



*How To Do Business
With The Forsyth
County School System*

**VENDOR HANDBOOK
2010**



To All Interested Vendors,

Thank you for your interest in partnership with the Forsyth County School System. For those accustomed to working with governmental entities, you are aware of the differences between purchasing between the private sector and the public sector. For those who are just getting started in this arena, you will discover there are principles and sales methodologies that will increase your chances of earning sales opportunities within the public sector. The challenges are no greater than sales within the private sector; just different. At the same time, we think you will discover there are many advantages to partnering with a local government, in this case the Forsyth County School System.

It is for this reason that we offer this handbook. Even those familiar with governmental purchasing will find that while the overall principles are the same, there are often nuances and methods that differ from one government body to the other. Therefore, the intent of this manual is to allow all prospective vendors the opportunity to learn how the Forsyth County School System (FCSS) functions in order to maximize your opportunity for earning business. We have found that there is a direct and positive correlation between vendors that understand and implement public purchasing principles and those who are awarded contracts.

Our purchasing function takes seriously our obligation as stewards of public funds, as intermediaries between vendors and purchasing opportunities, and as stewards responsible for procuring the “best value” products and services necessary to support and enhance our primary function, which is the education of the children of Forsyth County. The convergence of these three essentials provides challenges and opportunities for everyone involved in the purchasing process.

This handbook can not and does not encompass every detail of all the laws, regulations, and processes governing our purchasing function. However, it does provide the basic principles of our process, methods, and procedures that when properly understood can lead to a fulfilling partnership with FCSS. Please call or email with any questions pertaining to this manual, FCSS Purchasing Regulations, or to our processes. We desire and appreciate your feedback.

Thank you for your interest in the Forsyth County School System, and for taking the time to familiarize yourself with the key elements of this handbook.

Sincerely,

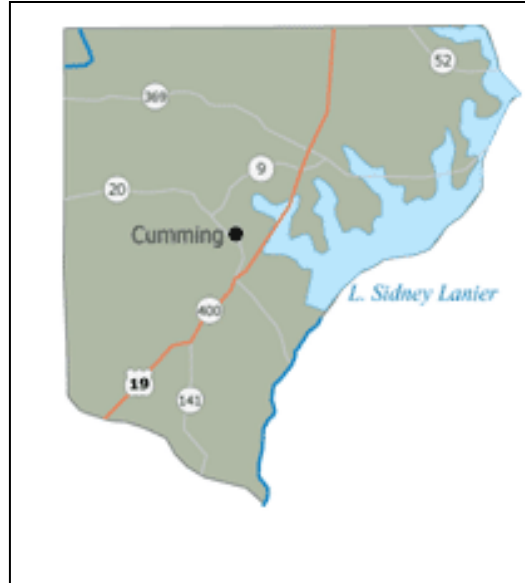
Brad Richardson

Purchasing Coordinator

Who We Are

FCSS serves over 35,500 students and is the largest employer in the county with over 4,100 full-time employees and 1,500 substitutes. Out of 181 school districts, FCSS is the ninth largest school system in Georgia. FCS is home to 35 schools – nineteen elementary, nine middle, five high schools, as well as the houses Gateway Academy, Forsyth Academy and iAchieve Virtual Academy.

The Purchasing Department exists to serve and support each school and core department in the procurement of “best value” products and services necessary to drive the educational process of our system.



What We Believe

Vision Statement:

To make a positive impact while becoming a recognized leader in governmental purchasing within the service of the Forsyth County School System and the field of public education.

Mission Statement:

Our Mission is to support all Forsyth County School System stakeholders in the educational process by facilitating the purchase of quality goods and services through the use of cost effective, legal, ethical, and sound purchasing practices.

Core Values:

- **Honesty and Integrity:** Protect the integrity of the purchasing function of FCSS by performing all job tasks in an accurate, open and truthful manner.
- **Trust and Respect:** Base all internal and external relationships on trust and mutual respect.
- **Service:** Strive to identify and meet the needs of all FCSS stakeholders with responsive, courteous and professional customer service.
- **Accountability and Responsibility:** Act responsibly in all endeavors and be accountable for the actions performed in the expenditure of taxpayer resources.
- **Communication:** Place high importance on the value of open and transparent communication with all FCSS stakeholders.
- **Ethics:** Perform the duties and tasks required to fulfill the purchasing mission with the highest standard of ethics and morals.
- **Innovative:** Proactively seek ways to improve and enhance performance in all aspects of the purchasing function while maximizing the value of each dollar spent.



