

City of Hendersonville Uniform Guidance Procurement Policy

- I. **Objective.** The objective of this Policy is to establish guidelines that meet or exceed the procurement requirements for purchases of goods (apparatus, supplies, materials, and equipment), services, and construction and repair projects when federal funds are being used in whole or in part to pay for the cost of a contract.

II. Policy

- A. **Application of Policy.** This policy applies to contracts that are funded in whole or in part by federal funds, direct or reimbursed, including contracts under grants and loans where the City is a subgrantee or sub-recipient of federal funds (collectively, "Federal Contracts"), except to the extent the federal funding is not subject to the Uniform Guidance codified in 2 C.F. R. Part 200.

All Federal Contracts are subject to the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for federal awards (Uniform Guidance) codified at 2 C.F.R. Part 200 unless otherwise directed in writing by the federal agency or state passthrough agency that awarded the funds. The requirements of this Policy also apply to any subrecipient of federal funds. The City may adopt additional policies for a particular federal agency or federal grant, and in the event of a conflict the policies particular to that federal agency or federal grant shall take precedence over this Policy. The City department that received the federal funding for the Federal Contract is responsible for ensuring compliance with this Policy and all other grant requirements. Departments are referred to the applicable grant agreements and the federal awarding agency regulations for other grant requirements. See also 2 C.F.R. § 200.300(b).

- B. **Compliance with Federal Law.** All procurement activities for contracts to be funded in whole or in part with federal funds must be conducted in compliance with the Procurement Standards codified in 2 C.F.R. § 200.317 through § 200.327 unless otherwise directed in writing by the federal agency or state pass-through agency that awarded the funds. The City will also follow all applicable local and state requirements when expending federal funds. Should the City have more stringent requirements, the most restrictive requirement shall apply so long as it is consistent with state and federal law.

- C. **Approval and Modification.** The procedures and requirements contained in this Policy are administrative and may be amended by the City Manager unless an amendment is specifically required to be approved by City Council, pursuant to State or Federal laws.

III. General Procurement Standards and Procedures: The following standards and procedures apply to all Federal Contract solicitations:

- A. **Necessity.** Purchases must be necessary to perform the scope of work and must avoid acquisition of unnecessary or duplicative items. See 2 C.F.R. § § 200.318(d). City departments should check with the federal surplus property agency prior to buying new items when feasible and less expensive. See 2 C.F.R. § § 200.318(f). Strategic sourcing should be considered with

other City departments and/or agencies that have similar needs to consolidate procurements and services to obtain better pricing. See 2 C.F.R. § § 200.318(e).

- B. Cost Reduction.** City departments are encouraged to use federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs. City departments are further encouraged to use value engineering clauses in Federal Contracts for construction or repair that are of sufficient size to offer reasonable opportunities for cost reductions. See 2 C.F.R. § § 200.318(g).
- C. Clear Specifications.** All solicitations must incorporate a clear and accurate description of the technical requirements for the materials, products, or services to be procured, and shall include all other requirements which bidders or proposers must fulfill and all other factors to be used in evaluating bids or proposals. Technical requirements must not contain features that unduly restrict competition. See 2 C.F.R. § § 200.310(d).
- D. Notice of Federal Funding.** All bid solicitations for Federal Contracts must acknowledge the use of federal funding. In addition, all prospective bidders or proposers must acknowledge that funding is contingent upon compliance with all terms and conditions of the funding award.
- E. Compliance by Contractors and Subrecipients.** All Federal Contract solicitations shall inform prospective contractors that they must comply with all applicable federal laws, regulations, executive orders, and terms and conditions of the funding award. The City department administering a federal grant is responsible for monitoring the compliance of contractors and subrecipients with these requirements. See 2 C.F.R. § § 200.318(b).
- F. Use of Brand Names.** When possible, performance or functional specifications are preferred to allow for more competition leaving the determination of how they reach the required result to the Federal Contractor. Brand names may be used only when it is impractical or uneconomical to write a clear and accurate description of the requirement(s). When a brand name is listed, it is used as reference only and “or equal” must be included in the description. See 2 C.F.R. § § 200.319(d).
- G. Lease versus Purchase.** Under certain circumstances, it may be necessary to perform an analysis of lease versus purchase alternatives to determine the most economical approach. See 2 C.F.R. § 200.318.(d).
- H. MWSBE Participation.** For all Federal Contract procurements that equal or exceed the applicable Micro-Purchase Threshold, the City department responsible for the solicitation must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible. Affirmative steps must include:
 - (1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;

- (2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
- (3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
- (4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
- (5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
- (6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this Section.

