

## \$5K TRAINING CERTIFICATION

Pursuant to the Albemarle County Purchasing Manual (the Purchasing Manual), Chapter 2, Section 2-2, by my signature and date affixed below, I attest to the following:

1. I have completed the Albemarle County Course, Small Purchases not Exceeding \$5,000;
2. I understand my duties and responsibilities associated with conduct of purchases within the requirements of the Purchasing Manual, as presented in the Course;
3. I understand my obligation to seek further guidance from the Purchasing Division if I have any further questions regarding any purchase that I am making;
4. I hereby certify that I will follow the Purchasing Manual requirements in all purchase actions I initiate, complete, or approve for the County of Albemarle, the Albemarle County School Board, or any other public entity under the guidance or agreement with the Albemarle County Purchasing Division.

Name: \_\_\_\_\_ (Print legibly) Employee ID#: \_\_\_\_\_

Department/Division: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**TABLE OF CONTENTS**

**PART 1: GENERAL**

**Chapter 1. Introduction..... 1-1**

1-1 General..... 1-1

1-2 The purposes of this manual ..... 1-2

1-3 Overview of the Virginia Public Procurement Act ..... 1-2

1-4 Overview of the procurements subject to this manual and the Act ..... 1-3

1-5 Definitions..... 1-3

**Chapter 2. The Powers and Duties of the Participants in the Procurement Process ..... 2-1**

2-1 The purchasing agent..... 2-1

2-2 The using department..... 2-3

2-3 The County Attorney..... 2-4

2-4 Unauthorized procurements ..... 2-5

**Chapter 3. General Requirements and Policies Applicable to All Procurements: Nondiscrimination, Drug-free workplace, Public Records, Ethics, and Conflicts of Interest..... 3-1**

3-1 Discrimination prohibited ..... 3-1

3-2 Maintaining a drug-free workplace..... 3-2

3-3 Participation of small businesses and businesses owned by women, minorities, or service disabled veterans ..... 3-2

3-4 Public inspection of certain records ..... 3-2

3-5 Ethics in public contracting ..... 3-4

3-6 Conflicts of interest ..... 3-7

**Chapter 4. Determining Which Procedure Applies..... 4-1**

4-1 General..... 4-1

4-2 The formal competitive procedures ..... 4-2

4-3 Procurements excused from formal competitive procedures ..... 4-3

4-4 Goods and services exempt from formal competitive procedures ..... 4-3

4-5 Determining which procedure applies..... 4-5

4-6 Cooperative procurements and procurements using federal or state money .... 4-9

