



PROCUREMENT MANUAL

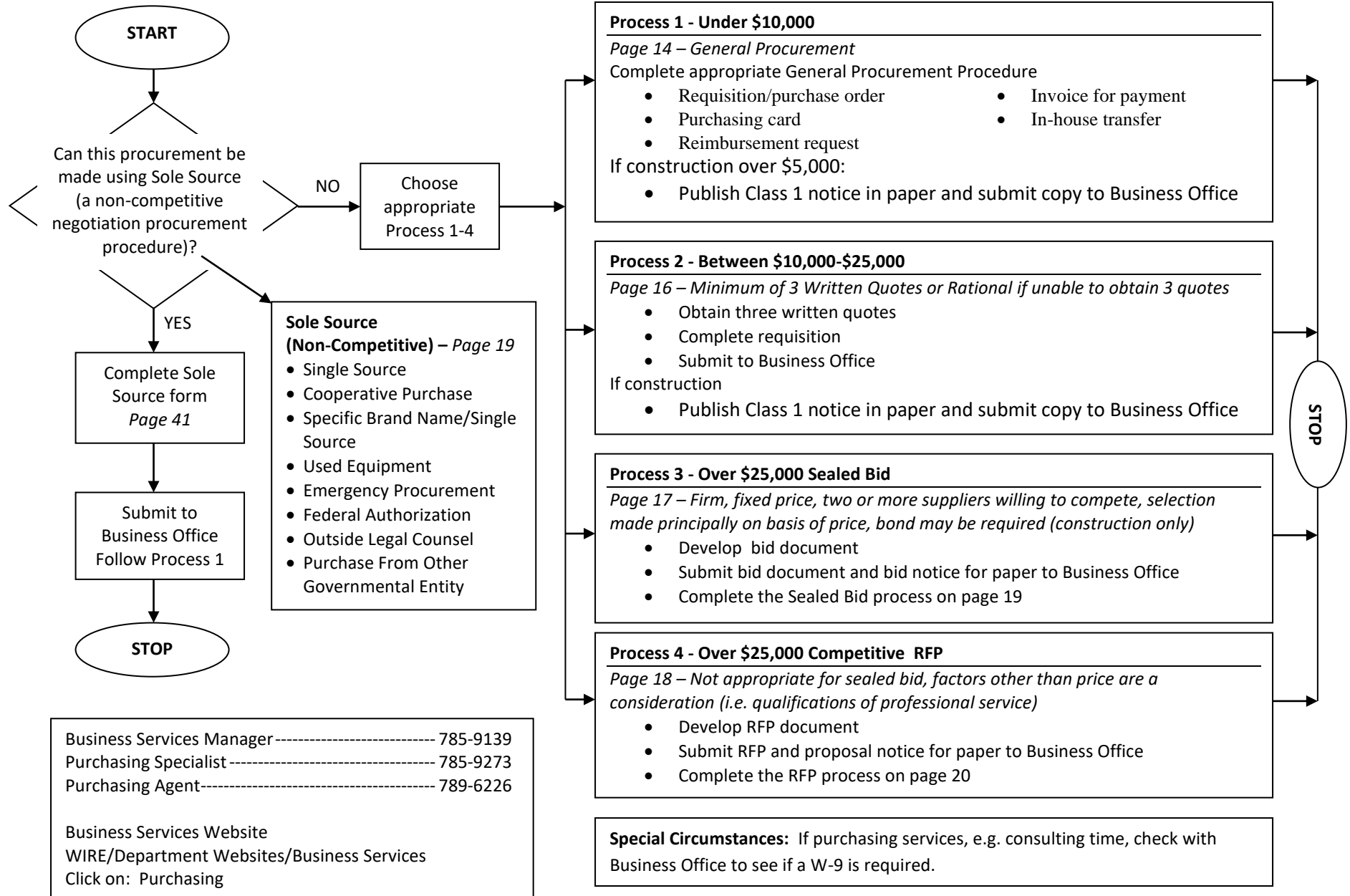
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PROCUREMENT MANUAL

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Procurement (Purchasing) Processes



B0500 PROCUREMENT

Procurement means buying, purchasing, renting, leasing, or otherwise acquiring any supplies, services, equipment or construction, and includes any other activity pertaining to obtaining supplies, services, equipment or construction. Any procurement transaction must be formally processed and approved by proper authority to be a valid claim against the District.

The Western Technical College District Board shall authorize procurement transactions that are determined to be in the best interest of the District while providing for open and free competition. It is the responsibility of the District Board to protect the interests of the District while complying with current federal and state laws/statutes, regulations, administrative rules and agency procedures. In recognition of this responsibility, the District Board directs the following:

General Requirements

A. The [Wisconsin Technical College System Board Procurement Policy, Section 6 of the Financial Accounting Manual](#), is adopted as the College's Procurement Policy and Procedure. This procurement policy and procedure is based on, but not limited to, [Wisconsin Administrative Code, Chapter TCS 6 \(6.05 procurement\)](#), and the Office of Management and Budget Circular A-102, Attachment O. All federal regulations apply unless the State Board policy, state statutes, or administrative rules are more restrictive.

B. The Board delegates the authority to the President or his/her designee to implement and provide oversight review of the procurement policy and procedure. The President or his/her designee shall, from time to time, develop such procedures as are necessary to carry out this responsibility.

C. Annually, District staff shall prepare a review of all procurements of \$25,000 or less of similar goods, supplies, or services to determine if a more competitive process should be used in succeeding years. This review is to be based on a report containing transaction detail grouped by similar goods, supplies and services and a total for each grouping. Annually, the District Board shall take formal action by October 31 on the procurement review and report related to the prior fiscal year.

D. All District staff must comply with the Code of Ethics set forth in [Policy C0206](#).

E. The Business Services Office shall provide oversight review on a College-wide basis.

F. For procurements less than \$10,000, district employees shall act in the best interest of the district and attempt to obtain the greatest value for every tax dollar expended. District employees are encouraged to obtain written or verbal quotations from two or more sources whenever possible. All purchases shall be properly approved by a departmental manager and records shall be kept as applicable.

G. All purchases of goods, services, and equipment for which the College will be responsible for payment must be properly approved and follow the procurement policies and procedures established by the Business Services Office.

Revised December 16th, 2008

Revised August 17, 2004

Revised November 16, 1999

Revised January 19, 1993

Revised July 10, 1989

Revised July 8, 1985

Revised January 15, 1985

Revised May 19, 1981

Adopted November 28, 1979

[Wisconsin Administrative Code, Chapter TCS 6.05](#)

[Wisconsin Statutes 38.04\(14\), 38.18 and 62.15](#)

Policy requires approval of Wisconsin Technical College System Board

Procurement

A. Scope

Procurement includes purchases, rentals, lease/purchases, rental/purchases, and contracts for services including personal and professional services. The following procurement policies and procedures are based on Administrative Rule TCS 6 and 34 CFR, ¶ 80.36 (1-1-98 Edition), but are not limited to them. All federal regulations apply unless State Board Policy, State Statutes or Administrative Rules are more restrictive. These procedures apply to all district expenditures. Questions regarding procurement should be directed to:

Mike Carney
Wisconsin Technical College System
4622 University Avenue
P.O. Box 7874
Madison, WI 53707-7874
608-266-0021
mike.carney@wtcssystem.edu

B. Procurement Review

Procurement means buying, purchasing, renting, leasing, or otherwise acquiring any supplies, services, equipment or construction, and includes any other activity pertaining to obtaining supplies, services, equipment or construction.

Annually, as required in Administrative Rule TCS 6.05(2)(h), district staff shall prepare a review of all procurements of \$50,000 or less of similar goods, supplies, or services to determine if a more competitive process should be used in succeeding years. This review is to be based on a report containing transaction detail grouped by similar goods, supplies and services and a total for each grouping. Since similar items of a common nature are generally purchased from a common vendor, a report of procurements with transaction detail by vendor is sufficient to comply with this requirement. This report should then be totaled to determine if the aggregate by vendor for the transactions is greater than \$50,000. Those that total to more than \$50,000 by vendor should be included in the review to determine if a more competitive process should be used in the future.

Annually, the district board shall take formal action by October 31 on the procurement review and report related to the prior fiscal year. Such action is to be reflected in the board minutes.

C. General

1. Districts shall maintain a written code or standards of conduct which shall govern the performance of the officers, employees or agents engaged in the award and administration of procurement.
2. Districts shall establish procedures to avoid the procurement of unnecessary or duplicative items.
3. Where appropriate, an analysis shall be made of lease versus purchase alternatives.
4. Districts are encouraged to patronize Wisconsin businesses, small and minority businesses, women's business enterprises, and businesses in labor surplus areas.
5. All procurement transactions shall be conducted in a manner that provides maximum open and free competition.

