

CITY OF CORONA

PURCHASING POLICY AND PROCEDURES MANUAL



Prepared in accordance with the regulations of Chapter 3.08
of the Corona Municipal Code
As amended and approved by the City Council effective
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****Note: The Uniform Code Guidance (Federal Funded Procurements) Policy is referenced throughout the City’s Purchasing Policy and Procedures Manual****

PURPOSE OF MANUAL

Corona Municipal Code (CMC) Chapter 3.08 “Purchasing Regulations” provides for the administration of the general purchasing regulations, policies, and procedures, including bidding requirements and procedures, as well as surplus materials, supplies, and equipment. This City of Corona Purchasing Policies and Procedures Manual (“Manual”) is developed to be a working document for implementing the regulations, policies, and procedures outlined in the CMC, establishing guidelines, and defining standard practices, procedures, and clarifying issues relevant to the purchasing function. From time to time, this Manual may be updated and/or revised. All stated and referenced monetary limits are current as of the revision date printed in the footer section of this Manual.

The goals and objectives of this Manual are:

- To ensure compliance with all current laws and regulations;
- To promote transparency of the City’s procurement activities;
- To establish standardized cost-effective purchasing methods;
- To ensure continuity of City operations;
- To promote fair competitive processes;
- To maintain integrity and fairness; and
- To support the City’s mission and serve the best interest of the public.

Please contact the Purchasing Division for unique situations not addressed in the Manual. The City utilizes a cooperative, collaborative approach to resolving unique purchasing related issues.

CONFLICT OF INTEREST

All purchasing activities are to be performed in accordance with this Purchasing Policy and Procedures Manual. Any and all practices which might result in unlawful activity are specifically prohibited.

When conducting City business, it is every employee’s responsibility to follow good business and ethical practices and to adhere to federal and state laws and regulations, as well as applicable City police and procedures. In accordance with the Political Reform Act of 1974, it is required that no employee or public official shall make, participate in making or in any way attempt to use his or her official position to influence a governmental decision in which he or she has a financial interest. In accordance with [Section 87500 of the Government Code](#), certain designated employees and council members are required to disclose economic interests and are prohibited from participating in decisions that may influence their financial interests. Furthermore, employees and officials should avoid the appearance of conflicts of interest to ensure that City decisions are made in an independent and impartial manner. Failure to do so will serve as a basis for potential discipline, up through and including termination, of those City Employees who do not abide by the terms of [Policy 01400.002, Employee Code of Ethics & Fraud Prevention Policy](#). Any discipline shall be administered in accordance with applicable City policies, including [Administrative Policy 01400.101 \(Employee Conduct and Disciplinary Process\)](#) and Corona Police Department Policy 340 ([Standards of Conduct](#)), included in the Corona Police Department Policy Manual.

Federal purchasing and in accordance with the [Uniform Code Guidance CFR 200.318 \(c\) \(1\)](#) for procuring property and services under a Federal award shall have no employee, officer, or agent of the City participate in the selection, award, or administration of a contract supported by Federal funds if a conflict of interest, real or apparent, is or would be involved. Such a conflict could arise if the employee, officer, or agent; any member of his/her immediate family; his/her partner; or an organization which employs (or is about to employ) any of the above, has a financial or other interest or a tangible personal benefit from a firm considered for a contract. All Selection Committee members execute a disclosure certifying that they do not possess a conflict of interest involving any of the respondents and are required to submit a standard disclosure form to identify any potential conflicts of interest.

The officers, employees, and agents of the City may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.

City employees must discharge their duties under the [Employee Code of Ethics & Fraud Prevention Policy 01400.002](#), and the Manual in an impartial manner to foster the integrity of the City's purchasing function and to assure fair and open competition for City business and the selection of competent, responsible vendors. All vendors shall always be treated equally and fairly by City personnel, with equal information given to each vendor who participates in a competitive process.

The following actions constitute violation of the CMC:

- Accepting, directly or indirectly, any gift, rebate, money, or anything else of value from any person or entity if the gift, rebate, money, or item of value is intended as a reward or inducement for conduction business, placing orders with, or otherwise using the employee's position to favor the contributor;
- Aiding or assisting a bidder in securing a contract to furnish labor, materials, supplies, equipment, or services, or favoring one bidder over another;
- Giving or withholding information from any bidder; and
- Willfully misleading any bidder regarding the specifications of materials, supplies, equipment or services.

It is considered breach of ethical purchasing standards:

- For any employee to participate directly or indirectly in City procurement when:
 - The employee, or a member of the employee's immediate family, has a financial interest pertaining to the procurement;
 - A business or organization in which the employee or any member of the employee's immediate family has a financial interest pertaining to the procurement; and/or
 - Any other person, business or organization with who the employee, or any member of the employee's immediate family, is negotiating, or has an arrangement concerning prospective employment, is involved in the procurement.
- For any person to offer, give, or agree to give any employee, or for any employee to solicit, demand, accept or agree to accept from another person, a gratuity or an offer of employment in connection with any decision,

approval, disapproval, recommendation or preparation of any part of a purchase request.

- For a person to be retained, or to retain a person, to solicit or secure a City purchase order contract upon an agreement, or understanding for a commission, percentage, brokerage or contingent fee, except for bona fide selling agencies established for securing business.
- For any Employee, who is participating directly or indirectly in the procurement process to become or be, an employee of any person contracting with the City.
- For any Employee to engage in selling supplies, equipment or services to the City.
- For any Employee to act as a principal, or as an agent for anyone other than the City, in connection with any judicial or other proceeding, contract, claim, charge or controversy, other than when acting within the Employee's official responsibility.
- For any Employee or former Employee to knowingly use information for actual or anticipated personal or business gain, or for the actual or anticipated gain of any other person or business.
- For any Employee and other City personnel to accept gifts, rebates, money, entertainment, personal services, or in any way incur material personal gain from any vendor doing business with the City or from any potential City vendor, or if circumstances create the impression that one's vote, judgment or action could be affected, or that staff are being rewarded for the performance or nonperformance of an official duty or if the item is of a value that exceeds statutory limits. Promotional items of nominal value such as calendars, water bottles, stationeries, etc., shall not constitute a gift if received as a non-personal item, and the item is routinely distributed by the vendor or contractor to its customers/clients or potential customers/clients.

To report a potential business conduct violation, contact the Employee Code of Ethics/Fraud Prevention Hotline 1-877-217-4728 or disclose to the appropriate supervisor or manager.

ECONOMICAL APPROACH TO PURCHASES

It is in the best interest of the City to avoid the acquisition of unnecessary and duplicate goods and services. With proper analysis, a procurement may be consolidated or divided to obtain a more economical approach. Where appropriate, leases versus purchase alternatives should be analyzed to determine the most economical approach

State and local intergovernmental agreements or inter-entity agreement where appropriate are acceptable for procurements or use of common or shared goods and services. The City also encourages use of Federal excess and surplus property in lieu of new purchases whenever feasible and resulting in a reduction of project expenses.

Value engineering clauses are to be used in Federal funded Construction contracts of sufficient size to offer reasonable opportunities for cost reductions.

Contract Award Responsibilities

The City must award Federal funded awards to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration is given to Contractor integrity, compliance with public policies, records of past performance, financial and technical resources.

The City must also adhere to the non-procurement debarment and suspension regulations implementing [Executive Orders 12549](#) and [12689](#), [2 CFR part 180](#). These regulations restrict awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in Federal assistance programs or activities. Awards can not be given to any entity listed as debarred or suspended on the U.S. Government's System for Award Management ([SAM](#)) [website](#). The City is responsible for documenting it has verified an awarding entity has not been listed on the SAM database.

The City must also maintain accurate historical procurement records. Records will include, but not limited to, rationale for the method of the procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.

The City may use a Time and Materials Contract type when there is a determination that no other contract type is appropriate and includes a contractor's ceiling price that exceeds at its own risk. Time and Materials Contract includes actual cost of materials and direct labor hours charge at a fixed hourly rate to reflect wages, general and administrative expenses. A contract of this type does not provide profit incentive to the contract for cost control or labor efficiency. The City must assert a high degree of oversight to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls to remain within the contract ceiling price.

The City is solely responsible for the settlement of all contractual and administrative issues arising out of all purchases. The issues included, but are not limited to, source evaluation, protests, disputes, and claims. Issues arising out of procurements does not relieve the City of any contractual responsibilities under its contracts. The Federal awarding body will not substitute its judgement for that of the City unless the matter is primarily a Federal Concern. Violations of the law will be referred to City authority. The City must be responsible in accordance with good administrative practice and sound business judgment.

To assist in determining approval and bidding requirements based on the value of a purchase, *Reference Appendix, Exhibit 'A' titled, Purchasing Guidelines*.

The CMC Chapter 3.08 "Purchasing Regulations" is publicly available on the [American Legal Publishing Corporation Web-site](#).

CONTACT INFORMATION

Purchasing should be the first point of contact when planning to purchase products or services for the City. The Purchasing Division may be reached by phone at 951-736-2274 or by email at Purchasing.Department@CoronaCA.gov .

DELEGATION OF AUTHORITY

The City Manager is designated as the purchasing agent. The City Manager initially delegates the authority and responsibilities of the purchasing agent to the Finance Director.

The City Manager's purchasing signature authority allows for approval of each Purchase Order cumulative amounts up to \$100,000.

The Public Works Director, General Manager, City Attorney, Assistant City Manager's purchasing signature authority allows for approval of each Purchase Order cumulative amounts up to \$75,000.

The Department Director's purchasing signature authority allows for approval of each Purchase Order cumulative amounts up to \$55,000.

Purchase transactions greater than \$100,000 will require City Council approval.

PROCESS FOR REQUESTING BIDDING OR PROPOSALS

To assist a department with the quote/bid process, please make sure approximately six (6) to eight (8) weeks is allowed to properly secure formal bids and two (2) to three (3) weeks for informal bids or proposals to be solicited and awarded. It is recommended that if you have a specific concern or need to expedite a purchase that you notify the Purchasing Division in advance. When requesting a solicitation of bids or proposals, *submit a P-track request must be submitted through the P-track web tool. The P-track web-site is located on the [P-Track Intranet Web-site](#).* Care must be exercised to avoid the use of specific products or brand names when the bidding process is to be used. Quotes will be secured as the brand name "or approved equal" when bids are requested. Purchasing will not change brands requested without approval by the department.

Preparing specifications or statements of work is usually a department function. Generally, departments have the greatest understanding of functional and performance requirements; however, Purchasing will take an advisory role in avoiding exclusionary specifications and encouraging free and open competition.

Provided all the necessary documentation has been included with the [p-track request](#) and/or system requisition, Purchasing shall complete the transaction by obtaining prices and/or bids as necessary and issuing a purchase order.

Note: A purchase order is not required for the following: payroll related expenses such as insurance or retirement payments as approved by City Council through the budget, other insurance premiums, petty cash, travel advances or reimbursements, utility payments, membership dues, subscriptions, debt service, various “pass-through” payments, and other mandated expenditures as defined in the ordinance. Claim forms should be used to pay these items.

All telecommunications equipment, computer equipment, and computer software must be requested and coordinated through the Information Technology department. Information Technology may obtain authorization for purchases from departments by using the [Service Now Request Tool](#).

FILING OF BID PROTESTS

In the absence of specific protest procedures in a City of Corona bid document the following procedures will apply.

Bidders may file a “protest” of a bid with the City’s Purchasing Manager. In order for a bidder’s protest to be considered valid, the protest must:

- A. Be filed in writing within five (5) calendar days after the bid opening date.
- B. Clearly identify the specific irregularity or accusation.
- C. Clearly identify the specific City staff determination or recommendation being protested.
- D. Specify, in detail, the grounds of the protest and the facts supporting the protest.
- E. Include all relevant, supporting documentation with the protest at time of filing.

If the protest does not comply with each of these requirements, it will be rejected as invalid.

