



# **Vendor's Guide**

*How to do business with the City of Oshkosh*

Published by  
**City of Oshkosh Purchasing Division**  
Oshkosh City Hall, 215 Church Avenue, Room 302  
Oshkosh, WI 59403-1130  
(920) 236-5100

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*This guide is not intended to be a complete description of the regulations, rules, policies and procedures governing the procurement process for the City of Oshkosh, nor does it replace, supersede, or interpret the terms and conditions of any solicitation. Notwithstanding anything contained in this guide, bidders must strictly adhere to the instructions, conditions of bidding, specifications and contract terms and conditions set forth in each individual solicitation to which they respond.*

# Welcome

Welcome to doing business with the City of Oshkosh. The Purchasing Division has designed this guide to provide vendors interested in supplying the City with needed goods and services with an overview about how we do business.

In accordance with Chapter 12 of the Oshkosh Municipal Code, the Purchasing Division is the central purchasing agency for the City of Oshkosh.

The Purchasing Division's mission is to acquire commodities and services for the City in an effective, efficient and impartial manner. Specific objectives of this mission include a) ensuring fair and equitable treatment of all vendors and persons who deal with the procurement process; b) fostering public confidence in these purchasing procedures through the use of modern and professional business tools and c) securing the advantages and economies derived from a centralized and standardized purchasing system.

All organizations—public and private—regard purchasing as a critical component in the effective acquisition of products and services needed to serve customers. Purchasing creates savings and improves efficiency by identifying the right process, product, price, quantity, quality and time and place of delivery. We try to accomplish this in the best interest of our citizens by using sound procurement practices in an open and competitive environment.

The City of Oshkosh appreciates our relationships with suppliers, vendors and contractors and recognizes the willingness each has in doing business with governmental entities in order to facilitate the needs of the public. We look forward to continuing our progressive approach to managing these relationships.

We encourage qualified vendors to participate in City bidding opportunities. If you have any questions, or need further information, please contact or visit:

**City of Oshkosh Purchasing Division**  
**Room 302 Oshkosh City Hall**  
**215 Church Avenue**  
**Oshkosh, WI 54903-1130**  
**(920) 236-5100**  
[www.ci.oshkosh.wi.us](http://www.ci.oshkosh.wi.us)

Our hours of operation are from 8 a.m. to 4:30 p.m. Monday through Friday. We encourage vendors to meet with Purchasing Division staff. If you are interested in scheduling a meeting, please call for an appointment.

# Purchasing Division Code of Ethics

The City of Oshkosh Purchasing Division is a member of The National Institute of Governmental Purchasing (NIGP) and the Wisconsin Association for Public Procurement (WAPP). As such, we adhere to their belief that the following ethical principals should govern the conduct of every person employed by the City of Oshkosh Purchasing Division:

1. Seeks or accepts a position as head (or employee) only when fully in accord with the professional principles applicable thereto and when confident of possessing the qualifications to serve under those principles to the advantage of the employing organization;
2. Believes in the dignity and worth of the services rendered by the organization and the social responsibilities assumed as a trusted public servant;
3. Is governed by the highest ideals of honor and integrity in all public and personal relationships in order to merit the respect and inspire the confidence of the organization and the public being served;
4. Believes personal aggrandizement or personal profit obtained through misuse of public or personal relationship is dishonest and not tolerable;
5. Identifies and eliminates participation of any individual in operational situations where a conflict of interest may be involved;
6. Believes that members of the Institute (Association) and its staff should at no time, or under any circumstances, accept directly or indirectly, gifts, gratuities or other things of value from suppliers, which might influence or appear to influence purchasing decisions;
7. Keeps the governmental organization informed, through appropriate channels, on problems and progress of applicable operations, by emphasizing the importance of the facts;
8. Resists encroachment on control of personnel in order to preserve integrity as a professional manager;
9. Handles all personnel matters on a merit basis and in compliance with applicable laws prohibiting discrimination in employment on the basis of politics, religion, color, national origin, disability, gender, age, pregnancy and other protected characteristics;
10. Seeks nor dispenses personal favors. Handles each administrative problem objectively and emphatically without discrimination; and
11. Subscribes to and supports the professional aims and objectives of the National Institute of Governmental Purchasing, Inc.

# Purchasing Division Frequently Asked Questions

## **What are the various methods of solicitation used by the Purchasing Division?**

Chapter 12-10 of the Oshkosh Municipal Code outlines the various methods of solicitation used for purchases based on requirement characteristics and estimated cost thresholds. These include:

- Small Purchase (when services or goods are estimated to be under \$1,500 in which no competitive quotation process is required);
- Request for Quotation (when services or goods are estimated to be greater than \$1,500 but not in excess of \$25,000 in which the Purchasing Division seeks to solicit three competitive quotations);
- Invitation for Bids (when services or goods are estimated to exceed \$25,000 in which the Purchasing Division seeks formal, competitive sealed bids).

