



**PROCUREMENT POLICY  
POLICY: #1003 Revision 8**

Original Policy Date: 7/23/2003  
Effective Revision Date: 1/29/2026

**SECTION I – RESPONSIBILITY AND AUTHORITY**

**A. General Responsibilities**

The primary procurement responsibility of Workforce Southwest Washington (WSW) is to provide oversight and guidance to WSW staff and all subrecipients to ensure that legal and performance requirements are met and to ensure that procurement processes are consistent, fair, and supportive of WSW’s goals and objectives.

Staff members are responsible for the development, implementation, monitoring, and maintenance of all procurement activities in such a way as to meet the requirements of applicable laws, regulations, policies, and procedures.

**B. Legal Citation**

This policy complies with standards in the following federal and state laws and rules:

1. [Workforce Innovation and Opportunity Act \(WIOA\) of 2014;](#)
2. [OMB 2 CFR Part 200.318 through 200.327;](#)
3. The Revised Code of Washington (RCW);
4. [Workforce Innovation and Opportunity Act, Final Rules;](#) and
5. [Employment Security Policy #5404 Rev 1 Procurement and Selection of One Stop Operators and Service Providers.](#)

**C. Authority**

WSW, a nonprofit Washington corporation, possesses the ultimate legal authority within its jurisdiction for awarding, withdrawing from, or assigning contracts. The following authority has been delegated by the corporation for procurement and contracting activities:

Disbursement of Funds	Decision Making/Signature Authority		
	Full Board	Executive Board	Chief Executive Officer*
Contracts for service providers funded from annual allocations**	X Ratification of Executive Board’s approval	X Approval	X Contract approval
Mid-year contract modifications***			X
All other contracts \$100,000 and under			X
All other contracts \$100,001 to \$250,000		X	X

All other contracts greater than \$250,001	X Ratification of Executive Board's approval	X Approval	X Contract approval
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\*The Chief Executive Officer may delegate authority for contract approval during their absence.

\*\*Service provider allocations will be approved by the Executive Board and ratified by the full board

\*\*\* Modifications to those contracts which were approved by the Board previously or remain under \$100,000.

#### D. Exclusions

Purchases of the following items are specifically excluded from this procurement policy: 1) On-the-Job Training (OJT) as covered by the WSW [Training Handbook](#) and provided by a properly procured service provider; 2) Individual Training Accounts (ITA) with Eligible Training Providers as covered by the WSW Training Handbook (specific federal requirements are defined in [WIOA Law Title 1, Subtitle B, Chapter 3](#) – Eligible Training Providers and provided by a properly procured service provider; and 3) expenses covered by WSW's Travel Reimbursement procedure as part of the WSW Personnel Handbook.

## SECTION II – CONFLICT OF INTEREST

#### A. Code of Conduct Applicability

WSW Board members, the Executive Board of County Commissioners, and WSW employees, agents, subrecipients, and contractors shall comply fully with the WSW Code of Conduct Contents (below), as well as with the rules and opinions governing conflict-of-interest situations contained in the following documents: State of Washington [Conflict of Interest #5405 Rev 2](#); United States Department of Labor (USDOL) laws; [Workforce Innovation and Opportunity Act \(WIOA\) of 2014](#); and [OMB 2 CFR 200](#). Should federal, state or [WSW Conflict of Interest Policy](#) contain differing provisions, the most stringent interpretation shall apply.

#### B. Code of Conduct Contents

WSW Code of Conduct includes, but is not limited to, the following provisions:

It is a breach of ethical standards for WSW board members, Executive Board of County Commissioners, contractor or subrecipient staff, or an employee or agent of WSW to knowingly participate, directly or indirectly, in a procurement when:

- They or a member of their immediate family has a financial interest in the procurement;
- A business organization in which they or a member of their immediate family has a financial interest in the procurement; or
- A business or other organization with which they are negotiating an arrangement concerning prospective employment is involved in the procurement.