If the protest is valid, the City’s Purchasing Manager, or other designated City staff member, shall review the basis of the protest and all relevant information. The Purchasing Manager will provide a written decision to the protestor within fourteen (14) calendar days. The protestor may then appeal the decision of the Purchasing Manager to the Assistant Finance Director within five (5) calendar days of the date of the written decision from the Purchasing Manager. The Assistant Finance Director will provide a written decision to the protestor’s appeal. The decision from the Assistant Finance Director is final and no further appeals will be considered.

ALTERNATIVE PROCEDURE

The following alternative bidding procedure is applicable to all purchases, including but not limited to public projects, professional services, maintenance and general services and materials, supplies and equipment in amounts of \$45,000 or less. **Insurance and a City approved Model Agreement are required if services are performed on City**

property. The purchases may be awarded by the director of the department responsible for the purchases.

0 - \$5,000: *Competitive bidding to be used at the discretion of the department

\$5,000 - \$10,000: *Competitive bidding to be used at the discretion of the purchasing agent

\$10,001 - \$45,000: *A minimum of three vendors shall be solicited for quotes or proposals; Contact the Purchasing Division to complete the bidding process.

Federally Funded Procurements must follow the Code of Federal Regulations Office of Management and Budget Guidance for Grants and Agreements - [Procurement Standards Title 2, Subtitle A, Chapter II Part 200.317-200.326 and Appendix II to Part 200](#). Please refer to the Federal Grant Purchasing Policy Section within this Manual for further guidance.

Departments shall strive to obtain verbal price quotes from three or more potential contractors or suppliers and accept the quote which is determined to be in the best interests of the City. Verbal price quotes shall be documented (listing the date, time, contact name) and provided as backup for a purchase requisition. It is important for departments to provide the Model Agreement to any bid solicitation or proposal. Doing so informs all consultants and other contractors of the required contract provisions.

GRANT FUNDED PROCUREMENTS

Departments shall provide all Federal and/or State grant funding source documents to the Purchasing Department and attach the documentation to the procurement request. All grant funding source documents must be reviewed by the requesting department and Purchasing department to ensure all applicable grant solicitation and contracting requirements are adhered to (e.g. bidding requirements and instructions, special contract provisions).

FEDERAL GRANT PURCHASING POLICY

Competition under Federal Awards

All purchasing transactions must be conducted in a manner providing full and open competition consistent with the standards of this section. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, and invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:

- Placing unreasonable requirements on firms in order for them to qualify to do business;
- Requiring unnecessary experience and excessive bonding;

- Noncompetitive pricing practices between firms or between affiliated companies;
- Noncompetitive contracts to consultants that are on retainer contracts;
- Organizational conflicts of interest;
- Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance or other relevant requirements of the procurement; and
- Any arbitrary action in the procurement process.

The City must conduct purchases in a manner that prohibits the use of statutorily or administratively imposed state or local geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

All City solicitations must present a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if possible. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a “brand name or equivalent” description may be used to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and

Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

City must ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the City must not preclude potential bidders from qualifying during the solicitation period.

Federal Grant Purchasing Methods to Be Followed

Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold ([§200.67 Micro-purchase](#)). To the extent practicable, City must distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the non-Federal entity considers the price to be reasonable.

Small purchase ([§200.88 Micro-purchase](#)) procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than the Simplified Acquisition Threshold. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources.

Purchases by sealed bids are bids publicly solicited and a firm fixed price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price. The sealed bid method is the preferred method for procuring construction, if the following conditions of this section apply.

- In order for sealed bidding to be feasible, the following conditions should be present:
 - A complete, adequate, and realistic specification or purchase description is available;
 - Two or more responsible bidders are willing and able to compete effectively for the business; and
 - The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally based on price.
- If sealed bids are used, the following requirements apply:
 - Bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date set for opening the bids, for state, local, and tribal governments, the invitation for bids must be publicly advertised.
 - The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond.
 - All bids will be opened at the time and place prescribed in the invitation for bids, and for local and tribal governments, the bids must be opened publicly;

A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and

Any or all bids may be rejected if there is a sound documented reason.

Purchases by competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed price or cost-reimbursement type contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids. If this method is used, the following requirements apply:

- Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical;
- Proposals must be solicited from an adequate number of qualified sources;
- The City must have a written method for conducting technical evaluations of the proposals received and for selecting recipients;
- Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered; and
- The City may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated, and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:

- The item is available only from a single source;
- The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
- The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity; or
- After solicitation of a number of sources, competition is determined inadequate.

Federal Award Contracting with Small and Minority Business, Women Business Enterprises, and Labor Surplus Area Firms

The City must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.

Affirmative steps must include:

- Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
- Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;

- Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
- Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
- Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
- Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed immediately above.

Procurement of Recovered Materials under Federal Award

The City must comply with [Section 6002 of the Solid Waste Disposal Act](#), as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at [40 Code of Federal Regulations \(CFR\) part 247](#) that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired by the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

Contract Cost and Price under Federal Award

The City must perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold including contract modifications. The method and degree of analysis is dependent on the facts surrounding the procurement situation, but as a starting point, the City must make independent estimates before receiving bids or proposals.

The City must negotiate profit as a separate element of the price for each contract in which there is no price competition and, in all cases, where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

Costs or prices based on estimated costs for contracts under the Federal award are allowable only to the extent that costs incurred, or cost estimates included in negotiated prices would be allowable for the City under [2 Code of Federal Regulations Subpart E - Cost Principles](#). The City may reference its own cost principles that comply with the Federal cost principles.

The cost plus a percentage of cost and percentage of construction cost methods of contracting must not be used.

Federal Agency or Pass-Through Entity Review

The City must make available, upon request of the Federal awarding agency or pass-through entity, technical specifications on proposed procurements where the Federal awarding agency or pass-through entity believes such review is needed to ensure that the item or service specified is the one being proposed for acquisition. This review generally will take place prior to the time the specification is incorporated into a solicitation document. However, if the City desires to have the review accomplished after a solicitation has been developed, the Federal awarding agency or pass-through entity may still review the specifications, with such review usually limited to the technical aspects of the proposed purchase.

The City must make available upon request, for the Federal awarding agency or pass-through entity pre-procurement review, procurement documents, such as requests for proposals or invitations for bids, or independent cost estimates, when:

- The City's procurement procedures or operation fails to comply with the procurement standards in this part;
- The procurement is expected to exceed the Simplified Acquisition Threshold and is to be awarded without competition or only one bid or offer is received in response to a solicitation;
- The procurement, which is expected to exceed the Simplified Acquisition Threshold, specifies a "brand name" product;

- The proposed contract is more than the Simplified Acquisition Threshold and is to be awarded to other than the apparent low bidder under a sealed bid procurement; or
- A proposed contract modification changes the scope of a contract or increases the contract amount by more than the Simplified Acquisition Threshold.

The City is exempt from the pre-procurement review in above section if the Federal awarding agency or pass-through entity determines that its procurement systems comply with the standards of this part.

- The City may request that its procurement system be reviewed by the Federal awarding agency or pass-through entity to determine whether its system meets these standards in order for its system to be certified. Generally, these reviews must occur where there is continuous high-dollar funding, and third-party contracts are awarded on a regular basis;
- The City may self-certify its procurement system. Such self-certification must not limit the Federal awarding agency's right to survey the system. Under a self-certification procedure, the Federal awarding agency may rely on written assurances from the City that it is complying with these standards. The City must cite specific policies, procedures, regulations, or standards as being in compliance with these requirements and have its system available for review.

Bonding Requirements Under Federal Award

For construction or facility improvement contracts or subcontracts exceeding the Simplified Acquisition Threshold, the Federal awarding agency or pass-through entity may accept the bonding policy and requirements of the City provided that the Federal awarding agency or pass-through entity has made a determination that the Federal interest is adequately protected. If such a determination has not been made, the minimum requirements must be as follows:

- A bid guarantee from each bidder equivalent to five percent of the bid price. The "bid guarantee" must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.
- A performance bond on the part of the contractor for 100 percent of the contract price. A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract.
- A payment bond on the part of the contractor for 100 percent of the contract price. A "payment bond" is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.

Contract Provisions under Federal Award

The City must contain the applicable provisions described in [2 CFR Appendix II to Part 200 - Contract Provisions for Non-Federal Entity Contracts Under Federal Awards](#). See Exhibit "L" for contract provision for Non-Federal Entity Contracts Under Federal Awards.

PURCHASE REQUISITIONS

The purchase requisition is used to order the majority of goods and services through Purchasing. Departments must send an authorized purchase requisition to Purchasing for a purchase order to be generated using the One Solution System Workflow process. A purchase requisition is required for any and all purchases requiring a purchase order.

Procedure

All requisitions need to be entered in the One Solution System Workflow process. The requisition may require several levels of approval depending upon the total dollar amount of the requisition. Once the requisition has received the appropriate approvals, the requisition is forwarded to the Purchasing Division to initiate the procurement. The department director or designee is responsible for its accuracy and completeness. At a minimum, the requisition should include a complete and accurate description of the item/service needed, quantity needed, the estimated dollar amount of the item/service, appropriate GL account number(s), prospective vendors (if known) and any other information necessary to fulfill the procurement. The department director or designee should ensure that the items or services requested are necessary and that sufficient funds are available.

PURCHASE ORDERS

A purchase order is a contractual agreement issued by the City to purchase goods and/or services from a vendor and a promise to pay for those goods and services. It serves as the vendor's authorization to deliver goods and services and invoice as specified and agreed. The purchase order should include, but is not limited to, quantity, description, price, terms and conditions, and delivery location. Purchasing has established terms and conditions for all purchase transactions not utilizing a City approved agreement. Purchasing also issues purchase orders to authorize payment for public projects and provide a method for tracking expenditures.

Upon issuance of the purchase order, prompt distribution of all the copies will occur to ensure proper delivery, receipt of goods and payment of goods and services.

Services involving the performance of work on City property shall not be procured unless there is a fully-executed agreement for the work and the vendor has current insurance certificates and endorsements. If the department requesting the services is preparing the agreement, it is recommended that Purchasing review the agreement before the document is sent to the vendor for signature.

Purchasing will assist in securing executed agreements, business license (if required), and certificates of insurance and endorsements if requested. Failure to secure executed agreements and proper insurance and endorsements for services performed on City property renders the City unprotected against any subsequent claims by vendors. See the insurance section of the agreement to be used for general insurance requirements. Any deviation from these requirements must be coordinated with the Purchasing Manager and final approval authority rests with the Human Resources / Risk Manager.

Purchases made from the same vendor under two or more purchase orders for the same or like items in a short period of time may be considered bid splitting and a circumvention of CMC Chapter 3.08. Such instances will be brought to the attention of the appropriate department head.

Cancellation

If the user department determines a purchase order needs to be cancelled, a change order request should be submitted to Purchasing with an explanation of cancellation.

Purchases Approved by City Council

If the City Council has approved a purchase, the purchase requisition will not require additional signatures beyond the department director. A copy of the approved agenda report must be attached to the requisition.

BLANKET PURCHASE ORDERS

The blanket purchase orders are used by departments to purchase designated products or services on a repetitive basis from a specific vendor. Most are issued for the fiscal year and automatically close at the end of the fiscal year. blanket purchase orders can be issued unencumbered for services or products provided on an "as-needed" basis. This allows departments to allocate funds for the purchase of products or services to appropriate account numbers as needed.

Departments are encouraged to consider utilizing a blanket purchase order for repetitive purchases made on a regular basis throughout the year. This eliminates the need for issuing numerous requisitions. Blanket purchase orders will be issued encumbered for reoccurring monthly fees or services. Blanket purchase orders are department specific.

BLANKET PURCHASE ORDERS: The Purchasing Division issues blanket purchase orders (BPO) to selected vendors on an annual basis for use by all City departments to procure repetitive, high volume, low dollar value items on a continuous basis.

At the beginning of the fiscal year, Purchasing makes arrangements with certain vendors to have open accounts for use by all City departments. A listing of those vendors who have been issued blanket purchase orders is available on the Infoweb by vendor name. The blanket order states the products or services available and the terms and conditions of the purchase. Purchases under a blanket order shall remain within the requirements of established alternative procedures. Any deviations from what is stated on the blanket order should be reported to Purchasing for action and resolution.

While blanket purchase orders are generated and negotiated by Purchasing, departments are encouraged to recommend vendors.

