

# Grant County Personnel Policy

<b>1601 – Purchasing Policy</b>					
Issue Date	02/16/16	Effective Date	02/16/16	Revision Date	09/14/21

1601.01 Purpose and Applicability: Grant County endeavors to ensure the public trusts its local government in its procurement decisions and methodology. It is incumbent upon anyone performing procurement for the County that they hold themselves to the highest ethical standards while in the performance of these duties. This policy includes the general guidelines regarding procurement and direction of how one should procure goods and services for Grant County.

- a) The County desires a fair and open process for procurement of goods and services that is free from the potential for bias and conflict of interest. In addition, the County desires consistent and appropriate practices for solicitations and contracting. All procurements of goods and services shall provide the County with the best quality and best value. All purchases are to be made within budgetary limitations and for the purpose of the goals and objectives approved in the County's budget. Any requested purchase that is not included in the current County budget shall be pre-approved by the Department Director/Elected Official, or Board of County Commissioners (BOCC), based on allowable signing authority. All purchases made by the County should ultimately be approved by the BOCC and may be authorized through the established consent process.
- b) All Grant County departments shall make a good faith effort to purchase goods within the County when they are available and suitable to County needs at a price that is competitive. Departments/Offices are expected to procure goods and services that are of high quality and that perform for their intended purpose, and to use good judgment during the procurement process.
- c) The Director of Central Services in partnership with Director of Public Works is charged with developing administrative procedures to implement this policy. Procedures should ensure the fiscal responsibility of the County in expending resources for goods and services for County operations. The procurement procedures of the County shall be based on guidelines provided in the Revised Code of Washington (RCW), the State Auditor's Office, and by the Municipal Research Services Center (MRSC). Other resources available are the "County Bidding Book", the "Small Works Roster Manual" and for Personal, Professional, or A&E Services, the "Contracting for Services Guidelines for Local Governments" from which Grant County has adapted the guidelines for those services. These are available for download on the Central Services internal web page.

1601.02 County Purchasing Code of Ethics: To instill public confidence in the award of public contracts and the expenditures of public funds, the County adopts the following code of ethics with regard to public contracting:

- a) Actions of County employees shall be impartial and fair.

# Grant County Personnel Policy

- b) County decisions and policies shall be made in compliance with required procedures and within the proper channels of government structure.
- c) Public employment shall not be used for personal gain.
- d) County employees shall not solicit, accept, or agree to accept any gratuity for themselves, their families or others that results in their personal gain which may affect their impartiality in making decisions on the job. Purchasing decisions shall be made impartially, based upon the Counties specifications for the contract and the responses of those bidding on the contract.
- e) No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent or any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. Officers, employees, and agents may neither solicit nor accept gratuities, favors or anything of monetary value from contractors or parties to a subcontract supported by a federal award. Disciplinary action may occur for violation of the purchasing code of ethics.

## 1601.02.01 Goals

- (a) To protect and enhance the reputation of Grant County and its employees.
- (b) To treat all citizens equally with courtesy and impartiality, and refrain from granting any special advantage to any citizen beyond what is available to all citizens.
- (c) To give efficient, productive, and economic service to the public.
- (d) To avoid real or potential conflicts between private and public duties, remembering that the public interest must be the principal concern.
- (e) To keep confidential all information acquired by reason of one's position, which may be used for personal or financial gain for the employee or other persons.
- (f) To refrain from securing special privileges or exemptions for oneself or other persons that are not available to all citizens.
- (g) To avoid receiving, soliciting, or otherwise obtaining anything of value that is greater than nominal intrinsic value from any other public official, employee or citizen which is intended to influence the performance of official duties.

# Grant County Personnel Policy

(h) To disclose to the appropriate authority the nature and extent of any financial or personal interest in a County contract, legislation, or in any type of transaction involving the County, when participating in the development of or giving an official opinion on the matter.

1601.03 Federal Funding: Purchases or Work that have received a state grant or federal funding may not be covered by this policy. These types of purchases often have their own procurement requirements. It is incumbent upon EO/DH performing procurement that they understand the differences in Grant funding, their sources and the various requirements for their use and reporting, or auditing.

a) When spending Federal Funding: The County must comply with the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal awards." published in Title 2 of the Code of Federal Regulations (2 CFR 200), specifically 2 CFR 200.318 through 200.362, which can be accessed at <https://www.federalregister.gov/documents/2013/12/26/2013-30465/uniform-administrative-requirements-cost-principles-and-audit-requirements-for-federal-awards>.

