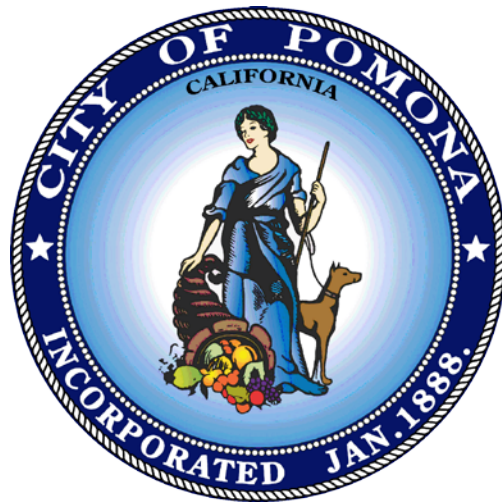


# The City of Pomona

*Let's Do Business!*

A GUIDE FOR DOING BUSINESS  
WITH THE CITY OF POMONA



## **WELCOME TO THE PURCHASING DIVISION**

Thank you for your interest in doing business with the City of Pomona! We hope this guide will benefit you as a new or present supplier. Our aim is to help you in your sales effort and to promote a climate of good business relationships with the City of Pomona. This Guide will outline the City's purchasing policies and procedures. We want to make this experience as easy as possible for you, so please contact us with your questions.

## **PURPOSE**

The purpose of this guide is to explain how a business may participate in the process to earn the City's business. The City is always interested in securing responsible vendors who can meet its supply needs promptly, economically, and in the desired quality and quantities.

## **ORGANIZATION**

Procurement services for all City departments are centralized in the Purchasing Division of the Finance Department within the City of Pomona.

## **SALES CALLS AND CONTACTS**

The Purchasing Division is located in the basement of City Hall, 505 S Garey Ave, Pomona. Office hours are 7:30 a.m. to 6:00 p.m., Monday through Thursday. To ensure you receive adequate attention, we recommend that you make an appointment before coming to the Purchasing Division. Routine "courtesy" visits are permitted, but are not encouraged as they can disrupt the daily work flow of our limited staff. For an appointment call (909) 620-2381.

## **DIRECT CONTACT WITH DEPARTMENTS**

Due to the centralized nature of the procurement function at the City, vendor representatives should contact the Purchasing Division, rather than other city staff members with new product information. All potential vendors are strongly encouraged to register their business, as they may then be notified of procurement opportunities. Vendors are cautioned that only purchasing staff is authorized to issue written purchase orders. Failure to follow these procedures will result in delayed payments or the return of goods to the suppliers.

## **ETHICS STATEMENT**

It is of the highest importance that the people of the City of Pomona have complete confidence in the integrity of their public servants. This need is especially critical in the procurement of goods and services for the City's operational requirements. All City employees are required to exemplify high standards of integrity in their individual conduct and are responsible to ensure that they conduct procurement activity consistent with City policy and procedures and applicable federal, state and local laws and regulations.

## **GIFTS AND GRATUITIES**

City employees are prohibited from accepting money, premiums, incentives or anything of value from any vendor or potential vendor of goods or services to the City. The offer of any such gratuity to an official or employee shall be cause for declaring such individual to be an irresponsible bidder and for preventing vendor from bidding on any open market purchase or service. Please assist us in adhering to this City Ordinance.

## **CONFLICT OF INTEREST – (CITY CODE § 2-971)**

No officer or employee of the City may contract with any person related to any officer or employee of the City by blood or marriage for materials, supplies, services and equipment unless the purchase is by competitive bid and the person so related submits the lowest responsible bid therein. No officer or principal of the supplier, nor any subcontractor may be employed or have been employed, either full or part time, by the City of Pomona either currently or within the last two years. An exception to this section may be granted by approval of the City Council. All successful construction or service bidders must sign and adhere to the City's statement of non-collusion.

Any unauthorized contact by the bidder during the bid or proposal process with an official or city employee, other than those shown on the RFP or bid, the Finance Director, or Purchasing Manager, shall cause the bidder to be immediately disqualified from consideration of award.

