

Carbon County Procurement Policy

Adopted by the Board of Carbon County Commissioners August 3, 2010
And effective August 3, 2010

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Definitions:

“Asset” means one item valued at \$5,000 or more.

“Board” means the current Board of Carbon County Commissioners.

“Capital Expenditure” means an expenditure of or greater than \$5,000.

“County” means Carbon County, its employees, elected officials, all offices and departments, and county appointed boards.

Offices, Agencies, Departments and Boards/Commissions/Committees

Any new department, agency, board, commission, etc... created by the County would be bound by this policy at the time of formation.

Elected Offices:

- Board of County Commissioners
- Assessor
- Attorney
- Clerk
- Clerk of Court
- Coroner
- Sheriff
- Treasurer

County Agencies & Departments:

- Buildings & Grounds
- County Fire
- Emergency Management
- Fair (Employees only – Board is listed under Boards on Page 3)
- Health Officer
- Information Systems (a/k/a Information Technology)
- Mental Health
- Planning & Development including GIS / Rural Addressing
- Road & Bridge

Joint State & County Departments:

- Public Health
- University Cooperative Extension Service
- Women Infants and Children (W.I.C.)

County Appointed Boards/Commissions/Committees

This policy applies to the following Boards only if purchasing, selling, moving, or disposing of county-owned property, or applying and securing County sponsored grants.

County

- Baggs Cemetery District
- Baggs Solid Waste Disposal District
- Carbon County Action Committee (Tripartite Board)
- Carbon County Economic Development Corporation
- Fair
- Jeffrey Center
- Memorial Hospital
- Museum
- Planning & Zoning
- Predatory Management
- Public Library
- Senior Services
- Upper Platte River Solid Waste Disposal
- Weed & Pest

Joint Town & County:

- Airport Board (Rawlins-Carbon County)
- Carbon County Detention Facility JPB (Rawlins-Carbon County)
- Carbon County Visitor's Council (All towns in the County-Carbon County)
- Old Penitentiary JPB (Rawlins-Carbon County)
- Platte Valley Community Center JPB (Saratoga-Carbon County)
- Urban Systems (Rawlins-Carbon County)
- Saratoga-Carbon County Impact JPB (Saratoga-Carbon County)
- South Central Wyoming Emergency Medical Service Joint Powers Board (Elk Mountain-Saratoga-Encampment-Riverside - Medicine Bow-Carbon County)
- Valley Community Center JPB (Baggs-Dixon-Carbon County)

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SECTION 1: PURCHASING GOODS & SERVICES

Section 1.1. Obtaining Bids

The objective of this policy is to provide the citizens of Carbon County with the best value for products and services acquired by their government.

Carbon County does not have a central purchasing department; therefore, each office or department manages its own procurement of goods and services that have been approved through adoption of the budget. The purchase of any product or service with grant funding may not be applicable to this policy. If the grant agreement calls for other requirements, those would supersede this policy.

Products or services valued under \$4,999 may be purchased or contracted without competitive bidding. Products or services valued at or above \$5,000 shall be purchased through either informal or formal competitive bidding processes open to all qualified vendors.

- An *informal* bidding process may be used at the discretion of the purchasing entity by soliciting a minimum of three bids which may be by written invitation or by telephone, facsimile, or e-mail inquiry.
- A *formal* bidding process must be used for products or services valued above \$20,000, and must be advertised in the local newspaper at least once per week for a period of not less than two consecutive weeks. Invitations to bid must include, but not be limited to, a brief scope of work, date and time deadline for submission of bid, criteria for selection and a contact name and phone number.

In the event of an unanticipated or emergency circumstance where repairs must be made immediately, such purchases or contracts may be made based on availability of a qualified provider. Written notice of such procurement shall be given to the Board as soon as possible.

For any reason whatsoever and at its sole discretion, the Board may elect to waive the bidding process, either informal or formal, for purchases of goods and services and contract services if it feels that this is in the best interest of the County. This should only be done after sufficient explanation from the Department Head or Elected Official and should be made part of the record of a regular or special Board meeting.