In accordance with the County's Title VI Plan, all solicitations for bids for work or material in all federally funded programs shall include the following notice in all solicitations for work or material:

"Grant County, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 23 will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, or sex in consideration for an award."

1601.04 The purchasing procedures of this policy govern the purchase of supplies, materials and equipment, nonprofessional and professional services, and public works contracts. These policies authorize the County to procure goods and services through the various small works processes directed through various State laws. The small works roster procedures are established for use by the County, pursuant to Chapter 39.04 RCW. For leases of equipment outside of those rentals normally incurred through normal operations, leases of property, or other personal property questions, RCWs 36.32.253 and 39.04 apply, for guidance on these types of transactions please see the counties civil prosecutor.

1601.05 Definitions

# Grant County Personnel Policy

- a) **Architectural & Engineering Services (A&E)** means professional services rendered by any person, other than a County employee, to perform activities within the scope of the professional practice of architecture, professional practice of engineering and land surveying, and/or professional practice of landscape architecture.
- b) **Formal Competitive Bid** is the process of advertising and receiving sealed written bids from perspective vendors. The selection of the vendor is primarily based on the lowest cost from a responsible vendor.
- c) **Informal Competitive Quotes** are price quotes from vendors that are obtained using a variety of mediums such as phone, fax, e-mail, or writing. Results must be documented and provided with the request for approval. The selection of the vendor is primarily based on the lowest cost from a responsible vendor.
- d) **Inter-Local Agreements** are the exercise of governmental powers in a joint or cooperative undertaking with another public agency.
- e) **Life Cycle Cost** means the total cost of an item to the County over its estimated useful life, including costs of selection, acquisition, operation, maintenance, and where applicable, disposal, as far as these costs can reasonably be determined, minus the salvage value at the end of its estimated useful life.
- f) **MSRC Small Works, Vendor, and Consultant Roster** is a shared statewide small public works, consultant, and vendor roster service managed by the Municipal Research and Services Center of Washington used by Washington state local public agencies. These rosters are maintained and operated in full compliance with state laws and purchasing requirements.
- g) **Nonprofessional Services** are services that are purchased by the County for which the contractor receives specific instructions and guidance from the County and does not meet the definition of professional services, architectural and engineering services, or public works projects. Examples include machine repair, debt collection services, temporary service agencies, credit card services, equipment service agreements, auctioning services, delivery services, inspections, advertising, etc.
- h) **On-Call Contract** means a contract that is awarded with general provisions for the services to be rendered. As services are to be rendered, specific task orders are initiated that are to be completed by the contracting firm.
- i) **Ordinary Maintenance** is work not performed by contract and that is performed on a regularly scheduled basis (e.g., daily, weekly, seasonally, semiannually, but not less frequently than once per year), to service, check, or replace items that are not broken; or work not performed by contract that is not regularly scheduled but is required to maintain an asset so that repair does not become necessary.

# Grant County Personnel Policy

- j) **Prevailing Wage** is defined as the hourly wage, usual benefits, and overtime, paid in the largest city in each county, to the majority of workers, laborers, and mechanics. Prevailing wages are established, by the Department of Labor and Industries, for each trade and occupation employed in the performance of public work. They are established separately for each county and are reflective of local wage conditions.
- k) **Professional Services** are services provided by consultants that provide highly specialized, generally one-time expertise to solve a problem or render professional opinions, judgments, or recommendations. The labor and skill involved to perform these types of services are predominately mental or intellectual, rather than physical or manual. Examples include graphics design, advertising, analysis, financial expertise, accounting, artists, attorneys, bond brokers, computer consultants, insurance brokers, economists, planners, real estate services, etc. This term does not include architectural and engineering services.
- l) **Public Work**, as defined in RCW 39.04.010, means a complete project, and includes all work, construction, alteration, repair, or improvement other than ordinary maintenance, executed at the cost of the County or which is by law a lien or charge on any County property. Public work projects include the related materials, supplies and equipment to complete the project. For purposes of this policy, the term "public work" may include contracts for maintenance of County facilities or real property (i.e., janitorial services).
- m) **Purchasing Cooperative**, interchangeable with Interlocal, State Contract, DES etc. is a type of cooperative arrangement, often among businesses, to agree to aggregate demand to get lower prices from selected suppliers. Retailers' cooperatives are a form of purchasing cooperative. It is often used by government agencies to reduce costs of procurement.
- n) **Request for Proposals (RFP)** means a process that requests interested firms to submit a statement of their proposal for completing a project. Proposals are then evaluated based on the idea, including originality, suitability, practicality, expertise, etc. Proposals may be selected based on the quality of the proposal, experience, cost, and references. Examples of solicitations appropriate for an RFP are banking services, software, garbage collection services, non-A&E consulting services, public art acquisitions, and various studies and assessments.
- o) **Request for Bids (RFB)** is a process whereby the County issues an advertisement to local companies or contractors with the end goal to receive from the lowest responsible bidder for the requested purchase or work.
- p) **Request for Qualifications (RFQ)** means a process that requests interested consultants to submit a letter of interest and a statement of their qualifications. Consultants are evaluated upon their qualifications,