1. City employees and officials shall be prohibited from engaging in and/or awarding procurements when:
  - a. Having a financial or personal beneficial interest (directly or indirectly) in any contract or purchase order for materials, supplies, equipment, services, or projects furnished to the City.
  - b. Using information available to officials and employees, solely because of their City position, for personal

profit, gain or advantage.

- c. Directly or indirectly furnishing or withholding services or information not available to all prospective bidders, or who may reasonably be expected to bid on, a contract with the City.
- d. Using a position or status in the City to solicit (directly or indirectly) business of any kind; or to purchase products at special discounts or upon special concessions for personal private use from any person or firm who sells or solicits sales to the City.
- e. Serving the interest of any organization which transacts or attempts to transact business with the City for profit when such employee holds a City position of review or control over such business transactions.

#### ***BIDDER'S LIST***

A list of vendors wishing to earn city business is maintained by the Purchasing Division. Vendors who are on this 'Bidders List' have a greater assurance of being notified of the City's needs. The City of Pomona has implemented PlanetBids™, a fully automated, web-based vendor and procurement management system. This system will make doing business with the City of Pomona easier by providing vendors with up-to-date information regarding procurement opportunities. To register as a new vendor, click on "[New Vendor Registration](#)" to create a user name and password, and a unique vendor profile. It is the vendor's sole responsibility to manage their own profile information. Solicitation notices are completely automated and are sent via Email; therefore, vendors must select all goods and service categories that they want to be notified of. Registering as a vendor does not guarantee being notified every time a solicitation for a particular commodity or service is needed. Vendors are responsible for checking the City's website for current opportunities on a regular basis. Staff may also contact vendors that are not on the Bidders List. Failure to respond to three (3) solicitation notices may result in the removal of your business from the list.

#### ***LOCAL PREFERENCE - (City Code Sec. 2-986)***

In order to promote the economic health of the City and to encourage local participation in the procurement process, the City, in determining the lowest responsible bidder, may take into consideration the sales tax which would be returned to the City as a result of the award. Procurements funded by federal, state or county grants may prohibit local preference considerations; therefore, shall default to the most restrictive requirements for contract award.

#### ***ADVERTISING***

PlanetBids is used to electronically advertise informal and formal bids and proposals. Public Bid Boards located at City Hall are also used for public advertising. Additionally, it is the City's policy to advertise formally bid public works projects on the City's website.

#### ***BUSINESS LICENSE REQUIREMENTS***

A Pomona Business License is required of any person or business that transacts or carries on any business, trade, profession or occupation in the City of Pomona. A license is required even if the primary location is outside of Pomona boundaries; however, business will be conducted within city limits. Please contact the Business License Unit at (909) 620-2343 for more information.

#### ***WHAT WE BUY***

The City of Pomona's Purchasing Division procures a wide variety of goods and services necessary to make Pomona a quality community in which to live, work, and play. The Purchasing Division's internal customers include the Police, Public Works, Library, Neighborhood Services, Water Resources, Human Resources, Information Technology, Successor Agency, City Clerk, Administration and Development Services departments. Our policies and procedures are governed by Pomona's City Charter, City Code and administrative policies. We do not procure for the Pomona Unified School District, Fire services or other independent governmental agencies.

#### ***HOW WE BUY***

The following methods of procurement are used within the City of Pomona:

***Purchases over \$5,000 and Less than \$100,000 (Informal Quotation)*** – Purchases that fall within this dollar range require a minimum of three (3) competitive quotes whenever possible. Purchasing staff, or the requesting department, will solicit quotes by posting the quotation to PlanetBids or sent by direct Email. It is required that interested bidders submit their quote response in writing to the Purchasing Division or the requesting City Department through PlanetBids or Email.

**Purchases over \$100,000 (Formal Bid or Proposal)** – For purchases that fall within this dollar range, formal bids or requests for proposals are solicited, depending on the type of the goods or services required. Formal bids or requests for proposals are advertised on the City's website under "[Bid Opportunities](#)" at [www.ci.pomona.ca.us](http://www.ci.pomona.ca.us).

#### **GENERAL BIDDING COMMENTS**

Please read all solicitation documents thoroughly and carefully. Be sure your business can comply with all requirements before you respond. If you have any questions, contact Purchasing immediately for clarification. Ensure your proposal is submitted on time, or before, the due date and time. All submittals receive an electronic time stamp from Planetbids and will be locked until the due date and time have expired.

