



# How to do Business with Williamson County, Texas



## *A Reference Guide for Interested Suppliers*

Provided by the:

**Williamson County Purchasing Department**  
100 Wilco Way, Suite P101  
Georgetown, Texas 78626  
(512) 943-3553  
[www.wilco.org/purchasing](http://www.wilco.org/purchasing)  
[purchase@wilco.org](mailto:purchase@wilco.org)

## **WELCOME TO BUSINESS WITH WILLIAMSON COUNTY!**

This guide has been developed to assist current and future suppliers who have interest in conducting business with our County. Whether you are a first-time supplier, or you have been doing business with us for many years, this should help you better understand the legal and ethical responsibilities of the Williamson County Purchasing Department. Some of the key areas of interest for you will include:

- Understanding the competitive bid process.
- How you can respond to bids electronically.
- How you will get paid.

If you have questions, I encourage you to give a call or send us an email. We are here to help you—help us!

Sincerely,

*Randy Barker*

Randy Barker  
Purchasing Agent/Director  
512-943-1555  
randy.barker@wilco.org

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# Mission Statement

Revised 01/18/2019

The Purchasing Department serves Williamson County, Texas by:

- Demonstrating professional assistance and guidance to all – in the acquisition of County goods and services.
- Ensuring all government requirements are applied with ethics, open-accountability, and integrity.
- Establishing opportunities and a fair process for suppliers to partner with Williamson County's legacy of growth and excellence.
- Encouraging and equipping suppliers in providing:
  - Quality goods & services;
  - Excellent performance;
  - Best cost value; and
  - Exceptional support.

## Code of Ethics

Williamson County has adopted a policy that incorporates a strict code of ethics and provides guidelines for proper procurement procedures. County employees, as well as suppliers are expected to adhere to this policy. The Code of Ethics serves as a constant reminder of how County purchasing is expected to occur, and under what type of conditions. The underlying premise of this policy is to:

- **Protect the county's integrity;**
- **Ensure that public monies are spent properly, legally, and for public projects only; and**
- **Assure fairness in competitive access to the county's procurement by responsible suppliers.**

People involved in the purchasing process are exposed to more than ordinary temptation to abuse the powers of their office. This is because they direct the spending of a large amount of public money. It's a serious breach of the public trust to subvert the public purchasing process by directing purchases to certain favored suppliers, or to tamper with the competitive bidding process, whether it's done for kickbacks, friendship or any other reason.

The statutes governing local government purchasing impose criminal penalties for violating the provisions of the various Acts. In addition, many local governments impose sanctions for violation of local ordinances on purchasing.

Since any misuse of the purchasing power of a local government carries such drastic consequences, and many such misuses are from a lack of clear guidelines about what constitutes an abuse of office, the guidelines outlined here and the Code of Ethics outlined on the following page, must be strictly adhered to.

Williamson County also requires ethical conduct from those who do business with the County. Contracts will contain a clause stating that any effort to influence an employee to violate the standards of the Code is grounds to void the contract. Suppliers to the government are required to certify that they will not attempt to influence any employee to violate the Code.

# CODE OF ETHICS

## Statement of Purchasing Policy

"Public employment is a public trust. It is the policy of Williamson County to promote and balance the objective of protecting the County's integrity and the objective of facilitating the recruitment and retention of personnel needed by Williamson County. Such policy is implemented by prescribing essential standards of ethical conduct without creating unnecessary obstacles to entering public service.

Public employees must discharge their duties impartially to assure fair competitive access to governmental procurement by responsible contractors. Moreover, they should conduct themselves in such a manner as to foster public confidence in the integrity of the Williamson County procurement organization.

To achieve the purpose of this Article, it is essential that those doing business with Williamson County also observe the ethical standards prescribed here."

