

MEMORANDUM OF UNDERSTANDING BETWEEN

City of Pontiac
AND
Procurement Consulting Group (PCG)

This MEMORANDUM OF UNDERSTANDING (MOU) is hereby made and entered into by and between the City of Pontiac, hereinafter referred to as Sponsor Organization, and Procurement Consulting Group (PCG).

PURPOSE: To provide support to City of Pontiac's Purchasing Division, outlined in their policy, regarding the purchase/procurement of goods and services. This procurement support will include, but is not limited to, providing the following support; review of existing processes and systems and recommendations of procurement policy changes. The review will provide city leaders with a comprehensive understanding of the value of their portfolio, and strategies for effective procurement planning and cost savings. PCG will also execute end-to-end procurement support (see below), helping to drive operational efficiencies and yield better contract prices that yield government savings.

TERM: The term of the MOU will commence on January 1, 2024, and will expire May 31, 2024. City of Pontiac will have the option to extend on an annual basis.

If either party desires to terminate, for cause, the M.O.U., then a 45-day notice will be provided for an exit strategy to be developed and coordinated by both parties.

PAYMENT TERMS & CONDITIONS: PCG shall invoice City of Pontiac on the 1st of each month and said invoices shall be paid by City of Pontiac within thirty (30) days from the date of their receipt for the month being invoiced.

The hourly rate for professional procurements services provided is \$105.00/hour. Pontiac agrees that a schedule of hours will be determined and scheduled on a monthly basis. The City of Pontiac guarantees that a minimum of 20 hours will be assigned to PCG LLC on a weekly basis.

PCG will perform an Integrated Comprehensive Diagnostic Report. The diagnostic analysis will review purchasing policies, procedures and processes and provide recommendations for improvement. The report provided to the city will also review spending over the previous 12-month period and provide analysis and recommendations on saving opportunities, and operational efficiency recommendations on handling the City's contract portfolio for the next year. The \$10,000 fee for this report shall be waived upon a fully executed MOU/Agreement between the City of Pontiac and Procurement Consulting Group (PCG LLC).

RESPONSIBILITIES OUTLINED BY PROCUREMENT PHASE:

1. NEED IDENTIFICATION AND SOLICITATION PREPARATION

PCG – Responsible for the following:

1. Preliminary procurement planning
2. Define the requirement for the supplies
3. Develop statement of work for service with the City's Purchasing Manager and the respective departments.
4. Choose the appropriate procurement instrument after reviewing with the City's Purchasing Manager.
5. Develop the procurement strategy
6. Develop terms and conditions of the contract.
7. The City has evaluation criteria. I plan on using the OpenGov evaluation tool to automate this part of the process. Develop solicitation document for review by the City's Purchasing Manager.
8. Provide support to sponsor organization with posting the solicitation for bid.
9. Assist with downloading solicitation documents from BidNet due to the OpenGov implementation that will be completed in 90 days from the date an agreement is executed.

City of Pontiac – Responsible for the following:

1. Provide input and advice on categories of supplies and services to bid
2. Identify point of contact from City of Pontiac to interface with PCG personnel (Alicia Martin and City of Pontiac Legal)
3. Responsible for reviewing and approving solicitation within 5 business days
4. Responsible for posting solicitation to public bid website, City of Pontiac website and/or comparable public website.
5. Provide existing evaluation criteria form and solicitation templates for refining.

2. CONTRACTING PHASE (PREAWARD & AWARD PHASE)

PCG – Responsible for the following:

1. Respond to inquiries from potential bidders (Q&A) in collaboration with the City's purchasing manager and purchasing assistant

2. Adhering to the City of Pontiac's purchasing policies and regulations and in the absence of clear policy then adhering to the ABA Model Procurement Code for State and Local Governments
3. Evaluate proposals
4. Determine responsive and responsible bidders with the assistance of the purchasing assistant.
5. Conduct negotiations upon approval from respective department
6. Provide award recommendations
7. Debrief unsuccessful bidders
8. Prepare letters for signature to successful and unsuccessful bidders using the City's existing templates (may require refinement).
9. Facilitate Bidders Conference when necessary
10. Prepare recommendations when procurement decisions are challenged
11. Integrate successful proposal into a contract and draft award document for signature by Sponsor organization and vendor(s). The City will provide the award letter (may require refinement).

City of Pontiac – Responsible for the following:

1. Review, approve and sign letters to successful and unsuccessful bidders
2. Final decision-making authority on challenged procurements
3. Review, approve and sign contract for award to recommended vendor(s). The purchasing manager is implementing a new process for signature and is currently using DocuSign but most likely will revert to Laserfiche.

3. CONTRACT MANAGEMENT (POST CONTRACT AWARD)

PCG – Responsible for the following:

1. Facilitating "Kick off" meetings with successful awardees.
2. Resolve disputes that arise between ordering activity and vendor
3. Draft for signature any amendments or modifications to the contract
4. Conduct quarterly review of contract performance based on contract established prices and services levels
5. Provide contract administration training to departments.

City of Pontiac – Responsible for the following:

1. Review, approve and sign any amendments or modifications to the contract.

4. POST CONTRACT PHASE (CLOSE-OUT, AUDIT AND RATE VENDOR PERFORMANCE)

PCG – Responsible for the following:

1. Draft final amendment which serves as the closeout of the contract

2. Initiate audit to determine if terms and conditions of contract were met
3. Conduct ordering activities satisfaction with vendor(s) performance
4. Establish rating level of vendor performance that will be utilized when vendor competes for future business. This will be part of the OpenGov implementation.
5. Work with sponsor entity to properly stage contract closeout.

City of Pontiac – Responsible for the following:

1. Review, approve and sign contract closeout documentation.

IT IS MUTUALLY UNDERSTOOD AND AGREED BY AND BETWEEN THE PARTIES THAT:

RESPONSIBILITIES OF PARTIES. The PCG and Sponsor Organization and their respective agencies and office will handle their own activities and utilize their own resources, including the expenditure of their own funds, in pursuing these objectives. Each party will carry out its separate activities in a coordinated and mutually beneficial manner.

AUTHORIZED REPRESENTATIVES. By signature below, Sponsor Organization and PCG certifies that the individuals listed in this document as representatives of the Parties are authorized to act in their respective areas for matters related to this agreement.

- **PRINCIPAL CONTACTS.** The principal contacts for this instrument are:

PCG Project Contact

City of Pontiac

Charles wolford

Alicia Martin

Phone: 734-740-2915
FAX: None
E-Mail: wolford@macservcorp.com

Phone: (248) 758-3120
FAX:
E-Mail: amartin@pontiac.mi.us

- THE PARTIES HERETO have executed this instrument.

DocuSigned by:
Charles Wolford
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Procurement Consulting Group

1/24/2024

DATE

City of Pontiac

DATE

DocuSigned by:
Alicia Martin
5AA23BF12F194ED...
Alicia Martin
Purchasing Manager
1/31/2024

DocuSigned by:
Khalfani Stephens
34A8A6F81407411...
Khalfani Stephens
Deputy Mayor
1/31/2024