



Procurement and Purchasing Policy

Authority:

The Mayor and the Board of Commissioners are responsible for legislation, policy formulation, and overall direction setting of the government. This includes the approval of policies which establish and direct the operations of Unified Government (UG). The County Administrator is responsible for carrying out the policy directives of the UG Board of Commissioners and managing the day-to-day operations of the executive departments, including the General Services Department, Procurement Division. This policy shall be administered on behalf of the County Administrator by the General Services Director and the Procurement Director.

I. Policy Declaration:

The purchase of goods or services made by or on behalf of the Unified Government, its agencies, departments, officials and authorized agents shall be made in accordance with the Unified Government Procurement Code and Regulations; and in a manner which provides for the most effective expenditure of Unified Government funds; provides for the prevention of misappropriation of funds, excessive spending of taxpayer resources, provide for the use of generally accepted accounting practices and generally accepted auditable documentation; and provides suppliers with equal access and opportunities, in an open and competitive market environment without regard to factors unrelated to quality, cost and availability of goods or services and complies fully with all applicable federal, state and local laws, rules and regulations. If there is a conflict between the Procurement Code and Regulations and this Purchasing Policy, the Procurement Code and Regulations prevail.

II. Applicability and Scope:

This policy shall apply uniformly to all employees, authorized agents, officials, departments, agencies, boards, commissions and representatives of the Unified Government for the expenditure of all Unified Government funds or under authority of any budget approved by the Unified Government Commissioners. This policy shall not apply to the Board of Public Utilities of Kansas City, Kansas. This policy shall apply to the purchase of goods or services regardless of purpose or necessity unless that purchase is specifically exempted by the Procurement Code and Regulations or the Unified Government Commissioners.

III. Responsible Unified Government Officials:

The Unified Government Commission authorizes the Unified Government Administrator to establish procedures as necessary to effectively and fairly carry out this policy.

IV. Preference Policy:

Preference will be given to Wyandotte County vendors if evaluation of the bid indicates that all aspects are equal, including but not limited to the following: product, make model, warranty, shipping and handling price. Pursuant to K.S.A. 75-3740a to the extent permitted

by law, whenever the Unified Government awards contracts for the erection, construction, alteration or repair of any public building or structure or any purchase of goods, merchandise, materials, supplies or equipment of any kind, the contractor domiciled outside the state of Kansas, to be successful, shall submit a bid the same percent less than the lowest bid submitted by a responsible Kansas contractor as would be required of such Kansas domiciled contractor to succeed over the bidding contractor domiciled outside Kansas on a like contract let in such contractor's domiciliary state.

Purchase of Goods and Services

- a. **Unauthorized Purchases** - The purchase of goods or services, including those by lease, lease/purchase, or rental shall be made in accordance with the Unified Government Procurement Code and Regulations. Any purchases of goods or services which; does not comply with these procedures shall be considered unauthorized. Unauthorized purchases shall not be processed for payment and the goods or services shall be rejected or returned. Circumvention of these procedures, including splitting purchases, is not allowed.
- b. **Purchases up to \$1,999.99** - The User Department may authorize purchases \$1.00 up to \$1,999.99 if purchasing practices shall be retained in the User Department file. The User Department will make every effort to satisfy the intent of the Procurement Code Regulations. The User may pay for purchases up to \$1,999.99 with a SPUD document of Unified Government Procurement Card.
- c. **Purchases from \$2,000.00 up to \$19,999.99** - The User Department shall request a minimum of three (3) competitive quotes and shall purchase based on the best quote. Users are required to complete the "Documentation for Purchases from \$2,000.00 up to \$19,999.99" form. This form can be obtained in Purchasing or on the Intranet.
- d. **Purchases \$20,000 and greater** - For purchases \$20,000 and greater, the User Department shall submit a written request to the Purchasing Director and/or designee that includes recommended specifications, qualifications, justification and recommended date for receipt of bids. The Purchasing Director and/or designee will direct preparation of all necessary documentation, advertisements, reviews or other details necessary for formal solicitation.
- e. **Professional Services** - Professional services include services for engineering, architecture, real estate appraisal, land surveying, accountants, lawyers and consultants. Professional services up to \$19,999.99 may be procured by a User Department with prior written approval from the department head and Purchasing Director. Procurement of \$20,000 and more shall be procured by formal solicitation. (See Sections G and H for different types of solicitation.)
- f. **Construction** - A User Department may authorize construction purchases up to \$1,999.99. Documentation of competitive purchasing practices shall be retained in the User Department files. Written quotations shall be solicited from local, women and minority business enterprises. A User Department shall request a minimum of three (3) written quotes for purchases between \$2,000 and \$49,999.99 use the "Documentation

for Purchases” form. For each “no bid” received, one (1) additional vendor must be contacted up to a maximum of five (5) vendor contacts.