Whenever an individual discovers or becomes aware of an actual or potential conflict, he/she should promptly withdraw from the procurement. Members of the Board of

Directors shall recuse themselves from any voting actions ratifying a contract in which they, their business, or their immediate family have an interest.

**C. Disclosure**

Any WSW board member, member of the Executive Board of County Commissioners, or WSW employee or agent who has or obtains any benefit from any WSW contract with a business in which they have financial interest must report this to the Executive Board through the Chief Executive Officer in writing.

**D. Gratuities and Kickbacks**

It is a breach of ethical standards for anyone to offer, give, or agree to give any WSW employee or former employee, or for a member, employee, agent, or former employee to accept from another person a gratuity or an offer of employment in connection with any procurement.

It is a breach of ethical standards for any payment, gratuity, or offer of employment to be made by or on behalf of a subcontractor/subrecipient under a contract to the prime contractor/subrecipient or higher tier subcontractor, or any person associated with these, as an inducement for the award of a subcontract.

**E. Contingent Fees**

It is a breach of ethical standards for anyone to be retained or to retain anyone to solicit or secure a contract for commission, brokerage, or contingent fee or a promise of such payments. This prohibition does not apply to the hiring of bona fide employees or contracting for help with grant or proposal writing.

**F. Use of Confidential Information**

It is a breach of ethical standards to use confidential information for actual or anticipated personal gain or for the actual or anticipated personal gain of any other person.

**G. Breach of Standards**

Any person willingly involved in a breach of ethical standards or found to be directly or indirectly benefiting from a conflict of interest may be subject to disciplinary action.

**SECTION III – GENERAL PROCUREMENT REQUIREMENTS**

1. All procurements shall be conducted in a manner that maximizes full and open competition, regardless of the procurement method. Competitive procurements shall not unduly restrict or eliminate competition as outlined in OMB 2 CFR 200.319.
2. All expenditures must be necessary and will be reviewed for reasonableness, allowability, allocability, and proper procurement was followed.
3. All construction, remodeling or renovation must have prior written approval from the funding source.
4. All purchases of equipment with a per-unit acquisition price of \$10,000 or more and a useful life of more than one (1) year require written approval from the funding source.

5. All procurements of program services and large purchases shall clearly set forth all requirements which proposers must fulfill and all other factors to be used in evaluating proposals.
6. Competitive procurement is the required process for procuring One-Stop Operators (once every four years) and subrecipients to provide WIOA program services (once every three years). All other competitively procured contracts may be renewed up to four years then must be reprocured.
  - a. Exceptions may be made for competitively procured professional operational services such as IT, software, network/internet services, web hosting, etc. These services must be procured initially in accordance with this policy and have a signed vendor agreement or contract with a defined contract period. With each agreement renewal a justification must be written and approved before a new agreement is signed with the vendor.
7. Where appropriate, an analysis shall be made of lease/rental versus purchase alternatives to determine which approach is most economical.
8. Consideration shall be given to either consolidating or breaking up procurement actions to maximize competition.
9. WSW may “tag on” to other agencies’ procurements or use common goods and services where it fosters greater economy and efficiency.
10. WSW will use federal excess and surplus property whenever it is feasible and results in cost savings.
11. A factor to be considered in selecting agencies or organizations to deliver services shall be the effectiveness of the agency or organization in delivering comparable or similar services based upon the meeting of demonstrated performance goals, cost, the quality of training, and participant characteristics.
12. Efforts shall be made to include community-based organizations, small businesses, minority-owned businesses, women-owned businesses, historically African American and Native American colleges and universities, Veteran owned businesses, labor surplus area businesses, and faith-based organizations in the solicitation process as outlined in 2 CFR 200.321
13. WSW must seek to avoid the procurement and purchase of duplicate facilities or services otherwise available in the area unless it is demonstrated that alternative services or facilities would be more effective or more likely to achieve performance goals.
14. In identifying any program income or profit to be earned by the proposer, the following factors shall be considered in determining whether program income or profits are excessive:
  - Complexity of work to be performed
  - Risk born by contractor/subrecipient
  - The contractor’s/subrecipient’s investment
  - The amount of subcontracting
  - The quality of the contractor’s/subrecipient’s record of past performance
  - Industry profit rates in the surrounding geographical area and
  - Market conditions in the surrounding geographic area.

