

Custer County

Policy and Procedures Manual for:

**Purchasing and Contracting
Credit Cards
Grants**



Adopted on: September 30, 2011

Board of Custer County Commissioners

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Section 1

**Purchasing and Contracting
Policy and Procedures**

CUSTER COUNTY

Purchasing and Contracting Policy and Procedures

Introduction

This policy is intended to provide procedures and guidelines necessary for the conduct of purchasing and contracting activities for Custer County. This policy has been designed to:

1. Comply with the State of Colorado, Colorado Revised Statutes, as amended,
2. Encourage maximum competition on a basis of fair and equal opportunity to those qualified and interested bidders,
3. Provide a uniform procedure for the procurement of material, equipment, supplies and services,
4. Ensure that the County is getting the “best overall value” for taxpayer dollars, and

Some of the factors considered when determining the “best overall value” are:

- **Price**
- **Warranty**
- **Service**
- **Availability**
- **Past Performance**
- **References**
- **Location**

5. Apply to all County Departments including elected officials.

Requirements for Formal and Informal Bids

Under \$500.00: County employees are encouraged to do whatever is practical to secure competitive pricing from multiple sources. ***Purchases shall not be artificially divided so as to constitute a small purchase under this section.***

Between \$500.00 and \$9,999.99: (Informal verbal bids are required) Informal bids from at least three (3) sources must be obtained. Bids may be documented on the “**Informal Verbal Quotation Form**” or may be supported by written quotations from vendors (faxed/mailed/electronic submittals). This documentation should be attached to an “**Informal Bid Review Form**” and must be signed by the Department Head or Elected Official. Final review and approval the Board of County Commissioners is required prior to ordering. ***Purchases shall not be artificially divided so as to constitute a small purchase under this section.***

Between \$10,000.00 and \$24,999.99: (Informal written bids are required) Informal written bids from at least three (3) sources must be obtained. Faxed/mailed/electronic quotations are acceptable. Purchases must be supported by written quotations from vendors, attached to the “**Informal Written Bid Review Form**” and must be signed by the Department Head or Elected Official. Final review and approval by the Board of County Commissioners is required prior to ordering. ***Purchases shall not be artificially divided so as to constitute a small purchase under this section.***

\$25,000.00 and over (Formal bids are required) The term “formal bid” is used to identify solicitations that represent major purchases by Custer County. The difference between a formal bid and an informal bid is that a formal bid must be sealed, in writing, with the name of the request and publicly advertised in the legal paper of record at least fourteen (14) days prior to the date set for opening. The issuance of a formal bid is best accomplished by a cooperative effort between County Departments and the Finance Office.

All bid openings, including bids prepared by outside consultants, will be processed through the County Finance Office. All bids shall be opened under dual control of the Elected Official / Department Head and the Board of County Commissioners in an open meeting. Award shall be made by the Board of County Commissioners.

Procedure for Purchasing via a Public Auction

Purchases may be made through a public auction only when written authorization is granted by the Board of County Commissioners. The department head or elected official must provide, in writing, quotes from like products in order to provide a realistic price. Upon receiving this information and verifying budget availability, written authorization by the Board of County Commissioners, indicating the amount "not to exceed" may be granted allowing the department head, elected official, or designee, to attend the auction and bid on that particular product.

If a purchase is made through a public auction, all documentation must be retained and submitted to the Finance Office for processing.

Cases not Requiring Bidding Procedure

The Board of County Commissioners may approve a purchase without bid under the following conditions subject to departmental budget availability:

- 1) The item to be purchased is under State or Federal Bid lists
- 2) There is only one known source of purchase, and there is no comparable substitute product or service. *Written documentation supporting the sole source must be provided.*
- 3) A specific type or brand of supply or part is necessary for acceptable operation of a machine or device, or as required by warranty or contract on the machine or device. *Written documentation supporting the purchase of a specific brand or part necessary for acceptable operation of a machine or device, or a copy of a particular warranty or contract for a machine or device, must be provided.*
- 4) Professional Services

Exceptions

Exceptions to the policy will be determined on a case-by-case basis by the Board of County Commissioners.

