

*Forsyth County was incorporated on December 3, 1832 and as of 2018 had a population estimate of 227,967..*

*Forsyth County covers 247.4 square miles and offers in-country living with big city amenities, a strong local government and a good balance between growth and tradition.*

## **VENDOR/BIDDER HANDBOOK PACKET**

To All Vendors and Bidders:

The Forsyth County Procurement Department is pleased to present the following “Vendor/ Bidder Manual: How to do Business with Forsyth County.” We believe the information contained in this Manual will help you, the prospective Vendor and/or Bidder, develop a long-term and successful business relationship with Forsyth County.

Forsyth County has consistently remained one of the fastest growing counties in the nation over the past few years. With the increasing volume of purchases consisting of almost every type of commodity and service known, it is important that we establish and maintain a listing of Vendors/Bidders who can competitively provide for the demands of a rapidly growing county on the “cutting edge” of technology and progress.

It is our objective that the procurement activities of Forsyth County be conducted with the highest standards of professionalism. These standards provide for impartiality and fairness to the Vendors while obtaining the greatest possible value for the goods and services needed at the lowest possible cost. Please join us in our pursuit of excellence as we serve the citizens of Forsyth County with the level of quality service they rightfully expect and deserve.

Forsyth County appreciates the dedication demonstrated by the Vendors and Bidders in the past and we look forward to meeting the challenges of our extraordinary growth as well as tighter budget constraints, together.

Thank you for your interest in doing business with Forsyth County,

***Forsyth County Procurement Department  
514 West Maple Street, Suite 104  
Cumming, GA 30040  
Phone: 770.888.8872***

**\*\*NON-BINDING NATURE OF THE PUBLICATION\*\***

*This publication is designed solely to provide general information to those wishing to do procurement business with Forsyth County. The procurement activity of Forsyth County is performed in accordance with the applicable laws of the State of Georgia, Forsyth County Ordinances and other applicable rules and regulations that govern procurement.*

*This publication does not have the force or effect of any law, rule or regulation and should not be relied upon by Vendors or Bidders in determining their actions and conduct.*

## **FORSYTH COUNTY VENDOR/BIDDER MANUAL**

### **INTRODUCTION**

Conducting business with the government can be a very rewarding experience. However, without a clear understanding of how a particular agency operates, it may seem like a tedious endeavor. Conducting business with a governmental agency is slightly different from working with the private sector.

The purpose of this Manual is to assist you, the Vendor\* and/or Bidder\*, on how to conduct business effectively with Forsyth County. Included in the Manual is information on what can be expected from the County, what the County expects from their Vendors and Bidders, and the basic “how-tos” involved in working with the County.

The information contained in this Manual should help guide potential Vendors and Bidders in their efforts to sell their products and services to Forsyth County.

- \* “Vendor” is defined as anyone who has entered their info into the Vendor Self Service portal.
- \* “Bidder” is defined as someone who has prepared a bid, proposal, or quote in response to a solicitation from Forsyth County.

### **BASIC METHODS OF PROCUREMENT**

1. **Competitive Sealed Bid** – This is the method of procurement used where the cost of commodities and services is \$50,000 or greater, where there are clear and defined specifications available, and where cost is the primary basis of award. The Forsyth County Board of Commissioners makes the final approval for award on purchases of \$50,000 or greater.
2. **Competitive Sealed Proposal** – This is the method of procurement used for the purchase of all goods and services where the cost is \$50,000 or greater, and the competitive sealed bid method is neither practical nor advantageous. Generally, competitive sealed Proposals are used for procurements such as professional services, service contracts, highly technical equipment, etc. The competitive sealed Proposal method may also be used for the purchase of goods and services less than \$50,000. A Review Committee will evaluate competitive sealed Proposals against specific criteria.

The Forsyth County Board of Commissioners makes the final approval for award on purchases of \$50,000 or greater.