I. Documentation. City departments must maintain records detailing the history of all Federal Contract procurements. The documentation should include the procurement method used, contract type, basis for contractor selection, price, sources solicited, public notices, cost analysis, bid documents, addenda, amendments, Federal Contractor's responsiveness, notice of award, copies of notices to unsuccessful bidders or offerors, record of protests or disputes, bond documents, notice to proceed, purchase orders, and the Federal Contract. All documentation relating to the award of any Federal Contract must be made available to the granting agency upon request. The City Manager shall cause checklists for compliance with this policy to be attached to this Policy. Each departmental director whose department is administering a federal grant shall be required to sign off on the checklist(s) as a certification that all requirements have been met.

J. Cost Estimate. For all Federal Contract procurements that are expected to exceed the Simplified Acquisition Threshold as defined in Article V, the City department responsible for the procurement shall develop an estimate of the cost of the procurement prior to soliciting bids. Cost estimates may be developed by reviewing prior contract costs, online review of similar products or services, or other means by which a good faith cost estimate may be obtained. Cost estimates for construction or repair contracts may be developed by the project designer.

Profit must be negotiated as a separate element of the price for each Federal Contract in which there is no price competition and in all cases where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

K. Open Competition. Solicitations shall be prepared and conducted in a way to be fair and provide open competition. The procurement process shall not restrict competition by imposing unreasonable requirements on bidders, including but not limited to unnecessary supplier experience, excessive or unnecessary bonding, specifying a brand name without allowing for "or

equal” products, or other unnecessary requirements that have the effect of restricting competition. Reference is made to 2 C.F.R. § 200.319(b).

- L. Geographic Preference.** No geographic preferences may be imposed in awarding Federal Contracts except to the extent permitted by federal law. See 2 C.F.R. § 200.319(c).
- M. Contractors’ Conflict of Interest.** Designers, suppliers, and contractors that assist in the development or drafting of specifications, requirements, statements of work, invitation for bids or requests for proposals shall be excluded from competing for such procurements. Compliance with the Uniform Guidance Gifts and Favors Policy for the City of Hendersonville is required.
- N. Prequalification.** All lists of prequalified bidders must be kept current and must include enough qualified sources to ensure maximum open and free competition. Potential bidders shall not be precluded from qualifying during the solicitation period. See 2 C.F.R. § 200.319(e).
- O. City Council Approval.** Unless otherwise Board approval for a Federal Contract is required by this Policy, or by federal or state law, the thresholds established by City Council from time to time will determine when City Council approval for a Federal Contract is required.
- P. Procurement of Recovered Materials.** The City and its contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. § part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

IV. Requirements Applicable to All Federal Contracts. All Federal Contracts will comply with the following requirements:

- A. Contract Award.** Federal Contracts shall be awarded only to responsible contractors possessing the ability to perform successfully under the terms and conditions of the proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources. Purchase Contracts and Construction Contracts that exceed the Micro-Purchase Threshold (as defined in Article V of this Policy) will be awarded to the lowest responsive, responsible bidder.
- B. Fixed Price.** Federal Contract solicitations must state that bidders and proposers shall submit bids and proposals on a fixed price basis and that the Federal Contract shall be awarded on this basis unless otherwise provided for in this Policy. Cost plus percentage of cost Federal Contracts

are prohibited. Time and materials Federal Contracts will not be used unless no other form of contract is suitable and the Federal Contract includes a “not to exceed” amount. A time and materials Federal Contract shall not be awarded without express written permission of the federal agency or state pass-through agency that awarded the funds. Additionally, if a time and materials Federal Contract is awarded the City department administering the contract must assert a high degree of oversight to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls. Reference is made to 2 C.F.R. § 200.201(b).

