

SALINE COUNTY

PERSONNEL POLICIES AND PROCEDURES

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I. General Rules Applicable to all Procurement Types

A. Introduction

It is the duty of employees and officers of Saline County to purchase items and services necessary for the conduct of County business in such a manner as to ensure that the best value is received for public funds expended (including not only the cost of the items or services purchased, but also the staff time required). It is the responsibility of everyone involved in the procurement of items and services on behalf of the County or any of its component units to be familiar with this policy as well as relevant state and federal statutory requirements.

B. Responsibility for Purchasing

The responsibility for purchasing rests with the Board of County Commissioners (BOCC). The Deputy County Administrator shall conduct the functions prescribed by law serving as Purchasing Agent. The Purchasing Agent is also responsible for the day-to-day administration of this policy.

The Purchasing Agent will be responsible for:

- Ensuring that all purchases comply with the policy.
- Providing training to County employees on the policy roles and responsibilities.
- Staying apprised of changes in procurement practices.
- Updating the policy so it is continuously improved..

Authority to Delegate

The Purchasing Agent may delegate procurement authority functions to designees or to any department or official of the County.

- The Purchasing Agent shall consider the following factors in making the decision to delegate or rescind procurement authority:
 - (a) The procurement expertise, specialized knowledge and past experience of the designated official;
 - (b) The impact of the delegation on procurement efficiency and effectiveness; and
 - (c) The abilities and resources of the designated official.
- The delegation or modification of any authority shall require approval by the County Administrator. The request to delegate shall include the scope and type of authority delegated or modified, any limits or restrictions on the exercise of the delegated authority, whether the authority may be further delegated, and the duration of the delegation.
- The delegated authority may be suspended, revoked, or modified at any time.

The designee shall exercise that authority according to this policy as well as all other applicable policies and procedures, and the terms of the delegation.

C. Confidential Information

It is the policy of Saline County to be transparent in its interactions with the public and to provide public access to the records in its possession. County transactions are presumed to be public records, except for those records exempt from public disclosure by state or federal law. Further, the County reserves the right to refuse disclosure of records that are confidential by statute, when the public interest in disclosure is outweighed by privacy concerns, or when the County's best interest outweighs the right to disclosure.

Confidential information shall be designated as follows:

- (a) If a person believes that a bid, proposal, offer, specification, or protest contains information that should be withheld from public disclosure, the person shall submit a statement to the Purchasing Agent requesting to designate the submission as confidential information. The statement shall explain the basis for the person's belief that the submission is confidential and should be withheld from public disclosure. The statement shall also specify which information, if not all of the material, should be designated as confidential. The person should make reasonable efforts to separate confidential from non-confidential information in the submission.
- (b) The Purchasing Agent will make a determination, within a reasonable time, whether the person's request to designate the submission as confidential information shall be approved.
- (c) If the Purchasing Agent rejects the person's request to designate the submission as confidential information, the person shall be informed in writing of such determination.

D. Protest and Appeals of Solicitations and Contract Awards

Any actual interested party who is aggrieved in connection with the solicitation or award of a contract shall initially protest to the department issuing the solicitation, which shall have the authority to resolve protests. Appeals from the decisions of the department may be made to the County Administrator pursuant to this Section.

Filing of a Protest

- Content of Protest. The protest shall be in writing and shall include the following information:
 - The name, address and telephone number of the protestant;
 - The signature of the protestant or its representative;
 - Identification of the solicitation or contract title;
 - A detailed statement of the legal and factual grounds of the protest including copies of relevant documents; and
 - The form of relief requested.
- Time for Filing Protests
 - Protests Concerning Improprieties in a Solicitation – Protests based upon alleged improprieties in a solicitation that are apparent before the solicitation due date shall be filed not less than five (5) working days before the solicitation due date.
 - In cases other than those covered above, protests shall be filed within ten (10) days after issuance of notification of award or issuance of notice of intent to award, as applicable.
 - The County Administrator, without waiving the County's right to dismiss the protest for lack of timeliness, may consider any protest that is not filed timely.

E. State, Federal & Grantor Requirements

Where a purchase involves the expenditure of Federal Assistance or Contract Funds, the BOCC or their designee must comply with all applicable federal laws and authorized regulations, which are not currently reflected in this policy. Any state statutes governing county purchasing practices supersede the provisions of this policy. When a grant-funded purchase is made, the property may belong to the grant source rather than the County.

