

Virginia Tourism Corporation



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**Purchasing Policies  
And  
Procedures Manual**

Reviewed and Revised November 1, 2024

<p>Virginia Tourism Corporation Purchasing Policies and Procedures Manual</p>
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## INTRODUCTION

The attached policies and procedures represent the Virginia Tourism Authority doing business as the Virginia Tourism Corporation's adherence to prudent business practices when purchasing goods and services. All purchasing will be done to support the mission of the Corporation, and will be in the best interest of the Commonwealth of Virginia. The Corporation will continue to consider the benefits of established State contracts to procure certain goods and services. Such sources are not deemed mandatory.

The Virginia Tourism Corporation (VTC) is exempt from the provisions of the Virginia Public Procurement Act (VPPA), and is not required to follow the policies and procedures issued by the Department of General Services (DGS) or other agencies with procurement-related oversight responsibilities. However, the VTC intends to use competitive bid processes, and will strive to obtain bids for such goods and services through alternative sources and methods when possible and practical, or in VTC's best interest. All procurement policies and procedures are established by the VTC President/CEO within the authorization granted him/her by the Code of Virginia.

Specifically, this Purchasing Policies and Procedures Manual is intended to guide all VTC procurement and ensure that the Corporation:

- Obtains high quality goods and services at a reasonable cost.
- Conducts all procurements in a fair and impartial manner, avoiding any impropriety or appearance of impropriety.
- Provides Small, Women- and Minority-owned businesses every opportunity to do business with VTC.
- Provides qualified vendors reasonable access to public business and neither arbitrarily nor capriciously excludes or discriminates against any viable offeror.
- Seeks competition, consistent with the business needs of the VTC.
- Allows flexibility in fashioning details of such competition.
- Provides clear rules, in advance of competition, governing contract awards.
- Draws specifications that reflect the procurement needs of the VTC.
- Freely exchanges information between purchasers and vendors, inasmuch as such exchanges do not negatively affect the business objectives of the VTC, or violate associated confidentiality requirements, and are in compliance with Virginia's Freedom of Information Act (FOIA).

This manual provides instructions to all employees as they identify and pursue the procurement of goods and services. Specific responsibilities and authorities are defined for purchasing goods and services on behalf of the VTC. All employees are therefore directed to the VTC responsible party, as defined herein, prior to pursuing any procurement activity.

Procedures and forms referenced in this manual are subject to change, as the VTC continues to manage its procurement operations and systems. In cases where this manual appears to contradict instructions on forms or other materials, the policies and procedures documented herein will take precedence.

The Operations and Finance staff will handle all purchasing activity for the VTC. The Contracts and Procurement Manager is available to interpret and apply these policies and procedures. The provisions of this manual may be modified at any time. These provisions supersede all previously issued purchasing policies and procedures and may not be amended without the approval of the President/CEO of the Virginia Tourism Corporation within the authorization granted him/her by the Code of Virginia and the Governor. This approval authority may be delegated to the VP of Operations & Finance at the sole discretion of the President/CEO.

No representative of the VTC has any authority to enter into any agreement contrary to these policies and procedures.

## SECTION 1: ETHICS IN PUBLIC PROCUREMENT

It is important that employees who purchase on behalf of the VTC avoid improprieties or the appearance of improprieties. The integrity and credibility of the procurement program requires employees to be impartial, fair, and free of any relationships that may cause them to be unduly partial to any vendor or product. It is up to each individual to ensure they do not violate the spirit of procurement ethics.

### PROCEDURES:

Procurement ethics includes but is not limited to the following considerations:

1. **Legitimate Business Need.** The procurement of goods and services will be limited to those necessary to the operation and mission of the VTC, and its business interests. Purchasing of goods and services through the procurement process for non-VTC or personal use is prohibited.
2. **Conflicts of Interest.** Employees are prohibited from participating in a procurement transaction if he/she, his/her spouse or family member has an interest in the vendor's business.
3. **Gifts.** No employee having official responsibility for a procurement transaction shall solicit, demand, accept, or agree to accept from a bidder, offeror, contractor, or subcontractor any payment, loan, subscription, advance, deposit of money, services or anything of more than nominal value (generally \$50 or less), present or promised.
4. **Disclosure of Subsequent Employment.** Any employee having official responsibility for a procurement transaction who accepts employment with a bidder, offeror, or contractor with whom he/she has dealt in any official capacity, must provide written notice to the VTC of his/her intention to accept such employment.
5. **Kickbacks.** Kickbacks involve getting something of value from a bidder, offeror, contractor, or subcontractor in an attempt to influence the award of business and are prohibited.
6. **Misrepresentations.** Any employee having official responsibility for a procurement transaction is prohibited from knowingly falsifying, concealing or misrepresenting material facts concerning such procurement.
7. **Insufficient Authorization.** No employee shall obligate the VTC without having received prior written authorization from an approved official as defined within these policies and procedures. To do so is a misrepresentation of authority.

Any questions regarding the above or other procurement ethics issues, or the interpretation thereof, should be directed to the VP of Operations & Finance or the Contracts and Procurement Manager.

**The willful violation of any of the above provisions can lead to disciplinary and/or legal action. Employees in violation of these standards may be held personally liable for any related transactions.**

## SECTION 2: OVERVIEW OF PURCHASING

### 2.1 Purchasing Responsibilities

The VP of Operations & Finance has overall responsibility for developing, interpreting, and enforcing VTC purchasing policies and procedures. In some cases (as specified herein), approval from him/her may be required prior to pursuing the purchase of goods and services. The VP of Operations & Finance may delegate procurement approval authority to Vice-Presidents, Department Directors or other designated staff. Such delegated procurement approval authority must be conducted in accordance with the policies and procedures established herein.

#### **PROCEDURES:**

1. The President/CEO shall have unlimited authority to approve the procurement of goods and services in accordance with the authorities conferred by the Code of Virginia, §2.2-2318 Powers of Authority.
2. The VP of Operations & Finance will be presumed to have the same procurement approval authority as the President/CEO unless otherwise declared in writing or contained within these Policies and Procedures.
3. The VP of Operations & Finance will maintain the Purchasing Policies and Procedures Manual, issuing updates or amendments as necessary and as approved by the President/CEO. The Manual is available to all VTC staff through the VTC intranet under the Purchasing tab.
4. The VP of Operations & Finance will designate a Contracts and Procurement Manager to support him/her, and staff in general, with regard to overseeing purchasing, which includes updating the Purchasing Policies and Procedures Manual, interpreting it and advising staff. Although the Contracts and Procurement Manager will work closely with the VP of Operations & Finance on a day-to-day basis, he/she is not authorized to approve procurements which specifically require authorization of the VP of Operations & Finance or higher authority unless specifically granted in writing.
5. The VP of Operations & Finance will designate a Procurement Officer who handles most of VTC's day-to-day purchasing using eVA and SWAM guidelines where applicable (See VTC's SWAM Plan) and will maintain purchasing documentation and related files in good order. The Procurement Officer is not authorized to approve procurements unless specifically granted in writing.
6. The VP of Operations & Finance may designate staff, who report to Vice-Presidents or Department Directors, to have certain delegated authority to approve and request purchases through the Procurement Officer within the guidelines provided herein. If such guidelines or other policies and procedures are not followed, the VP of Operations & Finance may rescind such approval authorizations.
7. The VP of Operations & Finance or his/her designee will maintain a record of all designated approval authority levels conferred.
8. The Contracts and Procurement Manager will provide staff training as necessary to ensure continued compliance with policies and procedures and adherence to sound procurement practices.
9. VTC will coordinate with VEDP to ensure that payments for goods and services (or credits due) are processed in a timely manner, and in accordance with VTC policies and procedures.
10. The Contracts and Procurement Manager will coordinate any inquiries, reviews, or audits that may be requested and conducted.
11. The Contracts and Procurement Manager must be advised of and will coordinate any vendor disputes, appeals and resolutions.

12. The Contracts and Procurement Manager will serve as the VTC SWAM (Small, Women-owned and Minority-owned) champion and eVA procurement program coordinator. VTC has established SWAM procurement guidelines and targets identified in the SWAM Plan that can be found on the VTC intranet.

## **2.2 Delegated Approval Authority to Approve and Request Purchases**

The VP of Operations & Finance may designate certain individuals to be delegated the authority to approve and request the procurement of items on behalf of their respective division or department through the Procurement Officer. These designated individuals shall approve and request the procurement of such items in accordance with purchasing policies and procedures and their levels of delegated authority. In all cases the procurement will be made by the Procurement Officer.

### **PROCEDURES:**

1. The Procurement Officer and each individual with delegated approval and request authority will read and understand this Purchasing Policies and Procedures Manual, and will contact the Contracts and Procurement Manager with questions or clarifications. The Contracts and Procurement Manager will provide training from time to time for these individuals with delegated approval and request authority and other interested parties.
2. The procurement of goods and services will be handled by the VTC Procurement Officer using eVA and SWAM guidelines where applicable. (See VTC SWAM Plan.)
3. When the procurement of goods or services is needed, the designated individual, department representative, director, VP, etc. will seek approval, ensure that adequate funding is available, and provide explanations if any questions arise as to the business need or appropriateness of the procurement. Then the requesting individual will submit a written request to the Procurement Officer via email with specifications of the goods or services needed and date needed. The email chain should include an approval email from the individual authorized to approve such purchases in accordance with the guidelines. The Procurement Officer will work with the requesting individual to make sure the specifications are appropriate to be able to obtain the correct product or service. The requesting individual may suggest possible vendors; however, the final decision of the vendor selected will be determined based on eVA and SWAM guidelines and policies and procedures. The appropriate cost codes and project codes must be included in the written request.
4. The Procurement Officer will ensure the requisite signatures are obtained to authorize the purchase of goods and services prior to making the purchase.
5. The Procurement Officer will determine the possible sources and procurement methods available to fulfill those needs. The Procurement Officer, using eVA and SWAM guidelines where applicable, and, under the direction of the Contracts and Procurement Manager, will select the most appropriate source and method to be used for a given purchase based on the guidance established within these policies.
6. The Procurement Officer will seek small business, minority owned, and woman owned business (SWAM) participation in procurement efforts in accordance with the VTC SWAM Plan.
7. The Procurement Officer will seek appropriate vendors, providing them with the specifications in writing and seek written bids when required in accordance with VTC policies. All requests for bids, no matter what the dollar value is, should be in writing. All bids shall be obtained in writing in response to the written bid request, even in cases where only one bid is required. See Informal Bid Request Format in the procurement office. In cases requiring multiple bids, the bids may be reviewed with the requesting individual, but will be awarded to the lowest responsive, responsible SWAM bidder in accordance with VTC's SWAM Plan.

8. The Procurement Officer will place the orders, through eVA where applicable, and ensure the delivery of the product or service is done in a timely and accurate fashion. The Procurement Officer will follow up and track down any product or service not delivered.
9. In the absence of the Procurement Officer, the Contracts Officer may handle the purchase. In these situations, however, the Contracts Officer should use eVA and SWAM guidelines and complete the entire process, including ordering through eVA, in accordance with VTC policy. The Contracts Officer shall also ensure the requisite approval is obtained. The written approval, should be from an authorized signature party. The details, coding and eVA purchase order, if applicable, and all required documentation must be provided to the Procurement Officer to match with the invoices when received.
10. Purchases, except for those items listed in VTC's eVA/SWAM Exclusion List, are to be placed through eVA and not directly with Vendors over the phone or email. Vendors may be told that the orders will be placed through eVA, but verbal commitments should not be given to the Vendors. When printing is required, artwork should not be sent to the Vendor until the eVA order has been placed and approved. EVA orders are not to be placed as confirmation orders after the fact, except in unusual circumstances and with the approval of the Contracts and Procurement Manager.
11. Justification documentation is required to be submitted to the Contracts and Procurement Manager for purchases with non-eVA registered and/or non-SWAM certified vendors prior to purchases taking place.
12. The Procurement Officer, and Contracts Officer will be issued corporate purchasing cards to be used within the limits and guidelines established herein. The Procurement Officer and Contracts Officer shall be responsible for the safekeeping of the cards and ensuring they are used only for purchases which are necessary to the operation and promotion of the VTC and its business interests. The Procurement Officer and Contracts Officer will be held personally responsible for purchases which can be shown were not made on behalf of the VTC.
13. The Procurement Officer will maintain the primary agency purchasing card. Most purchases using a card will be charged to it. The Contracts Officer will be issued an agency purchasing card as well and will serve as backup to the Purchasing Office for agency purchases and assist the Contracts and Procurement Manager, as requested, with Computer Hardware and Software Purchases. In extremely rare situations, and only at the sole discretion of the VP of Operations and Finance, and with the recommendation of the Contracts and Procurement Manager, other cards may be issued for unique, special circumstance, to be used for "specific exception" items only.
14. The Contracts and Procurement Manager will be issued a corporate purchasing card to be used for the purchase of computer related equipment, software, furniture, equipment, and other purchases made on behalf of VTC as deemed necessary.
15. The Procurement Officer and the Contracts Officer shall ensure that all goods and services which were ordered are indeed received and accepted prior to authorizing or requesting payment.
16. The Procurement Officer and the Budget and Finance Director will be responsible for producing and maintaining procurement, payment and receipt documentation for purchases made on behalf of VTC.
17. The individual requesting a purchase will coordinate with the Contracts and Procurement Manager in the preparation of IFB's, RFP's, contracts, agreements and other procurement documents which will be executed by the Contracts Officer or the Contracts and Procurement Manager.
18. When guidelines require the preparation of either a Purchase Order or a Contract/Agreement, the Contracts and Procurement Manager will determine which document is in the best interest of VTC. Contracts/Agreements can only be prepared by the Contracts and Procurement Manager



or the Contracts Officer. See Sections 5.4 and 5.5 for more information regarding Contracts/Agreements.

### **2.3 Management Responsibility**

Although the VTC has designated a Contracts and Procurement Manager, Procurement Officer, and Contracts Officer to handle the procurement process, management of each division and department will have primary responsibility for ensuring that all purchases requested are appropriate, adequately funded, and in the best interests of the VTC in accordance with the policies and procedures established herein.

#### **PROCEDURES:**

1. Vice-Presidents (VP) may identify and recommend to the VP of Operations & Finance capable individuals within their division to be given certain delegated authority to approve and request purchases through the Procurement Officer. These designated individuals will report directly to the Vice-President regarding all procurement requests and approvals for their area of responsibility.
2. The VP will manage the fiscal budget for the division, and will notify their designated individuals of funds allocated for purchases, or changes thereto, during the course of the fiscal year.
3. VPs and/or department directors, managers or other designated employees with purchasing approval authorization will be required to provide written approval (email is acceptable and preferable) to authorize purchases made by the Procurement Officer within the established limits of authorization, as defined herein, and/or assist in obtaining additional authorizations as required for a given procurement.
4. VPs will be responsible for ensuring that all division purchases are coordinated through the Procurement Officer or through the Contracts Officer in the absence of the Procurement Officer.
5. VPs and department Directors are responsible for notifying the Contracts and Procurement Manager if they identify or suspect that a violation of VTC's procurement policies has occurred, or is about to occur.
6. VPs and department directors will seek small business, minority owned, and woman owned business (SWAM) participation in their requests for procurement efforts in accordance with the VTC SWAM Plan. They will also allow the procurement of goods and services to be handled by the Procurement Officer through the Commonwealth's eVA procurement system where possible.

## SECTION 3: PROCUREMENT POLICIES

### 3.1 Advertising, Marketing, Public Relations, and Promotional Exceptions

The mission of the VTC is to advertise, market and promote Virginia as a travel destination and filming site. As such, the procurement of goods and services to support such functions can vary widely, and are often obtained in combination with specific projects, events, cooperative agreements, and/or joint ventures. Many of the goods and services are for targeted audiences to achieve specific results, and as such are not always conducive to a competitive bid process. In addition, in many cases timing is critical and is not conducive to a competitive bid process. (Note: these advertising, marketing, public relations, and promotional exceptions are not related to the Advertising Agency Contract which is handled through an RFP process and is not an exception to the competitive bidding process). In instances where the dollar amount is \$15,000 or less, such procurements will be treated the same as general purchases \$15,000 or under. In instances where the dollar amount is over \$15,000 and it is only possible or practical, or in VTC's best interest, to use one vendor, such procurements will be treated as non-competitive award marketing exceptions. With a non-competitive award-marketing exception, an email authorizing such purchase, a vendor invoice, and either a Purchase Order or Contract/Agreement are the only required documentation. The Contracts and Procurement Manager will determine which document (Purchase Order or Contract/Agreement) will be in VTC's best interest. See section 4.9 for additional information on non-competitive award - marketing exceptions.

### 3.2 Airline Tickets

Policies and procedures for arranging and purchasing airline tickets for business purposes by VTC employees is described in the [Travel Policies and Procedures Manual](#).

### 3.3 Lodging

Policies and procedures for arranging and purchasing lodging for business purposes by VTC employees are described in the [Travel Policies and Procedures Manual](#). The Procurement Officer is not responsible for making these arrangements. Use of the Purchasing Card to "hold rooms" or pay for employee lodging is not permitted. In some cases, lodging for clients such as travel writers and speakers may be arranged by VTC. The Purchasing Card may be used to "Hold" or pay for clients rooms when necessary.

### 3.4 Bulk Mail

The VTC mails significant amounts of advertising, marketing and promotional materials on a routine basis. It is therefore important that bulk mail services, including the procurement of mailing lists, are arranged in an efficient and cost-effective manner. This may require the assistance of several resources (e.g. Information Systems, mail list service, bulk mail services, art departments, printers, etc.) in order to obtain the best services for the best cost for the quality required.

The value of such services includes all costs for providing the service, mail list/labels, stuffing, sorting, postage and shipping. It may not always be advantageous to compete such services and therefore is not a requirement. In such circumstances, this may be considered a non-competitive award.

### 3.5 Business Cards and Stationery

Business cards and stationery may be purchased and supplied to employees as necessary to promote and support the business needs of the VTC. In some cases (e.g. international trips) several cards

may be appropriate, and significant lead time may be needed to write, translate, proof, and print the materials.

While each division will be responsible for identifying their needs, ordering cards and stationery must be coordinated through the VTC creative services department and the Procurement Officer to ensure that approved artwork, colors, paper, and overall quality are obtained and VTC's purchasing policies and procedures are adhered to. But the actual ordering of the cards and stationery shall be handled by the Procurement Officer. All printing shall be bid out, regardless of the dollar amount of the individual expenditure.

### **3.6 Computer Hardware, Software and Related Services, Software as a Service (SaaS)**

Due to the technical nature and the need to standardize where possible, procurement of computer hardware, software and related services (such as delivery, installation, programming, testing, maintenance, training, etc.) will be conducted by the Contracts and Procurement Manager and coordinated with VEDP Information Technology (IT). This includes any personal computers or software, modems, printers, component upgrades, or other items which are used within the VTC, as well as items located and operated centrally on behalf of the VTC. Ink/toner cartridges for VTC staff whether located in the Richmond Office or outside of the Richmond Office shall be procured by the Procurement Officer.