# Grant County Personnel Policy

expertise, and references. Cost cannot be a consideration until after a consultant has been selected at which point the price may be negotiated.

- q) **Small Works Roster** is a roster of qualified contractors maintained for use in a modified formal bid process. When the contract amount for a public works project is within the limits set forth by RCW 39.04.155, a County may follow the small works roster process for construction of a public work or improvement as an alternative to formal competitive bid requirements.
- r) **Small Works Roster Manual for Local Governments** is a manual prepared by the Municipal Research & Service Center of Washington (MRSC) that contains state laws and regulations regarding small works contracting.
- s) **Sole Source** occurs when competition among potential vendors is not possible for a particular procurement. These situations may occur when; there is clearly and legitimately only one source capable of supplying the subject matter, when there are special market conditions that result in only one source and in the event of an emergency.
- t) **Vendor List** means the process to award contracts for the purchase of any materials, equipment, supplies or services in lieu of formal sealed bidding pursuant to RCW39.04.190.

## 1601.06 General Procurement

- a) Purchasing Thresholds for any Grant County Department:  
(also found in 1503.8.1)
  - 1) Any item that has not been previously approved in a capital budget that is over \$5000,00 must have secondary approval by the Board of County Commissioners at the time of purchase. Purchases and public works approved in the capital budget are considered approved and department heads responsible for such purchases or public works are directed to proceed.
  - 2) Elected officials and Department heads have signing authority on contracts below \$5000.00 in value, contracts shall have been previously approved by the Board of County Commissioners. All contracts above \$5000.00 shall be signed by the Board of County Commissioners.
  - 3) Amendments or change orders to contracts, including inter local agreements may be signed by the Board of County Commissioners or their designee as required through consent.
  - 4) For both b & c above there are some exceptions, these can be found in the section regrading contract award and execution.
- b) Certain contracts have signing authority delegated to the following:

# Grant County Personnel Policy

The Fairgrounds Director has signing authority for contracts under \$35,000 to include the following services associated with the County fair and other entertainment as delegated through the consent process.

- Garbage collection
- Ticket sales
- Grounds crews
- Stagehands
- Security services
- Emergency medical services
- Fair attendants, entertainment
- Carnivals, Sanitation services
- Communications services
- Accounting services and exhibitor setup services

## c) Purchasing and Procurement Methods

- 1) Vendor Roster: Grant County utilizes a vendor roster managed through the MRSC roster. As per RCW 36.32.245 and RCW 39.04.190 Elected officials and department heads may utilize this roster for the purchases of materials, supplies, goods, and services (not public works) up to the total contract value of \$50,000 or the maximum contract value as set forth in RCW 36.32.245. As per RCW 36.32.245 (3) formal sealed bidding is dispensed with up to \$10,000 or the maximum amount allowed in this RCW on order of the County Commissioners.
- 2) Amazon Purchasing: Credit card usage online invites inherent risk, and the County wishes to mitigate that risk. If a department seeks to purchase from Amazon, credit cards are prohibited unless authorized by the Auditors office or the BOCC. Central Services maintains a Countywide Amazon account with departmental access. Any EO/DH may provide access to employees based on the department's needs. This is an account that allows invoicing and shall be used in that manner.
- 3) General Purchases: It is the intent of this policy to include in this paragraph those purchases that are needed for the normal operational needs of any department including administrative supplies, and general purchases considered common sense needs, these are small and inexpensive in nature and considered items that would not need to be competitively bid. Elected officials and department heads are expected to utilize great care and judgement when making these purchases and should always strive to receive the best price or value for the County. The Board of County commissioners at any time may audit

# Grant County Personnel Policy

department purchases and rescind the ability of offices to purchase if this policy is believed to be abused.

