



# **CITY OF MORENO VALLEY**

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## **VENDOR INFORMATION GUIDE**

**How to do Business with the City of Moreno Valley**

## **California Association of Public Purchasing Officers**

### **Standards of Procurement Practice**

- To regard public service as a sacred trust, giving primary consideration to the interests of the public agency that employs us.
- To purchase without prejudice, seeking to obtain the maximum value for each dollar expended.
- To avoid unfair practices, giving all qualified vendors equal opportunity.
- To honor our obligations and require that obligations to our public agency be honored.
- To accord vendor representatives courteous treatment, remembering that these representatives are important sources of information and assistance in solving our procurement needs.
- To refuse to accept any form of commercial bribery and prevent any appearance of so doing.
- To be receptive to counsel from our colleagues, and to cooperate with them to promote a spirit of teamwork and unity.
- To conduct ourselves with fairness and dignity, and to demand honesty and truth in the procurement process.
- To strive for greater knowledge of procurement methods and of the materials we purchase.
- To cooperate with all organizations and individuals involved in activities designed to enhance the development of the procurement profession, remembering that our actions reflect on the entire procurement profession.

**We subscribe to these standards.**

## **OUR MISSION**

The Purchasing & Sustainability Division (Purchasing Division) manages the City's procurement program through the effective use of a wide array of purchasing and contracting procedures involving the issuance of various solicitations, negotiation and award of contract for all types of goods and services including construction, architectural, and engineering services. Our goal is to provide timely and effective customer service consistent with sound public procurement principles.

## **OUR RESPONSIBILITY**

The Purchasing Division's primary responsibilities include purchasing services through the use of requests for proposals, and invitations to bid for all City operations; and ensuring full, open, and fair competition while maximizing the value received in the procurement process and conforming to the Purchasing Ordinance and accepted purchasing practices.

## **CODE OF ETHICS**

The City is committed to maintaining the highest ethical standards in all purchasing activities. All purchasing shall be in accordance with appropriate codes of the City of Moreno Valley and the State of California Government Code, as well as the standards of good business practice. The Purchasing Division will also operate under the principles and standards of purchasing advocated by the National Association of Purchasing Management and the California Association of Public Procurement Officials.

## **LOCAL VENDOR PREFERENCE**

A local vendor is a firm, individual, partnership, association, corporation or other legal entity that regularly maintains a place of business and transacts business in, or maintains an inventory of materials, supplies or equipment for sales in, and is licensed by, or pays business taxes to the city. A five percent preference may be given to local small business vendors for the purchase of nonprofessional services, supplies, materials and equipment, quality and price being equal per Municipal Code 3.12.150.

## **DISABLED VETERAN PREFERENCE**

It is the policy and practice to encourage the utilization and participation of Disabled Veterans Business Enterprises (DVBE) in city procurements and to align preference with the state requirements. This Disabled Veterans policy shall not be utilized where restricted by law or funding source requirements.

This policy shall apply to agreements, contracts, acquisition leases, and purchase orders for materials, services, professional services, professional consultants or trainers from firms or individuals engaged in "for profit" business activities paid for in whole or in part out of county

funds or funds administered by the city. To the extent of any conflict between this policy and any requirements imposed by the federal and state government relating to participation in a contract by a DVBE as a condition of receipt of federal or state funds, the federal or state requirements shall prevail. (Policy 3.18)

### **VENDOR REGISTRATION**

The Purchasing Division maintains an open list of vendors desiring to do business with the City of Moreno Valley through the City's Vendor and Bid Management system (OpenGov). When registering, please ensure your profile is accurate, and complete. It is the vendors' responsibility to maintain and update their vendor profile in the vendor and bid management system. Please be sure to select all category/groups code(s) for the services and/or products that your company provides. Prospective vendors will be notified by email when a future bid is published according to the category/group code(s) selected for the bid. Please register on our website at: <https://procurement.opengov.com/portal/morenovalley?status=all> .

If there are any technical questions regarding the vendor registration process, please contact OpenGov at (650) 336-7167.

### **BID OPPORTUNITIES**

The Purchasing Division also utilizes the vendor and bid management system for the City's bid notification process. We encourage you to visit our Bid Management opportunities page on a regular basis for a listing of current bid solicitations <https://procurement.opengov.com/portal/morenovalley?status=all>.

If there are any technical questions regarding the bid management process, please contact OpenGov at (650) 336-7167.

### **SOLICITATION METHODS**

For purchases, over \$75,000 for the aggregate term of the contract/PO, the Purchasing Policy permits for the use of the following solicitation methods: Request for Proposal (RFP), Request for Quote (RFQ) or Request for Bid (RFB).

Purchases of \$10,000 or less do not require competitive quotes. For purchases between \$10,000 - \$35,000 written or telephonic informal quotes shall be permitted. For solicitations between \$35,000 - \$75,000 informal competitive proposals will be accepted. Although a sealed bid technique may not be used, all informal quotations are made on a competitive basis securing quotes from at least three (3) qualified vendors whenever possible. Solicitations over \$75,000 are generally solicited through the City's electronic bid management system. Procurements over \$75,000 require approval and award by City Council.