4-7 Reverse auctioning..... 4-10

**PART 2: COMPETITIVE SEALED BIDDING**

**Chapter 5. Competitive Sealed Bidding: Procedure..... 5-1**

5-1 General..... 5-1

5-2 Identify the goods or services to be procured ..... 5-2

5-3 Prepare the invitation for bids ..... 5-2

5-4 Establish the procurement schedule..... 5-3

5-5 Compile a list of vendors ..... 5-4

5-6 Issue the invitation for bids and provide public notice thereof ..... 5-4

5-7 Conduct pre-bid conferences or site visits, if warranted ..... 5-4

5-8 The submittal of bids ..... 5-5

5-9	The receipt of bids .....	5-6
5-10	The opening of bids .....	5-7
5-11	The evaluation of bids .....	5-7
5-12	The contract award .....	5-8
<b>Chapter 6. Competitive Sealed Bidding: Elements of an Invitation for Bids .....</b>		<b>6-1</b>
6-1	General.....	6-1
6-2	The introduction.....	6-2
6-3	General information .....	6-2
6-4	Description of the goods or services to be procured.....	6-4
6-5	Minimum qualifications of vendors.....	6-4
6-6	Contract terms and conditions .....	6-4
6-7	Minimum standards of a bid .....	6-5
6-8	Required elements of a bid.....	6-5
6-9	Submittal requirements.....	6-6
6-10	Evaluation criteria .....	6-6
6-11	Detecting and preventing collusive bidding .....	6-6
<b>Chapter 7. Competitive Sealed Bidding: Specifications .....</b>		<b>7-1</b>
7-1	General.....	7-1
7-2	Types of specifications .....	7-1
7-3	The purpose for specifications.....	7-2
7-4	Sources for developing specifications .....	7-2
7-5	Specification writing .....	7-2
7-6	The use of brand names.....	7-3
<b>Chapter 8. Competitive Sealed Bidding: Addenda, Modifications, and Withdrawals .....</b>		<b>8-1</b>
8-1	General.....	8-1
8-2	Amending an invitation for bids by addendum .....	8-1
8-3	Modifying or withdrawing a bid prior to bid receipt date and time .....	8-2
8-4	Withdrawing a bid after bid opening .....	8-3
8-5	Modifying a bid after bid opening.....	8-6
<b>Chapter 9. Competitive Sealed Bidding: Evaluating Bids .....</b>		<b>9-1</b>
9-1	General.....	9-1
9-2	Evaluating a bid's responsiveness.....	9-2
9-3	Nonresponsive bids .....	9-2
9-4	Informalities .....	9-4
9-5	Determining whether a vendor is responsible.....	9-5
9-6	Determining the low bidder, generally .....	9-5
9-7	Determining the low bidder, special situations.....	9-6
9-8	Tie bids.....	9-7
9-9	Procedure if all bids exceed available funds.....	9-7
<b>Chapter 10. Competitive Sealed Bidding: Canceling the Procurement or Rejecting All Bids .....</b>		<b>10-1</b>
10-1	General .....	10-1
10-2	Circumstances when cancellation or rejection is justified .....	10-1
10-3	Circumstances when cancellation or rejection is prohibited.....	10-2
10-4	Procedure to cancel the invitation for bids or to reject all bids .....	10-2

## PART 3: COMPETITIVE NEGOTIATION

<b>Chapter 11. Competitive Negotiation: Procedure</b> .....	<b>11-1</b>
11-1 General .....	11-1
11-2 Identify the goods or services to be procured .....	11-2
11-3 Create the selection committee and prepare the request for proposals .....	11-2
11-4 Establish the procurement schedule .....	11-3
11-5 Compile a list of vendors.....	11-4
11-6 Issue the RFP and provide public notice thereof.....	11-4
11-7 Conduct pre-proposal conferences or site visits, if warranted.....	11-4
11-8 The submittal of proposals .....	11-6
11-9 The receipt of proposals .....	11-6
11-10 The evaluation of proposals; development of a negotiation list.....	11-7
11-11 Conduct negotiations .....	11-8
11-12 Contract award.....	11-9
<b>Chapter 12. Competitive Negotiation: Elements of a Request for Proposals ...</b>	<b>12-1</b>
12-1 General .....	12-1
12-2 The Introduction .....	12-2
12-3 General information .....	12-2
12-4 Description of the goods or services to be procured .....	12-4
12-5 Cost .....	12-5
12-6 Minimum qualifications of vendors .....	12-5
12-7 Contract terms and conditions .....	12-5
12-8 Minimum standards of a proposal .....	12-6
12-9 Required elements of a proposal .....	12-6
12-10 Submittal requirements .....	12-7
12-11 Evaluation criteria .....	12-7
<b>Chapter 13. Competitive Negotiation: Evaluation Criteria</b> .....	<b>13-1</b>
13-1 General .....	13-1
13-2 Types of evaluation criteria .....	13-1
13-3 Evaluation criteria to be included in a request for proposals .....	13-2
13-4 The relative importance of the evaluation criteria.....	13-3
13-5 Whether to weight the criteria .....	13-4
13-6 Methodologies for weighting criteria.....	13-4
13-7 Scoring proposals .....	13-5
<b>Chapter 14. Competitive Negotiation: Addenda, Modifications, and Withdrawals</b> .....	<b>14-1</b>
14-1 General .....	14-1
14-2 Amending an request for proposals by addendum.....	14-1
14-3 Modifying a proposal prior to proposal receipt date and time .....	14-2
14-4 Withdrawing a proposal .....	14-2
<b>Chapter 15. Competitive Negotiation: Evaluating Proposals</b> .....	<b>15-1</b>
15-1 General .....	15-1
15-2 The evaluation process .....	15-2
15-3 The scope of an evaluation .....	15-3