Local Advantage

Custer County will make every effort to purchase from businesses located within Custer County if the purchase fits into the category of "best overall value." It must be noted that Custer County employees have a responsibility to the taxpayers of the County to ensure that bids are awarded to vendors offering their products or services at the "**best overall value**" to the County.

Cancellation and Rejection of Bids

An invitation to bid, request for proposal, or other solicitation may be canceled, or any or all bids or proposals may be rejected, in whole or part, as may be specified in the solicitation when it is in the best interest of the County. The reasons shall be made part of the formal bid file.

Ethics in Public Purchasing and Contracting

It shall be unethical for any Custer County employee involved in making procurement decisions to have personal investments in any business entity that will create a substantial conflict between their private interests and their public duties.

It shall be unethical for any person to offer, give, or agree to give any Custer County employee, or for any Custer County employee to solicit, demand, accept, or agree to accept from any vendor or business, a gift or gratuity in any amount in connection with any decision, approval, disapproval or recommendation concerning a solicitation. Any employee found to be accepting such gifts or gratuity in connection with any decision; approval, disapproval or recommendation concerning a solicitation may be subject to disciplinary action and/or termination.

Inexpensive advertising items, such as pens, pencils, paperweights, cups, candy, calendars, etc., are not considered articles of value or gifts in relation to this policy and may be accepted.

STATUTES*Section 30-11-109, CRS, 1993, Advertisement for bids on supplies*

- (1) one advertisement to be inserted in the official newspaper of its respective county. Under the heading of "stationery proposals", asking for bids for the supplies, for one year, of all books, stationery, records, printing, lithographing, and such other supplies, It is the duty of the Board of County Commissioners in each county in this state to cause at least specifically mentioning and describing them, as are furnished to the several officers of the county, such advertisement to be published not less than twenty nor more than forty days prior to the opening of such bids. Such advertisement may be published any time during the year, as the board deems most advisable. The publication of the advertisement may be made in conjunction with any other county of the state, when bids are asked in the supplies specified in this section.
- (2) Notwithstanding the provisions of subsection (1) of this section, a Board of County Commissioners may purchase recycled paper under an existing price agreement between the state purchasing division and a recycled paper supplier, when such board has determined that the recycled paper available through such agreement is comparable in cost and quality to the paper which the county proposes to purchase.

Amended by Laws 1993, H.B. 93-1318, § 12, eff. June 12, 1993

Section 30-11-109.5 Purchases of recycled paper and recycled products

- (1) When purchasing any product with public funds, the purchasing agent for the county shall be authorized to purchase products or materials with recycled content, that have been source – reduced, that are reusable, or that have been composted, unless one or more of the following conditions exist:
 - (a)The product is not available within a reasonable period of time;
 - (b)The product fails to meet applicable purchasing rules, including specifications; or
 - (c)The product fails to meet federal or state health or safety standards, as set forth in federal or state regulations

Added by laws 1993, H.B. 93-1318, § 13, eff. June 12, 1993.

Section 43-2-209, CRS, 1973, Contract for Work on Highways

In the event any Board of County Commissioners desires to let out any work on the county highways by contract, it may advertise in a legal newspaper in the county or post a notice in the county courthouse, for a period of not less than ten days before the contract is let for sealed proposals for performing the work. When a contract for work on highways involves expenditure of five thousand dollars or more, the Board of County Commissioners shall advertise in a newspaper as provided in this section unless such advertisement, in the judgment of the Board would be detrimental to the immediate preservation of the

public peace, health, and safety. Such advertisement shall describe the work to be done and its location and shall refer all persons to the person holding the plans and specifications therefore, and such contract shall be awarded to the lowest responsible bidder, the Board reserving the right to reject any bids proffered.