Purchasing Methodology (The Basics)

Competition Thresholds- The acquisition of goods and services shall be made according to the prescribed limits. These thresholds apply to aggregate purchase and shall not be divided into smaller units in order to circumvent procedure.

- A. Purchases less than **\$5,000** may be made without multiple quotes. Purchaser should use their best judgment when making the purchase.
- B. Purchases from **\$5,001 to \$9,999** may be made at the school/department level provided two verbal quotes are obtained and documentation of award justification is maintained by purchaser (school/department) and available for periodic audit. (Phone, internet, fax)
- C. Purchases from **\$10,000 to \$49,999** may be made at the school/department level provided three written quotes are obtained and documentation of award justification is maintained by purchaser (school/department) and available for periodic audit. The Purchasing Department is available for assistance with quotations within this range or will provide a “Quote Boilerplate Template” that can be used which includes suggested terms and conditions appropriate for an award of this nature.
- D. Purchases greater than **\$50,000** requires a formal solicitation with a minimum of three responses. Purchasing department shall be available for administration of formal solicitation, to which it is recommended that end-user departments utilize Purchasing assistance. If the formal solicitation is not administered centrally, then the end-user is responsible for compliance with all procedural requirements regarding formal solicitations cited in this set of procedures, including but not limited to, documentation and award justification.

Special Purchasing Considerations- Listed below is exceptions to full and open competition. Please consult FCSS Purchasing Procedures to detailed explanation of this bullet list of rationale.

- A. Emergency Purchases
- B. Academic Prerogative
- C. Sole/Single Source
- D. Other Government Contracts
- E. Specific Board Exemptions

Competitive Solicitation Methods- FCSS purchasing utilized three primary solicitation methods as highlighted below:

- A. Request for Quote
- B. Invitation to Bid
- C. Request for Proposal



Request for Quote- The request for quote should be utilized for purchases between 10,000 and 49,999.

- Purchaser develops written specifications for good or services required
- Solicitation is submitted in writing to obtain a minimum of three written responses
- No requirements for public posting via web or news
- Responses are sent to known vendors with no guarantee, therefore vendors are encouraged to periodically check the purchasing webpage for public notice when applicable
- The RFQ is typically “on the street” for 3-5 business days
- Once responses are received, they are tabulated to determine the lowest responsible and responsive quote
- Records of the solicitation shall be kept in accordance to State Law and will be available for public viewing. Please note that the results of all solicitations managed through the purchasing department will be posted on the purchasing webpage.
- Award of contract, implied low quote does not guarantee purchase. The purchase is validated only by receipt of corresponding purchase order

Invitation to Bid- One of two types of “formal solicitations” utilized by FCSS in accordance to the limits established by Purchasing Procedure. The Bid is utilized when FCSS determines that cost is the primary factor of award, and the product/service can be adequately specified.

- Purchaser develops written specifications for goods and services
- Solicitation shall be submitted in writing, formally as specified by regulation to include applicable public posting
- Responses are sent to known vendors with no guarantee, therefore vendors are encouraged to periodically check the purchasing webpage for public notice when applicable
- The solicitation shall include a published due date/time designating the formal bid opening. Vendors are welcomed to attend the bid opening, however it must be noted that only “apparent low bid” will be determined at that time. FCSS will need time to verify both the responsive and responsible nature of the low bid. FCSS will not accept any bid after the published date and time.
- Purchasing will review the bid with the proper end user department to determine final award and submit to the Board of Education for approval, when applicable.
- For purchases accomplished by sealed bidding, the award will be made to the lowest responsive and responsible bidder who submits the lowest price, whose bid meets the specifications, terms and conditions set forth in the solicitation, and who is clearly capable of delivering the product or service as specified. The lowest responsible bidder may not always be the lowest bid. Award of bids will always be made in the best interest of FCSS.
- Most bids result in either one of two types of contracts
 - **One Time Purchase-** a one time purchase of goods or services to meet a particular need
 - **Fixed Period Agreement-** this contract, typically 12 months, provides for the on-going purchase of goods or services for the specified contract period. It is most often written with an option to renew annually if mutually agreeable to both the successful vendor and FCSS
- Records of the solicitation shall be kept in accordance to State Law and will be available for public viewing. Please note that the results of all solicitations managed through the purchasing department will be posted on the purchasing webpage.
- Award of contract, implied low quote does not guarantee purchase. The purchase is validated only by receipt of corresponding purchase order