If a department identifies a need for computer hardware, software, and/or related goods or services they must contact VTC's Contracts and Procurement Manager. Note: This includes the need for free or trial software, as all software, free or otherwise, must still go through the same approval and vetting process. VTC staff are not to download any software, applications, or tools, or access any software online without the prior approval of Contracts and Procurement Manager and without first being vetted by VEDP IT group (which will be handled by the Contracts and Procurement Manager unless otherwise delegated to the Procurement Officer or Contracts Officer.) The Contracts and Procurement Manager will coordinate with the VEDP IT group, identify the potential products/sources, initiate the required documentation, place the order, receive and inspect the items. These purchases require prior written approval of the authorized party. In addition to the authorized party's approval, computer hardware--including external drives--and software purchases and related services also require the approval from the VP of Operations & Finance, regardless of the dollar amount.

Should the VEDP IT group determine it is necessary to order replacement parts in order to resolve a HelpDesk request, they will coordinate the purchase through the Contracts and Procurement Manager and the approval of the VP of Operations & Finance is not required for replacement parts when costs for such parts are less than \$5,000. However, should the VEDP IT group determine that the resolution of the HelpDesk request requires more than just the replacement of parts, or the cost for replacement parts equals \$5,000 or more, or requires the purchase of replacement equipment, then the approval of the VP of Operations & Finance is required.

When the dollar amount for an individual item exceeds \$1,000 in the category of computer-related supplies (items which are used in conjunction with computer equipment such as cables, memory chips, flash drives, or other items) approval from the VP of Operations & Finance is also required in addition to the authorized party.

Due to the highly-technical nature of rapidly evolving information technologies, the VTC recognizes the value of establishing ongoing business relationships with vendors and manufacturers. As a result, the VTC with the VEDP IT department will seek to find vendors to provide consistent and reliable sources of computer products and services. And, in many cases, these items may be purchased through Commonwealth of Virginia contracts. Therefore, when the dollar amount of the purchase is over \$15,000, these purchases will not require the bidding process and/or non-competitive award justification documentation.

If a department identifies the need for online software as a service and the cost will be more than \$5,000 or if the cost is less than \$5,000 but the vendor requires the completion and submission of additional forms or documents, or signature, these requests need to be directed to the Contracts and Procurement Manager. These services typically require the signature of a contract/agreement/order form and the inclusion of their terms and conditions, and therefore the terms and conditions will need to be reviewed and, if necessary, changes requested. The request for these services will be treated like the contracts that they are. In some cases, you are automatically agreeing to these terms and conditions simply by using the services. These such purchases will be handled as a contract for services. This process includes services that are free or trials when the vendor requires the completion and submission of additional forms or documents, or signature.

If a department identifies the need for online software as a service and the cost will be \$5,000 or less (this includes free or trial services as well) and does not require the completion and submission of additional forms or documents or signatures, these requests need to be directed to the Contracts Officer with a copy to the Contracts and Procurement Manager. Please complete the Software as a Service (SaaS) Purchase Request Checklist form and be sure to include all the requested information. The form must be signed by the appropriate authority. Ops Fi will review and provide approval or denial.

### **3.7 Conferences and Trade Shows Attended by VTC Staff**

Expenditures related to conferences and trade shows attended by VTC staff, will typically have two components: 1) the travel expenses incurred as a result of VTC staff participation; and 2) sponsorship of various forums and materials to be provided at the event, and in some cases sponsoring prospects/guests of the VTC. Policies and procedures regarding travel expenses are contained in the Travel Policies and Procedures. This section covers other procurements related to conferences and trade shows conducted and/or sponsored by the VTC.

Conferences and trade shows attended by VTC staff typically cannot be bid and may be tied to specific vendors that the conference center or conference/show management has specific contractual obligations with that must be used by the participants.

In instances where the dollar amount is \$15,000 or less, such procurements will be treated the same as general purchases of \$15,000 or less. In instances where the dollar amount is over \$15,000, such procurements will be treated as non-competitive award- marketing exceptions. With a non-competitive award marketing exception, an email authorizing such purchase, a vendor invoice, and either a Purchase Order or Contract/Agreement may be the only required documentation. The Contracts and Procurement Manager will determine which document (Purchase Order or Contract/Agreement) will be in VTC's best interest. See Section 4 for additional information on non-competitive award marketing exceptions and Section 5 regarding Contracts/Agreements.

### **3.8 VTC Conferences, Fam Tours, and Welcome Center/Visitor Center Seminars, Hosted by VTC Staff**

Expenditures related to conferences, Fam Tours, and Welcome Center/Visitor Center Seminars hosted by VTC Staff will typically have two components: 1) the travel expenses incurred as a result of VTC staff participation; and 2) expenses related to hosting and arranging the event/meeting. Policies and procedures regarding travel expenses are contained in the Travel Policies and Procedures. This section covers other procurements related to conferences and seminars conducted and/or hosted by the VTC.

Conferences, Fam Tours, and Welcome Center/Visitor Center Seminars, and such, conducted or hosted by VTC staff are typically conducted in conjunction or coordination with other travel or tourism related organizations and typically cannot be bid and may be tied to specific areas of the state or specific vendors, hotels or conference centers.

In instances where the dollar amount is \$15,000 or less, such procurements will be treated the same as general purchases of \$15,000 or less. In instances where the dollar amount is over \$15,000 such procurements will be treated as non-competitive award marketing exceptions. With a non-competitive award marketing exception, an email authorizing such purchase, a vendor invoice, and either a Purchase Order or Contract/Agreement may be the only required documentation. The Contracts and Procurement Manager will determine which document (Purchase Order or Contract/Agreement) will be in VTC's best interest. See Section 4 for additional information on non-competitive award marketing exceptions.

### **3.9 Cooperative and Joint Ventures**

The VTC often works with commercial enterprises, private organizations, or other public entities to advertise, market, and promote travel in the Commonwealth. These arrangements, which are referred to as cooperative partnerships or joint ventures, require substantial evaluation, planning, and negotiation before any VTC funds are committed or expenditures are made.

It is therefore the policy of the VTC that all such cooperative partnerships and joint ventures will be documented by a written agreement, MOU, MOA, contract, etc. If the VTC is expected to be reimbursed by any other party for expenditures incurred by VTC on behalf of the cooperative/joint venture, the written agreement must include a schedule for reimbursements and such schedule must be provided to VTC's accounts receivable officer. The agreements must be prepared by the Contracts and Procurement Manager or the Contracts Officer in coordination with the division and signed by the VP of Operations & Finance. The original agreement will be maintained by the Contracts and Procurement Manager, with a copy provided for the division's files.

With these joint ventures or cooperative agreements, a written email approval by the authorized party initiating the process, a vendor invoice and the written agreement, MOU, MOA, Contract, etc. may be the only documentation required without regard for the expenditure dollar amount. See Section 4 for procedures.

### **3.10 Express Mail**

The Contracts and Procurement Officer will be responsible for establishing accounts with providers of express mail services unless contract is required, at which time the Procurement Officer will refer issue to the Contracts Officer.

Express mail can be an important and valuable service when used properly. However, it is also expensive and can be easily abused if used to mail materials which are not essential to next day business or which could be transmitted electronically (fax, email, File Transfer Protocol). It is up to each manager to ensure that such abuses do not occur in their area of responsibility.

If express mail is warranted, a pre-printed airbill should be obtained from the division administrator or support person. These airbills may be pre-coded to include the cost code or division, in order to track usage and expenditures. If a pre-printed airbill is not available, the cost-code should be entered along with all other necessary addressing and billing information. Priority service (e.g. guaranteed delivery by 10:00 am) should only be used on an exceptional basis, since it is significantly more expensive and may not necessarily arrive earlier than standard overnight service.

### **3.11 Maintenance Services**

The Contracts and Procurement Manager and the VEDP Facilities Manager will be responsible for establishing all contracts with providers of maintenance services, to include office facilities/furniture, office equipment, State-owned vehicles, and other maintenance services as deemed necessary. In the case of computer hardware/software, all maintenance contracts will be

authorized and managed by the VEDP Director of Information Technology. No other maintenance contracts or services should be established or ordered directly by any division or cost center.

Maintenance contracts may include scheduled/preventative maintenance, fixed periodic fees for on-call repair services, or time-and-materials rates for on-call repair services. Services may include diagnostics, cleaning, refilling/supplying, scheduled upgrades, temporary loaners, or total replacements (swaps).

In most cases, the purchase of items subject to maintenance will include a warranty period, which should be evaluated prior to purchasing the items and before establishing a contract for additional maintenance periods and services. If such items are being procured, the individual making the request, or department manager must coordinate with the Contracts and Procurement Manager to ensure warranty and maintenance needs are properly analyzed.

If maintenance (repair) is required, the Contracts and Procurement Manager should be contacted before requesting or dispatching maintenance services. In the case of computer hardware/software maintenance, the VEDP IT department should be contacted using the Help-Desk request system on the Intranet.

### **3.12 Office Supplies, Furniture, Equipment (except Computers), and Other Goods**

Other than those items otherwise addressed in other sections of this manual, procurement of office supplies, furniture, equipment (other than computers), printing and other goods will be purchased as indicated below.

In order to ensure the consistency and quality of all furnishings, the VTC Contracts and Procurement Manager will be responsible for procurement of all furniture. If a department identifies a need for furniture and/or related service, they must contact the Contracts and Procurement Manager. The Contracts and Procurement Manager will identify the potential product sources, select the appropriate procurement method, initiate the required documentation, obtain expenditure authorization from the department VP, place the order, receive and inspect the items. The Contracts and Procurement Manager may delegate this responsibility to the Procurement Officer.

### **3.13 Real Estate and Construction**

The VP of Operations & Finance will be responsible for establishing all contracts for real estate or construction services. No real estate and construction contracts or services should be established or ordered directly by any division or cost center.

### **3.14 Research Services and Research Tools/Applications/Platforms**

The mission of the VTC is to advertise, market, and promote Virginia as a travel destination and filming site. As such, the needs regarding the procurement of goods and services to support such functions can vary widely. Many of the goods and services are for targeted audiences to achieve specific results. VTC's research requirements are based on its marketing needs. VTC requires a broad range of research services, expertise, and research tools/applications/platforms, most of which are unique and cannot be compared directly with each other; specific types of research often requires specific expertise of a research provider and specific tools/applications/platforms can only be purchased from a specific provider. In addition, some research may be proprietary and the same research can seldom be obtained from multiple vendor sources.

All research procurements will be treated as a non-competitive award marketing exception. With a non-competitive award marketing exception, an approval email from the individual authorized to approve such purchase, a vendor invoice, and either a Purchase Order or Contract/Agreement are the required documentation. The Contracts and Procurement Manager will determine which document

(Purchase Order or Contract/Agreement) will be in VTC's best interest. In most instances, regardless of the dollar amount of the purchase, a contract instead of a purchase order should be prepared in order to identify what goods and services will be provided and to secure VTC's rights to the usage and sharing of the research purchased. In the cases where a purchase order is acceptable instead of a contract, VTC's rights to usage and sharing of the research purchased shall be identified in the details of the purchase order. In some cases, the research firm may require VTC to agree to their contract instead of using VTC's. These contracts shall be reviewed and, if necessary, terms negotiated by VTC's Contracts and Procurement Manager or the Contracts Officer and shall be signed by the VP of Operations & Finance. Please see Section 4.9 for more information on non-competitive award marketing exceptions.

### **3.15 Services (non-Professional)**

Other than those items otherwise addressed in this Section of the manual, procurement of services (non-professional) will be purchased in accordance with the rules established in Section 4.

### **3.16 Services (Professional)**

Professional services include work which must be performed by an entity licensed in the practice of accounting, actuarial services, architecture, land surveying, landscape architecture, law, medicine, optometry, pharmacology, or engineering. For procurements involving both goods and services, it will be considered service procurement if the estimated cost of labor is more than 50% of the total purchase price.

It should be noted that all **legal services** must be provided by the Office of the Attorney General; the VTC is precluded by statute from obtaining other legal representation without prior approval of the Attorney General's Office. Any legal services required shall be coordinated through the VP of Operations & Finance.

Soliciting professional services differs from other services, in that costs or man-hour estimates should not be obtained during the initial solicitation, and negotiations may be conducted with more than one entity at the same time.

### **3.17 Telecommunications**

This section applies to office telephones, mobile telephones, voice mail, data lines, and other mobile devices, etc. Due to the technical nature and need to standardize where possible, procurement of all telecommunications products and related services (such as delivery, installation, programming, testing, maintenance, training, local/long distance service, and the like) will be conducted by the VEDP IT group.

On-line services, such as those provided by an Internet service provider are considered computer-related, and as such will follow the guidelines established for computer procurements in 3.6 above.

If a division identifies a need for telecommunications equipment and/or a related service, with the exception of cell phones, they must contact the Contracts and Procurement Manager who will coordinate the acquisition with the VEDP IT group. The VEDP IT group will work with the Contracts and Procurement Manager and VP of Operations & Finance to evaluate the need, identify the potential products/sources, select the appropriate procurement method, initiate the required documentation, obtain expenditure authorization from the division, place the order, and receive and inspect the items.

Should a division have a need for cell phones, staff should complete a helpdesk ticket. Once the helpdesk ticket is created, IT will create an Adobe Sign form that will be directed to staff to complete with the requested information. The system will then forward that to the appropriate VP

for approval and signature. Copies are automatically provided electronically to Ops Fi and IT. The Helpdesk Ticket can be found on both VTC and VEDP Intranets. VTC Mobile Request: VEDP & VTC IT Helpdesk.

In most cases, VEDP may have established contracts for these items or selected specific vendors from which to purchase these items. And, in most cases, VEDP will conduct the purchase on VTC's behalf. Therefore, in these instances, the only documentation required is an approval email from the individual authorized to approve such purchases and approval of the VP of Operations & Finance. Purchase Orders or Non-Compete Award Authorization Forms are not required for any telecommunications purchases.

### **3.18 Photography and Video/Film Footage**

The mission of the VTC is to advertise, market, and promote Virginia as a travel destination and filming site. As such, the procurement of goods and services to support such functions can vary widely. Many of the goods and services are for targeted audiences to achieve specific results, and as such are not always conducive to a competitive bid process. Photography and video/film footage is unique due to the creativity, expertise, and specific talent of each photographer or film/production company, including specific locations and subject matter, and often cannot be compared directly with each other. VTC's needs for photography and video/film footage are often based on specific marketing projects, conferences, cooperative agreements, or joint ventures, and at times may be part of a larger process.

In instances where the dollar amount is \$15,000 or less, such procurements will be treated as general Photography/Video/Film Footage purchases following the procedures outlined below. In instances where the dollar amount is over \$15,000, such procurements will be treated as non-competitive award marketing exceptions. With a non-competitive award marketing exception, an email authorizing such purchase, a vendor invoice, a Photo/Video Brief (which includes VTC's Photography/Video Special Terms and Conditions), the vendor's quote, and a Purchase Order may be the only required documentation. When the purchase of photography/videography is part of a larger procurement including other types of goods or services, a contract instead of a purchase order may be prepared. In all cases, however, VTC shall secure and include in the Purchase Order or Contract VTC's unlimited usage rights, etc., as identified in VTC's Photography/Video Special Terms and Conditions. In all cases, the following procedures shall apply.

When purchasing photography or video/film footage, it is imperative that VTC retain ownership and unlimited usage rights to the photography and have signed model releases for all images that include a recognizable face and signed property releases for all images that include recognizable property. Therefore, regardless of the dollar amount, when purchasing photography/video, the following procedures shall be followed in addition to the general purchase guidelines:

(Note: when acquiring film footage through a film/production company or hiring a company to produce film footage for VTC, the process below may not apply. However, a contract shall be prepared and the same usage rights and release requirements found in the Photography/Video Special Terms and Conditions shall be included in the contract.)

#### **PROCEDURES:**

1. For photography/video prepare a Photography or Video Brief that includes: a Photography or Video Brief Job #, a detailed description of the photo shoot/scope of services to be provided by the photographer or videographer, image size/format requirements, delivery due date, and usage rights. The usage rights should refer to "Photography/Video Special Terms and Conditions."



2. Attach “Photography/Video Special Terms and Conditions” to the Photography or Video Brief, and include the assigned number of the Photography or Video Brief on the “Photography/Video Special Terms and Conditions.” These “Photography/Video Special Terms and Conditions” may not be altered as this language is needed to provide VTC all the required rights. Should there be a need to edit this language, please contact the Contracts and Procurement Manager for approval and coordination prior to changes being made.
3. One of the items listed in the “Photography/Video Special Terms and Conditions” is the requirement for the photographer or videographer to be responsible for hiring and paying for any necessary models, as well as providing VTC with signed model releases for any image that includes a recognizable face and signed property releases for any image that includes recognizable property.
4. Send the Photography or Video Brief and the “Photography/Video Special Terms and Conditions” to the potential vendor when requesting a quote. These documents must accompany the request for a quote.
5. When the quote is received, and if acceptable, send to the Procurement Officer to prepare a Purchase Order. The Purchase Order shall include specific details of the work to be performed and shall refer to the Photography or Video Brief and quote from the vendor.
6. The Purchase Order shall also include the following statement: “See attached VTC’s Terms and Conditions & Instructions to Vendors, and also see attached Photography/Video Special Terms and Conditions. These documents are legal and binding and are part of the purchase order and replace any like terms and conditions provided by Vendor”. **This statement is mandatory on the purchase order in order to protect VTC’s rights.**
7. Seek appropriate signature on the Purchase Order.
8. Scan the Purchase Order, quote from the vendor, Photography or Video Brief, and Photography/Video Special Terms and Conditions and forward all of these documents together as one packet to the photographer or videographer authorizing them to proceed with the job. By accepting the job and beginning the work, they are agreeing to all the terms and conditions contained within these documents.
9. Forward a copy of these documents to the Contracts and Procurement Manager and Procurement Officer.
10. At times, the photographer’s quote will include a signature line for VTC to sign. **DO NOT SIGN THIS.**
11. When photography arrives, be sure all necessary signed model and property releases are received.
12. When invoice arrives, if job is acceptable, attach the Photography or Video Brief, Photography/Video Special Terms and Conditions, quote, and Purchase Order to the invoice. Approve payment and forward to Procurement Officer for processing in accordance with the guidelines.

### **3.19 Organizational Memberships and Publication Subscriptions**

Organizational Memberships and Publication Subscriptions purchased by VTC staff, by their very nature, are unique. They typically cannot be bid and are tied to specific vendors/organizations from whom the membership or subscription is available.

In instances where the dollar amount is \$15,000 or less, such procurements will be treated the same as general purchases of \$15,000 or less. See Section 4. In instances where the dollar amount is over \$15,000, such procurements will be treated as non-competitive award marketing exceptions. With a non-competitive award marketing exception, an email authorizing such purchase, a vendor invoice, and either a Purchase Order or Contract/Agreement are the only required documentation. The Contracts and Procurement Manager will determine which document (Purchase Order or Contract/Agreement) will be in VTC's best interest. See Section 4 for additional information on non-competitive award marketing exceptions.

