



Uniform Guidance: Understanding and Applying

Norma Houston
2018 CAGP Regional Training



UNC
SCHOOL OF GOVERNMENT

UNIFORM GUIDANCE COMMON QUESTIONS



Minimum Number of Bids

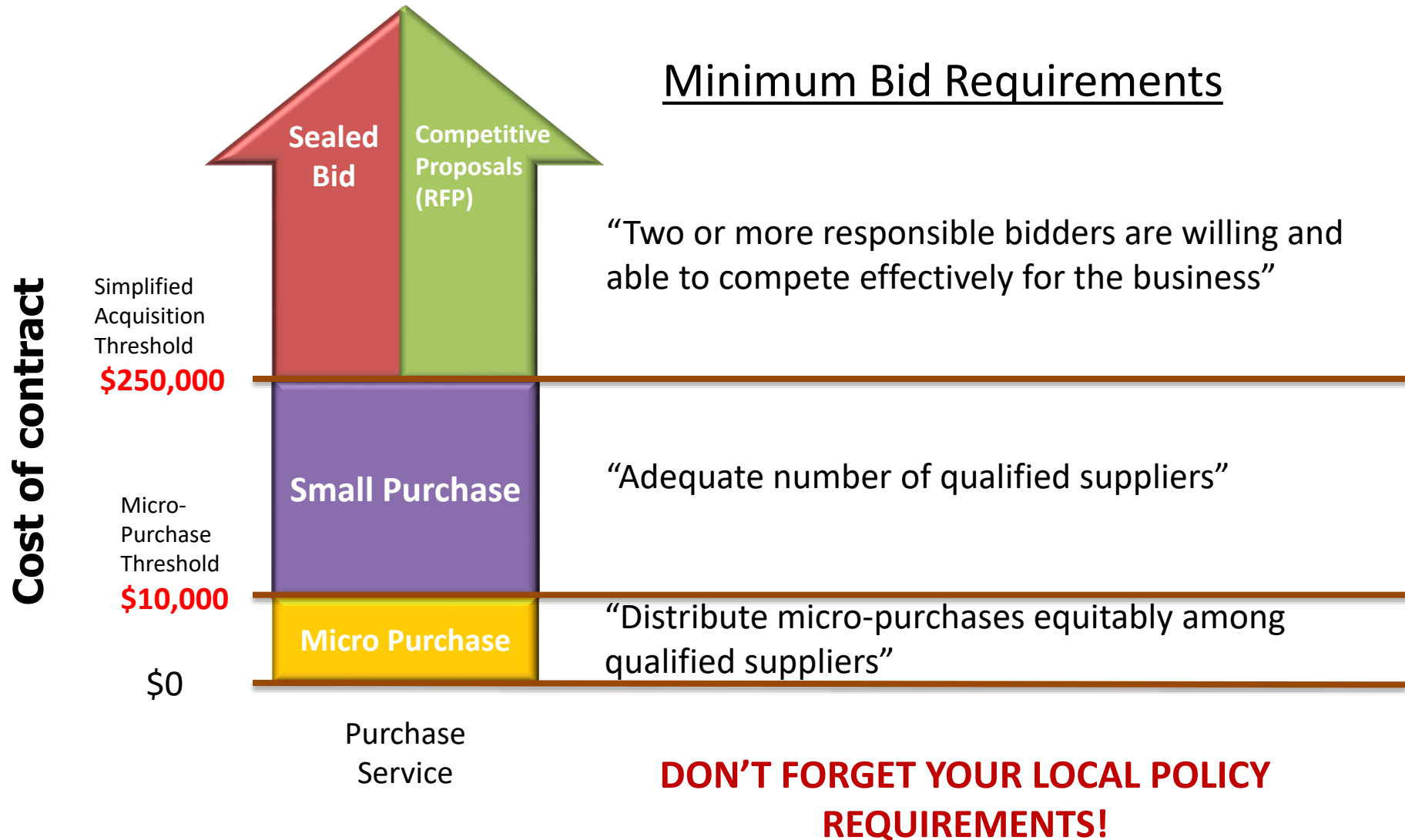
You bidding several service contracts with estimated costs of:

1. \$5,000
2. \$75,000
3. \$150,00
4. \$350,000



What is the minimum number of bids you must receive to open for each contract?

