: Cover Sheet, Table of Contents, Advertisement, Bid Conditions, Additional Conditions, Specification, Bid Schedule, Drawings, General Conditions, and Technical Specifications together with Addenda thereto issued prior to the receipt of solicitation.
- E. Compliance with Laws:** All property or services furnished shall comply with all applicable Federal, State and Local laws, codes and regulations.
- F. Protests:** Protests dealing with the specification or the solicitation shall be filed not later than three (3) working days prior to proposal opening date. Other protests shall be filed not later than three (3) working days after proposal opening date, or if the protest is based on subsequent action of FCS, not later than three (3) working days after the aggrieved person knows or should have knowledge of the facts given rise to the protest. Protests are considered filed when received by the Director of Contracting. Protests which are not filed in a timely manner, as set forth above will not be considered. Contractor agrees to pay for the School District's reasonable attorney's fee and expenses of litigation for any protest arising out of this solicitation in which the School District is a prevailing party. Only Contractors who participated in the solicitation are eligible to protest.
- G. Purchasing Policy:** The FCS Purchasing Policy, Purchasing Procedures and Regulations are incorporated into all FCS solicitations by reference. By acceptance of a FCS solicitation, a bidder, potential bidder or contractor agrees to be bound by the FCS Purchasing Policy and Purchasing Regulations in any issue or action related to the solicitation or subsequent contract resulting from the solicitations.

- H. Vendors Qualifications:** FCS, before Contract Award, may require potential vendors to document that they are "responsible" to the complete satisfaction of FCS. They may be required to show they have the necessary facilities, technical abilities and financial resources to execute the work in a satisfactory manner and within the time specified, that they have had experience in work of a similar nature, and that they have past history and references to verify their qualifications for executing the work. FCS has the absolute right to determine vendor responsibility and responsiveness to any solicitation issued.
- I. Tie Bids:** In the purchase of supplies or services by FCS, prices and quality being equal, the tie will be resolved by any Georgia made goods, which are documented and verified. If the foregoing does not resolve the tie, then a coin toss in a public forum will be used.
- J. Rejection of a Bid:** Failure to observe these instructions and conditions will constitute grounds for rejection of a bid or removal from the list of bidders.

Bids will be rejected if:

- 1) The bidder's acceptance period is less than required acceptance period in the solicitation.
- 2) The bidder fails to submit requested samples within the time specified by FCS.
- 3) The bid contains a minimum order/ship quantity or dollar value (unless called for in the solicitation).
- 4) The bid contains a prepayment and/or progress payment requirement (unless called for in the solicitation).
- 5) The bid fails to include all appropriate elements of all addenda issued to the solicitation.

6) The bid contains terms and conditions, which are in conflict with the solicitation or FCS regulations, or that otherwise, may be construed as qualifying the bid.

7) The bid does not meet the terms and conditions of this solicitation or Imposes terms and conditions not acceptable to FCS.

K. Additional Terms: FCS shall not be bound by any terms and conditions included in any bidder's packaging, service catalog, brochure, technical data sheet or other document which attempts to impose any conditions at variance with or in addition to the terms and conditions contained in the solicitation, the FCS purchase order related to the solicitation or contract.

L. Taxes: FCS is exempt from all state sales tax and Federal Excise Tax. These taxes shall not be included in bids.

M. Charges and Extras: Bids are to be firm net prices, F.O.B. destination to include all charges for delivery, unloading, placing in our buildings as directed by the authorities in the buildings, drayage, express, parcel post, packing, cartage, insurance, license fees, permits, costs of bonds and any other cost.

N. Solicitation Questions: If a contractor contemplates bidding and is in doubt as to the meaning of any part of these documents, he may request an interpretation. This should be submitted in writing and addressed to the Director of Contracting, FCS Contracting Department, The Meadows Operations Center, 5270 Northfield Boulevard, College Park, GA 30349.

O. Addenda: No oral interpretations will be made as to the meaning of any part of the solicitation documents. Interpretations will be made by addenda only. FCS will not be responsible for any interpretations or explanations.

P. Reject and Waive: The Owner reserves the right to reject any or all Bids and waive technicalities and informalities. The judgment of FCS on such matters shall be final.

Q. Insurance: The solicitation may require insurance. Proof of Insurance will be required prior to contract award. To be acceptable, Insurance shall be issued by a surety company licensed by, and in good standing with, the Commissioner of Insurance of the State of Georgia, to do business as an insurance company in the State of Georgia. The insurance company shall have an A.M. Best rating of not less than A and an A.M. Best financial size category of not less than Class VII. Types of insurance required will be listed in the specific solicitation.