F. Vendor Debarment

A vendor may be held liable for the value of anything transferred or received in violation of this policy's ethical guidelines. If the vendor's actions violate any federal or state laws, they will also be punished in accordance with those laws.

Authority to Suspend Vendors. The Purchasing Agent may issue a written determination to suspend a vendor from doing business with the County pending an investigation to determine whether just cause exists for debarment in accordance with the procedures herein. A written notice of the suspension, including a copy of the determination, shall be sent to the suspended vendor. The suspension period will be effective upon issuance of the notice of suspension.

A vendor may be debarred for any of the following reasons:

- Conviction of a criminal offense in relation to obtaining or attempting to obtain a Saline County contract or in the performance of such contract;
- Conviction under State of Kansas or federal statutes of embezzlement, theft, forgery, bribery, falsification or destruction of records or receiving stolen property;
- Conviction under State of Kansas or federal antitrust statutes;
- Failure to perform in accordance with the terms of one or more contracts following notice of such failure, or a history of failure to perform, or of unsatisfactory performance of one or more contracts;
- The vendor is currently under debarment by any other governmental entity that is based upon a settlement agreement or a final administrative or judicial determination issued by a federal, state or local government entity.

Following completion of the investigation to determine whether a vendor has engaged in activities that are cause for debarment, the Purchasing Agent may debar the vendor for a period of time commensurate with the seriousness of the findings. A written notice of debarment shall be sent to the vendor.

The notice shall:

- State the debarment period; and
- Inform the debarred vendor that any person(s) representing the debarred vendor during the debarment period may not conduct business with the County and that any solicitation responses received from the debarred vendor during the debarment period shall not be considered. The debarment period will be effective the date of the written notice being sent to the debarred vendor and all County departments.

A vendor may appeal a suspension and/or debarment to the County Administrator, who, upon appropriate appeal, shall render a final decision as to the vendor's status.

When a department is conducting a procurement process, they shall be responsible for checking to make sure than no debarred vendor is considered for award.

G. Severability

If any provision of this policy or any application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or application of this policy which can be given effect without the invalid provision or application, and to this end the provisions of this policy are declared to be severable.

II. Ethics In Procurement

Ethical procurement is essential for ensuring that all employees and officials are all accountable to the public and that taxpayers' money is spent wisely.

It is the responsibility of every County employee to remember they are working on behalf of the public and are entrusted with the expenditure of public funds. Therefore, all unethical and illegal activities or even the appearance of impropriety in decision-making should be avoided.

A. Conflicts of Interest

- All County personnel or officials, who have affiliations or financial interests which create conflict or appearances of conflict of interests with their official duties, must disqualify themselves by written notice to the appointing authority from any official activities that are related to those affiliations or interests of the entities involved.
- All County personnel are prohibited from making or participating in the making of a contract with any person or business by which the officer or employee is employed or in whose business the officer or employee has a substantial interest. Substantial interest shall be defined as an individual or an individual's spouse, either individually or collectively, owning within the preceding 12 months a legal or equitable interest exceeding \$5,000 or 5% of any business, whichever is less. Any person or business is prohibited from entering into a contract with a County officer or employee who is employed by or has a substantial interest in the person or business.
 - Exception: Contracts that are let after competitive bidding has been advertised for by published notice, and contracts for property or services for which the price or rate is fixed by law.

B. Gifts

- County personnel shall not accept or agree to accept any economic opportunity, gift, loan, gratuity, special discount, favor, hospitality, or service from any one person or company known to have a special interest, under circumstances where they know or should have known that a major purpose of the donor is to influence them in the performance of their official duties.
 - Exception: Hospitality in the form of food or beverages is presumed not to be given to influence a County employee in the performance of their official duties.
- It shall be a breach of ethical standards for any employee or former employee to knowingly use confidential information for actual or anticipated personal gain or for the actual or anticipated gain of any other person.

C. Prohibited Purchases

County officers and employees are prohibited from using County funds for the purpose of making a contribution to a political candidate or partisan cause. County funds may not be used to make any gift, donation, or expenditure of money or anything of value for the purpose of influencing the outcome of an election.

- This prohibition applies to all County officers and employees, including elected officials, appointed officials, and staff.

- Any County officer or employee who violates this policy is subject to disciplinary action, up to and including termination of employment.