15. WSW requires accurate and complete reporting of allowable stand-in costs.
16. To the greatest extent practical and consistent with law, WSW will provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States.
17. To the greatest extent practical and consistent with law, purchase, acquire, or use products and services that can be reused, refurbished, or recycled; contain recycled content, are biobased, or are energy and water efficient; and are sustainable.

## **SECTION IV – SUBRECIPIENT OR CONTRACTOR DETERMINATION**

Anticipated purchases are either from “subrecipients” or from “contractors.” This determines the type of contract terms to be used and affects the cost or price analysis.

### **A. Subrecipient**

A subrecipient is a legal entity to which an award of federal funds is made, and which is accountable for the use of funds provided. Subrecipients generally perform the following activities:

- Determine eligibility for a federally funded program
- Have performance measured against the objective of the federal program
- Have responsibility for programmatic decision-making
- Have responsibility for adherence to applicable federal program compliance requirements (for example, the WIOA regulations) and
- Use federal funds to carry out a program, as opposed to providing goods or services to a service provider.

### **B. Contractor**

A contractor is a dealer, distributor, merchant, or other seller providing goods or services that are required for the operation of a federal program. The following activities are indicative of a contractor relationship with an organization:

- Provides the goods and services within normal business operations
- Provides similar goods or services to many different purchasers
- Operates in a competitive environment
- Provides goods or services that are ancillary to the operations of the federal program and
- Is not subject to federal compliance requirements.

The determination of a subrecipient as opposed to a contractor takes into account all of the characteristics related to the type of provider. No single factor is used. See the following table for further clarification on contractor/subrecipient determination. Persons may also use the [Subrecipient versus Vendor Determination Form](#) to aid in the selection of contract terms.

## **Contractor/Subrecipient Relationship Determination**

Factor	Contractor	Subrecipient
Activity*	Sell deliverables (goods/services)	Provide services
Assistance Arrangement	Buyer-sell	Financial assistance to operate program
Federal Rules	N/A	Compliance
Purpose of the Award	To provide specific goods or services	To carry out a program role
Receipt of Funds**	Number of items delivered	Cost-incurred or performance met
Risk	Risk to contractor	Share risk with awarding agency
Type of Product	Provide specific product or service ancillary to the federal program	Design a program to meet a broader goal such as performance outcomes

\*There may be instances where it is possible to obtain the same type of services under either a contractor or a subrecipient award

\*\* Performance and outcome-based payments are possible under both contractor and subrecipient awards.

## SECTION V – PROCUREMENT PROCESS

### A. Levels

WSW groups procurement requirements for materials and services into three levels, in accordance with [2CFR200.320](#) and [2CFR200.323](#). The levels are defined as:

#### Level 1 – Large

Amounts above \$250,000:

- Must be procured by competitive proposals, meeting the standards outlined in 200.320(d) for broad publication and solicitation as well as technical evaluation. See also detailed requirements in Section V below.
- Cost or price comparisons must be performed on all proposals in this category. The form/process used is based on what is outlined in the RFP. May use the [Price Analysis Form](#) as start for documentation.
- An independent estimate must be formed in advance of proposals received.

#### Level 2 – Small

Amounts less than or equal to \$250,000 and more than \$10,000:

- Price or rate quotations must be obtained from an adequate number of qualified sources.
- Price analysis should be documented using the [Cost Comparison Form](#).

- Small purchases costing more than \$100,000, must be procured using a competitive procurement method.

### **Level 3 – Minor**

Amounts less than or equal to \$10,000:

- Aggregate dollar amount does not exceed \$10,000.
- Price deemed reasonable. Documentation must include one of the following: written quotes from qualified sources, “tag on” purchases, catalog or market price reviews, and other means undertaken to establish price reasonableness and to foster economy and efficiency in all purchasing decisions.
- Distribute purchases equitably among suppliers.