Request for Proposal- The second of two types of “formal solicitations” utilized by FCSS in accordance to the limits established by Purchasing Procedure. The RFP may be utilized when cost is not the primary criteria for award, and/or FCSS desires to evaluate key “non-cost” components in order to determine the “best value” procurement of a particular good/service.

- Purchaser develops written specifications for goods and services
- Solicitation shall be submitted in writing, formally as specified by regulation to include applicable public posting
- Responses are sent to known vendors with no guarantee, therefore vendors are encouraged to periodically check the purchasing webpage for public notice when applicable
- The solicitation shall include a published due date/time for proposal “closing”. There is not public reading of information with the RFP as FCSS must evaluate each proposal.
- Purchasing will form an evaluation committee to review and “score” the proposal in order to determine “best value and submit to the Board of Education for approval, when applicable.
- The evaluation process may include requests for more information, clarification of existing information, vendor presentations, and negotiation.
- For purchases accomplished by RFP , the award will be made to the lowest responsive and responsible bidder who earns the highest score per the criteria published in the RFP and determined solely by FCSS, whose offer meets the specifications, terms and conditions set forth in the solicitation, and who is clearly capable of delivering the product or service as specified. The highest scoring proposal may not always be the lowest bid. Award of RFP’s will always be made in the best interest of FCSS.
- Most RFP’s result in either one of two types of contracts
 - **One Time Purchase-** a one time purchase of goods or services to meet a particular need
 - **Fixed Period Agreement-** this contract, typically 12 months, provides for the on-going purchase of goods or services for the specified contract period. It is most often written with an option to renew annually if mutually agreeable to both the successful vendor and FCSS
- Records of the solicitation shall be kept in accordance to State Law and will be available for public viewing. Please note that the results of all solicitations managed through the purchasing department will be posted on the purchasing webpage.
- Award of contract, implied low quote does not guarantee purchase. The purchase is validated only by receipt of corresponding purchase order

Contract/Purchase Provisions- Vendors are encouraged to know the specific contract provisions stated in each solicitation and in Part IV of the FCSS Purchasing Procedures. These terms and conditions, along with all applicable Federal, State, and Local laws, govern the purchasing process with the Forsyth County School System. FCSS will not be bound by any supplemental contract language “attached” to any solicitation or that directly violates Federal or State law. Vendors are hereby notified that FCSS reserves the right to eliminate from consideration any offer that violates these provisions.

Post Award Information- Award information, including award letter and tab sheet will be posted on the purchasing website under “Solicitation Results” after formal award. In addition, vendors can schedule an appointment to view all applicable records pertaining to the solicitation. Georgia Open Records law is available for any other information request.



Rejection of Responses- FCSS reserves the right to reject any and all offers submitted in response to any solicitation, to reject any portion thereof, to accept portions of the offer from multiple offers, or to waive any minor irregularities. FCSS therefore reserves the right to award a solicitation under the most beneficial terms for the school system.

Common Causes for Rejection of a Solicitation (Bid, RFP, Quote)

- Any solicitation received after the designated time, as determined by the official date/time stamp in Purchasing, will be deemed late and will not be considered for award.
- Responses that contain “conditional” requirements
- Responses that fail to include all required information or that are not signed
- Materially altering the contract by the addition or modification of specifications
- Failure to provide any additional information requested by deadline during the evaluation
- Responses that contain unreasonable terms and conditions, conditions that violate applicable law, or directly conflict with FCSS terms or purchasing procedures
- Responses that do not meet the minimum term regarding fixed pricing
- Freight or shipping terms not compliant with FCSS terms and conditions
- Requirements for prepayment

Formal Protest of an Award- Any responding bidder may protest the award of a competitive solicitation by submitting a protest in writing to the Forsyth County School System, Purchasing Coordinator so long as the requirements set forth in this part are met for filing a protest. Purchasing Coordinator may delegate a protest to the designated purchasing official if the solicitation was not awarded formally through the purchasing department.

