

TO: ALL ADMINISTRATIVE DEPARTMENTS, ELECTED OFFICIALS,
BOARDS, AND AGENCIES OF SHELBY COUNTY GOVERNMENT

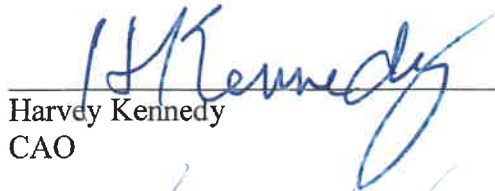
PURSUANT TO THE PRIVATE ACTS OF 1974, CHAPTER 260, THE
SHELBY COUNTY CHARTER ADOPTED SEPTEMBER 1, 1986,
AND THE CODE OF SHELBY COUNTY, TENNESSEE, THE
PURCHASING POLICIES RULES AND REGULATIONS DATED
FEBRUARY 22, 2010 AND CONTAINED HEREIN IN THIS MANUAL
OF SHELBY COUNTY GOVERNMENT'S PURCHASING POLICIES
RULES AND REGULATIONS ARE HEREBY APPROVED AND
ADOPTED.



Clifton Davis
Administrator of Purchasing



James F. Huntzicker
Director of Administration & Finance



Harvey Kennedy
CAO



Mark H. Luttrell, Jr.
Shelby County Mayor

SHELBY COUNTY GOVERNMENT
PURCHASING POLICY
RULES AND REGULATIONS MANUAL

MAYOR

Mark H. Luttrell, Jr.

DIVISION OF ADMINISTRATION AND FINANCE

James F. Huntzicker

ADMINISTRATOR OF PURCHASING

Clifton Davis

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(*) Chairman Pro Tempore

Adopted February 22, 2010

FOREWORD

This manual contains information and instructions regarding rules and regulations governing the procurement of material, equipment, and services by the Shelby County Purchasing Department for the County's Departments, Elected Offices, Boards and Agencies.

It is to provide guidance to all personnel who participate in actions and decisions pertaining to procurement and to provide to all other personnel a more complete understating of purchasing rules, regulations and practices. Not only will it serve as a basis of uniformity and efficiency in the procurement of supplies and services, but it will also serve as a foundation for training County personnel both within and outside the Purchasing Department.

The purchasing policies in this manual are based on laws, ordinances, resolutions, or rules and regulations amended or adopted and promulgated by the Administrator of Purchasing pursuant to provisions in the Private Acts of 1974, Chapter 260, The Shelby County Charter adopted September 1, 1986, and the 1992 Code of Shelby County, Tennessee. The authority for each policy in this manual has been indicated for your information.

The Rules and Regulations provided in the manual to set out the steps associated with the various activities involved in the procurement process are for the most part, basically descriptive in practices and forms which already exist and have been determined over the years as being most practicable.

The Purchasing Department is committed to assisting you in procuring the best possible material, equipment, and services at the best possible prices, and to enable your department or office to do the best job possible.

We would like to encourage any suggestions you may have to improve the effectiveness of the purchasing process. We hope this manual will answer most of your questions. However, should you have any questions, please do not hesitate to contact the Purchasing Department at 545-4360.



**Clifton Davis
Administrator of Purchasing
Shelby County Government**

SHELBY COUNTY GOVERNMENT

PURCHASING POLICY RULES AND REGULATIONS



Mark H. Luttrell, Jr., Mayor

Manual No. _____

Issued to _____

Date: _____

SHELBY COUNTY GOVERNMENT
PURCHASING POLICY
RULES AND REGULATIONS MANUAL

MAYOR

Mark H. Luttrell, Jr.

DIVISION OF ADMINISTRATION AND FINANCE

Mike Swift

ADMINISTRATOR OF PURCHASING

Clifton Davis

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(*) Chairman Pro Tempore

Adopted January 9, 2017

SHELBY COUNTY GOVERNMENT
PURCHASING
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Subject:	Effective Date January 9, 2017
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<p>The purpose of this manual is to:</p> <ol style="list-style-type: none">1. Inform all County employees, other Administrative Departments, and Elected Offices, of general policies.2. Familiarize all employees with the purpose and functions of the Purchasing Department, while outlining the practices, principles, and procedures to be followed in the performance of the purchasing function.3. Communicate to employees, and through them to vendors, a clear understanding of the County's purchasing policies and objectives.4. Guide Purchasing Personnel in the application of standard purchasing practices and procedures necessary to contribute to the economy, efficiency, and effectiveness of County operations.5. Provide Purchasing Personnel with an understanding of their responsibilities, objectives, limitations, and duties within the framework of the County's organization.6. Assist personnel engaged in the purchasing function in attaining a high degree of proficiency in their procurement activities.7. Establish reasonable standards against which outside auditors can measure the performance of the department's functions.	

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Chapter 260 of the Private Acts of 1974, which restructured Shelby County Government to our present County Commission/Mayor form of government established, the Department of Purchasing with an Administrator of Purchasing appointed by the County Mayor.

In addition to requiring the Administrator of Purchasing (County Purchasing Agent) to perform his/her duties in a proficient manner and in accordance with the generally recognized principles of governmental purchasing, it mandated that he/she contract for the purchase and/or rental of all supplies, materials, equipment, buildings, and contractual services required by any official or office of the County government, or which is supported by, or under control of, the County government, and which expends or encumbers any of the County funds. The Private Acts of 1974 further stipulated that no other official or office of the County was permitted to make such purchases or contracts except as the County Purchasing Agent, with the approval of the Director of Administration and Finance and the County Mayor who delegates this authority after appropriate bond is maintained.

Other provisions of the Acts made this position responsible for (1) transferring materials, supplies and equipment to or among County officials as needed for the proper and efficient administration of County government, and (2) having charge of any storeroom or similar service established for handling of the County's business. Currently, this function has been delegated to the Division of Support Services.

The County Purchasing Agent, together with the Director of Administration and Finance, and with the approval of the County Mayor, was also charged with adopting, promulgating, and amending rules and regulations not inconsistent with provisions of this Act, governing the purchase or rental of supplies, material, equipment, buildings, and contractual services.

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The objectives of the Purchasing Department are:

1. To procure supplies, equipment and services of the defined quality, in the proper quantity, at the proper time, at the best value, and from the proper source.
2. To conserve public funds by reducing costs and improving the quality of materials purchased.
3. To reduce the overhead costs of buying by improving operations and procedures.
4. To reduce the volume and streamline the flow of paperwork.
5. To improve the speed of delivery to internal customers by utilizing system contracts, piggybacking, or other appropriate means.
6. To achieve a high degree of cooperation and coordination with the using departments and offices.
7. To maintain good records and controls.
8. To develop good supplier relationships and maintain a varied vendor database.
9. To develop, motivate, and train personnel to fulfill the above objectives.

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<p>Purchasing is a department under the Division of Administration and Finance and consists of an Administrator and support staff.</p> <p>The Purchasing Department provides those services involved in the acquisition or procurement of goods, equipment, and services such as planning and scheduling requirements; assisting in the preparation of specifications; preparing invitations for bids and soliciting bids; receiving, opening, and evaluating bids; making recommendations for awards; and monitoring vendor performance.</p> <p>The Contract Administration Department is a division of the County Attorney's Office and consists of an Administrator/Assistant County Attorney, two (2) Assistant County Attorney's and support staff. The Contract Administration Department provides legal services involved in the formal contract process such as preparing, reviewing and approving all contracts and agreements as to form and legality; routing all contracts and resolutions for appropriate reviews and required approvals; processing resolutions for bid awards requiring Board of Commission approval; processing contracts for professional services; monitoring contract payments and expiration dates, notifying departments and contractors regarding renewals or cancellations of contract, and serves as the official keeper of records on all County contracts.</p> <p>The Material Control Section of Asset Management, currently managed by the Support Services Department, provides those services involved in the operation of a central warehouse and in the handling of surplus or obsolete items and scrap, such as maintaining an inventory of repetitive and expendable items that are used by all or most of the County departments; delivering warehouse items to the using departments, maintaining inventory records to determine annual usage and monitoring inventory to reduce risk or obsolescence; serving as the central receiving point for County vehicles and motorized rolling stock purchased; coordinating and verifying the physical inventory of fixed assets for all departments and offices; storing re-issuing, and disposing of surplus County assets; coordinating the pick-up of surplus material and equipment, and holding auctions to dispose of surplus.</p> <p>The Real Estate Section of Asset Management, currently managed by the Land Bank Department, provides those services involved in the sale and management of the County's real property, such as maintaining an inventory of County owned property in use, surplus property and property acquired through tax delinquent sales; maintaining complete files on each parcel of property; selling surplus or tax delinquent property; preparing all sales and related documents for processing and Commission approval, and managing all surplus property while it is owned by the County.</p>	

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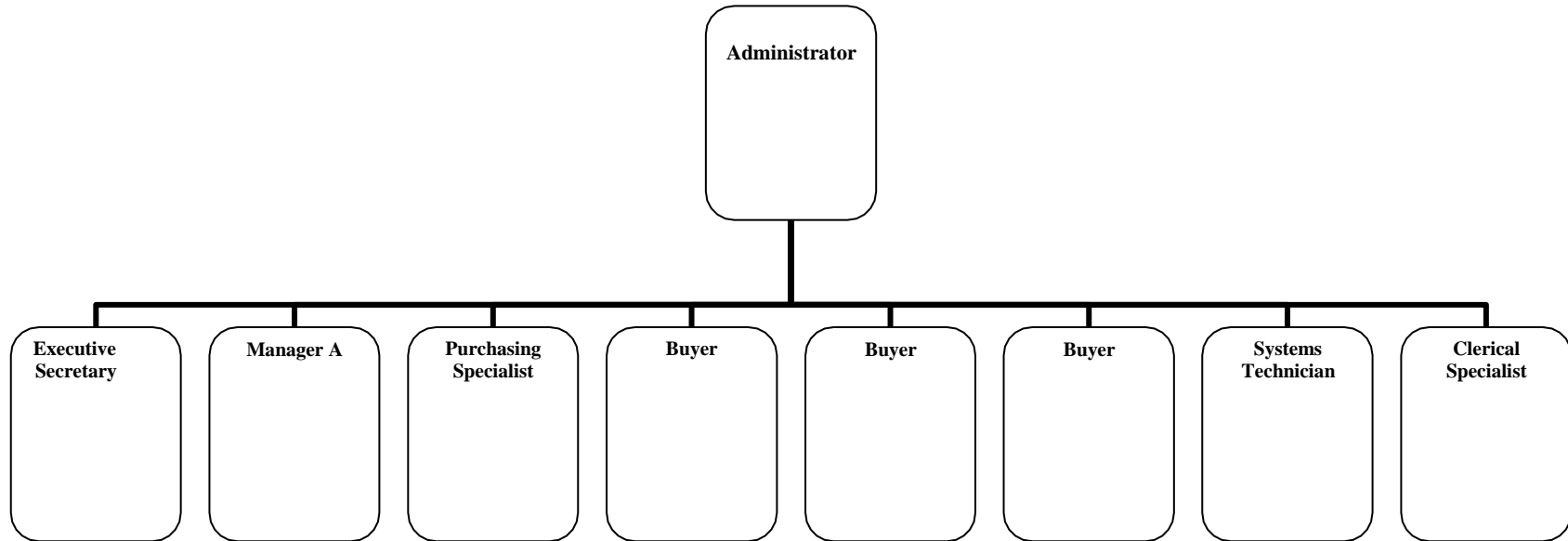
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I. PURPOSE:

To provide policy governing purchasing related activities for the County.

II. SCOPE:

This policy applies to all Administrative Departments, Elected Offices, Boards, and Agencies of County Government with the exception of the County Board of Education.

III. AUTHORITY:

Private Acts 1974, Ch. 260, Sec. 4.03(9)

Shelby County Code, Sec.2-57 & 2-70

IV. RESPONSIBILITIES:

A. Purchasing authority for the departments and offices of the County is centralized under the Purchasing Department with an Administrator of Purchasing (County Purchasing Agent) appointed by the County Mayor.

B. The Administrator of Purchasing or his/her designated department or designee shall contract for and purchase all supplies, materials, equipment, building and contractual services required by any official or office of the County government, or which is supported by, or under the control of, the County government and which expends or encumbers any of the County funds.

C. The Administrator of Purchasing shall arrange for the rental of machinery, buildings and equipment when the rents are to be paid out of funds belonging to the County or any of its offices.

D. No other officials or office of the County may make such purchases, or contracts or arrange for rentals, as referenced above, unless the County Purchasing Agent, with the approval of the Director of the Division of Administration and Finance, delegates this authority after an appropriate bond is maintained.

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- E. The Material Asset Manager shall transfer materials, supplies, and equipment to and among County officials and offices as needed for the proper and efficient administration of County government.
- F. The Material Asset Manager shall also have charge of any central storeroom or similar service which may be established for the handling of the County's business.
- G. Purchasing is responsible for initiating and maintaining effective and professional relationships with current and potential suppliers
- H. Purchasing is to serve as the exclusive channel through which all purchases for services, equipment, and products are handled. The Purchasing Department will conduct all correspondence with suppliers involving prices or quotations. When technical details are necessary, the using department may correspond with the supplier; however, the Purchasing Department should be provided with copies of all such correspondence or be included in the discussion. Effective communication and coordination between Purchasing and the using departments must occur.
- I. Negotiations, when allowed, are to be handled in accordance with prevailing legal requirements by the Contract Administrator and the County Mayor or his/her designee.
- J. When supplier sales representatives make personal sales calls, they are to be directed to call on the appropriate Buyer to schedule a conference.
- K. All employees involved in purchasing activities will work to maintain and enhance the County's image by their personal conduct and methods of doing business.
- L. All employees engaged in purchasing activities shall recognize and practice good public relations by giving all callers and visitors courteous treatment.
- M. Purchasing personnel are to seek to obtain and purchase all goods at the best value, considering the guidelines of price, service, quality, and delivery.
- N. The Administrator of Purchasing is authorized to question the quality and type of material being requested, in order to serve the best interests of the County.
- O. Purchasing personnel will inform ordering departments whenever the quantity or specifications of materials requested are inconsistent with sound purchasing practices or market conditions.