CHANGE ORDERS

Change orders or amendments to contracts for all public and non-public projects are subject to the “next level of approval” process, where a change order is approved based on the cumulative value and the existing approval authority, unless specified otherwise in the Council approved agenda report.

Proper budget appropriations must be in place for the expenditure.

All change orders require the approval of various City personnel based on the threshold established pursuant to the following, including City Council awarded contracts:

**Purchase Order and Change Order Approval
Authorizations**

PO \$ Amount	Approval Authorization Required
\$1-\$55,000	Department Director or his/her designee
\$55,001-\$75,000	Public Works Director, DWP General Manager, and Asst. City Manager
\$75,001-\$100,000	City Manager
\$100,001 and above	City Council

**Change Order Approval Authorizations
for
Council Approved Purchase Orders**

Change Order \$ Amount	Approval Authorization Required
Lesser of 10% of the PO value or \$100,000 (maximum)	City Manager or his/her designee
Greater than 10% of the PO value or \$100,000	City Council

Example: A purchase for the Library and Recreation Services Department in the amount of \$30,000 may be approved by the Library and Recreation Services Director. A change order increasing the purchase order amount by \$25,000, resulting in a revised purchase order total of \$55,000, may be approved by the Library and Recreation Service Director. If the change order amount was greater than \$25,000, the next level of approval would be required.

Change Order Signature Authority Exceptions:

If a department requires the ability to increase the contract award greater than the lesser of 10% of the PO value or \$100,000, City Council authorization is required. The requesting department must include a recommended action item in the agenda report authorizing change orders up to a specific dollar amount or percentage over the Council approved amount.

Procedure:

Language to be included within the agenda report, under the Recommended Action section, should be written as follows:

City Council authorize the City Manager or his designees to approve necessary change orders up to a cumulative value of (specify \$ amount or percentage here) of the contract amount.

Language supporting the rationale for the increased change order authority amount must be included in the Analysis section of the agenda report.

Unforeseen Change Orders exceeding \$100,000 for Maintenance and Construction related projects:

In the event an unforeseen circumstance occurs during the course of the work that requires a change order causing the cumulative change order value to exceed the authorized thresholds, the change order may be evaluated for immediate approval to avoid the City incurring additional costs associated with delaying the work while awaiting Council approval. Examples of these situations include, but are not limited to, the following:

- Unforeseen field conditions/circumstances, e.g., bedrock encountered during excavation, undocumented fill, conflicts with underground utilities not shown on project drawings, etc., requiring additional work beyond the original project scope.

Procedure:

The requesting department will consult with the Purchasing Division and assess if the situation is deemed an unforeseen event. If the situation is determined by the requesting department and the Purchasing Specialist as an unforeseen event, the requesting department and Purchasing Specialist will proceed with processing a Change Order to the purchase order. The requesting department is required to then disclose the events to Council at the following Council meeting in the form of a department written agenda report and include supporting documentation that deemed the situation an unforeseen event.

The requesting department may also seek Council authorization to reset the change order approval cumulative thresholds **after** the unforeseen event change order has been incorporated into the new PO total contract amount.

Language to be included within the agenda report, under the Recommended Action Section, should be written as follows:

City Council authorize the City Manager or his designees to approve necessary change orders up to a cumulative value of \$100,000 based on the revised purchase order/ contract amount.

PROPRIETARY PROJECTS OR SOLE SOURCE PRODUCTS

Proprietary projects or sole source products bidding procedures are governed by [CMC Sections 3.08.100 \(e\), 3.08.110 \(d\) and 3.08.120 \(d\)](#). These purchases are an exception to normal procurement procedures and require a detailed justification.

(Reference Appendix, Exhibit titled, Proprietary Project / Sole Source Certification Form)

Departments are advised not to commence any work until final approval is obtained from the Purchasing Manager and, if necessary, the City Manager and/or City Council.

Authorizations for purchases resulting from the Sole Source / Proprietary Project Certification form are as follows:

\$10,001 - \$55,000	Purchasing Agent and Department Director*
\$55,001 - \$75,000	Purchasing Agent and Assistant City Manager
\$75,001 - \$100,000	Purchasing Agent and City Manager
> \$100,000	Purchasing Agent and City Council

* The Public Works Director and DWP General Manager may sign up to \$75,000 for Proprietary Projects / Sole Source Products

All purchases that are less than \$100,000 may require completion of the Proprietary Projects / Sole Source Products Certification Form with the appropriate approval prior to submittal to the Purchasing Manager and a memorandum justifying the purchase. Department director approval may be delegated to subordinate staff who have been authorized with full department authority limits.

All purchases that are greater than \$100,000 will require approval by City Council. If Council approval is required, do not use this form. Prepare an agenda report and include the Purchasing Manager as a reviewed by signature on the report.

EXCEPTIONS TO COMPETITIVE BIDDING NON-PUBLIC PROJECTS

For non-grant funded public and non-public projects that are \$100,000 or less, the department director will prepare a memo (“Department Memorandum”) to the Purchasing Agent describing in detail the reason for the exception to competitive bidding.

For non-grant funded public and non-public projects that exceed \$100,000, City Council approval is required. The department will describe in detail the reason for the exception to competitive bidding, citing the appropriate section from [CMC Section 3.08.140](#) for

non-public project procurements. Exceptions to bidding for public projects should be discussed immediately with the Purchasing Division prior to Departments taking any action.

Departments should not commence any work until the Department Memorandum receives final approval from the Purchasing Manager and, if necessary, the City Manager and/or City Council. Once approval has been received, the following procedure shall be observed.

A. Emergencies

Pursuant to [CMC Section 3.08.140 \(a\)](#), Purchases shall be submitted to the purchasing division on a requisition signed by the department director, accompanied by the approved Department Memorandum that certifies that the emergency situation makes competitive bidding, either formal or informal, impractical or not in the best interests of the City. The approval thresholds of such transactions are governed by the City of Corona Purchasing Manual - Delegation of Authority section as applicable.

B. No Competitive Market

Pursuant to [CMC Section 3.08.140 \(b\)](#), Purchases shall be submitted to the purchasing division on a requisition signed by the department director, accompanied by the approved Department Memorandum that certifies that a competitive market does not exist and that no competitive advantage will be gained by bidding. The approval thresholds of such transactions are governed by the City of Corona Purchasing Manual – Delegation of Authority section as applicable.

C. Competitive Bidding Already Completed

Pursuant to [CMC Section 3.08.140 \(c\)](#), Purchases shall be submitted to the purchasing division on a requisition signed by the department director, accompanied by the approved Department Memorandum that certifies that a competitive bid procedure has been conducted by another public agency such as CMAS, GSA, or WSCA and that the price to the City is equal to or better than the price to that public agency. The approval thresholds of such transactions are governed by the City of Corona Purchasing Manual – Delegation of Authority section as applicable.

D. State Purchase

Pursuant to [CMC Section 3.08.140 \(d\)](#), Purchases shall be submitted to the purchasing division on a requisition signed by the department director, accompanied by the approved Department Memorandum that certifies that the purchase is made on behalf of the City by the State Department of General Services. The approval thresholds of such transactions are governed by the City of Corona Purchasing Manual – Delegation of Authority section as applicable.

E. Purpose of Bidding Is Otherwise Accomplished

Pursuant to [CMC Section 3.08.140 \(e\)](#), Purchases shall be submitted to the purchasing division on a requisition signed by the department director, accompanied by the approved Department Memorandum that certifies that for non-public projects, it is in the best interest of the City and its administrative operations to dispense with public bidding. The approval thresholds of such transactions are governed by City of Corona Purchasing Manual – Delegation of Authority section as applicable.

F. No Bids Received

Pursuant to CMC [Section 3.08.140 \(f\)](#), Purchases shall be submitted to the purchasing division on a requisition signed by the department director, accompanied by the approved Department Memorandum that certifies that a competitive bid was conducted following the bidding procedures as outlined in [CMC Section 3.08.110](#) or [CMC Section 3.08.120](#) as applicable, that no bids were received and that the purchase is in the best interests of the City. The approval thresholds of such transactions are governed by the City of Corona Purchasing Manual – Delegation of Authority section as applicable.

G. Natural, Gas, Water and Electricity Purchases

Pursuant to [CMC Section 3.08.140 \(g\)](#), The General Manager of the Department of Water and Power or his or her designee is authorized to negotiate and execute, on behalf of the City, agreements with privately owned, federally owned, state owned and locally owned entities for the wholesale purchase and sale of natural gas, water, economy energy, replacement energy, replacement capacity and transmission service to deliver such natural gas, water and energy to Corona or such other locations as may be appropriate without competitive bidding within the budget approved by the City Council. Such purchases shall be submitted to the purchasing division on a requisition signed by the General Manager, accompanied by either language on the requisition or a memorandum signed by the General Manager that certifies that the price is competitive and that the purchase is in the best interests of the City.

H. Library Purchases

Pursuant to [CMC Section 3.08.140 \(h\)](#), The Library Director is authorized to negotiate and execute, on behalf of the City, contracts for the purchase of library materials without competitive bidding within the budget approved by the City Council. Such purchases shall be submitted to the purchasing division on a requisition signed by the Library Director, accompanied by either language on the requisition or a memorandum signed by the Library Director that certifies that the price is competitive and that the purchase is in the best interests of the City. The approval thresholds of such transactions are governed by the City of Corona Purchasing Manual – Delegation of Authority section as applicable. The Library Director may delegate his or her signature authority on the approved Signature Authorization form.

I. Mandated Expenditures

Pursuant to [CMC Section 3.08.140 \(i\)](#), Such purchases shall be submitted to the purchasing division on a requisition signed by the department director, accompanied by either language on the requisition or a memorandum signed by the department director that certifies that the price is mandated by law or regulation or is non-negotiable.

J. Otherwise Authorized

Pursuant to [CMC Section 3.08.140 \(j\)](#), Such purchases shall be submitted to the purchasing division on a requisition signed by the department director, accompanied by either language on the requisition or a memorandum signed by the department director that certifies that the purchase is authorized by an applicable law.

STATE, FEDERAL AND GRANT FUNDING

Any purchases made with state, federal or grant funds shall comply with all laws, rules and regulations made applicable by the funding source. ([See CMC Section 3.08.040 \(l\)](#).) The requesting department shall be responsible for meeting all such compliance requirements.

Procurements funded in whole or in part with Federal funds must comply with [Code of Federal Regulations \(CFR\), Title 2 Grants and Agreements, Subtitle A—Office of Management and Budget Guidance for Grants and Agreements, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Procurement Standards](#); or as otherwise specified in the specific grant document.

The City has established its internal control framework in accordance with the [Committee of Sponsoring Organizations' \(COSO\) Internal Control – Integrated Framework](#). The control procedures were designed to effectively protect the public funds and provide reasonable assurance on achieving the City's operational, reporting and compliance objectives. The control procedures are reviewed and updated by City employees and evaluated by independent auditors annually to ensure effectiveness.

In some cases, the City's competitive bidding requirements may be more restrictive than Federal requirements, and in such cases, the City's requirements shall prevail.

Failure to comply with these requirements may result in penalties or loss of funding for the City.

For Housing and Urban Development / Community Development Block Grant (HUD / CDBG) funded projects, *Reference Appendix, Exhibit titled, Purchasing Guidelines for HUD / CDBG Funded Projects.*

INFORMAL FEDERAL PROCUREMENT METHODS FOR HUD/CDBG

For all federal procurements, a minimum of (3) written price quotations must be obtained and documented by completing the Informal Federal Procurement Bid Sheet for HUD/CDBG Funded Projects, *Reference Appendix, Exhibit C*. Awarding an informally bid project without (3) three price or rate quotations documented in the file is a risky proposition that can result in the disallowance of costs (i.e. loss of federal dollars to the City). A “No Bid” or no response is not sufficient.