6. Where allowed by district policy, districts may accept bids/RFPs via fax, or e-mail, and phone bids. To maintain security and integrity of bids/RFPs it is highly recommended that districts allowing faxed bids maintain a separate fax machine in the purchasing department or dedicated secure area for the purposes of accepting bids/RFPs and districts allowing e-mail bids/RFPs maintain a separate secure e-mail address be used for accepting e-mail bids/RFPs. For phone bids, it is recommended that specific procedures be established by the district and a specific phone number designated for the purpose of receiving phone bids.
7. Awards shall be made only to responsible contractors that possess the ability to perform successfully under the terms and conditions of the proposed procurement.
8. Annually, it is recommended that districts review vendor lists to ensure they are current.
9. Districts should exercise caution when using vendors to assist in the development of specifications for bids or RFPs. Districts are prohibited from considering a bid or RFP response from a vendor that developed salient features of the bid/RFP which would provide the vendor with an unfair advantage due to designing the specifications in a non-generic manner, advanced notice of specifications for contracted services, or would in any way provide such a vendor with an unfair competitive advantage.
10. Districts are required to maintain documentation identifying sole source and emergency procurements, including the specific rationale used to meet the aforementioned criteria.
11. Procurement contracts may be awarded for a period of no longer than five years with districts having an option of additional consecutive one year extensions up to a maximum total contract length (including extensions) of seven years This maximum contract length restriction shall apply regardless of the procurement method used or cost of the contract For bids or RFPs, the proposed contract period along with any provisions for extensions must be incorporated into the original bid or RFP specifications. For written quotes, the length of the contract must be documented in the quote file. Contracts may not be renewed beyond the original contract length including any allowable extensions. Products or services needed beyond the length of the contract and extensions must follow appropriate procurement processes.

Exceptions to the seven year total contract length rule are:

- a. Contracts audit services, which are restricted to five years total (including extensions), per Section 4 of the FAM.
 - b. Maintenance agreements for ERP systems, which are limited to no longer than ten years (including extensions), per approval of the extended contract length by the System Office due to the nature of the pricing structure of the agreements.
 - c. Procurement of outside legal counsel, which may be obtained either by use of the RFP process on a regular basis or through an annual letter of engagement, per item #26 below.
12. Changes or modifications to the scope of the original RFP and resulting contracts shall be considered separate procurements and are required to follow appropriate procurement processes.
 13. A cost/benefit analysis of contracting for professional services vs. employing staff is recommended when a district contracts for professional services on an ongoing basis.
 14. Real estate leases are subject to the following requirements:

- a. Real estate leases for 10,000 sq. ft. or less, cover a period of 5 years or less, and do not require the construction of a new building are exempt from the competitive purchasing processes.
- b. Real estate leases for greater than 10,000 sq. ft., cover a period of greater than 5 years, or require the building of a custom built facility must comply with all applicable WTCS procurement requirements.

Note: All real estate leases, regardless of cost, square footage, duration or procurement processes are subject to State Board review and approval, per s. 38.04 (10) Wis. Stats. The only exception to the State Board approval requirement are rentals to provide community services programs where the term is less than one year and the property is leased from the state, a city, village, town, country or school district, per Administrative Rule TCS 5.09 (2).

15. Purchases of land or existing buildings must be procured by means of an RFP, unless it can be demonstrated that a sole source situation exists for buildings in the immediate proximity of existing district owned building facilities, in which case noncompetitive negotiation is permitted. Immediate proximity would be defined as an area within one quarter mile of the perimeter of a current district owned facility.
16. Lease/purchase of equipment is subject to the procurement requirements.
17. Resale items are not subject to competitive requirements since these items may need to be procured in an expedient manner to restock supplies, or to acquire goods via unique one time sales. However, whenever possible, bulk food supplies should be bid.
18. Purchases may be made from another governmental unit without intervention of bids per s. 66.0131 (2), Wis. Stats.
19. Purchases may be made from a current contract awarded by UW System or its campuses, the state Department of Administration - Purchasing, other state agencies, and other governmental units including other WTCS districts, provided the vendor was selected through at least a comparable competitive process to that required of WTCS districts.
20. Purchases from a state/governmental contract are subject to the requirement that the local district board approve disbursements exceeding \$2,500.
21. Districts may use the sole source procurement process where cooperative purchasing under s. 16.73, Wis. Stats., is utilized or a cooperative purchasing association is recognized by the system president. Requests for recognition of cooperative purchasing associations are to be submitted to the system office contact indicated at the beginning of this section.
22. A district acting as a fiscal agent for district consortium efforts is required to follow the procurement requirements contained in this manual and the policies and procedures of the fiscal agent district.
23. Bid bonds are required for public works contracts under s. 62.15, Wis. Stats.
24. Purchases of materials or equipment by a district on behalf of a general contractor are subject to the procurement requirements of the WTCS, including those under s. 38.18, Wis. Stats.
25. Purchases of used equipment from a vendor who offers it for immediate sale may be purchased through noncompetitive negotiation.

26. Districts are to obtain outside legal counsel either by use of the RFP process on a regular basis or through an annual letter of engagement.
27. Districts are required to establish written procedures to clarify the circumstances in which they will engage outside legal counsel.
28. Districts procuring outside legal counsel by means of a retainer agreement are to annually provide their local district board a cost analysis of the services rendered and the resulting costs. The cost analysis must provide sufficient detail to allow the district board to make a determination whether a retainer agreement continues to be the most cost effective manner of obtaining outside legal counsel.
29. Districts are prohibited from including payment of fringe benefits in any professional services contracts.

D. Procurement Procedures

1. Less than \$10,000 Districts may use their own procurement policy for any procurement of less than \$10,000. However, price quotations must be obtained from an adequate number of sources.

For public construction greater than \$5,000 but not exceeding \$25,000, s. 62.15(1), Wis. Stats., requires the publication of a class 1 notice of the proposed construction prior to execution of the contract.

2. \$25,000 to \$50,000 Except as provided by par. D.4, procurements where the total cost is at least \$10,000 and does not exceed \$50,000 shall be based on written quotations from a minimum of 3 vendors. Solicitation of quotations shall be done in a manner to maximize competition.

3. Greater than \$50,000

- a. Greater than \$50,000 – Sealed Bids Except as provided by item C. 24 and par. D.4, procurements where the total cost is greater than \$25,000 shall be based on written, competitive bids. Refer to par. E.1 for specific requirements.
- b. Greater than \$25,000 for Public Construction – Sealed Bids Except as provided by par. D.4, procurements of public construction under ss. 38.18 and 62.15 (1), (11) and (14), Wis. Stats., where the total cost is greater than \$25,000 shall be based on written, competitive bids. Refer to par. E.1 for specific requirements.

For the purpose of procurement, the district board shall possess the powers conferred by s. 62.15 Wis. Stats., on the Board of Public Works and the Common Council. All contracts for projects requiring bids under this section shall be made in the name of the district and shall be executed by the district board chairperson and district secretary.

- c. Greater than \$50,000 – Competitive Selection (RFP) Where conditions are not appropriate for the use of sealed bids, competitive selection will be used. Generally, competitive selection is used if a firm-fixed price contract is not appropriate or when factors other than price are of primary consideration in awarding the procurement, e.g., professional services where qualifications are of primary consideration. Refer to par. E.2 for specific requirements.

4. Exceptions Certain circumstances justify the use of less stringent procurement procedures. These situations are:

- a. Sole Source Districts may purchase directly from a vendor in the following situations. The district board may delegate the authority to authorize sole source procurements to the district director or other district staff.

- (1) The item or service is only available from a single source.
- (2) After solicitation in a competitive procurement, competition is determined to be inadequate.
- (3) The purchase is from another governmental body.
- (4) Cooperative purchasing under s. 16.73, Wis. Stats., is utilized.
- (5) The purchase is made through a cooperative purchasing association which has a competitive purchasing process that is substantially the same as the competitive procurement requirements applicable to the WTCS and which has been recognized by the system president.
- (6) The federal grantor agency authorizes noncompetitive negotiation.

6.1.5

- b. Emergency Procurements When public exigency or emergency will not permit a delay incident to competitive procurement, districts may determine the procurement methodology most appropriate to the situation. Emergency procurements are limited to procurements necessitated by a threat to the continued operation of the district or to the health, safety or welfare of students, staff, or the immediately affected general public. Written documentation of the basis of the emergency and the vendor selection methodology and selection must be maintained.

- c. Outside Legal Counsel Districts are to obtain outside legal counsel either by use of the RFP process on a regular basis or through an annual letter of engagement.

E. Competitive Procurement Procedures (>\$50,000)

Procurements where the total cost exceeds \$50,000 shall comply with the requirements and guidelines outlined in this section. Public construction is limited to the sealed bid procedures in E.1.

Solicitations of offers shall include a clear and accurate description of the item or service being procured. This description shall not contain features which unduly restrict competition. Detailed product specifications should be avoided if at all possible. When a clear and accurate description is impractical or uneconomical, a "brand name or equal" description may be used. The specific features of the named brand which must be met by offerers shall be clearly stated. Solicitations of offers shall include all requirements which offerers must fulfill and all other factors to be used in evaluating bids or proposals.

1. Competitive Sealed Bids Procurements greater than \$50,000 shall be made based on competitive sealed bids when a complete, adequate and realistic purchase description is available, two or more responsible suppliers are willing and able to compete, the procurement lends itself to a firm-fixed price contract, and selection of the supplier can be made principally on the basis of price. Districts may waive minor irregularities in bids. However, any irregularity which could substantially change the bids of other vendors may not be waived. Contracts may be awarded for a period of no longer than five years with districts having an option of an additional two consecutive one year extensions. The proposed contract period along with any provisions for extensions must be incorporated into the bid specifications. Contracts may not be renewed beyond the original contract length including any allowable extensions.

Public construction procurements must be bid pursuant to s. 62.15(1), Wis. Stats., and comply with all requirements of this section. S. 62.15(3) Wis. Stats. requires publication of a class 2 notice to inform potential bidders of the proposed construction.