SECTION 2: PURCHASING GOODS & SERVICES

Section 2.1. Purchasing Goods

Purchase of products that include recycled contents or energy efficient characteristics is encouraged. Local government is a large consumer of goods and can both demonstrate leadership and have a positive effect on markets for recycled or energy efficient products.

Any purchase of \$1,000.00 or more requires prior purchase approval from at least one Board member in the form of an authorization number. Unique authorization numbers are issued to each Board member by the County Clerk's Office. The Board should retain a list of each number and what it was used to approve including the vendor, amount, and purchasing department.

Products valued at or greater than \$5,000 shall be budgeted as a capital expenditure in the annual budget, and shall be purchased through an informal or formal competitive bidding process, unless otherwise specifically approved by the Board. Any capital expenditure that is not included in the annual budget must be approved by the Board. Bids for non-budgeted capital expenditures may be solicited prior to approval, with the express understanding that acquisition will depend on the Board's approval.

Section 2.2. Solicitation of bids

Solicitation of competitive bids is required per Section 1, except where there is a volume purchase discount, or where there is a sole source for the product. Specifications shall include, but not be limited to: budgeted cost, required delivery, warranty, standards for service and availability of parts, and other pertinent requirements.

Section 2.3. Evaluation of bids

A documented evaluation of bids shall be maintained in the office or department records for a period of one year. If the purchase is made with grant funds, the retention schedule for that grant shall be used. Evaluation criteria should include: technical specifications, unit price, quality of product, references of vendor and years in business, warranty period, service cost, service guarantees and availability of parts, installation or other set-up costs, delivery requirements, trade-in values - both at purchase and for future purchase (i.e. product upgrade), freight, any other charges and terms of payment.

Carbon County does not use purchase orders. Vendors requiring a purchase order number shall be provided the name of the Elected Official or Department Head, and the budget account/line item number. If payment terms include multiple payments, scheduling of these payments are the responsibility of the Elected Official or Department Head making the purchase and must be turned in to the County Clerk no later than the Wednesday prior to the Board's next meeting. Copies of any maintenance contracts for equipment purchased or leased must also be forwarded to the County Clerk to record the obligation.

Pursuant to **Wyoming Statute §16-6-101 to 16-6-107** a five percent preferential shall be given to Wyoming contractors. Carbon County reserves the right to accept or reject any or all bids, to negotiate any items in the best interest of the County, and to accept the bid deemed to be in its best interest.

Section 2.4. Change Orders

Costs that exceed the original contract amount must be approved, in writing, by the Board through the change order process. This approval should only come after review by the County Attorney's Office or Attorney at the time.

SECTION 3. CONTRACTING SERVICES

All contracts, agreements, leases, or other documents that commit Carbon County to more than \$1,000.00 in payment must be brought before the Board after review by the County Attorney and the applicable Department Head or Elected Official, and if necessary, the County Treasurer and County Clerk.

All professional, construction, or other services with an estimated cost in of or in excess of \$5,000 shall be specifically budgeted as a separate project item.

Projects may be included within an office/department budget if unique to that respective office/ department; or within the Administration, Buildings & Grounds, or applicable Building budget, if performed for the benefit of several offices or department or for the benefit of the entire County.

Contracts for services with an estimated cost of or in excess of \$5,000 shall be contracted through a competitive bidding process, either informal or formal, unless otherwise specifically approved by the Board. Any contract for service of or above \$5,000 that is not included in the annual budget must be approved by the Board. Bids for non-budgeted contract services may be solicited prior to approval, with the express understanding that award of the contract will depend upon approval by the Board.

Section 3.1. Solicitation of bids

Solicitation of competitive bids is required per Section 1, except where there is an existing or prior contractual relationship, such as a maintenance agreement that is part of an equipment purchase, where a project is in a

subsequent phase, or where there is a sole source for the service. Specifications for bids shall include, but not be limited to scope of project, qualifications of provider, insurance requirements (errors & omissions, liability, property, workers' compensation, etc.), bonding capacity (if applicable), time of delivery or completion requirements, and other pertinent requirements.

