

<b>Title:</b>		<b>Contents:</b> <b>P-4600</b>
<b>VENDOR DEMONSTRATIONS, AND NO-COST SERVICE OR EQUIPMENT PROPOSALS/OFFERS</b>		<b>Submitted By:</b> <b>Purchasing Division</b>
		<b>Approved By:</b> <b>Purchasing Agent</b>
<b>Effective Date:</b> <b>05-04-17</b>	<b>Supersedes No.:</b> <b>03-3-05</b>	<b>Page No.</b> <b>1 of 3</b>

**General**

It is the policy of the County of Los Angeles to promote integrity in the solicitation and acquisition process, to procure goods and services without prejudice, and strive to obtain the maximum value for each dollar of expenditure. To accomplish this, it is critical that vendors are not given an undue advantage in the solicitation process.

While there are approximately 35,000 vendors that call upon and work with the 39 individual County departments on an annual basis, the principles of fair and open competition remain as the basic requirement in the County solicitation and acquisition process. The purpose of this policy is to provide departments with guidance on vendor product demonstrations, trial loan(s) of vendor products and/or free consultant services.

**Vendor Demonstrations**

Once registered to do business with the County, vendors are encouraged to call upon the individual County departments in order to market their respective goods or services to the end users. As part of this effort, vendors may make sales presentations, schedule demonstrations, offer trial material, etc., but without any obligation on the part of the County. Vendor presentations and demonstrations may be requested and scheduled with department procurement and/or end user personnel at the department's convenience. There should be no expectation on the part of the vendor that the scheduled presentation/demonstration would result in a contract or purchase order award from the department or the County.

The Vendor Relations unit of the ISD Purchasing Division maintains a listing of countywide departmental procurement contacts, telephone numbers and addresses. Vendors may obtain a copy of this listing at the ISD Administrative Offices located at 1100 N. Eastern Avenue, room 100 (Purchasing Bid Desk), in Los Angeles. Business hours are: Monday through Thursday, from 7:00am to 5:30pm. The Vendor Relations unit can be reached at (323) 267-2725.

Vendors are expected to know that County departments are not authorized to commit the County to purchase goods from, or contract services with a vendor(s) without a valid purchase order or contract executed by the Purchasing Agent or the County Board of Supervisors.

**Trial Products and Equipment Loans**

County departments that desire to test or use products or equipment provided (at no charge) by vendors must obtain the prior approval of the County's Purchasing Agent. If approved, the Purchasing Agent will issue a "no-cost" Purchase Order. This is a Purchase Order that specifies the terms and conditions associated with a loan of a piece of equipment to the County.

Generally, equipment loans are granted for a period of 60-days to allow for a sufficient evaluation of the vendor's product(s). The Purchasing Agent may approve longer loan periods when circumstances so dictate. However, in no instance will the County be obligated or commit to the purchase (or future purchase) of loaned equipment or no-cost products provided by a vendor(s).

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In order to process a “no-cost” Purchase Order, departments must submit a requisition, a completed Equipment Loan Agreement form and a justification letter to Purchasing Agent for review and approval.

When loaned equipment is provided for testing and evaluation, any and all consumables and maintenance should be provided at no charge.

When considering the use of trial or loan equipment, departments must remain cognizant of, and guard against any conditions that place the County in the position of having to “sole source” purchase the equipment at a later date. Generally, the competitive bid process will be followed if the equipment is found to be useful and desirable.

Upon approval, the Purchasing Agent will sign the Equipment Loan Agreement and issue a purchase order for the period of the loan. The loan period may not be extended without the written approval of the Purchasing Agent.

**Competitive Solicitations and Specifications**

As a matter of policy, the County’s preferred method to acquire goods and services is through the competitive solicitation process. In order to assure a “level playing field” for all vendors to compete in this environment, it is essential that specifications, statements of work and/or any other criteria prepared and used to evaluate and determine a purchase order or contract award, are generic in nature and are based on performance, functionality or specified requirements rather than products or services by a specific consultant, manufacturer or vendor name.

It is the responsibility of the County departments to develop these generic specifications for bidding, and departments are prohibited from using vendor literature or a specific vendor’s specifications in this process.

Vendors who may be contracted by departments to develop a design and specification document will not be allowed to bid in the solicitation for which they prepared. Similarly, vendors who actively participate with or assist County departments in the development of the specifications or statement of work may be excluded from participating in the solicitation process.

The County does not accept any financial responsibility for a vendor(s) time and efforts in marketing products or working with County departments in an attempt to sell their equipment or services, nor is the County obligated to make a purchase order award(s) or service contract(s) based on this criteria.

**Consultant and Professional Services**

On occasion, vendors may offer County departments consultant and professional services (at no-cost). For example, a vendor may desire to assess a specific department business process and make recommendations for improvement, suggest equipment and/or technology solutions that will enhance operations, etc. While these services may be beneficial, they may only be accepted by departments in cases where such services would not provide an unfair advantage to a vendor in any existing or subsequent solicitation process. Vendors who provide such services may be excluded from participating in the solicitation process.

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County departments that desire to use consultant or professional services provided (at no charge) by vendors must obtain the prior approval of the Purchasing Agent, who may issue a “no-cost” Purchase Order and/or agreement or suggest an alternative method to obtain the services (e.g., the issuance of a Request for Information [RFI] to a pool of vendors. There should be no expectation on the part of the vendor that any such services would result in a contract or purchase order award from the department or the County.

If there are any questions, doubts, or issues involving (no-cost) consultant or professional services offered or proposed by vendors, departments and vendors should contact the ISD Purchasing Division Manager, at (323) 267-2670.

**Non-Disclosure Agreements or Confidentiality Agreement**

A Non-Disclosure Agreement (NDA) is a confidentiality agreement used by companies in order to protect privileged information. In some instances, a vendor’s company may require the County to sign an NDA or a confidentiality agreement pertinent to its proprietary product(s) prior to demonstrating, sharing and/or seeking customer or user agency feedback, or in the course of processing a contract. All NDAs or confidentiality agreements falling within this policy shall be reviewed and approved by the Purchasing Agent and the department requesting the NDA or confidentiality agreement.

**Summary**

As a public agency, Los Angeles County has a responsibility to the County taxpayers to protect and maintain the integrity of the procurement process. The nature of this responsibility transcends beyond County employees to include our vendor community, who also must exercise higher standards of ethical conduct in the procurement process to avoid any perception of impropriety.

Suspected or observed violations of this policy must be promptly reported to the ISD Purchasing Division Manager.