Procurement Methods – UG



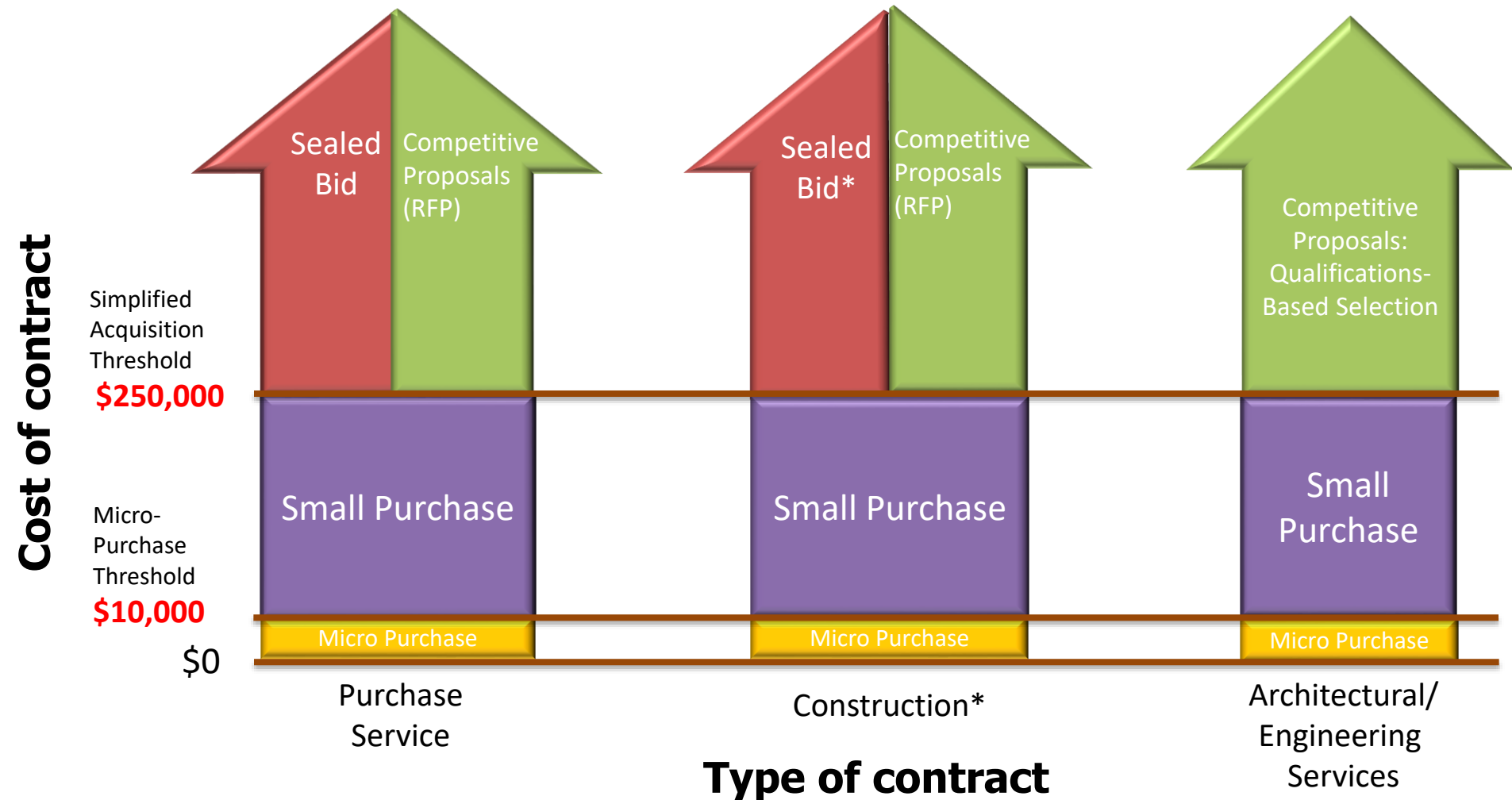
Which Method to Use?

You are bidding a contract for the purchase and installation of playground equipment. The project includes site prep and landscaping. The estimated cost is \$300,000.

Which procurement method do you use?



Procurement Methods – UG



* **Sealed bid** is preferred method for construction; may use **competitive proposals** when sealed bidding not appropriate

Aggregate Purchases

A department makes multiple purchases of office supplies from a single vendor during the fiscal year. Each individual purchase is well below \$10,000, but the aggregate total for the fiscal year is \$60,000.

Is bidding required?