6.1.6

- a. Formal Advertising - In addition to soliciting bids from an adequate number of known suppliers, an invitation to bid will be published as a class 1 notice in a district board designated newspaper or posted on a district designated public website. For procurement of construction, publishing a class 2 notice in the board designated newspaper is required regardless of the solicitation method used for other bids. This bid solicitation shall contain:
 - (1) A bid identification - Each procurement being bid shall be assigned a unique title or code for identification purposes.
 - (2) The place the sealed bid should be returned to and the deadline for accepting bids (time and date). This deadline shall be at least seven (7) days after the publication of the invitation to bid. The district shall record the time and date of receipt.
 - (3) Adequate purchase description – The bid specifications shall include a clear and concise description of the service and/or item(s) being purchased. If the purchase description is not published, the invitation to bid must clearly state how it may be obtained.
 - (4) The length of the proposed contract, along with any extensions, must be included in the specifications.
 - (5) A statement identifying the method by which bids will be accepted and that the bid identification number must be stated on the face of the bid envelope, in the subject line for districts that accept e-mail bids, on the fax cover sheet for districts that accept fax bids, or communicated to the district staff person taking the phone bid for districts that accept phone bids.
 - (6) The time, date, and place of the public opening. The phrase "public opening" must be used.
 - (7) A statement that bids must be guaranteed for a period of thirty (or more) days following the date of the bid opening. This period allows for district board review and approval of bids consistent with district policy.
- b. Public Opening - All bids must be opened at a public opening. At least two district employees shall be present. The bid opening may be held at the bid submission deadline. The bids will be presented for public inspection. The award may be made at the opening.
 - (1) A Bid Opening Spread Sheet will be completed at the time the bids are opened. This document will include the bid identification, the publication date of invitation to bid, date and time of the public opening, each bid received, and the individuals present unless documented elsewhere. When the procurement is awarded, the successful bid shall be identified on the spread sheet. If any bid is rejected, the specific reason(s) shall be recorded on the spread sheet or attached to it.
- c. Bid Award - The award shall be made to the lowest acceptable bidder. Factors such as discounts, transportation costs, and life-cycle costs may be taken into consideration. Payment discounts may be considered only if the district has generally taken them in the past.

- (1) Any or all bids may be rejected when there are sound, documented business reasons.
 - (2) Except as otherwise provided by statute, bid bonds, performance bonds, sureties, etc., are not required but may be used if they are required by district policy.
2. Competitive Selection (RFP) For procurement of greater than \$50,000 where conditions are not appropriate for the use of sealed bids, competitive selection will be used. Generally, competitive selection is used if a firm-fixed price contract is not appropriate or when factors other than price are of primary consideration in awarding the procurement, e.g., professional services where qualifications are of primary consideration. In the case of professional services contracts, service is defined by Administrative Rule TCS 6.05 (1)(i), as "the furnishing of labor, time, or effort by a contractor, not involving the delivery of a specific end product other than reports that are merely incidental to the required performance." Contracts may be awarded for a period of no longer than five years with districts having an option of an additional two consecutive one year extensions. The proposed contract period along with any provisions for extensions must be incorporated into the RFP specifications. Contracts may not be renewed beyond the original contract length including any allowable extensions.
- 6.1.7
- a. Proposals shall be solicited from an adequate number of qualified sources and the request for proposals (RFP) shall be publicized. Publicize, at a minimum, means publication in the official district newspaper as a Class 1 Notice or posted on a district designated public website. Additional notification may also be provided by other means to targeted vendors (i.e., direct mailings to known vendors, use of specific industry publications, trade journals, etc.).
 - b. The place the RFP should be returned to and the deadline for accepting bids (time and date). This deadline shall be at least seven (7) days after the publication of the RFP. The district shall record the time and date of receipt.
 - c. The scope of the RFP must be written in clear, concise and measurable terms.
 - d. The request for proposals shall identify all significant evaluation factors and their relative importance.
 - e. The length of the proposed contract, along with any extensions, must be included in the specifications.
 - f. Districts shall provide mechanisms for the technical evaluation of the proposals received, determination of responsible offerers for the purpose of written or oral discussions, and selection for contract award.
 - g. The award will be made to the qualified offerer whose proposal is most advantageous - price and other evaluation factors considered.
 - h. A statement identifying the method by which RFPs will be accepted and that the RFP identification must be stated on the face of the RFP envelope, in the subject line for districts that accept e-mail RFPs, or on the fax cover sheet for districts that accept fax RFPs.

F. Specific Brand Name

When key employers in the district require that potential employees be trained on a specific brand of equipment, the district is authorized to procure that brand.

To procure a specific brand name of equipment, the district must have letters from key employers which state that individuals need to be trained on one particular brand. The district must obtain these letters prior to awarding the procurement.

If the specified brand is only available from one vendor, the procurement may be made as a sole source procurement under D.4.a above. If the specified brand is available from more than one vendor, the procurement shall be made by competitive sealed bid (E.1) or competitive selection (E.2) as appropriate. The purchase description may contain the brand name without the use of the term "or equal."

G. Miscellaneous

1. Copyrighted Materials - Copyrighted materials shall be procured through noncompetitive negotiation unless they are available from more than one vendor.
- 6.1.8
2. Scrap Metal - Procurement of scrap metal and similar items from a vendor who offers it for immediate sale may be through noncompetitive negotiation.
 3. Sub grantees and Delegate Agencies - These institutions are subject to this procurement policy insofar as project expenditures are involved. It is the district's responsibility to inform them of all applicable regulations and to monitor their fiscal activities to ensure compliance.
 4. Documentation - Districts shall maintain documentation and records sufficient to detail the significant history of a procurement including:
 - a. Rationale for the method of procurement
 - b. Selection of contract type
 - c. Contractor selection or rejection
 - d. Basis for cost or price
 - e. Bid documentation
 - (1) Invitation to bid (Class 1 notice)
 - (2) Vendor lists of solicited bids
 - (3) Purchase descriptions
 - (4) Bids, including date and time received
 - (5) Bid spread sheets
 - (6) All other significant correspondence or documentation
 - (7) Specifications, including the length of the proposed contract and any possible extensions
 - f. Requests for proposals
 - (1) Vendor lists of solicited proposals
 - (2) Publicized requests for proposals
 - (3) Evaluation factors
 - (4) Vendor selection
 - (5) All other significant correspondence or documentation
 - (6) Specifications, including the length of the proposed contract and any possible extensions

H. Contract Provisions

All contracts in excess of \$50,000 shall contain:

- a. Provisions for termination by the district
- b. Conditions under which the contract may be terminated for default

- c. Conditions where the contract may be terminated due to circumstances beyond the control of the contractor
- d. Provisions for administrative, contractual or legal remedies when contractors violate or breach contract terms.
- e. A provision requiring compliance with Executive Order 11246, entitled "Equal Employment Opportunity" as amended by Executive Order 11375, and as supplemented in Department of Labor regulations (41 CFR Part 60). For construction contracts, the threshold for compliance with this provision is \$10,000.

Sample Bid Notice

Notice No. 1

Notice to Office Furniture Suppliers

Notice is hereby given that sealed bids will be received by the Area Technical College System District X in the Purchasing Office, Room 237, 652 - 7th Street, Anywhere, Wisconsin 53796 until 3:30 p.m., on Monday, June 6, 2010 or the purchase of Office Furniture. Descriptions and specifications of the items to be purchased can be obtained from the Purchasing Office.

All bids must be submitted in a sealed envelope which has the Notice Number clearly stated on its face. A public opening will be held in Room 117 at 10:00 a.m., on June 8, 2010.

The district reserves the right to reject any bid for due cause or to waive minor irregularities in any bid.

All bids must be guaranteed for 30 days after the date of opening.

**Bid Notice Number 197
Spread Sheet Bid**

Date of Publication: May 10, 2010
Date of Opening: June 8, 2010
Time of Opening: 10:00 a.m.

<u>ITEM</u>	<u>X COMPANY</u>	<u>Y COMPANY</u>	<u>Z COMPANY</u>
A	\$38,000.00	\$37,250.00	\$39,276.00
B	\$45,000.00	NO BID	\$44,278.00
C	NO BID	NO BID	\$44,728.00

<u>Individuals Present During Bid Opening</u>	<u>Representing</u>	<u>Signatures or Initials of District Personnel</u>
J. Kromby	District	/s
M. Hornbloom	District	/s
Mr. Kraemer	Y Company	
J. Harding	Public	

BID AWARD

Item A - Y Company
Item B - X Company¹
Item C - No Award²

¹ Low Bid by Z Company rejected. Bid failed to meet qualification #3. The item bid was constructed of wood rather than the required metal.

² The only bid received was rejected because it failed to meet qualification #3. The item bid was constructed of wood rather than the metal required in #3. This item will be procured by negotiation rather than rebid.

General Procurement Procedures

GENERAL PROCUREMENT PROCEDURES

Procurement is defined as buying, purchasing, renting, leasing, or otherwise acquiring any product, supplies, services, rental, equipment, construction, remodeling, or any other transaction that involves an expenditure of district funds.

All district expenditures shall be in accordance with the policies and procedures contained in the Financial Accounting Manual. A copy of this manual can be found at <http://systemattic.wtcsystem.edu/Financial/FAM-6.pdf>.

The following general procurement procedures have been established by the Business Services Office.

Requisitions

Purchases are normally initiated by the preparation of a requisition at the department level. A requisition is filled out regardless of whether the material you need is supplied from within the school or will have to be ordered. The same requisition works both externally and internally. When you have completed the requisition, have your Administrator or Department Head sign it. If you are ordering internal supplies, take the requisition with you to the location where the supplies are stored such as the bookstore, printing/graphics, copy center etc. They will complete the in-house transfer section of the requisition and will forward the right documents to the right location so your department will be charged for the supplies. You keep the pink copy of the form.