## General Ethical Standards

1. It shall be a breach of ethics to attempt to realize personal gain through public employment with Williamson County by any conduct inconsistent with the proper discharge of the employee's duties.
2. It shall be a breach of ethics to attempt to influence any public employee of Williamson County to breach the standards of ethical conduct set forth in this code.
3. It shall be a breach of ethics for any employee of Williamson County to participate directly or indirectly in procurement when the employee knows that:
  - The employee or any member of the employee's immediate family has a financial interest pertaining to the procurement;
  - A business or organization in which the employee, or any member of the employee's immediate family, has a financial interest pertaining to the procurement; or
  - Any other person, business or organization with whom the employee or any member of the employee's immediate family is negotiating or has an arrangement concerning prospective employment is involved in the procurement.
4. **Gratuities.** It shall be a breach of ethics to offer, give, or agree to give any employee, or former employee, of Williamson County, or for any employee, or former employee, of Williamson County to solicit, demand, accept, or agree to accept from another person, a gratuity or an offer of employment in connection with any decision, approval, disapproval,

recommendation, preparation of any part of a program requirement or purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity in any proceeding or application, request for ruling, determination, claim or controversy, or other particular matter pertaining to any program requirement or a contract or subcontract, or to any solicitation or proposal therefore pending before this government.

5. **Kickbacks.** It shall be a breach of ethics for any payment, gratuity or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier subcontractor for any contract for Williamson County, or any person associated therewith, as an inducement for the award of a subcontract or order.
6. **Contract Clause.** The prohibition against gratuities and kickbacks prescribed above shall be conspicuously set forth in every contract and solicitation therefore.
7. It shall be a breach of ethics for any employee or former employee of Williamson County knowingly to use confidential information for actual or anticipated personal gain, or for the actual or anticipated gain of any person.

## Purchasing Law

The most important aspect of purchasing is adherence to applicable statutory requirements. Regardless of how attractive a business offer may be, it simply cannot be done under any circumstances, unless it follows applicable law.

The laws that govern the way Texas counties procure goods and services, in large part, is specified in the Texas Local Government Code, Chapter 262.021, Subchapter C, as well as the County Purchasing Act. This information relates to the **specific bid requirements prior to a purchase being made**.

There are other laws as well, such as the Texas Government Code, Chapter 113.901, Subchapter Z, which requires the issuance of **Purchase Order for materials and supplies prior to a purchase being conducted**.

**The following explanation should help you understand what we are required to follow prior to making a commitment to purchase.** There are two rules of thumb: one, if the total of the purchase to be made amount (aggregate of all departments in the County) will cause the county to have spent **more than \$ 50,000 during the current budget year, the County cannot make the purchase without a public sealed bid process**; second, all departments are required by County purchasing policy to obtain a minimum of **three price quotes on spot type purchases that do not fall under the \$50,000 statutory limit**.

# Competitive Bids, Proposals & Bonds Explained

## **COMPETITIVE BIDDING**

Competitive bidding means letting the available suppliers compete to provide goods and/or services. In the case of local governments, the bidding process has two additional purposes.

The first purpose is to ensure that the public monies are spent properly, legally and for public projects only, and that the best possible value is received for the money. The second purpose is to give those qualified and responsible suppliers who desire to do business with the County a fair and equitable opportunity to do so. The use of a standard bidding procedure gives the public assurance that their monies are properly safeguarded.

Competitive bidding can be accomplished on two levels. The first level of bidding consists of contacting suppliers, either by telephone or in writing, to allow them the opportunity to give a price quotation on a desired good or service. The next level uses formal sealed bids, which is the process that is normally referred to as "competitive bidding."

**Price quotations should be sought on all purchases less than the dollar level which requires sealed competitive bids, unless the purchase is a relatively minor purchase or an emergency purchase. Even emergency purchases should use all practical means to obtain the best price available. This is discussed in the section on negotiated or non-bid purchases.**

**Formal sealed bids are used for those bids exceeding a set dollar level, specified by statute.** The bid consists of the items offered by the supplier in response to the specifications, along with details governing the offer. Bidding for the various local governments is controlled by the appropriate purchasing statute. All statutes contain the following general requirements:

The bids are to be advertised, based on the specifications and conditions of purchase provided by the government.