The use of County funds to purchase alcoholic beverages is prohibited, other than the noted exceptions below. This policy applies to all County employees, regardless of their position or title.

Exceptions:

- Alcoholic beverages that are purchased for use in a County-sponsored event, such as a fundraising gala or a county fair, where alcoholic beverages are being served to the public.
- Alcoholic beverages that are purchased for use in a County-sponsored training or educational program, where alcoholic beverages are being used as part of the training or educational program.
- Alcoholic beverages that are purchased by a law enforcement officer in the scope of investigations.

The County will not pay for costs related to illegal acts by County employees. This includes but is not limited to such acts as traffic violations while on or off duty.

County funds may not be used to purchase any gifts, food or supplies for the celebration of birthdays or holidays.

Exception: Retirement and Service Awards

- Retirement and Service Awards must be coordinated through the Human Resource Division and shall be an approved expenditure. Other retirement expenses or service awards at County expense are prohibited.

D. Remedies for Breach of Ethical Standards by an Employee of the County

The County may impose any one or more of the following on employees in accordance with the Personnel Manual:

- Verbal or written reprimands or warnings;
- Suspension with or without pay for specified periods of time;
- Employment termination.
- An employee may be held liable for the value of anything transferred or received in violation of this policy. Every action taken under this subsection must follow the rules of due process.
- If the employee's ethical breach violates any federal or state laws, they will also be punished in accordance with those laws.

III. General Rules and Regulations for Price-Based Procurements

A. Purchase Requests Outside of the Department Budget

Departments must receive County Administrator approval for purchase requests outside of their individual department budget, regardless of amount.

B. Threshold Levels Related to Purchasing

This section provides the three (3) purchase threshold ranges and steps necessary to complete a transaction within the purchasing level. The steps involved will vary and must strictly be followed for a purchase to be authorized.

Level I Non-Competitive Purchasing, \$15,000 or less

1	Cost comparisons are encouraged but not required. Purchasing from local vendors is encouraged when possible.
2	Purchases shall not be divided into smaller purchases to avoid level 2 or higher requirements.
3	Repetitive purchases that are expected to exceed \$15,000 in a fiscal year must follow Level 2 or Level 3 purchasing guidelines, whichever may apply.
4	Requires Department Head approval. If the vendor requires a written agreement, this may be signed by the Department Head subject to review by County Counselor.

Level 2 Competitively Quoted, more than \$15,000 and no greater than \$40,000

1	Quotes must be solicited from multiple vendors, and documented in writing. Quotes may be obtained in person, by telephone, email or other communication medium. Solicitation of quotes from local vendors is encouraged.
2	Purchases shall not be divided into smaller purchases to avoid level 3 requirements.
3	Repetitive purchases that are expected to exceed \$40,000 in a fiscal year must follow Level 3 purchasing guidelines (see below).
4	The department shall submit the results to the County Administrator, whose signature shall be required for the purchase. If the department recommends purchasing from other than the vendor with the lowest quoted price, reasons shall be clearly documented. If the vendor requires a written agreement, this may be signed by the County Administrator subject to review by County Counselor.

Level 3 Competitive Sealed Bids, more than \$40,000

1	The department works with the Purchasing Agent to develop specifications and a timeline.
2	The Purchasing Agent is responsible for distributing a request for bids to eligible vendors and posting the bid opportunity in one or more electronic media designed to ensure broad distribution of bid requests. The request must specify the time and manner for bid submission and bid opening as well as the specifications of the work to be performed. Newspaper publication shall be made only if statutorily required.
3	All bids must be submitted on the form provided by the County in writing and signed by an authorized representative of the bidder. Electronic writing and e-signature will be accepted if feasible.
4	The Purchasing Agent, or their designee, is responsible for opening all bids publicly at the time and place specified in the notice.
5	The Purchasing Agent will keep a record of all bids received for five years.
6	All contracts resulting from formal bid processes will be made by the BOCC. <ul style="list-style-type: none"> • Signed by the Chair. • The BOCC always has the option to approve or disapprove any or all bids. After the bids are opened, withdrawal of a bid may be allowed only to the extent permitted by formal action of the BOCC.
7	The selected vendor receives prompt written notice of the contract award from the Purchasing Agent or the requesting department.

C. Letting of Contracts for Buildings, Bridges and Roads

Except when other provisions of this Policy specifically require stricter or additional standards than required by applicable Kansas statutes, the applicable state statutes shall control. The Purchasing Agent shall consult with the County Engineer and County Counselor on such projects.