### **3.20 Writers/Bloggers**

The mission of the VTC is to advertise, market, and promote Virginia as a travel destination and filming site. As such, the procurement of goods and services to support such functions can vary widely. Many of the goods and services are for targeted audiences to achieve specific results, and as such are not always conducive to a competitive bid process. Writing and blogging is unique due to the creativity, expertise, and specific talent of each writer or blogger, including specific locations and subject matter, and often cannot be compared directly with each other. VTC's needs for writers and bloggers are often based on specific marketing projects, and may be part of a larger process.

In instances where the dollar amount is \$15,000 or less, such procurements will be treated as general Writer/Blogger service purchases following the procedures outlined below. In instances where the dollar amount is over \$15,000, such procurements will be treated as non-competitive award marketing exceptions. With a non-competitive award marketing exception, an email authorizing such purchase, a vendor invoice, a Writer/Blogger Brief (which includes VTC's Writer/Blogger Special Terms and Conditions), the vendor's quote, and a Purchase Order may be the only required documentation. When the purchase of the services of writers/bloggers is part of a larger procurement including other types of goods or services, a contract instead of a purchase order may be prepared. In all cases, however, VTC shall secure and include in the Purchase Order or Contract VTC's unlimited usage rights, etc., as identified in VTC's Writer/Blogger Special Terms and Conditions. In all cases, the following procedures shall apply.

When purchasing the services of writers or bloggers, it is imperative that VTC retain ownership and unlimited usage rights to the writing and blogs, and accompanying images if applicable. Therefore, regardless of the dollar amount, when purchasing the services of writers and bloggers, the following procedures shall be followed in addition to the general purchase guidelines:

#### **PROCEDURES:**

1. For writers/bloggers prepare a Writers/Bloggers Brief that includes: a Writers/Bloggers Brief Job #, a detailed description of the scope of services to be provided by the writers/bloggers to include any specifications required, delivery due date, and usage rights. The usage rights should refer to "Writers/Bloggers Special Terms and Conditions."
2. Attach "Writers/Bloggers Special Terms and Conditions" to the Writers/Bloggers Brief, and include the assigned number of the Writers/Bloggers Brief on the "Writers/Bloggers Special Terms and Conditions." These "Writers/Bloggers Special Terms and Conditions" may not be altered as this language is needed to provide VTC all the required rights. Should there be a need to edit this language, please contact the Contracts and Procurement Manager for approval and coordination prior to any changes being made.
3. Send the Writers/Bloggers Brief and the "Writers/Bloggers Special Terms and Conditions" to the potential vendor when requesting a quote. These documents must accompany the request for a quote.

4. When the quote is received, and if acceptable, send to the Procurement Officer to prepare a Purchase Order. The Purchase Order shall include specific details of the work to be performed and shall refer to the Writers/Bloggers Brief and quote from the vendor.
5. The Purchase Order shall also include the following statement: “See attached VTC’s Terms and Conditions & Instructions to Vendors, and also see attached Writers/Bloggers Special Terms and Conditions. These documents are legal and binding and are part of the purchase order and replace any like terms and conditions provided by Vendor”. **This statement is mandatory on the purchase order in order to protect VTC’s rights.**
6. Seek appropriate signature on the Purchase Order.
7. Scan the Purchase Order, quote from the vendor, Writers/Bloggers Brief, and Writers/Bloggers Special Terms and Conditions and forward all of these documents together as one packet to the writer or blogger authorizing them to proceed with the job. By accepting the job and beginning the work, they are agreeing to all the terms and conditions contained within these documents.
8. Forward a copy of these documents to the Contracts and Procurement Manager and Procurement Officer.
9. Should the writers/bloggers quote include a signature line for VTC to sign, **DO NOT SIGN THIS.**
10. When invoice arrives, if job is acceptable, attach the Writers/Bloggers Brief, Writers/Bloggers Special Terms and Conditions, quote, and Purchase Order to the invoice. Approve payment and forward to Procurement Officer for processing in accordance with the guidelines.

### **3.21 Sponsorships**

Sponsorships, by their very nature, can not be competitively bid, and are not actual procurements. They are simply included in these policies to address the contractual requirements and payment process. They are associated with events, shows, or programs with specific providers of such. VTC’s management determines which events, shows, or programs would be in the best interest of Virginia tourism to sponsor. All sponsorships require either a Sponsorship Agreement or Purchase Order depending on the details of the Sponsorship. The Contracts and Procurement Manager shall determine whether a Sponsorship Agreement or a Purchase Order will be prepared. The Sponsorship Agreement or Purchase Order shall be prepared by the Contracts and Procurement Manager or Contracts Manager. The only documents required are the approval document, invoice, and PO or Sponsorship Agreement. Vendor submits invoice upon execution of the agreement. All Sponsorship Agreements should include a refund clause should the event/show/program not take place.

**SECTION 4: VTC PROCUREMENT METHODS AND PROCEDURES**

**4.1 Procurement Requirement Guidelines**

The table below is a guideline or table reference only that identifies and summarizes the processes and documentation requirements for the procurement of goods and services at various levels and for various types of purchases. Departures from these guidelines must have the approval of the VP of Operations & Finance unless otherwise specifically identified within the Policies and Procedures Manual. See the individual sections of the Policies and Procedures Manual for more specific details of each type of purchase.

<b>THIS TABLE REPRESENTS GUIDELINES FOR PURCHASES OF GOODS AND NON-PROFESSIONAL SERVICES UNDER \$200,000, AND PROFESSIONAL SERVICES OR NON-TRANSPORTATIONAL RELATED CONSTRUCTION UNDER \$80,000</b>			
<b>Expenditure Levels:</b>	<b>PURCHASE Must be authorized by:</b>	<b>Type of Purchase:</b>	<b>Process &amp; Documentation:</b>
Up to \$15,000	President; <b>or</b> Division VP; <b>or</b> Department Director; or Manager (if given procurement Authority)  Authorization and approval may be provided by an email request and email approval by authorized party prior to purchase taking place and should be attached to all invoices/purchase card billings	Single Quote (See Section 4.2)	Vendor Invoice/statement, quote AND eVA purchase order if applicable; <b>Optionally</b> , seek bids on purchases to assure VTC obtains the best price and quality of merchandise or service, if so, informal bid request, quote, and bid summary sheet. If VTC contract is prepared, the Contract Number and include any work order or email if applicable. Provide copy of the contract for the first payment. If multiple payments, the contract is only required to be attached to first payment.
		State Contracts (See Section 4.3)	Vendor Invoice/statement AND eVA purchase order if applicable.
		VEDP Contract (See Section 4.4)	Vendor Invoice
		Previously established VTC Contract	Vendor Invoice and copy of the Contract for the first payment, copy of executed Work Order, if applicable. If multiple payments, then Contract only required to be attached to first payment.
		Acts of General Assembly (See Section 4.5)	Copy of Legislation
		State or local government Agency (See Section 4.6)	Vendor Invoice. If VTC contract is prepared, provide the Contract Number in the accounts payable system.
\$15,001 to \$50,000	President, <b>or</b> Division VP; <b>and</b> VP of Operations & Finance for Non-Competitive Award or Emergency purchases	State Contracts (See Section 4.3)	Vendor Invoice/statement <b>AND</b> either a Purchase Order/eVA Order <b>OR</b> VTC Contract if applicable. Provide PO/eVa Order number <b>OR</b> contract number if applicable.
		Previously established VTC	Vendor Invoice and copy of the Contract for the first payment, copy of Work Order, if

**THIS TABLE REPRESENTS GUIDELINES FOR PURCHASES OF GOODS AND NON-PROFESSIONAL SERVICES UNDER \$200,000, AND PROFESSIONAL SERVICES OR NON-TRANSPORTATIONAL RELATED CONSTRUCTION UNDER \$80,000**

Expenditure Levels:	PURCHASE Must be authorized by:	Type of Purchase:	Process & Documentation:
	Authorization and approval may be provided by an email request and email approval by authorized party prior to purchase taking place and should be attached to all invoices/purchase card billings	Contract	applicable. If multiple payments, then Contract is only required to be attached to first payment.
		VEDP Contract (See Section 4.4)	Vendor Invoice
		Acts of General Assembly (See Section 4.5)	Copy of Legislation
		State or local government Agency <b>OR</b> Joint Venture <b>OR</b> Cooperative Agreement (See Section 4.6)	Vendor Invoice <b>AND</b> a Contract/Agreement/MOA/MOU with standard terms or negotiated terms executed by the Contracts and Procurement Manager or Contracts Officer. Provide Contract/Agreement/MOA/MOU and include any work order or email if applicable.
		Informal Unsealed Bids (See Section 4.7)	Vendor Invoice/statement <b>AND</b> Informal Bid Request, Bid, Bid Summary Sheet (solicit 3 or more vendors including 2 SWAM vendors when available) <b>AND</b> either a Purchase Order/eVa Order <b>OR</b> Contract/Agreement with standard terms or negotiated terms executed by the VTC Contracts and Procurement Manager or Contracts Officer. Provide PO Number <b>OR</b> Contract number and include any work order or email if applicable.
		Non Competitive Award (See Section 4.8)	Vendor Invoice/statement <b>AND</b> Non-Competitive Award Justification Form <b>AND</b> either a Purchase Order/eVA Order <b>OR</b> Contract/agreement with standard terms or negotiated terms executed by the VTC Contracts and Procurement Manager or Contracts Officer. Provide PO Number <b>OR</b> Contract number, and include any work order or email if applicable.
Non Competitive Award – Marketing Exception (See Section 4.9)	Vendor Invoice/statement <b>AND</b> either a Purchase Order/eVA Order <b>OR</b> Contract/agreement with standard terms or negotiated terms executed by the VTC Contracts and Procurement Manager or Contracts Officer. Non Competitive Award Justification Form is not required. Provide PO Number <b>OR</b> Contract number and include any work order or email if applicable.		

**THIS TABLE REPRESENTS GUIDELINES FOR PURCHASES OF GOODS AND NON-PROFESSIONAL SERVICES UNDER \$200,000, AND PROFESSIONAL SERVICES OR NON-TRANSPORTATIONAL RELATED CONSTRUCTION UNDER \$80,000**

Expenditure Levels:	PURCHASE Must be authorized by:	Type of Purchase:	Process & Documentation:
		Emergency Purchase (See Section 4.10)	Vendor Invoice/statement <b>AND</b> Emergency Purchase Justification Form <b>AND</b> either a Purchase Order <b>OR</b> Contract/agreement with standard terms or negotiated terms executed by the VTC Contracts and Procurement Manager or Contracts Officer. Provide PO Number <b>OR</b> Contract number and include any work order or email if applicable.
More than \$50,000 but less than \$200,000	President, <b>or</b> VP of Operations & Finance  Authorization and approval is provided by an email request and email approval by authorized parties prior to purchase taking place and should be attached to all invoices/purchase card billings	State Contracts (See Section 4.3)	Vendor Invoice <b>AND</b> either a Purchase Order/eVA Order <b>OR</b> VTC Contract if applicable. Provide PO/eVA Number <b>OR</b> Contract and include any work order or email if applicable.
		Previously established VTC Contract	Vendor Invoice and copy of the Contract for the first payment, copy of Work Order, if applicable. If multiple payments, then Contract only required to be attached to first payment.
		VEDP Contract (See Section 4.4)	Vendor Invoice
		Acts of General Assembly (See Section 4.5)	Copy of Legislation
		Another State or local government Agency <b>OR</b> Joint Venture <b>OR</b> Cooperative Agreement (See Section 4.6)	Vendor Invoice <b>AND</b> Contract/agreement/ MOU/MOA with standard terms or negotiated terms executed by the VTC Contracts and Procurement Manager or Contracts Officer; provide Contract/Agreement/ MOA/MOU number and include any work order or email if applicable.
		Formal Sealed Bids (IFB) <b>OR</b> Competitive Negotiations (RFP) both to be executed by Contracts and Procurement Manager or the Contracts Officer (See Section 4.12 for IFB and 4.13 for RFP)	Vendor Invoice <b>AND</b> IFB or RFP process (solicit 6 or more vendors including 4 SWAM vendors when available or post on VBO site) <b>AND</b> Contract/agreement with standard terms or negotiated terms executed by the VTC Contracts and Procurement Manager or the Contracts Officer. Provide Contract number and include any work order or email if applicable. (IFB and bids or RFP and proposals kept by Contracts and Procurement Manager.)

**THIS TABLE REPRESENTS GUIDELINES FOR PURCHASES OF GOODS AND NON-PROFESSIONAL SERVICES UNDER \$200,000, AND PROFESSIONAL SERVICES OR NON-TRANSPORTATIONAL RELATED CONSTRUCTION UNDER \$80,000**

Expenditure Levels:	PURCHASE Must be authorized by:	Type of Purchase:	Process & Documentation:
		Non Competitive Award (See Section 4.8)	Vendor Invoice <b>AND</b> Non-Competitive Award Justification Form <b>AND</b> either a Purchase Order/eVA Order <b>OR</b> Contract/agreement with standard terms or negotiated terms executed by the VTC Contracts and Procurement Manager or the Contracts Officer. Provide PO/eVA Number <b>OR</b> Contract number and include any work order or email if applicable.
		Non Competitive Award – Marketing Exception (See Section 4.9)	Vendor Invoice <b>AND</b> either a Purchase Order/eVA Order <b>OR</b> Contract/agreement with standard terms or negotiated terms executed by the VTC Contracts and Procurement Manager or the Contracts Officer. Non Competitive Award Justification Form is not required. Provide PO/eVA Number <b>OR</b> Contract number and include any work order or email if applicable.
		Emergency Purchase (See Section 4.10)	Vendor Invoice <b>AND</b> Emergency Purchase Justification Form <b>AND</b> either a Purchase Order/eVa Order <b>OR</b> Contract/agreement with standard terms or negotiated terms executed by the VTC Contracts and Procurement Manager or the Contracts Officer. Provide PO/eVA Number <b>OR</b> Contract number and include any work order or email if applicable.

**THIS TABLE REPRESENTS GUIDELINES FOR PURCHASES OF GOODS AND NON-PROFESSIONAL SERVICES OVER \$200,000, AND PROFESSIONAL SERVICES OR NON-TRANSPORTATIONAL RELATED CONSTRUCTION OVER \$80,000**

Expenditure Levels:	PURCHASE Must be authorized by:	Type of Purchase:	Process & Documentation:
More than \$200,000 goods and non-professional services and more than \$80,000 professional services or non-transportation	President, <b>or</b> VP of Operations & Finance  Request for the purchase of any goods or services in this category shall be sent in writing to the President or VP of Operations and Finance. Final approval shall be provided in writing by President or VP	Previously established VTC Contract	Vendor Invoice and copy of the Contract for the first payment, copy of Work Order, if applicable. If multiple payments, then Contract only required to be attached to first payment. Justification and posting not necessary since procedures were followed with initial establishment of contract.
		VEDP Contract (See Section 4.4)	Vendor Invoice. Justification and posting not necessary since purchasing off another contract.

**THIS TABLE REPRESENTS GUIDELINES FOR PURCHASES OF GOODS AND NON-PROFESSIONAL SERVICES OVER \$200,000, AND PROFESSIONAL SERVICES OR NON-TRANSPORTATIONAL RELATED CONSTRUCTION OVER \$80,000**

Expenditure Levels:	PURCHASE Must be authorized by:	Type of Purchase:	Process & Documentation:
<p>- related construction</p>	<p>of Operations and Finance. However, any request for purchase of goods or services through determination that such purchase contributes to the public mission or Non Competitive Awards shall be approved by VP of Operations and Finance.</p> <p>All approvals shall be attached to invoices billings.</p> <p>Exception Note: The approval process above does not apply to purchases through Acts of General Assembly except for the approval by the VP of Operations and Finance for the actual payment since these are legislated.</p>	<p>Acts of General Assembly (See Section 4.5)</p>	<p>Copy of Legislation. Justification and posting not necessary since this is pass-through money determined by legislation.</p>
		<p>State Contracts (See Section 4.3)</p>	<p>Vendor Invoice <b>AND</b> either a Purchase Order/eVA Order <b>OR</b> VTC Contract if applicable. Provide PO/eVA Number <b>OR</b> Contract and include any work order or email if applicable. Justification and posting not necessary since this is a purchase from a state contract that would have been initially awarded through competition.</p>
		<p>Another State or local government Agency <b>OR</b> Joint Venture <b>OR</b> Cooperative Agreement (See Section 4.6)</p>	<p>Vendor Invoice <b>AND</b> Contract/agreement/ MOU/MOA with standard terms or negotiated terms executed by the VTC Contracts and Procurement Manager or Contracts Officer; provide Contract/Agreement/ MOA/MOU number and include any work order or email if applicable. Justification and posting not necessary since this is another state agency or the nature of such Cooperative Agreement.</p>
		<p>Formal Sealed Bids (IFB) <b>OR</b> Competitive Negotiations (RFP) both to be executed by Contracts and Procurement Manager or the Contracts Officer (See Section 4.12 for IFB and 4.13 for RFP)</p>	<p>Vendor Invoice <b>AND</b> IFB or RFP process (solicit 6 or more vendors including 4 SWAM vendors when available or post on VBO site) <b>AND</b> Contract/agreement with standard terms or negotiated terms executed by the VTC Contracts and Procurement Manager or the Contracts Officer. Provide Contract number and include any work order or email if applicable. (IFB and bids or RFP and proposals kept by Contracts and Procurement Manager.)</p>
		<p>Determination in writing that such purchase contributes to the public purpose and mission of Authority as described in 2.2-2315 (See Section 4.14)</p>	<p>Vendor Invoice <b>AND</b> written determination to include: (a) an explanation of such determination, (b) that which is being purchased, (c) the contractor selected for such purchase, (d) the date of the award of such contract, and (e) the relationship of such purchase to the public purpose and mission of VTC. Such notice shall be posted for a period of one year on VTC's website (vatc.org) on the day VTC awards or announces its decision to award such contract, whichever occurs first.</p>



**THIS TABLE REPRESENTS GUIDELINES FOR PURCHASES OF GOODS AND NON-PROFESSIONAL SERVICES OVER \$200,000, AND PROFESSIONAL SERVICES OR NON-TRANSPORTATIONAL RELATED CONSTRUCTION OVER \$80,000**

Expenditure Levels:	PURCHASE Must be authorized by:	Type of Purchase:	Process & Documentation:
		<p>Non Competitive Award (See Section 4.8)</p>	<p>Vendor Invoice <b>AND</b> Non-Competitive Award Justification Form (written notice stating that this was the only practical source available for this purchase) <b>AND</b> either a Purchase Order/eVA Order <b>OR</b> Contract/agreement with standard terms or negotiated terms executed by the VTC Contracts and Procurement Manager or the Contracts Officer. Provide PO/eVA Number <b>OR</b> Contract number and include any work order or email if applicable. VTC shall provide a written notice stating that this was the only practical source available for this purchase and identify that which is being procured, the contractor selected, and the date on which the contract was awarded or will be awarded. Such notice shall be posted for a period of one year on VTC’s website (vatc.org) on the day VTC awards or announces its decision to award such contract, whichever occurs first.</p>
		<p>Non Competitive Award – Marketing Exception (See Section 4.9)</p>	<p>Vendor Invoice <b>AND</b> either a Purchase Order/eVA Order <b>OR</b> Contract/agreement with standard terms or negotiated terms executed by the VTC Contracts and Procurement Manager or the Contracts Officer. Provide PO/eVA Number <b>OR</b> Contract number and include any work order or email if applicable. Non Competitive Award Justification Form is not required; however, written documentation determining that there is only one source practical for this purchase is required. VTC shall provide a written notice stating that this was the only practical source available for this purchase and identify that which is being procured, the contractor selected, and the date on which the contract was or will be awarded. Such notice shall be posted for a period of one year on VTC’s website (vatc.org) on the day VTC awards or announces its decision to award such contract, whichever occurs first.</p>
		<p>Emergency Purchase (See Section 4.10)</p>	<p>Vendor Invoice <b>AND</b> Emergency Purchase Justification Form <b>AND</b> either a Purchase Order/eVa Order <b>OR</b> Contract/agreement with standard terms or negotiated terms executed by the VTC Contracts and Procurement Manager or the Contracts Officer. Provide PO/eVA Number <b>OR</b></p>

**THIS TABLE REPRESENTS GUIDELINES FOR PURCHASES OF GOODS AND NON-PROFESSIONAL SERVICES OVER \$200,000, AND PROFESSIONAL SERVICES OR NON-TRANSPORTATIONAL RELATED CONSTRUCTION OVER \$80,000**

Expenditure Levels:	PURCHASE Must be authorized by:	Type of Purchase:	Process & Documentation:
			<p>Contract number and include any work order or email if applicable. VTC shall state in writing (i) that the contract is being awarded on an emergency basis, (ii) that which is being purchased, (iii) the contractor selected, (iv) the date of the award of such contract, (v) and the relationship between the selection of such contract to the circumstances constituting an emergency. Such notice shall be posted for a period of one year on VTC's website (vatc.org) on the day VTC awards or announces its decision to award such contract, whichever occurs first.</p>

## 4.2 Single Quote

Single Quote is a method when not introducing limited competition into the procurement process. Such single quotes may be used when the goods or services are readily definable, and the total expenditure level is \$15,000 or less. They are likely the quickest way to obtain goods and services.