If you are ordering material from an outside vendor, forward the requisition to the Business Office. They will complete a purchase order for the vendor and will assign a purchase order number. When the material is received in the Shipping and Receiving Department you will be contacted and asked to come to that Department to sign for the order. They will then attach a copy of the invoice for the material received to the purchase order and return it to the Business Office for payment.

The Purchase Order Procedure:

In completing a requisition for issuance of a purchase order to a vendor please use these guidelines:

1. Complete the requisition to include the appropriate signatures.
2. A Ship-To address **must** be checked. Please carefully read the notes under "Department Delivery" to see if this is pertinent to your purchase.
3. Send the white and yellow copies only to the Business Office. The white copy will be returned to you when we have issued a purchase order to the vendor.
4. In emergency cases only, a confirming purchase order can be obtained from the Business Office.
5. Promptly inform the Receiving Department within 48 hours of delivery of any problems with the merchandise.

The use of "confirming purchase orders" is authorized after obtaining the necessary approvals and authorization in the Business Services Office. The use of confirming orders shall be limited to those instances where time does not allow the use of the conventional procedure.

The use of a "blanket purchase order" is authorized after obtaining the necessary approvals and signed purchase order from the Business Services Office.

Purchasing Cards

The use of a procurement card is authorized for approved users. An approved user who has a valid District procurement card may make appropriate purchases with their procurement card without a requisition. All District procurement card purchases shall follow the requirements and procedures as defined in the Procurement Card Manual given out to each employee upon receipt of a purchasing card. This manual is also available in the Business Office. The employee must submit all invoices along with their manager's signature with each credit card statement.

General Procurement Procedures

Reimbursement Requests

Reimbursement for travel and miscellaneous expenses may be submitted to the Business Office by completing the Travel/Miscellaneous Expense Reimbursement Report located on the Business Services Department Website. This request must be signed by the Dean/Unit Manager and submitted along with any receipts.

Invoices Submitted for Payment

Invoices submitted to the Business Office without a requisition or purchase order must be signed by a department manager who shall verify there are sufficient funds available for the expenditure.

Petty Cash

The use of a "petty cash fund" is authorized for the immediate purchase of supplies generally costing less than twenty dollars. The Business Services Office petty cash reconciliation form, together with the receipts, must be submitted at intervals as established by the Business Services Office.

In-house Transfers

For transferring money from one account to another:

1. Complete the requisition form to include the account to charge and the account to credit. Salary and wage accounts are not to be used.
2. Obtain the appropriate signatures.
3. Send the white and yellow copies only to the Business Office. Or, if the requisition must be routed through another department like the Campus Shop or the Cafeteria, leave both requisition copies with them. No copies will be returned to the requisitioner.

Staff Requestor of Hazardous Chemicals

Prior to purchasing, taking possession of or bringing a hazardous chemical into the college, the employee will notify the Custodial Supervisor in writing that a new chemical will be purchased including the product name, the manufacturer and the quantity being ordered.

A MSDS must be requested from the vendor to be sent to the Custodial Supervisor. Once received, a copy of the MSDS will be forwarded to the requestor and will be entered into MSDS Online.

First aid kits may contain hazardous chemicals (this may include over-the-counter pain medication such as Tylenol). Staff should purchase first aid kits approved for use in educational settings that do not include over-the-counter pain medication. No drugs should be administered to other staff or students by unauthorized staff members.

Quotations

QUOTATIONS

Procurements where the total cost is at least \$10,000 and does not exceed \$25,000 shall be based on written quotations from a minimum of 3 vendors.

I. DOCUMENTATION

- A. Three quotes shall be submitted to the Business Office along with a requisition for the purchase. If three quotes can't be obtained, rationale for the number of quotes obtained shall be submitted.
- B. This documentation will be reviewed by the Business Office prior to a purchase order being issued to ensure that applicable rules and guidelines were followed.

SEALED BID PROCESS

The sealed bid process is the procedure used for soliciting bids from at least three (3) bidders (when available) when the procurement is expected to cost over \$50,000.

I. DEVELOPING A REQUEST FOR BID (RFB) DOCUMENT

The following guidelines were taken from the State of Wisconsin State Procurement Manual.

- A. Guidelines for writing specifications include:
 - I. Write specifications so as to permit the lowest responsible bid to be the principal basis of award.
 - II. Use performance criteria that will not restrict competition or limit the number of sources bidding.
 - III. Use generic specifications with no trade names. If this is determined to be inappropriate, document the rationale for using trade names in the bid file.
- B. Key elements in a solicitation:
 - I. Provide potential bidders with adequate lead time for response.
 - II. Develop clear specifications and define what is being bid.
 - III. Include pricing requirements, method of award, special conditions, and standard terms and conditions of bid. Inform the bidders of any special requirements.
 - IV. State whether or not alternate bids are permitted. Each alternate bid is considered separately.
 - V. Identify the forms required whenever special forms are necessary.
 - VI. Specify the enclosures to be submitted with the bid, any samples that will be needed, and how samples will be disposed of.
 - VII. Provide information on bonds and sureties.
 - VIII. Include any provisions for renewal.

II. ISSUANCE OF THE RFB

- A. The sealed bid process must follow the procedures outlined in the FAM (Financial Accounting Manual) located in a previous section of this manual and online at <http://systemattic.wtcsystem.edu/Financial/FAM-6.pdf>.
- B. A completed RFB and bid notice shall be submitted to the Purchasing Agent, Gerry Hyzer at hyzerg@westernnc.edu. This notice will be placed in the La Crosse Tribune by Gerry Hyzer.
- C. As bids are received they will be time and date stamped by the Business Office and stored in a locked safe or drawer until the closing date. Proposals will not be opened until the designated time.
- D. At the designated time, a representative from Western Technical College and one witness from the Business Office will record the bids received.

III. DOCUMENTATION

- A. The 'Request for Bid Checklist' shall be submitted to the Business Office along with all supporting documentation.
- B. This documentation shall be reviewed by the Business Office prior to an award being issued to ensure that all files are complete and that applicable rules and guidelines were followed.

REQUESTS FOR PROPOSALS (RFP)

Procurements of services where the total cost is greater than \$50,000 shall be based on written, competitive selection. An RFP is generally used when a firm, fixed price contract is not appropriate or when factors other than price are a primary consideration in the awarding of the procurement.

F. DEVELOPING AN RFP DOCUMENT

- A. The RFP template on page X may be used to develop an RFP or
- B. The Business Office may be able to locate an RFP that was issued by another Technical College, State entity, or other organization for the same or a similar service.

Some things to keep in mind as you draft a request for proposal:

- The closing time should be after mail has been delivered for the day, but before the Business Office closes at 3:30.
- You should request a copy of the RFP for each member of the evaluation committee, plus one copy to keep on file in the Business Office.
- The RFP number is the current year plus the number of the RFP issued for the year. So, the first RFP of 2008 would be 2008-0001. Please verify with the Business Office what RFP number should be used.
- Under “required financial information”, you may require information related specifically the services you are requesting. The template was based on an RFP for banking services and required verification of the financial strength of the organizations submitting proposals.
- The State mandates that procurement contracts may be awarded for a period of no longer than five years with districts having an option of an additional two consecutive one year extensions.

I. THE PROPOSAL HANDLING PROCESS/ISSUANCE OF THE RFP

- A. Prior to issuance of the RFP, an evaluation committee shall be selected and the chairperson for the evaluation committee shall be selected.
- B. All evaluation committee members shall review and sign the evaluation committee procedures.
- C. All evaluation committee members (except the chairperson) must stop all communications with potential Offerers on this procurement. All questions relative to this procurement must be referred to the chairperson.
- D. The chairperson shall submit a completed RFP and proposal notice to the Purchasing Agent, Gerry Hyzer at hyzerg@westernct.edu. This notice will be placed in the La Crosse Tribune by Gerry Hyzer.
- E. As proposals are received they will be time and date stamped by the Business Office and stored in a locked safe or drawer until the closing date. Proposals will not be opened until the designated time.
- F. At the designated time, the chairperson and one witness from the Business Office will record the bids received.

II. THE EVALUATION PROCESS

- A. The evaluation process is outlined in the Evaluation Committee Procedures beginning on page X.

III. DOCUMENTATION

- A. The ‘Request for Proposal Checklist’ shall be submitted to the Business Office along with all supporting documentation.
- B. This documentation shall be reviewed by the Business Office prior to an award being issued to ensure that all files are complete and that applicable rules and guidelines were followed.

Sole Source

SOLE SOURCE

Certain circumstances justify the use of less stringent procurement procedures. These situations are:

- I. Single Source – the product is not available from more than one supplier.
- II. Cooperative Purchase – the purchase is from another government contract, WTCS district contract or state approved cooperative purchasing association.
- III. Specific Brand Name/Single Source – It can be documented that key employers in the district require potential employees be trained on a specific brand of equipment and is only available from one supplier.
- IV. Used Equipment – purchases of used equipment from a vendor who offers it for immediate sale may be purchased through noncompetitive negotiation.
- V. Emergency procurement – a risk of human suffering or substantial damage to real or personal property exists that require immediate action.
- VI. Federal Authorization – the federal grantor agency authorizes noncompetitive negotiation.
- VII. Outside Legal Counsel – a district chose to obtain legal counsel via a letter of engagement.
- VIII. Purchase From Other Governmental Entity – the purchase is made from a governmental entity.

The Form for Sole Sourcing shall be completed and submitted to the Business Office.

