



HOW TO DO BUSINESS

**GENERAL SERVICES DEPARTMENT
PURCHASING DIVISION**

August 2024



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Introduction

The purpose of this guide is to provide a quick reference guide about the City's purchasing policies, procedures, and to explain how you can do business with the City. The City of Fresno maintains the highest ethical standards in its purchasing practices to ensure that the vendor selection process is transparent and competitive and that all participants are treated fairly.

One Fresno: Shared Potential, Shared Success

Fresno is an area with limitless opportunity. Fresno's post-COVID recovery ranked number two on the list of 49 of the largest American cities, and a recent study shows that Fresno experienced the sixth largest growth in productivity in the past fifteen years.

Quick Facts

- Population: 552,454
- Number of Households: 178,080
- Median Disposable Income: \$50,011
- 2022 Retail Taxable Sales: \$10.6B

<https://www.fresnoedc.com/fresno-ca/>





About the Purchasing Division

The City of Fresno purchases a wide variety of goods and services through a centralized purchasing system. The Purchasing Division administers this system and is committed to provide prompt and effective procurement services which meet the needs of our City Departments. These services are in accordance with the spirit and requirements of the City Charter and Municipal Code while affording equal access to all entities seeking to do business with the City.

Key Services

- Conducts various competitive bidding processes to obtain the best pricing for the City.
- Submits all procurement/projects over \$172,000 (current Formal Bid Limit, updated annually in July) and Requests for Proposals for services over \$100,000 to City Council for review and award.
- Offers online purchasing management system that allows vendors from all over the country to register online, receive automated e-mail notices, receive City solicitations for services and commodities, and to submit bids online.
- Provides Divisions with use of a Cal Card (Visa Card) to make small dollar purchases of materials, parts, and supplies for their immediate needs.
- Advises customers on best and fastest procurement methods, layout and content of formal bid specification.
- If requested, provides on-site services to advise customers regarding procurement issues and questions.
- Facilitates problem solving between clients and vendors/contractors (excluding public works projects) during contract administration.
- Administers citywide contracts, such as security and custodial services.
- Arranges for disposal of surplus assets.
- If needed, coordinates appeals hearings and represents the City.



Code of Conduct

The City of Fresno's Purchasing Division subscribes to and accepts as its own, the Standards of Purchasing Practice adopted by the California Association of Public Purchasing Officers (CAPPO).

- 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 purchasing 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 honestly and truth in the purchasing process.
- To strive for greater knowledge of purchasing methods and of the materials we purchase.
- To cooperate with all organizations and individuals involved in activities designed to enhance the development of the purchasing profession, remembering that our actions reflect on the entire purchasing profession.

Disadvantaged Business Enterprise Program

The Federal DBE Program is a legislatively mandated program implemented by each state. The City of Fresno is a recipient of Federal Highway Administration (FHWA), Federal Aviation Administration (FAA) and Federal Transit Administration (FTA) funds and as a condition of receiving these funds, the City has implemented the US Department of Transportation (DOT) DBE and ACDBE Programs based on 49 CFR, Part 23 and 26 requirements.

Objectives and Benefits of the DBE Program in Fresno

- Create a level playing field on which DBEs can compete fairly.
- Ensure that only firms that meet eligibility standards are permitted to participate as DBEs
- Certification is recognized by 800 local agencies in CA.
- Expands opportunities to participate in federally-funded projects.
- Become accessible to prime contractors needing to fulfill DBE participation goal requirements.
- Eligible for mentor protégé opportunities such as Caltrans' Cal Mentor programs.
- Listings in official directories such as the CUCP database used by prime contractors.

To see certification requirements and how to apply for the program, please visit:

<https://fresno.dbesystem.com/>

Local Preference

Local Business Definition:

A business with a fixed primary or branch office either (i) within a twenty-five (25) mile radius of Fresno City Hall, or (ii) within the County of Fresno.

Except for those contracts funded by the federal or state government, the Fresno City Council authorizes the Purchasing Manager to extend a bid preference of 5% to local businesses participating in the bidding process. This bid preference would be applied during the evaluation stage of the applicable bid and the cap for local preference is \$75,000.

When applying the preference, if the local bidder becomes the low bidder, they will be awarded the contract. Bidders are required to self-certify each time a new bid/proposal is submitted using the form(s) provided in the specifications.

https://library.municode.com/ca/fresno/codes/code_of_ordinances?nodeId=MUCOFR_CH4CIPUCOSA_ART1PUPEPR_COSEWO_S4-108LOPRCORECOBI



City Purchases

Please note, this is not a complete list.

