

Frequently Asked Questions

Procurement Process

August 2022

1. What is the “Procurement Code” and why is it important?

Required by state law, Beaufort’s procurement rules guide how the City seeks, reviews and awards contracts. The goal is fairness – fairness to city taxpayers and fairness to businesses seeking to do work for the City of Beaufort.

2. Where can I get more details about bidding opportunities or sign up for notifications when projects are available?

Go to the City’s website (www.cityofbeaufort.org), click on Departments/Finance, and on the left side click on Procurement Policies. This section includes the latest project opportunities for interested businesses to submit proposals. In this section of the website is another opportunity – Vendor Registration. Vendors and consultants who would like to be considered for general City projects and programs should follow the link to register a www.vendorregistry.com. Once registered you will be notified when a request is issued for your selected services/goods.

3. Are Municipalities required to adopt a procurement code?

Yes, according to Section 11-35-50 of the South Carolina Code of Laws, “all political subdivisions of the state shall adopt ordinances or procedures embodying sound principles of appropriately competitive procurement no later than July 1, 1983.

4. Does the City have a Procurement Ordinance and/or procedures?

Yes, the City Ordinance Section 1-4004, (9) through (11) describes the Procurement Ordinance as part of the power and duties of the City Manager. The Ordinance can be found on the City’s website under City Council, Ordinances or the following link:

https://library.municode.com/HTML/10399/level4/CO_PT1GOAD_CH4OFDE_ARTAMA.html#CO_PT1GOAD_CH4OFDE_ARTAMA_S1-4004PODUMA

Further, the City adopted a Procurement Policies and Procedures Manual which was revised in March 2022 that supports the Procurement Ordinance. This can be found on the City’s website under Departments, Finance, Procurement or the following link:

<https://www.cityofbeaufort.org/DocumentCenter/View/864/Purchasing-Manual-Revised- January-2013>

5. What determines the method used to solicit and advertise for bids?

The procurement ordinance specifies the dollar threshold that triggers the implementation of a competitive bid procedure, what methods must be used and whether advertising is required. In Beaufort, that threshold is goods or services valued at \$100,000 or more. All Professional Service contracts must be procured through a competitive sealed bid process.

6. Can municipalities establish preferences in its procurement ordinance, policy and procedures? Yes, including preferences is a local policy decision that has been upheld by state and federal courts if it is properly constructed and applied to geographic and/or socioeconomic preferences.

7. Does the City of Beaufort have any preferences in its procurement ordinance, policy or procedure? Yes, the City has two preferences. Section 1-4004 (10) describes the conditions in which Resident Vendor Preference is applicable and Section 1-4004 (1) describes the program for Small and Minority Businesses. We strive to hire local companies, but they must be fully qualified for the specific project. That might mean the company or person must have a certain amount of insurance coverage, or be bonded, or have relevant experience, or have enough qualified staff to complete the job, etc.

8. Under what circumstances is a competitive sealed proposal process required? The City Procurement Ordinance, Section 1-4004, (9)(b) requires a competitive sealed proposal process for goods or services valued at \$100,000 or more. The ordinance requires advertising twice in a newspaper of general circulation in the City and invitation to tender bids from those listed on the bidders list. Bids are opened publicly at a time and place specified in the published notice and read publicly.

9. How do I find out what competitive bid opportunities are available? The City not only publishes an advertisement in the local newspaper, but also posts the notice on the City's website, publishes in the South Carolina Procurement newsletter that is distributed twice weekly online at <https://scbo.sc.gov/online-edition>, and advertises through the Vendor Registry website which is a free government bid notification service for governmental agencies. Businesses and individuals should make a point to regularly check these resources to stay informed.

10. What is the process of determining an award under the competitive sealed bid process?

The objective of the process is to determine the lowest responsible bidder in as full and open competitive process as possible. Factors that are taken into consideration extend to more than just the price. An evaluation team comprised of three to five professionals from the City review each submitted proposal as directed by the RFP/RFQ. In addition, input from the project architect or project engineer is included in the evaluation process. The criteria, along with the rating scale, are provided in each RFP/RFQ. In determining the lowest responsible bidder, some but not all elements the review team considers include:

- The ability, capacity and skill of the bidder to perform the contract or provide the service required
- Whether the bidder can perform the contract or provide the service promptly, or within the time

specified, without delay or interference

- The character, integrity, reputation, judgment, experience and efficiency of the bidder
- The quality of performance of previous contracts or services
- The sufficiency of the financial resources and ability of the bidder to perform the contract or provide the service
- The number and scope of conditions attached to the bid.

For more information, call the City of Beaufort Finance Department at 843-525-7010.