3. **Written Quotation** – This is the method of procurement used for the purchase of goods and services between \$10,000 and \$50,000. Quotations are solicited informally and do not require any type of formal advertising. While the majority of quotes are posted on the County website, written documentation is obtained from the Vendor through mail, facsimile, or hand delivery to the Procurement Department. The Forsyth County Procurement Department makes the final approval for award.
4. **Telephone and Email Quotations** – This is the procurement method used for purchases of goods and services between \$2,500 and \$10,000. Quotations are solicited informally by telephone, facsimile machine, or email by the Forsyth County Procurement Department. The Forsyth County Procurement Department makes the final approval for award.
5. **Purchases from \$0 to \$2,500** – If the amount of the purchase is not greater than \$2,500, the Procurement staff will use its best judgment as to source, and number of pre-purchase estimates to obtain prior to making the purchase.
6. **Small Purchases** – Forsyth County Departments can purchase up to \$2300 per transaction for a variety of products and services by using the Forsyth County Procurement Card. Items that CANNOT be purchased with the Procurement Card are:
  - Maintenance or other service agreements
  - Entertainment, alcoholic beverages
  - Computer Equipment
  - Hazardous or radioactive material
  - Services or items provided by in-house departments such as administrative or computing, etc.
  - Personal-use items, such as radios, coffeepots, gifts, microwave ovens, etc.
  - Telecommunications equipment of any type or value i.e., telephones, fax machines, answering machines
  - Postage
  - Firearms or explosives
  - Services involving an employer/employee relationship
  - Rental of equipment
  - Printing
  - Flowers
  - Furniture
  - Data plans, software, applications (Apps) for county and non-county issued devices, including, but not limited to, smartphones, computers, tablets and laptop computers
  - Alcohol or tobacco products
  - Fuel, mechanical repairs, and maintenance for state-owned or rental vehicles
  - Gift cards, stored value cards, calling cards and similar products
  - Memberships at wholesale warehouses and shopping clubs (e.g. Sam's, Costco, Amazon Prime)

- Cash advances

Items that the County has negotiated a set price for a specific item and time frame must be purchased through the Vendor or Bidder specified. Should the awarded Vendor or Bidder be unable to provide the contract items or service by the stated delivery date, items may be obtained on the open market through a competitive process.

## PROCUREMENT DEPARTMENT CONTACT INFORMATION

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## PROCUREMENT AND VENDOR RELATIONS

**Meetings** – Vendors are encouraged to meet with members of the Procurement Department for legitimate reasons. However, Vendors must make an appointment with the appropriate member in advance. During the busiest times of the year, it may be impossible for the members of the Procurement Department to meet with Vendors, or time allotted for the meeting may be limited. Information such as catalogs, line cards, and new product information is always helpful and welcome.

**Requested Evaluations/Consultations** – From time to time, Vendors may be requested to provide information prior to the official request for purchase and/or solicitation. It should be understood that the Vendor might not ultimately receive the award just because they performed some initial work. Dollar limits may require the commodity or service to be bid or quoted which will result in an award to the lowest responsive and responsible Bidder regardless of which Vendor/Bidder did the initial evaluating or consulting. If the initial evaluation or consulting services are significant enough to require some monetary reimbursement, the Vendor must be given a purchase order for the required work PRIOR to commencing such work.

**Gratuities** – It is the policy of the Procurement Department to refuse any gift from Vendors/Bidders, regardless of the monetary value of the item. Any gift received by mail will be returned to the sender. If returning the item will result in a significant charge, the item will be donated to a charitable organization.

## HOW TO BE A PART OF FORSYTH COUNTY VENDOR/BIDDER'S SYSTEM

All Vendors and those parties interested in bidding on Forsyth County solicitations can first sign up through the Vendor Self Service (VSS) Portal. VSS can be accessed by visiting the Forsyth County webpage, [www.forsythco.com](http://www.forsythco.com), and clicking on the link 'How Do I..'. Once you access VSS, step-by-step directions are provided.

Also posted on the left-hand side of the Procurement Department's web page, under "Emergency Supplier Network," is Forsyth County's Emergency Supplier Network Application and a sample of our Emergency Supplier Network Agreement. Please feel free to look these documents over and complete the application if you would like to be placed on our Emergency Supplier list.

## **HOW BIDS/PROPOSALS/QUOTES ("SOLICITATIONS") ARE ADVERTISED**

Vendors are urged to review the various methods of advertisements, listed below, that the County uses in the solicitation process.