In developing cost estimates for prospective purchases or operating services, consider the maximum anticipated need for similar items or services over an estimated period of 12 months. If there is any reasonable likelihood that costs may exceed the highest dollar limit of the applicable procurement level, use of the next higher procurement level is strongly recommended.

Procurement activities and procedures described in this policy and prescribed by 2 CFR are designed to adhere to procurement requirements applicable to expenditures of federal funds and are not required and may not be applicable when non-federal funds are used to make purchases. Authorization to use a given procurement method for non-federally funded purchases rests with the Chief Executive Officer or their designee.

## **B. Types of Procurement Methods**

### **a. Request for Proposals (RFP)**

The RFP is a set of documents that includes a description of the product(s) or service(s) desired, enabling a potential contractor/subrecipient to submit a proposal. The RFP will include information necessary to evaluate proposals submitted.

A RFP method is used when:

1. The service needed precludes developing a specification or purchase description so precise that all proposers would have an identical understanding to approach the requirements; **and**
2. Two or more responsible suppliers are likely to be willing and able to compete effectively for the award; **or**
3. Procurement of One-Stop Operators or subrecipients to provide WIOA program services; **or**
4. Goods or services procured for \$100,000 or more; **or**
5. Goods or services are best procured by this method regardless of cost.

### **b. Request for Qualifications**

A Request for Qualifications is used when the same conditions listed above under the description of a RFP exist and agency wishes to solicit a number of qualified providers who will work as a team. It may also be used to solicit and determine the most qualified providers from which a competitive procurement will result.

**c. Request for Quote**

A Request for Quote is a solicitation for goods or services in which an agency asks suppliers to submit a price quote on the chance to complete specific tasks or projects. Request for Quotes generally ask for a more comprehensive price quote for something that is well-defined and quantifiable, such as hardware.

**d. Cost Analysis**

An analysis of goods or services. Once analysis is done on goods or services from each proposer, a comparison is completed. A cost comparison is done with three or more quotes or proposals. Analysis and comparison should be done using the same criteria on identical or similar goods or services.

**e. Tag On**

Agencies may use other agencies' procurements or use common goods and services where it fosters greater economy and efficiency. Competitive procurement requirements may be met by the use of competitive procurement by another agency. Tag-on agencies may include, but are not limited to, federal, state and local governments, and nonprofit entities who maintain documentation of an open, competitive selection process. Considering tag-on purchases does not preclude a price or cost analysis and comparison.

**f. Written into Grant**

In some cases, subrecipients can be written into the original grant as "required partners". In most cases, this requires prior approval from the funding agency. Documentation of approval must be kept in their file. If a grant is awarded with named subrecipients, that becomes the approved procurement method (sole source). No further procurement is needed based on the funder's requirement that they be partners in the project. Their proposed services and costs are included in the proposal and accepted as such by the funder.

**C. Competitive Procurement**

**a. Request for Qualifications Contents**

As applicable, Request for Qualifications, shall include the following information:

1. Name and address of requesting agency (ie: WSW);
2. Name and contact information of person to contact;
3. Detailed description a specific project completion requested;
4. Funding parameters;
5. Requirements for preparation and submission package, due date, content and format, number of copies, and the location/email address and the person to whom the package should be submitted;

6. Process and procedure by which the package will be evaluated, including identification of specific criteria to be used;
7. Description of the procedures for responding to inquiries;
8. Must include Stevens Amendment funding statement following the most current version of [WSW Policy #2011](#)
9. Description of next steps once qualifications are evaluated and the process for responding to the upcoming RFP; and
10. Appeal procedures for contesting results.