- 4) Sole Source Contracting: A contract for the purchase of materials, supplies, or equipment may be awarded without complying with the bidding requirements of this policy when the department director determines in writing, subject to BOCC approval through resolution, after conducting a good faith review of available resources, that there is only one source of the required materials, supplies, or equipment. The department director or his/her designee shall conduct negotiations, as appropriate, as to price, terms, and delivery time. Sole source purchases shall be made available for public inspection. References for Sole Source Procurement can be found throughout RCWs 39.04.RCW 39.26, and The County bidding book. A copy of which may be downloaded from the Central Services Intranet page
- 5) Limited Public Works up to an estimated total contract cost of \$50,000, or the maximum as set forth in RCW 39.04.155 (3) (a). For dispensing of competitive bidding, or as otherwise set forth in the policies and procedures adopted for the small works roster process, or as otherwise set forth by resolution.
- 6) Small Works Roster Contract Procedures up to an estimated total contract cost of \$350,000, or the maximum as set forth in RCW 39.04.155 (1). For dispensing of competitive bidding, or as otherwise set forth in the policies and procedures adopted for the small works roster process, or as otherwise set forth by resolution. The County desires to be fair and equitable and should generally advertise to all appropriate contractors on the MRSC roster. As an alternative you may choose only 5 however, RCW 39.04.155 (1) (c) If using this process and the decision is made not to include all appropriate contractors, AND the value of the contract is between \$250,000-\$350,000, you are required to notify all appropriate contractors that quotations for the work are being sought.
- 7) Formal Sealed Bidding: At any time, procuring any materials, goods, supplies, or services through a formal sealed bid process is acceptable. This process would include utilizing the small works roster or simply placing an advertisement in the paper of record for 13 days and advertising the request on our County web site. However, keep in mind this process where allowable, does not necessarily meet the intent of our ethical purchasing practices as it would not provide a wide audience and would most likely receive very few responses. The small works roster contract procedures found in paragraph (d) as well as those in (a) and (c) are the preferred methods of formal bidding for Grant County.
- 8) Informal Competitive Quotes: Materials, Supplies or Equipment up to the maximum amount allowed under RCW 36.32.245 (3)



# Grant County Personnel Policy

(Advertisement and formal sealed bidding may be dispensed with as to purchases of less than ten thousand dollars upon the order of the county legislative authority)

- 9) Interlocal / Cooperative / Joint Purchasing Agreements: The County may enter interlocal governmental cooperative purchasing agreements with other public agencies similarly authorized under RCW 39.34.030. Any cooperative purchasing agreement shall set forth fully the purposes, powers, rights, objectives, and responsibilities of the contracting parties and shall be governed by the requirements of State law in regard to competitive bidding, when applicable. The competitive bid process of the original jurisdiction shall substitute for Grant County's. All such agreements shall be presented to the BOCC for prior approval. Originating agencies bid process shall be vetted to ensure compliance with all applicable RCWs and should be as or more stringent than ours.
- 10) Emergency Procurement (as per RCW 39.04.280):
  - (a) An agency may make emergency purchases as defined in subsection (3) of RCW 39.04.280. When an emergency purchase is made, the EO/DH shall submit written notification of the purchase within three business days of the purchase to the BOCC. This notification must contain a description of the purchase, a description of the emergency and the circumstances leading up to the emergency if known, and an explanation of why the circumstances required an emergency purchase.
  - (b) If an emergency exists, the person or persons designated by the BOCC to act in the event of an emergency may declare an emergency exists, waive competitive bidding requirements, and award all necessary contracts on behalf of the County to address the emergency. If a contract is awarded without competitive bidding due to an emergency, a written finding of the existence of an emergency must be made by the governing body or its designee and duly entered of record no later than two weeks following the award of the contract.
  - (c) For purposes of this section "emergency" means unforeseen circumstances beyond the control of the municipality that either:
    - (1) Present a real, immediate threat to the proper performance of essential functions; or
    - (2) will likely result in material loss or damage to property, bodily injury, or loss of life if immediate action is not taken.