### **PROCEDURES:**

1. Seek authorization to initiate purchase. Forward an approval email from the individual authorized to approve such purchase to Procurement Officer.
2. If the expenditure level is under \$15,000 but you will be seeking prices from multiple bidders, then do not use the procedures for the Single Quote listed in this item 4.2. Use the procedures for Small Purchase Bids below.
3. Even when only seeking one quote for purchases under \$15,000, prepare the request for quote in writing. For one quote, an email is acceptable but be sure to include all specs and information listed below. All bids shall be obtained in writing in response to the written quote/bid request, even in cases where only one quote is required.
4. Check the appropriate type of specification being used. If a service, ensure that the scope of work fully describes and defines the task(s) which the contractor will be required to perform. If goods, the description of what is desired should be described in generic terms or by use of brand name (including make and model). When specifying a brand name, be prepared to receive bids on an "or equal basis" unless the items desired have been justified as proprietary.
5. Use the Informal Bid Request format found in the procurement office for lengthy scope of work; or for simple, limited scope of work or goods, an email with the information is acceptable. Define the goods or services in sufficient detail to be able to communicate the need in brief written form to a potential supplier. If specifications are too detailed or complex to be communicated in a few written pages, it is likely that a more formal process should be followed.
6. Communicate with the end user and develop a firm understanding of the exact service or goods to be purchased, to ensure that what is needed will be accurately described to the bidder(s).
7. Read the scope of work provided on the request carefully. Ask yourself, "Do I fully understand the need(s) of the user, i.e., the recipient of the service or goods?" "Do I understand what he/she expects the contractor to do?"
8. If delivery of goods or services is required by a specific date, or the delivery/performance location will be different from agency address, or any specific shipping instructions apply, indicate this on the bid request form.
9. Include VTC's 30 day payment policy.
10. Include the general terms and conditions clause regarding laws and courts of the Commonwealth of Virginia.
11. Include any required general terms and conditions and special terms and conditions which will apply to the procurement.
12. Check if insurance and/or a contractor license is required and include the written provision if work is to be completed on VTC or state-owned or leased property. Include any other applicable special terms and conditions as an attachment.
13. Include the requirement that they provide you with the details of any subcontractor in their bid should they desire to subcontract the job if awarded.

14. Major elements of the price of service(s) provided may need to be itemized, e.g., materials, labor rates, travel, etc., especially if multiple pricing factors are involved, e.g., labor rates, discounts off price lists, unit prices, and/or lump sum prices.
15. Put all information together regarding the bid request on Bid Request Form or in an email and include a requested due date and time for receiving their quote and forward to vendor.
16. Once quote is received in writing, determine if the vendor is responsive and responsible and if the quote is acceptable.
17. Enter the order into eVA, if applicable.
18. When the order arrives or the service is performed, match the packing ticket to the eVA PO, if applicable. Notify the vendor immediately if there are any discrepancies.
19. If the purchase was charged to a Purchasing Card, see Purchasing Card Guidelines for payment processing. Attach to the purchasing log the approval email from the individual authorized to approve such purchase, credit card charge receipt, packing slip, and eVA PO, if applicable.
20. If not charged to Purchasing Card, when the invoice arrives, the Procurement Officer stamps it with an approval stamp and forwards it to the staff member who initiated the purchase. The employee signs and dates the approval stamp on the invoice to acknowledge receipt of the goods or services. Employee provides coding and other pertinent information on the approval stamp and returns to the Procurement Officer. In certain instances when staff travel may delay the approval, coding, etc., of the invoice, such approval and details may be sought and provided via email.
21. Enter the invoice payment information into the accounts payable system and attach the invoice, packing slip, approval email from the individual authorized to approve such purchase, and copy of eVA PO, if applicable. Be sure that all expenditure coding information is provided in the system.
22. The accounts payable system will create a voucher number for the invoice. Write that voucher number on the upper right hand corner of the invoice.
23. Print out the accounts payable transaction posting journal and attach invoice and documentation.
24. Forward a hard copy of the accounts payable transaction posting journal and all attachments to the Budget & Finance Director for review; once reviewed, the Budget & Finance Director will forward the same hard copy to the VP of Operations & Finance for final review, electronic approval, and release.
25. Once hard copy is approved by VP of Operations & Finance and electronically approved and released in the system, the approved hard copy is returned to the Procurement Officer who prints out an approval summary sheet and attaches it to the batch. The Procurement Officer or Budget & Finance Director forwards the approved hard copy and approval summary to the VEDP Fiscal Office for payment processing.
26. The VEDP Fiscal Office reviews the accounts payable posting journal and, if correct, processes the transaction to generate a payment. If any discrepancies are found, the accounts payable posting journal and attachments are returned (unpaid) for correction and approval process again.

#### **4.3 State Contracts (Commonwealth of Virginia Contracts)**

Although not considered mandatory, the VTC encourages use of State contracts (also known as Commonwealth of Virginia Contracts, or COV Contracts) when required goods or services can be readily obtained through the contracts in a cost effective, timely, and efficient manner. State contracts can be used when acquiring goods or services for any dollar amount, but the required documentation to be obtained and submitted varies depending on the expenditure level.

## **PROCEDURES:**

1. Seek authorization to initiate purchase. Forward an approval email from the individual authorized to approve such purchase to Procurement Officer (determined by the dollar expenditure level and Procurement Delegation of Authority Level list kept by Ops Fi staff).
2. Check with the Procurement Officer or Contracts and Procurement Manager to determine if the desired item is on a State contract.
3. If the item is not on State Contract, refer to the appropriate purchasing section and table based on type of purchase and/or expendable level.
4. If the item is found to be on State Contract and is cost-competitive, the Procurement Officer shall place the order through eVA, if applicable, for any dollar expenditure level. Print out the eVA PO.
5. If the purchase can't be placed through eVA **and** is more than \$15,000, the Procurement Officer shall complete a Purchase Order, obtain required authorizing signatures. Include the State contract number and the item number (if indicated) on the PO. When an order is placed through eVA, the eVA purchase order is created automatically through eVA and becomes the Purchase Order. Print a copy of the eVA PO.

NOTE: In rare circumstances, the State Contract will require that a vendor contract be signed with each individual agency but will refer to the terms and conditions of the State Contract. If this is the case, a purchase order may not be required but a contract will be required. Coordinate with the Contracts and Procurement Manager for Contracts and do not place the order until the Contract is fully executed.

6. Forward the PO/eVA PO, if applicable, to the vendor. If the order is placed through eVA, check to see if the vendor receives electronic ordering. If so, it is not necessary to manually forward the eVA PO to the vendor as the vendor will receive it electronically through eVA. Forward a copy of the PO to the Contracts and Procurement Manager.
7. When the order arrives, match the packing ticket to the eVA PO or PO, if applicable. Notify vendor immediately if there are any discrepancies, note them and attach to the PO.
8. When the invoice arrives, the Procurement Officer stamps it with an approval stamp and forwards it to the staff member who initiated the purchase. The employee signs and dates the approval stamp on the invoice to acknowledge receipt of the goods or services. Employee provides coding and other pertinent information on the approval stamp and returns to the Procurement Officer. In certain instances when staff travel may delay the approval, coding, etc., of the invoice, such approval and details may be sought and provided via email.
9. Enter the invoice payment information into the accounts payable system and attach the invoice, approval email from the individual authorized to approve such purchase, packing slip, and copy of PO/eVA Order, if applicable. Be sure that all expenditure coding information is provided in the system and include the COV Contract Number, if available, and VTC Contract number and work order, if applicable.
10. The accounts payable system will create a voucher number for the invoice. Write that voucher number on the upper right hand corner of the invoice.
11. Print out the accounts payable transaction posting journal and attach invoice and documentation.
12. Forward a hard copy of the accounts payable transaction posting journal and all attachments to the Budget & Finance Director for review; once reviewed, the Budget & Finance Director will forward the same hard copy to the VP of Operations & Finance for final review, electronic approval, and release.
13. Once hard copy is approved by VP of Operations and Finance and electronically approved and released in the system, the approved hard copy is returned to the Procurement Officer who prints out an approval summary sheet and attaches it to the batch. The Procurement Officer or

Budget & Finance Director forwards the approved hard copy and approval summary to the VEDP Fiscal Office for payment processing.

14. The VEDP Fiscal Office reviews the accounts payable posting journal and, if correct, processes the transaction to generate a payment. If any discrepancies are found, the accounts payable posting journal and attachments are returned (unpaid) for correction and approval process again.
15. If the purchase was charged to a purchasing card, follow above procedures through step #7. Then be sure it has been entered on the purchasing log and attach vendor's "paid" invoice showing purchase was charged to card, approval email from the individual authorized to approve such purchase, packing slip, and copy of PO/eVA Order, if applicable. Be sure all expenditure coding information is provided on the log and include the State Contract number if available. Submit log and documentation for payment when credit card statement arrives.

#### **4.4 VEDP Contracts**

The Virginia Economic Development Partnership (VEDP), through an MOU between VTC and VEDP to provide certain services for VTC, has entered into certain contracts on behalf of both VTC and VEDP. Some examples of these types of contracts are: Verizon for cell phones, wireless cards, etc., and Cisco for landline/phone services, certain software, maintenance, financial systems, and payment systems. VEDP will continue to, from time to time, establish contracts through VEDP's procedures. In some cases, the billing will be in the name of VEDP and VTC will pay VEDP their share. In other cases, VEDP will establish billing for VTC's goods/service directly in VTC's name. When VTC needs any of the goods or services provided under VEDP's contracts, additional documentation is not required for any dollar expenditure level. For cell phones and wireless cards, see Telecommunications under Section 3 for approval process. An invoice is all that is required.

#### **PROCEDURES:**

1. Seek authorization to initiate procurement of item under the contract. Forward an approval email from the individual authorized to approve such purchase (determined by the dollar expenditure level) to Procurement Officer.
2. When the invoice arrives, the Procurement Officer stamps it with an approval stamp and forwards it to the staff member who initiated the purchase. The employee signs and dates the approval stamp on the invoice to acknowledge receipt of the goods or services. Employee provides coding and other pertinent information on the approval stamp and returns to the Procurement Officer. In certain instances when staff travel may delay the approval, coding, etc., of the invoice, such approval and details may be sought and provided via email.
3. In the case of phone and cell phone invoices, the coding is established at the creation of the list of numbers at the beginning of the contract. As new phones are added, the number and coding is provided to the Procurement Officer. Since the bill is divided among all the divisions, approval from each division upon receipt of the invoice is not required.
4. Enter the invoice payment information into the accounts payable system and attach the invoice and approval email from the individual authorized to approve such purchase, if applicable. Be sure that all expenditure coding information is provided in the system.
5. The accounts payable system will create a voucher number for the invoice. Write that voucher number on the upper right hand corner of the invoice.
6. Print out the accounts payable transaction posting journal and attach invoice and documentation.
7. Forward a hard copy of the accounts payable transaction posting journal and all attachments to the Budget & Finance Director for review; once reviewed, the Budget & Finance Director will forward the same hard copy to the VP of Operations & Finance for final review, electronic approval, and release.
8. Once hard copy is approved by VP of Operations & Finance and electronically approved and released in the system, the approval hard copy is returned to the Procurement Officer who prints

out an approval summary sheet and attaches it to the batch. The Procurement Officer or Budget & Finance Director forwards the approved hard copy and approval summary to the VEDP Fiscal Office for payment processing.

9. The VEDP Fiscal Office reviews the accounts payable posting journal and, if correct, processes the transaction to generate a payment. If any discrepancies are found, the accounts payable posting journal and attachments are returned (unpaid) for correction and approval process again.

#### **4.5 Acts of General Assembly**

The General Assembly passes legislation for pass-through money to be distributed by VTC to specific vendors or organizations. Vendors or organizations will submit an invoice to VTC. Depending on the amount, VTC will either pay the amount in full upon receipt of the invoice for the legislated funds or divide the amount into 12 equal payments. The documentation required to pay the invoices for the legislated funds, without regard to the expenditure level, is a copy of the legislation. Since these funds are legislated and this isn't an actual procurement, these are not subject to competition regardless of the dollar value. These procedures are solely for the guidance of how to handle payment of these funds.

#### **PROCEDURES:**

1. When the invoice arrives, the Procurement Officer stamps it with an approval stamp and forwards it to the VP of Operations & Finance who provides coding, other pertinent information, signs and dates the approval stamp on the invoice to acknowledge approval of payment of the legislated funds. The VP of Operations & Finance also determines whether it is to be paid in full or in 12 equal monthly payments and returns to the Procurement Officer.
2. Enter the invoice payment information into the accounts payable system and attach the invoice and copy of the pertinent legislation. Be sure that all expenditure coding information is provided in the system.
3. The accounts payable system will create a voucher number for the invoice. Write that voucher number on the upper right hand corner of the invoice.
4. Print out the accounts payable transaction posting journal and attach invoice and documentation.
5. Forward a hard copy of the accounts payable transaction posting journal and all attachments to the Budget & Finance Director for review; once reviewed, the Budget & Finance Director will forward the same hard copy to the VP of Operations & Finance for final review, electronic approval, and release.
6. Once hard copy is approved by VP of Operations & Finance and electronically approved and released in the system, the approved hard copy is returned to the Procurement Officer who prints out an approval summary sheet and attaches it to the batch. The Procurement Officer or Budget & Finance Director forwards the approved hard copy and approval summary to the VEDP Fiscal Office for payment processing.
7. The VEDP Fiscal Office reviews the accounts payable posting journal and, if correct, processes the transaction to generate a payment. If any discrepancies are found, the accounts payable posting journal and attachments are returned (unpaid) for correction and approval process again.
8. If multiple payments are required then steps 1-7 will be repeated for each invoice. A copy of the legislation must be attached to each invoice for payment. For multiple payments of a recipient's legislated funds, the payment number and/or month of payment shall also be entered into the system. For example: Payment 2 of 12 Feb 2024 payment.
9. Alternatively, multiple payments may be entered into the accounting system as reoccurring payments. In this case, documentation only needs to be attached to the first invoice for payment.

#### **4.6 State or Local Government, Cooperative, and Joint Ventures**

As explained in Section 3.9, the VTC enters into agreements (MOU, MOA, Contract, etc.) with other state agencies, local governments, commercial enterprises, private organizations, other public entities, and travel related industry partners to advertise, market, and promote travel in the Commonwealth. These arrangements, which are referred to as cooperative partnerships or joint ventures, require substantial evaluation, planning, and negotiation before any VTC funds are committed or expenditures are made.

All such cooperative partnerships and joint ventures will be documented by a written agreement, i.e., MOU, MOA, contract, etc. If the VTC is expected to be reimbursed by any other party for expenditures incurred by VTC on behalf of the cooperative/joint venture, the written agreement must include a schedule for reimbursements and such schedule must be provided to VTC's accounts receivable officer. The agreements must be prepared by the Contracts and Procurement Manager or the Contracts Officer in coordination with the division and signed by the VP of Operations & Finance. The original agreement will be maintained by the Contracts and Procurement Manager, and a copy provided for the division's files.

With these Joint Ventures or Cooperative Agreements, a written email approval by the authorized party initiating the process, a vendor invoice, and the written agreement (MOU, MOA, Contract, etc.) may be the only documentation required.

#### **PROCEDURES:**

1. Seek authorization to initiate agreement. Forward an approval email from the individual authorized to approve such agreement to Contracts and Procurement Manager.
2. Contracts and Procurement Manager or Contracts Officer communicates with the end user and develops a firm understanding of the exact service to be performed by each party (or goods to be purchased) and all agreed upon terms to ensure that what is needed will be accurately described in the agreement and prepares the MOU/MOA/Agreement.
3. Include VTC's 30 day payment policy and payment terms.
4. Include the general terms and conditions clause regarding laws and courts of the Commonwealth of Virginia.
5. Include any general terms and conditions and special terms and conditions which will apply to the procurement.
6. Check if contractor license is required and include the written provision if work is to be completed on VTC or state-owned or leased property. Include any other applicable special terms and conditions as part of the MOU/MOA/Agreement.
7. Contracts and Procurement Manager or Contracts Officer seeks authorized Contract signatures. NOTE: All Contract's/MOU's/MOA's/Agreements shall be signed by VTC's VP of Operations and Finance.
8. When the invoice arrives, the Procurement Officer stamps it with an approval stamp and forwards it to the staff member who initiated the purchase under the agreement. The employee signs and dates the approval stamp on the invoice to acknowledge receipt of the goods or services. Employee provides coding and other pertinent information on the approval stamp and returns to the Procurement Officer. In certain instances when staff travel may delay the approval, coding, etc. of the invoice, such approval and details by be sought and provided via email.
9. Enter the invoice payment information into the accounts payable system and attach the invoice and approval email from the individual authorized to approve such purchase. Be sure that all expenditure coding information is provided in the system and include the VTC



Contract/MOA/MOU/Agreement number and work order, if available. Attach a copy of the Contract/MOA/MOU/Agreement. If multiple payments will be made on the contract/MOA/MOU, a copy of the contract/MOA/MOU/Agreement is only required to be attached to the first payment.