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Subject: Establishment or Amendment of Purchasing Rules and Regulations	Effective Date January 9, 2017 Supersedes 2/22/10
<p>I. PURPOSE:</p> <p>To define policy regarding the establishment or amendment of rules and regulations governing purchasing activity.</p> <p>II. SCOPE:</p> <p>This policy applies to rules and regulations governing purchasing related activities for all County Departments, Offices, Boards, and Agencies.</p> <p>III. AUTHORITY:</p> <p>Private Acts 1974, Ch. 260, Sec. 4.03(9)</p> <p>Shelby County Code, Sec. 2-57</p> <p>IV. GENERAL:</p> <p>The County Purchasing Agent, together with the Director of the Division of Administration and Finance and with the approval of the County Mayor, shall adopt and promulgate, and may from time to time amend rules and regulations not inconsistent with the provisions of this chapter, governing the purchase or rental of supplies, materials, equipment, buildings, and contractual services as follows:</p> <ol style="list-style-type: none">1. Authorizing in writing any County official or office to make purchases in the open market for immediate delivery in emergencies, defining emergencies, and describing the manner in which emergency purchases shall be made and promptly reported to the County Purchasing Agent.2. Prescribing the manner in which supplies, materials and equipment shall be requisitioned, purchased, delivered, stored, and distributed.3. Prescribing the dates for submitting requisitions and estimates, the future period they are to cover, the form in which they are to be submitted, the manner of their authentication, and their revision by the County Purchasing Agent	

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<ol style="list-style-type: none">4. Prescribing the manner of inspecting all deliveries of supplies, materials and equipment, and of making or procuring chemical and physical tests of samples submitted with bids and samples of deliveries to determine compliance with specifications.5. Requiring periodic and special reports by county officials and officers of surplus, unusable and obsolete supplies and equipment on hand, and prescribing the form of such reports.6. Providing for the transfer to or among county officials and offices of supplies, materials and equipment on hand, which are surplus to one office or official but are needed by another; and providing for the disposal or sale, after receipt of competitive bids, supplies, materials and equipment which are obsolete or unusable.7. Determining whether or not a deposit or bond is to be submitted with a bid on a purchase contract or sale, and if required, prescribing the amount and form thereof, and providing that the surety shall be forfeited if the successful bidder refuses to enter into a contract within ten (10) days after the award.8. Prescribing the manner in which invoices for supplies, materials, equipment and contractual services delivered to any County official or office shall be submitted, examined and approved.9. Providing for all other matters as may be necessary to give effect to the foregoing rules and to the provisions of this article.	

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Subject: BID REQUIREMENTS	Effective Date January 9, 2017
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I. PURPOSE:

To provide policy pertaining to the requirements for competitive bids

II. SCOPE:

This policy applies to purchases, sales, contracts for services and competitive bids.

III. AUTHORITY:

Private Acts 1974, Ch. 260, Sec. 4.03 (10)

Shelby County Code, Sec. 2-57(b)(10), 2-58, 2-60 & 2-67

IV. RESPONSIBILITY:

A. The County Purchasing Agent is responsible for maintaining a standard set of forms to serve the competitive bid process. Consideration should include the need for mechanisms for vendor notification, bid analysis and summary, bid bonds, bidder’s mailing list applications, invitations for bids, instructions to bidders, notices of award, and sealed bid envelopes.

B. The buyer is responsible, under the supervision of the County Purchasing Agent, for obtaining bids on all supplies and services.

C. Answers to technical questions raised during the bidding process should be provided by the using department. The buyer should coordinate the reply and ensure that all potential suppliers are provided the same information.

D. After all bids have been received and examined for accuracy, a bid tabulation is to be prepared, noting all the pertinent data and exceptions. A recommendation for award will be prepared by the Buyer only after all aspects, including the comments and recommendations of the using department, have been considered

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<p>Subject:</p> <p>BID REQUIREMENTS</p>	<p>Effective Date January 9, 2017</p> <p>Supersedes 2/22/10</p>
<p>E. All bids and information related to said bids will be kept on file in the Purchasing Department as backup documentation. A copy of each bid response will be sent to the using department, along with the bid tabulation sheet requesting their recommendation for the award of the bid.</p> <p>V. GENERAL:</p> <p>All purchases of supplies, materials, equipment, buildings and contractual services, and all sales of surplus, obsolete or unusable property shall be based whenever possible on competitive bids, but</p> <p>A. AMOUNTS of \$50,000.00 AND OVER. – Formal Bids (Sealed Bids) Shall be solicited if the amount of the expenditure or sale is estimated to exceed \$50,000.00 as follows:</p> <ol style="list-style-type: none">1. The County Purchasing Agent shall solicit sealed bids by public notice inserted at least two times in a newspaper of general circulation, allowing sufficient time for bids to be submitted.2. The County Purchasing Agent may also, when he deems it necessary or desirable, solicit sealed bids by sending requests for bids by mail or electronic solicitation to prospective bidders.3. All notices for bids shall include a general description of the materials, supplies, equipment or contractual services to be purchased or property to be sold and shall state where bid forms and specifications may be obtained and the time and place of opening bids.4. All sealed bids received shall be opened and read publicly at the time and place advertised in the bid notice, excluding electronic bids. Each bid, with the name and address of the bidder, shall be entered on a record, and the name of the successful bidder indicated thereon; and this record shall, after the award of the contract or order, be open to public inspection.	

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<p>B. AMOUNTS LESS THAN \$50,000.00. – Informal Bids (Written or Verbal Bids) may be made in the open market without newspaper notice for all purchases or sales of less than \$50,000.00 in amount but shall, when practical in the judgment of the County Purchasing Agent, be based on at least three (3) competitive bids. Requisitions for items estimated to cost more than \$50,000.00 shall not be subdivided to circumvent the requirement for public notice.</p> <p>All bids taken under the requirements of this division and all other documents, including purchase orders pertaining to the award of contracts on the bids, shall be preserved by the County Purchasing Agent for a period of five (5) years.</p> <p>VI. AWARD POLICY:</p> <p>A. All open market orders or contracts shall be awarded to the lowest and best bidder who is financially responsible, taking into consideration the qualities of the articles to be supplied, their conformity to specifications, their suitability to the requirements of the County government, and the delivery terms. Any or all bids may be rejected for good cause.</p> <p>B. If two (2) or more bids received on a pending contract are the same unit price or total amount, the County Purchasing Agent may reject all bids or may purchase the required supplies, materials, equipment or contractual services from any one of the most responsive bidders based on additional information such as, Locally Owned Small Business (LOSB) classification, terms, delivery, or vendor history.</p> <p>C. Any bid not awarded within a period of six (6) months (180 calendar days) from its due date shall be considered a “stale bid” and shall be cancelled and re-bid, unless approved by the Administrator of Purchasing.</p> <p>D. The Locally Owned Small Business ordinance and Minority and Woman Business Enterprise Ordinance.</p> <p>VII. EXCEPTIONS TO/ EXEMPTION FROM COMPETITIVE BID REQUIREMENTS:</p> <p>Exemption from and exceptions to the competitive bid requirement for the following types of purchases or contracts may be subject to special requirements and/or conditions.</p>	

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<p>A. Contracts for legal services and similar services by professional persons.</p> <p>B. Services for which the rate or price is fixed by public authority authorized by law to fix such rates or prices.</p> <p>C. Cooperate purchases with any other federal, state or local government agency or office.</p> <p>D. Emergency Purchases.</p> <p>E. Sole Source/Single Source Purchases.</p> <p>F. Purchase of Certain Perishable Products.</p> <p>G. Purchase from current federal, state, or other local government contracts.</p>	

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CONFLICT OF INTEREST	
I. PURPOSE: To provide policy to clearly address the conflict of interest requirements of the County.	
II. SCOPE: This policy applies to all Elected Officials, Appointed Officials, and Employees of the County.	
III. AUTHORITY: Private Acts 1974, Ch 260, Sec. 4.03 (16) Shelby County Charter, Article V, Sect. 5.08 Shelby County Code, Sec. 2-64 Shelby County Code, Chapter 12.5, Article II, Sec 5.08	
IV. GENERAL: A. BIDS AND CONTRACTS 1. No Elected Official, Appointed Official, or Employee of the County shall be allowed to bid on or contract with, either directly or indirectly, any entities of Shelby County Government which procure their services, goods or equipment through the Shelby County Government. 2. Neither the County Purchasing Agent nor any other County Official, nor any member of the Board of County Commissioners shall be financially interested or have any personal beneficial interest, directly or indirectly, in any lease, construction contract or other contract entered into by the County, its officials or officers, or in any property used by or furnished to the County, its officials or officers. B. PUBLIC AUCTIONS No Elected Official, Appointed Official, or Employee of Shelby County Government shall bid at any public auction which is conducted by the Shelby County Government.	

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Subject: CONTRACTS	Effective Date January 9, 2017
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I. PURPOSE:

To provide policy regarding authority to contract and contract approval and filing requirements.

II. SCOPE:

This policy applies to all contracts involving all Departments, Offices, Boards, and Agencies of the County except as noted otherwise herein.

III. AUTHORITY:

Private Acts 1974, Ch. 260, Sec.4.03 (18)

Shelby County Charter, Article III, Sec.3.30 (N)

Shelby County Code, Sec. 2-66

IV. GENERAL:

A. Except as otherwise provided in this chapter the County Mayor shall have the sole power and authority to enter into contracts on behalf of the County, subject to budgetary limitations, except for contracts that are in the nature of franchises. Contracts and purchases on behalf of the County government shall be entered into as follows:

1. Up to \$100,000.00 by the County Purchasing Agent as approved by the County Mayor.
2. Over \$100,000.00 by the County Purchasing Agent as approved by the County Mayor and the Board of County Commissioners.

B. The Board of Commissioners shall have the sole power to grant franchises by Resolution, provided no such franchise shall be granted for a period to exceed thirty (30) years. No sale of real property or any interest therein shall be valid unless approved by the Board.

C. The provisions of this chapter do not apply to County School funds for any purpose, or to the County Board of Education or the County Superintendent of Education.

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Subject: CONTRACTS	Effective Date: January 9, 2017
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<p>D. All contracts shall be approved as to form and legality by the County Attorney.</p> <p>E. The original copy of each contract shall be filed with the Contracts Administrations department.</p>	

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Subject: COOPERATIVE PIGGYBACK PURCHASING	Effective Date January 9, 2017
	Supersedes 2/22/10
<p>I. PURPOSE:</p> <p>To provide policy pertaining to the County’s participation in cooperative or “joint” procurement with other governmental entities or “piggyback purchasing” off of another governmental entities contract and/or cooperative agreements.</p> <p>II. SCOPE:</p> <p>This policy applies to all purchases of and contracts for purchases of supplies, materials, and equipment for the Departments, Offices, Boards, and Agencies of the County.</p> <p>III. AUTHORITY:</p> <p>Private Acts 1974, Ch. 260, Sec. 4.03 (10), Paragraph 2</p> <p>Private Acts 1984, Ch. 191, Resolution No. 44 adopted 6/4/84</p> <p>Administrative Directive dated 8/9/90</p> <p>Shelby County Code, Sec. 2-57(b)(10)(a)</p> <p>IV. GENERAL:</p> <p>A. The County Purchasing Department may, at the discretion of the Administrator of Purchasing, have the authority to contract for cooperative purchasing with any other federal, state or local government agency.</p> <p>B. The County Purchasing Department may, at the discretion of the Administrator of Purchasing, purchase from the current contracts of any other federal, state or local government and/or membership cooperatives.</p>	

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Subject: COOPERATIVE PIGGYBACK PURCHASING	Effective Date January 9, 2017
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<ol style="list-style-type: none">1. Although purchases may be made off of other government contracts without going through the competitive bid process, it is important that every effort be made to determine that purchases on this basis are in the best interest of the County.2. When the amount of the purchase would normally require a sealed bid, the Buyer shall obtain competitive prices and submit these along with the other government's contract prices to the Administrator of Purchasing for review and approval.3. If approved by the Administrator of Purchasing and the item is over \$50,000.00 or involves C.I.P. funds, Board of Commissioners approval is required before a purchase order is issued or contract executed.4. If the Administrator of Purchasing does not approve the purchase from other government contracts, then the Buyer will notify the using department and process the request using applicable bid procedures.	

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Subject:	Effective Date January 9, 2017
EMERGENCY PURCHASES	Supersedes 2/22/10
<p>I. PURPOSE:</p> <p>To provide policy for the purchase of supplies, materials, equipment or services on an emergency basis.</p> <p>II. SCOPE:</p> <p>This policy applies to all Departments, Offices, Boards, and Agencies of the County.</p> <p>III. AUTHORITY:</p> <p>Private Acts 1974, Ch. 260, Sec. 4.03(9)(12)</p> <p>Shelby County Code, Sec. 2-57 & 2-60</p> <p>IV. GENERAL:</p> <p class="margin-left: 40px;">A. The County Purchasing Agent may authorize any County official or office to purchase in the open market, without filing requisition or estimate, any supplies, materials, or equipment for immediate delivery in <u>actual emergencies</u> arising from unforeseen causes, including, but not limited to, delays by contractors, delays in transportation and unanticipated volume of work.</p> <p class="margin-left: 40px;">1. An emergency situation is one which creates a threat to public health, welfare, or safety, such as may arise by reason of tornado, flood, fire, equipment failure, or other disruption of essential services.</p> <p class="margin-left: 40px;">2. “Emergency”, as used in this section, does not include conditions arising from neglect or indifference in anticipating normal needs.</p> <p class="margin-left: 40px;">B. Emergency purchases may be made by other County officials or offices only when the office of the County Purchasing Agent is closed.</p> <p>At all other times, only the County Purchasing Agent, may make emergency purchases.</p>	

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C. A report of all emergency purchases shall be submitted on an Emergency Justification Form with a full and complete account of the circumstances of the emergency. This information shall be submitted in writing by that official or office that made the purchase to the County Purchasing Agent before the close of business the next working day following the date of purchase.