Cooperative Purchasing

For assistance locating an available contract to be used for cooperative purchasing, please contact Gerry Hyzer or Amy Schmidt in the Business Office or search for information in the following links.

State of Wisconsin (Vendornet) and UW System contracts - <H:\Finance Operations\Business Services\Purchasing\All VendornetUWUW-Mad Contracts as of 7-24-08.xls>

WTCS Contracts - [Purchasing Committee Page](#)

Amerinet - [Amerinet](#)

VALUE - [value](#)

WAPP - [Wisconsin Association of Public Purchasers - Purchasing and Procurement](#)

BID FILE CHECKLIST

Bid File Checklist

RFB # and bid title _____

Name of requestor _____

		To be placed in file by initiator of RFB	To be placed in file by Business Office
1	Specifications		
2	Vendor list		
3	Proposal notice from newspaper		
4	Correspondence with vendors		
5	Bid opening tabulation		
6	Bids and envelopes		
7	Selection with rationale		

Required Forms to Complete Templates

BID NOTICE TEMPLATE

WESTERN TECHNICAL COLLEGE
NOTICE TO BIDDERS

BID NOTICE 20XX-00XX

Due date:
X:XX PM,
XXX XX, 20XX

The Board of the Western Technical College will receive sealed bids until X:XX P.M. local time on the XXth day of XXX, 20XX on the 2nd floor of the Academic Resources Center, 400 Seventh Street N, La Crosse, WI 54602 for XXXXXXXXXX as specified in the Request for Bid.

Further information may be obtained by contacting Gerry Hyzer, Western Technical College, Room 221, 400 Seventh St North P.O. Box C-0908, La Crosse, WI 54602-0908, telephone number 608-789-6226.

The award on the above items shall be in accordance with the specifications for the same now on file at the Business Office for the inspection of bidders.

Coverage effective date shall be by mutual arrangement, following the date of acceptance by the Board of the Western Technical College. All bids must be guaranteed for sixty days after the date of opening.

The Board reserves the right to accept or reject any or all or parts of bids, the sole right to determine "equal to", to waive minor irregularities in any proposal, to negotiate changes in each bid and to make the award in such manner as may be deemed right and proper and in the best interest of the College.

All bids must be submitted in a sealed envelope, which has CLEARLY MARKED ON ITS FACE: "XXXXXXXXXXXXXXXXX BID".

Dated this XXnd day of XXX, 20XX

The Board of the
Western Technical College
Lee Rasch, President

Required Forms to Complete Templates

Evaluation Committee Procedures for Evaluating RFP # _____

The purpose of this document is to inform you and the other evaluation committee members of your duties/responsibilities during this process.

G. Prior to Issuance of the RFP:

- A. An evaluation committee is selected.
- B. A Chairperson for the evaluation committee is selected. It is suggested that the Chairperson be either a Procurement representative or an individual familiar with State Statute and Board Policy related to Procurement.
- C. The Chairperson (in coordination with the other evaluation committee members) must devise a written statement of needs which should describe in general terms the service to be performed or the goods to be purchased. Any specific requirements must also be addressed in the written statement of needs. The chairperson and committee also devise the evaluation criteria and weights that are to be used in evaluating/scoring the proposals. The evaluation criteria must relate directly back to the RFP. The weights must add up to 100 points.
- D. The chairperson (in coordination with the other evaluation committee members) must review and approve the final draft RFP prior to issuance to insure that all of the requirements are included in the RFP.
- E. All evaluation committee members (except the chairperson) must stop all communications with potential Offerers on this procurement. All questions relative to this procurement must be referred to the chairperson.

IX. Receiving RFPs

- A. All proposals must be time and date stamped upon receipt and stored in a locked safe or drawer until the closing date. Proposals should not be opened.
- B. At the designated time, the chairperson and one witness will record the bids received.
- C. The proposals and score sheets are given to the evaluation committee members by the Chairperson.

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X. Evaluating Proposals

Evaluation Committee's Responsibilities/Duties

- A. A preliminary review/evaluation of the proposals by the evaluation committee must be done independently without consultation with others.
- B. Evaluation committee members must independently prepare a written list of areas of apparent non-compliance for each proposal in relationship to the requirements set forth in the RFP. In addition, evaluation committee members must independently prepare a first pass scoring by assigning points to the proposals relative to the RFP's evaluation criteria by using the score sheets given to them by the chairperson. All proposals are evaluated in each category on a scale of 0 to 10, with 10 being the highest, or best, score. A proposal should only receive a 0 in a category if it completely omits the requested information. The scores are multiplied by the assigned weight; the weighted scores are then added to determine the total weighted score for each proposal. Although the scoring of points is a matter of subjectivity, the evaluator's judgment must be based on facts as presented in the proposal, reference checks, or any other source of information. An Offeror shall not be given an unfair advantage of points simply because of a previous contractual relationship. The relevancy of the experience in terms of the RFP's scope of work, however, may be judged. The rationale for the score should be documented and included on the score sheet or attached to the score sheet.
- C. At the initial evaluation committee meeting, the chairperson must lead an open and organized discussion where each evaluation committee member is required to present the specific assets/deficiencies of each proposal in terms of each evaluation criteria without revealing his/her tentative assignment of points. After all evaluation committee member's individual assessments have been reviewed the committee shall discuss the evaluation criteria and agree on a consensus score for each (except for price-which is assigned by the chairperson). The chairperson shall then prepare a consensus score sheet, which each committee member shall sign and date, for the file. The consensus score sheet shall include the committee's rationale for the score assigned to each criterion. The chairperson will decide the allocation of evaluation points to each proposal for price using the equation listed below.

Chairperson's Responsibilities/Duties

- A. The chairperson will assign scores for prices using the following formula:

The lowest price shall be scored the maximum number of evaluation points for price. The lowest price is then divided by each of the higher offeror's proposed price in turn. The quotient is then multiplied by the points assigned for price to determine the evaluation points to be assigned to each higher price proposal.

$$\frac{\text{Lowest Price Offered}}{\text{Price of Offer being Evaluated}} = \% \text{ Factor} \times \frac{\text{Maximum Available}}{\text{Points}} = \frac{\text{Points}}{\text{Assigned}}$$

- B. The chairperson shall then prepare a consensus score sheet, which each committee member shall sign and date, for the file. The consensus score sheet shall include the committee's rationale for the score assigned to each criterion.

XI. Initial Evaluation Committee Meeting

- A. The first item on the agenda will be to determine if a proposal meets the mandatory requirements of the RFP. Each evaluation committee member is requested to submit his/her list of apparent non-compliance areas with mandatory requirements of the proposals. The lists from all evaluators are reviewed by the evaluation committee as a

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group. Areas of the Offerers' proposal that appear to be non-compliant need to be researched further with the Offeror by the chairperson. Proposals that are substantially incomplete or fail to meet mandatory requirements, and if the Offeror fails to agree to remedy the situation, shall be eliminated from further consideration. If, however, the Offeror states that he/she can satisfy the requirements, the Offeror must provide the chairperson with written documentation to support this claim.

- B. In the event of vague or conflicting language in a proposal, the committee may request the chairperson to secure written clarification from the Offeror.

XII. Oral Presentations/Site Visits

- A. If oral presentations/site visits are conducted with only a portion of the Offerers submitting proposals, the evaluation committee must provide a written rationale to support the selection of those Offerers. The Chairperson will contact the Offerers to schedule the conference/visit. All members of the evaluation committee must attend all oral presentations and site visits.
- B. After oral presentations/site visits have been completed, a new consensus score sheet will be prepared by the chairperson, which each evaluation committee member will sign and date.

C0206 CODE OF ETHICS FOR EMPLOYEES

High standards of ethical and professional behavior are essential to the realization of Western's goals. In order to achieve these goals, it shall be the constant endeavor and duty of all District employees to:

1. Observe high moral and ethical standards in fulfilling their job responsibilities to maintain public trust in their positions. In the case of faculty and staff members required to maintain professional affiliations as part of their jobs, the College expects these faculty and staff to also follow and uphold their specific professional code of ethics.
2. Obey all local, state and national laws related to the circumstances of the employees job, and carry out in good faith and with due diligence all policies and regulations established by the District Board.
3. Discharge their duties with fairness, integrity and professionalism; and carry out all lawful and applicable directives of the District Board, appropriate supervisors and the President.
4. Carry out the intent of Wisconsin's Code of Ethics for Local Government Officials and Employees.
5. Perform their duties in the best interests of all citizens of the District, treating all citizens and agencies fairly, and without special consideration of one individual or agency over another.
6. Refrain from using their positions to obtain ulterior financial or other personal or family gain, or such gains for any agency or organization with which the employees are associated. Any salary or other compensation received by employees from the District for services performed does not constitute "financial gain" as the term is used in this context.
7. Act with high moral and ethical standards in the use of technology in the District.

The ethical standards specifically set forth below are intended to discourage or prevent employee conflicts of interest and to improve service to the public. The District Board specifically prohibits those activities that will cause a conflict of interest for employees or for the District. These include, but are not limited to, the following:

Outside Employment

Employees shall not engage in outside employment or follow outside pursuits which in any way interfere or conflict with the full and faithful discharge of the employees' duties to the District or which reflect unfavorably upon the employees or the District. Employees shall notify the District Board prior to accepting outside employment if the possibility of a conflict of interest exists.

Use of District Time, Facilities, Equipment or Supplies

Employees shall not use the District's time, facilities, equipment or supplies for personal gain or advantage.