Construction of County Buildings.

- All contracts for the expenditure of County funds for the construction of any County building or parking lot more than \$25,000 shall be awarded in accordance with K.S.A.19-214, which requires a public letting and award to the lowest and best bid. Notice of the request for bids shall be published in a newspaper designated by the Board of County Commissioners.

Construction of County Bridges and Culverts.

- All contracts for the construction or repair of any County bridge or culvert shall be awarded in accordance with K.S.A. 68-1101 *et seq.*, and any amendments thereto.

Construction of County Roads.

- All contracts for construction, surfacing, repairing, or maintaining of any County Road when the County Engineer's estimated cost is more than \$25,000 shall be awarded in accordance with K.S.A. 68-521, which requires a public letting and award to the lowest responsible bidder. Notice of the request for bids shall, at a minimum, be published twenty (20) days prior to such letting, at least twice in a newspaper designated by the Board of County Commissioners.

D. Disadvantaged Business Enterprises

One of the responsibilities of County government is to represent the interests of all residents, which includes businesses that have historically had less access to provide items and services to public entities. Such businesses include small businesses and minority- and women-owned businesses. It shall be the responsibility of the Purchasing Agent to disseminate information about County purchasing opportunities to such businesses and to afford them opportunities to participate in County purchasing processes, but no preference in purchases shall accrue to such businesses unless required by state or federal grant funds.

E. Local Preference

If a bidder with a business domiciled in Saline County is participating in a competitive bid process and is outbid by a vendor domiciled outside of Saline County, the local bidder may be deemed the preferred bidder if:

- The amount of the local bid is within 1% of the low bid.
- The local bidder agrees to match the low bid by filing a written agreement to that effect within 72 hours after receiving notification of being deemed the preferred bidder; and
- The quality, suitability and usability of the materials or goods are equal.

Example:

Bidder (A) (non-Saline County)	\$50,000
Bidder (B) (Saline County)	\$50,250

The low bid is \$50,000. One Percent (1%) of low bid is \$500. Bidder (B) is less than \$50,500, so Bidder (B) would be awarded the bid if they match the \$50,000 price.

F. Prohibition on Environmental, Social or Governance Criteria Preferences

The County is prohibited from giving preferential treatment to or discriminating against companies based on environmental, social or governance (ESG) criteria in the procuring or letting of contracts.

This means any criterion that gives preferential treatment or discriminates based on whether a company meets or fails to meet one or more of the following criteria:

- Engaging in the exploration, production, utilization, transportation, sale, or manufacturing of:
 - Fossil fuel-based energy;
 - Nuclear energy; or
 - Any other natural resource;
- Engaging in the production of agriculture;
- Engaging in the production of lumber;
- Engaging in mining;
- Emitting greenhouse gases or not disclosing or offsetting such greenhouse gas emissions;
- Engaging in the manufacturing, distribution, or sale of firearms, firearms accessories, ammunition, or ammunition components;
- Having a governing corporate board or other officers whose race, ethnicity, sex, or sexual orientation meets or does not meet any criterion;
- Facilitating or assisting or not facilitating or assisting employees in obtaining abortions or gender reassignment services; and
- Doing business with any company described in the above-listed criteria.

G. Contract Documentation

Contracts for goods and/or services can be written so that they can be renewed for up to five (5) years. If the contract's annual value exceeds \$40,000, renewal will be placed on the consent calendar for BOCC consideration. Budgetary authority for the contract year must be in place prior to renewal. Clauses providing for adjustment in prices, time of performance or other contract provisions, including but not limited to the following subjects, shall be included in County contracts:

- Liquidated damages as appropriate.
- Specified excuses for delay or non-performance.
- Termination of the contract for default.
- Term of contract and renewal clauses.
- Start dates, milestone dates, completion dates and penalties for delay in completion.
- Compliance with Kansas Cash Basis Law.
- Appropriate performance and payment bonds and sureties when applicable.
- Liability and Workers Compensation insurance as required.
- Jurisdiction and venue in Saline County, Kansas.

All County contracts must be reviewed and approved for signature by the County Counselor before being executed.