15-4	Information used to evaluate proposals .....	15-3
15-5	Evaluating costs.....	15-3
15-6	Determining whether a proposal is suitable for further consideration.....	15-4
15-7	Establishing a short-list of vendors .....	15-5
<b>Chapter 16. Competitive Negotiation: Negotiations.....</b>		<b>16-1</b>
16-1	General .....	16-1
16-2	Negotiation procedure for the procurement of goods or nonprofessional services .....	16-2
16-3	Negotiation procedure for the procurement of professional services.....	16-2
16-4	Preparing for negotiations.....	16-3
16-5	Scope of negotiations .....	16-4
16-6	Negotiation guidelines.....	16-5
16-7	Conducting negotiations: generally .....	16-6
16-8	Conducting negotiations: addressing deficiencies, uncertainties and mistakes in a proposal .....	16-7
16-9	Conducting negotiations: cost.....	16-8
<b>Chapter 17. Competitive Negotiation: Selecting a Vendor After Negotiations ..</b>		<b>17-1</b>
17-1	General .....	17-1
17-2	Selection: goods or nonprofessional services .....	17-1
17-3	Selection: professional services.....	17-3
17-4	Price and scope of work documents .....	17-3
<b>Chapter 18. Competitive Negotiation: Canceling the Procurement or Rejecting All Bids .....</b>		<b>18-1</b>
18-1	General .....	18-1
18-2	Circumstances when cancellation or rejection justified .....	18-1
18-3	Circumstances when cancellation or rejection prohibited .....	18-2
18-4	Procedure to cancel the request for proposals or reject all proposals.....	18-2
<b>PART 4: PROCUREMENT WHERE COMPETITIVE NEGOTIATION OR COMPETITIVE SEALED BIDDING PROCEDURES ARE NOT REQUIRED</b>		
<b>Chapter 19. Sole Source .....</b>		<b>19-1</b>
19-1	General .....	19-1
19-2	Determination of a sole source .....	19-1
19-3	Procedure if it is determined there is a sole source .....	19-2
19-4	Contract award.....	19-2
19-5	Procedure if purchasing agent determines sole source procedure does not apply .....	19-3
<b>Chapter 20. Emergencies .....</b>		<b>20-1</b>
20-1	General .....	20-1
20-2	Determination of an emergency .....	20-1
20-3	Procedure if it is determined that an emergency exists.....	20-3
20-4	Procedure if an emergency exists outside of normal business hours .....	20-4
20-5	Contract award.....	20-5

20-6 Procedure if purchasing agent determines that an emergency does not exist..... 20-5

**Chapter 21. Public Auction..... 21-1**

21-1 General ..... 21-1

21-2 Determining whether best interests of public served..... 21-1

21-3 Procedure if procurement at a public auction determined to be in best interests of the public..... 21-2

**Chapter 22. Small Purchases ..... 22-1**

22-1 General ..... 22-1

22-2 Goods, nonprofessional services, or non-transportation-related construction: cost not expected to exceed \$5,000 ..... 22-2

22-3 Goods, nonprofessional services, or non-transportation-related construction: cost expected to be greater than \$5,000 up to and including \$100,000..... 22-3