Bids are received until a certain future date and hour set out in the specifications. After that date and time, no further bids are accepted.

The bids are opened at the specified date and hour and submitted to the governing body. Generally, the lowest and best responsible bid is accepted. **If no bid is found to be acceptable, Williamson County requires three quotes to be acquired, and the lowest and best responsible bid will be accepted.**

It should be the consistent policy of the County to use competitive principles in awarding all public contracts of any amount with very limited exceptions. This includes the purchase and lease of goods, the purchase of services, and construction projects. These competitive principles should apply to all departments and divisions of the county.

**Bids may be subject to bonding requirements. A performance bond may be required for public works projects or on bids exceeding \$100,000.** This is to ensure that if the bidder attempts to withdraw after his bid is accepted, the County will not suffer loss.

**The successful bidder on a public works contract exceeding \$25,000 must post a payment bond. The successful bidder on any other contract exceeding \$50,000 may have to post a performance bond (up to the full amount of the contract), if required by the County.**

**Bonds must be executed with a surety company authorized to do business in the state of Texas.**

## **COMPETITIVE PROPOSALS**

**Competitive Proposals** are similar to competitive bids but are limited in scope but the Texas statutes. They are used for high-technology products or services, procuring insurance, and construction projects. However, Texas code allows this method to be utilized for other goods and services, if it is in the best interest of the county.

A specification is written using performance standards rather than the description of the good and/or service. The specification also lists the factors by which the proposal will be judged, and the weight to be given to each factor.

Suppliers submit proposals of their own design for a system to satisfy the requirement set forth in the proposal. Proposals may incorporate entirely different hardware or services to accomplish the same performance.

After proposals are received, the county may enter into negotiations with as many suppliers as have submitted feasible proposals in order to arrive at the best possible proposal for each supplier.

## **INVITATIONS FOR BIDS/REQUESTS FOR PROPOSALS**

**Invitations for Bid (IFB) / Requests for Proposals (RFP):** These documents are designed to solicit bids or proposals from well-qualified suppliers. They are usually sent to suppliers known to provide the particular commodity, or who are on a list of suppliers as providing that particular commodity. The IFB/RFP is also advertised in the local newspaper per statutory requirements.

Competitive bidding and competitive proposals are required by statute for purchases over certain dollar limits. Currently, most counties and all cities with over 50,000 population must competitively bid all contracts for amounts exceeding \$50,000.

The system should be simple and practical, and the bids must be advertised as widely as possible, for competition to work. Complicated IFB/RFPs discourage competition and drive up prices.

IFBs and RFPs may be cancelled by the County at any time before the date set for opening bids. Notice should be made to all suppliers receiving bid/proposal invitations.

IFBs and RFPs may also be modified after being issued. **Using the Electronic bidding process (discussed later in this document), any addendums or changes to the bid will be notified via email to each supplier who has placed a bid.**

## **PROCEDURE FOR MAKING NORMAL NON-BID PURCHASES...**

For any purchase that is less than the level requiring competitive bids, the following procedures should be used:

- A. Obtaining Price Quotations. Price quotations should be obtained from a sufficient number of suppliers to ensure competition. The required number that is recommended is a minimum of three. However, based on the buyer's professional judgment, as many as ten price quotes may be requested, based on the estimated cost of the purchase.

Procedures for obtaining price quotations are not established by state law and may be structured according to the needs of the County. The following procedures are suggested, although the County should set the dollar levels based on its own requirements.

1. Purchases costing between \$5000 and the bid limit. On receiving a requisition for a purchase below bid limits, but costing \$5000 or over, the Requesting Department consults its supplier file or the County's electronic bidding/quoting Negometrix system for reliable suppliers providing the desired good or service.

- (a) Written requests for price quotations are sent to at least three suppliers. The list of suppliers should be rotated so that, over time, all suppliers are contacted an approximately equal number of times.