## **PUBLIC WORKS REQUIREMENTS**

Public works definition:

- Construction, alteration, demolition, installation, or repair work done under contract and paid in whole or in part out of public funds. It can include preconstruction and post-construction activities related to a public works project. For a full definition of public works refer to Labor Code section 1720. ([www.dir.ca.gov](http://www.dir.ca.gov).)

Contractors are mandated to meet the following requirements to contract with the City of Moreno Valley:

- Must be licensed by the State of California
- Maintain a current registration number with the Department of Industrial Relations (DIR)
- Must have Current Worker's Compensation and Liability Insurance
- Projects exceeding \$1,000, all contractors must pay employees Prevailing Wage Rate.

## **DIR REGISTRATION**

The Legislature has made several changes to the laws governing how the DIR monitors compliance with the prevailing wage requirements on public works projects. New Labor Code section 1777.1 now requires that a contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, or engage in the performance of a contract for public work unless currently registered and qualified to perform work in the manner specified in new Labor Code section 1725.5.

Effective March 1, 2015 - No contractor or subcontractor may be listed on a bid proposal for a public works project unless registered with DIR.

Effective April 1, 2015 - No contractor or subcontractor may work on a public works project unless registered with DIR. No contractor or subcontractor may be awarded a contract for public work on a public works project unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5.

Labor Code section 1773.3 now requires awarding bodies to electronically notify DIR of any public works contract within 30 days of the award using the online PWC-100 form.

## **PREVAILING WAGES**

Prevailing wages apply to all public works over \$1,000, unless there is an exception. Anyone working on a public works project must be paid prevailing wages as determined by DIR. Failure to comply with public works requirements can result in civil penalties, criminal prosecution, or both.

## **BUSINESS LICENSE**

Per the City of Moreno Valley Municipal Code Title 5.02.020(A) Business Regulation, all businesses including, Rental Property, Non-Profit Organizations, Independent Contractors, Churches and Religious Organizations operating in the City of Moreno Valley are required to have a business license. This includes businesses which operate from a home, commercial location or subleases within an existing business. A separate business license certificate is required for each branch or location within the city. If you conduct business activities within the City of Moreno Valley but are located outside the City, you are required to have a Moreno Valley business license. For more information, please see City of Moreno Valley Business License website at <https://moval.gov/departments/financial-mgmt-svcs/svc-biz-license.html>

## **INSURANCE REQUIREMENTS & BONDS (OVER \$25,000)**

Contingent upon the commodity or service required successful bidders may be required to furnish the following documents:

- Bid Bond
- Performance Bond
- Labor and Materials (Payment) Bond
- General Liability Insurance
- Automobile Liability Insurance
- Professional Liability Insurance
- Workers' Compensation

Vendors are required to read carefully all special requirements that are outlined in the bid package. Please be prepared to provide proof of insurance coverage with the City of Moreno Valley, the City of Moreno Valley Community Services District, the Moreno Valley Housing Authority and each of their officers, officials, employees, agents, and volunteers named as additional insured.

## **PURCHASE ORDERS**

A purchase order is the City's preferred payment method and is required for procurement of services. Vendors are not to provide goods or services without first obtaining an approved purchase order number from the City. All purchase orders shall be signed by the Purchasing & Sustainability Division Manager or designated representative. If an emergency occurs after normal City Hall business hours, the vendor should request a purchase order number on the next business day.

## **DELIVERIES**

Deliveries to the City of Moreno Valley are understood to be shipped F.O.B. Destination, unless otherwise specified. Shipping charges, if applicable, must be included in the unit price of the items bid. Purchase order numbers must appear on all shipments, delivery slips and invoices.

Upon delivery to the City, goods must be delivered and accepted satisfactorily at the designated address shown on the purchase order. Deliveries that are specified to be delivered at our City Yard can be delivered to 15670 Perris Blvd, Moreno Valley, CA 92551. Please contact the Purchasing Division to schedule delivery. Failure to meet specified delivery schedules may result in cancellation of the order. At a minimum, such delinquency will be noted in the vendor's business file.

## **SALES TAXES & USE TAXES**

The City of Moreno Valley is NOT tax exempt. Sale tax and/or use tax must be shown on invoices. The City's current tax rate is 7.75%.

## **INVOICES**

The City will pay vendors within thirty (30) days following the receipt of a correct invoice(s), unless other payment terms have been agreed to per contract. The City will take advantage of prompt payment discount terms whenever possible. However, prompt payment terms are not currently considered as an evaluation factor in determining the lowest responsive and responsible bidder. The payment term shall begin on the date the merchandise is delivered, inspected and accepted by the City, or on the date a correct invoice is received by Accounts Payable, whichever is later. Prompt payment discounts shall be considered earned if payment is postmarked or personally delivered within the prescribed term. For the purposes of this section, the beginning date described above shall be considered day zero for the purposes of counting days in the prescribed term.