When appropriate, Carbon County will require professionals in a particular field to prepare specifications for bidding. Examples include architectural or engineering design work for construction activities. Vendors may be pre-qualified if it is determined that a specified service or product is required. Prequalification shall not be used to exclude vendors unless their services or products do not meet the expectation of Carbon County's needs.

Section 3.2. Evaluation of bids

A documented evaluation of bids shall be maintained in the office or department records for a period of one year. If the purchase is made with grant funds, the retention schedule for that grant shall be used. Evaluation criteria should include demonstrated understanding of scope of project, qualifications to perform service, cost basis (lump sum, cost-plus on time/material, guaranteed maximum, or other), references of provider and years in business, ability to meet time requirements, adequate insurance (verified with insurance required in bid specification), bonding capability if applicable and terms of payment.

Pursuant to **Wyoming Statute §16-6-101 to 16-6-107** a five percent preferential shall be given to Wyoming contractors.

Carbon County reserves the right to accept or reject any or all bids, to negotiate any items in the best interest of the County, and to accept the bid deemed to be in its best interest. If payment terms include multiple payments, scheduling of these payments are the responsibility of the Elected Official or Department Head making the purchase and must be turned in to the County Clerk no later than the Wednesday prior to the Board's meeting.

SECTION 4. CONTRACT APPROVAL

All contracts, agreements, leases, or other documents that legally bind Carbon County must be approved as to form and content by the County Attorney's Office prior to the Board's regular meeting. The County Attorney's Office prefers a minimum of twenty-one (21) days to review these items however if less time is possible, please notify the Attorney accordingly. Any request of the County Attorney's Office or Attorney at the time to draft a contract, agreement, lease, or other document may need to be accompanied by a Contract Request Information sheet (Attachment "A") if requested. The Board must have an opportunity to review and approve such documents at a regularly scheduled meeting.

Contracts for products and services must contain the following provisions: scope of services or product to be acquired – Engagement of Services, term of contract (if for services), total cost or compensation, payment terms, contact name, address, and phone number for each party, and any other applicable legal provisions.

The County's standard contract for services shall be used as a basis for drafting contract language (a copy may be obtained from the Carbon County Attorney's Office). Copies of all executed contracts shall be provided to the County Clerk.

SECTION 5. CAPITAL ASSETS

Section 5.1. Inventory

All property with a value greater than \$5,000 shall be itemized, numbered, and controlled on an Asset Inventory File maintained by the County Clerk. The Inventory shall be audited annually for accuracy and compliance with the following policies. On or before April 1st of each year, the County Clerk will provide each office, department, board, or other governmental entity with a current Inventory, to be verified, corrected, and returned to the County Clerk prior to June 1st of that year.

Additions: New capital assets shall be reported to the County Clerk within 30 days of acquisition. Obtain and complete a Capital Asset Form (Attachment "B") from the Clerk's Office. Capital Assets will not be added to the Inventory File based on invoices submitted to the County Clerk and will only be added upon receipt by the County Clerk of the proper Inventory Form.

Deletions: Assets which are no longer property of Carbon County, whether through sale, trade, loss, or damage, shall be reported within 30 days of disposal according to procedures described in Section 5.3.

Section 5.2. Lease or Purchase

All requests for capital acquisitions shall be submitted in an office, department, board, or other governmental entity budget as a purchase. The Board, with the recommendation of the County Clerk and County Treasurer, shall make the decision as to whether assets shall be leased or purchased. That decision may be based on other fiscal policies, such as threshold amounts of fund balance and cash reserve accounts, as well as potential to reduce interest rates through combining leases or purchases.

Section 5.3. Disposal of Capital Assets

Assets that have been entered on the County's Asset Inventory File will be disposed of pursuant to the following general guidelines. Each item to be disposed of must be reported to the County Clerk on the Capital Asset Form (Attachment "B") to (1) update the asset inventory file (fixed asset schedule) with deletion of an asset, and (2) manage the disposal process in conjunction with the County's Building/Grounds Manager. Assets shall be disposed of in a responsible manner.