- C. No Evasion.** No Federal Contract may be divided to bring the cost under bid thresholds or to evade any requirements under this Policy or state and federal law.
- D. Contract Requirements.** All Federal Contracts shall be in writing, and shall include or incorporate by reference the provisions required under 2 C.F.R § 200.326 and as provided for under 2 C.F.R. Part 200, Appendix II. Federal Contracts shall further include provisions to comply with 2 C.F.R 200.315 regarding intangible property and the federal government’s right to data produced under a Federal Contract.
- E. Debarment.** No Federal Contract shall be awarded to a contractor included on the federally debarred bidder’s list. Reference is made to 2 C.F.R. § 200.214 and 2 C.F.R. § Part 180. Prior to awarding or recommending a contract for award, the Department shall be required to confirm that every contractor to which a contract is awarded has not been debarred, suspended or otherwise excluded from or ineligible for participation in Federal assistance programs or activities by checking the federally debarred bidder’s list. Each contract or subrecipient agreement awarded shall require the contractor or subrecipient to comply with this paragraph with respect to all of their contractors and subcontractors.
- F. Contractor Oversight.** The City department administering the Federal Contract must maintain oversight of the Federal Contract to ensure that contractor is performing in accordance with the Federal Contract terms, conditions, and specifications.

V. Specific Procurement Procedures

City departments shall comply with this Section in soliciting bids and proposals for Federal Contracts. Solicitation requirements depend on the type of Federal Contract, which types include:

- Contracts for construction or repair work (“Construction Contracts”);
- Contracts for the procurement of apparatus, supplies, materials or equipment (“Purchase Contracts”);
- Contracts for the procurement of architectural, engineering or surveying services (“AES Contracts”); and
- Contracts for the procurement of services other than AES Contracts (“Service Contracts”).

Solicitation requirements also depend on the amount of the Federal Contract, determined by the following thresholds which are set and adjusted from time to time by the Federal Acquisition

Regulation at 48 C.F.R. § Subpart 2.1, or as self-certified by the City as permitted by 2 C.F.R. § 200.320(a)(1)(iv):

- Micro-Purchase Threshold (currently \$30,000 for Construction Contracts and Purchase Contracts, \$50,000 for AES Contracts if exempted from the Mini-Brooks Act, and \$50,000 for Service Contracts.)
- Simplified Acquisition Threshold (currently \$250,000)

Also relevant to the type of solicitation method required is the formal bid threshold established by North Carolina law from time to time, either through G.S. §143-129 or special legislation relating to the City of Hendersonville (the “NC Formal Bid Thresholds”). As of the date of this Policy, the NC Formal Bid Threshold for Purchase Contracts for the City is \$90,000, and the NC Formal Bid Threshold for Construction Contracts is \$500,000.

References to both the federal and state thresholds in this Policy shall mean the then current thresholds. The City Attorney shall serve as a resource for the City departments in tracking and updating these thresholds as adjustments are made over time. A chart summarizing when compliance with Uniform Guidance Procedures is attached to this policy as Exhibit A.

A. Micro-Purchase Procedure: The following contracts may be procured using the Uniform Guidance “micro-purchase” procedure (2 C.F.R. § 200.320(a)(1)):

- Service Contracts that are less than or equal to the applicable Micro-Purchase Threshold;
- Purchase Contracts that are less than the applicable Micro-Purchase Threshold; and
- Construction Contracts that are less than the applicable Micro-Purchase Threshold.

(The City may elect to follow the small purchase procedure, the sealed bid procedure, or the competitive proposal procedure outlined below for any contract qualifying for the Micro-Purchase procedure.)