1. **Forsyth County Web Page** – Solicitations are posted on the Forsyth County webpage that can be accessed at the following address: <http://www.forsythco.com>. It is the Vendor's responsibility to check the webpage for current opportunities.
2. **Procurement Department Bid Board** – Bids, Proposals, and Requests for Written Quotes that are currently being solicited are posted on the Procurement Department's bulletin board, located in the entrance on the bulletin board in the Procurement office.
3. **Newspapers and Other Publications Advertising** – Solicitations for projects, commodity purchases or services which are defined under State of Georgia law as public works projects, or services in conjunction with public works projects, with a cost of \$100,000 or more require public advertising in a legal organ, which currently is the Forsyth County News, GA Procurement, and ACCG Marketplace.
4. **Comcast Service Broadcast** – Solicitations are also placed on TV Forsyth, Comcast Channel 23, and are broadcast Sunday through Saturday from 7:16 a.m. to 7:30 a.m., 10:16 a.m. and 11:46 p.m. while the bid is open.

## **"PRE" BID AND "PRE" PROPOSAL CONFERENCES**

The nature of some solicitations require that a "pre" Bid or "pre" Proposal conference be held in order to clarify specifications, answer Bidder questions regarding specific requirements, or to allow Bidders to perform an on-site review and inspection. Any changes to the original Bid, Quotation, or Proposal (as a result of these "pre" conferences) will be made in writing in the form of an addendum, and will be placed on the Procurement Department's website page. It is the responsibility of the Bidder to obtain all issued Addenda.

In addition, if Bidders have any additional questions or information requests regarding a specific procurement, they are to be e-mailed or faxed directly to the individual named in the Forsyth County Procurement Department as directed in the Bid specifications. Responses to pertinent questions will be issued in the form of an addendum.

## **BONDING AND INSURANCE REQUIREMENTS**

1. **Bid Bonds** – Construction/Public Works projects where the cost is \$100,000 or greater require a 5% bid bond. Other projects for the County may also require bid bonds and, if there is such a requirement, it will be listed in the Advertisement.
2. **Performance Bonds** – Performance bonds are required as follows: Roads projects where the cost is \$20,000 or greater; Public works projects where the cost is \$100,000 or greater; Bonding will be listed in the Advertisement Requirements. The amount of the bond is 100% of the project cost.
3. **Payment Bonds** – All projects require a payment bond in the amount of 100% of the project. Road projects where the cost is \$20,000 or greater, require a payment bond in the amount of 110% of the project. Bonding requirements will be listed in the advertisement.
4. Bonding may also be required for purchases when deemed necessary by Forsyth County. Any bonding requirements will be specifically stated in the Advertisement.
5. The insurance and bonding company must be licensed to do business by the State of Georgia Secretary of State, authorized to do business in Georgia by the Georgia Insurance Department, listed in the Department of Treasury's Publication of Companies holding Certificates of Authority as Acceptable Surety of Federal Bonds, and as acceptable reinsuring companies.

## **HOW TO SUBMIT A BID, PROPOSAL OR WRITTEN QUOTATION**

1. Follow the instructions set forth in the Bid, Proposal, or Written Quotation.
2. Any questions regarding the solicitation shall be directed in writing to the individual named in the solicitation from the Procurement Department.
3. In order to submit a Bid, Proposal, or written Quotation, the Bidder must be responsive to all requirements set forth in the solicitation documents and be responsible (capable) with respect to the fulfillment of all aspects of the contract, if awarded.
4. Bidders, who are unable to meet the requirements of the Bid, Written Quotation, or Proposal should complete the appropriate form included in the bid package indicating a "No Bid." The form should be returned to the Forsyth County Procurement Department. It is important for the Bidder to submit a response, even if it is a "No Bid" as the County values Bidder input and will use this input to improve the Solicitation process as well as have your company information for similar solicitations.
5. Forsyth County reserves the right to make an award determined to be in its best interest which could include splitting a multi-item Bid between individual low Bids if doing so would result in significant savings. Therefore, if the Bidder is submitting prices, which are based on receiving all items, or a specific portion of items, that Bidder must clearly mark their Bid as such. A word of caution, when submitting a response to a solicitation with changes or clarifications, it may result in the Bid, Proposal or

written Quotation being disqualified.



