

**FRANKLIN COUNTY FINANCE DEPARTMENT**  
**Bidding and Request for Proposal - Policies & Procedures**

**Section I: INTRODUCTION**

- A. Purchases/Services exceeding \$50,000.00 will be made through the use of formal competitive sealed bidding. This means that an advertisement for bids is published in the local newspaper (and any non-local newspaper to fulfill any state and federal contract or grant obligation or as deemed necessary by the Department or Purchasing Agent). Specifications will be established for the product or service being bid and submitted to vendors as an "Invitation to Bid". *A copy of these policies shall be included in every bid packet that is distributed.* The Purchasing Agent will receive the bids and conduct a bid opening at least ten (10) days following the date of publication.
- B. Request for Proposals shall be administered in the same manner.

**Section II: BID or REQUEST FOR PROPOSAL - SUBMITTAL & OPENINGS**

- A. Bids/RFP shall be completed legibly in ink or typewritten with all erasures, strikeouts and corrections initialed in ink by the person signing the bid/RFP. The bid/RFP shall include the legal name of the bidder, the complete mailing address and be signed in ink by a person or persons legally authorized to bind the bidder to a contract. Name of person signing should be typed or printed below the signature.
- B. Bids must accompany a Conflict of Interest Form. A RFP may require a Conflict of Interest Form depending on type of product/service provided.
- C. All bids/RFP must be submitted in a sealed envelope only. Fax and e-mail bids/RFP are not acceptable and will not be considered. \*\*\*\* Please note that Federal Express considers this a rural area and will not guarantee a morning delivery. Most documents sent by Federal Express do not make it by the noon deadline on the bid/RFP date if sent overnight the day before.
- D. Bids/RFP must be properly identified as a sealed bid/RFP and made to the attention of the Purchasing Agent. This applies to bids/RFP received via Federal Express or UPS. Improperly identified bids/RFP may be opened solely for identification and only by an authorized official.
- E. Bid/RFP openings will be conducted in the conference room of the Franklin County Finance Department located at 851 Dinah Shore Blvd., Winchester, TN 37398 on the date and at the time specified in the Invitation to Bid, unless otherwise noted in the bid/RFP invitation.
- F. All bids/RFP will be received in the Finance Department by 12:00 pm CST (noon) on the date of the bid/RFP opening. Bids/RFP received after that time will be considered late and will not be opened. Franklin County cannot be held responsible for any delay, regardless of the reason, in transmission of the bids.
- G. All bid/RFP openings will primarily be scheduled at 2:00 pm CST unless otherwise specified.
- H. Bid/RFP receipt time and opening time is determined by the official clock of the Purchasing Agent.

### **Section III: BID or REQUEST FOR PROPOSAL - EVALUATION & AWARD**

- A. Bid/RFP evaluation is performed by the Purchasing Agent and the requesting department or officials.
- B. Bids/RFP will remain firm for a period of up to thirty (30) days in order to allow adequate time to evaluate the bids/RFP. Additional information, including references, may be required as deemed necessary by Franklin County.
- C. In the event only one response is received, more information may be required to determine if the bid/RFP price/service is fair and reasonable.
- D. Correction or withdrawal of inadvertently erroneous bids/RFP shall be permitted up to the 12:00 pm CST (noon) receive time. After bid/RFP opening, no changes in bid/RFP prices or other provisions shall be permitted; however, the Purchasing Agent shall have the authority to waive minor irregularities. In cases of error in the extension of prices, the unit prices will govern.
- E. Pending expenditure approval by the appropriate governing board or official, an award is made by the Purchasing Agent to the lowest & best responsive and responsible bidder(s) or vendor(s) meeting the specifications that is most advantageous to Franklin County. Factors such as, but not limited to, adherence to all conditions and requirements of the bid/RFP specifications, price, quality of the product or service, qualifications of the bidder/vendor including past performance, general reputation, experience and facilities, delivery or completion date, maintenance costs and warranty provisions and repurchase or residual value will be considered in determining the most advantageous bid/RFP.
- F. Awards may be made on a "lump sum" basis or on a "per item" or "per group" basis as the best interest of the County may require. It is important for the bidder to provide unit pricing on each item for this reason.