# Grant County Personnel Policy

11) Quadrennial Purchase Program: Managed through Technology Services, A purchasing program specifically for technology related assets that allows the County to stay up to date with existing, new, and emerging technologies that build efficiency into the daily workspace for County employees.

1601.07 RCW 39.04.280 allows waiving of competitive bidding for the purchase of insurance and bonds.

1601.08 Bid Bonds Required: RCW 36.32.250 No contract for public works may be entered into by the county legislative authority or by any elected or appointed officer of the county until after bids have been submitted to the county upon specifications therefor. Such advertisements shall be published at least once, at least thirteen days prior to the last date upon which bids will be received. The bids shall be in writing, shall be filed with the clerk, shall be opened, and read in public at the time and place named therefor in the advertisements, and after being opened, shall be filed for public inspection. No bid may be considered for public work unless it is accompanied by a bid deposit in the form of a surety bond, postal money order, cash, cashier's check, or certified check in an amount equal to five percent of the amount of the bid proposed.

1601.09 Written Contracts / When Required: A written contract may be initiated by the County or by the other party to the agreement. It must be signed by at least one authorized representative from each party. Appendix A contains a table representing requirements for written contracts.

a) Written Contract Always Required for Certain Purchases

A written contract is always required for the following types of purchases:

- 1) All lease or rental agreements for real property
- 2) All intergovernmental agreements
- 3) All grants to Grant County
- 4) All union labor agreements
- 5) All services except for minor services such as repairs, etc. where academic credentials or professional expertise are not required.
- 6) Cooperative purchasing agreements.
- 7) Maintenance and licensing agreements (except licenses and/or maintenance agreements for standardized, non-customized, software or hardware)
- 8) Other contracts/agreements deemed necessary by the BOCC or offices/departments.

b) Written Contract Required for Purchase of Goods Over \$25,000

A written contract is required for purchase of goods when the purchase by a department of a similar item from a single vendor exceeds \$25,000 per year; or, when total business by a department with a single vendor for

# Grant County Personnel Policy

purchase of goods exceeds or is expected to exceed \$25,000 in a calendar year.

c) **Written Contract Required for Certain Purchases Over \$10,000**

A written contract is required for the following purchases of more than \$10,000.

- 1) Construction projects or "public works" contracts.
- 2) Agreements for rental or lease of equipment.

d) **Contract to be Fully Executed Prior to Purchase**

Contracts should be completely executed prior to the start of any activity covered under the contract. Retroactive contracting is discouraged, and an explanation must be included in the executive summary submitted during the approval process.

1601.10 **Contract Award & Execution**

a) **Board Award and Approval Required for Certain Contracts**

- 1) All contracts requiring budgeted expenditures in excess of \$50,000 in the current calendar year.
- 2) All contracts that span more than one calendar year and require budgeted expenditures in excess of \$25,000 per year, unless a non-appropriation clause is included in the contract.
- 3) All contracts that will require a budget emergency or supplement not previously approved.
- 4) All union labor agreements.
- 5) All real property transactions (acquisitions and disposals).
- 6) Any other contract or agreement which by statute must be approved by the governing body of the County.
- 7) Any other contract not specifically authorized by the BOCC for other approval.

Contracts not required to be approved by the BOCC may be approved and awarded by the EO/DH. Contracts on small works roster are included in these dollar limits.

1601.11 **Public Works Director/County Engineer may Approve Certain Purchases and Documents**

The following contracts under \$35,000 may be approved by the Public Works Director or County Engineer if funds for the project are previously approved in the budget. Such contracts must be approved by the Prosecuting Attorney's Office, and BOCC in accordance with this policy. The Original contract will be held with all other contracts with the ASC Office within the offices of the BOCC.

# Grant County Personnel Policy

- a) Contracts awarded as a result of the small works procedures contained in this policy.
- b) Small construction improvement projects or consultant agreements
- c) Architectural services agreements using the County's standard form agreement.

Purchase of Goods – The Public Works Director may delegate authority to approve purchase of goods from the ER&R Fund, the REET Fund, or the Capital Outlay Fund that do not require a formal bid or a formal contract. The Public Works Department may approve payment for purchase of fuel and payment for utility services. Purchase of deicing or safety products and oil products for road maintenance from the state bid or interlocal agreement may be approved by department personnel.