6. Each Bidder shall certify in writing that such Bidder has not engaged in any collusive or anti-competitive practices in responding to a solicitation. A declaration of non-collusion is simply a statement made by the Bidder that states the Bid submitted is a bona fide bid which has been prepared independent of other Bidders, and is in all respects, fair and without collusion or fraud (i.e., price fixing, bid rigging, rotation of award).
7. Current federal programs as well as Georgia State law, require that each Bidder submit an E-Verify (“EEV / Basic Pilot Program”) Contractor Affidavit when the firm will be providing a service at or exceeding \$2,500. Failure to submit the completed Affidavit may result in rejection of Bidder’s response to the County’s solicitation.
8. All sealed Bids, Proposals or Quotes, must be submitted in a sealed envelope or package CLEARLY marked with the Bid/Proposal/Quote number and/or description, and the company name in the lower left-hand corner. The envelope must be addressed to:

**Forsyth County Procurement Department  
514 West Maple Street  
Suite 104  
Cumming, GA 30040**

9. Add/Deduct: Add or deduct amounts (envelope cuts) indicated on the outside of a sealed envelope will not be accepted.

Documents must be submitted via hand-delivery, mail, or other type of delivery service. Forsyth County will not accept sealed Bids, or Proposals through a facsimile transmission, email or after the date/time specified. The Forsyth County Time Stamp is the official time record.

The Procurement Department shall receive all Bids, Proposals, and Written Quotations. The envelope or package shall be time and date stamped and placed in a secure location until the date and time of the public opening.

### **HOW BIDS AND PROPOSALS ARE OPENED**

All sealed Bids, Proposals, and Written Quotations, shall be opened publicly, in the presence of one or more witnesses, on the date and at the time and place specified in the Bid/Proposal/Quote documents. Bidders and interested parties are invited to attend the public opening.

During the opening of Bids or sealed Quotations, the following information shall be read aloud: The name of each Bidder submitting a sealed Bid; total Bid price; and any other relevant information. If a Bid Bond is required, it will be stated that it has been provided. If a Bid Bond is not included when required, the bid will not be read. At this time, all Bids and sealed Written Quotations are considered to be open records.

During the opening of Proposals, only the name of each company submitting a Proposal shall be announced. No other information will be disclosed, nor shall the Proposal be considered an open record until the Board of Commissioners approves the Proposal award and a contract is signed.

Once the Bid, sealed written Quotation, or Proposal is opened, the Requesting Department and Procurement Department will evaluate and make recommendations.

## **LATE BIDS, WITHDRAWALS, AND CORRECTIONS TO BIDS**

**Late Bids** – Bids, Proposals, or sealed written Quotations received after the date and time stated in the bid package **will not be accepted**.

**Withdrawals** – A Bidder wishing to withdraw their Bid prior to the Bid opening may submit a letter to the Procurement Department requesting to withdraw. A Bidder wishing to withdraw after the Bids have been opened will be required to submit a letter requesting to withdraw along with documented facts supporting the reason for withdrawal within 24 hours of Bid opening.

**Modification/Correction of Bids** – If an error is discovered prior to Bid opening, the Bidder may submit a corrected sealed Bid, or sealed written Quotation. The corrected document must be clearly marked that it supersedes the Bid originally submitted. If an obvious clerical error is discovered after the Bid has been opened, the Bidder may submit a letter to the Procurement Department requesting that the error be corrected; said request to be made within 24 hours of Bid opening. Final determination as to whether an error is clerical rests with the Procurement Department. Generally, modification to opened Bids, or sealed written Quotations, for reasons other than obvious clerical errors is not permitted.

## **HOW BIDS AND PROPOSALS ARE EVALUATED**

The Procurement Department will thoroughly review all Bids, Proposals and Quotes submitted as well as any Bonding Requirements and/or any changes or clarifications noted in the submitted Bids or Quotes. The Procurement Department, when the amount is over \$50,000, presents the Bid or Quote to the Board of Commissioners for approval. The recommendation is made to the lowest responsive and responsible Bidder. Responsive means the Bidder meets all of the required specifications set forth in the solicitation package. Responsible refers to the ability of the Bidder to perform the contract as specified.