FEDERAL TRANSIT ADMINISTRATION ASSISTED PROCUREMENTS

The Federal Government, through the Federal Transit Administration (FTA), provides financial assistance to develop new public transportation systems and improve, maintain, and operate existing systems. Each FTA grantee is responsible for managing its program and projects in compliance with applicable Federal requirements, and the FTA is responsible for ensuring that grantees, including the City, comply with those requirements. Grantees use their own procurement procedures that reflect applicable state and local laws and regulations, provided that the process ensures competitive procurement and the procedures conform to applicable federal law, including Title 49–Transportation, Code of Federal Regulations (CFR), [Part 18-Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments \(specifically Section 18.36-Procurements\)](#) and [FTA Circular 4220.1F, “Third Party Contracting Guidance.”](#)

To assist in meeting the standards of [FTA Circular 4220.1F](#), City staff may consult [FTA’s Best Practices Procurement Manual](#). The Manual consists of suggested procedures, methods, and examples which FTA encourages. These suggestions are based on the Federal acquisition process, Comptroller General Decisions, and "Best Practices" of grantees and others in the industry. The Manual is envisioned as an ongoing and expanding document. It will be updated periodically with new subjects as well as additions or changes to existing subjects. The additions/changes will be based on: (1) changes in statutes, (2) the result of recent court decisions, (3) the need for further clarification, and (4) new or innovative practices of grantees.

The Manual consists of 11 chapters as follows:

1. Purpose and Scope
2. Procurement Planning & Organization
3. Specifications
4. Methods of Solicitation and Selection
5. Award of Contracts
6. Procurement Object Types: Special Considerations
7. Disadvantaged Business Enterprise
8. Contract Clauses
9. Contract Administration
10. Close-Out
11. Disputes

Of particular usefulness are the “Best Practices” for bus purchases (pre-award and post-delivery audits) and the procurement of Architectural and Engineering services using qualifications based on competitive proposal procedure ([Brooks Act](#)). The FTA

Manual can be found at <https://www.transit.dot.gov/funding/procurement/third-party-procurement/best-practices-procurement-manual>.

The City has incorporated Exhibits 'D' and 'E' into the Purchasing Policy and Procedures Manual which enumerate third party contract clauses, required certifications, reports, and forms, and other necessary items, as required to be incorporated into all procurements and contracts when FTA financial assistance is involved. To ensure that all FTA assisted procurements are following the appropriate guidelines Exhibit D will be used by the City as a checklist and incorporated as a permanent document for each FTA financially assisted procurement file.

Included in Exhibit D are procurement check list items for pre-award and post-delivery audits (including Buy America pre-award and post-delivery audits) required in material and rolling stock procurements to be performed by the City or on behalf of the City by an independent third party.

All FTA assisted procurements will be conducted in a manner providing full and open competition consistent with Federal standards as contained in [49 CFR 18.36](#). Some situations considered to be restrictive of competition include but are not limited to:

- i. Placing unreasonable requirements on firms in order for them to qualify to do business,
- ii. Requiring unnecessary experience and excessive bonding,
- iii. Noncompetitive pricing practices between firms or between affiliated companies,
- iv. Noncompetitive awards to consultants that are on retainer contracts,
- v. Organizational conflicts of interest,
- vi. Specifying only a "brand name" product instead of allowing "an equal" product to be offered and describing the performance of other relevant requirements of the procurement,
- vii. And any arbitrary action in the procurement process.

All FTA assisted procurements will be conducted in a manner that prohibits the use of statutory or administratively imposed in-State or local geographical preferences in the evaluation of bids or proposals, (i.e. Corona Local Bidder Preference Program) except in those cases where applicable Federal statutes expressly mandate or encourage geographic preferences. When contracting for architectural and engineering services, geographical location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

The City will use qualifications-based competitive proposal procedures for architectural and engineering services as defined in [40 U.S.C. Section 1102](#) and [U.S.C. Section 5325\(d\)](#). Services subject to this requirement are program management, construction management, feasibility studies, preliminary engineering, design, architectural, engineering, surveying, mapping, and related services.

Qualifications-based competitive proposal procedures (Brooks Act) require that:

- (1) A firm's qualifications are evaluated;
- (2) Price is excluded as an evaluation factor;
- (3) Negotiations be conducted with only the most qualified firm; and

- (4) Failing agreement on price, negotiations with the next most qualified firm be conducted until a contract award can be made to the most qualified firm whose price is fair and reasonable to the City.

LOCAL BIDDER PREFERENCE PROGRAM

In an effort to foster economic sustainability and strengthen local economic activity, the City Council has made certain findings and approved a Local Bidder Preference Program (Program). ([Refer to CMC Section 3.08.060 \(m\) and Section 3.08.080 \(j\).](#)) To be eligible to qualify for this Program, a Local Business (as defined in the ordinance) must demonstrate that it (i) has fixed facilities with employees located at a business address within City limits (a post office box or residence is insufficient); and (ii) has an appropriate City business license/permit. A Local Business seeking to qualify for this Program shall provide supporting information and certify in writing that it meets the above requirements as part of its bid. The Program allows for a 5% Local Business preference on competitive bids received for maintenance work and other general services projects and purchases of materials, supplies and equipment up to a maximum contract/purchase amount of \$200,000. For recurring purchases, the Local Program shall be applicable only to the City's first \$200,000 worth of such purchases for any fiscal year, as determined by city staff in its sole discretion. For such recurring purchases, the bidding documents shall indicate whether or not the Local Program is in effect for the applicable procurement. If the Local Program is applicable to a bid offering, it shall be noted in the applicable bid solicitation. The Program shall be applicable to all such purchases or contracts that are competitively bid, unless otherwise required by law (i.e. special state or federal grant programs).

If this Program is applicable to a bid offering, it shall be noted in the bid solicitation. In applying the Program to bids on a City contract or purchase subject to the Program, a qualifying Local Business shall be entitled to a reduction of 5%, in the tabulation of its bid for purposes of determining the lowest responsible bidder.

The Local Program may also establish a preference for purchases of materials, supplies, and equipment, as well as contracts for maintenance work and other general services, which are competitively bid and which involve an expenditure of more than \$200,000. Such preference shall allow the City to take into consideration the net sales tax to be returned to the City as a result of an award to a qualifying Local Business in determining the lowest responsive and responsible bidder. The net sales tax shall be calculated based on the applicable bid price provided by the bidder in accordance with the City's purchasing policy.

This Program does not apply to bids or requests for professional services proposals; however, City departments should make every effort to invite local vendors to participate by way of direct solicitation and coordination with local business organizations. Departments are encouraged to select a local firm for professional service contracts as long as all specifications are met, and pricing is competitive.

This Program does not apply to City bids for public projects.

RECYCLED PRODUCT PREFERENCE POLICY

Pursuant to [CMC Section 3.08.080 \(k\)](#), this policy applies to the City's informal and formal bidding procedures for the procurement of the types of materials, supplies, and equipment described in section B below.

A. The following definitions apply to this policy:

1. Except as provided in subparagraph (2), "Recycled product" means all materials, goods, and supplies, no less than 50 percent of the total weight of which consists of secondary and post consumer material with not less than 10 percent of its total weight consisting of post consumer material.
2. A "recycled product" also means other flat rolled steel products no less than 25 percent of the total weight of which consists of secondary and post consumer material, with not less than 10 percent of total weight consisting of post consumer material. Products made with flat rolled steel meeting these content percentages include, but are not limited to, automobiles, cans, appliances, and office furniture and supplies.
3. "Post consumer material" means a finished material that would have been disposed of as a solid waste, having completed its life cycle as a consumer item, and does not include manufacturing wastes.
4. "Secondary material" means fragments of finished products or finished products of a manufacturing process that has converted a resource into a commodity of real economic value, and includes post consumer material, but does not include excess virgin resources of the manufacturing process.

B. This section applies to the procurement and purchase of the following materials, supplies, and equipment containing the following recycled resources and meeting the specified recycled content requirements in paragraph (B) of this section:

- Recycled paper products, which include, but are not limited to, fine grades of paper, corrugated boxes, newsprint, tissue, and toweling
- Compost and co-compost products
- Glass
- Oil
- Plastic
- Solvents and paint, including water-based paint
- Tires
- Steel

C. All bidders will be required to specify the minimum, if not exact, percentage of recycled product in the materials, supplies, and equipment offered, both the post consumer and secondary waste content, whether or not the product meets the percentage of recycled product required pursuant to Section A above. The bidder may certify that the product contains zero recycled content.

- D. The City shall give a 10% price preference to bids consisting of at least 50% recycled products, if the product's fitness, quality, and availability are comparable to non-recycled products being offered.
- E. The combined dollar amount of preference granted pursuant to this section shall not exceed fifty thousand dollars (\$50,000) for a single bid or procurement.
- F. Fitness and quality being equal, the City shall endeavor to purchase recycled products instead of virgin products whenever available at no more than the total cost of the virgin materials.

FUEL PURCHASES

The Maintenance Services Division is responsible for the purchase of fuel for the City's vehicles. Due to the volatile nature of oil prices, Fleet Services buys fuel on the spot market in order to get the lowest and best price. They solicit bids for each purchase from a list of active vendors, and the vendor with the lowest price is awarded the bid for that delivery. The amounts of each purchase are within the threshold for informal bidding and the approval threshold of the Public Works Director. The Maintenance Services department may also piggy back from County Cooperative Agreements that result in fair and reasonable fuel pricing for the City

These purchases are handled administratively through the issuance of annual purchase orders rather than separate purchase orders for each transaction. The requirements for informal bids are met for each purchase and Fleet Services is responsible for providing copies of the informal bids on each transaction to the Purchasing Division.

PROCEDURES FOR EMERGENCY PURCHASE ORDERS

Emergency Purchase Orders are to be used only when computer generated purchase orders are not able to be completed, typically when the Emergency Operations Center has been activated.

The Purchasing Agent is the only authorized signature for Emergency Purchase Orders. The Purchasing Agent can be an individual who has been granted Purchasing Agent status from the Emergency Operations Center. Emergency Purchase Orders must be signed prior to disbursement to a vendor.

Purchasing will review all completed Emergency Purchase Orders prior to issuing to a Vendor.

CREDIT CARD PURCHASES – Use of P-Cards

The purpose of the City's credit card program (P-Card) is to establish a more efficient and cost-effective method of purchasing City supplies and equipment. The program will help to expedite purchases as well as reduce the number of purchase orders, invoices, and checks. This program compliments the existing procurement processes and procedures.

For the P-Card to have its most beneficial effect on how the City conducts its purchasing and payment processes, the purchasing authority is designated to be “up front.” Essentially, the cardholder is delegated the authority to purchase certain supplies and equipment within specified dollar amounts for business related purposes for the City. [The City Issued Credit Cards Policy 01200.003](#) outlines the administrative procedures and requirement for the application, use, and reporting of P-Card transactions, and shall be strictly followed by all cardholders. The Manual provides guidance on procurement criteria and transaction types, all activities through P-Card shall be compliant with the Manual requirement.

A. Allowable Transaction Types

The following types of purchase can be purchased with the P-Card:

- Membership dues and subscriptions
- Registration for conferences and training
- Reservation for approved travel/lodging
- Supplies, materials, and small equipment (subject to per transaction limit)

B. Single Transaction Limit

Single transaction limit for all P-Cards is currently set at \$5,000, per the [City Issued Credit Cards Policy 01200.003](#). Transaction exceeding \$5,000 may be approved by the Administrative Services Director on a case-by-case basis. Pre-approval is mandatory.

Department P-Cards may have a higher single transaction limit if requested by department directors and approved by the City Manager.

The established single transaction limit of \$5,000 should never be circumvented by splitting charges into multiple transactions, or multiple cards.

C. Prohibited Purchases

The following types of purchase are prohibited to be purchased with the P-Card:

- Services are not to be acquired on credit card due to the lack of insurance and indemnification language associated with these purchases.
- Any purchases or transactions requiring a separate agreement to be signed.
- Cash advances.
- Personal expenses, including but not limited automobile, food, gifts, and entertainment expenses.

D. Travel, Meal and Other Expenses

For expenditures relating to travel, meal and others, follow the [Travel and Other Expense Reimbursement Policy 01200.001](#).

E. Credit Card Policy

Refer to the Published [City Issued Credit Cards Policy 01200.003](#), City Issued Credit Cards, for basic policy and procedures for using City issued credit cards.