10. The accounts payable system will create a voucher number for the invoice. Write that voucher number on the upper right hand corner of the invoice.
11. Print out the accounts payable transaction posting journal and attach invoice and documentation.
12. Forward a hard copy of the accounts payable transaction posting journal and all attachments to the Budget & Finance Director for review; the Budget & Finance Director will forward the same hard copy to the VP of Operations & Finance for final review, electronic approval, and release.
13. Once hard copy is approved by the VP of Operations & Finance and electronically approved and released in the system, the approved hard copy is returned to the Procurement Officer who prints out an approval summary sheet and attaches it to the batch. The Procurement Officer or Budget & Finance Director forwards the approved hard copy and approval summary to the VEDP Fiscal Office for payment processing.
14. The VEDP Fiscal Office reviews the accounts payable posting journal and, if correct, processes the transaction to generate a payment. If any discrepancies are found, the accounts payable posting journal and attachments are returned (unpaid) for correction and approval process again.
15. If multiple payments are required on the contract/MOU/MOA/Agreement, then steps 8-14 will be repeated for each invoice. It is not necessary, however, to attach the contract to each invoice under the contract, but it is required that the contract number be entered into the accounts payable system. And if work orders are required, then the work order pertaining to each specific payment shall be attached to the invoice and the work order number shall be entered into the accounts payable system. For multiple payments on a contract, the payment number and/or month of service shall also be entered into the system. For example: Payment 2 of 12 April 2025 services.

#### **4.7 Small Purchase Bids – Informal Unsealed Bids**

Small purchase bids including unsealed written quotations are an effective method for introducing limited competition into the procurement process. Such bids may be used when the goods or services are readily definable and the total expenditure level is less than \$50,000. They are likely the quickest way to obtain goods and services competitively, but cannot be used in every case.

##### **PROCEDURES:**

1. Seek authorization to initiate purchase. Forward an approval email from the individual authorized to approve such purchase to Procurement Officer who will handle the bidding process and make the purchase.
2. Even when only seeking one bid for purchases under \$15,000, prepare the request for bid in writing. For one bid, an email is acceptable but be sure to include all specs and information listed below. All bids shall be obtained in writing in response to the written bid request, even in cases where only one bid is required.
3. Check the appropriate type of specification being used. If a service, ensure that the scope of work fully describes and defines the task(s) which the contractor will be required to perform. If goods, the details regarding what is desired should be described in generic terms or by use of brand names (including make and model). When specifying a brand name, be prepared to receive bids on an “or equal basis” unless the items desired have been justified as proprietary.
4. Use the Informal Bid Request format found in the procurement office. Define the goods or services in sufficient detail to be able to communicate the need in brief written form to potential suppliers. If specifications are too detailed or complex to be communicated in a few written pages, it is likely that a more formal process should be followed.

5. Communicate with the end user and develop a firm understanding of the exact service or goods to be purchased to ensure that what is needed will be accurately described to the bidder(s).
6. Read the scope of work provided on the request carefully. Ask yourself, “Do I fully understand the need(s) of the user, i.e., the recipient of the service or goods?” “Do I understand what he/she expects the contractor to do?” Consider any potential issues/risks and address those in the scope of work.
7. If delivery of goods or services is required by a specific date, or the delivery/performance location will be different than VTC’s address, or any specific shipping instructions apply, indicate this on the bid request form.
8. Include VTC’s 30 day payment policy.
9. Include the general terms and conditions clause regarding laws and courts of the Commonwealth of Virginia.
10. Include required standard general terms and conditions and any special terms and conditions which will apply to the procurement.
11. Check if a contractor license is required and include the written provision if work is to be completed on VTC or state-owned or leased property. Include any other applicable special terms and conditions..
12. Be sure to include in your bid request the requirement that the bidder be eVA registered. And include in your bid request the following statement regarding awarding the bid: “AWARD WILL BE MADE TO THE LOWEST VDSBSD-CERTIFIED SWAM BIDDER”. Include in the bid request the requirement that the bidder provide you with their eVA and SWAM status.
13. Include the requirement that they provide you with the details of any subcontractor in their bid should they desire to subcontract any part of the job if awarded.
14. Major elements of the price of service(s) provided may need to be itemized, e.g., materials, labor rates, travel, etc. If multiple pricing factors are involved, e.g., labor rates, discounts off price lists, unit prices, and/or lump sum prices, be sure to have a clear and understandable bid evaluation procedure established. If the bid evaluation and award will be based on a combination of pricing factors, such as labor hour rates and discounts off price lists, the bid evaluation procedure or pricing scenario to be used must be explained on the form. In all cases the award will be made to the lowest responsive, responsible, VDSBSD-certified SWAM bidder.
15. Put all information together regarding the bid request on the Bid Request Form. Be sure to include a due date and time for receiving the bids and that any bids received after the due date and time shall not be considered and shall be rejected.
16. Forward the Bid Request Form, by email to the potential vendors. Provide a reasonable period of time to provide a written quote. The number of SWAM and potential bidder solicitations are determined by the level of procurement as shown below:
  - Up to \$15,000 -- For purchases in this category, solicitation of more than one vendor is not required but strongly encouraged where practical.
  - \$15,001 to \$50,000 – Three or more vendors including two SWAM vendors.
17. All bidders must be given the chance to bid on the identical scope of work/goods. If the original scope of work/goods requested is modified during the bid process, then each bidder previously contacted must be contacted again and allowed to bid on the revised requirement.
18. Once bids are received, determine if they are responsive and responsible. Then award to the lowest responsive, responsible, VDSBSD-certified SWAM Bidder. (See SWAM Plan.)
19. Document the bids using the standard Bid Summary Sheet (determine which bid sheet to use, Goods or Services). Additional information provided by the suppliers (if any) should be attached to the Bid Summary Sheet. This includes determining if the bid will indeed fulfill the

- specifications and if the vendor is reasonably capable of delivering (responsive and responsible). (Procurement Officer will keep the bids on file along with a copy of the Bid Summary Sheet.)
20. The award will be made to the lowest-cost, responsive, and responsible bidder in accordance with VTC's SWAM Plan. (VTC will award to the lowest VDSBSD-certified SWAM bidder if the bid is not more than 10 percent greater than the lowest non-SWAM vendor's bid.) The other bidders may be notified, but formal public bid openings are not required.
  21. Enter the order into eVA, if applicable.
  22. If purchase is over \$15,000, enter into eVA, if applicable, or complete a Purchase Order or Contract for the selected vendor and obtain required authorizing signatures. The Contracts and Procurement Manager will determine whether a Contract or Purchase Order is in VTC's best interest.
  23. Forward the PO, if applicable, to the vendor and to the Contracts and Procurement Manager for the procurement files.
  24. When the order arrives or the service is performed, match the packing ticket to the PO, if applicable. Notify the vendor immediately if there are any discrepancies.
  25. If the purchase was charged to a Purchasing Card, see Purchasing Card Guidelines for payment processing. Attach to the purchasing log the approval email from the individual authorized to approve such purchase, credit card charge receipt, packing slip, Bid Request, Bid Summary Sheet, bids, and a copy of the PO/eVA Order or Contract, if applicable. In certain instances when staff travel may delay the approval, coding, etc. of the invoice, such approval and details may be sought and provided via email.
  26. If not charged to a Purchasing Card, when the invoice arrives, the Procurement Officer stamps it with an approval stamp and forwards it to the staff member who initiated the purchase. The employee signs and dates the approval stamp on the invoice to acknowledge receipt of the goods or services. Employee provides coding and other pertinent information on the approval stamp and returns to the Procurement Officer. In certain instances when staff travel may delay the approval, coding, etc. of the invoice, such approval and details may be sought and provided via email.
  27. Enter the invoice payment information into the accounts payable system and attach the invoice, Bid Request, Bid Summary Sheet, Bids, packing slip, approval email from the individual authorized to approve such purchase, and a copy of PO/eVA Order or Contract, if applicable. Be sure that all expenditure coding information is provided in the system and include the VTC Contract number and work order, if available.
  28. The accounts payable system will create a voucher number for the invoice. Write that voucher number on the upper right hand corner of the invoice.
  29. Print out the accounts payable transaction posting journal and attach invoice and documentation.
  30. Forward a hard copy of the accounts payable transaction posting journal and all attachments to the Budget & Finance Director for review; once reviewed, the Budget & Finance Director will forward same hard copy to the VP of Operations & Finance for final review, electronic approval, and release.
  31. Once hard copy is approved by VP of Operations and Finance and electronically approved and released in the system, the approved hard copy is returned to the Procurement Officer who prints out an approval summary sheet and attaches it to the batch. The Procurement Officer or Budget & Finance Director forwards the approved hard copy and approval summary to the VEDP Fiscal Office for payment processing.
  32. The VEDP Fiscal Office reviews the accounts payable posting journal and, if correct, processes the transaction to generate a payment. If any discrepancies are found, the accounts payable posting journal and attachments are returned (unpaid) for correction and approval process again.

#### 4.8 Non-Competitive Award

A purchase of goods or services may be considered for a Non-Competitive Award if there is only one source practicably available.

Note: Non-Competitive Awards must not be confused with proprietary purchases, the latter being one where only a specific brand, make or model is acceptable, but it can be obtained from several sources (e.g. dealers, resellers, distributors).

Non-Competitive Award purchases typically require justification and authorization by a VTC director or manager. Authorization of a Non-Competitive Award indicates that in management's judgment, no other viable sources are practicably available to supply the required good or service in a timely manner. A Non-Competitive Award Justification form is required to be completed and approved by the Division VP **and** the VP of Operations and Finance or President in the absence of the VP of Operations and Finance.

For goods and non-professional services over \$200,000, and professional services or non-transportational related construction over \$80,000, in addition to these procedures, VTC shall provide a written notice stating that this was the only practical source available for this purchase and identify that which is being procured, the contractor selected, and the date on which the contract was awarded. Use of the Non-Compete Award Justification Form is required and must include this required information and shall be signed by the VP of Operations and Finance. Such notice shall be posted for a period of one year on VTC's website (vatc.org) on the day VTC awards or announces its decision to award such contract, whichever occurs first.

#### **PROCEDURES:**

1. Complete the Non-Competitive Award Justification form and obtain approval signatures of the Division VP and the VP of Operations and Finance. In addition, seek authorization to initiate purchase. Forward an approval email from the individual authorized to approve such purchase to Procurement Officer, Contracts and Procurement Manager or the Contracts Officer.
2. If the purchase is over \$15,000 and a Non-Competitive Award is deemed necessary, complete the Non-Competitive Award Justification form and either a Purchase Order or Contract; obtain the required authorizing signatures. VTC's Contracts and Procurement Manager will determine which document (PO or Contract) is in VTC's best interest which will be prepared by the Contracts and Procurement Manager or the Contracts Officer. Provide a copy of the completed and approved Non-Competitive Award Justification Form and PO or Contract to the Procurement Officer.
3. Forward the PO, if applicable, to the vendor and a copy to the Contracts and Procurement Manager for the purchasing files. If a Contract is used, the Contracts and Procurement Manager or the Contracts Officer will prepare the contract or review vendor's contract and obtain required signatures.
4. When the order arrives, match the packing ticket to the PO, if applicable. Notify vendor immediately if there are any discrepancies.
5. If the purchase was charged to Purchasing Card, see Purchasing Card Guidelines for payment processing. Attach to the purchasing log the executed Non-Competitive Award Justification form, invoice, approval email from the individual authorized to approve such purchase, credit card charge receipt, packing slip, and a copy of the PO/eVA Order, if applicable. In certain instances when staff travel may delay the approval coding, etc. of the invoice, such approval and details may be sought and provided via email.
6. If not charged to Purchasing Card, when the invoice arrives, the Procurement Officer stamps it with an approval stamp and forwards it to the staff member who initiated the purchase. The employee signs and dates the approval stamp on the invoice to acknowledge receipt of the

goods or services. The employee provides coding and other pertinent information on the approval stamp and returns to the Procurement Officer. In certain instances when staff travel may delay the approval, coding, etc. of the invoice, such approval and details may be sought and provided via email.

7. Enter the invoice payment information into the accounts payable system, and attach the executed Non-Competitive Award Justification form, invoice, approval email from the individual authorized to approve such purchase, packing slip, and copy of the PO/eVA Order, or Contract, if applicable. If multiple payments will be made on the contract, a copy of the contract is only required to be attached to the first payment. Be sure that all expenditure coding information is provided in the system and include the VTC Contract number and work order, if applicable.
8. The accounts payable system will create a voucher number for the invoice. Write that voucher number on the upper right hand corner of the invoice.
9. Print out the accounts payable transaction posting journal and attach invoice and documentation.
10. Forward a copy of the accounts payable transaction posting journal and all attachments to the Budget & Finance Director for review; once reviewed the Budget & Finance Director will forward the same hard copy to the VP of Operations & Finance for final review, electronic approval, and release.
11. Once hard copy is approved by VP of Operations & Finance and electronically approved and released in the system, the approved hard copy is returned to the Procurement Officer who prints out an approval summary sheet and attaches it to the batch. The Procurement Officer or Budget & Finance Director forwards the approved hard copy and approval summary to the VEDP Fiscal Office for payment processing.
12. The VEDP Fiscal Office reviews the accounts payable posting journal and, if correct, processes the transaction to generate a payment. If any discrepancies are found, the accounts payable posting journal and attachments are returned (unpaid) for correction and approval process again.

#### **4.9 Non-Competitive Award Marketing Exception**

Non-Competitive Award Marketing documentation will not be required for any procurement that, in the normal course of business, would ordinarily not be competitively bid, such as postal replenishment; marketing and trade shows and conventions (which are held at specific locations out of VTC's control and not subject to alternatives); marketing efforts, and advertising campaigns/buys outside of the creative and paid media agencies of record because they are associated with specific shows, events, or advertorial programs with specific providers of those programs; research services, research tools/applications/platforms, photography and video/film footage, and the services of writers/bloggers due to unique requirements and availability; VTC-hosted conferences, Familiarization tours, and Welcome Center/Visitor Center seminars; memberships; and subscriptions.

For goods and non-professional services over \$200,000, and professional services or non-transportational related construction over \$80,000, in addition to these procedures, VTC shall provide a written notice stating that this was the only practical source available for this purchase and identify that which is being procured, the contractor selected, and the date on which the contract was awarded. While the use of the Non-Compete Award Justification Form is typically not required for Non-Compete Award Marketing exceptions, use of the form is required for procurements in this dollar expenditure category and must include this required information and shall be signed by the VP of Operations and Finance. Such notice shall be posted for a period of one year on VTC's website (vatc.org) on the day VTC awards or announces its decision to award such contract, whichever occurs first.

## **PROCEDURES:**

1. Seek authorization to initiate purchase. Forward an approval email from the individual authorized to approve such purchase to Procurement Officer.
2. If a purchase is more than \$15,000 and a Non-Competitive Award Marketing Exception is deemed necessary, complete either a Purchase Order or Contract; obtain the required authorizing signatures. VTC's Contracts and Procurement Manager will determine which document (PO or Contract) is in VTC's best interest.
3. Forward the PO, if applicable, to the vendor and a copy to the Contracts and Procurement Manager for the purchasing files.
4. When the order arrives, match the packing ticket to the PO, if applicable. Notify vendor immediately if there are any discrepancies.
5. If the purchase was charged to Purchasing Card, see Purchasing Card Guidelines for payment processing. Attach to the purchasing log the approval email from the individual authorized to approve such purchase, credit card charge receipt, packing slip, and a copy of PO/eVA Order, if applicable. A Non-Competitive Award Justification form is not required for Non-Competitive Award Marketing Exceptions.
6. If not charged to a Purchasing Card, when the invoice arrives, the Procurement Officer stamps it with an approval stamp and forwards it to the staff member who initiated the purchase. The employee signs and dates the approval stamp on the invoice to acknowledge receipt of the goods or services. Employee provides coding and other pertinent information on the approval stamp and returns to the Procurement Officer. In certain instances where staff travel may delay the approval, coding, etc., of the invoice, such approval and details may be sought and provided via email.
7. Enter the invoice payment information into the accounts payable system and attach the invoice, approval email from the individual authorized to approve such purchase, packing slip, and copy of PO/eVA Order, if applicable. Be sure that all expenditure coding information is provided in the system and include the VTC Contract number and work order, if available. A Non-Competitive Award Justification form is not required for Non-Competitive Award Marketing Exceptions.
8. The accounts payable system will create a voucher number for the invoice. Write that voucher number on the upper right hand corner of the invoice.
9. Print out the accounts payable transaction posting journal and attach invoice and documentation.
10. Forward a hard copy of the accounts payable transaction posting journal and all attachments to the Budget & Finance Director for review; once reviewed, the Budget & Finance Director will forward the same hard copy to the VP of Operations & Finance for final review, electronic approval, and release.
11. Once hard copy is approved by VP of Operations & Finance and electronically approved and released in the system, the approved hard copy is returned to the Procurement Officer who prints out an approval summary sheet and attaches it to the batch. The Procurement Officer or Budget & Finance Director forwards the approved hard copy and approval summary to the VEDP Fiscal Office for payment processing.
12. The VEDP Fiscal Office reviews the accounts payable posting journal and, if correct, processes the transaction to generate a payment. If any discrepancies are found, the accounts payable posting journal and attachments are returned (unpaid) for correction and approval process again.

#### **4.10 Emergency Purchases**

To be considered an emergency for purchasing purposes, a situation must exist which is likely to:

- Endanger life or property
- Cause injury to any person or property
- Cause cessation of essential services, operations, or functions of the VTC
- Cause financial loss or risk of loss to the VTC
- Cause non-performance of any duty or obligation of the VTC imposed by law or contract
- Any other event which may be detrimental to the VTC and its programs and policies

Emergency purchases typically require justification and authorization by a VTC director or manager. Authorization of an Emergency Purchase indicates that, in management's judgment, the benefits of an immediate and direct purchase of goods or services outweigh the drawbacks of limited competition.

For goods and non-professional services over \$200,000, and professional services or non-transportational related construction over \$80,000, in addition to these procedures, VTC shall state in writing (i) that the contract is being awarded on an emergency basis, (ii) that which is being purchased, (iii) the contractor selected, (iv) the date of the award of such contract, (v) and the relationship between the selection of such contract to the circumstances constituting an emergency. Such notice shall be posted for a period of one year on VTC's website (vatc.org) on the day VTC awards or announces its decision to award such contract, whichever occurs first.