The Micro-Purchase procedure requirements are (See 2 C.F.R. § 200.320(a)(1)):

1. The Federal Contract may be awarded without soliciting pricing or bids if the price of the goods or services is considered to be fair and reasonable.
2. To the extent practicable, purchases must be distributed among qualified suppliers.

B. Small Purchase Procedure. The following contracts must be procured using the Uniform Guidance “small purchase” procedure (2 C.F.R. § 200.320(a)(2)):

- Service Contracts that exceed the applicable Micro-Purchase Threshold but are less than or equal to the Simplified Acquisition Threshold;
- Purchase Contracts that exceed the applicable Micro Purchase Requirement but are less than the applicable NC Formal Bid Threshold for Purchase Contracts; and
- Construction Contracts that exceed the applicable Micro-Purchase Threshold but are less than or equal to than the Simplified Acquisition Threshold.

(The City may elect to follow the sealed bid procedure, or, for qualifying contracts the competitive proposal procedure, outlined below for any contract qualifying for the Small Purchase procedure.)

The Small Purchase Procedure requirements are (See 2 C.F.R. § 200.320(a)(2)):

1. Obtain price or rate quotes from an “adequate number” of qualified sources. Note that the federal grantor agency may issue guidance interpreting what constitutes an “adequate number” of quotes.
2. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as required under 2 C.F.R. § 200.321 (and as summarized in Article III, Section H).
3. Cost or price analysis is not required prior to soliciting bids.

C. Sealed Bid Procedure. The Sealed Bid Procedure must be used for the following unless they qualify for the noncompetitive procedures stated in Article VI below:

- Purchase Contracts equal to or exceed the applicable NC Formal Bid Threshold;
- Construction Contracts exceeding the Simplified Acquisition Threshold;
- Service Contracts equal to or exceeding the Simplified Acquisition Threshold. (Note: qualifying service contracts that equal to or exceed the Simplified Acquisition may use the competitive proposal procedure in lieu of the Sealed Bid Procedure if consistent with State law.)

The Sealed Bid Procedure requirements are (See 2 C.F.R. § 200.320(b)(1)):

1. Cost or price analysis is required prior to soliciting bids. See 2 C.F.R. § 200.324 (This cost estimate may be provided by the project designer.)
2. Complete specifications or purchase description must be made available to all bidders.
3. The Contract must be fixed price (lump sum or unit price).
4. The solicitation must be formally advertised in a newspaper of general circulation for at least seven full days between the date of the advertisement and the date of the public bid opening, except to the extent electronic advertising has been authorized by City Council (and provided that for Construction Contracts that are less than the NC Formal Threshold formal advertisement in a newspaper is not required so long as other means of advertising will provide sufficient notice of the opportunity to bid). The advertisement must state the date, time, and location of the public bid opening, indicate where specifications may be obtained, and reserve to City Council the right to reject any or all bids only for sound documented reasons.
5. All bids received must be in paper form, and must be submitted in a sealed envelope. If the bid is for a construction contract, the sealed envelope must contain the name of the bidder and their State license number clearly marked on the outside of the sealed envelope. If mailed, the mailing envelope does NOT count as the sealed envelope for purposes of submitted a sealed bid. Note: Electronic bids are prohibited for any contract that is required to be procured using the Sealed Bid Procedure.

6. Take affirmative steps to solicit sealed bids from M/WBE vendors and suppliers as required under 2 C.F.R. § 200.321 (and as summarized in Article III, Section H).
7. Open bids at the public bid or proposal opening on the date, time, and at the location noticed in the public advertisement. All bids must be submitted sealed, and a minimum of 2 bids must be received in order to open any bids. For Construction Contracts over the NC Formal Bid Threshold (currently \$500,000) at least 3 bids must be received in order to open any bids.
8. Award to the lowest responsive, responsible bidder. Bids may be rejected only for sound documented reasons. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of.
9. For Construction Contracts, a 5% bid bond is required of all bidders. The bid bond must be contained within the sealed envelope containing the bid (not the mailing envelope). Additionally for Construction Contracts performance and payment bonds of 100% of the Federal Contract price are required of the winning bidder.
10. Sealed Bid Procedure. Purchase Contracts and Construction Contracts that also equal or exceed the applicable NC Formal Bid Threshold shall be procured using a combination of the most restrictive requirements of the Uniform Guidance Sealed Bid Procedure (2 C.F.R. § 200.320(b)(1)) and North Carolina formal bidding procedures (G.S. 143-129).