Section 24-18-104. Rules of Conduct for all public officers, members of general assembly, local government officials, and employees

1. Proof beyond a reasonable doubt of commission of any act enumerated in this section

is proof that the actor has breached his fiduciary duty and the public trust. A public

officer, a member of the general assembly, a local government official, or an employee shall not:

(a) Disclose or use confidential information acquired in the course of his official duties in order to further substantially his personal financial interests;

or

(b) Accept a gift of substantial value or a substantial economic benefit tantamount

to a gift of substantial value:

(1) Which would tend improperly to influence a reasonable person in his

position to depart from the faithful and impartial discharge of his

public duties; or

(2) Which he knows or which a reasonable person in his position should

know under the circumstances is primarily for the purpose of rewarding him for official action he has taken.

2. An economic benefit tantamount to a gift of substantial value includes without limitation a loan at a rate of interest substantially lower than the commercial rate then

currently prevalent for similar loans and compensation received for private services

rendered at a rate substantially exceeding the fair market value of such services.

3. Following shall not be considered gifts of substantial value or gifts of substantial

economic benefit tantamount to gifts of substantial value for purposes of this section:

(a) Campaign contributions reported as required by section 1-45-108,C.R.S.;

(b) An occasional no pecuniary gift, insignificant value;

(c) A no pecuniary award publicly presented by a nonprofit organization in

recognition of public service;

- (d) Payment of a reimbursement for actual and necessary expenditures for travel and subsistence for attendance at a convention or other meeting at which public officer, member of the general assembly, local government official, or employee is scheduled to participate;
- (e) Reimbursement for or acceptance of an opportunity to participate in a social function or meeting is offered to such public officer, member of the general assembly, local government official or employee which is not extraordinary when viewed in light of the position held by such public officer, member of the general assembly, local government official, or employee;
- (f) Items of perishable or nonpermanent value, including, but not limited to meals, lodging, travel expenses, or tickets to sporting, recreational, educational or cultural events;
- (g) Payments for speeches, debates, or other public events, reported as honorariums;
- (h) Payment of salary from employment, including other government employment, in addition to that earned from being a member of the general assembly

4. The provisions in this section are distinct from and in addition to the reporting requirements of section 1-45-108, C.R.S., and section 24-6-203, and do not relieve an incumbent in or elected candidate to public office from reporting an item described in subsection (3) of this section, if such reporting provisions apply.

Section 2

**Credit Card
Policy and Procedures**

Custer COUNTY
Credit Cards
Policy and Procedures

Policy

All County credit card usage shall be for County business only. No personal usage is allowed. Credit cards shall not be used for cash advances or to purchase fuel for privately owned vehicles. Failure to comply with credit card policy and procedures will result in cancellation of the card, and may include disciplinary action or termination.

Procedures

1. Credit card receipts must be retained and accompanied by the following form:

- a. ***Credit Card Purchase Information Form*** (Appendix to Section 2).

Employees shall be solely responsible for obtaining copies of lost or misplaced receipts.

2. Credit card statements will be received and administered through the County finance office for payment.

Credit card receipts, accompanied by the "Credit Card Purchase Information Form" must be delivered to the finance office within five business days of purchase or within five business days after return of business related travel. The finance office will retain the Credit Card Purchase Information Forms and receipts pending receipt of the billing statement at which time they will be attached to the statement and maintained for reference and accountability purposes.

3. Employees shall be solely responsible for payment of undocumented charges.

Section 3

**Grant
Policy and Procedures**

CUSTER COUNTY

Grant Policy and Procedures

Purpose

The purpose of this policy is to ensure that all proposed grant applications are submitted to the Board of County Commissioners (BOCC) prior to submittal to a granting agency, to ensure that appropriate county personnel have adequate time to review grant applications prior to their submittal to the BOCC for approval, and to establish BOCC direction with respect to grant contracts, administration, and budget. Justification of grant applications must be included on the attached "***Pre-Grant Application Form.***" Grant applications must be for amounts justifiable to administer by the County.

