

OGDEN VALLEY PARKS SERVICE AREA

PURCHASING POLICIES – FINAL (4-21-2025)

Purpose

The purposes of these policies are to ensure that the Ogden Valley Parks Service Area (OVPSA) conducts its procurement processes in a manner that:

- enables OVPSA to acquire those goods and services that are necessary for it to provide public services;
- provides transparency;
- ensures fair treatment for all persons who participate in the procurement process;
- increases efficiency in OVPSA procurement activities;
- helps keep procurements within approved budget limits; and
- fosters effective broad-based competition within the free enterprise system.

Policies

1. Purchasing Agent

- a. The purchasing agent for OVPSA shall be the Chair of the Board of Trustees (Board). The assistant purchasing agent shall be another Board member nominated by the Chair and approved by the Board.
- b. The purchasing agent(s) shall:
 - oversee the training of OVPSA Board members and contract employees regarding the procurement process;
 - manage OVPSA's procurement system;
 - manage and supervise each procurement to ensure to the extent practicable that taxpayers receive the best value in a timely manner;
 - correct, amend, or cancel a procurement at any stage of the procurement process if the procurement is out of compliance with this title;
 - keep an accurate and complete record of all procurements and a detailed disposition of the same; and
 - exercise all other authority, fulfill all other duties and responsibilities, and perform all other functions authorized under these policies.

2. Procurement Based on Total Cost

- a. Unless otherwise specified, the cost of the goods and services determines the type of procurement process that shall be followed.
- b. Procurements less than \$3,000.00 are considered small purchases and do not require a solicitation.
- c. Procurements >\$3,000 and < \$10,000 require a solicitation of quotes by email or otherwise, and:
 - need at least three licensed and insured bidders; or
 - as many as can reasonably be identified.

- d. Procurements > \$10,000.00 require a solicitation of quotes, invitation for bids, or a request for proposals.
 - The purchasing agent(s) shall determine which method of solicitation to use.
- e. For all procurements requiring a solicitation, the purchase shall be awarded to the bidder deemed the most responsible, most responsive, and provides the most value as related to cost and project quality.

3. Types of Solicitations

- a. Invitation for Bids should be used when cost, schedule, and/or capacity to do the work are the major factors in determining the award of a procurement.
- b. Request for proposals should be used when qualifications of the bidder are the major factor in determining the award of a procurement.
- c. Both Invitations for Bids and Requests for Proposals shall:
 - provide a full description of the goods and services sought and a full scope of work;
 - provide information on how to contact the purchasing agent(s) regarding the solicitation;
 - state the objective criteria that will be used to evaluate the bid;
 - personal knowledge of or experience with a bidder, his company, his employees, and/or his available equipment may be considered when evaluating a bidder's responsiveness or responsibility or project-specific qualifications to do the work.
 - state the period of time during which bids will be accepted;
 - provide instructions for submitting a bid.
- d. With respect to Requests for Proposals, bidders shall submit with their proposal their cost portion in a separate sealed envelope for evaluation after all other selection criteria has been evaluated and scored.

4. Procurement without Solicitations.

OVPSA may obtain goods or services without engaging in a solicitation if the purchasing agent(s) determines that:

- a. there is only one source for the goods and services;
- b. based on the advice of appropriate technical experts or agencies, the goods and services are of a nature that procurement without solicitation is necessary to ensure standardization of equipment or services, and that such standardization is necessary to maintaining system integrity, current warranties, ongoing maintenance, or continuity of service;
- c. the goods and services are made available by a contractor, architect, landscape architect, or engineer where:
 - the contractor, architect, landscape architect, or engineer was originally selected through a procurement process to work on a construction project for OVPSA;
 - the construction project was completed within the past five years;
 - additional work needs to be done that is reasonably related to the work that was performed under the original contract;

- in the opinion of the purchasing agent(s), hiring the contractor, architect, landscape architect, or engineer that recently worked on the project will result in a cost savings to OVPSA or an improvement in work product as a result of the technical expertise that was acquired by the contractor, architect, landscape architect, or engineer in their original work on the project.
- d. there is an urgent opportunity presented to obtain used goods or products needed by OVPSA for its operation, maintenance, or recreation amenity expansion that coincides with its identified goals and objectives; and
- e. the Board votes to approve the purchasing agent(s) determination.

5. Protests

A person who is aggrieved in connection with a solicitation or an award of a purchase order or contract may file a written protest with the purchasing agent(s).

- a. A protest may not be filed more than seven calendar days after the protester knows, or should have known, that OVPSA awarded the purchase order or contract.
- b. A person who fails to file a protest within the time prescribed may not file a protest with the purchasing agent(s) or file an action or appeal challenging a solicitation or an award of a contract before a court or any other forum.
- c. The purchasing agent(s) may, in consultation with an attorney, negotiate the terms of a settlement agreement to resolve a protest.
- d. Settlement agreements must be approved by the OVPSA Board of Trustees to be effective.

6. Contracts

- a. Contracts use for obtaining goods and services may be prepared by either OVPSA or the provider of the desired goods and services.
- b. All contracts may be reviewed by an attorney for appropriate contract language, terms and conditions, and completeness.
- c. Except as otherwise provided in this title, the acquiring entity shall submit each contract to the purchasing agent(s) for review.
- d. The purchasing agent(s) shall verify with the OVPSA Treasurer that the acquiring entity has sufficient funds in its budget.
- e. The purchasing agent(s) shall confirm that any required procurement processes were followed.
- f. All contracts shall be sent to the Board for approval prior to awarding of the contract.

This document was reviewed and unanimously approved by all members of the OVPSA Board of Trustees in its April 21, 2025 Board meeting.