R. Bonds: The solicitation may require bonding. If bid bonds are required, they must accompany the vendor's bid or the vendor will be declared non-responsive. If payment, performance or other bonding is required, proof of bonds shall be furnished prior to contract award. To be acceptable, bonds will be issued by a surety company licensed by and in good standing with, the Commissioner of Insurance of the State of Georgia, to do business as an insurance company in the State of Georgia. The insurance company shall have an A.M. Best rating of not less than A and an A.M. Best financial size category of not less than Class VII. Bonding requirements will be in the specific solicitation.

S. **Options:** Often solicitations contain provisions for options. Failure on the vendor's part to fulfill obligations under the options clause contained in the appropriate solicitation will be viewed as a breach of contract. The contract will be terminated in whole or in part, at the discretion of FCS, and the vendor will be liable for any increase in cost incurred by FCS to secure the goods or services that were required by the contract. This obligation may be satisfied from funds owed to the vendor, that become obligations of FCS to the vendor, or by some manner of payment from the contractor to FCS that is satisfactory to FCS.

T. **Termination for Default:**

1) In the event any property or service to be furnished by the contractor under a contract or purchase order should for any reason not conform to the specifications contained herein or to the sample submitted by the vendor with the bid, the FCS may reject the property or service and may terminate the contract for default.

Prior to a termination for default, a contractor will be given the opportunity to respond to a "cure" notice "and/or a show cause notice". In either case, the contractor will be expected to either correct the offending situation or provide an acceptable plan and time frame for correction within five days of receipt of either notice. Failure to do so will be cause for termination.

In such event, with specific instructions by the Director of Contracting, the contractor shall immediately remove the property without expense to FCS and replace all rejected property with such property or services conforming to the specifications or samples.

2) If the contract is terminated for default, FCS may procure such property or services from another source and shall have the absolute right to deduct from any monies due the contractor or that may thereafter become due to the contractor, the difference between the contract price and the actual cost of the property or service to be replaced or substituted. Price paid by the FCS in such event shall be the prevailing market price at the time the substitute purchase is made.

3) Failure by a contractor to perform on delivery of goods or Services as specified may also result in the removal of the contractor from doing business with FCS for a period of up to one year.

U. **Termination for Convenience:** FCS reserves the right to terminate for convenience, at any time for any reason with no penalty, any contract awarded through this solicitation by providing the Contractor with thirty (30) days written notice.

V. **Delivery:** Time of delivery is a part of the solicitation and an element of the contract that is to be awarded. If the offeror cannot meet the required delivery date, a proposal should not be submitted. Offerors may provide alternative schedules and/or delivery dates in their proposals. Time shall be stated in "calendar" days. Failure to deliver in accordance with the contract awarded could result in the contractor being declared in default.

Types of Contracts

In general there are three types of contracts used by the FCS Contracting Department. The contract types are as follows:

Purchase Order: A one-time fixed price transaction.

Firm Fixed Price: Contract for delivery of specific supplies or services at a specific firm price fixed at reception of the contract.

Requirements Contract: Provides for purchase of actual needs of supplies and services for a specific period. Terms, conditions and pricing are set based on FCS estimates of need. Funds are obligated by each order.

Appendix A The Request for Proposal Process

Request for Proposal Process

NOTES

In using the Request for Proposal (RFP) this method for solicitation we are asking the marketplace for its best effort in seeking a “best value” solution to our requirement. The offeror providing proposals will be evaluated by an evaluation committee. Offerors should make their best effort to satisfy the requirement at their best price because a contract may be awarded based on the initial evaluation. Often, however, it will be necessary to hold discussions with offerors about their proposals. This will be done after the initial evaluation. The results of the evaluation will be reviewed and a “competitive range” will be selected for discussions. Essentially, if a contractor’s proposal is not evaluated as having a chance for contract award because of the content of the proposal and/or the price, the proposal will be dropped from the competitive range to save time and money for both the contractor and Fulton County Schools.

Offerors in the “competitive range” will be notified of the weaknesses in their proposals and given an opportunity, in discussions, to assure they understand the weaknesses. At the end of discussions with all offerors, Best and Final Offers (BAFOs) will be accepted from the offerors in the competitive range.

The BAFOs will be evaluated and the results reported to a selection official who will select the proposal that presents the best value to Fulton County Schools. This selection will then be presented to the Fulton County Board of Education for approval. If approved by the Board and other matters (insurance, bonds, etc.) are settled, a contract will be awarded.