When appropriate, the City will conduct pre-bid or pre-proposal conferences and job walks, and may require mandatory attendance by potential bidders. Specific elements of the solicitation and project will be explained at these meetings and attendees will have the opportunity to ask questions. It is helpful for potential bidders to review the solicitation documents prior to attending.

Please note that in all cases before goods can be sold or services provided, a City authorized purchase order must be issued. When an award is made, the Purchasing Division will provide the successful bidder with a purchase order number. Vendor must indicate the purchase order number on all invoices, correspondence, packages and shipping documents.

#### **USE OF CITY SEAL**

Section 2-5 of the Pomona City Code prohibits the unauthorized use of the City seal for any purpose other than for the official business of the city, its council, officers or departments. Please do not use the City's seal in any proposal or presentation.

#### **BASIS OF BID AWARD**

The City's objectives are to procure goods and services that are in the best interest of the city and the tax-paying public, while maintaining positive vendor and community relations. Bids for goods and construction projects are awarded to the "lowest responsive and responsible bidder" in accordance with Pomona City Code Section 2-993.1.4e, which states in addition to price, the "lowest responsible bidder" is determined by the following:

1. The quality, availability and suitability of the supplies, equipment or services to the particular use required.
2. The ability, capacity and skill of the bidder to perform the service required.
3. Whether the bidder has the financial resources and facilities to perform or provide the service promptly, or within the time specified, without delay or interference.
4. The character, integrity, reputation, judgment, experience and efficiency of the bidder.
5. The bidder's record of performance or previous contracts or services, including compliance by the bidder with laws and ordinances relating to such contracts or services.
6. The ability of the bidder to provide future maintenance and service for the use of the equipment or materials to be purchased.
7. The scope of conditions attached to the bid by the bidder.

Proposals for professional services are based on "most qualified" and will be determined by consideration of the following factors:

1. Qualifications, background, and prior experience of the firm in performing services for similar projects.
2. Experience, organization, and technical skills to successfully accomplish the project's scope of services and objectives.
3. Overall project design and methodology.
4. The responsiveness of the RFP to the tasks to be performed as identified in the "scope of services" section.
5. The timeliness and speed with which the consultant can complete the scope of work.
6. Past performance on contracts with business or government agencies in terms of quality of work and compliance with schedules. This will be evaluated based on a check of references.
7. An evaluation of the approach and related costs.

#### **COOPERATIVE OR "PIGGYBACK" AGREEMENTS**

The City may take advantage of cooperative or "piggyback" agreements. Competitive bidding is not required for orders covered by these contracts. If your business has been awarded a contract with another government agency, and can offer the same pricing to the City, please contact the Purchasing Division with information. Examples of organizations that offer such agreement are Omnia Partners (formally U. S. Communities), NASPO Valued Sourcedwell (Formally known as NJPA), to name a few.

### ***BID OPENING / RESULTS***

The method of submittal, as determined by the Procurement Officer, shall be electronically through the electronic bidding system or submitted in hardcopy format. Bids shall be opened in public in accordance with the date, time and place stated in the public notice. Bids submitted electronically through a bid management system will be opened electronically. The functionality of the electronic bidding system shall ensure that bid submissions remain unopened until the closing date and time of said submissions and that said submissions cannot be viewed by the public or city staff until the closing date and time. Sealed paper bids shall be delivered to the Procurement Officer or City Clerk as specified in the bid document. A tabulation of all bids received shall be open for public inspection during regular business hours for a period of not less than 30 calendar days after the bid opening. Proposals will not be opened publicly. Proposals may be open for public view after award by the City Council

### ***PURCHASE ORDERS – REQUIRED FOR PURCHASES OVER \$5,000.***

**A purchase order is required prior to ordering and issuing payment for all goods and services.** The purchase order is a contract with the vendor, and is insurance that your business will be paid. Orders placed without a purchase order signed by the Purchasing Manager are unauthorized purchases, and the City may not be responsible for payment. Therefore, it is the vendor's best interest to require a purchase order when accepting orders from City staff. Purchases under \$5,000 do not require a purchase order; therefore, may be purchased by staff using a procurement credit card, or pay by directly invoicing the City for payment by check demand.

