September 3, 2021

To: All County Staff

From: County Administrator’s Office

Subject: Updated Purchasing Policies

The County’s purchasing/procurement policies have been updated effective September 3, 2021. Most notably, Request for Proposals (RFPs) are now required for purchases in excess of $25,000. See the attached Guidelines for more details.

Chapter 2.24 and 3.20 of the Tuolumne County Ordinance Code have also been updated as reflected in the attached Purchasing Quotation/Bidding Guidelines.

Deputy Purchasing Agents are expected to ensure purchasing occurs in a manner consistent with the general Guidelines established by the CAO/Purchasing Agent. Deputy Purchasing Agent responsibilities are outlined in Chapter 2.24 of the Ordinance Code and relevant statues. The following chart summarizes the limits of Deputy Purchasing Agent authority:

<table>
<thead>
<tr>
<th>Name</th>
<th>Approval Authority</th>
<th>Limitations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eric Erhardt, Assistant CAO</td>
<td>$63,187.75</td>
<td>None</td>
</tr>
<tr>
<td>Debi Bautista, Clerk/Auditor/Controller</td>
<td>$63,187.75</td>
<td>No leases, sole source vendor, contracts or RFP vs. bidding decisions.</td>
</tr>
<tr>
<td>Kim MacFarlane, Public Works Director</td>
<td>$10,000</td>
<td>Public Works business only. No leases, sole source vendor, contracts or RFP vs. bidding decisions.</td>
</tr>
<tr>
<td>Rebecca Espino, Health and Human Services Director</td>
<td>$10,000</td>
<td>Human Services Agency business only. No leases, sole source vendor, contracts or RFP vs. bidding decisions.</td>
</tr>
</tbody>
</table>

*It is acknowledged that the Public Works Director, County Clerk, and Health and Human Services Agency Director also have limited purchasing/contracting authority spelled out in statute related to those very specific functions.
Attachment A

Chapter 2.24
Tuolumne County Ordinance Code
Chapter 2.24

PURCHASING AGENT

Sections:
2.24.010 Office established.
2.24.020 General duties.
2.24.030 Specific duties.
2.24.040 Purchasing recycled materials.
2.24.050 Local vendor price preference.

2.24.010 Office established. Pursuant to Section 25500 et sequentes of the Government Code, the office of purchasing agent is established. The county administrator or his/her designate shall be the purchasing agent. (Ord. 2090 § 2 (part), 1995).

2.24.020 General duties. The purchasing agent shall have the duties and powers prescribed by laws of the state of California relating to county purchasing agents, by this chapter and by resolutions of the board of supervisors. He/she shall be the head of the purchasing department of the county and shall appoint the deputies, assistants and other employees that from time to time are authorized by the board. He/she shall give the board and designated departments reports and information which the board from time to time requires. He/she shall establish methods and procedures for the functioning of the purchasing department in an effective and economical manner. (Ord. 2090 § 2 (part), 1995).

2.24.030 Specific duties. The purchasing agent shall:
A. Purchase for the county and its offices all materials, supplies, equipment, livestock and other personal property of whatever kind and nature. Except in cases of emergency or where the board has made other specific provision, no purchase of personal property by any person other than the purchasing agent shall bind the county or constitute a lawful charge against county funds;
B. Rent for the county and offices, furnishings, equipment and livestock, except road equipment which the road commissioner is authorized by law to rent;
C. Negotiate and execute in the name of the county all equipment service contracts and lease-purchase agreements concerning personal property;
D. Be authorized to deem surplus and not required for public use any county personal property which has an original value of less than five thousand dollars per individual item. The purchasing agent may sell or otherwise dispose of such property without prior approval of the board of supervisors and without securing bids or advertising. For disposition of county personal property with an original value of five thousand dollars or more per individual item, prior approval from the board of supervisors shall be obtained. When purchasing personal property, the purchasing agent may accept advantageous trade-in allowances or exchanges for county personal property which has a scrap value less than ten thousand dollars and is not further required for public use. All proceeds from sales pursuant to this subsection shall be paid into the county treasury for the use of the county. (Ord. 3263 § 1, 2014)
E. Engage independent contractors to perform sundry services for the county and its offices, with or without the furnishing of materials, where the annual aggregate cost does not exceed the amount set forth in Section 25502.3 of the Government Code; provided, however, this subsection shall not apply to contracts to do work on the public roads of the county, contracts to print legal briefs or legal notices, contracts for reporters' services or transcripts, contracts for expert services to be rendered to the offices of the district attorney, county counsel or sheriff, contracts for election supplies, contracts for consultants and other experts employed directly by the board or contracts for other services which by law some other officer or body is specifically charged with obtaining;
F. Engage independent contractors to construct, repair or furnish any building or structure enumerated in Section 20121 of the Public Contracts Code when the estimated costs do not exceed the amount of four thousand dollars;
G. When specifically authorized by law purchase personal property for the superintendent of schools or other public officers or agencies;
H. When specifically authorized by law, sell, lease or dispose of personal property of any special district and pay the proceeds into the treasury of the district or, if an exchange or
trade is made, return the proceeds to the special district;