Items shall be disposed of or sold as follows (if the item is valuable and still in the County's possession):

- 1.) Offer surplus property for use by other offices, departments, county appointed boards, and other governmental entities. A list of property shall be distributed on a regular basis to all above entities, with a location for inspection of property, and deadline for response. E-mailed lists satisfies this requirement. The Buildings Manager may assist with this process at his/her discretion. If any other department acquires the equipment, you must notify the County Clerk's Office within 30 days using the Capital Asset Form (Attachment "B"). This will assist the Clerk's Office in tracking the location of these items.
- 2.) Offer surplus property for sale to the general public. Each item will be posted for sale and advertised at least once a week for two weeks in the official government newspaper.
 - a. All members of the public must have an equal opportunity to purchase the item at the highest bid price.
 - b. Carbon County may set a minimum acceptable bid for any item.
 - c. Carbon County officials and employees may bid on items under the same criteria as other members of the public, as long as there is no advantage or conflict in favor of the employee or official.
 - d. Bidding requirements shall state all relevant factors describing the asset, any minimum bid amount (if any), the date, time, and location the bids are to be submitted, and the date, time, and location bids are to be opened, read aloud, and canvassed.
- 3.) After exhausting the above disposal actions, property may be donated or destroyed. Trade-ins will not be allowed unless pre-approved by the Board. Generally, trade-in allowances are lower than what the market will pay or the cost of the new item is not discounted as much as a cash price.

Section 6 – Grants

The purpose of this policy is to establish procedures for the application, administration, and accounting of grants in Carbon County. This is a Carbon County-wide policy affecting all departments that research, apply for, or administer grants.

6-1. Coordination of Grant Operations

Carbon County must be able to track and manage grants at all stages of the grants process from funding research through project closeout. To accomplish, each department should work closely with the Clerk's Office

when researching, applying for, and administering grants. It is each individual office's responsibility or their agent's responsibility to research, prepare the application, and administer the grant unless other arrangements are made with the Clerk's Office beforehand.

6-2. County Approval of Grant Application

Only The Board may sign and submit grant applications on behalf of Carbon County. All applications for grants, whether State, Federal, Community or other funding, shall be approved by The Board at a regular public meeting, with proper public advertisement that such grant application will be considered.

Presentation to The Board for their consideration shall include:

- The granting agency
- Clear and concise explanation of obligation of Carbon County including: matching funds required, source of match funds, continuing maintenance, or in-kind matching services
- Other contingencies of award
- Other agencies involved in the grant and contribution
- Minimum and Maximum dollar amounts of the grant
- Date of award decision
- Alternative funding source(s)
- Benefit to citizens of Carbon County
- A County Attorney approved resolution if required as part of the application process

6-3. Acceptance of a Grant Award

Prompt acceptance of grant awards, either by regular or emergency adoption, is essential in order to expedite the execution of awarded grants by the Chair of The Board or an authorized designee. To ensure that grants are promptly accepted by Carbon County the following shall be observed by all departments:

- All documents pertaining to the grant shall be provided to The Board for original signature then filed with the County Clerk.
- All obligations, whether financial or in-kind contributions, must be included either in the annual adopted budget or in a legally adopted budget amendment.
- All grant acceptances must be promptly reported (within one week of notification of grant approval) to the County Clerk for recordkeeping purposes.
- In cases where a local or other match is required, the Department shall specify the source of funding by account name, project title, or other identifying characteristics.

6-4. Accountability and Recordkeeping

Elected Officials, Department Heads and key technical staff are responsible for generating funding ideas, helping to identify funding opportunities, participating in program planning and proposal writing, and managing the day-to-day functions associated with a successful grant award. The director of every department is accountable for all grants within his or her departmental jurisdiction. This responsibility includes the timely submission of properly coded invoices to the County Clerk for payment.

In cases where more than one department is accountable for a grant, a lead department shall be designated for accountability. Each Department Director shall:

- Appoint a grants liaison for the department.
- Designate a project manager for every grant awarded to the department.
- Implement awarded grant projects according to the terms and conditions of each grant award.
- Ensure that the designated grant liaison for the department tracks grant awards and consults with the Office of the County Clerk on a regular basis.
- Ensure that the designated grants liaison and all project managers know how to designate project expense codes, complete grant drawdown forms, and monitor project funding using prescribed

procedures.