Note: Construction Contracts involving a building costing \$300,000 and above must comply with the following additional requirements under state law, which include but are not limited to:

1. Formal HUB (historically underutilized business) participation required under G.S. 143-128.2, including local government outreach efforts and bidder good faith efforts, and the City's Minority Business Participation Outreach Plan, shall apply.
2. Separate specifications shall be drawn for the HVAC, electrical, plumbing, and general construction work as required under G.S. 143-128(a).
3. The project shall be bid using a statutorily authorized bidding method (separate prime, single-prime, or dual bidding) as required under G.S. 143-129(a1).

D. Competitive Proposal Procedure. Service Contracts that exceed the Simplified Acquisition Threshold may be procured using the Uniform Guidance Competitive Proposal Procedure (2 C.F.R. § 200.320(b)(2)) when complete specifications are not possible, a fixed price contract is not feasible or it is not in the best interest of the federally funded program to make the selection principally on price. The Competitive Proposal Procedure is generally used when conditions are not appropriate for the use of sealed bids. Additionally, any contract less than the applicable Micro-Purchase Threshold may be procured using the Competitive Proposal Procedure provided it is consistent with State law.

The Competitive Proposal Procedure requirements are:

1. The Request for Proposals (RFP) must be publicized. Formal advertisement in a newspaper is not required so long as the method of advertisement will solicit proposals from an adequate number of qualified firms.
2. Take affirmative steps to solicit proposals from M/WBE vendors and suppliers as provided under 2 C.F.R. § 200.321 (and as summarized in Article III, Section H).
3. Identify all evaluation factors and their relative importance in the RFP.
4. Consider all responses to the publicized RFP to the maximum extent practical.
5. Must have a written method for conducting technical evaluations of proposals and selecting the winning firm.
6. Award to the responsible proposer whose proposal is most advantageous to the program with price and other factors considered.

E. AES Contracts less than \$50,000 may be exempted from the North Carolina Mini-Brooks Act (G.S. 143-64.31). These exempted AES Contracts do not require competitive proposals under the Uniform Guidance as they are under the micro-purchase threshold. AES Contracts not exempted from the state “Mini-Brooks Act” requirements (G.S. 143-64.31), shall be procured using the Uniform Guidance “competitive proposal” procedure (2 C.F.R. § 200.320(b)(2)(iv)) as follows:

1. Publicly advertise a Request for Qualifications (RFQ) to solicit qualifications from qualified firms (formal advertisement in a newspaper is not required). Price (other than unit cost) shall not be solicited in the RFQ.
2. Take affirmative steps to solicit proposals from M/WBE vendors and suppliers as provided under 2 C.F.R. § 200.321.
3. Identify all evaluation factors and their relative importance in the RFQ.
4. Proposals must be solicited from an “adequate number of qualified sources.” Note that the individual federal grantor agency may issue guidance interpreting “adequate number.”
5. Must have a written method for conducting technical evaluations of proposals and selecting the best qualified firm.
6. Consider all responses to the publicized RFQ to the maximum extent practical.
7. Evaluate qualifications of respondents to rank respondents and select the most qualified firm. Preference may be given to in-state (but not local) firms provided that granting the preference leaves an appropriate number of qualified firms to compete for the Federal Contract given the nature and size of the project.
8. Price cannot be a factor in the initial selection of the most qualified firm.
9. Once the most qualified firm is selected, negotiate fair and reasonable compensation. If negotiations are not successfully completed, repeat negotiations with the second-best qualified firm.
10. Award the Federal Contract to best qualified firm with whom fair and reasonable compensation has been successfully negotiated.