### **Section IV: SPECIAL INSTRUCTIONS to BIDDERS/VENDORS**

- A. It is the intent of Franklin County to promote competitive bidding. It shall be the bidder's responsibility to inform the Purchasing Agent if any language, requirements, or any combination thereof inadvertently restricts or limits a bidder's/vendor's ability to submit a bid/RFP.
- B. Name brands of products, if mentioned, shall be used as an example only. An approved equal will be accepted. That approval will be administered during the review process, unless otherwise noted in the specifications.
- C. Failure to respond to three (3) consecutive bids may result in your company being deleted from the "bidder's list".
- D. Bidder's/Vendor's signature shall certify that the prices offered were independently developed without consultation with any other bidders/vendors or potential bidders/vendors.
- E. Proof of liability insurance and worker's compensation insurance must be provided to the Finance Department upon request. In regard to "Request for Proposals" it is required.
- F. Franklin County practices a Drug Free Workplace Policy. Use of alcohol and illegal substances while performing work for Franklin County Government is strictly prohibited and will result in immediate contract termination. If federal funds are involved a certification of a "Drug Free Workplace Policy" will be required.

## **Section V: PROTESTS**

- A. The bidder/vendor may notify the Purchasing Agent in writing within three (3) business days following the notification of award. No steps will be taken to procure the bid product or service until after this three (3) business day waiting period. The written protest should be clearly identified as such and should include:
  - 1. The name and address of the protestor.
  - 2. The bid or proposal name, bid/RFP date and any other pertinent information.
  - 3. A statement of reason for the protest.
  - 4. Any supporting documents, exhibits, or evidence to substantiate the protest.
- B. The Purchasing Agent, Finance Director and the County Mayor, Director of Schools or Highway Superintendent will review the protest and inform the protesting party of a decision in writing within five (5) business days of the receipt of the protest. The County Attorney may be consulted during this time.

## **Section VI: DISCLAIMERS**

- A. Franklin County reserves the right to reject any or all bids/RFP in whole or in part.
- B. Franklin County reserves the right to waive any informality or technicality in bids/RFP received; however, such waiver shall not modify any remaining requirements or excuse the bidder/vendor from full compliance with the bid/RFP specifications and other requirements if the bidder/vendor is awarded the bid/service contract.
- C. Franklin County reserves the right to withdraw a bid/RFP at any time for any reason and to issue such clarifications, modifications, and/or amendments as it may deem appropriate.
- D. Receipt of a bid/RFP offers no rights upon the bidder/vendor nor obligates Franklin County in any manner.
- E. Franklin County is not liable for any costs incurred by bidders/vendor in replying to an “Invitation to Bid” or “Request for Proposal”.
- F. Franklin County reserves the right to require bid bonds, contractor's bonds, or performance bonds as necessary.
- G. These policies shall govern unless otherwise specifically stated in the “Invitation to Bid” or “Request for Proposal”.

**CONFLICT OF INTEREST CERTIFICATION**  
**This form must be completed and submitted with your bid.**

Franklin County operates under the County Financial Management System of 1981. The section that addresses conflicts of interest (T.C.A. 5-21-121) states that the finance director, purchasing agent, members of the committee, members of the county legislative body, other officials of the county, members of the board of education, members of the highway commission, and employees of the finance department, as well as those responsible for purchasing “shall not be financially interested or have any personal beneficial interest, either directly or indirectly, in the purchase of any supplies, materials or equipment for the county”.

- (A) “Controlling interest” means sufficient ownership in a business or company to control policy and management, including the ownership or control of the largest number of outstanding shares owned by any single individual in a business or company; and
- (B) “Direct interest” means a contract with a person personally or with any business in which the official or employee is the proprietor, a partner, or the person having the controlling interest in the business.; and
- (C) “Indirect interest” means a contract in which a person is interested, but not directly so, and includes contracts where the person is directly interested and is the sole supplier of goods or services in the county.

Your signature below certifies that according to the above guidelines, there is no conflict of interest for your company to submit a bid or proposal.

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Signature

PLEASE PRINT THE FOLLOWING INFORMATION:

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Name

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Title or Position with Company

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Company Name

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Address

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City, State & Zip

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Telephone Number

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Mobile Number

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Fax Number

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Email address