- (b) The request for price quotations should be on a standard form. It should contain at least the following information:

- (1) Name and address of supplier;

- (2) Description of item;

- (3) Quantity required;

- (4) Last date quotations accepted;

- (5) Approximate date delivery is required; and

- (6) Terms and conditions of purchase.

- (c) The standard form should request certain specific information, such as:

- (1) Total or unit price, as specified; and

- (2) The date through which quoted price will be effective.

- (d) The request for price quotations should require that the quoted price would be honored during the stated period.
2. Purchases costing less than \$5000. On receiving a requisition for a purchase for less than \$5000, the Requesting Department consults its supplier file or the County's electronic bidding/quoting Negometrix system for reliable suppliers providing the desired goods and/or services.
- (a) A written or telephone request for price quotation is made to a supplier (three quotes are not required). The list of suppliers should be rotated so that all suppliers are contacted an approximately equal number of times.

Certain information should be provided to the supplier, including at least the following:

- (1) Description of item;
  - (2) Number of items required;
  - (3) Date delivery required, as accurately as possible; and
  - (4) the terms and conditions of purchase.
- (b) Whether a written or telephoned price quotation is received, certain specific information should be obtained, and recorded in writing, such as:
- (1) The name and address of the supplier;
  - (2) Total or unit price, as specified;
  - (3) Date through which quoted price will be effective;
  - (4) Name of the representative giving the quote; and
  - (5) The specific product offered, if not already stated.

B. Selecting the Supplier. After price quotations are taken, a supplier is selected. The selection is based on several relevant factors, including (but not limited to):

1. **Price** – All other factors being equal, the lowest price should always be taken.
2. **Quality of good and/or service** – If more than one supplier can deliver at an acceptable price, the relative quality of each should be considered.
3. **Reliability of the supplier** – Based on past performance as documented in the supplier file.
4. **Supplier's ability to service the item.**



## How To Register on Negometrix

Williamson County uses an online electronic bidding system powered by the Negometrix platform. Negometrix is a 100% digital procurement solution, allowing you to fill-out and submit your offers online, thus allowing you to save on both costs and time by eliminating hard copy offers.

To be able to respond to our solicitations you will need an account on the Negometrix platform. If you follow the three steps below you can create your account within 5 minutes! There is no cost create an account or participate in our solicitations.

### Step 1: Register your company

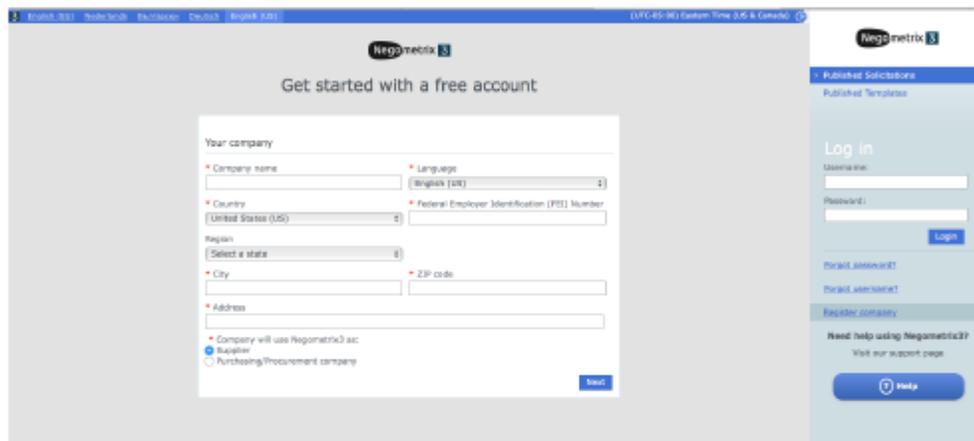
Go to <https://platform-us.negometrix.com> and click the **Register** button on the bottom right of the screen.