H. Security and Bonds

When bids are solicited, bid security may be required. Bid security shall be a bond issued by a surety company authorized to do business in Kansas, or the equivalent in cash or other form acceptable to the BOCC. When a bid security is required, noncompliance will result in the bid being rejected. No action shall be taken against the bidder or the bid security if a bidder is permitted to withdraw their bid after the opening of bids but prior to an award. When bid security is specified in the bid document and a contract is awarded, the bonds or security listed below must be delivered to the County and become binding on the parties upon contract execution:

- Bid Bonds are used when bid security is required to ensure that the firm or individual awarded a contract will subsequently enter into a contract with the County.
- Performance Bonds are used when a guarantee is required to ensure that a firm or individual that has entered into a contract with the County will complete the project within the terms of the agreement.
- Labor and Material Payment Bonds (Statutory Bond) used for all contracts exceeding \$5,000 entered by the County for the purpose of making public improvement, constructing any public building, or making repairs on same. The bonds are required by KSA 60-1111 and ensure the payment of all indebtedness incurred for labor furnished, materials, equipment or supplies used or consumed in connection with, or in or about, the construction, improvements, or repairs. These bonds are issued in favor of Saline County and are filed with the Clerk of the District Court. The cost of filing the bond is the contractor's responsibility.

IV. Selection Processes Based on Factors Other than Price

Price is not always the most important factor when evaluating a vendor to work with the County. When it comes to professional services, experience, communications, timing, competency, licensing, and technical expertise become the guiding factors for choosing a vendor for a project or service.

A. Request for Information (RFI)

When the County has defined a need at the conceptual stage but does not yet have specific requirements or budgetary information, a Request for Information may be used. This process attempts to gather information from multiple potential vendors to further refine County needs and budget allocations. A written Request for Information will be distributed to known or assumed providers of the targeted item or service asking for high-level information about program availability, time frames and prices, but will specify that no contract or intent to purchase will result from the responses to the Request for Information. Staff will make attempts to distribute the Request for Information broadly enough to gather needed data, but no specific requirements as to publication, length of time for response or number of vendors will attach to the process.

B. Request for Qualifications (RFQ)

The RFQ is used in the selection of firms to provide professional services based upon qualifications to provide the requested services. Therefore, it provides an opportunity for firms to demonstrate their competence and qualifications to perform requested services.

Examples of Professional Service include:

- Engineering
- Architecture
- Specialty Construction
- Training
- Consulting
- Technology
- Law
- Testing

The Process for a Request for Qualifications

1	<p>Public Notice</p> <ul style="list-style-type: none"> • Requesting department creates qualifications and experience as evaluation criteria upon which ranking of qualifications will be made. • The summary of desired qualifications is provided to the Purchasing Agent who creates the RFQ. • RFQ shall then be issued electronically to prospective vendors and may be published in the official County newspaper at the discretion of the County Administrator.
2	<p>Receipt of Qualifications</p> <ul style="list-style-type: none"> • Responses must be submitted in writing and signed by an authorized representative before the deadline. Electronic writing and e-signature will be accepted if feasible. • Responses received after the deadline will be rejected. • Response information will not be made public until the BOCC has made an award or rejected all responses.
3	<p>Evaluation of Qualifications</p> <ul style="list-style-type: none"> • The relative importance of each evaluation criterion will be predetermined including the weight applied to each criterion. • The response evaluation criteria shall include standards that measure how well a vendor's qualifications meets desired performance requirements and ensure an evaluation of the differences between the desired performance characteristics and what each vendor offers. • Dependent upon the specific need, the evaluation criteria shall include factors such as the following: <ul style="list-style-type: none"> • <u>Experience</u>: This includes the provider's experience with similar selection factors such as size, complexity, and track record of success. • <u>Education</u>: This includes degrees, certifications, and training applicable to the professional service. • <u>References</u>: This includes information about previous clients who can speak about the provider's work. • <u>Timeliness</u>: The provider's ability to meet deadlines and to complete projects on time. • <u>Quality</u>: A provider's attention to detail, quality work product and ability to meet County needs. • <u>Innovation</u>: The ability to create new ideas and solutions and their willingness to take risks. • <u>Communication</u>: The provider's ability to communicate clearly, to listen and change as needed. • <u>Teamwork</u>: The ability to work and capacity to perform the work. • <u>Interviews</u>: The County may choose to have a discussion with responsible offerors who submit proposals determined to be reasonably susceptible of being selected for award for the purpose of clarification to assure full understanding of, and responsiveness to, the solicitation requirements.
4	<p>Award</p> <ul style="list-style-type: none"> • Following the conclusion of negotiations, the user department shall prepare a Request for Action recommending that the best proposal or proposals be placed on a list of qualified vendors. • One vendor shall be selected from this list for any work requiring a qualified vendor. The department shall negotiate terms of an agreement with the selected vendor. • The County Counselor will review all contracts and/or agreements. • All contracts will be awarded by the BOCC and signed by the Chair of the BOCC. • The County Administrator's office or the user Department shall provide prompt written notice of contract award to the successful vendor.