Acceptance of Gifts or Favors

1. Employees shall not solicit or receive, directly or indirectly, anything of value, including but not limited to, any gift, loan, favor or service, which reasonably could be expected to influence them in the discharge of their duties or reasonably could be considered as reward for any official action or interaction on their part.
2. Employees asked to meet with or host delegations from foreign countries are often expected to exchange gifts as official protocol. In such cases, if a gift is accepted on

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behalf of the College and/or if the gift has a value estimated to exceed \$50.00, the gift should be turned in to the International Education Coordinator. These gifts will be tagged to indicate the presenter and date of the occasion. These gift items will be displayed in an appropriate area at the College. Gifts presented to an employee that have a value of \$50.00 or less can be kept by the employee as a remembrance of the occasion, or the item can be disposed of at their discretion.

3. Employees acting as official representatives of the District in the presentation of papers, talks, demonstrations or in making appearances shall not solicit or accept fees, honoraria or reimbursement of expenses for personal gain. Any fees, honoraria or reimbursement of expenses which may be offered in connection with this representation shall be paid to the District, provided that the District is reimbursing the employees for their expenses.
4. Employees making presentations or providing services performed on their personal time, including vacations, that are not directly a part of their official duties for the District may accept fees, honoraria or reimbursement of expenses. Employees shall notify the District Board prior to accepting fees and honoraria if it appears that a conflict of interest may exist.

Use of Confidential Information

Employees shall use confidential information appropriately and with respect for the rights of individuals. Employees shall not use confidential information for personal gain or to the detriment of the District.

Student Financial Aid and Lender Relations Policy

Western Technical College Financial Aid Staff work closely with lenders to collect and provide information to assist our students in making an educated decision in regards to their choice of student loan provider. This policy governs interactions between District staff and lenders to ensure that these relationships are in the best interest of students.

Conflicts of interest and perceived conflicts of interest can occur if any District staff member has an inappropriate or perceived inappropriate relationship with the vendor.

The District and its employees will not:

- solicit, accept, or enter into any agreement in which an educational loan lender provides fees, revenue sharing or material benefits to the District institution in exchange for the institution or its employees recommending the lender or its loan products;
- enter into an agreement with a lender of education loans for, or solicit or accept from a lender of education loans, any funds that would be allocated or used for opportunity loan pools or any similar arrangements;
- solicit or accept assistance for call center or financial aid staffing from a lender of education loans;
- solicit, accept, or enter into any agreement in violation of the District policy on student financial aid operations and may not engage in conduct that violates the District code of ethics under TCS 6.06(1), Wis. Adm. Code, or any applicable provisions of Wis. Stats. §19.41, et seq., Code of Ethics for Public Officials and Employees;
- receive compensation or reimbursement from an educational loan lender for any costs incurred as part of participating on an advisory council of the lender.

District employees may:

- participate on an advisory council of an educational loan lender for the purpose of improving services to students

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The District must inform students who apply for financial aid:

- that the student may use any lender who is eligible to make education loans;
- of the availability of federal loans and encourage students to explore and weigh the use of federal loans that are guaranteed, regulated, and may be more advantageous, before pursuing private or alternative loans.

The District may maintain lists, either in print or other media, of educational loan lenders for the benefit of students, subject to the following:

- The District must use an evaluative process for the inclusion of lenders on the list and information regarding the selection of lenders, the evaluative process used, and the criteria used for such selection must be available to the public upon request;
- Any District lender list must be accompanied by a statement explaining that students are not limited to the lenders included on the list;
- A lender list must include a minimum of three lenders and the District must work with the educational loan lenders on the list to ensure that specific loan information and key details (including, but not limited by enumeration to, the terms, interest rate, and repayment requirements) are available from the lender in a clear and understandable manner.

The District and its employees may accept from lenders of education loans:

- Counseling and educational materials for use by students and their families regarding student lending laws, education loans, financial literacy, debt management and other topics relevant to providing students and their families with financial aid assistance; any such materials must clearly disclose the source of said materials and may not use trademarks, logos, mascots or other symbols associated with the District;
- Training to District employees regarding student lending laws, education loans, financial literacy, debt management and other topics relevant to providing students and their families with financial aid.
- The District will only accept contributions or donations given for strictly philanthropic purposes not related to financial aid, and the college will compile annually a list of all donations and make available if requested.

Other Prohibited Activities

Employees shall not engage in or have a financial interest in any activity that raises a reasonable question of a conflict of interest with their duties and responsibilities as employees:

1. Employees shall not participate in outside activities for financial remuneration wherein their staff positions are used to sell goods or services to students.
2. Employees shall not engage in any type of work in which the source of information concerning a customer or client is obtained through the District.
3. Employees shall not hold any position in which they have a direct responsibility for appointing, dismissing, promoting, demoting, supervising or evaluating a close relative. A close relative is defined as: a husband or wife, mother or mother-in-law, father or father-in-law, brother or brother-in-law, sister or sister-in-law, son or son-in-law, daughter or daughter-in-law, grandparent or grandchild.
4. Businesses or individuals with which employees have a significant fiduciary relationship may not enter into any contract which is paid in whole or in part out of District funds, unless the contract has been awarded through public notice, competitive bidding, or any other process as provided by law.
5. Businesses in which an employee owns or controls, directly or indirectly, at least ten percent (10%) of the business may not enter into a lease of real property with the District,

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except that the District Board, upon request, may waive this rule where it is in the best interests of the District.

6. As part of grant proposals submitted to agencies requiring a conflict of interest statement, any employee listed as an investigator must make a written statement divulging any significant financial interests, including those of the investigator's spouse and dependent children, in (i) entities whose financial interests would reasonably appear to be directly and significantly affected by such activities; or (ii) that would reasonable appear to be directly and significantly affected by the research or educational activity funded or proposed for funding.

Political Activity

In general, the following activities are **permissible** for all District employees:

1. Making voluntary contributions for political purposes.
2. Participating as a candidate for a non-partisan office, e.g., county board supervisor, if such service will not conflict or interfere with the employee's performance of his or her District duties and responsibilities.
3. Expressing opinions as an individual privately or publicly on political subjects and candidates.
4. Participating as a candidate for a partisan political office providing a leave of absence is taken from his or her District position.
5. Being a member of a political party and participating in party affairs.
6. Engaging in any of the following activities, providing that the employee is **off-duty and not on District property**:
 - a. Soliciting votes in support or in opposition to a candidate for public office or political party office.
 - b. Serving as an officer of a political party, member of a national, state or local committee of a political party; and officer or member of a committee of a political club; or being a candidate for any of these.
 - c. Directly or indirectly soliciting, receiving, collecting, handling, disbursing, or accounting for assessment, contributions, or other funds for a political purpose.
 - d. Taking an active part in managing the political campaign of a candidate for public office or political party office.
 - e. Acting as a recorder, watcher, challenger, or similar office at the polls on behalf of a political party or public candidate.
 - f. Organizing, selling tickets to, promoting, or actively participating in a fund raising activity of a candidate, political party, or club.
 - g. Driving voters to polls on behalf of a political party or candidate.
 - h. Serving as a delegate, alternate, or proxy to a political convention.
 - i. Addressing a convention, caucus, rally, or similar gathering of a political party in support of or in opposition to a candidate for public office or political party office.
 - j. Initiating or circulating a nominating petition.
 - k. Endorsing or opposing a candidate for public office or political party office in a political office, in a political advertisement, a broadcast, campaign literature, or similar materials.
 - l. Organizing or reorganizing a political party organization or political club.

The following activities are **not permissible** for District employees:

Required Forms to Complete Templates

1. Using governmental authority to interfere or affect nomination or election for any public office or position within any political party.
2. Using governmental authority or influence to intimidate, threaten, or coerce any person to vote contrary to his or her own voluntary choosing.
3. Using governmental authority to directly or indirectly intimidate, threaten, coerce any person to pay, lend, or contribute anything of value, including services, to any party, organization, group, or individual for political purposes.
4. Using any governmental authority or influence to coerce any individual or group for political action, or to confer benefits or effect reprisals to secure desired political action or inaction.
5. Offering to pay or accept benefits in return for desired political action or inaction.
6. Soliciting a district office by any means, or in any manner concerned in soliciting any assistance, subscription, or support for any political party or purpose from any person holding any position in the District while on District time or engaged in official duties.

Nothing in this Code of Ethics shall deny employees their rights under any federal or state laws. Questions or interpretations regarding compliance with this Code of Ethics shall be submitted, in writing, to the Chairperson of the District Board who shall respond following consideration of the issue by the Board.

The District Board Chairperson shall accept from any person a written and signed complaint regarding an alleged violation of this Code of Ethics. The complaint must include the name of the individual alleged to have committed a violation and a description of the alleged violation(s). The Chairperson shall order a review of the alleged violation and recommend a course of action to the Board. The person making the complaint shall receive an appropriate response.

Employees found to have violated this Code of Ethics may be disciplined, up to and including discharge. Disciplinary action affecting employees in a certified bargaining unit shall be taken in accordance with the applicable provisions of the labor agreement. Disciplinary actions affecting non bargaining unit employees may include: written reprimand, reduction in pay or position, suspension without pay, and/or discharge.

Revised June 17, 2008
Revised October 20, 2004
Revised July 9, 2001
Revised December 19, 2000
Revised December 16, 1997
Reviewed March 11, 1993
Adopted April 21, 1992

EVALUATION COMMITTEE MEMBER

STATEMENT OF UNDERSTANDING

The acquisition of goods and services requires that great care be taken to ensure that all individuals involved in the selection process have no personal interest in its outcome.