DONATION OF SURPLUS

The City Manager and Finance Director will consider the donation of surplus materials, supplies or equipment that have no commercial value or would require an expenditure of funds for continued care, handling, maintenance or storage which would exceed the estimated value. All donations are to be in conformance with the City's Donation of Surplus Property Policy. (*Reference Appendix, Exhibit titled, Donation of Surplus Property*). Refer to [Donation of Surplus Property Policy 01300.004](#) as posted on the Infoweb.

INSURANCE REQUIREMENTS

The following insurance requirements should apply to most City approved contracts and agreements for work performed on City property. Generally, the City of Corona will require contractors to provide evidence of current General Liability insurance with an endorsement to name the City of Corona as an additional insured; Auto insurance of a specified dollar amount per occurrence; Workers' Compensation coverage with statutory limits; Employer's Liability of a specified dollar amount per occurrence; and a Workers' Compensation Waiver of Subrogation endorsement. **Contracts with unusual hazards or risks should be reviewed by the City's Human Resources / Risk Manager prior to sending a contract to a vendor or including it in a bid solicitation.** Each City approved agreement will provide the complete details of the insurance requirements. Model Agreements and Instructions can be viewed on the Infoweb on the "[Templates](#)" tab. Any requested changes to the insurance requirements must be reviewed and approved by the City's Human Resources / Risk Manager.

Please refer to the City's [Risk Management Policy 05410.001](#) for further Insurance requirement guidance.

GLOSSARY OF TERMS

Advertising (also notice inviting bids/ proposals) - The placement of a public notice in an established newspaper or other publication according to legal requirements to inform the public the City is requesting bids on specific goods or services.

Alternative Procedure – See CMC Section 3.08.010 (b).

California Uniform Public Construction Cost Accounting Procedure – See CMC Sections 3.08.010 (a), 3.08.090.

Cooperative purchasing – See CMC Section 3.08.140 (c).

Emergency – A sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services. Per California Public Contract Code Section 1102.

Emergency purchase – See CMC Sections 3.08.010 (h), 3.08.130 (a), 3.08.140 (a).

Finance Director – Initially designated as the purchasing agent for the City. Responsible for the administration of the purchasing function of the City under the direction of the City Manager.

F.O.B. – “Free on Board” is a term that specifies three legal issues for a shipment of goods: (1) who pays the carrier, (2) where legal title to the goods shipped passes to the buyer and (3) who is responsible for preparing and pursuing legal claims with the carrier in the event goods are lost or damaged in shipment.

Force account - Any work that is performed by current City staff (force).

Formal bid - A bid that must be performed pursuant to CMC Sections 3.08.050 (d), 3.08.060 (d), 3.08.070 (d), 3.08.080 (d), 3.08.090 et seq., 3.08.110 et seq.

General services – See CMC Section 3.08.010 (j).

Informal bid – A bid that must be performed pursuant to CMC Sections 3.08.050, 3.08.060, 3.08.070, 3.08.080, 3.08.100, 3.08.120.

Local business – The vendor (i) has fixed facilities with employees located at a business address within City limits (a PO box or residence is insufficient); and (ii) has an appropriate City business license/permit. See CMC Section 3.08.080 (j).

Lowest responsive, responsible bidder – See CMC Section 3.08.040 (b).

Maintenance work – See CMC Section 3.08.010 (k).

Piggyback – (See Cooperative Purchasing).

Professional services – See CMC Section 3.08.010 (m).

Proprietary Projects or Products – See CMC Sections 3.08.100 (e), 3.08.110(d), 3.08.120 (d).

Public works project – See CMC Section 3.08.010 (l).

Purchase order (PO) – See CMC Section 3.08.040 (i).

Purchasing Agent – See CMC Section 3.08.010 (p).

Reasonable price determination – A “reasonable price” is a price that does not exceed that which would be incurred by a prudent person in the conduct of a competitive business. A reasonable price is established by market test, price or cost analysis, or through the experience and judgment of the purchasing agent or designee. Such judgment considers total value to the City. There is a value to the City in purchases which meet the City’s needs, such as those involving quality, quantity, delivery and service. A reasonable price need not be the lowest price available but is one which offers the highest total value to the City.

Request for proposal (RFP) – All documents, whether attached or incorporated by reference, utilized for soliciting competitive proposals.

Request for quote (RFQ) – A formal or informal solicitation of price quotes.

Sole Source Products – See CMC Section 3.08.110 (d), 3.08.120 (d).

Surplus materials, supplies and equipment – See CMC Section 3.08.150.

Workflow – City of Corona One Solution system requisition program and process for approval.

Work of Improvement – California Civil Code Section 3106 defines “work of improvement” as follows: "Work of improvement" includes but is not restricted to the construction, alteration, addition to, or repair, in whole or in part, of any building, wharf, bridge, ditch, flume, aqueduct, well, tunnel, fence, machinery, railroad, or road, the seeding, sodding, or planting of any lot or tract of land for landscaping purposes, the filling, leveling, or grading of any lot or tract of land, the demolition of buildings, and the removal of buildings. Except as otherwise provided in this title, "work of improvement" means the entire structure or scheme of improvement as a whole.

APPENDIX

EXHIBIT A – Purchasing Guidelines

TYPE OF PURCHASE	CODE SECTION	PROCUREMENT AMOUNT	METHOD OF PROCUREMENT	CITY AGREEMENT	REVIEW REQUIREMENTS	AUTHORIZATION	CHANGE ORDER LIMITS NON-COUNCIL APPROVED	CHANGE ORDER LIMITS COUNCIL APPROVED
Public Project	3.08.050	\$0 - \$45,000	By Alternative procedures as established in the Policies and Procedures Manual	Yes	Purchasing Agent City Engineer*	Director up to \$55,000	Up to cumulative total of PO advances to next approval level.	
		\$45,001 - \$80,000	Public Project Informal bidding procedure	Yes	Purchasing Agent City Engineer*	Director up to \$55,000 PW Director/DWP GMACM up to \$75,000 City Manager up to \$100,000	Up to cumulative total of PO advances to next approval level.	
		\$80,001 - \$125,000	Public Project Informal bidding procedure	Yes	Purchasing Agent City Engineer* City Council	City Manager up to \$100,000 City Council over \$100,000	Up to cumulative total of PO advances to next approval level.	Director up to \$55,000 PW Director/DWP GMACM up to \$75,000 City Manager up to \$100,000
		\$125,001 - \$175,000	Public Project Informal bidding procedure	Yes	Purchasing Agent City Engineer* City Council	City Council over \$100,000		Director up to \$55,000 PW Director/DWP GMACM up to \$75,000 City Manager up to \$100,000
		>\$175,000	Public Project Formal bidding procedure	Yes	Purchasing Agent City Engineer* City Council	City Council over \$100,000		Director up to \$55,000 PW Director/DWP GMACM up to \$75,000 City Manager up to \$100,000
Maintenance & General Services	3.08.060	\$0 - \$45,000	By Alternative procedures as established in the Policies and Procedures Manual	Yes	Purchasing Agent City Engineer*	Director up to \$55,000	Up to cumulative total of PO advances to next approval level.	
		\$45,001 - \$80,000	Non-Public Project Informal bidding procedure	Yes	Purchasing Agent City Engineer*	Director up to \$55,000 PW Director/DWP GMACM up to \$75,000 City Manager up to \$100,000	Up to cumulative total of PO advances to next approval level.	
		\$80,001 - \$125,000	Non-Public Project Informal bidding procedure	Yes	Purchasing Agent City Engineer* City Council	City Manager up to \$100,000 City Council over \$100,000	Up to cumulative total of PO advances to next approval level.	Director up to \$55,000 PW Director/DWP GMACM up to \$75,000 City Manager up to \$100,000
		\$125,001 - \$175,000	Non-Public Project Informal bidding procedure	Yes	Purchasing Agent City Engineer* City Council	City Council over \$100,000		Director up to \$55,000 PW Director/DWP GMACM up to \$75,000 City Manager up to \$100,000
		>\$175,000	Non-Public Project Formal bidding procedure	Yes	Purchasing Agent City Engineer* City Council	City Council over \$100,000		Director up to \$55,000 PW Director/DWP GMACM up to \$75,000 City Manager up to \$100,000
Professional Services	3.08.070	\$0 - \$45,000	By Alternative procedures as established in the Policies and Procedures Manual	Yes	Purchasing Agent City Engineer*	Director up to \$55,000	Up to cumulative total of PO advances to next approval level.	
		\$45,001 - \$80,000	Non-Public Project Informal bidding procedure	Yes	Purchasing Agent City Engineer*	Director up to \$55,000 PW Director/DWP GMACM up to \$75,000 City Manager up to \$100,000	Up to cumulative total of PO advances to next approval level.	
		\$80,001 - \$125,000	Non-Public Project Informal bidding procedure	Yes	Purchasing Agent City Engineer* City Council	City Manager up to \$100,000 City Council over \$100,000	Up to cumulative total of PO advances to next approval level.	Director up to \$55,000 PW Director/DWP GMACM up to \$75,000 City Manager up to \$100,000
		\$125,001 - \$175,000	Non-Public Project Informal bidding procedure	Yes	Purchasing Agent City Engineer* City Council	City Council over \$100,000		Director up to \$55,000 PW Director/DWP GMACM up to \$75,000 City Manager up to \$100,000
		>\$175,000	Non-Public Project Formal bidding procedure	Yes	Purchasing Agent City Engineer* City Council	City Council over \$100,000		Director up to \$55,000 PW Director/DWP GMACM up to \$75,000 City Manager up to \$100,000
Materials, supplies & equipment	3.08.080	\$0 - \$45,000	By Alternative procedures as established in the Policies and Procedures Manual	Typically not however check with Purchasing	Purchasing Agent City Engineer*	Director up to \$55,000	Up to cumulative total of PO advances to next approval level.	
		\$45,001 - \$80,000	Non-Public Project Informal bidding procedure	Typically not however check with Purchasing	Purchasing Agent City Engineer*	Director up to \$55,000 PW Director/DWP GMACM up to \$75,000 City Manager up to \$100,000	Up to cumulative total of PO advances to next approval level.	
		\$80,001 - \$125,000	Non-Public Project Informal bidding procedure	Typically not however check with Purchasing	Purchasing Agent City Engineer* City Council	City Manager up to \$100,000 City Council over \$100,000	Up to cumulative total of PO advances to next approval level.	Director up to \$55,000 PW Director/DWP GMACM up to \$75,000 City Manager up to \$100,000
		\$125,001 - \$175,000	Non-Public Project Informal bidding procedure	Typically not however check with Purchasing	Purchasing Agent City Engineer* City Council	City Council over \$100,000		Director up to \$55,000 PW Director/DWP GMACM up to \$75,000 City Manager up to \$100,000
		>\$175,000	Non-Public Project Formal bidding procedure	Typically not however check with Purchasing	Purchasing Agent City Engineer* City Council	City Council over \$100,000		Director up to \$55,000 PW Director/DWP GMACM up to \$75,000 City Manager up to \$100,000

* If the project affects the design or operation of public improvements or creates a dangerous condition of public property.