C. Request for Proposals (RFP)

The RFP is used when a specific project has been identified but the requirements of the project could be met in several ways and are not subject to award on the basis of price alone.

The Process for a Request for Proposals

1	<p>Public Notice</p> <ul style="list-style-type: none"> • Requesting department creates Scope of Work and evaluation criteria upon which selection decisions will be made. • The Scope of Work is provided to the Purchasing Agent who creates the RFP. • RFP shall then be issued electronically by the Purchasing Agent and may be published in the official County newspaper at the discretion of the County Administrator.
2	<p>Receipt of Proposals</p> <ul style="list-style-type: none"> • Proposals must be submitted in writing and signed by an authorized representative before the deadline. Electronic writing and e-signature will be accepted if feasible. • Proposals received after the deadline will be rejected. • Proposal information will not be made public until the BOCC has made an award or rejected all proposals.
3	<p>Evaluation of Proposals</p> <ul style="list-style-type: none"> • Price and other evaluation factors must be specified. • The relative importance of each evaluation criterion will be predetermined, including the price. • The proposal evaluation criteria shall include standards that measure how well a vendor's approach meets desired performance requirements and ensure an evaluation of the differences between the desired performance characteristics and what each vendor proposes. • The price shall not be the major factor in determining the criteria for source selection. Realism, reasonableness, and credibility of the price must always be determined. • Dependent upon the specific need, the evaluation criteria shall include factors such as the following: <ul style="list-style-type: none"> • <u>Experience</u>: This includes the provider's experience with similar selection factors such as size, complexity and track record of success. • <u>Education</u>: Professional services provider (degrees, certifications, and training). • <u>References</u>: This includes information of previous clients who can speak to the provider's work. • <u>Timeliness</u>: The provider's ability to meet deadlines and to complete projects on time. • <u>Quality</u>: A provider's attention to detail, quality work product and ability to meet County needs. • <u>Innovation</u>: The ability to create new ideas and solutions and their willingness to take risks. • <u>Communication</u>: The provider's ability to communicate clearly, to listen and change as needed. • <u>Teamwork</u>: The ability to work and capacity to perform the work.
4	<p>Award</p> <ul style="list-style-type: none"> • Following the conclusion of negotiations, the user department shall prepare a Request for Action recommending that the best proposal be awarded the contract. • The County Counselor will review all contracts and/or agreements. • All contracts will be awarded by the BOCC and signed by the Chair of the BOCC. • The County Administrator's office or the user department shall provide prompt written notice of contract award to the successful vendor.

V. Other Procurement Processes

While competitive procurement as outlined in the two previous sections is the preferred method for assuring best price and quality for the public, non-competitive procurement may be justified based on circumstances. These circumstances include the situation in which a good or service is being purchased, its availability from a limited source, timeliness of the County's needs, or when it is not feasible to conduct a traditional procurement process. These exceptions to competitive procurement should be limited in scope, and the following rules will be enforced strictly.

A. County Credit Card

The County has a separate policy, County Credit Cards 40.52, that should be consulted regarding all matters pertaining to County credit cards. As this policy relates to procurement, cards will only be used for official operational purchases and within specific dollar limits. In addition, documentation of all purchases is required by each cardholder, with verification and approval performed by the department head/elected official before payment is made.

Credit card statements and all receipts or invoices must be complete before submitting invoices to the County Administrator's office for processing payment. Cardholders must obtain and retain vendor documentation for processing that includes:

- ensure that each purchase is an appropriate use of County funds;
- remind the vendor of the County's sales tax-exemption status prior to purchase, when applicable;
- request merchants to provide a detailed description of goods and services purchased;
- obtain and retain vendor documentation for purchases including:
 - itemized vendor sales receipts;
 - itemized packing slips or shipping orders;
 - credit card charge slips with descriptions of items.
- confirm that receipts and written explanations are attached for each listing on the statement;
- confirm that the attached receipts match the dollar amount of each listing on the statement;
- ensure that the card is used and receipts are signed only by the authorized cardholder; and
- ensure that the card is not used for personal purposes.