Products, Supplies, Materials, & Equipment

- Vehicles: Cars, Trucks, Vans, Etc.
- Petroleum: Fuel, Lubricants
- Office Supplies
- Printed Forms, Paper
- Computer Hardware And Software
- Animal Feed And Supplies
- Medical Equipment And Supplies
- Laboratory Equipment And Supplies
- Castings
- Chemicals
- Institutional Clothing And Laundry Service
- Electrical Supplies, Lamps
- Software, IT products

Construction Services

- Building Construction Services
- Street Repair & Maintenance
- Demolition
- Park and Playground Improvement
- Utility System and Repair

Non-Professional Services

- Janitorial
- Security Services
- Pest Control
- Landscaping
- Fleet Cleaning
- Transportation

Professional Services

- Consultants: Management
- Engineering
- Architects
- Accounting & Auditing
- Environmental

Solicitation Types

Construction & Product Purchases (Bids)

- Bids are used when the City purchases products, supplies, materials, equipment and for Public Work of Improvement Projects (construction)
- Award is made to the lowest responsive and responsible bid
- Formal = greater than \$172,000*

Requests for Proposals (RFP)

- Requests for Proposals are used by the City for contracting for Non-Professional Services (Security Services, Landscape Maintenance, Janitorial, etc.)
- Award is made to the best value for the City
- Formal = greater than \$100,000

Request for Qualifications (RFQual)

- Requests for Qualifications are used by the City for contracting for Professional Services (Consultants, Engineers, Architects, etc.)
- Award is made to the best value for the City
- Formal = greater than \$100,000

*Updated annually in July.

Public Works Projects

Public Work of Improvement Definition:

Shall mean the construction, reconstruction, erection, improvement, installation, alteration, renovation, addition to, restoration, repair, painting or repainting, laying of carpet, demolition or removal, in whole or in part, of any building, road, curb, gutter, sidewalk, fence, railroad, bridge, drain, ditch, canal, dam, tunnel, sanitary sewer, storm sewer, water system, well, traffic signs, traffic signals, street lighting system, parking lot, park, playground, and all other facilities. It also means the seeding, sodding, or planting of any lot or tract of land for landscaping purposes, and the excavation, filling, leveling, or grading of any lot or tract of land. Notwithstanding the foregoing, “work of improvement” shall not mean or include any of the following:

1. Maintenance work
2. Work performed during the design and preconstruction phases of construction including, but not limited to, inspection and land surveying work

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

- Must be licensed by the Contractors State License Board (CSLB)
- Maintain a current registration number with the Department of Industrial Relations (DIR)
- Must have Current Worker’s Compensation and Liability Insurance
- All contractors must pay employees the applicable Prevailing Wage Rate for all Projects exceeding \$1,000



Statement of Qualifications

Bidders who wish to participate in the formal bidding process with the City of Fresno for Public Work of Improvement (construction) projects must provide a valid Statement of Qualifications to include Schedules A-1 and A-2.

This can be accomplished in one of two ways:

- 1) Have original on file with the Office of the Purchasing Manager of the City of Fresno or;
- 2) Submit the original with your bid proposal.

The statement must be filed annually and statements that are older than one year are no longer valid.

The Statement of Qualifications forms can be found on the City's website at:

<https://www.fresno.gov/wp-content/uploads/2023/03/SOQ-Forms-1.pdf>

Email: Purchasing@fresno.gov
ATTENTION: Purchasing Manager

The undersigned presents this STATEMENT OF QUALIFICATIONS to the City of Fresno in conjunction with proposed participation in the following City program(s) (check):

A. ☒ Construction Bids
C. ☐ Mortgage Revenue Bonds

B. ☐ Redevelopment/Urban Renewal
D. ☐ Industrial Revenue Bonds

The appropriate schedule(s) has/have been completed and is/are attached. The undersigned understands that any changes from the information provided in the schedule(s) will be documented in an "UPDATE OF STATEMENT OF QUALIFICATIONS" and filed in accordance with City requirements applicable to the particular program(s). The undersigned further understands that this STATEMENT OF QUALIFICATIONS, (and its schedules), hereinafter collectively known as the "STATEMENT", will expire one (1) year from the date of filing, and that completion and filing of a new STATEMENT will be required to continue participation in the subject program(s).