1. Filing of Protest

- a. Any protest must be submitted in writing no later than ten (10) working days after the award of the solicitation.
- b. Any responding bidder/offeror may protest irregularities in the solicitation process, a violation of state and federal law, or a violation of FCSS purchasing procedures or terms and conditions of the solicitation in question.
- c. Protest Format- A protest must include, at a minimum the following:
 - a. The basis for the protest, including supporting evidence
 - b. The relief sought
 - c. Name, address, and contact information of the Protestor
 - d. It must be signed by a company officer authorized to sign contracts on behalf of the bidder/offeror.

2. Decision by FCSS

- a. The Purchasing Coordinator shall issue a decision in writing within ten (10) working days of the receipt of the protest stating the reason for the action taken.
- b. If the Protestor disagrees with the action taken, they may appeal within five (5) working days of the written decision to the Chief Financial Officer. The written appeal must contain facts detailing why the Protestor deems the action taken by the Purchasing Coordinator is unacceptable. The Chief Financial Officer shall issue a decision in writing within five (5) working days of the receipt of the appeal, stating his/her decision.
- c. The decision of the Chief Financial Officer shall be final.

Tips and FAQ

Tips for Doing Business with FCSS

- Be sure to fill out a Vendor Application and keep it updated
- Be sure to read the information published on the Purchasing webpage, including this document
- Periodically check for opportunities under the “Current Solicitations” portion of the webpage
- Learn who the key decision maker is for your given product/service and request a meeting.
- The FCSS webpage has contact information for all staff.
- Request an appointment, email is a good medium for initial contact
- Mail important sales literature to their attention and request a meeting to review
- Discover what we buy and how we buy it. Target your sales efforts to product we use.
- Understand there are certain products we buy from annual contracts and know that we buy those products through a competitive solicitation process. Be prepared to offer your goods/services through the next bidding opportunity.
- Do not solicit schools without an appointment. Most school officials are too busy for “drop by” visits. Professionalism in appointing setting often goes a long way to securing a meeting.
- Follow-up when given the opportunity to provide a good or service, excellent customer service is the primary factor is receiving other opportunities to quote.
- Understand that as stewards of public funds, we are obligated to seek competition within the published thresholds. Do not take it as offense, but use it means of earning business within your particular industry

Tips for Success of Formals Solicitations

- Watch the FCSS purchasing webpage for bidding opportunities. All solicitations processed through the purchasing page are posted publically with the ability to download directly.
- Read the document (most important tip)
- Fill in all forms as requested with your submission. Even if you don’t understand why, provide all required information. This is the number reason for rejected bids.
- Provide the information in the format requested. IE, if they request reference on a particular form, then provide them in that format. Include all of the information they request.
- Respond to the BID/RFP as requested. Even if you have a solution you feel is better. Most of the time, the entity may consider an alternative, but only if you bid what they ask first.
- Pay attention to terms and conditions. Be aware that most “standard” contract offered by vendors contains provisions that are against the law for a school system to sign. FCSS takes seriously the provisions of its contract and will deem offers “non-responsive” that fail to meet the material elements or offers that place undue burden on the district.
- Check the webpage during the bidding phase for addendum or notes regarding the solicitation.
- Be aware of all deadlines or required meetings. FCSS will not receive any solicitations one minute past the designated date/time.
- Submit questions in writing during the bidding phase. This ensures that both parties have a clear understanding of both the question and the corresponding answer.



- Answer any requested information with concise and thorough information. More verbiage is not necessarily better if it makes it difficult for the evaluation committee to find. Label your responses to the applicable section and present in a neat and orderly fashion.
- Be available to answer any clarification questions during the evaluation phase. Designate someone if you are going to be out of reach. Respond promptly to request from the evaluation committee.

Frequently Asked Questions

Q: *Am I an “Approved Vendor” after submitting a vendor application?*

A: No, FCSS only recognizes the term “approved vendor” for those companies who have been awarded contracts through the competitive solicitation process.