In the absence of a detailed receipt or invoice, the employee must complete the credit card purchase affidavit form.

B. Emergency Purchases

In the event of a declared disaster within the County, it may be necessary to make emergency purchases to ensure efficient and responsible resource allocation. Emergency purchases are those necessitated by the immediate and unforeseen impacts of the disaster, and they must adhere to the following principles:

Eligibility Criteria and Approval Process:

Emergency purchases can only be authorized during a declared disaster within the County. The authority to approve emergency purchases rests with the incident commander, emergency manager, or County Administrator, depending on the resources activated to respond to the emergency.

Exhaustion of Other Resources:

Emergency purchases are a last resort and should only be considered when all other available resource avenues, including mutual aid and state resources, have been exhausted and proven inadequate to meet the urgent need.

Local Procurement Preference:

Emergency purchases should be sourced from local suppliers and vendors within the County whenever possible. This approach supports the local economy and enhances acquisition speed during critical times.

Documentation for FEMA Public Assistance:

All emergency purchases must be meticulously documented to ensure FEMA Public Assistance reimbursement eligibility. Clear and detailed records should be maintained to substantiate each purchase's necessity, appropriateness, and cost.

Submission of Purchasing Documentation:

A copy of all purchasing documentation, including invoices, receipts, purchase orders, and any relevant communication, must be promptly submitted to the emergency manager or their designated delegate. This submission ensures accurate record-keeping and accountability in alignment with FEMA requirements.

Financial Responsibility and Reporting:

All emergency purchases must adhere to a spending limit of \$15,000, with careful consideration of available funds and potential reimbursement. The County Administrator must approve any purchase over this amount.

- Timely reporting of emergency purchases and associated costs is essential for accurate financial tracking and resource allocation throughout the disaster response and recovery phases.

C. Impractical Situations

When competitive purchasing is not practical based upon timing, performance or other relevant circumstance and approved by the County Administrator's Office:

- The County Administrator may approve a non-competitive purchase.
- The County Administrator must document the reasons why competitive purchasing is not practical and the benefits of the non-competitive purchase.
 - The documentation must be maintained for five (5) years.
 - Contracts are to be retained until the expiration of the contract plus five (5) calendar years.
- The County Administrator must obtain the approval of the BOCC for non-competitive purchases over \$40,000.

D. Cooperative Governmental Contract Purchases

A separate competitive process for Saline County may be waived when purchases are made in cooperation with another government agency or a cooperative of government agencies that has conducted a previous competitive process. This is an efficient use of resources, especially in situations in which a local supplier does not exist.

- The purchase must be deemed to be in the best interest of the County, and the amount of the purchase must be less than or equal to \$40,000.
- The BOCC may approve use of cooperative purchases for more than \$40,000, upon presentation of a Request for Action.

E. Lease Purchases

Consistent with Kansas Cash Basis Law, when it is in the best interest of the County to lease or lease/purchase goods rather than acquire them, the following steps shall be applied and treated in the same manner as a purchase. Policies outlined herein shall be applied in the same manner as a purchase.

- All lease contracts must be reviewed and approved by County Counselor prior to being signed.
- The BOCC shall approve and sign all equipment lease contracts that exceed one (1) calendar year. Department Heads can sign leases for up to one (1) calendar year and valued at less than \$25,000.
- When appropriate, departments will submit a request to the County Administrator's Office to consolidate departmental lease purchases to receive competitive rates.

F. Single Source

This exception may occur in one of two ways:

- When a vendor offers a unique product or service that is determined after reasonable inquiry to not be available from other sources; or
- When there is a need for standardization; compatibility with existing services, materials, or equipment; maintenance of warranty; or other factors, even though other competitive sources may be available.

When either of these circumstances arises, the requesting department must submit a request to the County Administrator's Office for review and approval of this exception. The County Administrator may approve a single-source purchase of up to \$40,000 under this exception; any purchase in excess of \$40,000 shall be presented to the BOCC.

G. Annual Hardware and Software Maintenance and Support Agreements

Contracts for annual maintenance and support agreements for computer hardware and/or software not exceeding \$40,000 in value and within the budget may be executed and signed by the IT Director after review by County Counselor.