- A. I certify that I am not a paid officer or director of any firm which is expected to respond to this Request for Proposal. Similarly, no member of my immediate family is a paid officer or director of any firm which is expected to respond to this Request for Proposal.
- B. I certify that neither I, nor any member of my immediate family, do not directly owe money to any employee or office of any firm which is expected to respond to this Request for Proposal.
- C. I certify that I do not have any funds invested in any firm which is expected to respond to this Request for Proposals. Similarly, neither I, nor a member of my immediate family, own or control an interest in any firm which is expected to respond to this Request for Proposals.
- D. I certify, that since my employment at Western Technical College, neither I, nor any member of my immediate family, received lodging, entertainment, transportation, money or anything else of value offered by any employee or office of any firm which is expected to respond to this Request for Proposals. (This would include tickets to sporting events or shows, meals or lodging, gifts, etc.) During and after the procurement process, I will not accept lodging, transportation, money or anything else of value from any employee or officer of the firm which is expected to or did respond to the Request for Proposals.
- E. I certify that I have not received any compensation from any firm which is expected to respond to this Request for Proposals. No member of my immediate family has received compensation, salary or wages in excess of \$10,000 from any firm which is expected to respond to this Request for Proposals.
 Note: If any time, during the selection process, I find that I, or any member of my immediate family, have a personal interest in any firm responding to this Request for Proposals, I will notify Western Technical College's Purchasing Manager of this conflict and voluntarily remove myself from the selection process.
- F. During the course of this procurement, I understand that all communication with firms regarding this Request for Proposals must be handled by the chairperson. I agree not to contact firms responding to this Request for Proposals (unless directed to do so by the chairperson), and if any of these firms attempt to contact me directly, I agree to refer the firm to the chairperson.
- G. I agree to abide by all the policies/procedures contained in this document relative to this procurement.

RFP # _____

Signature

Date

Type or Print Full Name

Required Forms to Complete Templates

RFP TEMPLATE

WESTERN TECHNICAL COLLEGE
400 Seventh Street N
La Crosse, WI 54602

Notice is hereby given that proposals will be received on the 2nd floor of the Academic Resource Center of Western Technical College up to **X:XX p.m. XXXXXX, XXX XX, 20XX** for XXXXXXXXXXXXX.

Instructions to Proposers

Proposals will be due on the 2nd floor of the Academic Resource Center of Western Technical College by **X:XX p.m. XXXXXX, XXX XX, 20XX**. There is no formal proposal opening. Any proposals received after the specified due date and time will be rejected.

No proposal will be accepted on any other form(s) than those herewith provided.

Any deviations from proposal specifications and requirements must be clearly documented on an attachment sheet to this proposal form and indicated as "Exceptions to RFP". The Board of Western Technical College reserves the right to determine if any noted deviations or qualifying statements indicated in a proposal are in the best interest of the college, and reserves the option to reject any proposal, or portion of any proposal, on that basis.

Proposals may be withdrawn by the submitting parties anytime prior to the date for the proposal to be received. Negligence on the part of the proposer in preparing the proposal confers no right of withdrawal or modification of the proposal after the due date for submission.

The Board reserves the right to reject any portion of a proposal, or the complete proposal, or all proposals, and to waive any informality in proposals received when such rejection or waiver is considered in the best interests of the college.

All proposed items or services are to be provided tax exempt. Prices quoted should be inclusive of any and all costs for such items as travel expense, per diems, etc. unless specifically itemized in the proposal.

All proposals are to be firm for acceptance for a minimum of sixty (60) days from opening and for the specified contract period. Any exceptions shall be fully noted.

The college reserves the right to reject proposals received and resubmit the RFP if it feels an adequate level of competition was not obtained, or if specifications/terms did not allow for a sufficient level of competing proposals to be received, or if desired specifications, features, or standards were not, in the opinion of the college, acceptable.

In responding to the RFP, **XXXX (X) copies of the proposal are to be sent to the attention of : Gerry Hyzer, Purchasing Agent, Western Technical College, PO Box C-0908, La Crosse, WI 54602-0908. The proposal package must be sealed and be visibly and clearly marked as "XXXXXXXXXXXXX Proposal"**.

Technical questions concerning this RFP must be received in writing only (mailed or e-mailed, no verbal/telephone calls). Western Technical College will respond back to questions in written format via mail or e-mail.

Dated: XXX XX, 20XX. By authority of the Western Technical College, Po Box C-0908, La Crosse, WI 54602-0908.

REQUEST FOR PROPOSALS

RFP # 20XX-00XX

Procurement of XXXXXXXXXXXX Services

XXX XX, 20XX

Western Technical College (Western) invites qualified XXXX institutions to submit proposals for XXXXXXXXXXXX services. The objective of this request for proposal is to identify the XXXXX institution(s) that best meets the needs of Western in regards to level of service, cost and investment opportunities.

General Information

Western Technical College is one of 16 technical college districts in Wisconsin established under chapter 38 of the Wisconsin Statutes. Western is a municipal corporation of the State of Wisconsin serving parts or all of 11 counties. Western offers associate degrees, technical diplomas and certificates in close to 60 programs to approximately 20,000 (head count) students. Western employs approximately 450 full-time and 800 part-time faculty and staff members. For the fiscal year ending June 30, 2008, Western is budgeting total expenditures of approximately \$82 million.

Proposal Requirements

Sealed Proposals – XXXX (X) copies of the proposal must be presented on your company letterhead, signed and dated. Since this is a sealed bid process, please submit all proposals in a sealed envelope or package with reference to our RFP # 20XX-00XX posted on the outside of the package. All proposals received after the deadline will be disqualified. Once opened, all proposals become public information and will be available for review with the exception of any financial information you provide that is tagged as confidential. Except as revoked herein, all other customs and usual terms of the trade shall apply.

All proposals should be sent to the attention of Gerry Hyzer, Purchasing Agent at:

Courier Delivery Address	U.S. Mail Delivery Address	Hand Delivery Address
400 Seventh Street N La Crosse, WI 54601	P.O. Box C-0908 La Crosse, WI 54602-0908	400 Seventh Street N 2 nd Floor-Academic Resource Center La Crosse, WI 54602

Oral Interviews – During the evaluation process scheduled from XXX XX-XX, Western may request any one or all institutions to make oral presentations. Such presentations will provide an opportunity to answer questions Western may have about an institution's proposal.

References – Western Technical College requests that a minimum of three references be provided (including name and phone number of contact person) of clients who use a similar scope of XXXXXXXXXXXX services.

Ability to meet the scope of the RFP – The proposing institution should describe its ability to meet the scope of services as outlined in the RFP. For each service requested, a detailed description should be included as well as any start-up costs related to that service. (Ongoing costs for services are to be supplied on the included proposal forms.)

Required Forms to Complete Templates

Cooperative Purchasing – Wisconsin statutes establish authority to allow Wisconsin municipalities to participate in cooperative purchasing when the contractors agree to extend their terms to them. Participating in the service gives vendors opportunities for additional sales without additional bidding. Municipalities use the service to expedite purchases. A “municipality” is defined as any county, city, village, town, school district, board of school directors, sewer district, drainage district, vocational, technical and adult education district, or any other public body having the authority to award public contracts (s. 16.70(8), Wis. Stats.).

On the attached Cooperative Purchasing Proposal Discount Form please indicate any volume discount plan your firm will provide to Western Technical College and other public entities, should other public entities decide to join onto (piggyback) a contract awarded from this RFP. There are fifteen (15) other Technical Colleges within the State of Wisconsin, any of which may piggyback off of a contract awarded under this RFP if the awarded firm indicates agreement to such cooperative purchasing on the Cooperative Purchasing Form contained herein. Additionally, other municipalities, school districts, and State Universities could choose to piggyback off a contract awarded from this RFP if the Cooperative Purchasing Form so allows. **A firm's decision whether or not to offer a volume discount plan should other Colleges, municipalities, etc. wish to piggyback off of this contract will not be used by Western Technical College to evaluate the submitted proposals.** However, such a plan has the potential of creating more business for the selected firm from these other sources that may otherwise have to undertake their own competitive selection process in the future.

Proposal Form – A proposer shall use the attached Proposal Form (Exhibit A), XXXXXXXXXXXX, and Cooperative Purchasing Proposal Discount Form (Exhibit B) or copies thereof in submitting a proposal. Any additional charges that the institution has should be listed on the bottom of the forms.

Authorized Signature – Proposals shall be signed and dated by an official authorized to bind the XXXX institution in legal matters.

Proposal Guarantee - Proposals must be guaranteed for 60 days following the date of the opening.

Required Financial Information – Each proposer must submit one copy of their annual audited financial statements for the past two years. These reports will be used by the College to determine the financial strength of the proposer. The successful proposer shall continue to furnish Western Technical College with annual financial reports during the term of the agreement.

Proposal Costs – All costs associated with preparation and submission of proposals are the sole responsibility of the proposer.

Activity Levels – The College does not guarantee that the activity levels as indicated in this proposal will continue at the same level during the contract period. Where activity levels are given, the XXXXX institution by its proposal guarantees the per item cost over the contract term.

Additional Accounts/Services – It is possible that improvements in operations and changes in internal operating procedures may occur during the period covered by the agreement. Therefore, Western reserves the right to open additional accounts during the term of the contract. Any additional services or modifications of existing services and related fees will be subject to negotiation and agreed to by both parties in writing.

Timeline

All proposals must be received no later than **X:XX pm CDT on XXXXX, XXX XX, 20XX**. There is no formal proposal opening. Any proposals received after the specified due date and time will be rejected.