Proposals are evaluated by a Selection Committee, who will short-list the Proposals based on the criteria contained in the Request for Proposal. Once a firm has been selected, if the amount is over \$50,000, the Procurement Department presents a recommendation to the Board of Commissioners for approval of award.

Bids received from two or more Bidders, which are identical in price, delivery and meet the requirements of the bid specifications, shall first be awarded to a Local Business (if allowed by law) or, in the case of two (2) local businesses or no local businesses, by the toss of a coin.

A member of the Procurement Department shall break the tie with a single coin toss held in a public session. The Bidders involved will be invited to attend the coin toss at a stated date, time and place. One or more witnesses from the Procurement Department and the Requesting Department may be present. A single coin toss (called by the company listed first in the alphabet) will break the tie and decide the award.

## **RESPONSIBILITY OF BIDDERS**

An apparent low Bidder may not be recommended for award of a bid or contract if they are found to be non-responsible. Written documentation shall be prepared setting forth the reasons for non-responsibility.

The following are some reasons that a Bidder may be deemed non-responsible:

1. Previous Bidder performance as documented in the files maintained in the Procurement Department (e.g., failure to meet contractual obligations after an award).
2. Submission of a Bid/Proposal/Quote in such a manner which would prevent the establishment or determination of a firm bid price. Such qualifications would include refusing to hold firm prices or submitting bid prices subject to change due to manufacturer increases/decreases or market conditions, or minimum order quantities.
3. Submission of a Bid which is contingent on receiving the award of another Bid.
4. Failure to provide a Bid surety or provide one not meeting requirements or failure to meet insurance requirements (when specifically required in the bid).
5. Submission of exceptions to the specifications and/or contract terms that materially alters the procurement.
6. Evidence of collusion or bid rigging.
7. References (lack of or poor).

### **DISQUALIFICATION OF BIDS**

Bids may be disqualified or deemed non-responsive by the Director of Procurement as a result of, but not necessarily limited to the following reasons:

1. Failure to return all required documents.
2. Failure to use the County bid schedule.
3. Failure to return applicable compliance/specification sheets.
4. Failure to acknowledge receipt of all applicable addenda.
5. Failure to provide a bid bond when specifically stated that it will result in automatic rejection.
6. Failure to provide information on alternates or equivalents when allowed.
7. Failure of Bidder to sign all requested bid documents. Unsigned bids will not be considered except in cases where bid is enclosed with other documents which have been signed. Director of Procurement will determine this.
8. Failure to submit Bid by deadlines will result in automatic rejection.
9. Failure of the Bidder to extend prices.
10. Failure to hold firm pricing.
11. Failure to meet specified delivery requirements.
12. Prices of services or items exceed the departments budgeted amount allowed for these items.

### **WHAT HAPPENS WHEN THE AWARD IS MADE**

When an award to a Bid, Proposal, or sealed written Quotation is made, a purchase order is issued, a contract is prepared, or a price agreement is established and a Notice of Award letter is mailed to the successful Bidder(s) as well as posted on the Forsyth County website. If a Bidder wants a copy of a Bid tabulation, they can request it from the Procurement Department or go to the Forsyth County website to check on the status of that bid.

When contracts are issued for projects or services, the Bidder returns a signed contract along with any required insurance and bonding documents. A copy of the executed contract and a Notice to Proceed is then sent to the successful Bidder.

### **PROCEDURES FOR VIEWING OPEN RECORDS**

Once a Bid or sealed written Quotation is opened, it is considered to be open for review by the general public. If a Bid or Quote contains proprietary information, it must be identified as such. The entire Bid or Quote may not be deemed proprietary.

In accordance with the State of Georgia Open Records Act, O.C.G.A. Section 50-18-72, if a Vendor/Bidder or other interested party would like to view a bid, copies of open records may be obtained by submitting a written request along with payment of applicable service charges. The service charge fee is currently \$.10 cents per copied page plus staff time to research and prepare the documents. The first fifteen (15) minutes of staff time are at no cost. Forsyth County has three (3) working days to respond to a requesting party, stating the length of time necessary to provide the information, if it is available. The hours of operation for the Procurement Department are Monday through Friday from 8:00 AM to 4:30 PM.

Information regarding Proposals is not available until the award has been made and a contract has been signed.