Name of Participant: _____

Business Address: _____

City, State, Zip: _____

Telephone Number: _____ Fax Number: _____

E-mail Address: _____

Type of Business:

☐ Corporation ☐ Partnership ☐ Joint Venture

☐ Individual ☐ Other (specify): _____

☐ DBE Certification No. _____

by Agency _____

"I certify under penalty of perjury under the laws of the State of California that the information provided herein and on the attached schedules is true and correct and Schedule A-1 has been read and considered in the completion of Schedule A-2":

Name of Participant: _____

SIGNED UNDER PENALTY OF PERJURY BY: _____

Name and Title of Authorized Official: _____

Bidding System

Bid Opportunities

Planet Bids is a fully automated web-based vendor registration and bid management system. All necessary specifications, forms, and other bid documents may be viewed and downloaded electronically on the City of Fresno's Vendor Portal.

There are optional fee-based services that Planet Bids offers to vendors but there are **no** requirements for these services to bid on City projects.

Vendor Registration

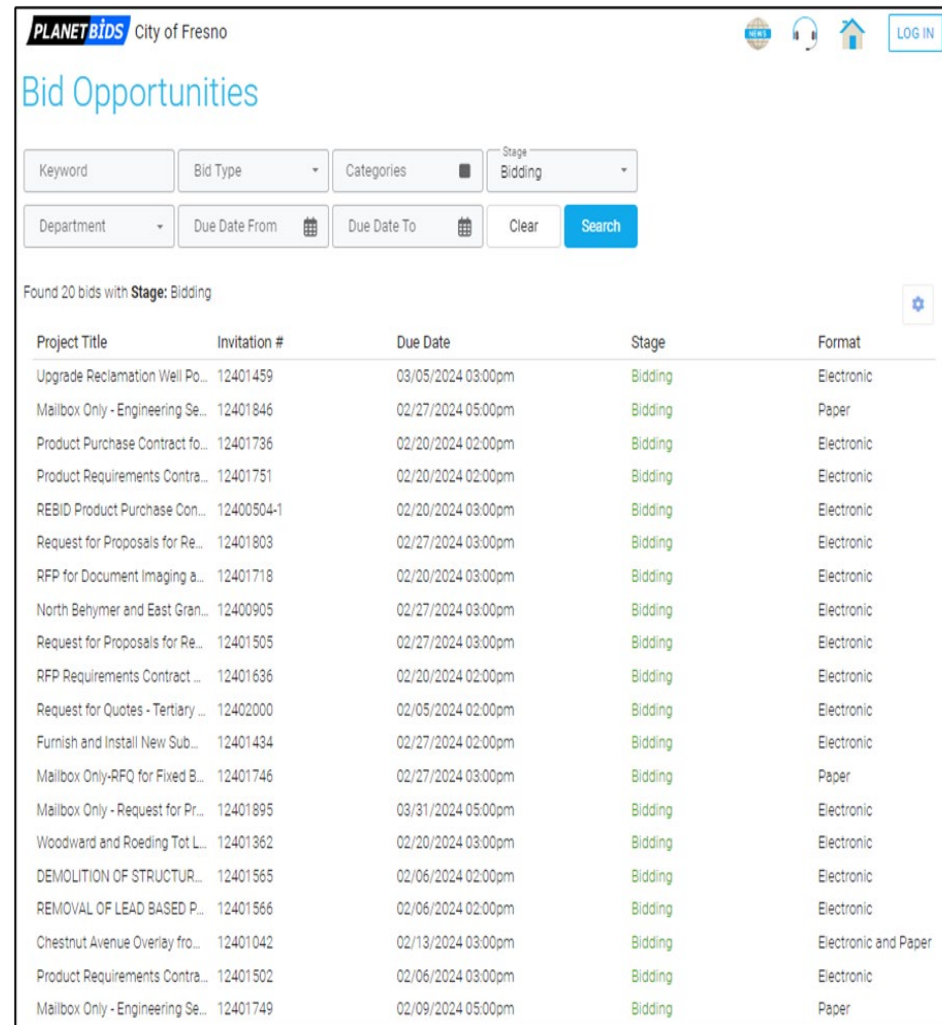
To receive new bid notifications and participate in the bidding process, all vendors must first register with Planet Bids at:

<https://pbsystem.planetbids.com/portal/14769/portal-home>

There is no cost to register or use the system.