Q: *What then is my status after submission of application and when can schools buy from me?*

A: All new applications are entered with a status of “inactive”. This means that you are in the system and to be “activated” must either win a contract, or have an FCSS end-user department request to purchase from your organization. FCSS departments can request activation of vendors as long as they comply with stated competition thresholds and the product/service is not currently available on an existing contract.

Q: *I have a company resume that I like to send out, why do I need to fill out your vendor application and submit a W-9?*

A: The information requested on the Vendor Application is required to be considered as a vendor for FCSS. It is also required to submit it in the format requested. The W-9 is required by our Finance department to ensure compliance with relevant tax code. Please note that insufficient information or lack of a W-9 will put a hold on your application.

Q: *Will my response still be received if my Bid/RFP response is late due to a missed or late delivery by my courier, the mail carrier, Fed-Ex, or UPS?*

A: All solicitations must be received at the designated department, by the designated date/time. It is solely the responsibility of the bidder to ensure receipt of submission. Please plan for Atlanta traffic if hand delivering, or for delays in service if sending proposal via mail or commercial carrier.

Q: *Will you accept responses via fax or email?*

A: Formal solicitations require “hard copy” submission. Informal solicitations such as quotes may allow for fax or email submission. Each document will specify acceptable means of submission.

Q: *My Company requires pre-payment for any shipment, is this acceptable?*

A: Only in extremely rare cases will FCSS pay for a product/service before it is received. You should disclose this to the purchaser up front to see if Finance approves, but note this is not permitted often.



- Q:** *Where can I obtain the results of a particular Bid or RFP?*
- A:** FCSS posts publically award letter and tab sheet information for all solicitations managed through the purchasing department. You should contact directly the department head for any solicitation not managed by purchasing.
- Q:** *What if I want to see more than just the award letter or tab sheet of a particular Bid or RFP?*
- A:** All bidding information is available for you to view in our offices. Please call to schedule an appointment so that we can pull the appropriate information and to ensure someone is here to assist you.
- Q:** *What if I want copies of particular information pertaining to a Bid or RFP?*
- A:** The FCSS Public Information and Communications office oversees all Open Records Request for the school system. You should contact in writing, the Communications department with your request compliant with the State of Georgia's Open Record Act.
- Q:** *I have filled out a vendor application and rarely see any correspondence regarding open solicitations, have I been forgotten?*
- A:** There are over 5000 entities in our database. We attempt to contact known vendors for particular solicitations, but cannot guarantee receipt of bid invitations. Therefore, we encourage all interested vendors to check our webpage frequently for bidding opportunities and information.
- Q:** *How do I become "pre-approved" for new construction projects?*
- A:** The Purchasing Department does not oversee new construction or major capital improvement projects. Please see FCSS Facility Department for information regarding bidding opportunities and bidding information regarding these contracts.
- Q:** *Who determines the specifications used to acquire goods and services?*
- A:** The end-user department, as subject matter experts, has the autonomy to determine product specifications and requirements. Purchasing is responsible to facilitating the bidding process between the end-user and the market.
- Q:** *I really would like Purchasing to see my particular product/service as I think it would bring value to the school system. Is purchasing willing to see my demo or "test" the product?*
- A:** As stated above, Purchasing does not specify the products or services used in most cases. We are always willing to meet with an appointment, but do not make specification decisions nor attempt to influence end users. Vendors are best served to meet with the department responsible for specifying the particular product/service regarding specifications. Purchasing is willing to meet for basic purchasing information not pertaining to direct specification issues.
- Q:** *Can FCSS make purchases from existing government contacts or cooperative agreements?*
- A:** In most cases, the answer is yes. In fact, there are times when "piggy-backing" on an existing contract of a peer or purchasing from a competitively bid co-op can be beneficial. It would be wise to mention these opportunities to FCSS if/when they exist.

Glossary of Terms and Concepts

As is common with most industries, public procurement is filled with terms and concepts that are specific to the purchase of goods and services with public funds. This section defines some of the most common public purchasing terms in an effort to help you understand how we function and how public procurement functions in general. Most of the definitions provided are referenced to the National Institute of Governmental Purchasing (NIGP) although some may be modified or defined by FCSS for our use.