***Exemptions:*** There may be times during an emergency when an order must be placed after hours or on weekends (times when the Purchasing Division is normally closed). Be assured that true emergency at such times without purchase order numbers will be approved. Be sure to obtain the individual's name and department when the order is placed and a purchased order will be provided the next business day.

### ***OPEN Purchase Orders***

The City encourages consolidation of annual requirements for certain goods and services. Open Purchase Orders are issued so that goods or services can be requested by authorized personnel on an as-needed basis for certain City requirements. Such orders achieve economies of scale, cut expenditures and reduce administrative handling cost. These purchase orders are based on the award of a formal or informal competitive bid or proposal.

### ***CHANGE ORDERS/AMENDMENTS***

The purchase order is the City's contract with the vendor. Therefore, any change to the contract must be in writing and authorized by the Purchasing Manager. Department personnel may not make changes to the purchase order.

### ***BID SPLITTING***

The City, by City Charter Section 2-1003.1(b) prohibits the separation or splitting of work or projects to circumvent bidding requirements. A project is defined as work that is of similar nature (e.g., painting, roofing, electrical, etc.), is in close proximity (e.g., located at City Hall, etc.), and with project start dates within two weeks of each other. If you suspect a City staff member is requesting to separate or split work, please contact the Purchasing Manager immediately.

### ***SHIPPING AND RECEIVING***

Shipments must be made to the destination and in accordance with the shipping instructions shown on the Purchase Order. If, for any reason, your business cannot comply with the shipping instructions shown on the Purchase Order, the Purchasing Division should be contacted immediately. Failure to meet the specified date may cause cancellation of the order and could reflect adversely on your business' overall performance rating.

If no packing slip accompanies the shipment, our count will be the basis for acknowledging the goods received. If there is more than one package in a shipment, the package that contains the packing slip should be clearly marked. Variations from the specifications make a shipment subject to rejection. All packages and the packing slip must show the City of Pomona's Purchase Order number.

### ***BILLING AND PAYMENT***

The City requires invoices for each purchase order issued to the vendor. The purchase order number must appear on all invoices, shipping tags, and all correspondence relevant to the order. Payment is made after

receipt of correct invoice and delivery and acceptance of goods as specified on the purchase order. Unless otherwise instructed, invoices should be submitted to: City of Pomona, Accounts Payable, P.O. Box 660. Pomona, CA 91769

The City typically pays all invoices within thirty (30) days of receipt of invoice and acceptance of order. However, if the related shipment fails to meet inspection standards or the order was shipped/services provided without a Purchase Order, payment may be delayed until the problem is resolved. Questions regarding payment of invoices should be made to Accounts Payable, (909) 620-2405, only if you have a purchase order number.

All suppliers must submit completed W-9 Forms prior to receiving a Purchase Order. Any change in the W-9 information (such as address change) requires that a new W-9 form be submitted. Forms should be sent to Accounts Payable.

#### **TAXES**

The City is exempt from federal excise tax, but pays sales and use taxes when applicable. Certificates of Exemption from Excise Tax may be obtained from the Purchasing Division.

#### **INSURANCE**

In all instances in which vendor personnel enter City property to repair, install, service, construct, consult, etc., the City requires a certificate of insurance verifying coverage per City insurance requirements. Whenever insurance is required on a purchase order, the vendor will be supplied with complete requirements for coverage. Please contact the City's Risk Manager at (909) 620-2280 if you need further information on insurance requirements.

#### **RECYCLED GOODS**

Special emphasis shall be placed on the purchase of products manufactured with post-consumer recycled materials. Fitness and quality being equal, the City shall purchase recycled products instead of non-recycled products whenever available at no more than the total cost of non-recycled products and/or in accordance with California statutes.

#### **AMERICANS WITH DISABILITIES ACT**

In compliance with the American with Disabilities Act, if you or someone in your firm needs special assistance to participate in a walk-through or attend a pre-bid conference, please contact the Purchasing Division. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting.

#### **CONTACT US**

We will gladly answer any questions on specifications, bid or award procedures, and purchasing procedures in general. Please contact us at (909) 620-2381.