Construction purchases of \$50,000 and greater shall be by formal solicitation unless covered by KSA 19-214. Those purchases governed by K.S.A. 19-214 (County building, county jails and county bridges of \$50,000 or greater) shall be by formal solicitation.

Davis Bacon: All bids in excess of \$15,000 shall be subject to the Davis-Bacon Act, (Prevailing Wage Rate).

g. Formal Competitive Purchasing Practices

Competitive Sealed Bidding: This procurement method is used when the nature of the procurement permits award to the lowest responsive and responsible bidder who agrees by its bid to perform without condition or reservation in accordance with the purchase description, delivery or performance schedule, and all other terms and conditions of the Invitation for Bids.

Competitive Sealed Proposals: This method may be used under the following circumstance: If a contract can be awarded solely on the basis of information that would be submitted by bidders at the time of opening, competitive sealed bidding is the method which should be used.

- h. The Formal Solicitation Process (Bids and RFP's)**- The formal solicitation process shall be used for: (1) All purchases of \$20,000 or greater, including construction purchases over 50,000.00 covered by K.S.A. 19-214 (county jails, county buildings, and county bridges); and (2) All construction purchases not covered by K.S. A. 19-214 of \$50,000 or greater.
- i. Emergency Purchase** - An emergency purchase may be made when it is determined by the User Department that Unified Government operations shall be adversely affected by delay or due to a disaster which creates a threat to public health, welfare or safety. Emergency purchases shall use such competitive processes as are allowed by the urgency of the situation. Purchases requiring immediate authorization such as equipment or building repairs will be expedited by the Department Head.
- j. Sole Source Purchases** - A purchase may be considered sole source if it is determined by the Purchasing Director that there is only one supplier that can provide required goods or services. A sole source purchase shall not require a competitive bid for its acquisition but shall still require the Purchasing Director’s approval if the purchase exceeds \$20,000.00. Documentation shall be required for sole source determination.
- k. Change Orders (REMOVED, since it has been moved to Construction)** - Change orders are issued to cover costs or address changes in terms and conditions associated with unforeseen problems not addressed in the bidding or contract documents, or changes or modifications that may be recommended after a contract award.
- l. Term & Supply Contracts** - A term and supply contract is the result of a negotiated purchase or Bid/RFP for the purchase of similar goods or services from one or more vendors over a specific time period. The term and supply contract may provide for pricing in one of the following ways: (1.) Vendors will submit unit prices that will remain

in effect for the duration of the contract for specific goods or services. (2.) Vendors may submit a catalog or price list and bid a percentage discount to be deducted from the current or fixed list prices for the duration of the contract.

- m. *Standard Specifications*** - Standard specification will be developed to provide flexibility and consistency in Unified Government owned property. The User Departments, at the direction of the Purchasing Director and/or designee, will be responsible for working with each other in developing standard specification for commonly used goods or services.
 - n. *Exemptions*** - The following are exempted from the Unified Government Procurement Code: (1.) Temporary notes; (2.) Sales of bonds; and (3.) Investments of idle funds. The Unified Government will follow the procedures as required by Kansas Statutes. However, selection of professional services providers such as financial adviser, bond counsel and underwriters/investors and bankers will follow the purchasing policies for professional services.
- V. *Quality Control and Quality Assurance:***
It is the responsibility of the General Services Director and the Procurement Director to ensure the presence of procedures that provide sufficient guidance to affected Unified Government personnel to fulfill the intent of this policy. These policies will be reviewed at least annually and updated on an as-needed basis.
- VI. *Metrics:***
To be developed and managed accordingly.
- VII. *Definitions and Acronyms:***
To be provided upon request.
- VIII. *Related Documents and References:***
- A. County Administrator policies as applicable