H. Purchase of Used Equipment

Used equipment may be purchased directly from the owner or their representative when the department head of the requesting department determines it is in the best interest of the County. The price shall be determined by negotiation, but it must not reflect a premium based on values for used equipment as published by the correct used equipment price guide. A purchase of used equipment valued at more than \$15,000 must be approved by the County Administrator; any purchase of used equipment valued in excess of \$40,000 must be approved by the BOCC.

I. Alternative Methods for Selecting Construction Contractors

Alternative project delivery methods such as Design Build and Construction Manager at Risk may save time or money in the construction of a building or other structure. These are processes of procurement carried out by means of an integrated comprehensive building design and construction process, including all procedures, actions, sequences of events, contractual relations, obligations, interrelations and various forms of agreement all aimed at the successful completion of the design and construction of buildings and other structures whereby a construction manager or general contractor or building design-build team is selected based on a qualifications and best value approach. When a building construction

project is authorized, staff should be directed to look at state law and make a recommendation to the BOCC about these alternative processes.

VI. Post-Purchase Considerations

A. Asset Tags and Inventory

Proper inventory management is crucial for auditing and accounting purposes. Asset tagging helps quickly identify a particular asset and ensure it is recorded and used according to County policies.

Program Guidelines for Identifying Assets, Tagging and Inventory

- All personal property of Saline County valued at \$500 or more shall be tagged with an asset tag and number before being used. This asset number shall be kept by the department head/elected official on their computerized Fixed Asset Inventory list.
- The property tag from a disposed item shall be removed at the time of disposal. It is the department head/elected official's responsibility to remove the item from their inventory and alert the County Clerk that the items are no longer in inventory.

B. Disposal of Items

Surplus and obsolete personal property may be transferred, sold, offered as a trade-in, or destroyed, provided that no such property may be acquired by a County employee or officer except via public bid. Real property will be disposed of in compliance with K.S.A. 19-211(a). Any property disposed of will be stripped of all identification as County property. Any electronic equipment that could possibly store personal information, such as copiers, cell phones, computer hard drives, etc. must be wiped by authorized IT personnel prior to disposal. Personal property with a value of less than \$500 may be disposed of by the department; any personal property with a value of at least \$500 but less than \$2,500 may be disposed of upon approval by the County Administrator. These items shall be listed on a report to the BOCC prior to disposal. Any property valued at \$2,500 or more must be approved by the BOCC for disposal.

Methods of Disposal of Personal Property

Destruction/Recycling

Item(s) declared of no value may be destroyed or recycled.

Donation

Item(s) no longer required by the County may be donated to a non-profit service agency or another governmental entity in lieu of sale.

Sale

Any item no longer needed by the County but having a residual value, which is not donated as provided above, shall be sold at public sale. All items for sale shall be listed on a publicly accessible vendor website. Proceeds resulting from the sale of surplus or obsolete property shall be deposited in the fund from which the item was purchased. If the fund from which the item was purchased cannot be identified, the proceeds shall be deposited into the County General Fund. Any sale shall be subject to the following terms and conditions:

- Prospective buyers will be allowed time prior to the sale to inspect items if possible.
- No warranty or guarantee of any kind is given by the County. All items offered for sale or gift are “as is,” “where at” and “without recourse”.
- The successful bidder will be required at their own risk and expense to remove any items awarded within five (5) days after notification of acceptance of bid by the County. Receipt of each unit must be signed by the purchaser or their duly authorized agent at the time the item is removed. Any item not called for or left behind for a period of more than five (5) days after the date of bid acceptance will be considered as abandoned and the County has the right to dispose of same in any manner whatsoever. Exceptions may be approved by the County Administrator or his/her designee.
- In some instances, minimum prices will be established. In such cases, items may not be sold below that minimum price.
- The County reserves the right to accept or reject any or all bids.

Publication Requirement

Prior to the disposal of property with a value of \$50,000 or more, notice of the impending disposition of the property must be published once in the official county newspaper. Publication will include a description of property to be sold and the method of sale including, but not limited to fixed price, negotiated bid, sealed bid, public auction or any other method of sale which allows public participation. Such publication is not required for property valued less than \$50,000; inclusion of the item on the report to the BOCC of property to be disposed shall be considered sufficient public notice to co