The screenshot shows the Negometrix platform interface. The main area displays a list of published solicitations with columns for Solicitation No., Name, Buyer organization, Phase, and Estimate end. The sidebar on the right contains a 'Log in' section with fields for Username and Password, and a 'Register company' link highlighted with a red arrow. Below the sidebar is a 'Need help using Negometrix?' section with a 'Help' button.

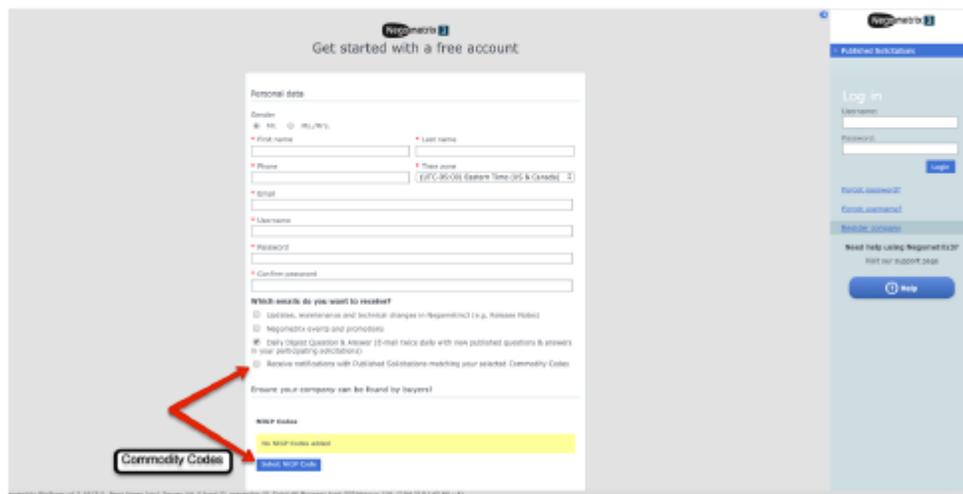
Solicitation No.	Name	Buyer organization	Phase	Estimate end
1181	TRUCK, 1 TON REGULAR CAB, CAB AND CHASSIS (DUAL REAR WHEELS), 5x2 w/UTILITY BODY (Subaru)	City of Leesburg	Offer phase	29 Jan 2019 2:00 PM
1179	Vertical Transportation Maintenance and Repairs 19-002	Playland Stadium Authority	Offer phase	28 Feb 2019 2:00 PM
1175	RFB 09-3019 Approval Services	Town of Palm Beach	Offer phase	28 Jan 2019 2:00 PM
0051	Rd No. 2619-08 : Worth Avenue Infrastructure Improvements	Town of Palm Beach	Offer phase	12 Feb 2019 2:00 PM
0131	ELECTRICAL SERVICES ON-CALL TIME & MATERIAL (190302)	City of Leesburg	Offer phase	7 Feb 2019 2:00 PM

## Step 2: Fill-out the Registration form

The system will ask you about your company & contact information to create an account. You can choose your own Username & Password here which you will use later in the process to log-in!



This screenshot shows the 'Your company' section of the registration form. It includes fields for Company name, Language (English (US)), Country (United States (US)), Federal Employer Identification (FEI) Number, Region (Select a state), City, ZIP code, and Address. There are also radio buttons for 'Company will use Negometrix as: Supplier' (selected) and 'Purchasing/Procurement company'. A 'Next' button is at the bottom right of the form.



This screenshot shows the 'Personal data' section of the registration form. It includes fields for Gender (Male selected), First name, Last name, Phone, Fax, Email, Username, Password, and Confirm password. Below this is the 'Which alerts do you want to receive?' section with three checkboxes: 'Updates, maintenance and technical changes in Negometrix (e.g. Release Notes)', 'Negometrix events and promotions', and 'Daily Request Question & Answer (E-mail twice daily with new published questions & answers in your participating jurisdiction)'. The third checkbox is checked. A red arrow points to the 'Commodity Codes' section, which includes a 'WSP codes' field and a 'Select WSP Code' button.

