

Pee Dee LWIA Instruction Number:

WIOA-19-006

To: Pee Dee Local Workforce Development Area Contractors

Subject: Property Management

Effective Date: Immediately

Issuance Date: March 25, 2020

Purpose: The purpose of this instruction is to transmit the Pee Dee Local Workforce Development Area's revised policy on procuring and managing property funded by the Workforce Investment Act (WIA) or the Workforce Innovation and Opportunity Act (WIOA). The instruction supersedes Pee Dee LWIA Instruction #06-003 as it relates to this matter.

Background:

Policy: The policy outlined in this document is to be used by the Pee Dee Regional Council of Governments (COG) Workforce Development Department and all the Pee Dee Workforce Development Area contractors holding, possessing, using, acquiring, or disposing of property funded by WIA or WIOA. The Pee Dee Regional Council of Governments and its contractors will, at a minimum, comply with the procurement and property management policies established by this policy.

Action Required: This instruction letter must be disseminated to all parties involved in the purchase, management, maintenance, and disposition of equipment funded by Pee Dee Regional Council of Governments, whether by the COG's direct purchase of the item(s) or a purchase made through a contract with Pee Dee COG. Each contractor is required to establish appropriate procedures to ensure adherence to the policies outlined in these property management guidelines.

Questions: Questions regarding this instruction letter should be directed to Tammy Rowell, Financial Management Specialist, at (843) 702-3146.



Workforce Development Director

Attachment: Pee Dee Regional Council of Governments Procurement Policy

Introduction

This policy is to be used by the Pee Dee Regional Council of Governments Workforce Development Department and all Pee Dee Local Workforce Development Area contractors holding, possessing, using, acquiring, or disposing of property funded by the Workforce Innovation and Opportunities Act (WIOA).

All contractors are to immediately implement the necessary changes to comply with regulations, guidelines, and procedures addressed in this policy.

Scope and Applicability

The State of South Carolina has a model procurement code which is not a statutorily mandated by each county or municipality; but is rather offered as a guide for county and local governments to use as a pattern in adopting and establishing formal government procedures. As it relates to the purchase of equipment, Pee Dee Regional COG used the consolidated procurement code in the development of its official policy, which is included as an attachment to this instruction letter.

Responsibilities

The Pee Dee Regional Council of Governments, the fiscal agent for the Pee Dee Local Workforce Development Area (LWDA), is responsible for the development, implementation, and supervision of local employment and training policies, for programs authorized under the Workforce Innovation and Opportunity Act of 2014.

Pee Dee Regional Council of Governments, as designated administrator for Pee Dee LWIA Workforce Development Act programs, is specifically responsible for assuring that the acquisition, management, utilization, and disposal of WIOA property is done in compliance with federal and state regulations, guidelines, or policies.

Responsibilities of Contractors

Contractors shall comply with all provisions of this policy. They should:

- a. Inform Pee Dee Regional Council of Governments staff of property requirements at the beginning of their projects, or as required throughout grant performances. It is possible that these items can be purchased by the COG from any available funds set aside for this purpose or that property already available in the system, but not in use, can be repurposed.
- b. Exercise reasonable care and control of federal property in their possession. Use of federally furnished property must be only for the purposes set forth in the Workforce Innovation and Opportunity Act. Contractors are accountable for all federal property in their possession. The contractor chosen as to operate the SC Works Centers is

responsible for all WIOA-funded property assigned to the SC Works Centers and should assign property management/maintenance responsibilities to the Center's Manager or other appropriate designee. Pee Dee Regional COG (and ultimately the US Department of Labor) retains ownership of all equipment purchased with WIOA funds.