Invoices must show:

- City purchase order number
- The vendor's invoice number
- Date of order
- Name of department/division to which shipment was made
- Complete descriptions of the goods or services furnished
- Unit prices and additions
- Quantity
- All applicable taxes
- Discount terms

Once the City has received goods and services from the vendor, the vendor will submit an invoice to Accounts Payable. Accounts Payable will confirm goods and services were received by the

department who authorized the purchase. After the department approves the invoice, Accounts Payable will process payment. We encourage our vendors to participate in our Automatic Clearing House ACH/EFT electronic deposit payment. This will enable vendors to receive payments via electronic transfer.

### **CONFLICTS OF INTEREST AND ACCEPTANCE OF GIFTS AND OTHER GRATUITIES**

The Purchasing & Sustainability Division Manager and every officer and employee of the city are expressly prohibited from accepting any rebate, gift, money, or anything of value whatsoever, when it could be perceived in any way as intent to influence the employee in his/her official capacity. Officers and employees may accept token advertising items (e.g. pens, hats, coffee mugs, etc.) so long as the value remains below mandated disclosure limits set by the Fair Political Practices Commission limits for gifts for the current year. Additionally, other gifts may only be accepted when approved by a department head and should be shared with other employees in the department. In no instance shall gifts be received by any employee who would exceed the Fair Political Practices Commission's gift limitations. Any and all rebates that are given in the regular course of business will be turned over to the Purchasing Division. The Purchasing Division will use the rebates in a way that maximizes utility for the city.

### **DEBARMENT – PUBLIC CONTRACTS**

The city manager, or designated hearing officer, may debar any person from bidding upon or being awarded any contract or agreement with the city, or from being a subcontractor or supplier at any tier upon such contract or agreement, in accordance with the procedures established by this chapter.

During the time period that the debarment pursuant to this chapter of any person is in effect, the city shall not accept bids or proposals from, enter into contracts or agreements with, or allow performance of subcontracts or supply contracts by, such person, in accordance with the procedures established by this chapter.

During the time period that the debarment of any person by a state or federal agency is in effect, the city shall not, in conjunction with any city project receiving funds from such state or federal agency, accept bids or proposals from, contract with, or allow performance of subcontracts or supply contracts by, such person, whether or not such person has been debarred pursuant to this chapter. (Ord. 702 § 1, 2005)

### **PROTEST PROCEDURES**

To the extent not inconsistent with state law the following guidelines are to be followed for protests of awards made under this Chapter. Any bidder, offeror or contractor who is allegedly aggrieved in connection with the solicitation of a contract or purchase order may protest.



Protests of the contents of the specifications shall not be considered. Protests must be received by the city clerk no later than the close of business on the second (2nd) city business day after the date of bid opening. Protest documents will be date and time stamped by city personnel. Failure to submit a timely protest to the city clerk shall bar consideration of such protest. It is the responsibility of the protestor to verify the date of award and that the city clerk received their protest.

The city manager or designee shall respond in writing to the protestor within (5) five city business days. If the protestor wishes to appeal the decision rendered by the city manager or designee, such appeal must be made in accordance with the provisions for appeal set forth in Chapter 2.04 of the City of Moreno Valley Municipal Code. All protests shall be in writing and must include the following information:

1. The name, address and telephone number of the protestor.
2. The signature of the protestor or protestor's representative.
3. The solicitation, bid or contract number.
4. A detailed statement of all legal and factual grounds for the protest.
5. All documentation supporting the protestor's grounds for the protest.
6. The form of relief requested and the legal basis for such relief.

#### **PURCHASING DIVISION STAFF**

Anna Chacon, Purchasing & Sustainability Division Manager  
Diana Vargas, Senior Management Analyst  
Stephanie Suss, Management Assistant  
Jeremy Leslie, Management Aide  
Micala Barber, Management Aide  
Ricky Castillo, Storekeeper  
Allen Lopez, Recycling Management Assistant  
Carlos Gomez, Recycling Specialist  
Tanner De Berry, Recycling Specialist

#### **Business Hours:**

Mon– Thurs: 7:30am – 5:30pm

Friday: 7:30am – 4:30pm

Main Phone Number: 951-413-3190

City Yard Warehouse: 951-413-3187

Email: [Purchasingdivision@moval.org](mailto:Purchasingdivision@moval.org)

## **USEFUL LINKS**

OpenGov (City of Moreno Valley Portal):

<https://procurement.opengov.com/portal/morenovalley?status=all>

City of Moreno Valley Internet Site:

<http://www.moval.org/index.shtml>

City of Moreno Valley Municipal Code Website:

<https://qcode.us/codes/morenovalley/>

California Department of Industrial Relations (Prevailing Wage and Contractor Registration):

[www.dir.ca.gov](http://www.dir.ca.gov).