When registering, please make sure that your profile is accurate, complete, and kept up-to-date. Select category codes for all products and/or services that your company provides to help ensure you are notified of a bid or Request for Proposals that may be of interest to you. New Vendor Registration Instructions can be found here:

<https://www.fresno.gov/wp-content/uploads/2023/05/Planet-Bids-Registration.pdf>



Project Title	Invitation #	Due Date	Stage	Format
Upgrade Reclamation Well Po...	12401459	03/05/2024 03:00pm	Bidding	Electronic
Mailbox Only - Engineering Se...	12401846	02/27/2024 05:00pm	Bidding	Paper
Product Purchase Contract fo...	12401736	02/20/2024 02:00pm	Bidding	Electronic
Product Requirements Contra...	12401751	02/20/2024 02:00pm	Bidding	Electronic
REBID Product Purchase Con...	12400504-1	02/20/2024 03:00pm	Bidding	Electronic
Request for Proposals for Re...	12401803	02/27/2024 03:00pm	Bidding	Electronic
RFP for Document Imaging a...	12401718	02/20/2024 03:00pm	Bidding	Electronic
North Behymer and East Gran...	12400905	02/27/2024 03:00pm	Bidding	Electronic
Request for Proposals for Re...	12401505	02/27/2024 03:00pm	Bidding	Electronic
RFP Requirements Contract ...	12401636	02/20/2024 02:00pm	Bidding	Electronic
Request for Quotes - Tertiary ...	12402000	02/05/2024 02:00pm	Bidding	Electronic
Furnish and Install New Sub...	12401434	02/27/2024 02:00pm	Bidding	Electronic
Mailbox Only-RFQ for Fixed B...	12401746	02/27/2024 03:00pm	Bidding	Paper
Mailbox Only - Request for Pr...	12401895	03/31/2024 05:00pm	Bidding	Electronic
Woodward and Roeding Tot L...	12401362	02/20/2024 03:00pm	Bidding	Electronic
DEMOLITION OF STRUCTUR...	12401565	02/06/2024 02:00pm	Bidding	Electronic
REMOVAL OF LEAD BASED P...	12401566	02/06/2024 02:00pm	Bidding	Electronic
Chestnut Avenue Overlay fro...	12401042	02/13/2024 03:00pm	Bidding	Electronic and Paper
Product Requirements Contra...	12401502	02/06/2024 03:00pm	Bidding	Electronic
Mailbox Only - Engineering Se...	12401749	02/09/2024 05:00pm	Bidding	Paper

Regulated Communication

From the time Bid Specifications or Request for Proposals documents are released and until award/rejection is made, no direct contact shall be made with City officials or staff except the Purchasing Division without the Purchasing Manager's specific authorization. All questions shall be referred to the Purchasing Division who will be responsible for transmittal of information.

Communication with Elected Officials

The process for regulated communications with elected officials in the City's procurement process is addressed in the Fresno Municipal Code (FMC) Chapter 4, Article 6. This article applies to competitive procurement which may result in the award of a contract by the Council. The intent of the Article is to:

- Ensure all communications by and between bidders/proposers, the Mayor and Councilmembers is open and public.
- All elected officials should be provided the same information for decision-making.
- Instill greater public confidence in the integrity of the City's procurement processes by eliminating the appearance of impropriety and special consideration
- Lessen the chance of miscommunication or misunderstanding
- Foster a greater sense of equity and fair play
- Ensure the Mayor and all Councilmembers are afforded equal access to information

Any elected official and any proposer who has initiated, engaged in or received any regulated communication must disclose the regulated communication as per the process outlined in the FMC Section 4-606.

Sanctions may be imposed by the Purchasing Manager as outlined in the FMC Sections 4-607 and 4-608.

The complete language and process can be accessed here: [Regulated Communications in City Procurement Processes](#)

Staff Determination

Once the City has reviewed and evaluated any and all bids/proposals, a Staff Determination will be posted on the City’s website. The Staff Determination is the City department and Purchasing’s recommendation for award to council. It is not a final decision and does not indicate a Notice to Proceed as council will need to approve the award.

The Staff Determination can also be found at the front counter of the General Services Department, as well as on the public notice board at City Hall.

It is the sole responsibility of interested bidders/proposers to seek this information out from either of these sources.