Micropurchases

“§200.320 (a) Procurement by micro-purchases. Procurement by micro-purchase is the acquisition of supplies or services. **the aggregate dollar amount of which does not exceed \$3,000 [now \$10,000]** (or \$2,000 in the case of acquisitions for construction subject to the Davis-Bacon Act). To the extent practicable, the non-Federal entity must distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the non-Federal entity considers the price to be reasonable.”

A/E Services

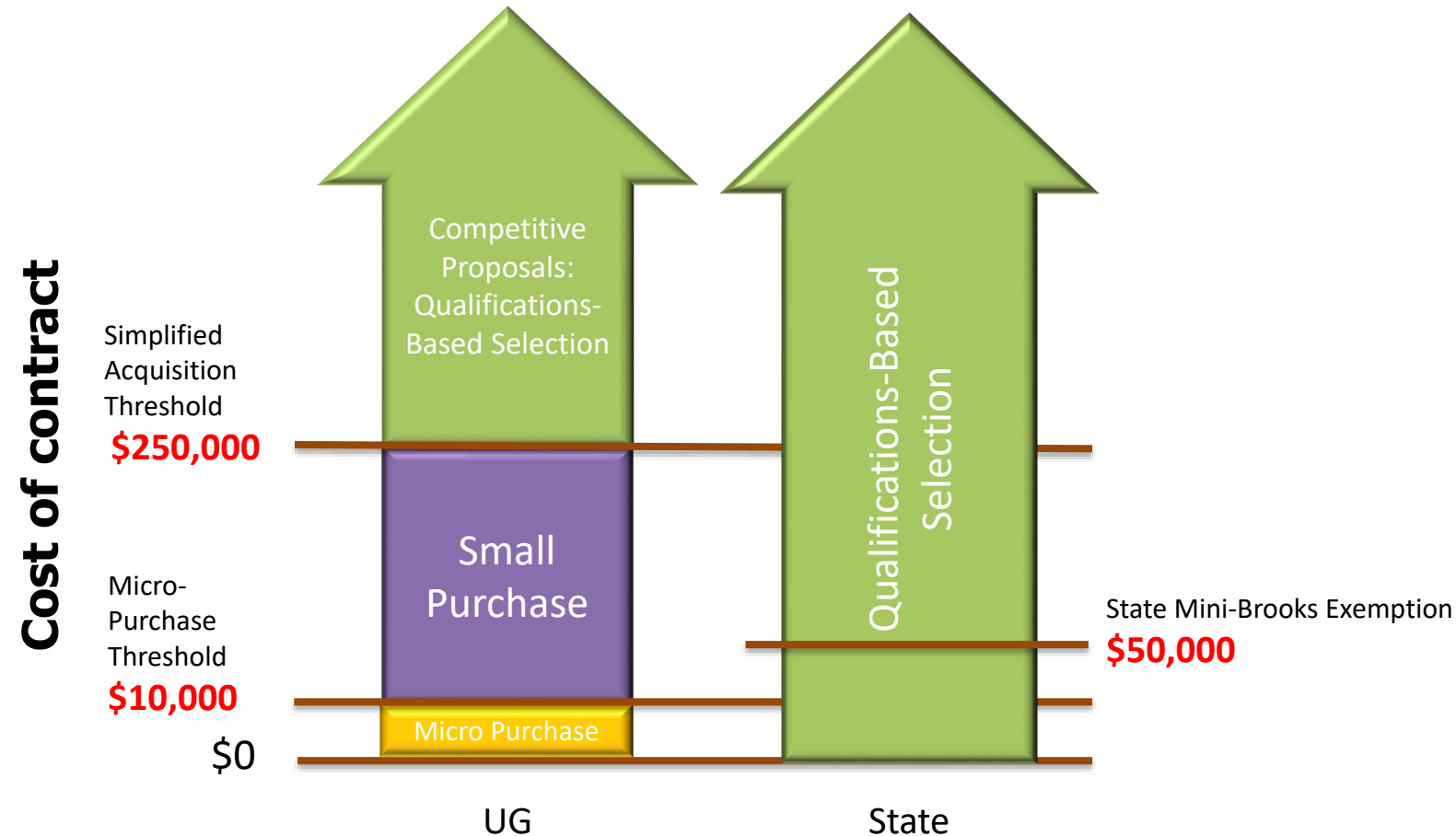
You plan to hire an architect for an estimated fee of \$7,500.

You also plan to hire an engineer for an estimated fee of \$45,000.