This report shall be kept on file in the office of the County Purchasing Agent and shall be open to public inspection.

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Subject: GIFTS AND GRATUITIES	Effective Date January 9, 2017 Supersedes 2/22/10
<p>I. PURPOSE:</p> <p>To provide policy regarding the receipt of gifts and gratuities.</p> <p>II. SCOPE:</p> <p>This policy applies to all County employees including Elected and Appointed Officials.</p> <p>III. AUTHORITY:</p> <p>Private Acts 1974, Ch. 260, Sec. 4.03(16)</p> <p>Shelby County Charter, article V, Sect. 5.08</p> <p>Shelby County Code, Sec. 2-64</p> <p>Shelby County Code, Sec. 12.5-63</p> <p>IV. GENERAL:</p> <p>No County employee shall accept gifts, gratuities, or other special considerations from an individual or business organization doing business with the County.</p> <p>A. No County employees including Elected and Appointed Officials shall accept any service or item of value, directly or indirectly, from any person, firm or corporation having dealings with the County, upon more favorable items than those granted to the public generally.</p> <p>B. County employees including Elected and Appointed Officials shall not solicit or accept any compensation or gratuity in the form of money or otherwise for any act or omission in the course of that person's public work, provided, however, that the Head of any department or Board or Commission of the County may permit an employee to receive publicly offered and paid for the accomplishment of a particular task.</p> <p>C. The County Purchasing Agent, any other County official, or any member of the Board of County Commissioners shall not accept or receive by rebates, gifts, or otherwise from any person to whom any contract or purchase order may be awarded, any money or things of value whatsoever, or any promise, obligation or contract for future reward or compensation.</p>	

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Subject: INSURANCE AND BOND PURCHASES	Effective Date January 9, 2017
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I. PURPOSE:

To provide policy for the purchase of insurance coverage and bonds for County government and its officials.

II. SCOPE:

This policy applies to the purchase of all types of property and casualty insurance and/or fidelity and surety bonds required by the County government or any of its officials.

III. AUTHORITY:

Shelby County Code, Sec. 2-69

Ordinance No. 35, 11-21-88

IV. GENERAL:

The purchase of all types of property and casualty insurance coverage and/or fidelity and surety bonds required by the County government shall be through the RFP/Sealed Bid process, or negotiation with the present carrier.

A. Insurance may be purchased without competitive bids only when the chairman of the Mayor's advisory committee on insurance, the Administrator of Purchasing and the Mayor have certified that one or more of the following conditions exist:

1. Rates on the particular insurance would be the same from company to company and the bid process would accomplish nothing.
2. The type of insurance coverage is available from only one source.
3. Bidding would produce higher premiums due to the relative short term of the commitment to insure.

B. A renewal of insurance or bond coverage through negotiation with a present carrier shall not exceed three (3) years, without competitive bidding.

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<p>Subject:</p> <p>NEGOTIATING</p>	<p>Effective Date January 9, 2017</p> <p>Supersedes 2/22/10</p>
<p>I. PURPOSE:</p> <p>To provide policy for purchases through negotiations with a sole source supplier or most responsive bidder.</p> <p>II. SCOPE:</p> <p>This policy applies to purchases of and contracts for purchases of supplies, materials, and equipment for the Departments, Offices, Boards, and Agencies of the County.</p> <p>III. AUTHORITY:</p> <p>Shelby County Code, Sec. 2-70 & 2-71</p> <p>IV. GENERAL:</p> <p>A. Prices may be negotiated (1) when items are available from only one source making the request for bids impractical or (2) to obtain a reduction in price from the most responsive bidder.</p> <p>B. The County Mayor or his/her designee may negotiate for the purchase of supplies, materials and equipment on a sole/single source basis subject to certain conditions. (See Policy No. P-220, Sole or Single Source Procurement)</p> <p>C. All other requirements for entering into and approval of contracts shall apply to negotiated contracts.</p> <p>D. Any contract secured under the provisions of this ordinance and which requires Board of Commissioners approval shall be subject to a two-thirds (2/3) vote for approval.</p>	

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Subject: OPEN MARKET BUYING LIMITS	Effective Date January 9, 2017 Supersedes 2/22/10
<p>I. PURPOSE:</p> <p>To provide policy pertaining to buying on the open market.</p> <p>II. SCOPE:</p> <p>This policy applies to purchases for all Administrative Departments, Elected Offices, Boards and Agencies of the County.</p> <p>III. AUTHORITY:</p> <p>Private Acts 1974, Ch. 260, Sec. 4.03(9)</p> <p>Shelby County Code, Sec. 2.57(b)(10)(d)</p> <p>Resolution No. 50, adopted 2/4/80,</p> <p>IV. GENERAL:</p> <p>A. The Purchasing Department may make purchases up to \$50,000.00 on the open market without requesting informal or formal written bids.</p> <p>B. The requesting department's requirements or requisitions for items estimated to cost more than \$5,000.00 shall not be subdivided to circumvent the County's bid requirements.</p> <p>C. Whenever possible, taking into consideration both the specific needs of the requesting department and the best interest of the County, the Purchasing Department may combine requisitions for similar commodities which have an estimated cost of \$25,000.00 or less and request written bids in order to maximize competition and obtain the goods or services needed at the lowest possible cost to the County.</p> <p>D. Purchases of less than \$25,000.00 shall be made at the discretion of the Administrator of Purchasing based on the best available price, available delivery, and other practical considerations.</p>	

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<p>E. Subject to the above criteria, Purchasing Department Buyers may make these purchases on the open market based on their individual knowledge and experience and, where applicable, past purchases of the commodity by the Purchasing Department.</p> <p>F. Purchases from \$10,000.00 to \$25,000.00 shall be based on competitive prices obtained in writing from at least three (3) bidders (See Purchasing Rules and Regulations No. RR-060, Bids)</p> <p style="padding-left: 40px;">– Informal Bid (Regular Written or Telephone) Preparation and Processing.</p> <p>G. The Purchasing Department will use its best efforts to contact all qualified bidders as time and other practical considerations permit.</p> <p>H. When making open market purchases, the Purchasing Department will attempt to solicit bids and buy from companies (1) on the Purchasing Department’s bidder’s list and (2) certified by the County’s E.O.C. Office whenever possible.</p> <p>I. Requisitions and/or requisition files in the Purchasing Department shall be appropriately documented to reflect the names of all companies contacted, the prices quoted, and name of the person who quoted the prices.</p>	

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Subject: PROFESSIONAL SERVICES-CONSULTANT REVIEW COMMITTEE PROCESS	Effective Date January 9, 2017 Supersedes 2/22/10
<p>I. PURPOSE:</p> <p>To establish standards for the consultant review committee selection process for professional services County contracts and to establish professional services as being any occupation requiring a license to carryout service in Tennessee where bidding is not appropriate.</p> <p>II. SCOPE:</p> <p>This policy applies to professional service contracts for all Departments, Offices, Boards, and Agencies of the County.</p> <p>III. AUTHORITY:</p> <p>Private Acts 1974, Ch. 260, Sec.4.03(9)(10)</p> <p>Shelby County Code, Sec. 2-57 & 2-58</p> <p>IV. GENERAL:</p> <p>A. CONSULTANT REVIEW COMMITTEE</p> <p>The Consultant Review Committee shall be established by the Mayor of Shelby County to review and select professional architects, engineers, appraisers, and other types of professional consultants. All other professional services do not require a Consultant Review Committee.</p> <p>B. COMMITTEE MEMBERS</p> <p>The Committee shall be comprised of the following representatives or their designees:</p> <ol style="list-style-type: none">1. Director of Public Works2. Administrator of Purchasing3. County Engineer4. Director of Administration & Finance	

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<p>5. “Floating” representative from the Division, Agency, or Office of an Elected Official within whose jurisdiction the project is located.</p> <p>6. One-minority architecture and engineering professionals with professional experience in a related field.</p> <p>7. One-female architecture and engineering business professionals, with professional experience in a related field.</p> <p>C. SELECTION OF MEMBERS</p> <p>The Mayor of Shelby County shall appoint the Committee members. The Memphis Chapter of the American Institute of Architects and the National Society of Professional Engineers may recommend Committee members to the Mayor. Each committee member shall be a voting member. The Administrator of Purchasing shall serve as the secretary to the Committee.</p> <p>D. RESPONSIBILITIES OF MEMBERS</p> <p>1. Committee members shall sign a conflict of interest statement to ensure transparency in the procurement process.</p> <p>2. Committee members shall not be actively engaged in professional consulting or employed by a design consulting firm.</p> <p>E. TERM OF OFFICE</p> <p>The Committee members’ term of office shall be as follows:</p> <p>1. The Director of Public Works, Administrator of Purchasing, County Engineer, Director of Administration and Finance shall serve for the duration of their offices.</p> <p>2. All other Committee members shall serve a two-year term.</p>	

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F. APPROVED LIST

Architects, Engineers and other professional service professionals desiring to serve on the Committee shall submit a Federal Standard Form 254, professional resume or other appropriate document for consideration.

G. COMMITTEE PROCEEDINGS

1. The Administrator of Purchasing shall maintain records of the Committee's proceedings.
2. Minutes, correspondence, and consultant documents shall be maintained.

H. SELECTION OF PROVIDER

1. The Administrator of Purchasing shall solicit proposals and statements of qualifications which are reviewed and ranked by the Committee. The Committee's recommendation shall be submitted to the Mayor for final selection. The Mayor's selection shall be submitted to the Board of Commissioners for awards over \$50,000.00.
2. The rankings submitted to the Board of Commissioners shall include the scores and the sub-contractors' ethnicity, gender, and percentage of the prime contract award.

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Subject: PURCHASE OF PERISHABLE COMMODITIES	Effective Date January 9, 2017 Supersedes 2/22/10
<p>I. PURPOSE:</p> <p>To provide policy for the purchase of certain perishable commodities on the open market without the requirement of sealed bids and public notice.</p> <p>II. SCOPE:</p> <p>This policy applies to the purchase of or contracting for certain perishable commodities for any Department, Office, Board, or Agency of the County.</p> <p>III. AUTHORITY:</p> <p>Ordinance No. 75 adopted 6/30/90 Shelby County Code, Sec. 2-57(b)(10)(a)</p> <p>IV. GENERAL:</p> <p> A. The constantly fluctuating prices of certain perishable items available on the open market make the requesting of bids impractical and these types of items may be purchased or contracted for on the open market without the requirement of sealed bids or public notice if the following conditions are met:</p> <ol style="list-style-type: none">1. Competitive prices are obtained from at least three (3) suppliers of the commodity at the time the commodity is needed.2. A record of the price obtained, the names of the suppliers, and the persons quoting the prices is made and submitted to the Administrator of Purchasing.3. Purchases are made from the most responsive and the supplier with whom the order is placed is indicated on the record submitted to the Administrator of Purchasing.4. The required record is attached to the purchase order and vendor's invoice and forwarded to the Finance Department for payment.	

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- B. Only those types of perishable commodities which have received prior approval by the Administrator of Purchasing are eligible for purchase on this basis and exempt from the sealed bid and public notice requirement.

The Purchasing Department will provide detailed procedures and report forms to the using departments for the purchase of eligible perishable commodities.

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Subject: PURCHASE ORDERS	Effective Date January 9, 2017 Supersedes 2/22/10
<p>I. PURPOSE:</p> <p>To provide policy pertaining to requirements for purchase orders issued.</p> <p>II. SCOPE:</p> <p>This policy applies to all purchase orders issued by the County.</p> <p>III. AUTHORITY:</p> <p>Private Acts 1974, Ch. 260, Sec. 4.03(10)</p> <p>Private Acts 1983, Ch. 73, Sec. 1</p> <p>Shelby County Code Sec. 2-61</p> <p>IV. GENERAL:</p> <p>A. PURCHASE ORDER REQUIREMENTS.</p> <p>Each purchase order issued shall be evidenced by a pre-numbered written order to the vendor, signed by the County Purchasing Agent, setting forth all significant details respecting the order or contract.</p> <p>B. DISTRIBUTION OF PURCHASE ORDER.</p> <p>A copy of the order shall be furnished to the vendor; one copy shall be furnished to the county account department, and two copies shall be filed in the office of the county purchasing agent—one copy filed in numerical order and the other copy filed alphabetically by the name of the vendor.</p>	

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Subject: PURCHASES, LIMITATIONS AND LIABILITIES	Effective Date January 9, 2017 Supersedes 2/22/10
<p>I. PURPOSE:</p> <p>To provide policy pertaining to the obligation of County funds for purchases and contracts.</p> <p>II. SCOPE:</p> <p>This policy applies to purchases of and contracts for purchases of supplies, materials, and equipment for the Departments, Offices, Boards, and Agencies of the County.</p> <p>III. AUTHORITY:</p> <p>Private Acts 1974, Ch. 260, Sec. 4.03(10)(11)(15)</p> <p>Private Acts 1980, Ch. 243, Sec.1</p> <p>Private Acts 1980, Ch. 274, Sec.1</p> <p>Ordinance No. 84, Sec. 2, adopted 1/7/91</p> <p>Shelby County Code Sec. 2-57(b), 2-59, 2-60 & 2-63</p> <p>IV. GENERAL:</p> <p>A. LIMITATIONS</p> <p>1. Fiscal Year Purchases. The County Purchasing Agent may purchase and contract to purchase materials, supplies, equipment and contractual services on a fiscal year basis, but no commitment shall be made which extends beyond the end of the current fiscal year for which appropriations have been made by the Board of Commissioners except after commitments have been approved by resolution of the Board.</p> <p>2. Availability of Funds. Except in emergencies, no order for delivery on a contract or open market order for supplies, equipment or contractual services for any County official or office shall be made unless the availability of funds for the payment therefore has first been certified by the Director of the Division of Administration of Finance.</p>	

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Subject: PURCHASES, LIMITATIONS AND LIABILITIES	Effective Date January 9, 2017
	Supersedes 2/22/10

B. LIABILITIES

1. The County is liable for the payment of all purchases of supplies, materials, equipment and contractual services made in accordance with the provision of this chapter.
2. The County is not liable for the payment of such purchases made contrary to the provisions of this chapter.
3. Should purchases be made contrary to this policy, i.e. without the approval of the Purchasing Administrator, then the individual making the purchase is responsible for the payment and not the County.