Required Forms to Complete Templates

The timeline established for the proposal is as follows:

RFPs mailed/e-mailed	XXX XX, 20XX
Proposal due date	XXX XX, 20XX
Evaluate proposals	XXX XX-XX, 20XX
Present recommendation to Board for approval	XXX XX, 20XX
Notify proposers of selection	XXX XX, 20XX
Implementation	XXX XX, 20XX

Contact Information

XXX XXXXX

XXXXX

XXXXX@westerntc.edu

Qualifying Conditions

All proposers are subject to the following conditions:

Current Accounts

Western Technical College currently utilizes XXXXXXXX.

Required Services

Compensation

Supplemental Services

Required Forms to Complete Templates

Evaluation of Proposals

Right of Rejection – Western Technical College reserves the right to reject any or all proposals, to waive any non-material irregularities or informalities in any Request For Proposal and to accept or reject any item or combination of items. Western will also consider competitive contracts currently in place with other State/Governmental Agencies.

Number of Contracts – Western Technical College reserves the right to contract with more than one firm depending on the evaluation of the proposals submitted.

Evaluation Criteria – Proposals will be subject to evaluation as follows:

	<u>Points</u>
Ability to meet the scope of the RFP in providing the services required	XX
Cost of providing required services	XX
XXXXXXXXXXXX	XX
XXXXXXXXXXXX	<u>XX</u>
	100

Acceptance of Terms and Conditions – Submission of a proposal shall constitute acknowledgement and acceptance of all the terms and conditions contained in this request for proposal. The financial institution chosen will be required to enter into a formal contract with Western Technical College. Any agreement or contract resulting from the acceptance of a proposal shall be on forms approved by Western. Western reserves the right to reject or modify any agreement which does not conform to the request for proposal and any requirements for agreements and contracts.

Execution of Agreement – If a financial institution does not execute an agreement within fifteen (15) days after being notified of selection, Western may give notice to the financial institution of its intent to select the next most qualified proposing institution or call for new proposals, depending upon which course of action is deemed most appropriate by Western Technical College.

Contract Terms

Contract Period – The selected institution shall be the designated depository for a five-year period commencing on or about August 1, 2008. The depository contract shall contain a renewal clause which may, by mutual consent, be used for an additional two (2) consecutive one year extensions under the same terms and conditions, thereby providing for seven (7) years of banking and investment services. Service fees and interest rates may be renegotiated after the initial five year term.

Cancellation of Contract – The depository contract shall provide that Western reserves the right to cancel any agreement at any time upon ninety (90) days prior written notice of its intent to terminate any agreement. The designated depository shall provide at least one hundred eighty (180) days prior written notice of its intent to terminate any agreement.

WESTERN TECHNICAL COLLEGE
PROPOSAL FORM (EXHIBIT A)

INSTRUCTIONS

1. All lines on this form must be completed.
2. If a service cannot be met by the proposer, then the term "No Proposal" should be entered on the line item representing that service.
3. If the proposer will not charge for a service, then the term "No Cost" should be entered on the line item representing that service.
4. If there is no per-item cost for a particular service, but an annual fee is charged, then the term "N/A" should be entered on the "Unit Price" line and an amount entered on the "Annual Cost" line.
5. The proposal must be signed and dated by an official authorized to bind the financial institution in legal matters.

Submitted by:

_____ (Institution)
_____ (Address)
_____ (Address)
_____ (Authorized Signature)
_____ (Title)
_____ (Telephone)
_____ (Date)

Required Forms to Complete Templates

COOPERATIVE PURCHASING

Wisconsin statutes establish authority to allow Wisconsin municipalities to participate in cooperative purchasing when the contractors agree to extend their terms to them. Participating in the service gives vendors opportunities for additional sales without additional bidding. Municipalities use the service to expedite purchases. A "municipality" is defined as any county, city, village, town, school district, board of school directors, sewer district, drainage district, vocational, technical and adult education district, or any other public body having the authority to award public contracts (s. 16.70(8), Wis. Stats.).

Interested municipalities will contact the contractor directly to place orders and are responsible for receipt, acceptance and inspection of goods directly from the contractor, and making payment directly to the contractor. Western Technical College, in serving as the lead agency initiating this cooperative purchasing program on behalf of other Wisconsin Technical Colleges, is not party to any disputes arising from purchases made by other colleges, and is not liable for delivery or payment purchases made by other colleges.

I Agree to make the products or services of this bid/proposal, as priced, for the period from _____ to _____

available to:

Wisconsin Municipalities (check all that apply):

- Wisconsin Technical Colleges
- University of Wisconsin System
- Wisconsin K – 12 Schools
- Wisconsin Municipalities (Non Educational) – please specify _____
- Within a certain region/section of the state – please specify _____
- Any other conditions noted below

I Do Not Agree to make the products/services of this bid/proposal available to Wisconsin Municipalities.

Signature		Date (mm/dd/yyyy)	
Name (Type or Print)		Title	
		Email:	
Company		Tel: ()	
		Fax: ()	
Address (Street)	City	State	ZIP + 4
Commodity/Service		Request for Bid/Proposal Number	

COOPERATIVE PURCHASING PROPOSAL DISCOUNT FORM
(Exhibit B)

INSTRUCTIONS

1. The proposer proposes to offer the following discounted fee structure(s) if other public entities as specified on the COOPERATIVE PURCHASING FORM submitted with this RFP join (piggyback) onto an awarded contract with Western Technical College.
2. If no discount is being offered, the term "No Discount" should be entered.
3. The proposal must be signed and dated by an official authorized to bind the institution in legal matters.

Submitted by:

_____ (Institution)
_____ (Address)
_____ (Address)
_____ (Authorized Signature)
_____ (Title)
_____ (Telephone)
_____ (Date)

Required Forms to Complete Templates

PROPOSAL NOTICE TEMPLATE

WESTERN TECHNICAL COLLEGE
NOTICE TO BIDDERS

PROPOSAL NOTICE 20XX-00XX

Due date:
X:XX PM,
XXX XX, 20XX

The Board of the Western Technical College will receive sealed proposals until X:XX P.M. local time on the XXth day of XXX, 20XX on the 2nd floor of the Academic Resources Center, 400 Seventh Street N, La Crosse, WI 54602 for XXXXXXXXXX Services as specified in the Request for Proposal.

Further information and proposal forms may be obtained by contacting Gerry Hyzer, Western Technical College, Room 221, 400 Seventh St North P.O. Box C-0908, La Crosse, WI 54602-0908, telephone number 608-789-6226.

The award on the above items shall be in accordance with the specifications for the same now on file at the Business Office for the inspection of bidders.

Coverage effective date shall be by mutual arrangement, following the date of acceptance by the Board of the Western Technical College. All proposals must be guaranteed for sixty days after the date of opening.

The Board reserves the right to accept or reject any or all or parts of proposals, the sole right to determine "equal to", to waive minor irregularities in any proposal, to negotiate changes in each proposal and to make the award in such manner as may be deemed right and proper and in the best interest of the College.

All proposals must be submitted in a sealed envelope, which has CLEARLY MARKED ON ITS FACE: "XXXXXXXXXXXXXXXX SERVICES PROPOSAL".

Dated this XXnd day of XXX, 20XX

The Board of the
Western Technical College
Lee Rasch, President

REQUEST FOR PROPOSAL FILE CHECKLIST

Request for Proposal File Checklist

RFP # and Service _____
 Name of Chairperson _____

		To be placed in file by Chairperson	To be placed in file by Business Office
1	Copy of request for proposal		
2	Vendor list		
3	Proposal notice from newspaper		
4	Correspondence with vendors		
5	RFP opening tabulation		
6	Original proposal from each vendor		
7	Evaluation committee procedures and signed statement of understanding		
8	Initial summary point evaluation forms		
9	Interviews-correspondence with vendors		
10	Final summary point evaluation forms		
11	Issue paper		
12	Copy of board meeting minutes		
13	Acceptance/rejection letters		

Required Forms to Complete Templates



Form for Sole Sourcing

The undersigned certifies that the commodity/service shown below qualifies for a waiver of bidding and meets one or more of the following requirements.

- Single Source. The product is not available from more than one supplier. Please indicate single source supplier _____.
- Cooperative Purchase. The purchase is from another government unit contract, WTCS district contract or state approved cooperative purchasing association. Please indicate Contract _____.
- Inadequate Competition. After Solicitation in a competitive procurement, competition is determined to be inadequate.
- Specific Brand Name/Single Source. It can be documented that key employers in the district require potential employees be trained on a specific brand of equipment and is only available from one supplier. Please indicate Employer _____.
- Used Equipment. Purchases of used equipment from a vendor who offers it for immediate sale may be purchased through noncompetitive negotiation.
- Emergency Procurement. A risk of human suffering or substantial damage to real or personal property exists that require immediate action.
- Federal Authorization. The federal grantor agency authorizes noncompetitive negotiation. Please indicate Grant Information _____.
- Outside Legal Counsel. A District chose to obtain legal counsel via a letter of engagement.

Additional justification detailing how the requirements for waiver of bidding indicated above apply to the commodity/service listed should be shown on the reverse side or attached to this waiver request.

Commodity/Service for which a waiver of bidding is requested:

Sole Source # _____ <small>For purchasing office use only.</small>

Proposed vendor: Name: _____

Address: _____

City, State & Zip Code: _____

Telephone #: _____ Fax #: _____

Total Cost: _____ Estimated Cost New: _____
(only necessary if purchasing used equipment)

Budget Reference: _____

_____ Requestor	_____ Date	_____ Purchasing Associate	_____ Date
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