

# **NORTHERN VIRGINIA TRANSPORTATION AUTHORITY**

## **Policy Number 12 - Procurement**

- I. **Purpose.** The purpose of the adoption of a procurement policy is to establish the Northern Virginia Transportation Authority (NVTA) limits and procedures relating to the purchasing of materials, supplies, equipment, and professional services.
- II. **General.** The NVTA is governed by the Virginia Public Procurement Act (VPPA). Using the Act as a guideline, the NVTA has developed its procurement policy. The procurement policy is developed to provide for the fair and equitable treatment of all persons involved in public purchasing by the NVTA, to maximize the purchasing value of public funds in procurement and to provide safeguards for maintaining a procurement system of quality and integrity.
- III. **Accountability.** The Executive Director and/or the Chief Financial Officer shall assume lead responsibility for initiating financial and procurement actions for the Authority consistent with applicable authorization by the Authority, the availability of budgeted funds for the purpose, and the VPPA and all applicable laws.
- IV. **Small Purchases.** The small purchase threshold for the NVTA is as term “small purchases” is defined by the VPPA. Procurements made pursuant to the small purchase procedures do not require public bid openings or newspaper advertising of competitively negotiated procurements.

The following procedures apply to all goods, non-professional, and professional services, with distinctions based on the type of purchase to conform to the VPPA.

- A. **Single Quotation:** Where the NVTA’s cost of goods or services is \$5,000 or less, purchases may be made upon receipt of a minimum of one (1) written or telephone quotation. If more than one quote is received, the award shall be made to the lowest responsive and responsible bidder.
- B. **Unsealed Bidding:** Goods or services over \$5,000 and up to the maximum allowable limit defined by the VPPA as a small purchase may be procured through unsealed bidding. The eVA Quick Quote process is the preferred method for securing competition; however, a solicitation for unsealed bidding may be used. The solicitation shall be open for at least three (3) business days.
- C. **Unsealed Proposals:** Goods or services over \$5,000 and up to the maximum allowable limit defined by the VPPA as a small purchase may be procured through an unsealed proposal process. A written determination for the use of competitive negotiation is not required for unsealed proposals. The solicitation for unsealed

proposals should include a cover sheet, a general description of what is being sought, the evaluation criteria and weights to be used in evaluation, contract terms and conditions, including unique capabilities or qualifications that will be required. All responses must be received at the designated location by the date and time stated in the solicitation. In lieu of an evaluation committee, the end user may solely evaluate and rank offers. Upon completion of the evaluation, negotiations shall be conducted with the offerors selected.

**V. Formal Procurements.** All procurements anticipated to cost more than the maximum allowable limit defined by the VPPA as a small purchase shall be conducted in accordance with the competitive sealed bidding and competitive negotiation requirements of the VPPA. Prior approval of the Authority is required.

**VI. Sole Source Purchases.** Upon determination in writing that there is only one practical source available for that which is to be procure, a contract may be negotiated and awarded to that source without competitive sealed bidding or competitive negotiation in accordance with the *Code of Virginia* §2.2-4303.E. All sole source purchases will be reported to the Finance Committee at the next meeting.

**VII. Emergency Purchases.** In case of emergency, a contract may be awarded without competitive sealed bidding or competitive negotiation; however, such procurement shall be made with such competition as is practicable under the circumstances, in accordance with the *Code of Virginia* §2.2-4303.F. All emergency purchases will be reported to the Finance Committee at the next meeting.

Estimated Cost	General Procedures
\$5,000 or Less	Goods or services purchases require a minimum of one (1) written or telephone quotation. Lowest bidder required for more than one (1)
\$5,000.01 to \$30,000 Unsealed Bidding	Goods or services purchases may be procured through the eVA Quick Quote process. Solicitation shall be open for three (3) business days. Must include total cost over the life of the contract. Approval of Chief Financial Officer and Executive Director required.
\$5,000.01 - \$30,000 Unsealed Proposals	Requires at least three (3) electronic or written quotes. Solicitation should include general description of purchase, evaluation criteria and weights used in the evaluation, contract terms and conditions. Must include total cost over the life of the contract. Approval of Chief Financial Officer and Executive Director required.

\$30,000.01 - \$50,000 Unsealed Proposals	Prior approval of the Authority is required; at least four (4) written quotations must be received. Solicitation should include general description of purchase, evaluation criteria and weights used in the evaluation, contract terms and conditions.
\$30,000.01 and Over – For Professional Services Only	Requires a Formal Request for Proposals established by the VPPA prerequisites. Firms are short listed based on evaluation criteria then an interview is conducted. Firms are then ranked based on criteria. Negotiations can begin with the firm ranked number 1.
\$50,000.01 and Over	Requires a Formal Invitation for Bid or Request for Proposals be issued in compliance with VPPA The request will be advertised in a local newspaper and/or published on the NVTA’s website. All bids and RFPs must remain “on the street” for a minimum of ten (10) days as required by law.

The above table is provided as a recap. It will be updated for changes in the VPPA.

**VIII. Cooperative Procurement.** The NVTA may purchase from another public body’s contract even if it did not participate in the request for proposal or invitation to bid, if the request for proposal or invitation to bid specified that the procurement was being conducted on behalf of other public bodies, in accordance with the restrictions cited in the *Code of Virginia* §2.2-4304. The NVTA may participate in the NOVA Consortium, Washington Metropolitan Council of Governments or similar organizations.

**IX. Payment for Purchases of Goods and Services.**

- A.** Purchases consistent with above guidelines and within approved budget parameters may be approved by the Executive Director or CFO.
1. The CFO is authorized to sign checks up to \$15,000. Checks over \$15,000 must be countersigned by the Executive Director. In all cases, expenditures shall be consistent with approved budget or a separate approval by the Authority.
  2. Specific prior approval of the Authority is needed for any expenditure that exceeds \$30,000.
  3. In all cases, appropriate documentation will be established and maintained consistent with state records management requirements.

**Approved by the Finance Committee:** December 5, 2014

**Approved by Northern Virginia Transportation Authority:** December 11, 2014