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Policy No. **P-160**

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Subject: PURCHASING RECORDS	Effective Date January 9, 2017
	Supersedes 2/22/10

I. PURPOSE:

To provide policy pertaining to the retention of purchasing records and accessibility of records

II. SCOPE:

This policy applies to bids, requisitions, and purchase orders processed by the County Purchasing Department.

III. AUTHORITY:

Private Acts 1974, Ch. 260, Sec. 4.03(10)

Private Acts 1983, Ch. 73, Sec 1

Shelby County Code Sec. 2-57(b)(10)(g) & 2-61

T.C.A. 5-14-107

IV. GENERAL:

A. RETENTION

1. Purchase orders shall be kept on file in the office of the County Purchasing Agent.
2. All bids and all other documents, including purchase orders pertaining to the award of contracts on bids shall be preserved by the County Purchasing Agent for a period of five (5) years.

B. ACCESSIBILITY

1. The purchasing records of Shelby County Government are public records subject to the Tennessee Public Records Act, Tenn. Code Ann. § 10-7-503 et seq., and therefore are open for public inspection upon request with the following exception: Sealed bids are open to public inspection at their respective public opening, electronic bids, and also after the award of the contract or purchase order. They are not available for inspection during the evaluation and award process.
2. The County reserves the right to charge a reasonable fee for any copies made of these records.

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Subject:	Effective Date January 9, 2017
REAL ESTATE-SALES, RECORDS, RESPONSIBILITY FOR PROPERTY MANAGEMENT	Supersedes 2/22/10
<p>I. PURPOSE:</p> <p>To provide policy governing the sales, inventory control, accountability, and management of County owned property.</p> <p>II. SCOPE:</p> <p>This policy applies to County owned (1) property in use, (2) surplus property, and (3) property acquired through tax delinquent sales.</p> <p>III. AUTHORITY:</p> <p>Private Acts T.C.A. 1974, Ch. 260, Sec. 4.03(9)</p> <p>Shelby County Code, Sec. 2-57(b)(10)(b)</p> <p>T.C.A. 5-14-107</p> <p>Shelby County Charter, Art. II, § 2.02E</p> <p>IV. GENERAL:</p> <p>A. The responsibility of the sale, inventory control, management, and record maintenance of all County owned property is delegated to the Real Estate Department by the Purchasing Agent.</p> <p>B. PROPERTY LISTING</p> <p>All property will be inventoried and listed by ward, block, and parcel or by District Blocks and parcel as appropriate.</p> <p>1. SHELBY COUNTY PROPERTY IN USE. This is real property including land and buildings owned by the County and designated for public use, e.g. Office Buildings, Health Care Centers, Schools, Libraries, Parks, Correction Facilities, Cemeteries, etc.</p> <p>2. SHELBY COUNTY OWNED SURPLUS PROPERTY. This is real property including land and buildings owned by the County acquired either by purchase, condemnation, dedication, or donation and no longer designated for public use. Includes all County owned property not classified as Shelby County Property In-Use or Delinquent Tax Property.</p>	

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Subject: REAL ESTATE-SALES, RECORDS, RESPONSIBILITY FOR PROPERTY MANAGEMENT	Effective Date January 9, 2017
	Supersedes 2/22/10
<p>3. TAX DELINQUENT PROPERTY. This is real property, including land and buildings, which the Trustee's Office has foreclosed on for delinquent taxes and the County has purchased at the Trustee's Tax Sale.</p> <p>C. RECORDS AND LOCATION</p> <p>Hard copies or records along with available microfiche, print-outs and Computer Data Base are maintained and retained in the Real Estate Office while in an active status in compliance with applicable T.C.A. and Code of Shelby County.</p> <p>1. All land and property records will be filed by Ward-Block-Parcel or (in case of the County) by district and cross referenced with parcel number.</p> <p>2. The files shall contain all necessary information to reflect the complete history of the particular parcel of property. Files will include as a minimum:</p> <ul style="list-style-type: none">a. Recent photo of propertyb. Transfer of deedsc. Commission Committee actiond. Correspondencee. Trustee informationf. Copies of sales transactiong. Copies of Commission Resolutionh. Copies of Quit Claim Deedi. Current appraisal <p>D. MANAGEMENT RESPONSIBILITY FOR LAND (PROPERTY)</p> <p>All land and property records and sales becomes the responsibility of the Real Estate Section as follows:</p> <p>1. In Use County Owned Property when it becomes surplus and approved for sale.</p> <p>2. Surplus County Owned Property when declared surplus.</p>	

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Subject: REAL ESTATE-SALES, RECORDS, RESPONSIBILITY FOR PROPERTY MANAGEMENT	Effective Date January 9, 2017 Supersedes 2/22/10
<p>3. Tax Delinquent Property after foreclosure by the Trustee and expiration of the redemption period occurs.</p> <p>E. AUTHORIZATION TO SELL LAND/PROPERTY</p> <p>The County Commission with the concurrence of the Shelby County Mayor have final approval authority to sell County land/property. No sale of real property or any interests therein shall be valid unless approved by the resolution of the Board of County Commissioners.</p>	

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<p>Subject:</p> <p style="text-align: center;">REQUISITIONS</p>	<p>Effective Date</p> <p>January 9, 2017</p> <p>Supersedes 2/22/10</p>
<p>I. PURPOSE:</p> <p>To provide policy regarding requisition requirements and processing for supplies, materials, equipment or contractual services</p> <p>II. SCOPE:</p> <p>This policy applies to all Departments, Offices, Boards, and Agencies of the County.</p> <p>III. AUTHORITY</p> <p>Private Acts 1974, Ch. 260, Sec. 4.03(9)(10),</p> <p>Shelby County Code, Sec. 2-57(b)(10)(k)</p> <p>IV. GENERAL</p> <p>A. Purchase orders and contracts of purchase orders shall be issued only in consequence of a requisition for the supplies, materials, equipment or contractual services required.</p> <p>B. Requisitions shall be approved by the Head of the County Office requiring the articles or services, or in the case of Elected Officials, a name other than the Department Head, may be submitted to the Purchasing Department if requested in writing by such Elected Official.</p> <p>C. The Administrator of Purchasing has the responsibility to purchase or contract for needed materials, equipment, and services. It is vital to the predominance of this duty that Purchasing has the authority to review purchase requisitions, specifications, and suggested sources.</p>	

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Subject: REQUISITIONS	Effective Date January 9, 2017
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<p>D. Purchasing shall have the responsibility and authority to review all specifications and sources.</p> <ol style="list-style-type: none">1. Purchasing should not materially alter specifications without the review and approval of the using department.2. Purchasing shall be responsible for developing a list of acceptable vendors for a specific supply or service. The using department may also provide a list of recommended vendors to participate in the solicitation process. The using department shall be responsible for the technical aspects of the evaluation and Purchasing shall be responsible for the financial, commercial, and service aspects. <p>E. Original copies of all paper requisitions and a record of all electronic requisitions shall be kept on file in the office of the County Purchasing Agent.</p>	

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Subject: SIGNATURE AUTHORITY – PURCHASE ORDERS AND CONTRACTS	Effective Date January 9, 2017
	Supersedes 2/22/10

I. PURPOSE:

To provide policy specifically defining the limits of authority of the Administrator of Purchasing for signing purchase orders and contractual documents or agreements.

II. SCOPE:

This policy applies to purchase orders and contractual documents and agreements for supplies, materials, equipment, or services for all departments and offices of the County.

III. AUTHORITY:

Private Acts 1974, Ch. 260, Sec. 4.03(9)(18),

Shelby County Code, Sec. 2-57 & 2-66

IV. GENERAL:

A. Except as otherwise provided in Chapter 260 of the Private Acts of 1974, all Shelby County Government purchase orders and contractual documents shall be signed as follows:

1. Purchase Orders Up To \$50,000.00 without Commission Approval – Administrator of Purchasing or his/her designee as approved by the County Mayor.
2. Purchase Orders Over \$50,000.00 or involving C.I.P. Funds –Administrator of Purchasing or his/her designee after approval by Board of Commissioners and County Mayor as approved by the County Mayor.
3. Long Term Supply Contracts And Price Agreements - Administrator of Purchasing or his/her designee.
4. Maintenance and Service Contracts up to \$5,000.00 – Administrator of Purchasing or his/her designee.
5. All Other Contracts – County Mayor and County Attorney or his/her designee.

B. It shall be the responsibility of the Purchasing Department to route all purchase orders and contractual documents to the correct authority for signature as specified by this policy.

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Subject: SIGNATURE AUTHORITY – PURCHASE REQUISITIONS IN-HOUSE REQUISITIONS AND CHECK REQUESTS	Effective Date January 9, 2017
	Supersedes 2/22/10

<p>I. PURPOSE:</p> <p>To provide policy identifying those individuals who may sign purchase requisitions, in-house requisitions, and check requests.</p> <p>II. SCOPE:</p> <p>This policy applies to purchase requisitions, in-house requisitions, and check requests for all departments and offices of the County.</p> <p>III. AUTHORITY:</p> <p>Private Acts 1974, Ch. 260, Sec. 4.03(10),</p> <p>Shelby County Code, Sec. 2-57(b)(10)(k)</p> <p>IV. GENERAL:</p> <p>A. ELECTED OFFICIALS & LEGISLATIVE - Elected Officials or their designated representatives are authorized to sign all of the documents covered in this policy. Designated representatives must be submitted to the Purchasing Department in writing by the Elected Official.</p> <p>B. ADMINISTRATIVE OFFICES - For those offices under the direction of the County Mayor, Department, Office or appropriate Agency Heads may sign all of the documents covered in this policy. In their absence, a Division Director or the Chief Administrative Officer may sign.</p> <p>C. To provide proper documentation of authorized signatures, a current file with the appropriate signatures is kept in the office of the Administrator of Purchasing and is updated once each year (July 1st).</p>
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Subject: SOLE AND SINGLE SOURCE PROCUREMENT	Effective Date January 9, 2017 Supersedes 2/22/10
<p>I. PURPOSE:</p> <p>To provide policy for purchases on a sole and single source basis.</p> <p>II. SCOPE:</p> <p>This policy applies to the purchases of and contracts for supplies, materials, equipment, and professional services on a sole and single source basis for any Department, Office, Board, or Agency of the County.</p> <p>III. AUTHORITY:</p> <p>Private Acts 1974, Ch. 260, Sec. 4.03(9)</p> <p>Shelby County Code, Sec. 2-57, 2-70 & 2-71</p> <p>IV. GENERAL:</p> <p>A. Purchases may be made on a sole and single source basis under the following circumstances:</p> <ol style="list-style-type: none">1. Goods, equipment, and supplies can only be obtained from one source or are items so exclusive that they are limited to and held exclusively by one vendor.2. The item is a component or replacement part for which there is no commercially available substitute and can only be purchased from one vendor manufacturer or distributor.3. The service is determined to have no available substitute and can only be purchased from one vendor.4. The vendor is determined to be the sole provider for a given item or service.5. Compatibility and continuity is the overriding consideration.6. The given item is a used item which is subject to immediate sale.	