EXHIBIT B – Purchasing Guidelines for HUD/CDBG Funded Projects

TYPE OF PURCHASE	CITY CODE SECTION	PROCUREMENT AMOUNT	METHOD OF PROCUREMENT	ACCEPTABLE OUTCOME	CITY AGREEMENT	REVIEW REQUIREMENTS	SIGNATURE AUTHORIZATION	CHANGE ORDER LIMITS NON-COUNCIL APPROVED	CHANGE ORDER LIMITS COUNCIL APPROVED
Public Project	3.08.050	\$0 - \$45,000	By informal federal procurement methods § 2 CFR 200.320	Receipt of 3 written bids	Yes	Purchasing Agent City Engineer* CDBG Coordinator	Director up to \$55,000	Up to cumulative total of PO advances to next approval level.	
		\$45,001 - \$80,000	City of Corona Public Project Informal bidding procedure	Receipt of 3 written bids	Yes	Purchasing Agent City Engineer* CDBG Coordinator	Director up to \$55,000 PW Director/DWP GM/ACM up to \$75,000 City Manager up to \$100,000	Up to cumulative total of PO advances to next approval level.	
		\$80,001 - \$125,000	City of Corona Public Project Informal bidding procedure	Receipt of 3 written bids	Yes	Purchasing Agent City Engineer*, CDBG Coordinator City Council	City Manager up to \$100,000 City Council over \$100,000	Up to cumulative total of PO advances to next approval level.	Director up to \$55,000 PW Director/DWP GM/ACM up to \$75,000 City Manager up to \$100,000
		>\$150,000	City of Corona Public Project Formal bidding procedure	Receipt of 2 or more written, sealed bids	Yes	Purchasing Agent City Engineer*, CDBG Coordinator City Council	City Council over \$100,000		Director up to \$55,000 PW Director/DWP GM/ACM up to \$75,000 City Manager up to \$100,000
Maintenance & General Services	3.08.060	\$0 - \$45,000	By informal federal procurement methods § 2 CFR 200.320	Receipt of 3 written bids	Yes	Purchasing Agent City Engineer* CDBG Coordinator	Director up to \$55,000	Up to cumulative total of PO advances to next approval level.	
		\$45,001 - \$80,000	City of Corona Non-Public Project Informal bidding procedure	Receipt of 3 written bids	Yes	Purchasing Agent City Engineer* CDBG Coordinator	Director up to \$55,000 PW Director/DWP GM/ACM up to \$75,000 City Manager up to \$100,000	Up to cumulative total of PO advances to next approval level.	
		\$80,001 - \$125,000	City of Corona Non-Public Project Informal bidding procedure	Receipt of 3 written bids	Yes	Purchasing Agent City Engineer*, CDBG Coordinator City Council	City Manager up to \$100,000 City Council over \$100,000	Up to cumulative total of PO advances to next approval level.	Director up to \$55,000 PW Director/DWP GM/ACM up to \$75,000 City Manager up to \$100,000
		>\$150,000	City of Corona Non-Public Project Formal bidding procedure	Receipt of 2 or more written, sealed bids	Yes	Purchasing Agent City Engineer*, CDBG Coordinator City Council	City Council over \$100,000		Director up to \$55,000 PW Director/DWP GM/ACM up to \$75,000 City Manager up to \$100,000
Professional Services	3.08.070	\$0 - \$45,000	By informal federal procurement methods § 2 CFR 200.320	Receipt of 3 written bids	Yes	Purchasing Agent City Engineer* CDBG Coordinator	Director up to \$55,000	Up to cumulative total of PO advances to next approval level.	
		\$45,001 - \$80,000	City of Corona Non-Public Project Informal bidding procedure	Receipt of 3 written bids	Yes	Purchasing Agent City Engineer* CDBG Coordinator	Director up to \$55,000 PW Director/DWP GM/ACM up to \$75,000 City Manager up to \$100,000	Up to cumulative total of PO advances to next approval level.	
		\$80,001 - \$125,000	City of Corona Non-Public Project Informal bidding procedure	Receipt of 3 written bids	Yes	Purchasing Agent City Engineer*, CDBG Coordinator City Council	City Manager up to \$100,000 City Council over \$100,000	Up to cumulative total of PO advances to next approval level.	Director up to \$55,000 PW Director/DWP GM/ACM up to \$75,000 City Manager up to \$100,000
		>\$150,000	City of Corona Non-Public Project Formal bidding procedure	Receipt of 2 or more written, sealed proposals	Yes	Purchasing Agent City Engineer*, CDBG Coordinator City Council	City Council over \$100,000		Director up to \$55,000 PW Director/DWP GM/ACM up to \$75,000 City Manager up to \$100,000
Materials, supplies & equipment	3.08.080	\$0 - \$45,000	By informal federal procurement methods § 2 CFR 200.320	Receipt of 3 written bids	Typically not however check with Purchasing	Purchasing Agent City Engineer* CDBG Coordinator	Director up to \$55,000	Up to cumulative total of PO advances to next approval level.	
		\$45,001 - \$80,000	City of Corona Non-Public Project Informal bidding procedure	Receipt of 3 written bids	Typically not however check with Purchasing	Purchasing Agent City Engineer* CDBG Coordinator	Director up to \$55,000 PW Director/DWP GM/ACM up to \$75,000 City Manager up to \$100,000	Up to cumulative total of PO advances to next approval level.	
		\$80,001 - \$125,000	City of Corona Non-Public Project Informal bidding procedure	Receipt of 3 written bids	Typically not however check with Purchasing	Purchasing Agent City Engineer*, CDBG Coordinator City Council	City Manager up to \$100,000 City Council over \$100,000	Up to cumulative total of PO advances to next approval level.	Director up to \$55,000 PW Director/DWP GM/ACM up to \$75,000 City Manager up to \$100,000
		>\$150,000	City of Corona Non-Public Project Formal bidding procedure	Receipt of 2 or more written, sealed bids	Typically not however check with Purchasing	Purchasing Agent City Engineer*, CDBG Coordinator City Council	City Council over \$100,000		Director up to \$55,000 PW Director/DWP GM/ACM up to \$75,000 City Manager up to \$100,000

* If the project affects the design or operation of public improvements or creates a dangerous condition of public property.

EXHIBIT C – Informal Federal Procurement Bid Sheet for HUD/CDBG

INFORMAL FEDERAL PROCUREMENT BID SHEET FOR HUD/CDBG FUNDED PROJECTS

[Department Name]
DEPARTMENT

Item Description / Specifications	Quantity:
<p>[Item description - For example, 4 letter-sized wooden clipboards, 40 blue ball-point pens, 4 boxes staples, 4 staplers, 4 2-hole punches, 100 legal sized classification folders (any color), 1 box copy paper - standard grade white]</p>	

OBTAIN AT LEAST THREE (3) BIDS OR PRICE QUOTATIONS

Vendor Name, Address, Phone, and Contact Person	Bid Method	Unit Cost (Quote)	TOTAL (Contract Price)
Vendor Name: Address: Phone: Contact Person: Date of Contact:	<input type="checkbox"/> Written <input type="checkbox"/> Verbal		
Vendor Name: Address: Phone: Contact Person: Date of Contact:	<input type="checkbox"/> Written <input type="checkbox"/> Verbal		
Vendor Name: Address: Phone: Contact Person: Date of Contact:	<input type="checkbox"/> Written <input type="checkbox"/> Verbal		

ATTACH BIDS RECEIVED IN WRITING

Print Name of Person Obtaining Bids

Title

Signature

Date

EXHIBIT D - FTA Checklist**Checklist of Requirements for Federal Transit Administration (FTA) Financially Assisted Procurements for the City of Corona Transit Service**

Requirement	Comments	Master Agreement Reference	Checklist / Confirmation
All FTA-Assisted Third-Party Contracts and Subcontracts			
No federal government obligations to third-parties by use of a disclaimer		§2.f	
Program fraud and false or fraudulent statements and related acts		§3.f	
Access to Records		§10.a	
Federal changes		§2.c(3)(d)	
Civil Rights (EEO, Title VI & ADA)		§13	
Incorporation of FTA Terms	Per FTA C 4220.1F	§17.a	
Energy Conservation		§30	
Awards Exceeding \$10,000			
Termination provisions	49 CFR Part 18 Not required of states	§12	
Awards Exceeding \$25,000			
Debarment and Suspension	2 CFR Parts 180 and 1200	§3.b	
Awards Exceeding the Simplified Acquisition Threshold (\$100,000)			
Buy America	When tangible property or construction will be acquired	§16.a	
Provisions for resolution of disputes, breaches, or other litigation		§96	
Awards Exceeding \$100,000 by Statute			
Lobbying		§3.d	
Clean Air		§17.m	
Clean Water		§17.m	
Transport of Property or Persons			
Cargo Preference	When acquiring property suitable for shipment by ocean vessel	§16.b	
Fly America	When property or persons transported by air between U.S. and foreign destinations, or between foreign locations	§16.c	
Construction Activities			
Davis Bacon Act	Except for contracts <\$2,000 or third party contracts for supplies, materials, or articles ordinarily available on the open market	§28.a	
Copeland Anti-Kickback Act			
Section 1	All	§28.a	
Section 2	Contracts > \$2,000		
Contract Work Hours & Safety Standards Act	Contracts > \$100,000	§28.a	
Bonding for construction activities exceeding \$100,000	5% bid guarantee; 100% performance bond; and Payment bond equal to: *50% for contracts < \$1M *40% for contracts > \$1M, but < \$5M *\$2.5M for contracts > \$5M	§17.p(1)	
Seismic Safety	Contracts for construction of new buildings or additions to existing buildings	§26.a	
Non-construction Activities			
Non-construction Employee Protection (Contract Work Hours and Safety Standards Act)	Applicable to all turnkey, rolling stock and operational contracts (excluding contracts for transportation services) > \$100,000	§28.b	
Transit Operations			
Transit Employee Protective Arrangements	Applies to Section 5307, 5309, 5311 and 5316 projects	§28.d	
Charter Service Operations		§32	
School Bus Operations		§33	
Drug and Alcohol Testing	Safety sensitive functions. Applies to Section 5307, 5309, and 5311 projects	§40.b	
Planning, Research, Development, and Documentation Projects			
Patent Rights		§19	
Rights in Data and Copyrights		§20	
Exhibit M - Matrix and Checklist of Requirements in Federal Transit Administration Financially Assisted Procurements			
City of Corona Transit Service			
Requirement	Comments	Master Agreement Reference	Checklist / Confirmation
Miscellaneous Special Requirements			
Disadvantaged Business Enterprises (DBEs)	Contracts awarded on the basis of a bid or proposal offering to use DBEs	§13.d	
Prompt Payment and Return of Retainage	Per 49 CFR Part 26, if grantee meets the threshold for a DBE program	§13.d	
Recycled Products	Contracts for items designated by EPA , when procuring \$10,000 or more per year	§17.l	
ADA Access	Contracts for rolling stock or facilities construction/renovation	§13.g	
Assignability Clause	Piggyback procurements	§17.a	

EXHIBIT D - FTA Checklist (cont'd)**Checklist of Requirements for Federal Transit Administration (FTA) Financially Assisted Procurements for the City of Corona Transit Service**

B. REQUIRED CERTIFICATIONS, REPORTS, AND FORMS			
(excluding micro-purchases, except for construction contracts over \$2,000)			
Requirement	Comments	Master Agreement Reference	Checklist / Confirmation
Bus Testing Certification and Report	Procurement of buses and modified mass produced vans	§17.0(4)	
TVM Certifications	Procurement of buses and modified mass produced vans	§13.d(1)	
Buy America Certification	Procurements of steel, iron or manufactured products > \$100,000	§16.a	
Pre-Award Audit - Performed by City of independent third party on behalf of City	Rolling stock procurements	§17.o(3)	
Pre-Award Buy America Certification - Performed by City or independent third party on behalf of City	Rolling stock procurements > \$100,000	§17.o(3)	
Pre-Award Purchaser's Requirement Certification - Performed by City or independent third party on behalf of City	Rolling stock procurements	§17.o(3)	
Post-Delivery Audit - Performed by City or independent third party on behalf of City	Rolling stock procurements	§17.o(3)	
Post-Delivery Buy America Certification - Performed by City or independent third party on behalf of City	Rolling stock procurements > \$100,000	§17.o(3)	
Post-Delivery Purchaser's Requirement Certification - Performed by City or independent third party on behalf of City	Rolling stock procurements	§17.o(3)	
On-Site Inspector's Report	Rolling stock procurements for more than 10 vehicles for areas > 200,000 in population and 20 for areas < 200,000 in population	§17.o(3)	
Federal Motor Vehicles Safety Standards Pre-Award and Post-Delivery Certification	Non-rail rolling stock procurements	§17.o(3)	
Excluded Parties Listing System search	Procurements > \$25,000	§3.b	
Lobbying Certification	Procurements > \$100,000	§3.d(1)	
Standard Form LLL and Quarterly Updates (when required)	Procurements > \$100,000 where contractor engages in lobbying activities	§3.d(1)	