**b. Request for Quotes Contents**

As applicable, Request for Quotes shall include the following information:

1. Name and address of awarding agency (ie: WSW);
2. Name and contact information of person to contact;
3. Detailed description of specific goods or project completion requested;
4. Funding parameters;
5. Technical requirements for the material, product, or service to be procured including specific features of "brand name or equal" products;
6. Requirements for preparation and submission of quote, due date, content and format, number of copies, and the location/email address and the person to whom the quote should be submitted;
7. Process and procedure by which the quote will be evaluated;
8. Description of the procedures for responding to inquiries;
9. Must include Stevens Amendment funding statement following the most current version of [WSW Policy #2011](#)
10. A schedule for the receipt of quotes and approximate dates for review and award; and
11. Appeal procedures for contesting results.

**c. Request for Proposal Contents**

As applicable, Request for Proposals, shall include the following information:

1. Name and address of awarding agency (ie: WSW);
2. Name and contact information of person to contact;
3. General description of the program, including identification of the applicable federal and state laws and regulations with which the subrecipient must comply;
4. The population to be served and minimum service levels to specific target groups;
5. An estimate of the number/range of individuals to be served and expected performance in each activity including timeline if applicable;
6. A Statement of Work or Specifications, which explains what needs to be accomplished. This is the portion of the solicitation that defines the program

- goals and objectives. It represents a description of the services to be acquired;
7. Applicable program staff requirements;
  8. Funding parameters by activity;
  9. A description of the training and/or services to be provided, including the period of performance;
  10. Applicable monitoring and reporting requirements, including, but not limited to, data entry, performance, and financial reporting;
  11. Criteria for performance and fiscal accountability;
  12. Other services or requirements (e.g., responsibility for eligibility determination, responsibility for support payments, audit requirements, etc.);
  13. Prohibition against subcontracting without prior approval;
  14. Request for a line-item budget of proposed costs, including any profit to be gained and/or funds to be contributed;
  15. Request for a budget narrative to explain allocated item(s) that are not self-explanatory on the line item budget;
  16. Request for established programmatic and financial capability to perform work;
  17. Requirements for preparation and submission of the proposal, due date and time, content and format, number of copies, and the location and the person to whom the proposal should be submitted;
  18. Scoring criteria including the process and procedure by which the proposals will be evaluated for competitiveness, allowability, and reasonableness;
  19. Description of the procedures for responding to inquiries;
  20. A schedule for the receipt of proposals, and approximate dates for review and award;
  21. Must include Stevens Amendment funding statement following the most current version of [WSW Policy #2011](#)
  22. Appeal procedures for contesting the procurement result; and
  23. Include assurances that the proposer will comply fully with nondiscrimination and equal opportunity provisions, as well as all the applicable requirements imposed by WIOA laws and regulations, including but not limited to lobbying, debarment, suspension, drug-free workplace, signature authority, ownership, organization, management capabilities, financial resources, and audit history.

**d. Notice & Advertisement**

Procurement Requests for Qualifications, Quotes and Proposals shall be widely distributed to all interested parties and advertised in multiple ways that will reach a suitable audience. Notice elements are to include:

1. Posting on the WSW website ([www.workforcesw.org](http://www.workforcesw.org));
2. Advertising in one or more media outlets including social media;
3. WSW Program Staff notification to WSW Board of Directors of upcoming RFP solicitations;

4. Posting of RFP must be out for solicitation for a minimum of 30 days if procuring One-Stop Operators or for WIOA program subrecipients. Minimum posting times for all other requests are at the discretion of staff;
5. Direct local contact, which includes contacting known referrals and entities that have expressed specific interest; and
6. May include direct national solicitation, which may include known referrals and national entities that have expressed interest in responding.