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Subject: SOLE AND SINGLE SOURCE PROCUREMENT	Effective Date January 9, 2017 Supersedes 2/22/10
<p>B. A request for a proprietary item does not justify a sole source procurement if there is more than one (1) potential bidder for the item.</p> <p>C. User Departments, Offices, Boards and Agencies of the County are responsible for providing in writing their basis and justification for any sole source purchase requested. Any documentation substantiating the sole source purchase shall also be included with the purchase requisition.</p> <p>D. The buyer in the Purchasing Department is responsible for verifying that there is justification for the sole source purchase prior to requesting approval from the Administrator of Purchasing.</p> <p>E. Goods, equipment, supplies, and services purchased from a sole source vendor are exempt from The County's bid requirements and may be purchased through negotiations if the following conditions exist:</p> <ol style="list-style-type: none">1. The Administrator of Purchasing determined that the item or service is available from only one source;2. The Administrator of Purchasing certifies the specifications for the purchase was not specifically designed to create a sole source;3. The Administrator of Purchasing certifies the same specifications to the County Mayor for an item or service over \$25,000; and4. The County Mayor approves the sole source purchase for those items or services over \$25,000. <p>F. All documentation justifying and approving sole source purchases shall be filed in the Purchasing Department with the requisition and purchase order or contract.</p> <p>G. Single Source Procurement may also occur when:</p> <ol style="list-style-type: none">1. Purchasing from a single source that is not a sole source but specific circumstances make it necessary or beneficial to purchase from the source without utilizing the open bid process. <p>H. The Equal Opportunity Compliance Office reserves the right to review any single/sole source selection prior to award.</p>	

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Subject: SPECIFICATIONS	Effective Date January 9, 2017 Supersedes 2/22/10
<p>I. PURPOSE:</p> <p>To govern the development and use of specifications.</p> <p>II. SCOPE:</p> <p>This policy applies to the preparation of specifications for County solicitations.</p> <p>III. AUTHORITY:</p> <p>Private Acts 1974, Ch. 260, Sec. 4.03(9)</p> <p>Shelby County Code, Sec. 2-57, 2-62</p> <p>IV. GENERAL:</p> <p>A. Preparation of specifications for supplies and services is the responsibility of the user department, and they must be transmitted electronically to the Purchasing Department.</p> <p>B. Specifications define the scope of a solicitation to obtain goods or services in a manner adequate and suitable for the County's needs. The user department shall prepare the requisition in a cost effective manner. The total cost of ownership and operation should be taken under consideration, as well as the initial acquisition cost.</p> <p>C. The specifications shall permit maximum practicable competition consistent with County policy. Specifications shall be drafted with the objective of clearly describing the County's principal or performance requirements.</p> <p>D. The County shall purchase standard commercial products whenever practical. In developing specifications, acceptable commercial standards should be used, and unique or brand name requirements should be avoided whenever practical. Specifications shall emphasize functional or performance criteria and limit design or other physical descriptions to those minimally necessary to meet the County's needs.</p>	

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<p>E. The Purchasing Department shall review the specifications and inform the user department whenever the requisition appears inconsistent with sound purchasing practices or market conditions.</p> <p>F. The Purchasing Department may modify, alter, or change specifications to increase competition, to improve quality, or to ensure that the specifications are accurate, clear, unambiguous, and non-restrictive. When specifications are modified, altered, or changed, they shall be returned to the user department for review and approval prior to being issued for bid.</p>	

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Subject: STANDARDIZATION	Effective Date January 9, 2017 Supersedes 2/22/10
<p>I. PURPOSE:</p> <p>To provide policy pertaining to the standardization of supplies, materials and equipment purchased.</p> <p>II. SCOPE:</p> <p>This policy applies to all purchases of supplies, materials and equipment for the Departments, Offices, Boards, and Agencies of the County.</p> <p>III. AUTHORITY:</p> <p>Private Acts 1974, Ch. 260, Sec. 4.03(14),</p> <p>Shelby County Code Sec. 2-57, 2-62</p> <p>IV. GENERAL:</p> <p>A. Standardization of all supplies, materials and equipment is to be achieved whenever possible. Consolidating the requirements of departments and offices of the County in standard commodities, i.e. janitorial supplies, paper products, office supplies, office machines, lubricants, vehicles, etc., allows for the purchase of useful materials and supplies at a cost savings to the County. Cost-reduction features of standardization are (1) larger quantities of fewer items, (2) more economical buying, (3) flexibility of inventory, (4) reduction of purchasing time, (5) lower departmental operating costs, and (6) reduced inventories.</p> <p>B. The County Purchasing Agent shall classify the requirements of the County government for supplies, materials and equipment; shall adopt as standards the smallest number of quantities, sizes and varieties of such supplies, materials and equipment consistent with the successful operation of the County government, and shall prepare, adopt and promulgate written specifications describing these standards.</p>	

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Subject: STANDARDIZATION	Effective Date January 9, 2017
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- C. In the preparation and revision of these standards, the County Purchasing Agent shall seek the advice, assistance and cooperation of the County Officials and offices concerned to ascertain their precise requirements.
- D. Each specification adopted for any article shall, insofar as possible, satisfy the requirements of the County Officials and offices which use that article.

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Subject: SURPLUS DISPOSAL	Effective Date January 9, 2017 Supersedes 2/22/10
<p>I. PURPOSE:</p> <p>To provide policy defining the process for the disposal of the County’s surplus, and/or obsolete equipment and material, scrap and waste.</p> <p>II. SCOPE:</p> <p>This policy applies to all Administrative Departments, Elected Offices, Boards, and Agencies of the County.</p> <p>III. AUTHORITY:</p> <p>Private Acts 1974, Ch. 260, Sec. 4.03(9)</p> <p>Shelby County Code Sec. 2-57</p> <p>IV. GENERAL:</p> <p>A. DISPOSAL AUTHORITY</p> <p>The Purchasing Administrator has the authority to designate a department to manage surplus assets. The Surplus Asset Department has the responsibility to store, reissue and dispose of surplus assets. Department Heads are responsible for the assets under their possession.</p> <p>B. METHODS OF DISPOSAL</p> <p>Surplus and/or obsolete equipment and material, scrap and waste may be sold by public auction, sealed bid, or online auction service or trade in of equipment.</p> <p>1. PUBLIC AUCTION</p> <p>a. Public auctions held for the sale of materials and equipment will be conducted by a licensed auctioneer, with complete supervision by the Surplus Property Department.</p> <p>b. The sealed bid process will be used for the selection of an auctioneer.</p> <p>c. Specifications for the bid will be prepared by the Surplus Property Department.</p>	

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Subject: SURPLUS DISPOSAL	Effective Date January 9, 2017 Supersedes 2/22/10
<div data-bbox="337 485 1451 758"><ul style="list-style-type: none">d. Any person outside of the Shelby County Government may submit a bid for auctioneer services.e. <u>NO EMPLOYEE</u> of Shelby County Government will be allowed to submit a bid on the requested sealed bid for auctioneer services.f. <u>NO EMPLOYEE</u> of Shelby County Government will be allowed to submit a bid on items sold at the public auction.</div> <div data-bbox="289 785 521 821"><p>2. SEALED BID</p></div> <div data-bbox="337 856 1442 1293"><ul style="list-style-type: none">a. Sealed bids for the sale of materials and equipment will be processed the same as those used for the purchasing of new items, equipment and/or materials by the Purchasing Department except that award will be made to the highest bidder.b. The specifications for the item to be sold will be prepared by the Surplus Property Department along with the concurrence of the Administrator of Purchasing.c. Any person outside of the Shelby County Government may submit a bid for items on the requested sealed bid.d. <u>NO EMPLOYEE</u> of Shelby County Government will be allowed to submit bids on the requested sealed bid.</div> <div data-bbox="142 1325 797 1360"><p>V. DEFINITION OF SURPLUS ASSETS:</p></div> <div data-bbox="240 1392 1446 1822"><ul style="list-style-type: none">A. Excess- Any item that no longer has a useful purpose for a particular department. The item will in all intents have a value and may be utilized by another department in County Government.B. Obsolete and Surplus- this is material and/or equipment which is of no use to any department in County Government.C. Worn or Damaged- Either scrap or waste material and/or equipment which may be sold.D. Waste- All non-metallic refuse which has market value.E. Scrap- Any ferrous material that can be used for remelting to produce iron, steel, copper, brass, aluminum or their alloys.</div>	

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Subject: SYSTEM CONTRACTING	Effective Date January 9, 2017 Supersedes 2/22/10
<p>I. PURPOSE:</p> <p>To provide policy for establishing the form of purchasing commonly know as “systems contracting”, “indefinite quantity contracting” or “stockless purchasing” as a standard form for the department to be used whenever possible in the purchasing process.</p> <p>II. SCOPE:</p> <p>This policy applies to all Administrative Departments, Elected Offices, Boards, and Agencies of the County.</p> <p>III. AUTHORITY:</p> <p>Private Acts 1974, Ch. 260, Sec. 4.03(9)(10)(14)</p> <p>Shelby County Code, Sec. 2.57, & 2.62</p> <p>IV. GENERAL:</p> <p>A. DEFINITION AND BENEFITS. System contracting is defined as a method of purchasing a category of family of repetitive, small value items over a three (3) month, six (6) month, or one (1) year timeframe. The benefits of system contracting are:</p> <ol style="list-style-type: none">1. Reduced and simplified paper flow for requisitions, purchase orders, and bidding documents, invoices, and checks.2. Reduction or elimination of inventories.3. Quicker service for departments.4. Greater bidder interest.5. Lower cost.6. Fewer suppliers for a family of items.7. A known price schedule or pricing formula.8. Prompt payment to suppliers.	

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Subject: SYSTEM CONTRACTING	Effective Date January 9, 2017 Supersedes 2/22/10
<p>B. IDENTIFYING SYSTEM CONTRACT ITEMS. The Purchasing Department shall review daily purchases to identify items applicable to system contracting. Items may be identified as:</p> <ol style="list-style-type: none">1. Small dollar value of \$25.00 or less in unit price.2. Repetitively used on a frequent basis.3. Used by more than one department.4. Belonging to a general family of items, e.g. office or janitorial supplies.5. Capable of being bid, and stocked by more than one vendor.6. Budgeted in O & M line item accounts only. <p>C. ESTIMATED REQUIREMENTS. The Purchasing Department, upon identifying the system contract items, will request the applicable County officials and offices to (1) estimate their needs for the remainder of the current fiscal year and (2) to submit requisitions based on these estimates.</p> <p>D. BID REQUIREMENTS. All system contracts shall be bid in accordance with the Shelby County Code and Purchasing Department policy. Bids shall require vendor E.O.C. certification.</p> <p>Bid documents shall include, in addition to standard specifications, the following:</p> <ol style="list-style-type: none">1. Written user and vendor procedures for the operation of the contract.2. A statement to bidders regarding non-guarantee of quantities to be purchased.3. Statement to bidders on fixed or escalated pricing.	

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Subject: SYSTEM CONTRACTING	Effective Date January 9, 2017 Supersedes 2/22/10
<p>E. AWARDS.</p> <ol style="list-style-type: none">1. System contracts shall be awarded only on a full or partial fiscal year basis.2. Any system contract award extending beyond the end of the current fiscal year shall require Board of Commissioners approval.3. System contract awards for an estimated amount of \$50,000.00 or more to a single vendor shall require Board of Commissioners approval.4. Each system contract award shall include a clause stating that the County will not guarantee that any items or specific quantities will be purchased on the contract. Purchases will be based solely on need by the County. <p>F. PURCHASE ORDERS.</p> <ol style="list-style-type: none">1. A blanket purchase order shall be issued on a quarterly or monthly basis, upon receipt of a requisition, for each department ordering items against a system contract.2. Such requisitions and purchase orders shall state the amount of funds to be encumbered for the period (month or quarter) and shall be for the purpose of certifying the availability of funds in the department's budget by the Finance Department.3. Requisitions and purchase orders shall also identify the system contract, type of items, persons authorized to place orders, provide special delivery instructions, and state any limitations pertaining to releases against the purchase order.	

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<p>G. RESPONSIBILITIES</p> <p>1. The using departments shall be responsible for:</p> <ul style="list-style-type: none">a. Providing accurate estimated quantities of their system contract item needs to Purchasing when requested.b. Ordering only those items awarded on the system contract against the respective monthly or quarterly encumbrance purchase order.c. Not exceeding the total dollar amount or placing orders beyond the period for which the purchase order is issued. <p>2. The Purchasing Department shall be responsible for:</p> <ul style="list-style-type: none">a. Identifying items applicable to system contracting.b. Consolidating requirements and bidding the system contract items used by the various departments.c. Monitoring vendor performance against system contract and monitoring both vendor and department compliance with the established procedures.	

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Subject: UNQUALIFIED BIDDERS	Effective Date January 9, 2017 Supersedes 2/22/10
<p>I. PURPOSE:</p> <p>To define individuals or vendors not qualified to bid on or enter into County contracts.</p> <p>II. SCOPE:</p> <p>This policy applies to prospective bidders on County contracts, both individuals and companies, and to all County employees.</p> <p>III. AUTHORITY:</p> <p>Private Acts 1974, Ch. 260, Sec. 4.03(16)</p> <p>Shelby County Charter, Article V, Sect. 5.08</p> <p>Shelby County Code, Sec. 2-64</p> <p>IV. GENERAL:</p> <p>A. No County Employee, Elected Official or Appointed Official shall be allowed to bid or contract with, either directly or indirectly, any County entity directly or indirectly through the County Purchasing Office.</p> <p>B. Any individual or company that has pleaded nolo contendere, or has pleaded or been found guilty of a criminal violation, whether state or federal, involving governmental sales or purchases, including, but not limited to bid rigging, price fixing, or any other collusive and illegal activity pertaining to bidding and contracting, shall not be considered a qualified bidder and shall not enter into a bid, contract, or purchase order with the County for a period of thirty-six (36) months from the date of conviction thereof.</p> <p>C. Vendors who do not have a current Equal Opportunity Compliance Number issued through the Shelby County Equal Opportunity Compliance Office, at the discretion of the Administrator of Purchasing or the Administrator of Equal Opportunity Compliance, may not be allowed to participate in the bidding process.</p>	

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Subject: VEHICLES –CENTRALIZED RECEIVING	Effective Date January 9, 2017 Supersedes 2/22/10
<p>I. PURPOSE:</p> <p>To provide policy regarding the centralized receiving of vehicles delivered to the County.</p> <p>II. SCOPE:</p> <p>This policy applies to all Administrative Departments, Elected Offices, Boards, and Agencies of the County except the Sheriff's Department.</p> <p>III. AUTHORITY:</p> <p>Private Acts 1974, Ch. 260, Sec. 4.03(9)</p> <p>Shelby County Code Sec. 2-57</p> <p>IV. GENERAL:</p> <p>A. CENTRAL RECEIVING POINT</p> <p>All vehicles purchased by Shelby County Government will be delivered to the Fleet Services Department, 6200 Haley Road, Memphis, TN 38134.</p> <p>B. DEFINITION OF VEHICLE</p> <p>The term vehicle is defined as motorized rolling stock which includes but is not limited to automobiles, trucks, vans, farm equipment and heavy construction equipment.</p> <p>C. PURPOSE OF CENTRALIZED RECEIVING OF VEHICLES</p> <p>Centralized receiving of vehicles is necessary to ensure that:</p> <p>(1) Vehicles delivered meet specifications.</p> <p>(2) Ownership papers are delivered in accordance with the County's requirements.</p>	

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Subject: VEHICLES - CENTRALIZED RECEIVING	Effective Date January 9, 2017
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- (3) The vehicle is properly licensed and decaled before delivery to the using department.
- (4) Maintenance schedule is set up for vehicle.