## 1601.12 Elected Officials / Department Heads (EO/DH) may Approve Certain Documents

Vendor agreements such as work orders, work requests, etc. for commonly used minor services such as repairs where academic credentials or professional expertise are not required, in an amount less than \$10,000 may be approved by the EO/DH. Purchase of goods less than \$10,000 may be approved by the EO/DH. EO/DHs may approve the County's personal services agreements in an amount less than \$10,000. EO/DHs may not approve other formal contracts that contain a liability clause or intergovernmental agreements no matter the dollar amount.

In order to be eligible for approval by the EO/DH, the purchase must be made within the current calendar year and funds for the purchase have been previously allocated in the budget. The EO/DH is responsible to comply with any applicable bidding requirements, capital budgetary restrictions, review by the Prosecuting Attorney if required, and contract indexing. Approval for any purchase that requires informal or formal bidding under this policy may not be delegated by the EO/DH to a subordinate other than their designated acting in their absence (charter exempt in the case of elected officials).

## 1601.13 Contract Amendments

Amendments (change orders, addendum) will be in writing and signed by both parties. Amendments cannot alter the nature of the project or change its scope beyond what a reasonable bidder would consider a modification, as opposed to a different project. Specific cases should be reviewed with the Prosecuting Attorney to determine whether the proposed changes require an amendment or a new contract. Expired contracts may not be amended. In cases where the County anticipates additions to the scope of work as more funding becomes available, bid specifications (if required) and the original contract's scope of work should so state. The following rules govern the approval of amendments, and change orders:

- a) Contracts approved by the EO/DH may be amended by the EO/DH.

# Grant County Personnel Policy

- b) Contracts approved by the Board must be amended by the BOCC, except that, the Board may authorize approval of amendments by the EO/DH.
- c) Change orders and addendums on "Public Works Department" construction projects may be approved by the County Engineer or the Public Works Director.
- d) Change orders and addendums on projects under the supervision of the Parks, (If department is created) Fairs, and Facilities Department may be approved by the Parks, (if created) Fairs, and Facilities Director or the Central Services Director.

## 1601.14 Contract Elements

The contract elements listed below are generally required in all contracts. Exceptions may be approved by the Prosecuting Attorney's Office.

- a) Contract title
- b) Name, address, phone, and fax numbers of all parties
- c) County's authorized representative
- d) Contractor's legal entity type
- e) Purpose, scope of the contract, or scope of work
- f) Term or duration of the contract
- g) Compensation and payment terms
- h) Provisions for modifications and changes
- i) Provisions for contract termination
- j) Provisions for remedies if there is a violation or breach of contract terms.
- k) Clause describing dispute resolution.
- l) Non-discrimination language
- m) Insurance, liability, indemnification language

## 1601.15 Contract Administration

Contract administration is the process by which the County, acting through one or more of its officials or staff, assures performance of contractual obligations. This encompasses all activity by the County and the contractor from the time the contract is awarded until the time the contract work has been completed and accepted, payment is made, all disputes resolved, and the contract has been formally closed out.

## 1601.16 Contract Administration Responsibilities

Contract administration may include, but is not limited to, the following functions:

# Grant County Personnel Policy

- a) Ensuring required insurance or other required documents are obtained and documented prior to commencement of work and maintained throughout the term of the contract.
- b) Making payments to contractors according to the terms of the contract.
- c) Providing interpretations of terms and conditions of the contract to the contractor.
- d) Giving technical direction and assistance to contractors.
- e) Inspecting and accepting work performed by contractors.
- f) Preparing modifications to contracts.
- g) Reviewing certain proposed subcontracts if contract terms require such reviews.
- h) Terminating contracts for cause, convenience, or default.
- i) Maintaining a contract file.
- j) Closing out the contract when it is completed.
- k) Aiding in the event of an audit.

## 1601.17 Responsibility for Administration of Contracts

The EO/DH initiating the contract is responsible for the administration of the contract. The EO/DH initiating the contract is the designated contract officer who, on behalf of the County, will be responsible for coordinating the applicable contract management activities listed above for the assigned contract(s).

## 1601.18 Index and Tracking of Contracts Required

All contracts signed by any EO/DH and by the BOCC are kept in the Administrative Services Coordinators Office (ASC) located in the BOCC office. Any department that administers a contract should have a copy of the contract with their files and the original must be provided to the ASC.