**e. Proposal Evaluation**

All competitive proposal responses will be evaluated pursuant to the criteria identified in the procurement document. The following evaluation procedures generally apply:

1. Initial Proposal Review: Upon receiving proposals, staff will conduct an initial review of proposal packages to determine completeness and adherence to the requirements defined in the procurement request document. Incomplete and other non-responsive proposals may be removed from further consideration.
2. Technical Evaluation: Evaluation criteria and selection methodology will be listed in the procurement request document. Staff will develop an evaluation form for use in the evaluation process. While evaluation criteria may change from project to project, most proposal reviews shall consider the following elements:
  - a. Administrative and technical competence, including satisfactory record of integrity, business ethics and fiscal accountability;
  - b. Program design and how that compliments WSW Strategic Plan, including proposer's ability to meet requirements in procurement request document (e.g performance, budget, timeline);
  - c. Past experience and demonstrated effectiveness in delivering the same or similar services (e.g job training, service delivery, past performance, past fiscal integrity);
  - d. Organization and staff qualifications, including necessary organization, experience, accounting and operational controls;
  - e. Cost effectiveness. Factor(s) in addition to price or cost will be considered in making an award.
  - f. WSW will consider contractor public policy compliance, and proper classification of employees (per the Fair Labor Standards Act, 29 U.S.C. 201, chapter 8).
  - g. WSW may incorporate a scoring mechanism that rewards bidders that commit to specific numbers and types of U.S. jobs, minimum compensation, benefits, on-the-job-training for employees making work products or providing services on a contract, and other worker protections. WSW may also make inquiries of bidders about these subjects and assess the responses (As outlined in [2 CFR 200.319 \(f\)](#)).
3. Evaluation Committee: A committee may be established to discuss ratings and to reach a consensus after each individual has reviewed the proposals

and developed preliminary ratings. An Evaluation Committee is required for One-Stop Operator and WIOA program service proposals. The evaluation committee may, at its discretion, interview any or all proposers to clarify responses and/or elicit additional information to assist in making a final determination. All reviewers must certify no real or apparent conflict of interest exists. Documentation describing the evaluation and selection process will be maintained by staff.

**f. Procurement Commitment and Awards**

The following steps are taken once the evaluation process is complete:

1. If applicable, the evaluation committee presents their recommendation for award to WSW Executive Board. If approved, the recommendation moves forward to the WSW Board of Directors for final approval of award. If not applicable to go in front of board, the evaluation is presented to WSW CEO for final approval.
2. Agencies or individuals submitting written proposals or quotes shall be notified in writing of the acceptance or denial of their proposal or quote.
3. No contract award shall be considered final until a written agreement or purchase order is signed by an authorized WSW employee.
4. A contract shall be awarded conforming to the requirements of the request, subject to negotiation, and is reasonable in price.
5. Any or all proposals or quotes may be rejected when it is in the best interest of WSW.

**D. Procurement File Standards**

Procurement records will be retained for three (3) years after final payment on a contract or purchase and all other matters are closed. Records should detail the significant history of procurement. These records **will** include, if applicable, but are not necessarily limited to, the following:

1. Rationale for the method of procurement (small purchase, request for proposal, etc.);
2. The selection of agreement type (cost reimbursement or fixed price);
3. Notice to awardee and those denied;
4. Copy of the solicitation package;
5. Copy of the public notification;
6. List of proposers and media outlets to which notice was sent;
7. Agenda and minutes of a bidders' conference, if held;
8. Written responses to all clarifying questions received outside of the bidders' conference;
9. Copy of each proposal received;
10. Documentation of lack of proposals received, if applicable;
11. Signed evaluation forms from all reviewers, including conflict of interest statement;
12. Documentation of the rationale for selection and funding of any proposer that did not receive the highest score/ranking in the evaluation process;

13. Completed cost or price analysis for each prequalified proposal; and
14. Copy of any submitted protests and the resolution of each.

## SECTION VI – NONCOMPETITIVE - SOLE SOURCE

Noncompetitive sole source is procurement from only one provider or contractor.

Circumstances under which a sole-source contract may be awarded include the following:

1. The services or goods are available only from a single source.
2. The public exigency or emergency for the requirement will not permit a delay resulting from competitive proposal (emergency must be outside of our control).
3. Grantor expressly authorized noncompetitive proposals in response to a written request or
4. After solicitation through a number of sources, competition is determined inadequate.