The Staff Determination is located under the Resource Links at <http://www.fresno.gov/generalservices/purchasing> and is titled “Anticipated Formal Bid Award”.



Purchasing Division - (559) 621-1332 - www.fresno.gov
2101 G Street, Building A
Fresno CA 93706

General Services Department
Brian Barr, Director

NOTICE OF STAFF DETERMINATION OF CONTRACT AWARD

Posted: January 5, 2024

Staff has determined the following to be the lowest responsive and responsible bidder(s) for the project(s) listed below. Any bidder having a specific interest in the award of a contract may file an appeal of the Staff Determination of contract award in accordance with Resolution 2003-129. **Note:** Requests for Proposals are awarded based on best value as determined by a Selection Committee. Resolution 2003-129 does not apply to Request for Proposals, (RFP's), Request for Qualifications (RFQ's), or Request for Information (RFI), *unless specifically included in the specifications.*

<u>Bid File</u>	<u>Project:</u>	<u>To Be Awarded</u>
February 1, 2024 Council Meeting		
12400442	Upgrade of Programmable Logic Controller #1 and #5 at Regional Wastewater Reclamation Facility (\$737,000.00)	Telstar Instruments Hanford, CA
February 1, 2024 Council Meeting		
12302877	Sewer Rehabilitation Improvements in the Area Bound by Shields, Dakota, Fruit, and Palm Avenues (\$5,077,159.00)	Emmett's Excavation, Inc. Clovis, CA

Appeals

The City of Fresno provides due process to all bidders. Please reference Resolution 2003-129 for further information.

For procurements exceeding the Formal Bid Limit, at least five (5) working days prior to award, or as stated in the specifications, a Purchasing staff member shall post the Staff Determination for award on the City's website and make available in person at the General Services Department's front desk.

If any bidder is bypassed for award for being nonresponsive to the specifications or a non-responsible bidder, the bypassed bidder shall be notified in writing at least five (5) working days prior to the Council meeting of the reasons for being considered nonresponsive or non-responsible and given the opportunity to appeal the Staff Determination.

Once the Staff Determination has been posted on the City's website, the bidder has five (5) working days to submit an appeal in writing to the Purchasing Manager or their designee. The Staff Determination is located under the Resource Links at <http://www.fresno.gov/generalservices/purchasing> and is titled "Anticipated Formal Bid Award".

If an appeal is filed within the deadline and deemed acceptable by the City based on the current Appeal Resolution, it shall be heard in accordance with the procedures of that Resolution. When an appeal is received and accepted, the appellants and the non-appellants will be informed of the date, place and time of the appeal hearing. The Purchasing Division will notify the client division and invite a client representative to attend the appeal hearing. Should the appeal hearing result in a different determination of the lowest responsive and responsible bidder, it will be necessary to post the new staff determination for five (5) working days before an award is made.

Doing Business

Business Tax Certificate

As identified by the Fresno Municipal Code, particular businesses will be required to have both business license/tax certificate(s) and specific permit(s) for activities stipulated by the code within the City of Fresno.

Our Frequently Asked Questions section has useful answers to many common questions. Or you may contact our Customer Service division at (559) 621-6880 or businesstax@fresno.gov

Please refer to the New Business Information Checklist:

<https://www.fresno.gov/wp-content/uploads/2023/03/NewBusinessInformationChecklist.pdf>

NOTICE: Before you apply for a new business tax certificate, you are required to obtain a zone clearance for your business location from the City of Fresno Planning Department. Please contact the Planning Division at (559) 621-8277 or planning@fresno.gov. It is your responsibility to check with the Fresno Police and Fire Departments to determine any additional requirements for your business in your proposed location.

Detailed information can be found in the City's Business License & Tax Certificate Division:

<https://www.fresno.gov/finance/business-license-and-tax-certificate/>

Sales Tax and Use

The City of Fresno is NOT tax exempt. Sales tax and/or use tax must be shown on invoices. The City's current tax rate is 8.35%.

Insurance requirements & bonds

When submitting bids for City contracts and depending on the bid, bidders may be required to furnish the following documents:

- Bid Deposit
- Bid Bond
- Performance Bond
- Payment Bond
- General Liability Insurance
- Automobile Liability Insurance
- Professional Liability Insurance
- Workers' Compensation
- Procurement specific insurance as determined by Risk Management

Vendors are required to read carefully all requirements that are outlined in the bid package or specifications. Please be prepared to provide proof of insurance coverage with the City of Fresno.