C. OTHER REQUIRED ITEMS			
Requirement	Comments	Master Agreement Reference	Checklist / Confirmation
Contract Administration System		Ch. III, §3	
Record of Procurement History		Ch. III, §3.d(1)	
Protest Procedures		Ch. VII, §1	
Selection Procedures		Ch. III, §3d(1)(c)	
Independent Cost Estimate		Ch. VI, §6	
Cost/Price Analysis		Ch. VI, §6	
Responsibility Determination		Ch. VI, §8.b	
Justification for Noncompetitive Awards	If applicable	Ch. VI, §3.l(1)(b)	
No excessive bonding requirements		Ch. VI, §2.h(1)(f)	
No exclusionary specifications		Ch. VI, §2.a(4)	
No geographic preferences	Except for A&E services	Ch. VI, §2.a(4)(g)	
Evaluation of Options	If applicable	Ch. VI, §7.b	
Exercise of Options		Ch. V, §7.a	

EXHIBIT E - FTA Third Party Contract Clauses
Required Third Party Contract Clauses for Federal Transit Administration (FTA)
Financially Assisted Procurements for the City of Corona Transit Service

Exhibit 6.1		
A. REQUIRED THIRD-PARTY CONTRACT CLAUSES (excluding micro-purchases, except for construction contracts over \$2,000)		
REQUIREMENT	COMMENTS	MASTER AGREEMENT REFERENCE
All FTA-Assisted Third-Party Contracts and Subcontracts		
No federal government obligations to third-parties by use of a disclaimer		§2.f
Program fraud and false or fraudulent statements and related acts		§3.f
Access to Records		§10.a
Federal changes		§2.c(3)(d)
Civil Rights (EEO, Title VI & ADA)		§13
Incorporation of FTA Terms	Per FTA C 4220.1F	§17.a
Energy Conservation		§30
Awards Exceeding \$10,000		
Termination provisions	49 CFR Part 18 Not required of states	§12
Awards Exceeding \$25,000		
Debarment and Suspension	2 CFR Parts 180 and 1200	§3.b
Awards Exceeding the Simplified Acquisition Threshold (\$100,000)		
Buy America	When tangible property or construction will be acquired	§16.a
Provisions for resolution of disputes, breaches, or other litigation		§96
Awards Exceeding \$100,000 by Statute		
Lobbying		§3.d
Clean Air		§17.m
Clean Water		§17.m
Transport of Property or Persons		
Cargo Preference	When acquiring property suitable for shipment by ocean vessel	§16.b
Fly America	When property or persons transported by air between U.S. and foreign destinations, or between foreign locations	§16.c
Construction Activities		
Davis Bacon Act	Except for contracts <\$2,000 or third party contracts for supplies, materials, or articles ordinarily available on the open market	§28.a
Copeland Anti-Kickback Act	Section 1	All
	Section 2	Contracts > \$2,000
Contract Work Hours & Safety Standards Act	Contracts > \$100,000	§28.a
Bonding for construction activities exceeding \$100,000	5% bid guarantee; 100% performance bond; and Payment bond equal to: *50% for contracts < \$1M *40% for contracts > \$1M, but < \$5M *\$2.5M for contracts > \$5M Not required of states	§17.p(1)
Seismic Safety	Contracts for construction of new buildings or additions to existing buildings	§26.a
Nonconstruction Activities		
Nonconstruction Employee Protection (Contract Work Hours and Safety Standards Act)	Applicable to all turnkey, rolling stock and operational contracts (excluding contracts for transportation services) > \$100,000	§28.b

EXHIBIT E - FTA Third Party Contract Clauses (cont'd)
Required Third Party Contract Clauses for Federal Transit Administration (FTA)
Financially Assisted Procurements for the City of Corona Transit Service

Transit Operations		
Transit Employee Protective Arrangements	Applies to Section 5307, 5309, 5311 and 5316 projects	§28.d
Charter Service Operations		§32
School Bus Operations		§33
Drug and Alcohol Testing	Safety sensitive functions. Applies to Section 5307, 5309, and 5311 projects	§40.b
Planning, Research, Development, and Documentation Projects		
Patent Rights		§19
Rights in Data and Copyrights		§20
Miscellaneous Special Requirements		
Disadvantaged Business Enterprises (DBEs)	Contracts awarded on the basis of a bid or proposal offering to use DBEs	§13.d
Prompt Payment and Return of Retainage	Per 49 CFR Part 26, if grantee meets the threshold for a DBE program	§13.d
Recycled Products	Contracts for items designated by EPA , when procuring \$10,000 or more per year	§17.l
ADA Access	Contracts for rolling stock or facilities construction/renovation	§13.g
Assignability Clause	Piggyback procurements	§17.a
Exhibit 6.2		
B. REQUIRED CERTIFICATIONS, REPORTS, AND FORMS (excluding micro-purchases, except for construction contracts over \$2,000)		
REQUIREMENT	COMMENTS	MASTER AGREEMENT REFERENCE
Bus Testing Certification and Report	Procurement of buses and modified mass produced vans	§17.0(4)
TVM Certifications	Procurement of buses and modified mass produced vans	§13.d(1)
Buy America Certification	Procurements of steel, iron or manufactured products > \$100,000	§16.a
Pre-Award Audit	Rolling stock procurements	§17.o(3)
Pre-Award Buy America Certification	Rolling stock procurements > \$100,000	§17.o(3)
Pre-Award Purchaser's Requirement Certification	Rolling stock procurements	§17.o(3)
Post-Delivery Audit	Rolling stock procurements	§17.o(3)
Post-Delivery Buy America Certification	Rolling stock procurements > \$100,000	§17.o(3)
Post-Delivery Purchaser's Requirement Certification	Rolling stock procurements	§17.o(3)
On-Site Inspector's Report	Rolling stock procurements for more than 10 vehicles for areas > 200,000 in population and 20 for areas < 200,000 in population	§17.o(3)
Federal Motor Vehicles Safety Standards Pre-Award and Post-Delivery Certification	Non-rail rolling stock procurements	§17.o(3)
Excluded Parties Listing System search	Procurements > \$25,000	§3.b
Lobbying Certification	Procurements > \$100,000	§3.d(1)
Standard Form LLL and Quarterly Updates (when required)	Procurements > \$100,000 where contractor engages in lobbying activities	§3.d(1)

EXHIBIT E - FTA Third Party Contract Clauses (cont'd)
Required Third Party Contract Clauses for Federal Transit Administration (FTA)
Financially Assisted Procurements for the City of Corona Transit Service

Exhibit 6.3		
C. OTHER REQUIRED ITEMS		
REQUIREMENT	COMMENTS	FTA C 4220.1F REFERENCES
Contract Administration System		Ch. III, §3
Record of Procurement History		Ch. III, §3.d(1)
Protest Procedures		Ch. VII, §1
Selection Procedures		Ch. III, §3d(1)(c)
Independent Cost Estimate		Ch. VI, §6
Cost/Price Analysis		Ch. VI, §6
Responsibility Determination		Ch. VI, §8.b
Justification for Noncompetitive Awards	If applicable	Ch. VI, §3.l(1)(b)
No excessive bonding requirements		Ch. VI, §2.h(1)(f)
No exclusionary specifications		Ch. VI, §2.a(4)
No geographic preferences	Except for A&E services	Ch. VI, §2.a(4)(g)
Evaluation of Options	If applicable	Ch. VI, §7.b
Exercise of Options		Ch. V, §7.a

EXHIBIT F – Verbal Price Quotation Worksheet



Verbal Price Quotation Worksheet

Per the [City or Corona Purchasing Policy and Procedures Manual](#) and with regard to purchases between \$10,001 - \$45,000, departments shall strive to obtain verbal price quotes from three or more potential contractors or suppliers, and accept the quote which is determined to be in the best interests of the City. Verbal price quotes shall be documented (listing the date, time, contact name, etc.) and provided as backup for a purchase requisition. To that regard, please use this worksheet.

NOTE: If the attempt to solicit three or more quotes is not attempted, the Department Director will prepare an Exception to Bid (ETB) memo describing in detail the reason for the exception to competitive bidding and submit the ETB memo to Purchasing.

STAFF NAME: <input style="width: 90%;" type="text"/>	DEPARTMENT OR DIVISION: <input style="width: 90%;" type="text"/>
REQUISITION #: <input style="width: 90%;" type="text"/>	REQUIRED DELIVERY DATE: <input style="width: 90%;" type="text"/>

	Vendor #1	Vendor #2	Vendor #3
Vendor Name:	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>
Sales Person:	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>
E-mail Address:	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>
Telephone:	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>
Physical Address:	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>
Date/Time of Quote:	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>
Vendor Quote Number:	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>

Qty Needed	Qty / Unit	Description of Product(s) / Service(s) to be Purchased	Vendor 1* Quote	Vendor 2* Quote	Vendor 3* Quote
<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	\$0.00	\$0.00	\$0.00
<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>
<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>
<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>
<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>
<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>
<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>
<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>
TOTAL: To UPDATE total RIGHT click in the column and choose "Update Field"			\$ 0.00	\$ 0.00	\$ 0.00
<i>*Ensure that the delivery cost and sales tax (if applicable) is included in the quote</i>					

COMMENTS: <input style="width: 90%;" type="text"/>	AWARDED TO: <input style="width: 90%;" type="text"/>
SIGNATURE: <input style="width: 90%;" type="text"/>	DATE: <input style="width: 90%;" type="text"/>

Once complete, this verbal price quotation worksheet must be sent to purchasing@ci.corona.ca.us for audit purposes.

EXHIBIT G – Purchase Order



CITY OF CORONA

PURCHASING DIVISION
 400 S. VICENTIA AVENUE, SUITE 215
 CORONA, CALIFORNIA 92882-2187
 (951) 736-2274 PURCHASING@DISCOVERCORONA.COM

Purchase Order No.
P20081

OUR PURCHASE ORDER NUMBER MUST APPEAR ON ALL INVOICES, PACKING LIST AND CORRESPONDENCE.

Vendor: 107503
 REGAN PAVING
 218 N SMITH AVE
 CORONA, CA 92880

Ship To: VARIOUS LOCATIONS
 CITY OF CORONA

Bill To: AD - ADMINISTRATION BLDG
 DWP ADMINISTRATION
 NOTE: PLEASE SEND
 INVOICES TO
 DWPINVOICES@CI.CORONA.CA.
 US

PR No	#	Qty	Unit	Account Number:	Unit Price	Tax/Other	Extended Amt
Status: PO Requested By: GENE SILVAS Terms: N30 Date Issued: 04/19/16							
50180878	0001	1.00	LT	22700000-43300 70730227-43300 (100%)	\$8,600.00	\$0.00	\$8,600.00

PURCHASE ORDER TO PROVIDE CONCRETE REPAIRS AT VARIOUS LOCATIONS.

REFERENCE RFQ: CONCRETE & SPOT REPAIRS LIST 2

BY THIS REFERENCE, THE MAINTENANCE SERVICES AGREEMENT DATED APRIL 18, 2016 ATTACHED HERETO IS INCORPORATED HEREIN.

NOTE: PLEASE SEND INVOICES TO DWPINVOICES@CI.CORONA.CA.US

VENDOR CONTACT: LUIS MUNOZ
 PH: (951) 735-8100
 EMAIL: LMUNOZ@REGANPAVING.COM

CITY CONTACT: EUGENE SILVAS
 PH: (951) 279-3629
 EMAIL: EUGENE.SILVAS@CI.CORONA.CA.US

FOR INVOICE QUESTIONS, PLEASE CONTACT ACCOUNTS PAYABLE (A/P) AT (951) 736-2326

ENCUMBERED

EXHIBIT H – Blanket Purchase Order



CITY OF CORONA

PURCHASING DIVISION
 400 S. VICENTIA AVENUE, SUITE 215
 CORONA, CALIFORNIA 92882-2187
 (951) 736-2274 PURCHASING@DISCOVERCORONA.COM

Purchase Order No.
B180018

OUR PURCHASE ORDER NUMBER MUST APPEAR ON ALL INVOICES, PACKING LIST AND CORRESPONDENCE.