Check off the last email notification button **and** select the appropriate Commodity Code for the goods or services for your company. Completing this will help ensure you receive automatic notifications when Solicitations are published.



Once you have completed the registration form, the system will send an email to the email address you provided during account setup.

Registration successful

You have successfully registered your organization on the Negometrix platform.  
As a confirmation you received an email with an activation link and a link to the Negometrix instructions. If you have any troubles with logging in, please contact our servicedesk: (724) 888-5254

Log in

Username:

Password:

Log in

[Forgot password?](#)

[Forgot username?](#)

[Register company](#)

Need help using Negometrix??  
Visit our support page

Help

Negometrix Support



### Step 3: Activate your account!

Check your **email inbox** for the *'Activate your Negometrix account'* message. In this message an activation link is provided. Simply click the link to confirm your registration. You must activate your Negometrix account in order to login in and use the system.

Activate your Negometrix3 account - Negometrix Super Administrator noreply@negometrix.com



**Negometrix3 <noreply@negometrix.com>**

Friday, January 25, 2019 at 9:39 AM

[Show Details](#)

Welcome to Negometrix3!

**Demo Supplier USA** is now registered on the platform.

To activate your account, please visit:

<https://platform-us.negometrix.com/registrationconfirmation.aspx?RegistrationGuid=8757d4cc-7263-471f-adf2-922bc1836a2f>

Your username is: demosupplier8

For support and FAQs, visit [our support page](#).

For European solicitation postings check out Negometrix3 EU and register at: <https://platform.negometrix.com>.

Read our [General Terms & Conditions](#) and our [Privacy Statement](#).

Negometrix

Email: [service@negometrix.com](mailto:service@negometrix.com)

Telephone (EU): +31 (0)85 20 84 666

Telephone (US): +1 (724) 888-5294

**Welcome! Your registration is complete and you can now log-in with your username & password!**

## The “3 Way Relationship” Requesting Department/Purchasing/Supplier

The role of the Williamson County Purchasing is helping our departments get what they need as quickly as possible while also providing a fair and legal process that will provide opportunities for our suppliers to compete.

However, there are specific guidelines that we all must follow. We simply cannot make a purchase without following the law that is specific to that purchase. Additionally, there are rules and guidelines regarding wise and prudent business practices that have to be followed to assure that the tax dollars expended return the most benefits possible.

Our purchasing philosophy utilizes a 3 Way Relationship:

1. **Requesting Departments:** We value that our requesting departments – as the end users, know what they need in order to do their jobs in the most professional manner possible.
2. **Purchasing:** We listen closely to the needs of the Requesting Departments and with their help we balance constraints including: budgetary issues, time, quality, service, specifications, and the best legal process to accomplish their needs. We then solicit the bids and proposals to suppliers and review who can best meet the needs of our Requesting Departments. While doing so we ensure an environment where suppliers can be both competitive and successful.
3. **Suppliers:** Working with both Purchasing and the Requesting Department, our suppliers competitively bid with quality goods and/or services, provide excellent performance, and exceptional support at the best cost value.



When the purchasing process is completed, our desire is the following:

### That our Requesting Departments:

- Are very satisfied with the goods and services received, because they have been very involved in the process.

- Are very satisfied with the selected supplier, because their ability to perform met both the need and expectations.
- Have a great desire to again work with this exceptional supplier on future Williamson County projects.

**That our Suppliers:**

- Are encouraged that the process was legal, fair and ethical.
- Are paid in a timely manner.
- Have a great desire to continue to partner with Williamson County on any future projects.

**Working together as a TEAM, we can ensure that we all receive what we expect from one another!**

## Billing/Payment

We understand that cash flow is a concern for anyone involved in business. **That is why we encourage you to know what our payment process is *before* we do business.**

To speed the payment process as much as possible, **you are encouraged to forward invoices directly to the department that you are providing your product or service to.** If you are not sure about the mailing address or contact information, you can contact our Accounts Payable department, and they will assist you. There are a couple of things that are very important to assure that your invoice is processed in the most expeditious manner possible.