Helpful Links

Purchasing Webpage – <https://www.fresno.gov/generalservices/purchasing/>

Disadvantaged Business Enterprise – <https://www.fresno.gov/generalservices/disadvantaged-business-enterprise-dbe/>

Planet Bids New Vendor Registration – <https://www.fresno.gov/generalservices/purchasing/#links>

Vendor Registration Instructions – <https://www.fresno.gov/wp-content/uploads/2023/05/Planet-Bids-Registration.pdf>

City of Fresno Bid Opportunities – <https://pbsystem.planetbids.com/portal/14769/bo/bo-search>

Guide to placing Electronic Bids – <https://www.fresno.gov/generalservices/purchasing/#links>

Statement of Qualifications Form – <https://www.fresno.gov/wp-content/uploads/2023/03/SOQ-Forms-1.pdf>

Staff Determination (Formal Bids) – <https://www.fresno.gov/generalservices/purchasing/#links>

Economic Development Webpage – <https://www.fresno.gov/economicdevelopment/>

The Fresno Business Start-up Guide – <https://www.fresno.gov/wp-content/uploads/2023/03/FresnoStartUpGuideEnglish.pdf>

Fresno Municipal Code (FMC) – https://library.municode.com/ca/fresno/codes/code_of_ordinances?nodeId=MUCOCHFRCA

City of Fresno Business Tax Division – <https://www.fresno.gov/finance/business-license-and-tax-certificate/>

To find this presentation with links go to:



Frequently Asked Questions

What is a “competitive procurement process”?

A competitive procurement process includes a request for proposals (RFP), request for qualifications (RFQ), and competitive bidding, finally acted on by Council. The process begins on issuance of official notice of announcement of competitive bidding, RFP's or RFQ's, and ends when Council awards a contract or rejects all bids or offers.

What is the definition of a “responsive” bid?

A responsive bid is one that meets all requirements as listed in the specifications.

What is the definition of a “responsible” bid?

A responsible bid is from a bidder who is able to perform the work and who has the appropriate qualifications (i.e., required licensing).

What if I don't agree with insurance or other requirements listed in the bid specifications?

Exceptions to the requirements listed in bid specifications (products, materials, equipment, supplies, or public work of improvements) are not allowed. Bidders who take exceptions will be bypassed and found non-responsive. Requests for substitutes or changes must be submitted as a question during the bidding process.

How do I become a registered vendor with the City?

Register for free by visiting the City's Planet Bids website:

<https://www.planetbids.com/portal/portal.cfm?CompanyID=14769>

Once registered, you will receive automated email notifications from Planet Bids notifying you of bidding opportunities.



Frequently Asked Questions (Continued)

Where can I find a list of bid opportunities?

Bid opportunities are posted on the City's PlanetBids website:

<https://www.planetbids.com/portal/portal.cfm?CompanyID=14769>

How do I submit a bid or proposal?

While some procurements allow for paper submissions, most require electronic submittal via the City's Planet Bids website. Detailed submission requirements are contained within bid specifications and RFP/RFQ packets. Additionally, a guide to placing bid electronically can be found by clicking on "Guide To Placing Bids Electronically" under the Resource Links at <http://www.fresno.gov/generalservices/purchasing>

When will a bid or RFP/RFQ be awarded?

For bids and RFP/RFQs requiring Council award, a Staff Determination with an expected Council date is posted on the City's website at least five working days prior to the anticipated Council date. The Staff Determination is located under the Resource Links at <http://www.fresno.gov/generalservices/purchasing> and is titled "Anticipated Formal Bid Award".

How does the City handle payments to vendors?

The City offers vendors the option of receiving payments electronically rather than by check. This allows for a timely receipt of payments and provides the vendor with the ability to better manage their accounts receivables. You may obtain information and ACH forms by contacting the department being provided the goods or services.





Supplemental Procedures

There are various supplemental procedures that apply when the City enters into third party agreements utilizing special funds (i.e., Federal Transit Administration (FTA), Federal Highway Administration (FHWA), Federal Aviation Administration (FAA), State, etc.). When the City of Fresno (City) Municipal Code or Charter occupies the same subject area of guidance provided in the supplemental procedures, the more restrictive requirements shall apply.

General Services Department

Purchasing Division



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Purchasing@fresno.gov

August 2024