D. PICK UP OF VEHICLE BY USING DEPARTMENT.

Pick up of the new vehicle will be coordinated with the using department or Elected Official once the proper license and decal has been placed on the vehicle and the maintenance schedule has been set up with the Fleet Services Department.

E. SHERIFF DEPARTMENT VEHICLES

Vehicles purchased for the Shelby County Sheriff's Department will be delivered to:

Shelby County Sheriff's Department
Substation Garage
11670 Memphis Arlington Road
Arlington, TN 38002

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Policy No. **P-310**
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Subject: VENDOR RELATIONS	Effective Date January 9, 2017 Supersedes 2/22/10
<p>I. PURPOSE:</p> <p>To establish standards for vendor relations in order to maintain good-will between the County and its vendors.</p> <p>II. SCOPE:</p> <p>This policy applies to all purchasing activities.</p> <p>III. AUTHORITY:</p> <p>Private Acts 1974, Ch. 260, Sec. 4.03(9)</p> <p>Shelby County Code Sec. 2-57</p> <p>IV. GENERAL:</p> <p>A. The effectiveness of the County’s purchasing functions requires the development and maintenance of goodwill between the County and its vendors .</p> <p>B. At all times, applicable laws, rules, and regulations must be meticulously followed to maintain and practice the highest possible standards of business ethics and professional courtesy and competence in all procurement activities.</p> <p>C. The following should be observed when dealing with vendors and their representatives:</p> <ol style="list-style-type: none">1. Afford all vendors and their representatives a prompt and courteous reception, and fair and equal treatment.2. Maintain open and fair.3. Specifications that encourage competitive bidding.4. Apply consistent procurement policies and principles in a consistent manner.5. Preclude special consideration to any vendor.	

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- D. To ensure that Purchasing Department files contain current vendor information and to prevent any misinterpretation or miscommunication to vendors regarding the County's purchasing policies and procedures, the following shall apply:
1. The Purchasing Department shall be responsible for making all vendor contacts regarding purchasing, pricing, and delivery information on both new and existing purchase orders.
 2. Departments or offices wishing to obtain information or request follow up on an existing purchase order shall contact the Purchasing Department.
- E. To ensure that all procurement is based on need rather than desire and is not the result of "pressure" sales tactics, the following shall apply:
1. Departments or offices requiring the services of a sales representative must contact the Purchasing Department to arrange a telephone call made with the vendor.
 2. Unsolicited contact from sales personnel, either in person, by telephone, or by written correspondence, shall be forwarded to the Purchasing Department.

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Policy No. **P-320**
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Subject:	Effective Date
FINANCIAL SUPPORT OF VOLUNTEER APPRECIATION, EMPLOYEE APPRECIATION GIFTS & EVENTS	Supersedes

I. PURPOSE:

To state basic policy regarding financial support volunteer appreciation, employee appreciation events and gifts.

II. SCOPE:

This policy applies to all volunteer & employee events and gifts activities.

III. AUTHORITY:

Shelby County Ordinance No. _____

Shelby County Code Chapter 2, Article II, Division 2

IV. GENERAL:

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That the Shelby County Purchasing Policies codified in Shelby County Code, Chapter 2, Article II, Division 2, are hereby amended to include the following purchases for employee appreciation events, office celebration events, and gifts:

- (A) Each Elected Official or Division Director may spend up to \$25.00 per employee, per fiscal year for employee appreciation/holiday events held within their offices or office buildings.
- (B) For volunteer appreciation events, expenditures may not exceed \$25.00 per volunteer per fiscal year.
- (C) Elected Officials and Division Directors may not provide County employees meals at a restaurant at the expense of the County. This restriction does not apply to employees directly involved with volunteers at volunteer appreciation events.
- (D) Elected Officials and Division Directors may not use Shelby County Government funds for gifts for employees, except for special recognition ceremonies (such as employee of the quarter/year), symbols of excellence awards and similar events, and/or for annual retirement ceremonies.

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(E) For purposes of this Ordinance, the definition of Elected Officials and Division Directors includes the actual elected official and/or division director, or any employee in their office. The Elected Official or Division Director is solely responsible for verifying compliance with this Ordinance.

(F) Any expenditure of County funds in violation of this Ordinance shall become the personal liability of the person(s) approving/expending the funds.

(G) This Ordinance shall not apply to countywide employee recognition or appreciation programs.

(H) This Ordinance shall not prohibit employees or employee groups from attending events for which no county funds are spent.

(I) The provisions of this Ordinance shall not apply to public safety emergency or field operations that may require the provision of food and water for staff and/or volunteers.

(J) All such expenditures must be budgeted and approved within the County’s annual Operating Budget approved by the Shelby County Board of Commissioners.

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Subject: RULES AND REGULATIONS – CONTENT AND FORMAT	Effective Date: January 9, 2017
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<p>I. PURPOSE:</p> <p>To provide guidelines for the content and format to be used in the development of purchasing rules and regulations.</p> <p>II. SCOPE:</p> <p>This procedure covers all Purchasing Department Rules and Regulations.</p> <p>III. GENERAL:</p> <p>A. Purchasing Rules and Regulations, established and implemented according to the procedures provided in Purchasing Rules and Regulations No.RR-020, RULES AND REGULATIONS - PROCEDURE FOR ESTABLISHING AND IMPLEMENTING, will be prepared to include the following information and in the following format.</p> <p>B. Although to some extent the content of a policy and procedure do overlap, the basic definitions are:</p> <p>1. POLICY: A stated governing principle, plan, or course of action which normally establishes general parameters for the organization to follow in carrying out its responsibilities.</p> <p>2. PROCEDURES: The act, method or manner of proceeding in some process or course of action. Usually, a series of related tasks that list chronologically the sequence to be followed in performing the work to be accomplished. <u>A statement of the prescribed means of accomplishing policy.</u></p> <p>The policies contained in this manual represent the permanent foundation on which all of the County’s purchasing activities are based and are expected to be relatively independent of the changing technologies and methods used to carry them out. For this reason all policies are contained and indexed in a separate policy section in the manual.</p>
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IV. RULES AND REGULATIONS - CONTENT AND FORMAT:

A. CONTENT. Each page of a policy or rules and regulations will contain the following information:

- POLICY OR RULES & REGULATIONS NUMBER:** The number is assigned after the title has been established to fit alphabetically into the index of the section of the manual in which it is to reside.

All policies numbers will have the prefix P-.

The following prefix letters are used for rules & regulations to designate the functional area of Purchasing involved.

RR – Purchasing Rules and Regulations
CA – Contract Administration Rules and Regulations

- SUBJECT:** The title is selected to act as the “theme key” to the subject matter relative to the other rules & regulations contained in the section of the manual in which it is to reside.
- EFFECTIVE DATE:** The date the bulletin is to be effective will be established at the time of final approval of the policy or rules & regulations.
- SUPERSEDED NO.:** If the policy or rules & regulations replaces a previous version of the same policy or rules & regulations, the date of the one replaced is entered. If it replaces another policy or rules & regulations number, the old policy or procedure number is entered. If it is a new policy or rules & regulations, the space is left blank.
- PAGE NO.:** The page numbering must include all forms and exhibits that are a part of the policy or rules & regulations.

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<p>B. FORMAT. The format of each policy and rules & regulations will contain the section names listed below.</p> <ol style="list-style-type: none">1. PURPOSE. A brief statement of the purpose of the policy or rules & regulations.2. SCOPE. A statement of the area covered by the policy or procedure. Recommended statements of scope are: All County Employees, All Departments and Offices of the County, All Purchases and Contracts for Purchase for the County, etc.3. AUTHORITY. This section is used for policies only and states the applicable law, regulation, ordinance, legal opinion, administrative directive, etc. and respective date upon which the policy is based.4. GENERAL. This section is used to provide definitions, establish areas of responsibility, and indicate general actions required by the policy or rules & regulations. If necessary, topical section titles may be used that are more meaningful to the specific subject matter addressed.5. PROCEDURES. This section is used only in written procedures to list the steps to be followed in performing the work to be accomplished. The section may be further broken down into topical areas based on assigned responsibility, specific activities within the process, etc. <p>V. INDEXES - CONTENT AND FORMAT</p> <ol style="list-style-type: none">A. An index for each respective section will indicate that section's policy or rules & regulations numbers in numerical order, topics, and effective dates.B. The individual section indexes will be combined into a cumulative index for the complete manual.	

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<p>Subject:</p> <p style="text-align:center">RULES AND REGULATIONS – PROCEDURE FOR ESTABLISHING AND IMPLEMENTING</p>	<p>Effective Date: January 9, 2017</p> <p>Supersedes: 2/22/10</p>
<p>I. PURPOSE:</p> <p>To define the procedures for establishing and implementing Rules and Regulations governing purchasing activities.</p> <p>II. SCOPE:</p> <p>This procedure covers new and revised Purchasing Department Rules and Regulations that affect all departments and offices of the County.</p> <p>III. GENERAL:</p> <p>As stated in Purchasing Department Policy No. P-010, the Administrator of Purchasing together with the Director of Administration and Finance, and with the approval of the County Mayor, are authorized to adopt, issue and amend rules and regulations governing the purchasing activities of the County.</p> <p>IV. PROCEDURES:</p> <p>A. PREPARATION</p> <p>1. A draft copy of the proposed policy or rules & regulations shall be submitted by the appropriate manager to the Administrator of Purchasing for consideration and approval.</p> <p>2. A brief explanation should be attached to the draft explaining the need for and impact of the proposed policy or rules & regulations.</p> <p>B. REVIEW</p> <p>1. Proposed purchasing rules & regulations related to specific areas of expertise, e.g. Information Technology, Finance, Insurance, Telecommunications, etc., should be forwarded to the appropriate Department Head for review and input prior to processing for approval.</p> <p>2. Where applicable, and to determine that it is not in conflict with existing laws and regulations, the proposed rules & regulations shall be reviewed and approved as to form and legality by the Assistant County Attorney.</p>	

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C. ROUTING FOR APPROVAL

1. APPROVAL FORM

A cover sheet with the following information will be prepared and attached to the proposed policy or rules & regulations.

- a. Policy or Rules and Regulations No.
- b. Subject
- c. Whether new or revised (If revised state no. and date of policy or rules & regulations being replaced).
- d. A brief statement of why the new or revised policy is needed.
- e. Signature lines for (1)the Assistant County Attorney (if applicable), (2) the Administrator of Purchasing, (3) the Director of Administration and Finance, and (4) the Mayor.

2. ROUTING

- a. After approval by the Administrator of Purchasing, the cover sheet and proposed policy or rules & regulations will be forwarded to the Director of Administration and Finance for approval and return to the Purchasing Department.
- b. Prior to the Mayor’s approving, proposed rules & regulations should be routed through the Chief Administrative Office for review and forwarded to the Mayor’s Office for signature.

D. DISTRIBUTION

After the required signatures of approval have been obtained, the new or revised rules & regulations, along with a cover letter from the Administrator of Purchasing will be forwarded to all R & R manual holders according to the assignment records maintained in the Purchasing Department.

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E. INDEXES

1. Updated indexes denoting new or revised rules & regulations issued during the year will be forwarded to all R & R manual holders at the end of each fiscal year.
2. Manual holders should check the manuals against the new indexes to make sure they have received the new or revised rules & regulations issued during the year.

V. **MANUAL ASSIGNMENT:**

- A. One copy of the Policies Rules and Regulations Manual shall be provided to each Department or Elected Office.
- B. Manuals are numbered and the Department Head or Elected Official signs a card indicating receipt of the manual and the respective manual number.
- C. A file of the signature cards is maintained in the Purchasing Department for control purposes and as a record for mailing purposes.

VI. **MASTER POLICY AND PROCEDURE MANUAL:**

- A. A master copy of the manual is maintained in the office of the Administrator of Purchasing.
- B. The master copy shall contain the following information:
 1. Original copies of the Rules and Regulations.
 2. Indexes denoting with an asterisk new or revised rules & regulations issued during the fiscal year.
 3. Back up documents (copy of law, ordinance, code, resolution, legal opinion, administrative directive, etc. upon which the respective policy or procedure is based).

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<p>Subject:</p> <p style="text-align:center">SEALED BID ADVERTISEMENTS</p>	<p>Effective Date: January 9, 2017</p> <p>Supersedes:</p>
<p>I. PURPOSE:</p> <p>To define how advertisement costs for sealed bids shall be paid.</p> <p>II. SCOPE:</p> <p>This procedure applies to sealed bid advertisements of any Department, Office, Board, and Agency of the County.</p> <p>III. GENERAL:</p> <p>A. The user department is responsible for the sealed bid advertisement costs. Requisition funding code(s) shall be provided when the requisition is submitted to the Purchasing Department.</p> <p>B. Advertisement costs for co-funded departments, agencies, and elected offices shall be factored into the budget of the user department, agency, or elected office.</p> <p>C. Efforts shall be made to reduce advertisement costs. Advertisements for multiple bids and combined bids (for goods or services which are requested by multiple departments) shall be listed in a single advertisement. The total advertisement cost shall be divided equally between each requesting user department, agency, or elected office.</p> <p>D. The advertisement shall specify the date the requested items are needed.</p> <p>1. Contract solicitations shall be advertised at least four (4) weeks before the bids are due to allow businesses sufficient time to address solicitation questions and concerns, and to permit prime contractors sufficient time to find subcontractors.</p> <p>2. Certified LOSBs and M/WBEs shall receive notice of contract solicitations at least four (4) weeks before the bid due date.</p> <p>3. Prime contractors shall be required to allow at least ten (10) business days for subcontractors to submit bids, statements of qualifications, and proposals.</p>	

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Subject: SEALED BID ADVERTISEMENTS	Effective Date: January 9, 2017
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IV. PROCEDURES:

A. ADMINISTRATIVE DEPARTMENTS REQUISITIONS (NOT CO-FUNDED OR ELECTED OFFICE)

1. The using department shall indicate, in the appropriate coding blocks, the organization and account number(s) from which goods or services are being purchased. No advertising account number needs to be provided.
2. The advertisement shall be charged to the Purchasing Department's account number.
3. The Purchasing Department shall review each published advertisement for accuracy. If inaccurate information is found to be the publisher's fault, the publisher shall be contacted to republish the advertisement at no charge.