#### **PROCEDURES:**

1. Seek authorization to initiate purchase. Forward an approval email from the individual authorized to approve such purchase to Procurement Officer.
2. If an emergency purchase is deemed necessary, complete the Emergency Determination form (for purchases over \$15,000) and obtain required authorizing signatures for the appropriate expenditure level. If the emergency is likely to endanger life or property, cause injury to any person or property, or cause cessation of essential services, operations, or functions of the VTC, the Emergency Determination form may be completed after the fact.
3. If practical, competition should be solicited through informal bids or other methods before issuing a Purchase Order. If competition is not practical, use the most direct and least time-consuming method to procure the goods or services. For expenditures over \$15,000, prepare a purchase order or contract and seek appropriate approvals.
4. Depending on the method of procurement selected in step 2, all subsequent steps in the applicable process should be completed. Declaring an Emergency Purchase does not relieve the purchaser from completing all necessary procurement documentation or obtaining necessary authorization signatures.
5. When the order arrives, match the packing ticket to the PO or contract, if applicable. Notify vendor immediately if there are any discrepancies.
6. If the purchase was charged to a Purchasing Card, see Purchasing Card Guidelines for payment processing. Attach to the purchasing log the approval email from the individual authorized to approve such purchase, executed Emergency Determination Form, credit card charge receipt, packing slip, and a copy of PO/eVA Order or contract, if applicable.
7. If not charged to a Purchasing Card, when the invoice arrives, the Procurement Officer stamps it with an approval stamp and forwards it to the staff member who initiated the purchase. The employee signs and dates the approval stamp on the invoice to acknowledge receipt of the goods or services. Employee provides coding and other pertinent information on the approval stamp

and returns to the Procurement Officer. In certain instances when staff travel may delay the approval, coding, etc., of the invoice, such approval and details may be sought and provided via email.

8. Enter the invoice payment information into the accounts payable system and attach the invoice, approval email from the individual authorized to approve such purchase, an executed Emergency Determination Form, packing slip, and a copy of PO/eVA Order or contract, if applicable. Be sure that all expenditure coding information is provided in the system and include the VTC Contract number and work order, if available.
9. The accounts payable system will create a voucher number for the invoice. Write that voucher number on the upper right hand corner of the invoice.
10. Print out the accounts payable transaction posting journal and attach invoice and documentation.
11. Forward a hard copy of the accounts payable transaction posting journal and all attachments to the Budget & Finance Director for review; once reviewed, the Budget & Finance Director will forward the same hard copy to the VP of Operations & Finance for final review, electronic approval, and release.
12. Once hard copy is approved by VP of Operations & Finance and electronically approved and released in the system, the approved hard copy is returned to the Procurement Office who prints out an approval summary sheet and attaches it to the batch. The Procurement Officer or Budget & Finance Director forwards the approved hard copy and approval summary to the VEDP Fiscal Office for payment processing.
13. The VEDP Fiscal Office reviews the accounts payable posting journal and, if correct, processes the transaction to generate a payment. If any discrepancies are found, the accounts payable posting journal and attachments are returned (unpaid) for correction and approval process again.

#### **4.11 Proprietary Products**

Proprietary purchases involve goods where only specific brands, makes or models are acceptable, but they can be obtained from several sources (e.g. dealers, resellers, distributors). Rarely do proprietary purchases involve services. If only one source is available, it is considered a Non-Competitive Award Purchase.

The VTC will strive to define its needs in a non-proprietary fashion, where multiple brands, makes and models can be considered. However, in the case where only one is practicable (e.g. computer software upgrades), the VTC may specify the manufacturer, make, and model within their specifications.

By definition, some level of competition is available for procuring proprietary products, and the VTC will strive to use such competition to its advantage when procuring proprietary products.

#### **PROCEDURES:**

1. Seek authorization to initiate purchase. Forward an approval email from the individual authorized to approve such purchase to Procurement Officer.
2. If a proprietary product is deemed necessary, clearly and completely document the specifications for all potential suppliers. Contact the Contracts and Procurement Manager if assistance is needed.
3. For purchases over \$15,000 competition should be solicited through informal bids, formal bids, RFP's, or other methods before issuing a Purchase Order or preparing a Contract. The procurement levels, methods, and authorizations outlined in Sections 3 and 4 define the appropriate methods and authorizations.



4. Depending on the method of procurement selected in step 3, all subsequent steps in the applicable process should be completed. Declaring a proprietary product does not relieve the purchaser from completing all necessary procurement documentation or obtaining necessary authorization signatures.

#### **4.12 Invitation for Bid (IFB, Sealed or Unsealed)**

Sealed and Unsealed Bidding, referred to as an Invitation for Bid, is a method used for acquiring goods, printing, and non-professional services when the total estimated cost is over \$50,000 (unsealed for \$50,001 - \$100,000 and sealed for more than \$100,000). The Invitation For Bid, or IFB, process is used to introduce open competition into the procurement process. The product or service specifications (Scope of Work) are the backbone of a good bid process. When using this method, you must be able to describe the goods or services in such detail so that the bids can be evaluated against it and the award made to the lowest responsive, responsible bidder. This type of bid may be used in either an unsealed or sealed process depending upon the level of procurement (see Procurement Requirements Guidelines chart). Specifications must be developed to be:

- Sufficiently complete to ensure VTC needs are adequately met;
- Broad enough to ensure competition; and
- Detailed enough to reflect the procurement needs of VTC, rather than favor a particular vendor.

In an IFB process, the award is made based on the quoted price only and in accordance with the SWAM Plan, as long as the vendor is responsive and responsible. You may not consider which vendor will best suit your needs.

If the specifications (scope of work) cannot be written to meet the criteria above then the Request for Proposal (RFP) procurement method should be considered.

#### **PROCEDURES:**

1. The department representative (end user) will seek written approval, ensure that adequate funding is available, and provide explanations if any questions arise as to the business need or appropriateness of the procurement. The end user will submit a written request to the Contracts and Procurement Manager via email with specifications of the goods or services needed. The email chain shall include an approval email from the individual authorized to approve such purchase in accordance with the guidelines.
2. The Contracts and Procurement Manager will coordinate with the end user to develop the scope of work and shall prepare and conduct the IFB process.
3. The Contracts and Procurement Manager shall work with the end user and prepare the IFB using the format and contents found in the procurement office. Include the following in the IFB:
  - a) Bid due date and time (when you want to receive bids).
  - b) Details regarding the goods or services (Scope of Work). Include what, how much, where and when, statement of purpose, specifications, special requirements, method of payment, and pricing schedule. Define the goods or services in sufficient detail to be able to communicate the needs in written form (IFB) to potential suppliers.
  - c) Provide bid delivery instructions (where, when, and to whom; official time clock) and a statement that bids not submitted by the due date and time will not be accepted.
  - d) Include VTC's standard General Terms and Conditions and any Special Terms and Conditions that would apply.
  - e) Include the requirement that the bidder be eVA registered.

- f) If it is a sealed bid process, determine the date when the bids will be publicly opened and read aloud. This date shall be included in the IFB. If it is an unsealed bid process, public openings are not required and therefore do not need to be included in the IFB.
  - g) Determine if there is a need for a pre-bid conference and if attendance at this conference is optional or mandatory. In mandatory conferences only those in attendance may submit bids. Include pre-bid conference information in the IFB. Prepare a list of those in attendance.
  - h) If a site inspection is required, include it in the IFB.
4. The Contracts and Procurement Manager should review the IFB Solicitation and File Checklist found in the procurement office to assure that all requirements applicable to the procurement have been met.
  5. The end user and Contracts Officer will work with the Contracts and Procurement Manager to prepare a list of potential bidders. Include eVA registered vendors.
  6. Forward an announcement of the IFB to potential suppliers or service providers and reasonably advertise to reach potential bidders. The advertisement must include a medium that reaches potential SWAM vendors. Provide all suppliers a reasonable period of time (typically 30 days) to provide a written quote. Solicitations must reach at least six potential bidders (of which at least four must be SWAM vendors). (Posting the Solicitation on eVA is an acceptable method of reaching the required number of vendors, including SWAM vendors.)
  7. The Contracts and Procurement Manager shall distribute the announcement of the IFB to those on the list by email. The potential bidders will be instructed through the announcement how they may obtain the IFB.
  8. The Contracts and Procurement Manager shall advertise the IFB by placing an announcement on the VBO website and VTC website. The Contracts and Procurement Manager shall place an ad in the Richmond Free Press and any other paper in the area determined to be in best interest of the VTC.
  9. If the IFB is unusually large or complex, schedule and conduct a pre-bid conference for all interested bidders. Such conferences may be mandatory if they are considered necessary to clarify requirements in order to submit a bid. In the case of mandatory pre-bid conferences, only attendees at the conference may submit a bid in response to the IFB.
  10. Any changes or clarifications identified subsequent to the issuance of the IFB must be made in writing and posted on the VBO site. In the case of a mandatory pre-bid conference, only those in attendance at the conference will be provided with the changes.
  11. Bids shall be received until the date and time specified in the IFB. They shall be time and date stamped. Late bids shall not be considered.
  12. A public opening of bids is not required with an unsealed IFB process and bids may be opened upon receipt but should be time and date-stamped prior to opening. A public opening of bids is required with a sealed IFB process. Bids should not be opened until the public opening. The envelope shall be time and date stamped. Late bids shall not be considered in either process.
  13. If it is a sealed bid process, bids are opened publicly and read aloud by the Contracts and Procurement Manager. The information provided at the public opening shall be the vendor name and cost. The public opening of bids for construction type contracts should be held 24 hours after the deadline for submission of bids.
  14. The Contracts and Procurement Manager should work with any staff involved to review the bids submitted by the deadline. Determine if the bids will fulfill the specifications and if the vendors are reasonably capable of delivering the product (in other words, determine if the vendors are responsive and responsible).

15. Tabulate the bids. Prepare a tabulation form including the list of vendors submitting bids and their prices.
16. If site inspection was a requirement in the IFB, then visit the bidder's shop/office. If it was not a requirement but was an option, then, if necessary, visit the shop/office to satisfy concerns about bidder's capability to perform the service or provide the product.
17. Award will be made to the lowest-cost responsive and responsible eVA registered bidder in accordance with VTC's SWAM Plan (see plan for details). Negotiations of price are not allowed unless all bids exceed the total funds available. The other bidders may be notified, but public bid openings are not required.
18. The Contracts and Procurement Manager shall prepare a contract or agreement and obtain vendor's signature, and then the VTC required signatures.
19. VTC may cancel an IFB or reject bids at any time prior to making an award.
20. All original bids and other documents pertaining to this purchase shall be kept by the Procurement Manager. Copies of the winning bid and contract should be kept by the user who will become the contract administrator.
21. When the order arrives or services are received, match the packing ticket or documentation, if applicable, to the contract. Notify vendor immediately if there are any discrepancies.
22. When the invoice arrives, the Procurement Officer stamps it with an approval stamp and forwards it to the staff member who initiated the purchase. The employee signs and dates the approval stamp on the invoice to acknowledge receipt of the goods or services. Employee provides coding and other pertinent information on the approval stamp and returns to the Procurement Officer. In certain instances when staff travel may delay the approval, coding, etc. of the invoice, such approval and details may be sought and provided via email.
23. Enter the invoice payment information into the accounts payable system and attach the invoice, approval email from the individual authorized to approve such purchase, packing slip, if applicable, and a copy of the contract. Be sure that all expenditure coding information is provided in the system and include the VTC Contract number and work order, if applicable.
24. The accounts payable system will create a voucher number for the invoice. Write that voucher number on the upper right hand corner of the invoice.
25. Print out the accounts payable transaction posting journal and attach invoice and documentation.
26. Forward a hard copy of the accounts payable transaction posting journal and all attachments to the Budget & Finance Director for review; once reviewed, the Budget & Finance Director will forward the same hard copy to the VP of Operations & Finance for final review, electronic approval, and release.
27. Once hard copy is approved by VP of Operations and Finance and electronically approved and released in the system, the approved hard copy is returned to the Procurement Officer who prints out an approval summary sheet and attaches it to the batch. The Procurement Officer or Budget & Finance Director forwards the approved hard copy and approval summary to the VEDP Fiscal Office for payment processing.
28. The VEDP Fiscal Office reviews the accounts payable posting journal and, if correct, processes the transaction to generate a payment. If any discrepancies are found, the accounts payable posting journal and attachments are returned (unpaid) for correction and approval process again.
29. If multiple payments are required on the contract, then steps 21-28 will be repeated for each invoice. It is not necessary to attach the contract to each invoice under the contract, but it is required that the contract number be entered into the accounts payable system. And if work orders are required, then the work order pertaining to each specific payment shall be attached to the invoice and the work order number shall be entered into the accounts payable system. For multiple payments on a contract, the payment number and/or month of service shall also be entered into the system. For example: Payment 2 of 12 April 2024 services.

#### 4.13 Request for Proposals (RFP)

If specifications (scope of work) cannot be written to: (i) completely define the needs; (ii) permit open competition; or (iii) if quality and concept factors outweigh price factors, the competitive negotiation procurement method (Request for Proposals) may be used to procure needed goods and services. This process is used for acquiring goods, printing, or non-professional services when the estimated cost is \$50,000 or over. While written specifications must be developed, additional discussions, clarifications, and negotiations are usually expected as a result of RFP's. This process may also be used when the estimated cost is less than \$50,000 and quality and concept factors outweigh price factors. This process may be used in either an unsealed or sealed process depending upon the level of procurement (see General Procurement Guidelines chart).

#### **PROCEDURES:**

1. The department representative (end user) will seek written approval, ensure that adequate funding is available, and provide explanations if any questions arise as to the business need or appropriateness of the procurement. The end user will submit a written request to the Contracts and Procurement Manager via email with specifications of the goods or services needed. The email chain shall include an approval email from the individual authorized to approve such purchase in accordance with the guidelines.
2. The Contracts and Procurement Manager will coordinate with the end user to develop the scope of work and shall prepare and conduct the RFP and its process.
3. The Contracts and Procurement Manager shall work with the end user to prepare the RFP; the following shall be included in the RFP:
  - a) Proposal due date and time (when you want to receive proposals).
  - b) Details regarding the goods or services (Scope of Work). Include cover sheet, a general description of what is being sought, quantity, where and when, statement of purpose, specifications, special requirements, method of payment, and pricing schedule. Define the goods or services in sufficient detail to be able to communicate the needs in written form to potential suppliers.
  - c) The criteria to be used to evaluate the proposals must be included in the RFP. Typically this will involve specific categories (weighted to reflect VTC's requirements) such as (i) proposed solution/approach for meeting VTC's needs; (ii) qualifications of vendor, staff, and sub-contractors; (iii) plan and schedule; (iv) prior experience; and (v) cost. One of the evaluation criteria must be SWAM certification.
  - d) Provide proposal delivery instructions (where, when, and to whom; official time clock) and a statement that proposals not submitted by the due date and time will not be accepted.
  - e) Include VTC's standard General Terms and Conditions and any Special Terms and Conditions that would apply.
  - f) Include the requirement that the proposer be eVA-registered in order to submit a proposal.
  - g) Determine if there is a need for a pre-proposal conference and if attendance at this conference is optional or mandatory. For mandatory conferences only those in attendance may submit a proposal. Include pre-proposal conference info in the RFP. Prepare a list of those in attendance.
  - h) If a site inspection is required, include it in the RFP.
  - i) Be sure to include in the RFP details about proprietary information and instructions on how to submit such requests and the requirement for the proposer to provide a redacted copy. VTC will not be responsible for any information shared if proposer doesn't follow instructions.

4. The Contracts and Procurement Manager should review the RFP Solicitation and File Checklist to assure that all requirements applicable to the procurement have been met.
5. The Contracts and Procurement Manager will assist with the selection of an evaluation committee and will provide the evaluation committee with necessary instructions.
6. The end user and Contracts Officer shall work with the Contracts and Procurement Manager to prepare a list of potential proposers. Include eVA-registered vendors. Solicit six or more vendors including four certified SWAM vendors. (Posting on the VBO site takes care of meeting the requirement of 6 or more vendors; however, you may solicit additional vendors).
7. Forward an announcement of the RFP to potential suppliers or service providers and reasonably advertise to reach potential proposers. The advertisement must include a medium that reaches potential SWAM vendors. Provide all suppliers a reasonable period of time (typically 30 days) to provide a written proposal. The number of vendors, including SWAM vendors, who should be notified of the RFP is determined by the level of procurement as shown below:
  - \$15,001 to \$50,000 – Three or more vendors including two SWAM vendors;
  - More than \$50,000 – Six or more vendors including four Swam vendors.
  - Note: Posting the RFP on eVA is an acceptable method of reaching the required number of vendors.
8. The Contracts and Procurement Manager may distribute the announcement of the RFP to those on the list by email. The potential offerors will be instructed through the announcement how they may obtain the RFP.
9. The Contracts and Procurement Manager shall advertise the RFP by placing an announcement on the VBO website and VTC website. The Contracts and Procurement Manager shall place an ad in the Richmond Free Press and any other paper in the area determined to be in the best interest of VTC.
10. If the RFP is unusually large or complex, schedule and conduct a pre-proposal conference for all interested proposers. Such conferences may be mandatory if they are considered necessary to clarify requirements in order to submit a proposal. In the case of mandatory pre-proposal conferences, only attendees at the conference may submit a proposal in response to the RFP.
11. Any changes or clarifications identified subsequent to the issuance of the RFP must be made in writing and posted on the VBO website. In the case of a mandatory pre-proposal conference, only those in attendance at the conference will be provided with the changes.
12. Proposals shall be received until the date and time specified in the RFP. They shall be time and date stamped. Late proposals shall not be considered.
13. A public opening of proposals is not required. Proposals may be opened upon receipt but should be time and date-stamped by the receiving party.
14. The Contracts and Procurement Manager should review the proposals to determine if all the submittal requirements have been met and determine if the offerors are responsive and responsible.
15. The proposals are evaluated by the committee or other selected parties relative to the evaluation/award criteria set forth in the RFP. Proposals will be scored using consensus scoring.
16. Offerors may be given the opportunity to correct certain deficiencies in their proposals, within an appropriate period of time as determined by the Contracts and Procurement Officer. Offerors who fail to submit required documentation or meet mandatory requirements in a timely manner may be eliminated from further consideration.