22-4 Professional services: cost not expected to exceed \$80,000..... 22-4

22-5 Excepted Items from Competitive Requirements ..... 22-4

**PART 5: VENDORS, PROTESTS, SECURITY AND CONTRACTS**

**Chapter 23. Qualification of a Vendor ..... 23-1**

23-1 General ..... 23-1

23-2 Determining whether a vendor is responsible ..... 23-2

23-3 Prequalifying a vendor ..... 23-5

23-4 Debarring a vendor ..... 23-6

**Chapter 24. Security ..... 24-1**

24-1 General ..... 24-1

24-2 Bid bonds..... 24-1

24-3 Performance bonds..... 24-3

24-4 Payment bonds ..... 24-5

24-5 Alternative forms of security..... 24-7

**Chapter 25. Protests ..... 25-1**

25-1 General ..... 25-1

25-2 Competitive sealed bidding: typical grounds for protest and strategies to prevent protests..... 25-1

25-3 Competitive negotiation: typical grounds for protest and strategies to prevent protests..... 25-2

25-4 Effect of protest on contract award ..... 25-3

25-5 Procedure for making a protest..... 25-3

25-6 Response to protest; denial ..... 25-4

25-7 Remedies if protest upheld ..... 25-4

**Chapter 26. The Contract..... 26-1**

26-1 General ..... 26-2

26-2 Review of contract and contract documents by County Attorney ..... 26-2

26-3 Contractual claims and dispute resolution ..... 26-7

26-4 Change orders ..... 26-8

26-5 Contract administration and record retention .....26-8

**PART 6: PARTICIPATION OF SMALL BUSINESSES AND MINORITY-OWNED,  
WOMEN-OWNED, AND SERVICE DISABLED VETERAN- OWNED  
BUSINESS IN COUNTY PROCUREMENT**

**Chapter 27. Participation of Small Businesses and Minority-Owned,  
Women-Owned, and Service Disabled Veteran- Owned  
Business in County Procurement ..... 27-1**

27-1 Definitions..... 27-1

27-2 Policy..... 27-1



## Purchasing Department | Room 248

---

The Purchasing Agent is responsible for the procurement of all goods, services, insurance and construction, unless another County officer or employee is expressly authorized to do so by the Code of Virginia and the Albemarle County Purchasing Manual as adopted by the Albemarle County Board of Supervisors pursuant to Virginia Code Section 2.2-4303.

The County is not bound by an unauthorized procurement; the individual who makes an unauthorized procurement is personally liable unless the procurement is ratified by the Board of Supervisors.

For more information, please call the [Purchasing Office](#) at (434) 296-5854 or e-mail the Purchasing Agent at [swinder@albemarle.org](mailto:swinder@albemarle.org).



### \*Announcements



### \*Contract Documents



### \* Document Center



### \*Policies & Procedures



### \*Procurement Training



### \*Sourcing of Goods and Services



### Quick Links

- Type URL
- [Purchasing Manual](#)
- [Virginia Public Procurement Act: Code of Virginia](#)
- [eVA Quick Quote Site](#)
- [Submit a Purchase Initiation Form](#)
- [Construction Templates and Front End Documents](#)
- [Register for Classes - Human Resources Learning and Development Site](#)
- [Purchasing E-2 Guide 2018](#)

Add new link

This page may be accessed through the Albemarle County website, Purchasing Department page.



**2-4 Unauthorized Procurements**

Except as otherwise provided in this manual or the Code of Virginia, no County official elected or appointed, or any County employee, shall purchase or contract for any goods, services, insurance, or construction within the purview of this manual or the Code of Virginia other than by and through the purchasing agent.

**2-4.1 County Not Bound by Unauthorized Procurement**

Any purchase order or contract made contrary to the provisions of this manual is not approved and the County shall not be bound thereby. However, the board of supervisors and the school board each reserve the right to ratify such a procurement.

**2-4.2 Individual Personally Liable for Unauthorized Procurement**

Any person responsible for an unauthorized procurement shall be personally liable for such purchase and, if already paid for out of County funds, the amount may be recovered in the name of the County in an appropriate action instituted therefor. Ratification of the procurement by the board of supervisors or the school board shall relieve the individual of personal liability for the unauthorized procurement.

**§ 2.2-4377. Penalty for violation.**

Any person convicted of a willful violation of any provision of this article shall be guilty of a Class 1 misdemeanor. Upon conviction, any public employee, in addition to any other fine or penalty provided by law, shall forfeit his employment.