- c. Allow Pee Dee Regional Council of Governments staff to place the appropriate decals on all non-expendable property obtained with WIOA funds, whether through their contracts with the COG or by the COG's direct purchase of the item(s).
- d. Structure property controls so that lost, stolen, or damaged federal property is immediately identified and reported.
- e. Request approval from the Pee Dee Regional Council of Governments to purchase any non-expendable equipment costing \$1,000 or more. Such request should be made prior to purchase. Approval of a budget containing funds for equipment does not constitute approval to purchase an item. Regardless of cost, all purchases of specialty items and technology (i.e. computers, iPads, etc.) must have the prior approval of Pee Dee Regional COG. The COG reserves the right to tag and place these items on the inventory listing, regardless of cost.
- f. Conduct physical inventory to ensure that all of the property listed on the COG's inventory listing is the property on hand. Periodically, each contractor will be required to certify by signature that the listing is correct, or annotate any changes, and forward to the COG.
- g. Comply with any future instructions and policies issued pertaining to property management.

Contractor Management Responsibilities

a. Specific Responsibility for Property

The grantee assigns overall responsibility for property to one individual in each location, who is responsible for assuring that property is accounted for. Records are maintained on all WIOA property purchased or otherwise acquired.

b. Missing, Destroyed, or Damaged Property

Any time that WIOA equipment is discovered missing, destroyed, or damaged, an investigation should immediately be initiated. For stolen equipment, the incident should be reported to the police if not located in a reasonable time.

Within five (5) days, a written report with the identification number (decal number), manufacturer, serial number, and cost data should be submitted to the Pee Dee Regional Council of Governments, with copies of the police and/or fire department report attached.

If property is not recovered, the contractor should request in writing relief of accountability, explaining the circumstances of the loss.

c. Vehicle Management

Any WIOA funded vehicle – whether purchased, leased, or rented – is for official use in the furtherance of employment and training activities under the provisions of the appropriate Act and regulations. Personal use of such vehicles is prohibited. Vehicles must be used by duly authorized operators with valid drivers' licenses.

A vehicle use/mileage log must be maintained for all federally-funded vehicles. The log must be completed by the driver, who will record the date(s) of travel, the destination, purpose, beginning and ending miles, and their name/signature/initials. Vehicle use logs are to be available for review or inspection upon request.

Liability insurance is carried on all WIOA owned vehicles. Comprehensive insurance is not provided. When a vehicle is involved in an accident, the driver should notify the appropriate authorities and emergency services, then notify Pee Dee Regional Council of Governments. The COG will notify the insurance company.

d. Vestment of the Title of Federally-Funded Vehicles

The title of all WIOA vehicles are vested with Pee Dee Regional Council of Governments for as long as DOL-funded training activities are carried out by the agency. Under no circumstances will Pee Dee COG or its contractors mortgage, sell, trade, or cannibalize government vehicles without the specific instruction of the U.S. Department of Labor. When property is no longer needed for the original funding source for which it was acquired, disposition instructions will be requested from the State Administrative Entity and/or the U.S. Department of Labor, as appropriate.

Assessment of Property Needs

Purchase of property and services are not a primary goal of federal job training programs and expenditures for such are allowed only to the extent that successful operation of the projects and programs are made possible.

Pee Dee Regional Council of Governments will consider a number of factors in the approving requests for and making equipment purchases, including, but not limited to, the following:

1. How significant is the need cited to the successful operation and completion of the project?
2. What is the total expense involved to satisfy the need? Are there associated hidden costs?
3. Who will benefit from the purchase of these items?
4. How long will this need exist?
5. What will be the consequences of foregoing the purchase?

6. Is there similar equipment available, but not being used, elsewhere in the local workforce development area?

Procurement of WIOA-Funded Property

The Pee Dee Regional Council of Governments' procurement policy is included as an attachment to this policy. The COG and its contractors will, at a minimum, comply with the procurement and property management policies established by this policy. If the contractor's procurement policy is more restrictive than these established policies, the contractor's policies should be followed.

PEE DEE REGIONAL COUNCIL OF GOVERNMENTS

PROCUREMENT POLICY

A. Procurement Standards:

All Procurement transactions shall be conducted using the applicable section of the *Pee Dee Regional Council of Governments' Procurement Policy*. These options are identified below under item (B). Where procurement involves the expenditure of federal assistance or contract funds, the PDRCOG will also comply with such federal laws and applicable regulations as are mandatory.