17. The Contracts and Procurement Manager shall document the appropriate details such as proposals received, evaluation scores, and those proposals not being considered because they were late or failed to meet requirements (found not to be responsive and responsible).
18. If site inspection was a requirement in the RFP, then visit the proposer's shop/office. If it was not a requirement but was an option, then, if necessary, visit the shop/office to satisfy concerns about offeror's capability to perform the service or provide the product.
19. An Award will not necessarily be made to the lowest-cost responsive and responsible proposer since that is just one aspect of the evaluation. Negotiation of price is allowed and should be considered along with more qualitative criteria. The offerors not selected may be notified, but not until the award has been made and accepted and a contract or agreement has been executed. Public proposal openings are not required.
20. VTC, at its discretion, may conduct interviews with or request presentations from the highest scoring offeror(s). If VTC determines that only one offeror is fully qualified, or that one offeror is CLEARLY more qualified than the others, or it is determined that conducting interviews/presentations will not change the outcome, based on the proposal scores, then VTC may choose not to seek interviews or presentations and begin negotiations with that offeror with the intention of awarding if successful negotiations can be reached. Be sure to document for the files.
21. If interviews/presentations are conducted, the evaluation committee or appropriate parties may rescore the proposals based on information provided during the interview/presentations, however, scores shall still be based on the initial evaluation criteria designated in the RFP. Based solely on the final scores after these interviews/presentations, negotiations will begin with the proposer whose final score was the highest with the intention of awarding if successful negotiations can be reached.
22. The Contracts and Procurement Manager shall prepare a contract or agreement, obtain vendor's signature and then obtain VTC's required signatures.
23. VTC is not required to furnish a statement regarding why a particular proposal was not deemed to be the most advantageous and does not provide an explanation of the scores. Proposers may request to see the scores, and any proposal they wish to review upon written request.
24. VTC may cancel an RFP, or reject proposals at any time prior to making an award.
25. All original proposals and other documents pertaining to the purchase shall be kept by the Contracts and Procurement Manager. Copies of appropriate documents should be kept by the user who will become the contract administrator.
26. When the order arrives or services are received, match the packing ticket or documentation, if applicable, to the contract. Notify vendor immediately if there are any discrepancies.
27. When the invoice arrives, the Procurement Officer stamps it with an approval stamp and forwards it to the staff member who initiated the purchase. The employee signs and dates the approval stamp on the invoice to acknowledge receipt of the goods or services. Employee provides coding and other pertinent information on the approval stamp and returns it to the Procurement Officer. In certain instances when staff travel may delay the approval, coding, etc. of the invoice, such approval and details may be sought and provided via email.
28. Enter the invoice payment information into the accounts payable system, and attach the invoice, approval email from the individual authorized to approve such purchase, packing slip, if applicable, and a copy of the contract. Be sure that all expenditure coding information is provided in the system and include the VTC Contract number and work order, if applicable.
29. The accounts payable system will create a voucher number for the invoice. Write that voucher number on the upper right hand corner of the invoice.
30. Print out the accounts payable transaction posting journal and attach invoice and documentation.

31. Forward a hard copy of the accounts payable transaction posting journal and all attachments to the Budget & Finance Director for review; once reviewed, the Budget & Finance Director will forward the same hard copy to the VP of Operations & Finance for final review, electronic approval, and release.
32. Once hard copy is approved by VP of Operations & Finance and electronically approved and released in the system, the approved hard copy is returned to the Procurement Officer who prints out an approval summary sheet and attaches it to the batch. The Procurement Officer or Budget & Finance Director forwards the approved hard copy and approval summary to the VEDP Fiscal Office for payment processing.
33. The VEDP Fiscal Office reviews the accounts payable posting journal and, if correct, processes the transaction to generate a payment. If any discrepancies are found, the accounts payable posting journal and attachments are returned (unpaid) for correction and approval process again.
34. If multiple payments are required on the contract, then steps 27-33 will be repeated for each invoice. It is not necessary to attach the contract to each invoice under the contract, but it is required that the contract number be entered into the accounts payable system. And if work orders are required, then the work order pertaining to each specific payment shall be attached to the invoice and the work order number shall be entered into the accounts payable system. For multiple payments on a contract, the payment number and/or month of service shall also be entered into the system. For example: Payment 2 of 12 April 2025 services.

#### **4.14 Public Purpose and Mission of the VTC**

For purchases of goods or nonprofessional services for \$200,000 or more or for professional services or non-transportation-related construction of \$80,000 or more, not already addressed elsewhere in these policies and procedures, VTC shall not be required to seek competition or competitive negotiations if VTC determines in writing that such purchase contributes to the public purpose and mission of the VTC as described in §2.2-2315. VTC shall state in such writing (a) an explanation of such determination, (b) that which is being purchased, (c) the contractor selected for such purchase, (d) the date of the award of such contract and (e) the relationship of such purchase to the public purpose and mission of the Authority. The determination and justification shall be approved by the VP of Operations and Finance prior to any such purchase taking place. Such notice shall be posted for a period of one year on VTC's website ([vatc.org](http://vatc.org)) on the day the VTC awards or announces its decision to award such contract, whichever occurs first.

## **SECTION 5: ADMINISTRATIVE PROCESSES & RECORD KEEPING**

### **5.1 Procurement Documentation**

Producing and maintaining adequate documentation of all purchasing activity is another essential element of internal controls within the VTC. The documentation prescribed by this manual will be maintained in all instances. Sections 3 and 4 specify the documentation to be produced, depending on the type of goods or services being procured, level of the expenditure, and the procurement method used.

The Procurement Officer will be responsible for developing, organizing, and filing the majority of such documentation. Unless specified otherwise, the original of all key procurement documents will be forwarded to the Procurement Officer (Fiscal Office for accounts payable transaction journal and Invoices) as prescribed herein. Copies of such documents should be retained by the divisions. RFP's and IFB's along with the submitted bids and proposals, and any contracts established through the process, will be kept by the Contracts and Procurement Manager or Contracts Officer. The original copies of such documentation will be retained by the fiscal office for 36 months after purchase or conclusion of the contract as applicable.

### **5.2 Commonwealth of Virginia Electronic Procurement System (eVA)**

Purchases, except for those items listed in VTC's eVA/SWAM Exclusion List, are to be placed through the Commonwealth of Virginia's Electronic Procurement System (eVA), in accordance with VTC's policies and procedures. VTC encourages the use of eVA as a procurement tool to search for eVA-registered and SWAM-certified vendors when purchasing supplies and equipment, information systems equipment and supplies, or any other product that can be obtained in a cost effective, timely, and efficient manner.

#### **PROCEDURES:**

1. VTC Procurement Officer and Contracts Officer receive eVA training (i.e., how to access the eVA website, research products and services, create requisitions, place orders, etc.) after an account number and password has been set up with the Division of Purchases and Supply.
2. VTC Procurement Officer and Contracts Officer will follow current procurement policies and the SWAM Plan when purchasing goods and services through eVA. For example, information systems hardware/software procurements will be centralized through the VTC Contracts and Procurement Manager. Other supplies and non-common items and supplies not on the "common supply" list may be requested by the authorized party at Division level but shall be purchased by the Procurement Officer.
3. All purchases, except for those items listed in VTC's eVA/SWAM Exclusion List, are to be placed through eVA and not with vendors over the phone. Vendors may be told that the orders will be placed through eVA, but verbal commitments shall not be given to the Vendors. When printing is required, artwork shall not be sent to the vendor until the eVA order has been placed and approved. EVA orders are not to be placed as confirmation orders after the fact, except in unusual circumstances. In the event that it is necessary to place an order in eVA after the fact, and after an order has been placed or items have been received, the check box in eVA titled "Confirming Order" shall be checked when placing such an order in eVA.
4. Once the order is placed and electronically approved in eVA, the system creates a purchase order. Print out the eVA PO and attach to invoice.
5. When guidelines require a purchase order for documentation, and the order was entered into eVA, the eVA PO is considered the PO.



### 5.3 Purchase Orders (PO)

Purchase Orders (POs) may be required based on the level of procurement. PO's are optional, but encouraged, for purchases under \$15,000. For purchases over \$15,000 PO's or Contracts/Agreements are required along with the documentation based upon the type of procurement process that is followed. (See the Procurement Requirements Guidelines table in Section 4.) The VTC Contracts and Procurement Manager determines when to use a Contract instead of a Purchase Order.

When required, Purchase Orders are created by the Procurement Officer using the PO Database, which assigns PO numbers automatically, or, if the vendor is an eVA registered vendor, by entering the order into eVA which automatically creates the PO. Do not manually create a purchase order if it is being placed through eVA.

Significant changes which are made to purchase orders once they are issued will be documented using the Purchase Order Change form or eVA Change order, as prescribed herein.

#### **PROCEDURES:**

1. The department representative (end user) will seek written approval for purchase, ensure that adequate funding is available, and provide explanations if any questions arise as to the business need or appropriateness of the procurement. The end user will submit a written request to the Procurement Officer via email with specifications of the goods or services needed. The email chain shall include an approval email from the individual authorized to approve such purchase in accordance with the guidelines.
2. After researching the purchase, obtaining the price, and choosing the vendor through appropriate guidelines indicated for the type of purchase, should it be determined that the purchase requires a purchase order due to the dollar amount (over \$15,000), the Procurement Officer shall prepare the PO and make the purchase.
3. Should the purchase be entered into eVA, the Procurement Officer will ensure that the approval authority for that dollar amount has been obtained (email is acceptable means). Then the Procurement Officer will complete the purchase order by entering the required purchasing information into eVA. Be sure to enter all required fields, including vendor information, product information, pricing, etc. Taking time to ensure all information is accurate in the beginning will eliminate the extra work later. Determine if the eVA registered vendor accepts orders electronically. If not, print out the eVA purchase order and forward to the vendor.
4. Should the purchase be exempt from eVA or, due to some special circumstance, will not be entered into eVA, then the Procurement Officer will prepare a purchase order form for the desired transaction using the PO Database. Be sure to enter all required fields, including vendor information, product information, and expenditure information. Taking the time to ensure all information is accurate in the beginning will eliminate extra work later.
5. Obtain the necessary authorizing signature(s) on the PO form. If changes are made at this point, either update the form or begin a new PO. The signature indicates the order is appropriate and necessary, and funds are available.
6. Procurement Officer will then complete the purchase by sending the PO to the vendor and a copy to the Contracts and Procurement Manager. If changes occur subsequent to the issuance of a PO to the vendor, and such changes result in a significant change in specification or a difference in the purchase amount greater than 15 percent, a Purchase Order Change form should be completed and distributed as indicated.
7. NOTE: If a contract is established, then a PO is not required and should not be prepared unless the vendor requires it along with the contract.
8. When the order arrives, match the packing ticket to the PO. Notify vendor immediately if there are any discrepancies.

9. When the invoice arrives, the Procurement Officer stamps it with an approval stamp and forwards it to the staff member who initiated the purchase. The employee signs and dates the approval stamp on the invoice to acknowledge receipt of the goods or services. The employee provides coding and other pertinent information on the approval stamp and returns to the Procurement Officer. In certain instances when staff travel may delay the approval, coding, etc. of the invoice, such approval and details may be sought and provided via email.
10. Enter the invoice payment information into the accounts payable system and attach the invoice, approval email from the individual authorized to approve such purchase, packing slip, and copy of PO/eVA Order, if applicable, and any other documents required by the procurement method. Be sure that all expenditure coding information is provided in the system.
11. The accounts payable system will create a voucher number for the invoice. Write that voucher number on the upper right hand corner of the invoice.
12. Print out the accounts payable transaction posting journal and attach invoice and documentation.
13. Forward a hard copy of the accounts payable transaction posting journal and all attachments to the Budget & Finance Director for review; once reviewed, the Budget & Finance Director will forward the same hard copy to the VP of Operations & Finance for final review, electronic approval, and release.
14. Once hard copy is approved by VP of Operations and Finance and electronically approved and released in the system, the approved hard copy is returned to the Procurement Officer who prints out an approved summary sheet and attaches it to the batch. The Procurement Officer or Budget & Finance Director forwards the approved hard copy and approval summary to the VEDP Fiscal Office for payment processing.
15. The VEDP Fiscal Office reviews the accounts payable posting journal and, if correct, processes the transaction to generate a payment. If any discrepancies are found, the accounts payable posting journal and attachments are returned (unpaid) for correction and approval process again.
16. If purchase was made using a purchasing card, match the "paid invoice" or credit card receipt, the packing ticket, and PO and attach to the purchase card log for payment.

#### 5.4 Contracts - General

Contracts/Agreements/Memorandum of Understanding (MOU)/Memorandum of Agreement (MOA) refer to an agreement enforceable by law, between two or more competent parties, to do or not to do something, not prohibited by law, for a consideration. A contract is any type of agreement or order for the procurement of goods or services. A contract will be prepared for all procurements resulting from competitive processes in accordance with the Procurement Requirement Guidelines table in Section 4 and for any purchase in which the total expenditure is expected to exceed \$50,000 per annum. A contract will also be prepared for the purchase of services, regardless of procurement method, or dollar amount. An exception is the purchase of goods or services from established State Contracts, or VEDP Contracts. **IMPORTANT:** The President and/or the VP of Operations & Finance are the only individuals authorized to sign contracts on behalf of the VTC. Consult the Procurement Requirement Guidelines table in Section 4.

Contracts may also be necessary for purchases under the dollar threshold depending on the need for specific requirements of the parties involved or when the vendor requires one.

The VTC Contracts and Procurement Manager or the Contracts Officer will prepare any contract/agreement or review and modify any contracts or agreements submitted by the vendor. This is to assure that all contracts are in compliance with state law, regulations, and policies and procedures. If a vendor submits their standard form contract or agreement, the Contracts and Procurement Manager will negotiate changes with the vendor. Allow a minimum of two weeks for preparation, review, negotiations, and signatures. In some cases, the Contracts and Procurement

Manager will need to seek the guidance of the Attorney General's Office and this will require additional time.

(Note: The Commonwealth of Virginia has approved an addendum that may be used when the vendor requires the use of their form and negotiating certain changes has been unsuccessful. Basically, the addendum states that if any of the items listed in the addendum are in the vendor's contract, they become null and void once the addendum is signed. Since this addendum has been reviewed and approved by the Attorney General's Office, **changes are not allowed to be made to this form under any circumstances.**) Additional items may be added, however, to include items in the Vendors agreement that VTC can't agree to but are not already included in the addendum referred to.

The contract will include the VTC standard General Terms and Conditions as well as any required Special Terms and Conditions, and also will include all specifications (RFP's/IFB's) and details from the vendor proposals, as appropriate. The actual expenditure of funds against the contract will be authorized by related vendor invoices, work orders if applicable, and a properly authorized accounts payable transaction posting journal.

When a contract is executed with a limited scope of services or a limited explanation of payments, the details of the scope of work and costs for each project within the contract will be documented and approved prior to work beginning through a written work order system or through emails between the Contractor and the authorized Contract Administrator (VTC staff overseeing contract). When the details of the project and cost are lengthy, then a written work order will be required instead of emails, signed by the VP of Operations and Finance and prepared by the Contracts and Procurement Manager. In addition, if the dollar amount of the individual project within the Contract exceeds the signature authority of the Contract Administrator, then a written work order will be required, instead of emails. Preparation of the Work Orders shall be prepared by the Contracts and Procurement Manager or the Contracts Officer. Such written Work orders require the signature of the VP of Operations and Finance. Copies of these emails or work orders should be forwarded to the Contracts and Procurement Manager for inclusion in the contract file.

When work orders or emailed approvals are required, those documents shall be attached to the invoice when submitted for payment. It will be the responsibility of the vendor or the Contract Administrator (VTC staff assigned to monitor the contract) to ensure these documents are attached to the invoice before submitting to the Procurement Officer for payment.

#### **PROCEDURES:**

1. Contact the Contracts and Procurement Manager before issuing any formal solicitations (IFB's or RFP's). This process will be executed by the Contracts and Procurement Manager.
2. If the Contracts and Procurement Manager determines a contract is required, he/she or the Contracts Officer will manage the process and coordinate with staff and the vendor.
3. If the Contracts and Procurement Manager believes a contract is not necessary (i.e., only a purchase order is needed), he/she may contact the VP of Operations & Finance for a final determination if in doubt. Only the Contracts and Procurement Manager the VP of Operations & Finance, and the CEO/President may issue a waiver eliminating the need for a contract for goods or services when otherwise required by these policies.
4. When a vendor requires the use of their contract, the Contracts and Procurement Manager or Contracts Officer will review and negotiate necessary changes before the contract is signed. Allow a minimum of two weeks for review and negotiations.
5. Follow all other procedures of the purchase type and payment process.
6. If multiple payments are required on the contract, then the required payment guidelines will be repeated for each invoice. It is not necessary to attach the contract to each invoice under the

contract, but it is required that the contract number be entered into the accounts payable system. And if work orders are required, then the work order pertaining to each specific payment shall be attached to the invoice and the work order number shall be entered into the accounts payable system. For multiple payments on a contract, the payment number and/or month of service shall also be entered into the system. For example: Payment 2 of 12 April 2025 services.

#### **5.5 Contracts – Trade Shows, Conferences, Meetings, and Hotels**

Vendors typically require their own contracts to be signed by VTC for trade shows, conferences, meetings, and hotels. These should be treated as contracts and all appropriate policies and procedures relating to contracts should be followed.

#### **5.6 Expenditure Coding**

All VTC purchasing transactions will be coded to ensure the appropriate division and cost center budgets are charged. Further, management should designate the applicable expenditure code for the purchase, which indicates the type of goods or services being acquired.

The Budget & Finance Director shall maintain the list of all valid division and cost center codes, project codes, and expenditure codes, and make the codes available to the Procurement Officer and all VTC staff. Each individual with authorized approval authority will be responsible for assigning the appropriate codes to each transaction, and entering them on the Stamp Area on the Invoices.

#### **5.7 Procurement Advertising /Award Notification**

In order to encourage competition, and in the interest of fair and unbiased procurement, the VTC shall strive to advertise upcoming procurements as well as to post a public notice (within the VTC offices) of the award of such procurements.

For purchases \$15,000 or less, unsealed bids are not required but encouraged. These procurements are not required to be posted or advertised.

Procurements of services in excess of \$15,000 require the bidding process, but are not required to be advertised or posted. Procurement of these services should be coordinated with and reviewed by the Contracts and Procurement Manager in order to be sure that certain terms and conditions are included in the process.

The Contracts and Procurement Manager must be notified of procurements over \$50,000, and will handle the placement of advertisements, notices, and posting for these purchases. The Contracts and Procurement Manager will manage the bid process for all procurements of \$50,000 or more. The Contracts and Procurement Manager will maintain a record of all such procurements and awards, and will provide them for review to interested parties.

#### **5.8 Receipt of Goods and Services**

The Procurement Officer is responsible for receiving the goods and services procured and for ensuring that such goods and services are received in a timely and complete manner, in good order, and in accordance with the specifications and contract terms. Once received and all information above verified, the Procurement Officer will distribute the received goods or services to the division requesting the purchase.

In addition, the receipt of goods or services will be acknowledged by both the individual who originally authorized the purchase, as well as the individual requesting the purchase or manager who is independent of the original procurement decision.

Finally, payment for all items ordered and received will be made by the VEDP Fiscal Office only on their receipt of all necessary procurement documentation and authorizing signatures.