Applicable for any purchase at or under \$250,000, or over \$250,001 if a competitive method has failed.

All sole-source purchases shall be documented using the [Sole Source Authorization Form](#), including:

1. The reason why regular large, small, or minor purchase procedures were infeasible;
2. Which sole-source rationale was applied;
3. A cost analysis;
4. Business need;
5. Market research to conclude that alternative sources were inappropriate or unavailable; and
6. Signed authorization for the sole-source award.

Sole Source Authorization form must be completed and approved prior to purchase or contract signed.

## SECTION VII – DEFINITIONS OF COMMON TERMS

**Acquisition:** The process of purchasing goods and services through purchase, rent, or lease. Includes the establishment of needs, description of requirements, selection of procurement method, selection of sources, solicitation of procurement, solicitation for offers, award of contract, financing, contraction administration, and related functions.

**Competitive Proposal:** A method for purchasing goods and services, usually of a highly complex and technical nature whereby qualified individuals or agencies are solicited by means of a Request for Proposals or Quotes. Negotiations are conducted; the best proposal or quote, as judged against criteria contained in the procurement document, is accepted; and an award is issued.

**Contract:** An agreement enforceable by law between two or more parties, could also include a Memorandum of Understanding.

**Cost Analysis:** A cost analysis is done on each proposal, quote or qualification and must include a documented review and evaluation of each element of cost to determine reasonableness, allocable and allowable.

**Cost Comparison:** A cost comparison compares the cost analysis done on each proposal, quote or qualification using identical criteria.

**Cost Reimbursement Contracts:** Contracts based on payment by an agency to a contractor or subrecipient of allowable, reasonable, and allocable costs incurred as prescribed in the contract. These contracts may not require completion of the contract work, but rather the best efforts of the subrecipient. The types of cost reimbursement contracts as defined in FAR part 16.

**Davis-Beacon Wages:** Wage determinations issued by the Department of Labor, which determines the minimum wage rates to pay on federally funded or assisted construction projects. The prevailing wage rate corresponds directly to the union wage. This is especially true in urban areas, where union membership tends to be higher.

<http://www.dol.gov/esa/programs/dbra/whatdbra.htm>

**Effective Competition:** A market condition that exists when two or more contractors/subrecipients, acting independently, actively compete for an agency's business in a manner that ensures the agency will be offered the lowest price or best technical design to meet its minimum needs.

**Program Income:** Gross income earned by the contractor/subrecipient that is directly generated by a supported activity or earned as a result of the award. Program income includes, but is not limited to, income from fees for services performed; fees for the use of rental or real personal property acquired under an award; license fees and royalties on patents and copyrights; and interest on loans made with award funds. Interest earned on advances of federal funds is not program income. Except as otherwise provided in federal awarding agency regulations or the terms and conditions of the award, program income does not include the receipt of principal on loans, rebates, credits, discounts, etc., or interest earned on any of them.

**Purchase Order:** A document an agency uses to execute a purchase transaction with a contractor. It serves as notice to a seller or contractor that a purchase agreement or award was made.

**Statement of Work (SOW):** That portion of the contract that clearly and concisely defines requirements of the specific work to be accomplished. Statements of work are tailored to consider the period of performance, deliverable items, if any, and the desired degree of performance flexibility.

**Subcontract:** An agreement between a prime or general contractor/subrecipient and a subcontractor for the execution of a portion of the contractual obligation of the prime contract.

## SECTION VIII – CITATIONS

These procurement policies, practices, and procedures may be revised from time to time without prior notice by WSW.

### **SUPERSEDES:**

- SWWDC #1003 Procurement Policy Revision 3 dated 7/26/2016
- WSW #1003 Procurement Policy Revision 4 dated 8/28/2019
- WSW #1003 Procurement Policy Rev 5 dated
- WSW #1003 Procurement Policy Rev 6 dated 6/11/2024

### **WEBSITE:**

<http://workforcesw.org/providers#OperationsPolicies>