1982, c. 647, § 11-80; 2001, c. [844](#).

**§ 15.2-1239. Orders and contracts in violation of article.**

If any department or agency of the county government purchases or contracts for any supplies or contractual services contrary to the provisions of this article or the rules and regulations made thereunder, such order or contract shall be void and the head of such department or agency shall be personally liable for the costs of such order or contract.

**Code** 1950, § 15-546; 1962, c. 623, § 15.1-110; 1997, c. 587.

**§ 15.2-1240. Violation of § 15.2-1238 or § 15.2-1239 a misdemeanor.**

Any violation of § [15.2-1238](#) or § [15.2-1239](#) shall be a misdemeanor and shall be punishable as provided by § [18.2-12](#).

Code 1950, § 15-548; 1960, c. 360; 1962, c. 623, § 15.1-112; 1997, c. 587.

**26-2.6 Authorized County/School Board Signatories**

The following officers are authorized to sign contracts on behalf of the County and/or School Board:

<b>Tier</b>	<b>Maximum Amount</b>	<b>Authorized Signatories</b>
I	\$5,000	Employees specifically designated by their Department Head or Tier III signatory and who have completed mandatory training
II	\$25,000	County Department and School Division Heads, School Principals*
III	\$100,000	County Executive, ** School Superintendent** and Chief Operating Officer,
IV	N/A	Purchasing Agent, Chief of Financial Management, Chief Financial Officer and Director of Finance

\*School principals are authorized to sign only form contracts prepared and approved by the county attorney. Any modification of standard contract terms requires the separate review of the county attorney and signature by a Tier III or IV signatory, depending on the amount.

\*\*The deputy county executive and deputy superintendent are authorized in the absence or unavailability of the county executive and superintendent, respectively.

<b>Purchasing E-Z Guide</b>	
<b>\$0 up to \$5,000</b>	Competition is not required, although it is <b><u>strongly encouraged</u></b> .
<b>Over \$5,000 - \$30,000 (Purchase Order Required)</b>	Three written quotes <u>shall be sought and are</u> to be attached to requisition. Purchasing will process and place order.
<b>Over \$30,000 - \$100,000 (Purchase Order Required)</b>	Request for Quote <b><u>must be sent to Purchasing</u></b> as posting on Purchasing Webpage is required. Minimum of 4 quotes must be sought.
<b>Purchases exceeding \$100,000</b>	Formally Advertised Solicitation procedures required - <b>Contact Purchasing first.</b>
<b>Sole Source</b>	Complete the Sole Source Request form and return to Purchasing for review and approval IAW Purchasing Manual Chapter 19; <b>Contact Purchasing for further guidance.</b>
<b>Emergency Purchases</b>	Follow procedures in the Purchasing Manual, Chapter 20; <b>Contact Purchasing as soon as possible after the emergency has occurred.</b>
<b>Professional Services per the Virginia Public Procurement Act are: accounting, actuarial services, architecture, dentistry, land surveying, landscape architecture, law, medicine, optometry, pharmacy, or professional engineering</b>	
<b>Professional Services up to \$15,000</b>	One written proposal required IAW procedures in Purchasing Manual Chapter 22 - <b>Contact Purchasing first.</b>
<b>Professional Services over \$15,000 - \$30,000</b>	Minimum of three written proposals required IAW procedures in Purchasing Manual Chapter 22 - <b>Contact Purchasing first.</b>
<b>Professional Services over \$30,000 - \$80,000</b>	Minimum of four written proposals required IAW procedures in Purchasing Manual Chapter 22; Request for Quote must be sent to Purchasing as posting on Purchasing Webpage is required. - <b>Contact Purchasing first.</b>
<b>Professional Services over \$80,000</b>	Formally Advertised Solicitation procedures required - <b>Contact Purchasing first.</b>



County of Albemarle Purchasing  
 401 McIntire Road, Room 248  
 Charlottesville, VA 22902  
 Phone: 434-296-5854  
 email: [purchasing@albemarle.org](mailto:purchasing@albemarle.org)