## 1601.19 Document Retention, Official File, Public Disclosure

The official contract file with a copy of the original signed contract and all documents associated with the contract will be maintained by the initiating department. Any destruction of these records will be in accordance with approved retention schedules in the appropriate department. Requests for public disclosure of contracts and related documents will be referred to the initiating department. Documents associated with a contract would include but not be limited to: vendor list printout, written/phone quotation form, bid specifications, bid quotations, RFP's, contract proposals, activity reports, requests for reimbursement, and any other documents made or received by the County in connection with the contract or agreement. An original contract and any approved amendments are retained by the ASC office. The Commissioners Office and ASC file does not include supporting documents and is not considered the official file. If, due to the dollar amount, the

# Grant County Personnel Policy

- purchasing transaction does not require a written contract in accordance with the Contracting Policy, all documents leading up to the purchase/expenditure may be attached to a copy of the original payment voucher. The original payment voucher is retained by the Auditors office. The copy should be attached to the official file (if required) and kept in the originating department.
- 1601.20 Professional services of architects, engineers, landscape architects, and land surveyors (A&E) up to a value of seventy-five thousand dollars, or as otherwise set forth by resolution. Policy and procedure for A&E services is found in a supplement to this policy and attached hereto.
- 1601.21 Services whether defined as services, professional services, personal services, or in some other manner, up to the maximum value threshold set forth in RCW 36.32.245(3) or as otherwise set forth by resolution. Policy and procedure for these services is found in the A&E supplement as in section (d) above.
- 1601.22 Capital Outlay Purchases: Regardless of department, any capital purchase or improvement maintain some specific requirements,
- a) It must be listed on the approved capital budget as approved through the budget process, whether computer or otherwise as per instructions provided each year during the budget process. If it is not listed than a budget extension is required.
  - b) Capital Facility Purchases / improvements / public works / land acquisitions shall be listed on the Capital Facilities Plan (CFP) managed by Development Services.
    - 1) If the purchase or project is not listed on the CFP then BOTH a budget amendment, and a CFP amendment are required. If the project or purchase is on the CFP but it was not approved in the budget, a budget extension is required. (If a purchase or work is performed due to an emergent need, emergency procurement requirements should be followed and are exempt from this requirement however, a letter stating the emergency, the cost of the item or work, and a short description shall be sent to Development Services for inclusion on the CFP).
    - 2) Counties are allowed to amend their comprehensive plans (including CFP) not more than once per year, except under the following circumstance - RCW 36.70A.130(2)(a)(iv) "The amendment of a capital facilities element of a comprehensive plan that occurs concurrently with the adoption or amendment of a county (or city) budget..."
- 1601.23 Bid Splitting: Breaking down or splitting of purchases to into smaller units or phases for the purpose of avoiding thresholds or maximum dollar amounts is prohibited.
- 1601.24 The Director of Central Services shall ensure MRSC Rosters and Vendor lists are maintained paid for and advertised as may be required by state law.

# Grant County Personnel Policy

1601.25 Grant Funded Projects: May have additional regulations required for expending and auditing of federal and state funds. Elected officials and Department heads are expected to understand these requirements and follow them as required. Ensure your reporting all grants to the Auditors office upon their request.

## 1601.26 Purchasing Information

- a) Purchase limitations apply to the cost of individual items, or the sum of the same items purchased at the same time to fulfill a specific business need, which are not part of a public works project as defined by RCW 39.04.010 and these policies. Cost is inclusive of sales tax, delivery charges and any related miscellaneous charges.
- b) Exceptions to Purchasing Limitations (RCW 39.04.280). The BOCC is authorized to allow open market purchases without obtaining the regularly required competitive quotes or bids under the following conditions:
  - 1) Special Market Conditions. When supplies or used equipment is offered at a very favorable price and will be sold before the County will have a chance to complete the bidding process. It is possible to procure obvious bargains through the procurement of surplus or distress material, supplies or equipment without following bidding procedures.
  - 2) Auctions. RCW 39.30.045 authorizes the County to acquire supplies, materials, and equipment through an auction conducted by the United States or any agency thereof, an agency of the state of Washington, a municipality or other government agency, or any private party, without quotations or bids, if the items to be purchased can be obtained at a competitive price.
  - 3) Inter-local Joint Purchasing Agreements. Materials, equipment, supplies and services may be purchased under RCW 39.34.080 using joint purchasing agreements with a city, county, state, or other public agency where bid requirements of this policy have been followed by the cooperating agency in obtaining bids. Originating agency's bid process shall be vetted to assure compliance with all applicable laws.
  - 4) Sole Source Procurement. A contract for the purchase of materials, supplies, or equipment may be awarded without complying with the bidding requirements of this policy when the department director determines in writing, subject to BOCC approval through resolution, after conducting a good faith review of available resources, that there is only one source of the required materials, supplies, or equipment. The department director or his/her designee shall conduct negotiations, as appropriate, as to price, terms, and delivery time. Sole source purchases shall be made available for public inspection. EO/DH's can look to both the County Bidding Book for examples and direction for determining sole source.