- Ensure that requests for grant funds are promptly submitted to minimize the advance use of Carbon County's funds and ensure that copies of each request for funding are promptly copied to the County Clerk and County Treasurer.
- Ensure that project reporting requirements and deadlines for submission are observed.
- Submit summary grant information for each grant received. The department director is responsible for supplying information on a quarterly basis.
- The grantee office, department, or board is solely responsible for compliance with all performance and retention requirements of the grant, and for providing all necessary information for financial compliance testing.

All grant applications, awards, contracts, reports, draw downs, correspondence, or other grant related documents shall be copied to the County Clerk. All grants funded by the federal government or which include federal funds shall include the Catalog of Federal Domestic Assistance (CFDA) number. The County Clerk and Treasurer shall:

- Have exclusive authority to deposit all grant funding received by Carbon County into appropriate accounts.
- Establish appropriate account code assignments for charging costs to grants.
- Ensure that the accounting system of Carbon County is capable of tracking revenue and expenditures associated with every grant award regardless of how grant funding is appropriated.
- Issue regular reports on the status of grant-funded projects to operating departments and issue special reports when requested by The Board or the grantee.
- Ensure all grant transactions will be audited annually by the auditors contracted by the County.
- Federal expenditures shall be specifically identified in the records of the County.
- A record of all transactions (revenues and expenditures) shall be maintained by the office, department, or board and reconciled with the County Clerk and Treasurer on request by either office.

Contract Request Information

In order for the County Attorney's Office to draft a Contract of any kind for you, they must have the following information (at a minimum). They may ask you for additional information if necessary. Please complete this sheet and submit to the County Attorney's Office and allow a minimum of twenty-one (21) days for a draft to be produced.

Person requesting draft document: Name Department Phone

Parties: Party 1: Name Address Phone

Party 2: Name Address Phone

Purpose of Agreement (please be descriptive)

Term of agreement - Beginning date: Ending date:

Payment - Please list the total payment amount here (if any) \$

Payment terms - (i.e. If the contract will be paid in quarterly payments, list the amounts and dates here)

Responsibilities of the Parties:

Party 1 (from above):

Party 2 (from above):

Signors: List the name & title of the individual(s) who will sign the contract for each party:

Name Title Name Title

Attorney's Office Use Only Date request received Date draft returned

Capital Asset Inventory Addition / Deletion / Move

The purpose of this form is to include the listed equipment in the County's Asset Management database and to assign or release the equipment to/from your area and department. You have 30 days from the acquisition of an asset (an item valued at \$5,000.00 or more) to submit this form to the County Clerk in accordance with Sections 5.1-5.3 of this policy.

Mark one for each line			Clerk will assign for new assets						See below 1-5	For moved assets	
New Asset	Asset Disposal	Asset Move	Tag # (Asset #)	Item Description	Serial #	Current Asset Location (Building, City/Town)	Purchase Date or Disposal Date	Vendor	Purchase Amount	Disposal Code	New location (Department / Building)
									\$		
									\$		
									\$		
									\$		

Disposal Codes: 1.) Trade-in/Donated/Sold (2.) Junk/Valueless (3.) Lost (4.) Stolen (5.) Destroyed (6) Transferred to another county department

New Assets: Please attach a copy of the invoice for each item with this form. Also, please submit your properly stamped and coded invoice for payment.

Asset Disposal: Has the property listed above for disposal been offered for use to other offices, departments, county appointed boards, and other governmental entities per Section 5.3 of this policy? Yes No If no, why not? _____

Commissioner Signature authorizing disposal of the above: _____ Date _____

Name of person completing this form: _____ Phone: _____ E-mail: _____

Department: _____ Signature: _____ Date: _____

For County Clerk's Use Only

Clerk initial each please _____ Added/Removed/Changed in asset database if request was approved. File if request was denied. _____ Copied to Buildings Manager