B. CO-FUNDED DEPARTMENTS AND ELECTED OFFICE REQUISITIONS

1. The co-funded department and elected office shall indicate, in the appropriate coding blocks, the organization and account number(s) from which the goods or services are being purchased.
2. The complete advertising account number shall be indicated on the last line of the requisition in the description column.
3. When the sealed bid advertisement is published, the applicable advertising purchase order number will be provided at the top of the requisition.

C. BILLING FOR ADVERTISEMENT COST

The Purchasing Department shall bill the user department or office the pro-rated amount as follows:

1. The total cost of the advertisement divided by the number of bids advertised determines the advertisement cost per bid.
2. The cost per user on combined bids shall be determined by dividing the bid advertising cost by the number of user departments and/or offices. The number of user departments or offices shall be determined by the user department submitting the requisition.

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<p>Subject:</p> <p style="text-align: center;">SEALED BID ADVERTISEMENTS</p>	<p>Effective Date: January 9, 2017</p> <p>Supersedes: 2/22/10</p>
<p>3. The amount to be charged to the co-funded department or elected office shall be:</p> <ul style="list-style-type: none">a. The cost per bid multiplied by the number of bids advertised for specific department or office, andb. The pro-rated cost per user for any combined bid(s) in which the co-funded department or office was included. <p>4. Every two weeks, the bid desk shall send the Finance Department an interdepartmental billing allocating the pro-rated amounts to the advertising account of each department or office.</p> <p>D. ADVERTISEMENT COST ON REBID ITEMS</p> <p>The cost of re-advertising sealed bids that must be rebid due to a specification change will be charged to the department requesting the change.</p>	

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<p>Subject:</p> <p style="text-align:center">BID PROTEST</p>	<p>Effective Date: January 9, 2017</p> <p>Supersedes: 2/22/10</p>
<p>I. PURPOSE:</p> <p>To identify the process pertaining to the submission, receipt, and review of bidders protests and the determination thereof.</p> <p>II. SCOPE:</p> <p>These rules & regulations cover bidder's protests of any bid award.</p> <p>III. GENERAL:</p> <p>Only a bidder submitting a bid may protest an award decision and all protests must be submitted in writing to the Administrator of Purchasing.</p> <p>IV. PROCEDURES:</p> <p>A. SUBMISSION OF PROTEST</p> <ol style="list-style-type: none">1. Upon notice of a bid award, bidders may protest the award by submitting their protest in writing to the Administrator of Purchasing.2. The written protest submitted must:<ol style="list-style-type: none">a. Specifically state the bidder's objection(s) to the award.b. Identify the bid number.c. Specifically state the desired remedy.d. Be clearly designated PROTEST.e. Be addressed to the Purchasing Administrator.f. Be received within two (2) calendar weeks of the award decision.	

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<p>Subject:</p> <p>BID PROTEST</p>	<p>Effective Date: January 9, 2017</p> <p>Supersedes: 2/22/10</p>
<p>B. REVIEW AND DISPOSITION</p> <ol style="list-style-type: none">1. Upon receipt of the written protest:<ol style="list-style-type: none">a. The Administrator of Purchasing or his/her designee will fully investigate the protest.b. A written decision will be provided to the protesting bidder stating the reason(s) for the action taken.2. If the protest investigation is inconclusive and more information is necessary, the following will occur:<ol style="list-style-type: none">a. The Administrator of Purchasing or his/her designee will schedule an informal hearing to complete said investigation.b. Within five (5) working days from the date of the hearing, a written decision will be provided to the protesting bidder stating the reason(s) for the action. <p>C. DETERMINATION</p> <ol style="list-style-type: none">1. All decisions made with regard to bid protests will be addressed in writing.2. The decision of the Administrator of Purchasing is final.	

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<p>Subject:</p> <p style="text-align:center">BIDDER'S MAILING LISTS</p>	<p>Effective Date: January 9, 2017</p> <p>Supersedes: 2/22/10</p>
<p>I. PURPOSE:</p> <p>To establish rules & regulations for maintaining Bidder's Mailing List.</p> <p>II. SCOPE:</p> <p>These rules & regulations shall apply to the addition of vendors and deletion of vendors from the County's Bidder's Mailing List.</p> <p>III. GENERAL:</p> <p>A. BUYER. It is each Buyer's responsibility to maintain a current and correct Bidder's List for their assigned commodities by:</p> <ol style="list-style-type: none">1. Initiating the addition of new suppliers to provide increased competition.2. Modifying and refining commodity groups for more accuracy and efficiency.3. Removing prospective suppliers who fail to bid or suppliers whose performance is unsatisfactory. <p>B. VENDOR. A prospective bidder may be placed on the County's Bidder's List by submitting a vendor registration application form (see Exhibit I) to the Purchasing Department.</p> <ol style="list-style-type: none">1. Individuals or firms interested in being placed on the County's Bidder's List should submit their request through the Shelby County website vendor registration link.2. Failure to submit an application form will not preclude a prospective bidder from receiving a copy of a bid or through the initiative of the using department or buyer placing an apparently capable source on the mailing list for a specific bid.3. A bidder's online application must be submitted to be placed on the Purchasing Department's mailing list to receive all bid requests for specific commodities.4. All interested parties must also register with Mercury Commerce to participate in any electronic bids for the County.	

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<p>Subject:</p> <p style="text-align: center;">BIDDER’S MAILING LISTS</p>	<p>Effective Date: January 9, 2017</p> <p>Supersedes: 2/22/10</p>
<p>IV. PROCEDURES:</p> <p>A. BIDDER’S APPLICATION FORM (VENDOR REGISTRATION)</p> <ol style="list-style-type: none">1. Applications are only available online through the Shelby County website.2. When an application is received online, it is processed as follows:<ol style="list-style-type: none">a. E.O.C. will evaluate the application for compliance and either;<ol style="list-style-type: none">(1) assign an EOC number(2) request an affirmative action plan (AAP) or(3) deny the vendor a number for non-compliance3. Once an EOC number is assigned, Purchasing will (a) check to make sure the W-9 form has been received and (b) assign a vendor number.	

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<p>B. PLACEMENT ON BIDDER'S LIST</p> <p>1. To be placed on the Bidder's Mailing List, a supplier must complete a vendor application form, including the following information:</p> <ul style="list-style-type: none">a. Federal I.D. Numberb. Applicant's Name and Address (For Bids and Payments)c. Type of Organizationd. Persons Authorized to Sign Bids and Contractse. Contact Personf. Type of Businessg. Officers, Owners, or Partnersh. Background Information on Firmi. License Information Where Applicablej. Classes of Supplies or Services on Which the Firm Desires to Bidk. Authorized Signaturel. IRS W-9 Form	

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<p>C. REMOVAL FROM BIDDER'S LIST</p> <ol style="list-style-type: none">1. Vendors may be removed from Bidder's Mailing Lists for the following reasons:<ol style="list-style-type: none">a. Failure to bid or to acknowledge invitations for bids on three (3) consecutive bids.b. Failure to meet specifications.c. Failure to meet delivery dates.d. Unsatisfactory performance.2. The Buyer must make every effort to resolve any problems with a bidder before recommending that a vendor be removed from the Bidder's Mailing List.3. Before a vendor is removed, suspended, debarred, or deleted from the Bidder's Mailing List, the Administrator of Purchasing must review the reasons and documentation supporting the proposed action and, if the action is approved, notify the vendor in writing.4. When removal from the Bidder's List is based on failure to bid, it should be confined to the particular commodity (supply or service) involved.5. Complete documentation (vendor complaint form) of the reasons for the action, any contacts with the vendor, and a record of the Administrator of Purchasing's review and approval should be filed in the vendor's file.	

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<p>D. RETURNED MAIL</p> <p>To assist in maintaining current Bidder's Mailing List, mail returned by the Post Office should be processed as follows:</p> <ol style="list-style-type: none">1. The Front Desk forwards the mail to the appropriate Buyer.2. The Buyer checks their Bidder's List and the vendor file to determine why the mail has been returned.3. If the Buyer is unable to locate any information that would enable them to send the mail back out, they should have the company removed from their Bidder's List and place the envelope and bid (in the case of sealed bids only the cover sheet identifying the bid and envelope) in the vendor's file.4. If the Buyer finds correct information, then they should have the bid sent back out and make sure that the Bidder's List is updated.	

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<p>E. LOCATING NEW SOURCES</p> <p>To provide for increased competition it is essential that the Buyers search out and find new bidders for their assigned classes of commodities. Sources which may be used in this endeavor are:</p> <ol style="list-style-type: none">1. Previous Bids2. Other vendors3. Using department recommendations4. Internet (yellow pages, white pages, search tool)5. Buyers guides6. Thomas Register7. EOC Department (LOSB vendor)8. Mid-South Minority Business Council (MMBC)9. Black Business Association (BBA)10. N.I.G.P. (National Institute of Governmental Purchasing)11. N.A.P.M. (National Association of Purchasing Management)12. Other Government Agencies <p>F. MODIFICATIONS TO EXISTING BIDDER'S LISTS</p> <ol style="list-style-type: none">1. All changes made to an existing vendor application must be requested in writing by the vendor. The request should explain any reason for the update such as change of address or commodity codes.2. Any merger or acquisition resulting in a new Federal Tax ID number, requires a new vendor application.	

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<p>Subject:</p> <p style="text-align:center">BIDS – INFORMAL BID (REGULAR, WRITTEN FACSIMILE OR TELEPHONE) PREPARATION AND PROCESSING</p>	<p>Effective Date: January 9, 2017</p> <p>Supersedes: 2/22/10</p>
<p>I. PURPOSE</p> <p>To define procedures to be used in the preparation and processing of informal (written) bids.</p> <p>II. SCOPE:</p> <p>This procedure applies to all purchases and sales where the amount of the expenditure or sale is less than \$50,000.00.</p> <p>III. GENERAL:</p> <p>A. Purchasing Policy No. P-030, Bid Requirements, states that informal bids for purchases or sales of less than \$50,000.00 may be taken on the open market without newspaper advertisement but shall, when practical in the judgment of the County Purchasing Agent, be based on at least three competitive bids.</p> <p>B. Current administrative procedures and provisions in Resolution No. 16, adopted 3/23/98, establish the following guidelines.</p> <ol style="list-style-type: none">1. Purchases of less than \$5,000.00 shall be made at the discretion of the Administrator of Purchasing based on the best available price, available delivery and other practical considerations.2. Purchases from \$5,000.00 to \$14,999.99 shall be based on competitive prices obtained from at least three (3) bidders, with the Purchasing Department using their best efforts to contact all qualified bidders as time and other practical considerations permit, with the lowest and best bid being accepted and records maintained by purchasing of the parties contacted and of their bid.3. Purchases between \$15,000.00 and \$50,000.00 shall be based on competitive prices solicited from all qualified bidders via “Request for Bid”.4. Purchases over \$50,000.00 shall be based on competitive prices selected from all qualified bidders via the sealed bid process unless deemed to not be practical by the Purchasing Administrator and submitted to the Board of Commissioners for approval.	

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<p>IV. PROCEDURES:</p> <p>Upon receipt of the requisition, the Buyer will review the requisition to determine the estimated dollar amount of the purchase and whether or not written bids are required or informal bids can be requested.</p> <p>Requisitions for similar items or the same type of commodity where the total estimated cost per requisition is less than \$5,000.00 may be combined and written bids requested whenever possible in order to maximize competitive bids received and obtain the required materials or services at the best value to the County.</p> <p>A. INFORMAL WRITTEN BIDS - \$5,000.00 TO \$14,999.99</p> <ol style="list-style-type: none">1. The Buyer solicits quotations on the item(s) and quantity described on the requisition and records the quotations directly on the face of the requisition as follows:<ol style="list-style-type: none">a. Bidder (Company) Nameb. Price(s) Quotedc. Name of Person Quoting Pricesd. Date Quotede. Delivery Timef. Terms of Payment2. Quotations should be obtained from a minimum of three (3) bidders on the Buyer's bid list for the commodity involved. Buyer's should use a rotation method when selecting the bidders contacted to allow all bidders on the bid list an opportunity to provide verbal quotations.	