Policy Statement

Grants are an important source of revenue to Custer County government and assist significantly in financing existing, expanding, and/or new programs and services for Custer County residents. The BOCC strongly encourages the pursuit of grants that help to fulfill County goals and meet County and community objectives. However, it is important that the BOCC, the County Clerk and Finance Office have full knowledge of, and concurrence with, proposed grant applications before they are submitted to funding agencies. Grants only provide funding for a limited term; therefore, it is important to evaluate the impacts of grant funding on long-term operations.

Definition

A "Grant" is a financial subsidy from a source other than County revenues, which is utilized to fund a specific program, service, project, or piece of equipment that typically has a defined term and requires administration and financial reporting by the County to the grantor. Direct allocations from the State of Colorado to fund human services are not considered grants for purposes of this policy.

Procedures

1. Prior to submission to the BOCC for consideration, all grant applications must be reviewed by the County Finance Office for budgetary, administrative impact and new personnel prior to submission to the BOCC to ensure that the classification and compensation of the proposed employee are appropriate and in compliance with the County's compensation and classification requirements. It should be understood in advance that any grant-funded position will be eliminated at the expiration of the grant period unless other funding is obtained or appropriated by the BOCC to continue the position. This should occur during the regular budget development process by the department that is benefited by the grant.

2. Grant applications should be formally presented to the BOCC for consideration during a noticed public meeting detailing the value and impact of the program, service, equipment or improvement to be funded, the amount and duration of the grant, the County cash or in-kind match, the recommendation of the County Finance Office, if applicable and any other pertinent information that will be helpful to the BOCC in deciding whether to approve the application.
3. If the County is awarded the grant, the contract document must be signed by the BOCC. The contract documents must also be formally presented to the BOCC for consideration during a noticed public meeting. When possible, grants should be included in the annual budget process.

Purchasing and Contracting

Appendix Section 1

Forms

INFORMAL WRITTEN BID REVIEW FORM
(\$10,000.00 – \$24,999.99)

Description of Purchase: _____

Account Number(s) to charge expenditure(s): _____ Amount(s): _____

Award Recommendation *(give reasons supporting recommendation)*:

Department's Authorized Signature _____ Finance Office

INFORMAL BID REVIEW FORM
(\$500.00 – \$9,999.99)

Description of Purchase: _____

Account Number(s) to charge expenditure(s): _____ Amount(s): _____

Award Recommendation *(give reasons supporting recommendation)*:

Department's Authorized Signature _____ Finance Office

_____ Date

**Appendix
Section 2**

Forms

Credit Cards

**Appendix
Section 3**

Forms

Grants



Pre-Grant Application Form

Department:		
Grant Title:	Starting Date:	
	Ending Date:	
Grant Source: <input type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Other:		
Grant Total:	County Share:	Other:
<u>Reporting Requirements:</u>		
<u>Grant Description/Purpose:</u>		

To download an editable version of this form, click on the following link:

<http://custercountygov.com/pdf/PreGrantApplication.pdf>

Grant Match Information:

Percentage of Grant Match (if applicable):

County:

Grant:

Other:

Percentage of Grant designated for Administration (especially for pass-through grants of which the County is the sponsor or administrative agent):

If other, please indicate:

Proposed Source of County Funding for Grant match:



General Fund Revenue

R & B Fund Revenue

EMS Fund Revenue

Human Services Fund

Other

If other, please indicate:

Submission/Review/Approval or Denial:

Department Head / Elected Official: _____ Date: _____

County Administrator: _____ Date: _____

Comments: _____

Human Resources Director (if applicable) _____ Date: _____

Comments: _____

Board of County Commissioners, Chair: _____ Date: _____

Approve

Deny