



ADMINISTRATIVE MEMORANDUM POLICIES AND PROCEDURES

County of Jefferson Board of Legislators Office of the County Administrator

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| Section: | PURCHASING | Issued: | 12/1991 |
| Subsection: | 4.01 Policy and Control | Revised: | 6/2011, 12/2018 |

1. The County's Purchasing Agent shall be responsible for the development and administration of a centralized and standardized purchasing system. The Purchasing function is delegated to the Purchasing Agent and the two Buyers in the Purchasing Department.
2. The purchasing policies and procedures shall be in accordance with all applicable state and local laws and regulations.
3. The Purchasing Department shall procure materials, equipment, supplies, and services as required, at the best possible prices, from responsible suppliers and providers and maintain appropriate supporting documentation and records.
4. The purchase of materials, equipment and supplies involving an estimated annual expenditure of \$20,000 or more and public works contracts involving an estimated annual expenditure of \$35,000 or more shall be awarded only after public advertising, and the solicitation of formal bids in compliance with General Municipal Law, Section 103.
5. The Purchasing Department shall be responsible for issuing Requests for Proposals once a determination is made that an RFP rather than a formal competitive bid is appropriate. The RFP shall include specific language that identifies the method of award.
6. Upon request, the Purchasing Department will work with County Departments to develop Professional Service Contracts. Such RFP's will be developed by the individual Department and Purchasing and issued through the Purchasing Department. All other Professional Service Contracts will be documented by the individual Department.
7. The Purchasing Department shall be responsible for all required public advertising and competitive bidding; shall be responsible for all bid solicitations and openings; shall secure and document the recommendations from the appropriate official for awarding bid contracts and shall award contracts within the annual appropriations authorized by the Board of Legislators.
8. Equal Opportunity shall be provided to ensure full and open competition for all responsible suppliers to do business with the County. The Purchasing Department may solicit bids or quotations from any responsible vendor and may develop a list(s) of suppliers that may be used for the procurement of specific goods and services. Any responsible supplier may be included on the list upon request.

9. Vendors who are included on the NYS Department of Labor List of Debarred Contractors are not eligible to provide quotes or services to the County. The County does not provide a preference to any bidder who, after meeting all of the requirements of a bid, would not otherwise be entitled to a contract award as the lowest responsible bidder.
10. When formal bidding procedures are not required by law, quotations shall be solicited and appropriately documented.
11. Purchases may be made through available state contracts of the NYS Office of General Services, *GSA*, or in accordance with Sub. 3 of GML 103 which allows the purchases of materials, equipment or supplies, or the contract for services, other than services subject to Article nine of the Labor Law, through any municipality within New York State, whenever such purchases are in the best interest of the County.
 - a. Also, in lieu of obtaining quotations or issuing formal bids for the purchase of commodities or services not subject to Article 9 of the New York State Labor Law, the Purchasing Department is authorized to make such purchases using established national and regional cooperative contracts.
 - b. In Accordance with GML 103(6), surplus and second hand supplies, materials or equipment may be purchased without competitive bidding from the Federal Government, State of New York, or from any other political subdivision, district, or public benefit corporation.

Although a Department may request a purchase be made using a particular contract source, the decision as to the appropriate contract to be used will be that of the Purchasing Department who will appropriately document the reason for the determination.

12. Jefferson County will allow all other municipalities within New York State to “piggyback” on the contracts of Jefferson County in accordance with GML 103.
13. Contractual agreements for the leasing and/or lease/purchase of equipment shall be awarded by the Purchasing Department, in conformance with the bidding requirements of GML 103 or solicitation of quotations, whichever is applicable, within the appropriations authorized by the Board of Legislators.
14. Working with the Director of Insurance, the County shall issue a competitive solicitation for the purchase of insurance coverage as required.
15. Supplies used by county departments shall be uniform whenever consistent with operational needs and in the interest of efficiency and economy.
16. Control involves not only compliance with required purchasing policy, but also affects the paperwork necessary. There are certain expenditures for which the processing of a purchase order may be unnecessary. The following expenses may be approved without purchase orders:

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| a) Employee expenses | f) Medical examinations and veterinarian fees |
| b) Reimbursement of petty cash funds | g) Interdepartmental charges |
| c) Utility bills | h) Intergovernmental charges |
| d) Legal notices | |
| e) Postage | |