All procedures set forth in applicable Office of Management and Budget Uniform Guidance and/or other directives regarding disbursement of federal grants-in-aid funds will be followed in implementation of all projects and programs assigned to or undertaken by the Pee Dee Regional Council of Governments.

Purchases from vendors on State Term Contracts can be made without competition.

Purchases from other government entities can be made without competition if the cost is reasonable.

B. Methods of Selection:

1. Competitive Sealed Bidding
2. Competitive Sealed Proposals
3. Small Purchases
4. Routine Purchases
5. Sole Source Procurement
6. Emergency Procurement

1. Competitive Sealed Bidding

A formal competitive procurement procedure for transactions greater than \$25,000 where award is based on low bid only. Formal solicitations must be developed

- Submit RFP for approval by Executive Director and Procurement Officer.
- Sealed written bids must be returned by a designated date and time.
- When bids are received, they must be secured until opened.
- The bid tabulation sheet must be signed and witnessed.
- After evaluations of all bids, award is made to the lowest responsive and responsible bidder.
- All sealed bid solicitations must be advertised in the S. C. Business Opportunities (SCBO). To place an ad, contact Scott Hawkins at phone number (803) 737-0686, fax number (803) 737-0650, or email: shawkins@mmo.sc.gov

2. Competitive Sealed Proposals

A formal competitive procurement procedure for transactions greater than \$25,000 where award is based on weighted evaluation factors. Low bid is not the only criteria.

- Submit RFP for approval by Executive Director and Procurement Officer.
- Sealed written proposals must be returned by a designated date and time
- When proposals are reviewed, they must be secured until opened.
- The proposal tabulation sheet must be signed and witnessed.
- After evaluations of all proposals, award is made based on weighted evaluation factors.
- All sealed proposal solicitations must be advertised in the S. C. Business Opportunities (SCBO). To place an ad, contact Scott Hawkins at phone number (803) 737-0686, fax number (803) 737-0650, or email: shawkins@mmo.sc.gov

Note: The same solicitation requirement listed above for competitive sealed bidding apply, except that award may be based on evaluation criteria other than cost-such as experience and knowledge of industry. Negotiations are allowed with responsive offertory. Prior to releasing an RFP, we may select an option called a Request for Qualifications (RFQ). This option allows us to solicit firms to submit their qualifications to provide the needed services. The responses are ranked and at least the highest ranked firms are sent the RFP.

3. Small Purchases (\$2501 – \$25,000)

Purchases less than \$25,000 are made under this procurement method. Large procurements cannot be artificially divided to give the appearance of a small purchase. The competition requirements for dollar thresholds are as follows:

- a. **Purchases \$2,501 - \$5,000** – Solicitations of verbal or written quotes from a minimum of three qualified sources of supply. Verbal quotes should be documented.
- b. **Purchases \$5,001 – \$10,000** – Solicitation of written quotes, bids or proposals are allowed. The procurement must be advertised at least once in SCBO. If a formal Request for Proposal or Request for Qualifications is developed, the guidelines for Competitive Sealed Proposals apply.
- c. **Purchases \$10,001 - \$25,000** – Solicitations of written quotes, bids, or proposals are allowed. The procurement must be advertised at least once in SCBO. If a formal Request for Proposal or Request for Qualifications is developed the guidelines for Competitive Sealed Proposals apply.

NOTE: All items with a unit cost of \$5,000 or more and purchased with federal funds from the U.S. Department of Labor must have the prior approval of the State Administrative entity passing down those funds.

4. Routine Purchases (\$1,000 to \$2,500)

Purchases \$1,000 to \$2,500 are to be documented with a minimum of (3) verbal and/or written quotes or other proof of price comparison and approved by the Executive Director and Procurement Officer.

5. Sole Source Procurement

Sole source procurement may be made up to any amount as long as written determination is approved in advance by the Executive Director and the item of service is both:

- a. Unique, and
- b. Available from only one source of supply

6. Emergency Procurement

Emergency procurement may be made up to any amount as long as written determination is approved by the Executive Director. There must be a serious need that cannot be met through normal purchasing procedures.