In addition, when applicable, Chapters 12-11 through 12-16 outline various purchasing exceptions to the competitive quotation or bidding process. These exceptions include sole source, commodities, cooperative purchasing programs and professional services. Request for Proposal, Request for Qualification, and Request for Information are other methods used for purchasing exceptions.

## **What is the best way to get notified of bids, quotes, RFP's or other solicitations?**

We are pleased to announce that the City of Oshkosh has joined the Wisconsin Association for Public Procurement (WAPP) consortium of Wisconsin agencies to implement Onvia DemandStar as their automatic procurement information notification and document distribution system. Subscription to Onvia DemandStar offers your company a number of important benefits:

- **FREE** access to procurement opportunities from all WAPP members on the Onvia DemandStar network (e.g. City of Oshkosh, City of Green Bay, City of Madison, Northeast Wisconsin Technical College- NWTC, City of Eau Claire, etc.);
- Automatic and immediate notification of procurement opportunities;
- Access to bidding documents, addenda, bid results 24 hours a day, 7 days a week.

Beginning **May 1, 2016** the City of Oshkosh will no longer be accepting manual vendor applications. During the transition to Onvia DemandStar, the City of Oshkosh will

continue to email or mail solicitations as needed and vendor lists will be maintained on the Onvia DemandStar system.

**Vendors may register online at [www.onvia.com/WAPP](http://www.onvia.com/WAPP) to ensure free automatic notification of an access to solicitations for bids, proposals and price quotes, as well as other procurement information.**

Once registered, it is important that vendors understand it is their responsibility to regularly update/monitor their vendor information on the DemandStar website. Properly registered vendors can expect to receive automatic notification of solicitations for bids, proposals and price quotes by participating public purchasing entities. Vendor failure to retrieve available, required procurement information and/or appropriate documentation/information in solicitation responses may result in disqualification.

If you have any questions on registration please contact Onvia Supplier Services at 1-800-711-1712 or the City of Oshkosh Purchasing Division at (920) 236-5100 or via email: [hmagrady@ci.oshkosh.wi.us](mailto:hmagrady@ci.oshkosh.wi.us).

#### **How do I submit a bid?**

Bidders must ensure that submitted bids are sealed prior to delivery to the Purchasing Division. An envelope or box may be used and must be properly labeled as per the bid document instructions. The bid should be sent or hand-delivered to the location specified in the bid document instructions. Bids must be submitted timely, be substantially complete and when applicable, must include any pre-qualification documentation and bond requirements.

#### **How can I ensure I submitted by bid properly?**

The Purchasing Division has created the "Bid Proposal Checklist" document that bidders may find helpful to ensure their bid has all the necessary documentation for a successful bid submittal. This document can be found on the Purchasing Division homepage on the City of Oshkosh website: [www.ci.oshkosh.wi.us](http://www.ci.oshkosh.wi.us).

#### **Are bid bonds, performance bonds and insurance required for each solicitation?**

Not necessarily. The bond and insurance requirements for each solicitation will vary, depending upon the specifics. Bidders are responsible for reading the bond and insurance requirements for each solicitation and providing the necessary documentation as directed. Bond and insurance requirements can be found on the Purchasing Division homepage on the City of Oshkosh website: [www.ci.oshkosh.wi.us](http://www.ci.oshkosh.wi.us).

**Do I charge tax on a City purchase?**

No- the City is exempt from any Federal Excise Tax or State of Wisconsin Sales Tax and will furnish an exemption certificate, if requested by the successful bidder.

**Who do I contact if I have a question about a bid?**

Questions concerning bids should be directed to the purchasing staff whose contact information appears on the bid document. Please specify the bid name and bid opening date when contacting this person.

**What can I do if I discover an error in my bid?**

Prior to submission of bids, errors may be corrected by lining out and entering the appropriate information. Changes should be initialed by the person signing the bid. Once a bid has been submitted, it is still possible to submit a correction. Corrections must reach the Purchasing Division before the due date of the bid. After the bid is closed, the only option left is not to accept the award if offered.

**What happens if I committed a minor error in submitting a bid?**

Minor errors in bid procedures shall not be grounds for delaying or prohibiting Common Council approval of a purchase. Minor errors include, but are not limited to, errors in a bidder's completion of bid documents which are not material to the bid itself; which indicate no apparent prejudice to the public or other bidders, and which have no indication of compromising the integrity of the bidding process.