17. No official or employee shall be interested financially in any contract entered into by the County. All officials and employees shall comply with the provisions of the County's code of ethics, and Procurement Conflict of Interest policy.
18. The Purchasing Department shall make available to other municipalities within the County the opportunity to participate, whenever practicable, in the County's contracts or competitive bids.
19. In the case of a public emergency arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting public buildings, public property or the life, health or safety or property of the inhabitants of the County requires immediate action which cannot await competitive bidding, public works contracts or purchase contracts may be authorized by the Purchasing Department.
20. In cases where a reasonably exhaustive and documented search discloses that a good or service is available only from a single vendor or in cases where there is common knowledge of the existence of a monopolistic situation for a particular good or service being sought, that good or service may be purchased from a single identified vendor or supplier without competitive bidding or solicitation of quotations. The Board of Legislators may also approve the standardization of a particular product based upon the recommendation of the Purchasing Department.
21. All purchases made using state or federal funding must be completed and monitored according to the Uniform Administrative Requirement Cost Principles, and Audit Requirements for Federal Award (2CFR 200). Reference Appendix A.
22. Instances of failure to comply with this policy as identified by the County Auditor shall be reported to the County Administrator. The County Administrator shall keep the Board Chairman and the jurisdictional committee apprised of non-compliance and initiate corrective action. Any questions relative to the intent or clarification of the policy contained herein shall be subject to a determination of the Board of Legislators if determined to be necessary or appropriate.

GUIDELINES:

Purchasing is a term used to describe the activities of obtaining materials, equipment and supplies of the right quality, from a qualified source at a competitive price.

The responsibility and authority for purchasing and all of the accompanying functions have been assigned to the Purchasing Department, under the direction of the Purchasing Agent.

The following definitions apply to the purchasing system and policy:

1. “Competitive Bid” shall mean a formal written statement by a vendor setting forth their terms under which the vendor will furnish supplies or services. Competitive bid requirements and limits are established by state statute.
2. “Purchase Order” shall mean a formal notice to a vendor to furnish the supplies or services described in detail thereon.
3. “Quotation” shall mean an informal notice (either oral or written) by a vendor setting forth the terms under which he will furnish supplies or services.
4. “Request” shall mean a request to the Purchasing Agent for one or more items or services necessary to carry on or improve a particular function.
5. “Requestor” shall mean the Department head, or his authorized subordinate, initiating a request for goods or services.
6. “Specifications” shall mean a written description of needed supplies, equipment or services setting forth in a clear and concise manner the characteristics of the items and/or services to be purchased and the circumstances under which the purchase will be made.
7. “Vendor” shall mean a supplier of goods or services.

REFERENCES:

1. County Law: Sections 362 (3), 408-a, 625
2. General Municipal Law: Sections 103, 103-d, 104, 104b, 105, 106
3. Jefferson County Board of Supervisors Resolution No. 353 of 1988 and No. 338 of 1991
4. Jefferson County Board of Legislators Resolution No. 105 of 2011 and 264 of 2018

ISSUED: December 13, 1988

REVISED: December 19, 1991; June 7, 2011; *December 11, 2018*

Robert F. Hagemann III
County Administrator

APPENDIX A

FEDERAL PURCHASING REGULATIONS

Any purchases to be made using State or Federal funding must be completed and monitored according to the Uniform Administrative Requirement, Cost Principles, and Audit Requirements for Federal Award (2 C.F.R. 200).

A link to the CFR can be found on the Jefferson County website.

All Federal Grant usage within Jefferson County is subject to these policies and procedures due to the fact that Jefferson County exceeds the annual threshold for this requirement.

For the purchasing of goods and services using Federal funding, all Jefferson County Purchasing Policies and Procedures are to be followed.

In addition, the following procedures must be followed:

1. Vendors must be vetted using the U.S. Federal Government's System for Award Management (SAM) before the purchase and/or contract is completed. Vendors must be run through this system before each purchase to ensure that they are not suspended or debarred from federally funded transactions. If a department is going to make a purchase using Federal funding, they must notify either the Purchasing Department or the County Treasurer and request a vendor check before the purchase is made. All vendors will be required to register on the SAM website.
2. Bonding Requirements for work performed are as follows:
 - a. Bid Bond 5% of total bid
 - b. Performance Bond 100% of total bid
 - c. Payment Bond 100% of total bid

It is the responsibility of the requesting Department Head to ensure that all Federal Purchasing Regulations are followed for the purchase and the monitoring of contractor performance as a result of that purchase.