# Grant County Personnel Policy

- 5) No Bids, Proposals or Quotations Received. When no bids or quotations are received in response to an invitation to bid or request for quotations, the department director or his/her designee is authorized to procure the required item through direct negotiations with a vendor or to rebid as the BOCC deems appropriate.

## 1601.27 Real Property Acquisition

- a) Real Property; BOCC acquisition authority. The BOCC or designee is authorized, in the following instances to accept by gift or acquire dedications, easements, rights-of-way, fee estates, or other interests in real property for use by or on behalf of the County or any department of the County.
  - 1) Minor acquisitions: any such acquisition where the estimated value is below \$10,000.
  - 2) All other real property acquisitions will be submitted to the BOCC for approval.
- b) Real property BOCC leasing authority:
  - 1) The BOCC is authorized to execute leases of real property on behalf of the County where the term of the lease does not exceed one year, and the consideration does not exceed \$10,000 per year as budgeted by the County.
    - (a) A designee may be authorized to execute leases by formal resolution.
  - 2) A lease that exceeds the limits as stated in subsection (a) of this section, shall be submitted to the County for approval.

## 1601.28 Telecommunications and Data Processing Purchases

- a) RCW 39.04.270 allows local governments to use a competitive negotiation process when purchasing telecommunications and electronic data processing computer equipment or software instead of traditional competitive bidding. This alternative process requires an RFP.
- b) An RFP may be used for solicitations for services when Grant County determines that price, along with qualifications, is the best method to achieve the intended outcome.
  - 1) A request for proposals (RFP) must be published in a newspaper of general circulation at least 13 days before the submission deadline. Reasonable procedures for technical evaluation of the proposal must be used for awarding the contract.
  - 2) The contract must be awarded to the qualified bidder whose proposal is most advantageous to the County.
  - 3) The agency may reject all proposals for good cause and request new proposals. The RFP should include several sections as follows:

# Grant County Personnel Policy

- (a) Purpose: This section provides a brief description of what the procurement is seeking.
  - (b) Agency Background: This optional section should briefly outline how the project was developed.
  - (c) Goals and Objectives: This should describe what the project needs.
  - (d) Scope of Work: This section should be well-written and done so in a manner that encourages fair competition. It should include an adequate level of detail that addresses the tasks and products of the project. Clarity in the scope of work will help you avoid future disputes about intended performance.
  - (e) Selection Process and Anticipated Timeframe: This details the process for selecting an awardee.
  - (f) Evaluation Criteria: The evaluation criteria should be clear, should tie the criteria to the scope, and should identify the value in the scoring process to each criterion. Include the scoring matrix in this section and provide the decision schedule, if available.
  - (g) Submittal Requirements: In this section list all the information that firms should submit, including the firm's general approach to the project, a list of key personnel who would work on the project, along with their experience and availability, and general scope and deliverables. It helps to keep the submittal requirements, page limitations, and due date in the same section of the RFP, and to allow for flexibility' in the format of responses.
  - (h) Submittal Deadline: A good deadline allows an adequate response time based on the complexity of the project. Agencies should be willing to accept electronic proposals and should acknowledge receipt of all proposals.
- 4) The Agency's Standard Terms and Conditions. By attaching this information to the RFP, you are asking the proposing vendor to affirm that your agency's terms and conditions are acceptable. If the terms are not acceptable, require that the vendor describe the reasons for taking any exceptions, and that the vendor propose alternative language. Include this as part of the evaluation criteria.