**What if my bid is late?**

All bids received by the Clerk's Office are time stamped. Late bids will not be accepted. It is the bidder's sole responsibility to ensure that a bid is deposited correctly with the City of Oshkosh Clerk's Office at the time and date specified in the bid instructions. Late bids will be rejected unopened, regardless of the degree of lateness or the reasons for the lateness, including reasons beyond the control of the bidder.

**May I attend a bid opening?**

Bidders and the public are invited, but not required, to attend the formal opening of bids. No activity on the part of bidders at an opening, other than attendance and note taking, is permitted. Any attempt to qualify or change any bid by any bidder in attendance may result in the rejection of the bid. Prices will be read aloud to the public when practical. No decisions related to an award of a contract or purchase order will be made at the opening.

**How are bids evaluated and awarded?**

Bids are evaluated based on the requirements set forth in the bid documents, which may include criteria to determine acceptability such as inspection, testing, quality, workmanship, environmental responsibility, economic sustainability, delivery and suitability for a particular purpose. The contract shall be awarded by written notice to the lowest responsible and responsive bidder whose bid meets the requirements set forth in the bid documents considering price, responsibility, qualification and capability of the bidder, availability of funds and all other relevant factors. The City shall have the authority to reject any and all bids or parts of all bids and re-advertise bids whenever it is deemed to be the best interest of the City.

**When and how are bid tabs posted?**

The Purchasing Division prepares a bid tab summarizing the bids received for each item listing the name, bid price and other bid details. Bid tabs are available for inspection at any time during regular working hours. Upon completion of the bid review process, the Purchasing Division shall prepare a bid award memo to the City Manager with recommendation to award to the Common Council. Upon award by the Council, bid tabs are posted on the City website. All bidders responding to a solicitation will receive a notice of the award and tabulation of bids.

**Is there an appeal process?**

If you believe you have been treated unfairly in a solicitation please contact the General Services Manager to discuss the issue and provide reasoning to the basis of your concern. If you are unsatisfied with that discussion you have the right to file a formal protest. The procedure for filing a protest is listed in Section 12-10(A)(8) of the Oshkosh Municipal Code.

**What if I submit confidential information to the City – will it remain confidential?**

It is the intention of the City of Oshkosh to maintain an open and public process in the solicitation, submission, review and approval of procurement activities. Bid/proposal documents and openings are public records and therefore subject to release unless excluded from release by Wisconsin Statutes. Those submitting information to the City that believe that their information is not subject to release must identify the applicable statute(s) and describe in detail how the information being submitted applies to the statute cited. The City's lack of response to assertions related to public records does not indicate any agreement with those assertions. Public records may not be available for public inspection prior to the opening of bids/quotes and/or the issuance of the notice of intent to award or the award of the contract.

**What about gifts and gratuities?**

We cannot accept them. City employees cannot by law accept anything of value. Please do not offer any gifts or gratuities to any City employee.

**How does the City pay invoices?**

Vendors should submit invoices to the City of Oshkosh Accounts Payable Office once all items on the purchase order have been delivered and received, or in the case of blanket orders, once each month for items delivered or completed since the last billing. Payment will not be considered for items not covered by the order, for quantities or monies exceeding those authorized by the order, or where unit pricing does not agree with the order. Once billings have been reviewed and accepted, checks are mailed to the vendor's address on the purchase order. Note: no payment will be authorized if the City of Oshkosh Accounts Payable Office does not have a copy of the vendor's IRS W-9 Form on file. This form can be found on the Purchasing Division homepage on the City of Oshkosh website: [www.ci.oshkosh.wi.us](http://www.ci.oshkosh.wi.us). Please mail completed W-9 Forms to: City of Oshkosh A/P, P.O. Box 1130, Oshkosh, WI 54903-1130.

# **Forms**

## **Solicitation Opportunities**

### **Bid Tabs**

The Purchasing Division homepage on the City of Oshkosh website lists a number of forms that may be used within our solicitations. Vendors may find these forms useful:

- Successful Bid Checklist
- W-9 Form
- City of Oshkosh Vendor Pre-Qualification Form
- City of Oshkosh Insurance Requirements
- City of Oshkosh Contractor Agreement Template
- City of Oshkosh Professional Services Agreement Template

To download these forms from the Purchasing Division homepage:

- 1) Log onto [www.ci.oshkosh.wi.us](http://www.ci.oshkosh.wi.us)
- 2) At the top menu click on: Departments / Administrative Services / Purchasing

### **Any Questions?**

The Purchasing Division always welcomes vendor interest and participation in our competitive procurement process. Our professional staff is always ready to assist you.

Should you have any further questions please do not hesitate come by our office in Room 302 of City Hall or call us (920) 236-5100.

**Thank you!**