*Can you use the state
Mini-Brooks Act exemption
for either contract?*



Procurement Methods – A/E Services



Renewing Pre-Existing Contracts

You entered into service contract in September 2016 for a one-year term with two one-year renewal options. The contract was renewed in 2017 and is up for renewal again in 2018. You did not bid the original contract. Your unit now wants to pay for the contract with federal funds.

Can you renew the contract?



UG M/WBE SOLICITATION REQUIREMENTS



M/WBE / HUB Participation

- Not a quota or set-aside
- Focuses on opportunity to *compete* for contracts
- Lowest responsive, responsible bidder standard still applies
- Non-discrimination in contract award still applies



Who is M/WBE?

Key Terms:

1. Minority Business
2. Women's Business Enterprise
3. Labor Surplus Area Firm

Terms not defined in the UG

Check federal grantor definitions

**If not defined by grantor agency; follow state
law definitions**

Requirements

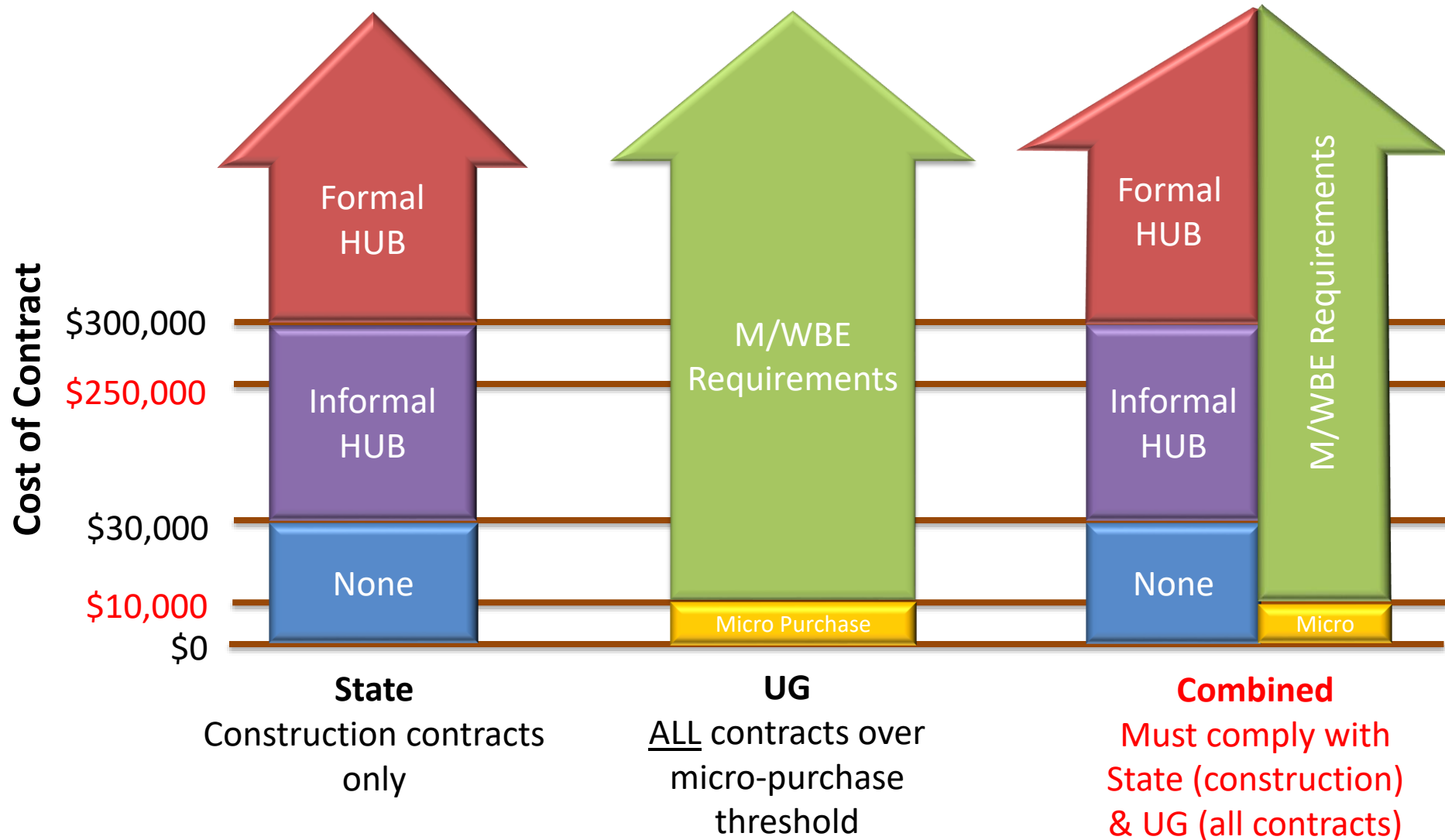
UG (M/WBE)