RPA #	Date	Amount
[REDACTED]	4/24/18	\$766.92
	3/5/18	\$104.64
	2/6/18	\$4,992.41
	2/6/18	\$1,052.25
	1/22/18	\$4,912.55
	1/16/18	\$1,453.27
		\$20,421.28
	9/19/17	\$4,904.09
	8/9/17	\$4,321.35
	8/9/17	\$1,495.73
	6/26/17	\$4,844.25
	2/7/17	\$907.31
	2/1/17	\$319.30
	1/10/17	\$3,629.25
		\$20,421.28

Example of data captured in audit of small purchases. Fields in yellow appear to be splitting a purchase to avoid the \$5,000 threshold. The fields in tan raise suspicion of a splitting action.

Code of Virginia  
Title 2.2. Administration of Government  
Chapter 43. Virginia Public Procurement Act

## § 2.2-4311.2. Compliance with state law; foreign and domestic businesses authorized to transact business in the Commonwealth.

A. All public bodies shall include in every written contract a provision that a contractor organized as a stock or nonstock corporation, limited liability company, business trust, or limited partnership or registered as a registered limited liability partnership shall be authorized to transact business in the Commonwealth as a domestic or foreign business entity if so required by Title 13.1 or Title 50 or as otherwise required by law.

B. Pursuant to competitive sealed bidding or competitive negotiation, all public bodies shall include in the solicitation a provision that requires a bidder or offeror organized or authorized to transact business in the Commonwealth pursuant to Title 13.1 or Title 50 to include in its bid or proposal the identification number issued to it by the State Corporation Commission. Any bidder or offeror that is not required to be authorized to transact business in the Commonwealth as a foreign business entity under Title 13.1 or Title 50 or as otherwise required by law shall include in its bid or proposal a statement describing why the bidder or offeror is not required to be so authorized.

C. Any bidder or offeror described in subsection B that fails to provide the required information shall not receive an award unless a waiver of this requirement and the administrative policies and procedures established to implement this section is granted by the Director of the Department of General Services or his designee or by the chief executive of a local governing body.


D. Any business entity described in subsection A that enters into a contract with a public body pursuant to this chapter shall not allow its existence to lapse or its certificate of authority or registration to transact business in the Commonwealth, if so required under Title 13.1 or Title 50, to be revoked or cancelled at any time during the term of the contract.


E. A public body may void any contract with a business entity if the business entity fails to remain in compliance with the provisions of this section.

2010, c. 634.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

9/5/2018

 Virginia Law Library

The Code of Virginia, Constitution of Virginia, Charters, Authorities, Compacts and Uncodified Acts are now available in both EPub and MOBI eBook formats. 

 Helpful Resources

Virginia Code Commission  
Virginia Register of Regulations  
U.S. Constitution

 For Developers

The Virginia Law website data is available via a web service. 

 Follow us on Twitter

# PURCHASING SUMMARY POINTS

- **Know your Limit of Authority!**
  - Your purchases are limited to purchases of \$5000 or less.
- **Splitting or Piecemealing is prohibited!**
  - Do not break up a known requirement to avoid a threshold.
- **Do not sign Quotes/Offers/Contracts/T&C's. etc.!**
  - Vendor Terms and Conditions must be reviewed.
- **Ensure that your Contractor authorized in Virginia!**
  - For most, SCC registration is required.
- **Procurement regulations apply to P-card use!**
  - The card is a means of payment more so than purchase means.

# Questions?



Purchasing Office  
COB McIntire  
Room 248  
Phone: 296-5854

*Ext. 9 - Tom Winder, Purchasing Agent*

*Ext. 3 - Lyn Wrigley, Buyer*

*Ext. 2 - Debra Shifflett, Buyer*

*Ext. 4 - Lisa Thomas, Buyer*

*Ext. 1 - Sharon Cash, Buyer*

*Ext. 6 – Andy Neilson, Warehouse Manager*