Please ensure that:

- You have entered accurate totals, shipments, delivery, unit price, address;
- You have included the Purchase Order Number on your invoice;
- You have mailed the invoice to the correct address;
- You have directed the invoice to the appropriate contact person; and
- You have communicated with the department regarding receipt of the item or service ordered (**the county cannot pay for an item or service that has not been received**).

When the Requesting Department receives the invoice, they will verify the information for accuracy. If everything is in order, they will forward it to the Auditor's office for review. Presentation to the Auditor's office is a process that must occur by law. All requests for payment of invoices must be audited prior to presenting the invoice to the Commissioner's Court for approval.

**The speed of the process relies on the accuracy of the invoice which you are submitting for payment. If the information is not accurate, the possibility of delay is greater at any step along the approval route.**

**Per Williamson County's Terms and Conditions:**

***PAYMENT:*** Williamson County's payment for goods and services shall be governed by Chapter 2251 of the Texas Government Code. An invoice shall be deemed overdue the 31st day after the later of (1) the date Williamson County receives the goods under the Contract; (2) the date the performance of the service under the Contract is completed; or (3) the date the Williamson County Auditor receives an invoice for the goods or services. Interest charges for any overdue payments shall be paid by Williamson County in accordance with Texas Government Code Section 2251.025. More specifically, the rate of interest that shall accrue on a late payment is the rate in effect on September 1 of Williamson County's fiscal year in which the payment becomes due. The said rate in effect on September 1 shall be equal to the sum of one percent (1%); and (2) the prime rate published in the Wall Street Journal on the first day of July of the preceding fiscal year that does not fall on a Saturday or Sunday.

*In the event that an error appears in an invoice submitted by Vendor, Williamson County shall notify Vendor of the error not later than the twenty first (21st) day after the date Williamson*

*County receives the invoice. If the error is resolved in favor of Vendor, Vendor shall be entitled to receive interest on the unpaid balance of the invoice submitted by Vendor beginning on the date that the payment for the invoice became overdue. If the error is resolved in favor of Williamson County, Vendor shall submit a corrected invoice that must be paid in accordance within the time set forth above. The unpaid balance accrues interest as provided by Chapter 2251 of the Texas Government Code if the corrected invoice is not paid by the appropriate date. As a minimum, invoices shall include:*

- (1) Name, address, and telephone number of Vendor and similar information in the event the payment is to be made to a different address*
- (2) Williamson County contract, Purchase Order, and/or delivery order number*
- (3) Identification of items or service as outlined in the Contract*
- (4) Quantity or quantities, applicable unit prices, total prices, and total amount*
- (5) Any additional payment information which may be called for by the Contract*

Payment inquiries should be directed to the Williamson County Auditor's Office, Accounts Payable Department: 512-943-1500, [accountspayable@wilco.org](mailto:accountspayable@wilco.org)

## Sharing Information

Any successful business relationship requires a mutual understanding of the basic needs and expectations of the related parties. The Williamson County Purchasing Department works closely with individual departments, sharing information about general (as well as specific) needs that you, the individual business owner, may have in our business relationship. We too, expect that you will work closely with us, to assure that you are aware of what our requirements and limitations are in regard to:

- Purchasing laws.
- County purchasing policy.

It is only when we understand, communicate, and work together, that our relationship becomes mutually beneficial.

### List of things “To Do” in order to stay up-to-date

- Register with **Negometrix** to complete a profile about your company and what commodities and services you can provide;
- Review **Negometrix** often, or create an alert as to when new Williamson County Bids are released;
- Familiarize yourself with the procedures the county uses in publicly advertising for bids; and
- Visit the procurement website often:  
<http://www.wilco.org/CountyDepartments/Purchasing>

### **Purchasing Department Contact Information**

**Questions, comments, or need more information?**

Please feel free to call or email us with any questions! **We are here to help!**

(512) 943-3553  
**[purchase@wilco.org](mailto:purchase@wilco.org)**