VI. Exceptions. Noncompetitive procurements exceeding the Micro-Purchase Threshold are allowed only under the following conditions and with the written approval of the federal agency or state pass-through agency that awarded the federal funds (See 2 C.F.R. § 200.320(c)):

- A. **Sole Source:** when the item is available from only one source. The City department responsible for the solicitation shall document the justification for and lack of available competition for the item. A sole source Federal Contract must be approved by City Council.

- B. **Public Exigency:** when there is a public exigency or emergency. A public exigency or emergency exists when there is an imminent or actual threat to public health, safety, and welfare, and the need for the item will not permit the delay resulting from a competitive bidding.

- C. **Inadequate Competition:** when competition is determined to be inadequate after attempts to solicit bids from a number of sources if consistent with State law.

- D. **Federal Contract:** when the purchase is made from a Federal Contract available on the U.S. General Services Administration schedules of Federal Contracts.

- E. **Awarding Agency Approval:** with the express written authorization of the federal agency or state pass-through agency that awarded the federal funds so long as awarding the Federal Contract without competition is consistent with state law.

EXHIBIT A - CITY OF HENDERSONVILLE SUMMARY CHART WHERE COMPLIANCE WITH UNIFORM GUIDANCE IS REQUIRED

Amount of Contract (Represented by X)	Micro-purchase Procedures 2 C.F.R. § 320(a)(1)	Small Purchase Procedures 2 C.F.R. § 320(a)(2)	Formal Sealed Bid Procedure 2 C.F.R. § 200.320(b)(1)	Formal UG HUB Procedures 2 C.F.R. § 200.321	Competitive Proposal Process 2 C.F.R. § 200.320(b)(2)
Construction and Repair Contracts					
X < \$30,000	Applies	Optional	Optional	Optional	Optional
\$30,000 ≤ X ≤ \$250,000	Not Eligible	Required	Optional	Required	Not Eligible
X > \$250,000	Not Eligible	Not Eligible	Required	Required	Not Eligible
*Limits arrived at by combining State and Federal limits. However, this chart does not attempt to address compliance with state law or local requirements. Additional state law and requirements must be followed where applicable.					
Architectural, Engineering and Surveying Services					
X < \$50,000, if Mini-Brooks exemption applied	Applies	Optional	Optional	Optional	Optional
X ≥ \$50,000	Not Eligible	Not Eligible	Not Eligible	Required	Required 2 C.F.R. § 200.320(b)(2)(iv)
*Limits arrived at by combining State and Federal limits. However, this chart does not attempt to address compliance with state law or requirements. Additional state law and local requirements must be followed where applicable.					

Amount of Contract (Represented by X)	Micro-purchase Procedures 2 C.F.R. § 320(a)(1)	Small Purchase Procedures 2 C.F.R. § 320(a)(2)	Formal Sealed Bid Procedure 2 C.F.R. § 200.320(b)(1)	Formal UG HUB Procedures 2 C.F.R. § 200.321	Competitive Proposal Process 2 C.F.R. § 200.320(b)(2)
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Purchase Contracts

$X < \$30,000$	Applies	Optional	Optional	Optional	Optional
$\$30,000 \leq X < \$90,000$	Not Eligible	Yes	Optional	Required	Not Eligible
$X \geq \$90,000$	Not Eligible	Not Eligible	Required	Required	Not Eligible

*Limits arrived at by combining State and Federal limits. However, this chart does not attempt to address compliance with state law or local requirements. Additional state law and local requirements must be followed where applicable.

All Other Service Contracts

$X \leq \$50,000$	Applies	Optional	Optional	Optional	Optional for any contract under the micro-purchase threshold
$\$50,000 < X \leq \$250,000$	Not Eligible	Required	Optional	Required	Optional for qualifying contracts
$X > \$250,000$	Not Eligible	Not Eligible	Required	Required	Optional for qualifying contracts

*Limits arrived at based solely on Federal limits. However, this chart does not attempt to address compliance with state law or local requirements. Additional state law and local requirements must be followed where applicable.