Addendum- an addition of supplement to a document, for example, items or information added to a procurement document

Authority- the right to perform certain acts or prescribe rules governing the conduct of others (*This most often refers to the authority of an individual to bind a contract with signature*)

Award- the formal presentation, after careful consideration, of a purchase agreement or contract to the selected bidder or offeror

Best and Final Offer (BAFO)- Utilized in RFPs, this represents the final proposal submitted that contains the vendor's most favorable terms for price and/or services

Bid Opening- the formal process in which sealed bids are opened in public at the time and place specified in the invitation for bids. The amount of each bid is recorded and bids are made available for public inspection

Boilerplate- a colloquialism, used in purchasing to identify standard terms and conditions incorporated in solicitations, contracts, or purchase orders

Breach of Contract- failure to fulfill a contract, wholly or in part without legal excuse

Conditional Offers- Bid or RFP offers that contain a minimum order, packaging requirements, or volume commitments (*Most conditional requirements will result in disqualification*)

Commodity Code- a numbering system used by purchasing to identify and list commodities or services by classes (Utilized to send Bid/RFP invitations)

Decentralized Purchasing- an arrangement in which certain purchasing authority or functions are delegated to smaller units of management by a central authority which retains policy direction and responsibility (*FCSS is a blend of both centralized and decentralized functions*)

Default- failure by a party to a contract to comply with contractual requirements

Destination- the place to which a shipment is consigned (*FCSS requires destination to be FCSS property (FOB Destination) and not shipping point*)

Emergency Purchase- a purchase made to alleviate a situation in which there is a threat to health, welfare, or safety that does not allow time for normal competitive purchasing procedures



Escalation Clause- a contract provision which permits the adjustment of contract prices if certain specified changes occur in the market

Evaluation Criteria- factors specified in an RFP that will be considered in determining to whom a contract will be awarded

Formal Bid- a bid which must be submitted in a sealed envelope and in conformance with a prescribed format to be opened in public at a specified time

Informal Bid (Quote)- a competitive quotation for supplies or services that is conveyed by phone, fax, or email that does not require sealed bidding or a public opening.

Multiple Award- the award of a contract to two or more vendors to furnish the same or similar supplies or services

Multi-year contracts- procurement contracts extending more than one year (*The State of Georgia does not allow multi-year contract without compliance with OCGA 20-2-506*)

Option to Renew- an option in a contract that allows a party to renew the contract for an additional term in accordance with contract terms (*Most FCSS contracts utilize this provision, which can be done up to four times per state law*)

Purchase Order- a written document submitted by the purchaser formalizing all the terms and conditions of a proposed transaction

Purchaser- one who acquires goods and services on behalf of an organization (*At FCSS, it is the person who initiates the solicitation or sends the purchase order*)

Regulations- precepts and procedures, made by an administrative body under legislative authority that governs the purchasing function

Request for Proposal (RFP)- a formal solicitation method used for requirements when it is expected that subject evaluation of non-cost elements shall weigh against cost in the determination of best value award

Responsible Bidder/Responsible Offeror- a vendor who has the capability in all respects to perform fully the contract requirements, and the experience, integrity, perseverance, reliability, capacity, facilities, equipment, and credit which will assure good faith performance

Responsive Bidder/Responsive Offeror- a vendor who has submitted a bid which conforms in all material respects to the requirements stated in the solicitation

Single Source Procurement- a contract for the purchase of goods and services entered into with only one source, usually because of the technology required or uniqueness of the service

Sole Source Procurement- only one vendor possess the unique and singularly available capability to meet the specified need such as technical qualifications, ability to deliver, or proprietary information



Solicitation- a request for bids or proposals to provide supplies, services, or construction items

Specification- a description of the physical or functional characteristics, or of the nature of a supply, service, or construction item; the requirements to be satisfied by a product, material, or process indicating, if appropriate, the procedures to determine whether the requirements are satisfied

Scope of Work- detailed description of the work which the purchasing jurisdiction wants the contractor to perform

Tabulation of Bids- the recording of bids and bidding data submitted in response to a solicitation for purposes of comparison, analysis, and record keeping

Terms and Conditions- all language in a contract including applicable standard clauses and special provisions; the rules under which all bids/RFPs must be submitted

Unsuccessful Bidder- a vendor whose bid was not accepted for reasons of price, quantity, or failure to comply with specifications