- ✓ Applies to All Contracts regardless of type above micro-purchase threshold (\$10,000)
- ✓ Requires 6 specific solicitation steps (UG steps similar to state HUB good faith efforts)

State (HUB)

- ✓ Local government engages in outreach efforts for all building construction contracts costing \$30,000 and above
- ✓ Require bidders to engage in good faith efforts for all building construction contracts costing \$300,000 and above

HUB and M/WBE Requirements



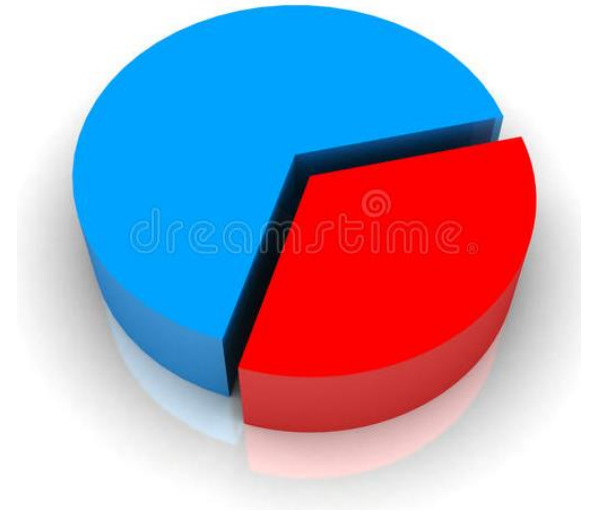
UG M/WBE Requirements

1. Put M/WBEs on bidders list
2. Include M/WBEs in bid solicitations
3. Where economically feasible, divide project into smaller contracts to encourage M/WBE participation
4. Where feasible, establish delivery schedules to accommodate M/WBEs
5. Use services of SBA, US Dept. of Commerce Minority Development Agency, and other similar agencies such as NC HUB Office
6. Require prime contractors to comply with steps 1-5 above

2 CFR § 200.321

Goals

- UG *does not* require M/WBE goals
- State law requires goals for building construction projects:
 - \$300,000 with local funds
 - \$100,000 with state funds
- Some federal programs require goals (ex: DBE goals for US DOT projects)



Documentation and Reporting

UG

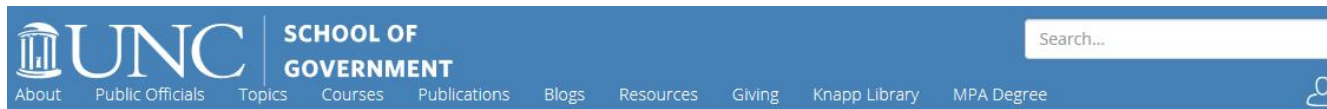
- Local government must document compliance with M/WBE solicitation requirements (along with all other procurement requirements)
- Recommend requiring contractors to document their compliance
- HUB certification of firms not required for compliance

State

- Formal HUB – bidder's good faith efforts affidavits
- Local government must report to NC HUB office
- HUB certification required for credit toward local government participation goals

Resources

www.ncpurchasing.unc.edu



MICROSITE

Local Government Purchasing and Contracting

[Overview](#) [Contributors](#) [Roles / Topics](#)

The [Local Government Purchasing and Contracting](#) microsite provides information and resources about local government contracting, including competitive bidding and other legal requirements for purchasing and construction contracting. Legal resources, sample forms, tools, and publications are available at the links in the left-hand menu of this page. For information about CLGPO Certification for North Carolina local and state purchasing professionals, see our [Certifications and Organizations](#) page.

2018 PURCHASING COURSES DATES NOW AVAILABLE! Dates for SOG purchasing courses are available under the "Courses" tab. All four courses are required for CLGPO Certification. To sign up for an email notification when registration opens, click on the name of the course and, on the course

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**THANK
YOU!**

A thick, orange, hand-painted style brushstroke that curves slightly upwards at both ends, positioned directly beneath the word 'YOU!'.

Norma Houston
UNG School of Government
nhouston@sog.unc.edu