Vendor: 101162
 HACH CO
 PO BOX 608
 5600 LINDBERGH DR
 LOVELAND, CO 80539-0608

Ship To: AD - ADMINISTRATION BLDG
 DWP ADMINISTRATION
 755 PUBLIC SAFETY WAY, 2ND
 FLOOR
 CORONA, CA 92880

(800) 227-4224

Bill To: AD - ADMINISTRATION BLDG
 ADMINISTRATIVE SERVICES
 NOTE: PLEASE SEND
 INVOICES TO
 ACCOUNTSPAYABLE@CI.CORO
 NA.CA.US

Status: PO	Requested By: KATIE HOCKETT	Terms: N30	Date Issued: 07/01/17			
PR No	#	Qty Unit	Account Number:	Unit Price	Tax/Other	Extended Amt
50180002	0001	1.00 LT	11000000-22900 (100%)	\$0.00	\$0.00	\$0.00
<p>TOTAL COST OF THIS BLANKET PURCHASE ORDER (BPO) MAY NOT EXCEED \$125,000 THIS BPO IS ISSUED AS A MATTER OF INFORMATION ONLY AND DOES NOT AUTHORIZE ANY SERVICES NOR PAYMENT. INDIVIDUAL RELEASE PURCHASE ORDERS (RPO) WILL BE ISSUED FOR SERVICES AND AUTHORIZE PAYMENT UPON RECEIVING INVOICES. PLEASE DO NOT USE BPO NUMBER ON INVOICES, AS ONLY RPO NUMBERS ARE AUTHORIZATIONS FOR PAYMENT.</p> <p>EACH INDIVIDUAL TRANSACTION SHALL NOT EXCEED \$10,000 WITHOUT PRIOR APPROVAL FROM THE PURCHASING DIVISION.</p> <p>ANNUAL PURCHASE ORDER FOR MATERIALS/SUPPLIES ONLY: WATER AND WATER RECLAMATION MONITORING EQUIPMENT, PARTS AND SUPPLIES ON AN "AS NEEDED" BASIS FOR THE PERIOD OF JULY 1, 2017 THROUGH JUNE 30, 2018.</p> <p>VENDOR CONTACT: MATT KUPFER PH: (800) 227-4224, EXT. 2228 EMAIL: MKUPFER@HACH.COM</p> <p>CITY CONTACT: PURCHASING DIVISION PH: (951) 279-2272 EMAIL: PURCHASING@CI.CORONA.CA.US</p>						

EXHIBIT I – Proprietary Projects/Sole Source Products Certification

PROPRIETARY PROJECTS/SOLE SOURCE PRODUCTS CERTIFICATION For Purchases between \$10,001 - \$100,000

VENDOR: _____ DATE: _____

Project/Commodity/Service: _____ Est. Cost: _____

DEFINITIONS: (Circle One)

1. Informal Public Projects: If the director of the using department certifies that, to the best of his or her knowledge, the project, product or service is proprietary in nature and can be obtained only from one vendor or contractor, and that no equivalent products or services are available, the notice inviting informal bids may be sent exclusively to such contractor. CMC Section 3.08.100(e)

2. Formal Non-Public Projects: If the director of the using department certifies that, to the best of his or her knowledge, the project, product or service is proprietary in nature and can be obtained only from one vendor or contractor, and that no equivalent products or services are available, the notice inviting formal bids or request for proposals may be sent exclusively to such vendor or contractor. CMC Section 3.08.110(d)

3. Informal Non-Public Projects: If the director of the using department certifies that, to the best of his or her knowledge, the project, product or service is proprietary in nature and can be obtained only from one vendor or contractor, and that no equivalent products or services are available, the notice inviting informal bids or request for proposals may be sent exclusively to such vendor or contractor. CMC Section 3.08.120(d)

Attach a memorandum addressed to the Purchasing Manager containing complete justification and documentation that supports the definition circled above. (REQUIRED FOR ALL – NO EXCEPTIONS)

To Be Completed By Requesting Department

<p>The undersigned certifies that the project, product or service contained herein meets at least one definition above.</p> <p>Department: _____ Division: _____</p> <p>Department Director: _____ Date: _____</p> <p>* The Public Works Director and DWP General Manager may sign up to \$55,000 for Proprietary Projects / Sole Source Products</p>

To Be Completed By Purchasing

<p>PURCHASING MANAGER APPROVAL: _____ Date: _____</p> <p>ASSISTANT CITY MANAGER APPROVAL: _____ Date: _____ (\$55,001 - \$75,000)</p> <p>CITY MANAGER APPROVAL: _____ Date: _____ (\$75,001 - \$100,000)</p> <p>All purchases that are greater than \$100,000 will require approval by City Council. If council approval is required do not use this form. Prepare a council agenda and include the Purchasing Manager as a "reviewed by" signature on the report.</p>

EXHIBIT J- Request to Surplus Materials, Supplies & Equipment



CITY OF CORONA REQUEST TO SURPLUS MATERIALS, SUPPLIES & EQUIPMENT

TO: Public Works Department - Operations Administration Date:

FROM: _____

****Note: May list multiple items ONLY if all the items are being disposed of in the same manner; otherwise one item per page.**

DELETE FROM FIXED ASSETS

Asset #	Description Serial # / Unit #	Initiating Department or 2 Digit Dept #	Working Condition indicate Y or N	Safe to Operate Y or N	Current Location of Asset	Date Available

ADD TO FIXED ASSETS

Asset #	Description Serial # / Unit #	Receiving Department or 2 Digit Dept #	Purchased P.O. Number	Transferred from Dept./ Location	New Location of Asset	Date

Justification _____

Signature: Transferring Department Head

Signature: Receiving Department Head

To be completed by: Public Works Department - Operations Administration

Date offered to City Departments: ___ / ___ / ___

Not Offered to City Departments

Deadline date for responses: ___ / ___ / ___

Reason:

Successful Dept Notified

Not Working Unsafe No Value

All others Notified _____
Successful Department Name

Obsolete Other

No Requests Received

Control Numer: (Warehouse use only)

Approved by: _____

Assistant Public Works Director/Operations _____ Date

To be completed by Warehouse

INVENTORY DISPOSAL

Methodology:

- RECYCLED SOLD
 DESTROYED TRANSFERRED

Department / Vendor handling disposal:

Name _____

Address _____

City _____

State _____ Zip _____

Disposal Date: ___ / ___ / ___

Signature of Person Receiving Asset: _____

Sale Price: _____

Can item be recycled: Yes No

X _____

Assistant Public Works Director/Operations _____

Print Name _____ Date

Date _____

EXHIBIT K – Donation of Surplus Property

RESOLUTION NO. 2007-065

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORONA, CALIFORNIA, AMENDING ADMINISTRATIVE POLICY NO. 300.11 REGARDING THE DONATION OF SURPLUS PROPERTY

WHEREAS, Sections 37350 and 37351 of the California Government Code allow cities to dispose of personal property for the common benefit and for the benefit of the city; and

WHEREAS, pursuant to Section 3.08.150 of the Corona Municipal Code, the City Council has previously adopted a resolution establishing a policy for the donation of surplus property that set rules and regulations to govern the fair and equitable donation of materials, supplies and equipment; and

WHEREAS, the City Council now finds it necessary to amend the previously adopted donation policy; and

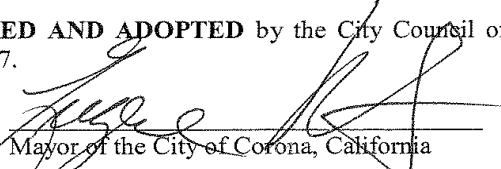
WHEREAS, the policy as amended by this resolution, is intended to remain in compliance with Section 3.08.150 of the Corona Municipal Code, providing that the City Manager and Finance Director shall not approve any donation without first making a finding that the materials, supplies and equipment are surplus to the needs of the City, that they have no commercial value or will require an expenditure of funds for continued care, handling, maintenance or storage which exceeds the estimated proceeds of sale, and that the donation is in the best interests of the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CORONA, CALIFORNIA, RESOLVES AS FOLLOWS:

SECTION 1. Administrative Policy No. 300.11, attached to this Resolution as Exhibit "A", is hereby amended and adopted.

SECTION 2. The Mayor shall sign this Resolution and the City Clerk shall attest thereto, and this Resolution shall take effect and be in force on the date of its adoption.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Corona on this 18th day of July, 2007.


Mayor of the City of Corona, California

ATTEST:

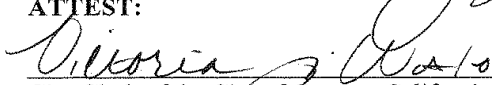

City Clerk of the City of Corona, California

EXHIBIT K – Donation of Surplus Property (cont'd)

EXHIBIT “A”

Donation of Surplus Property (amended)
Administrative Policy 300.11
Administered by: Finance Department

POLICY:

The City Manager and Finance Director will consider the donation of surplus materials, supplies or equipment that have no commercial value or would require an expenditure of funds for continued care, handling, maintenance or storage which would exceed the estimated value.

On a case by case basis and in order to approve the donation of materials, supplies or equipment, the City Manager and Finance Director shall make the following findings:

- That the materials, supplies or equipment are surplus to the needs of the City;
- That the materials, supplies or equipment either have no commercial value or will require an expenditure of funds for continued care, handling, maintenance or storage which exceeds the estimated value;
- The donation furthers a specific public purpose of the City; and
- Donations are made in a fair and equitable manner.

PROCEDURE:

1. The Finance Department will maintain a list of types of property eligible for donation and make such list generally available to eligible organizations.
2. Written requests for specific donations must be submitted by a public or governmental agency or eligible non-profit organization. The request must explain the use that would be made of the donated goods and must explain how that use benefits the City.
3. The Finance Department will make a determination as to the availability of the requested items and advise the City Manager and Finance Director.
4. In the event that the number of agencies and organizations exceed the amount of surplus property available for donation, the City Manager may make a determination as to the method and procedures for determining fair and equitable distribution of such surplus property.

EXHIBIT K – Donation of Surplus Property (cont'd)

5. Upon approval of the City Manager and the Finance Director, the Finance Department will contact the non-profit organization.
6. The non-profit organization is responsible for pick up and transportation of the donated property.
7. The non-profit will be required to sign a Release of Liability prior to pick up.

CERTIFICATION

I, Victoria J. Wasko, City Clerk of the City of Corona, California, do hereby certify that the foregoing Resolution was regularly introduced and adopted by the City Council of the City of Corona, California, at a regular meeting thereof held on the 18th day of July, 2007, by the following vote of the Council:

AYES: MILLER, MONTANEZ, NOLAN, SKIPWORTH, SPIEGEL
NOES: NONE
ABSENT: NONE
ABSTAINED: NONE

IN WITNESS THEREOF, I have hereunto set my hand and affixed the official seal of the City of Corona, California, this 18th day of July, 2007.


City Clerk of the City of Corona, California

(SEAL)

EXHIBIT L – Contract Provisions Under Federal Awards
Appendix II to Part 200

In addition to other provisions required by the Federal Grantor Agency or non-Federal entity, all contracts made by the non-Federal entity under the Federal award **must** contain provisions covering the following, **as applicable**.

A) Contracts more than the simplified acquisition threshold currently set at \$150,000, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.

B) All contracts in excess of \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.

(C) Equal Employment Opportunity. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of “federally assisted construction contract” in 41 CFR Part 60-1.3 must include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, “Equal Employment Opportunity” (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” and implementing regulations at 41 CFR part 60, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.”

(D) Davis-Bacon Act, as amended (40 U.S.C. 3141-3148). When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, “Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction”). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland “Anti-Kickback” Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, “Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States”). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

(E) Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the

EXHIBIT L – Contract Provisions Under Federal Awards
Appendix II to Part 200 (cont'd)

work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

(F) Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of “funding agreement” under 37 CFR §401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that “funding agreement,” the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency.

(G) Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended—Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

(H) Debarment and Suspension (Executive Orders 12549 and 12689)—A contract award (see 2 CFR 180.220) must not be made to parties listed on the governmentwide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), “Debarment and Suspension.” SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

(I) Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)—Contractors that apply or bid for an award exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

(J) See §200.322 Procurement of recovered materials provisions