**PROCEDURES:**

1. The receiving party will inspect all goods and services immediately upon delivery, and compare them to the procurement specifications.
2. If discrepancies are found, the Procurement Officer will notify the supplier immediately and describe the problem in detail.
3. If the discrepancy goes uncorrected for five (5) business days, again notify the vendor, in writing, and attach any specifications or other documentation which clarifies the problem; copy the Contracts and Procurement Manager on the correspondence. This notification is an “informal notification of discrepancy,” which should be noted in the correspondence.
4. If the discrepancy is not corrected by the above steps within ten (10) business days of the written notification, notify the Contracts and Procurement Manager (a total of fifteen (15) business days after initial receipt). The Contracts and Procurement Manager is responsible for all subsequent actions, including processing of potential vendor appeals, disputes, resolutions, and defaults.
5. Once all goods and services are received in good order, match the packing ticket to the PO, if applicable.
6. When the invoice arrives, the Procurement Officer stamps it with an approval stamp and forwards it to the staff member who initiated the purchase. The employee signs and dates the approval stamp on the invoice to acknowledge receipt of the goods or services. This person should not be the person who approved the purchase. It should be an individual who actually received and inspected the delivered item. The employee provides coding and other pertinent information on the approval stamp and returns it to the Procurement Officer. In certain instances when staff travel may delay the approval, coding, etc. of the invoice, such approval and details may be sought and provided via email
7. Enter the invoice payment information into the accounts payable system and attach the invoice, approval email from the individual authorized to approve such purchase, packing slip, and copy of PO/eVA Order, if applicable, and any other required documentation depending on the procurement method. Be sure that all expenditure coding information is provided in the system and include the VTC Contract number and work order, if available.
8. The accounts payable system will create a voucher number for the invoice. Write that voucher number on the upper right hand corner of the invoice.
9. Print out the accounts payable transaction posting journal and attach invoice and documentation.
10. Forward a hard copy of the accounts payable transaction posting journal and all attachments to the Budget & Finance Director for review; once reviewed, the Budget & Finance Director will forward the same hard copy to the VP of Operations & Finance for final review, electronic approval, and release.
11. Once hard copy is approved by VP of Operations & Finance and electronically approved and released in the system, the approved hard copy is returned to the Procurement Officer who prints out an approval summary sheet and attaches it to the batch. The Procurement Officer or Budget & Finance Director forwards the approved hard copy and approval summary to the VEDP Fiscal Office for payment processing.
12. The VEDP Fiscal Office reviews the accounts payable posting journal and, if correct, processes the transaction to generate a payment. If any discrepancies are found, the accounts payable posting journal and attachments are returned (unpaid) for correction and approval process again.

## 5.9 Vendor Invoices and Payments

The VTC will only issue payments to vendors if:

- Goods or services are received in accordance with the procurement specifications.
- Expenditure coding and authorizations are evident.
- Appropriate documentation is available.

If the above criteria are met, the VEDP Fiscal Office will process the transaction, and the vendor will receive payment in accordance with the State Prompt Payment Act, which requires agencies to:

Promptly pay for the completed delivered goods or services by the required payment date, which shall be either (i) the date on which payment is due under the terms of the contract for the provision of such goods or services; or (ii) if such date is not established by contract, not more than 30 days after goods or services are received, or within 30 days after receipt of a proper invoice, whichever is later..

Payment shall be deemed to have been made when offset proceedings have been instituted, as authorized under the Virginia Debt Collection Act.

Separate payment dates may be specified for contracts under which goods or services are provided in a series of partial deliveries or executions to the extent that such contract provides for separate payment for such partial delivery or execution.

If no terms have been negotiated, but the vendor invoice specifies terms, the VTC will pay on a “Net 30” basis.

Partial payments will be allowed only if the receipt of the partial shipment/delivery can be confirmed, and if the vendor invoice reflects the partial shipment/delivery (i.e., the vendor should invoice only the amount delivered, with subsequent shipments/delivery being invoiced separately).

Any items that the VTC intends to acquire through a lease arrangement, regardless of expenditure level or procurement method, must be approved by the VP of Operations & Finance prior to issuing a purchase order or contract.

All sales and use taxes will be the responsibility of the vendor. If an exemption is requested, only the VP of Operations & Finance or Contracts and Procurement Manager or their designee is allowed to issue a *Sales and Use Tax, Certificate of Exemption*. This form can be found on VTC’s Intranet.

For most purchases, VTC requires an invoice to pay and does not pay from statements. Typically, a statement is a summary of past invoices showing what has been invoiced, what has been paid, and what is past due. If there is a statement showing a past due balance, do not use the statement to pay. Research to determine if invoice(s) have been submitted for payment so that duplicate payments are not made. And, if payment has not been made on the invoices listed on the statement, research to determine if invoice(s) is(are) in the office waiting to be processed or on someone’s desk to be approved. If invoices referred to on the statement have not been submitted for payment and are not in the office, request the vendor to send another invoice. The only time a payment should be made from a statement is when: a) the balance shown on the statement is a new charge and is not past due, **and** b) it has been determined that the vendor only provides statements and an invoice is not going to be issued.

### **PROCEDURES:**

Below is the process for payment of invoices, not the process of purchase authorization. Purchases must be authorized and proper purchasing procedures must be followed prior to payment of invoices.

1. When making the purchase, determine payment method to be used, i.e., charge to purchasing card or pay invoice by check or wire. Whichever method was determined during the purchase should be the method used to pay once the order has been received. If it was determined to pay by check, or if contracted to pay by check, then do not charge to the credit card when the invoice arrives. If the order was entered into eVA as a credit card payment, or the order was contracted to be paid for by credit card, and an invoice is received that isn't marked as a paid receipt, contact the vendor and be sure it is charged to the card. Making a payment by a different method than what was originally determined creates an opportunity for duplicate payments.
2. When the order arrives (or services are delivered), match the packing ticket to PO or contract if applicable. Notify vendor immediately if there are any discrepancies.
3. If the purchase was charged to a Purchasing Card, see Purchasing Card Guidelines for payment processing. Attach to purchasing log the approval from the individual authorized to approve such purchase (email is acceptable), credit card charge receipt, packing slip, and any required documentation based on dollar expenditure level and purchasing guidelines (for example: Bid Request, Bid Summary Sheet, bids, a copy of the PO/eVA Order, or Contract, if applicable).
4. If not charged to a Purchasing Card, when the invoice arrives, the Procurement Officer stamps it with an approval stamp and forwards it to the staff member who initiated the purchase. The employee signs and dates the approval stamp on the invoice to acknowledge receipt of the goods or services. Employee provides proper coding, description of the purchase, applicable contract and/or work order numbers, and other pertinent information on the approval stamp, verifies that any required documentation for payment is attached and returns to the Procurement Officer. By signing the invoice, the employee acknowledges to the best of his ability that the purchase was executed using proper procedures, the goods/services were received in satisfactory condition, all required paperwork is attached, and the invoice is approved for payment. In some cases, this may also serve as the documentation that the purchase was approved. In certain instances when staff travel may delay the approval, coding, etc. of the invoice, such approval and details may be sought and provided via email.
5. Enter the invoice payment information into the accounts payable system and attach the invoice, the approval from the individual authorized to approve such purchase (email is acceptable), packing slip, and any required documentation based on dollar expenditure level and purchasing guidelines, i.e., Executed Non-Competitive Award Justification Form, Emergency Purchase, copy of PO/eVA Order, Contract, Work Orders, Bid Summary Sheet, etc. if applicable. Be sure that all expenditure coding information is provided in the system and include the VTC contract and work order numbers, if available.
6. The accounts payable system will create a voucher number for the invoice. Write that voucher number on the upper right hand corner of the invoice.
7. Print out the accounts payable transaction posting journal and attach invoice and documentation.
8. Forward a hard copy of the accounts payable transaction posting journal and all attachments to the Budget & Finance Director for review; the Budget & Finance Director will forward the same hard copy to the VP of Operations & Finance for final review, electronic approval, and release.
9. Once hard copy is approved by VP of Operations & Finance and electronically approved and released in the system, the approved hard copy is returned to the Procurement Officer who prints out an approval summary sheet and attaches it to the batch. The Procurement Officer or Budget & Finance Director forwards the approved hard copy and approval summary to the VEDP Fiscal Office for payment processing.
10. The VEDP Fiscal Office reviews the accounts payable posting journal and, if correct, processes the transaction to generate a payment. If any discrepancies are found, the accounts payable posting journal and attachments are returned (unpaid) for correction and approval process again.

11. If the payment pertains to a contract, and if multiple payments are required on the contract, then steps 2-10 will be repeated for each invoice. It is not necessary to attach the contract to each invoice under the contract, but it is required that the contract number be entered into the accounts payable system. And if work orders are required, then the work order pertaining to each specific payment should be attached to the invoice and the work order number should be entered into the accounts payable system. For multiple payments on a contract, the payment number and/or month of service should also be entered into the system. For example: Payment 2 of 12 April 2012 services.

#### **5.10 Corporate Purchasing Cards**

The VTC through the VEDP has an agreement with a credit card company, through a central State contract, which provides a convenient means for small purchases (from participating suppliers) The VP of Operations & Finance will be responsible for issuing purchasing cards to the Contracts and Procurement Manager, Contracts Officer, Procurement Officer. and for authorizing the limit to be set for each card. In extremely rare situations, and only at the sole discretion of the VP of Operations and Finance, and with the recommendation of the Contracts and Procurement Manager, other cards may be issued for unique, special circumstance, to be used for “specific exception” items only.

The Contracts and Procurement Manager will train all staff assigned a Purchasing cards. Use of purchasing card may be taken away from anyone assigned a card who does not follow the policies and procedures. The Contracts and Procurement Manager will recommend the removal of the card to the VP of Operations & Finance. The final decision of removal will be determined by the VP of Operations & Finance unless such a decision is delegated to the Contracts and Procurement Manager.

Use of the purchasing cards is restricted to official VTC purchases only. Use of the cards for personal items, cash advances, and business travel is not permitted. Additional information on the purchasing card can be obtained from the Corporate Purchasing Card Manual.

#### **PROCEDURES:**

1. Card member orders product or service directly from participating suppliers (through eVA when available) in accordance with VTC’s Policies and Procedures. Payment method (credit card vs. billing) does not change the procurement procedures or the required documentation.
2. Supplier processes order.
3. The credit card company automatically checks for compliance with applicable card limits.
4. Supplier delivers product or service; Card member verifies all items received.
5. Card member enters the purchase/receipt, expenditure coding, and other required information onto the Purchasing Card Transmittal Form and attaches receipts and required documentation in accordance with VTC’s Policies and Procedures.
6. The credit card company arranges payment to supplier in as few as three business days.
7. The credit card company issues a monthly report to the Card member to verify purchases.
8. Card member verifies the credit card company’s report, provides required signature authorizations on the Purchasing Card Transmittal Form, attaches required documentation, and forwards to Fiscal Office for payment.
9. The credit card company submits a consolidated bill (all cards, all purchases) to VEDP Fiscal Office.
10. VEDP Fiscal Office reviews consolidated bill, compares to Purchasing Card Transmittal Forms and, if correct, processes the transaction to generate a payment.



### **5.11 Audit Reviews**

The VTC purchasing process will be subject to audit and other reviews, as may be directed by any of the following:

- VTC Fiscal Office
- VTC Board of Directors
- Auditor of Public Accounts
- Office of the Attorney General
- Legislative Boards and Commissions

The basis for such reviews will be the VTC purchasing policies and procedures, as approved by the VTC President/CEO, and as documented herein. All audits or other such reviews will be coordinated by the Contracts and Procurement Manager and the VP of Operations & Finance.

The participation in such audits or reviews by other VTC staff members, and the release of materials to support those audits or reviews, must be coordinated and authorized by the VP of Operations & Finance.

### **5.12 Virginia Freedom of Information Act**

Under the Virginia Freedom of Information Act (FOIA), information relating to the procurement of goods and services funded, in whole or in part, by public moneys is available for public inspection. This includes any citizen or interested person, firm, corporation, research organization, or other public entity of the Commonwealth. The VP of Operations and Finance will coordinate any FOIA requests. Should a staff member receive a request, whether in writing or verbal, such request must be immediately forwarded to the VP of Operations and Finance.

## **SECTION 6: OTHER CONSIDERATIONS**

### **6.1 Preferred Vendors**

All VTC procurements will provide qualified vendors reasonable access to participate in the process, and no vendor will be arbitrarily or capriciously excluded or discriminated against.

Notwithstanding the foregoing, public procurement policy in general, and the policy of the VTC in particular, allows for reasonable preferences to be included in the bid specifications and selection criteria which favor:

- Vendors who participate in the Corporate Purchasing Card program (purchases under \$5,000).
- Products or services produced in Virginia.
- Products which use recycled goods or less toxic manufacturing methods.
- Participation of small, women-owned, and minority-owned businesses.
- Participation in the eVA electronic procurement program.

The VTC does not have a “set aside” program for participation of small, women-owned, and minority-owned businesses. However, the VTC will actively participate in the program and has set goals for procurement from targeted businesses. See the VTC SWAM Policy for further details.

### **6.2 Debarred Vendors**

An individual or firm may be debarred (not allowed to do business with the VTC) for up to one year for any of the following reasons:

- Breach (default) of contract.
- Stating an unwillingness or inability to honor a binding bid.
- Falsifying or misrepresenting their abilities relative to the procurement specifications and bids in order to appear responsive.
- Conferring or offering to confer upon any VTC employee participating in a procurement (which the entity has bid on or intends to bid on) any gift, gratuity, favor, or advantage, present or future.
- Any cause indicating the entity is not a responsible vendor.
- A determination by the VTC President/CEO that the entity has used abusive language, threats, or other conduct deemed unprofessional or inappropriate during the conduct of business.
- Conviction of any criminal offense, antitrust law violations, or convictions indicating lack of moral or business integrity (in which cases debarment may be for three years).
- If debarred from doing business with the Commonwealth of Virginia.

The President/CEO or his/her designee will make the final determination as to debarment, except for those vendors already debarred by the Commonwealth of Virginia, and will notify the Contracts and Procurement Manager, who will maintain a list of such debarred vendors. Vendors debarred by other State entities will also be debarred from doing business with the VTC.

### **6.3 Vendor Insurance, Performance Bonds, Bid Bonds**

For services contracts, the vendor (and all subcontractors) must agree to maintain insurance coverage during the entire term of the contract, with minimum levels to include:

- **Workers' Compensation:** Statutory requirements and benefits.
- **Employer's Liability:** \$100,000.
- **Commercial General Liability:** \$1,000,000 per occurrence and \$2,000,000 in the aggregate. with the VTC named as an additional insured with respect to the services being provided. This coverage is to include bodily injury and property damage, and advertising injury, Products and Completed Operations Coverage, and Personal Injury Liability.
- **Automobile Liability:** \$1,000,000 combined single limit. (Required only if a motor vehicle not owned by the VTC is to be used in the contract. Contractor must assure that the required coverage is maintained by the Contractor or third party owner of such motor vehicle.)

If a contract for goods or services is expected to total \$50,000 or more in annual expenditures, the VP of Operations & Finance must determine if a bid bond and/or performance bond will be requested prior to issuing the solicitation documents, and if such bonds will be maintained once the bids/proposals are received.

#### **6.4 Vendor Performance Monitoring**

The procurement process does not end when the purchase order or contract is issued. Monitoring vendor performance is a critical part of the process to ensure the proposed goods or services are delivered in a timely manner, in accordance with the bid/proposal specifications, and without substitution or partial completion (unless previously approved).

For all contracts, a contract administrator should be assigned to monitor the contract. This person may or may not be the individual who performed the procurement function; if not then he/she must keep that person informed of any problems or potential problems regarding any contract or purchase order so action may be taken before such problems become critical.

Regardless of expenditure level, if a vendor fails to deliver as specified, or fails to deliver in a timely manner, the vendor should be notified immediately and given a reasonable period of time to cure the failure (cure period). This is usually five (5) days after the first verbal notice, and an additional ten (10) days after written notice is provided.

If the failure persists after a reasonable cure period is allowed (usually 15 days), the Contracts and Procurement Manager must be notified so that additional actions can be initiated as appropriate.

#### **6.5 Vendor Appeals, Disputes, and Remedies**

All actions taken to respond to a vendor appeal or dispute, or any action initiated by the VTC to deny withdrawal of a binding bid or to terminate a vendor contract for non-performance, must be coordinated by the Contracts and Procurement Manager, regardless of the goods or services being procured, the expenditure level, or the procurement method used. This is to help ensure that the VTC does not expose itself to unwarranted liability or misperceptions regarding its procurement policies and procedures.

The VTC will conduct an internal administrative appeals procedure for resolution of the dispute, but has not established any independent administrative appeals process, such as binding arbitration. Unless negotiated otherwise in the contract with the vendor, the vendor shall retain full rights to seek legal remedies if the VTC appeals process is not deemed satisfactory.

If a vendor appeal has been filed in writing, it should be immediately forwarded to the Contracts and Procurement Manager. Similarly, if a vendor has failed to perform in accordance with the contract specifications and such failure has not been corrected after a reasonable cure period, the Contracts and Procurement Manager must be notified immediately.

In any case, the appeal/dispute process will be coordinated by the Contracts and Procurement Manager, with final decisions being made by the VP of Operations & Finance.

**PROCEDURES:**

1. If a vendor appeal has been filed in writing regarding its delivery of goods or services to the VTC, or its failure to receive an award of business (i.e., non-selection as a result of a VTC procurement process) it should be immediately referred to the Contracts and Procurement Manager.
2. Similarly, if the VTC believes a vendor has attempted to withdraw a binding quotation or failed to perform in accordance with the procurement/contract specifications, and such failure has not been corrected after a reasonable cure period, the Contracts and Procurement Manager should be notified immediately.
3. The appeal/dispute process will be conducted by the Contracts and Procurement Manager, who will work with the staff and vendor to assemble and review all the facts and circumstances, and will present them to the VP of Operations & Finance within 10 days after notification is received.
4. The VP of Operations & Finance will review the facts and circumstances as presented, and will issue his/her decision to the vendor in writing within 10 days after receiving all the facts.
5. If the vendor is not satisfied with the decision, they have 10 days to request a review by the VTC President/CEO. If the President/CEO or his/her designee agrees to review the decision, they must do so and issue their decision to the vendor in writing within 10 days after receiving the request.
6. If none of the above steps satisfy the vendor, they may resort to legal action if they wish to continue to pursue their claim.

An appeal or dispute by a vendor shall have no effect upon any existing contracts that have been awarded and accepted in good faith, awards that must be made to ensure the continued operation of critical functions of the VTC, or any other bids/proposals that will expire.

**6.6 Surplus/Unclaimed Property**

Property no longer needed by the VTC is to be considered surplus property. The VP of Operations & Finance will make such determinations, and the VEDP Facilities Manager will coordinate the transfer or disposal of such items in accordance with the guidelines established in the Surplus Property Manual issued by the Department of General Services.

The VTC, at its sole discretion, may amend its policies or choose on a case-by-case basis to dispose of surplus property as it deems necessary and in the best interest of the VTC and the Commonwealth.