1. Perform such other services as the board may require from time to time by resolution;
2. The purchasing agent may sign contract renewals up to three hundred thousand dollars that meet all of the following conditions:
   1. Have previously been approved by the board of supervisors,
   2. Are a continuation of a service at the same level,
   3. For which funds have been budgeted,
   4. After approval of county counsel and risk management;
3. The purchasing agent may choose the option for disposal of assets or properties after the items have been declared surplus by the board of supervisors;
4. The purchasing agent may decide between using a competitive bid or request for proposal when there is a mix of services and equipment;
5. The purchasing agent may determine that a single source provider or a compatibility requirement exists and exempt purchases from competitive bid or request for proposals. (Ord. 3230 § 1, 2013; Ord. 2090 § 2 (part), 1996).

2.24.040 Purchasing recycled materials. It is the policy of the county to use recycled materials where feasible. To further this policy the purchasing agent shall:

A. Ensure that contractors bidding to provide products or services, including printing services, comply with recycled product requirements as established by the board;
B. Purchase recycled paper for use in copy machines when the copier industry develops high-speed copiers that will accept recycled paper within cost parameters approved by the board;
C. Ensure that departments convert to the use for their masthead stationery and envelopes recycled paper that includes postconsumer recycled content;
D. Grant a three percent price purchase preference to recycled products, reusable products offered as alternatives to disposable products and products that are offered as alternatives to nonrecycled products. The preference percentage shall be based on the lowest bid or price quoted by the supplier or suppliers offering nonrecycled products. (Ord. 2090 § 2 (part), 1995).
1. **Goods and/or Services $10,000 or less:**
   - No quotes required
   - Purchase responsibly
   - Purchase using a purchase order, credit card, contract or submit an invoice to the Auditor’s Office for a check to be written

2. **Goods and/or Services $10,001-$25,000:**
   - Written quotes must be obtained from at least 3 vendors unless the product is so specialized that 3 quotes is not feasible.
   - Use the “Purchasing Quotation Form” or other written quotes and forward to the Auditor’s Office.
   - Must have approval from Purchasing Agent/Deputy Purchasing Agent before buying
   - Purchase using a purchase order, credit card, contract or submit an invoice to the Auditor’s Office for a check to be written

3. **Goods and/or Services $25,001 or more:**
   - Use a Request for Proposals (RFP) or Request for Qualifications (RFQ) to obtain competitive bids
   - Use the County’s RFP Template and Procedures
   - Must have approval from Purchasing Agent/Deputy Purchasing Agent before buying
   - Purchase using a purchase order, credit card, contract or submit an invoice to the Auditor’s Office for a check to be written
General Purchasing Guidelines

- Local vendors should always be given the opportunity to submit quotes/bids and when purchasing equipment or supplies, local vendors within Tuolumne County shall be given a 5% price preference. (TCOC § 2.24.050)

- Services are best secured through a contract as opposed to a purchase order or credit card. If you desire to use something other than a contract to secure services, please review the matter with the County Purchasing Agent who may in turn confer with County Counsel.

- All RFP’s/ Bid Packages shall be reviewed with your department’s analyst in the County Administrator’s Office before being released. If a draft contract is to be attached to an RFP or Bid Package, the draft contract itself should also be reviewed with County Counsel’s Office before the release of the RFP or Bid Package.

- Departments can use central purchasing systems developed through the State Department of General Services, California State Association of Counties (CSAC), National Association of Counties (NACO), other counties or like affiliate organizations in lieu of pursuing independent RFP/bidding processes, as long as the funding source allows it.

- Consistent with the Board adopted Information Technology (IT) Policy, technology and other IT purchases should be coordinated through the County’s IT Department.

- All contracts shall be sent in DRAFT form for review by your department’s analyst in the County Administrators Office and the office of County Counsel prior to requesting signatures.

- The CAO can sign contracts for services only up to the CAO signing authority (based on the Public Contract Code) but there is no signing limit for purchasing goods/products, as long as the funds are budgeted. All bidding requirements still apply.

- Contract renewals may be approved by the CAO under the following circumstances (T.C. Ordinance Code 2.24.030):
  - The contract renewal is for no more than $300,000
  - Renewals have previously been approved by the Board of Supervisors
  - Are a continuation of a service at the same level
  - For which funds are budgeted
  - After approval by County Counsel and Risk Management

- Public Projects have different procurement requirements. Public Projects are defined as: the construction, reconstruction, erection, alteration, renovation, improvement, demolition or repair work involving any publicly owned, leased or operated facility, or the painting or repairing of any publicly owned, leased or operated facility.

For questions on securing bids for Public Projects, consult with the County Administrator’s Office.
PURCHASING QUOTATION FORM

Department:

Preparer:

General Description of Item:

Quote #1
Firm Name:
Contact Person & Phone #:
Quote:

Quote #2
Firm Name:
Contact Person & Phone #:
Quote:

Quote #2
Firm Name:
Contact Person & Phone #:
Quote:

Award Recommendation (provide justification if anything other than low quote):

(Attach written quotes from vendors if over $10,000)