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<p>3. When all quotes are received, the Buyer selects the best quotation, assigns and records on the requisition the appropriate vendor number and commodity code.</p> <p>4. The Buyer then inputs this information into the Purchasing Electronic System and approves the requisition to be printed as a purchase order.</p> <p>5. The purchase order is printed, the pink copy and any documentation is attached to the file copy of the requisition and filed in numerical order by purchase order number in the File Room.</p> <p>B. REGULAR WRITTEN BIDS - \$15,000.00 TO \$49,999.99</p> <p>1. Regular written bids are requested via the “Request For Quotation” form, or electronically through the Mercury Commerce System.</p> <p>2. The complete bid request may be typed on the preprinted form or, in the case of lengthy or detailed specifications, the preprinted form may be used as a pricing and signature form with the detailed requirements attached and referenced on the form.</p> <p>3. When soliciting regular bids, requests are sent to all prospective bidders on the Buyer’s bidder list for the commodity involved via written hard copies or electronically through the e-bid system.</p> <p>4. The due date for regular written bids shall be no later than 4:00 p.m. at least ten (10) work days after they are mailed, when possible.</p> <p>5. Regular bids shall be designated by placing the prefix RB- in front of the applicable requisition number. Regular bids which are rebid will be designated by placing an A,B, as applicable, after the original bid #. (e.g. RBA-010500A)</p>	

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<ol style="list-style-type: none">6. Upon receipt of the requisition with the bid number assigned, the Buyer will review the item description and specifications for any problems. If no corrections or additional information is needed, the Buyer will process the bid. Specifications should be submitted by the department attached to the requisition and e-mailed to the Buyer.7. The Buyer will then forward the bid to the Bid Desk where the Bid Desk will create the bid request, print mailing labels for hard copies or prepare the document for the e-bid system.8. The Bid Desk prepares bid folder, labeled to denote the bid number, due date and Buyer which will be used throughout the process until the bid is awarded and filed. The Bid Desk gives the bid request back to the Buyer for review, noting any necessary corrections.9. The Bid Desk will maintain a file, in numerical order by bid number, of all outstanding regular bids, and file them in their respective folders as they are received. The complete file is given to the respective Buyer immediately after the due date except in the case of electronic bids. The Buyer reviews the bid request and if no corrections or additions are required forwards the bid request back to the Bid Desk (for regular written bids).10. The Bid Desk prints the bid, transfers the bid to the County's web site, Purchasing Section, List of Currently Open Bids. The bid will not be made available to be accessed by vendors until the bid has been completely processed. The e-bids are then posted to the mercury commerce site and made available.11. The Sealed Bid Desk forwards the bid folder to the Reception Desk for mailing of the bids.	

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<p>12. Upon receipt of the bid file, the Buyer processes the bid as follows:</p> <ul style="list-style-type: none">a. Prepares a tabulation of the bid noting any exceptions to the bid specifications, evaluates the bids, and determines the apparent successful bidder. This includes utilizing mercury commerce to tabulate the electronic bids.b. Drafts correspondence to the using department when necessary requesting their review and recommendation for award of the bid.c. Reviews any recommendations received from the using department and makes sure adequate justification is provided if other than the low bidder is recommended.d. Awards the bid, authorizes the printing of the purchase order to the selected vendor. Once the purchase order has been printed, verified and signed by the Administrator, the front desk will dispense copies of the purchase order as follows:<ul style="list-style-type: none">1. White copy (original)-mail to vendor2. Yellow copy (receiving report)-forward to department3. White copy-purchasing file copy, file in vendor folder, then files Purchasing's copy of the paperwork. <p>13. The Buyer attaches the purchase order and requisition to the bid folder. On a separate sheet of paper writes bid complete, date completed, initials and attaches to the bid folder. The completed folder is forwarded back to the Sealed Bid Desk.</p> <p>14. The Sealed Bid Desk prepares a permanent folder for the regular bid with the contents arranged in the following order, hole punched and attached to the folder.</p> <ul style="list-style-type: none">a. The original (white) copy of the requisitionb. Vendor correspondencec. Department correspondenced. A copy of the bid tabulatione. The bids received in alphabetical orderf. Any miscellaneous notes or information pertaining to the bid
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<p>15. The Sealed Bid Desk updates the regular bid control sheet referencing the bid as complete, date completed and the amount of money the purchase order was issued for.</p> <p>16. The Sealed Bid Desk then forwards the bid to the File Room to be filed in numerical order by bid number.</p>	

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<p>I. PURPOSE:</p> <p>To define procedures to be used in the preparation and processing of multi-step sealed bids.</p> <p>II. SCOPE:</p> <p>This procedure applies to all bids for purchases and sales exceeding \$50,000.00 in which a two-step bid process is required.</p> <p>III. GENERAL:</p> <p>A. Under the multi-step bidding method, an invitation for bids may be issued requesting the submission of unpriced offers followed by an invitation for bids limited to those bidders whose offers have been determined to be technically acceptable under the criteria set forth in the first solicitation.</p> <p>B. In the first step, vendors are requested to submit unpriced technical proposals. Only those vendors who have submitted acceptable technical proposals are invited to submit competitive sealed bids in step two.</p> <p>C. Multi-step sealed bidding may be used under the following circumstances:</p> <ol style="list-style-type: none">1. Available specifications or purchase descriptions are not definite or complete.2. Definite criteria exist for evaluating technical proposals.3. More than one technically qualified source is available.4. Sufficient time will be available for using the two-step method.5. A firm, fixed-price contract or a fixed-priced contract with economic adjustment will be used.	

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<p>IV. PROCEDURES:</p> <ol style="list-style-type: none">1. The Buyer reviews the requesting department’s requisition and purchase description for clarity and completeness.2. The Buyer plans, schedules and coordinates with the requesting department key events and dates for:<ol style="list-style-type: none">a. Step One - The review and issuance of the request for technical proposals package, public notice, the pre-bid conference, the receipt of proposals, the evaluation and acceptance of proposals, and the notification of unacceptable proposals.b. Step Two - The bid opening date, evaluation of final offers, Board of Commissioners approval, and the preparation of the purchase order and/or contract.3. The Buyer prepares a draft of the request for technical proposals or unpriced offers and Bidder’s Mailing List and reviews with the Administrator of Purchasing and, if necessary, the requesting department for approval.4. Upon approval of the request for technical proposals or unpriced offers, the Buyer forwards the packet to the Bid Desk for advertising and preparing final request for proposals for mailing to the prospective bidders.5. A pre-bid conference with vendors may be held to discuss the County’s requirements.6. Unless otherwise approved by the Administrator of Purchasing, the due date and opening for step one responses in the multi-bid process will be the same as for other sealed bids.7. The technical proposals received in step one are opened and the names of the companies are read out and recorded in the sealed bid opening. The proposals may be reviewed by those in attendance during the respective bid opening.	

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<p>8. After the opening of the technical proposals in step one, the Buyer drafts a memo to the using department indicating the responses received. The Bid Desk types the memo and sends it to the using department along with a copy of the proposals received for evaluation and to categorize them as (a) acceptable, (b) potentially acceptable, or (c) unacceptable.</p> <p>9. The using department notifies the Buyer in writing of the results of their evaluation and the reasons why any proposal is unacceptable. Unacceptable vendors are notified accordingly.</p> <p>10. Purchasing and the using department may conduct discussions with any bidder who submits an acceptable or potentially acceptable proposal.</p> <p>11. Vendors whose proposals have been determined to be acceptable in step one are invited to participate in step two.</p> <p>12. In step two, bids shall be requested, received, evaluated, and awarded, and purchase orders or contracts issued in accordance with the procedures used in the competitive sealed bidding method. (SEE RULES AND REGULATIONS NOS. RR-080, BIDS - SEALED, PREPARATION, SOLICITATION AND EVALUATION and RR-090, BIDS - SEALED, PREPARATION AND PROCESSING OF FORMAL AWARD.)</p>	

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<p>I. PURPOSE:</p> <p>To define rules & regulations to be used in the preparation and processing of formal sealed bids.</p> <p>II. SCOPE:</p> <p>These rules & regulations apply to all purchases and sales where the amount of the expenditure or sale exceeds \$50,000.00.</p> <p>III. GENERAL:</p> <p>A. Sealed bids must be solicited for all purchases and sales in excess of \$50,000.00 except where stated otherwise in Purchasing Policy No. P-030 (Bid Requirements).</p> <p>B. Requisitions for items estimated to cost more than \$50,000.00 shall not be subdivided to circumvent the sealed bid requirement.</p> <p>C. Sealed bids require public notice inserted at least two (2) times in a newspaper of general circulation, a public opening and public reading of the bids except in the case of e-bids posted in the mercury commerce system.</p> <p>IV. PROCEDURES:</p> <p>A. CONTENTS OF BID PACKET</p> <p>1. The standard bid packet will contain the following information:</p> <p>a. A cover sheet indicating the commodity description, commodity code number, sealed bid number, bid due date (time and date), and the bid specifications are original specifications or revised specifications.</p> <p>b. Section I - Notice to Bidders signed by the Administrator of Purchasing.</p> <p>c. Section II - General Terms and Conditions (Standard set for all sealed bids).</p>	

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<p>d. Section III - Detailed Requirements and Specifications.</p> <p>e. Section IV - Quotation/Bid Response Form.</p> <p>2. Sealed bid packets or project manuals for construction projects must include a copy of the County's General Conditions of the Contract for Construction, standard bond forms, standard form of agreement between the owner and contractor, E.O.C. packets, and Shelby County Drug Free Workplace Affidavit. The LOSB/MWBE and supplier list may be viewed on the County's website</p> <p>3. Sealed bid packets involving the rental, lease, or lease purchase of equipment must include a copy of Shelby County's Municipal Lease Agreement.</p> <p>B. PREPARATION OF BID (BUYER)</p> <p>1. The Buyer will review the requisition, the department's requirements, and prepare bid specifications as follows:</p> <p>a. If the department has submitted bid specifications, the Buyer will review the bid specifications and incorporate them into a standard format. Any changes to the department's specifications should be reviewed and approved by the department.</p> <p>b. If department has not submitted bid specifications, the Buyer will contact department to verify whether or not specifications are available.</p> <p>c. If not available, the Buyer will check and see if specifications or similar ones are on file or are available from a previous bid. If available, a copy will be pulled and reviewed to determine if they can be used with or without changes.</p> <p>d. Note: The department shall submit specifications in soft copy via email.</p> <p>2. The Buyer will note the appropriate commodity code, sealed bid number and due date in the spaces provided on the requisition.</p>	

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<div data-bbox="370 562 1539 1016"><ul style="list-style-type: none">3. Bids shall be designated by placing the prefix SB- in front of the applicable requisition number. Sealed bids which are rebid will be designated by placing an A,B, etc., as applicable, after the original bid #. (e.g. SB-I000000A).4. All sealed bids will be due as indicated in the bid documents, unless dictated by other circumstances or approved by the Administrator of Purchasing, and the due date shall be no sooner than ten (10) days after the second day of the bid advertisement.5. The Buyer will process the bid through the purchasing electronic system.6. The Buyer will forward the requisition along with a copy of the sealed bid cover sheet, detailed requirements/specifications and pricing sheet to the Bid Desk for the advertisement of the bid and creation of the sealed bid. Hard copy bids are not created for electronic bids.</div> <div data-bbox="321 1050 1006 1083"><p>C. PREPARATION OF BID (SEALED BID DESK)</p></div> <div data-bbox="370 1121 1555 1675"><ul style="list-style-type: none">1. Upon receipt of the requisition and bid information from the Buyer, the Sealed Bid Desk will review the bid information for completeness prior to advertising, making sure that the bid due date meets the minimum requirement of ten (10) days from the second day of advertisement as required by law.2. If necessary, the Bid Desk can change the bid due date after conferring with the Buyer or, in his/her absence.3. Unless approved by the Administrator of Purchasing, no sealed bids will be accepted for advertisement unless they are complete with specifications and other documents required for creation of bid.4. If bid information is complete and received by 4:30 p.m. on Friday, the bid will be advertised on Wednesday and Thursday of the next week.5. All bids will be advertised on Wednesday and Thursday unless it is of an emergency nature and/or is approved by the Administrator of Purchasing.</div>	

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<p>6. At the time the bid is advertised or posted in mercury commerce, the Bid Desk will prepare a folder which will be used throughout the bid process until the bid becomes due, bids are opened, and the bid enters the evaluation stage. The bid folder shall be labeled denoting the bid number, a description of the bid, and the bid due date.</p> <p>Also, during the bid process, from the time the bid is advertised and until final action is taken, the Sealed Bid Desk maintains a bid log and records the status of the bid on an up to date basis.</p> <p>7. The Bid Desk will create the bid packet and print out a listing and set of mailing labels based on the commodity number provided by the Buyer; excluding electronic bids.</p> <p>8. The Bid Desk returns the prepared packet, including the mailing labels and listing, to the Buyer to review, make any necessary corrections, and to check the Bidder's List and labels to ensure that the sealed bid request is correct; excluding electronic bids.</p> <p>9. Any corrections or revisions to the bid packet shall be noted on the approval form provided by the Bid Desk and the Buyer shall initial, date the approval form and return it with the bid packet to the Bid Desk for further processing; excluding electronic bids.</p> <p>10. Once any corrections or revisions, if necessary, have been made, the Bid Desk assembles the final bid packet and verifies that all sections are part of the packet.</p> <p>11. The Bid Desk prints the bid, posts the bid on the County website or mercury commerce. The bid will not be made available to the public until the first day of advertisement.</p> <p>12. A copy of the requisition and the bid folder(s), including the mailing labels, are kept at the Bid Desk for follow up while copies of the original bid packet(s) are being made.</p>	

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D. MAILING OUT OF BIDS

1. The Bid Desk mails copies of the bid to all bidders for which there are mailing labels.
2. A copy of the bid is also sent to the using department, the Buyer, and the Administrator, excluding electronic bids.
3. When applicable, a copy is also sent to the architect, engineer, or project consultant.
4. After all bids have been mailed, the person mailing out the bid notes “mailed out” on the original copy, initials, and indicates the date mailed.
5. The bid folder, along with the original bid packet and any extra copies are returned to the Bid Desk for filing in the bids due file cabinet.

E. PROCESSING OF SEALED BIDS PRIOR TO PUBLIC OPENING

1. After the bid is mailed out, any mail returned for any reason must be given immediately to the assigned Buyer for disposition in case the address needs correcting and the bid packet re-mailed.
2. All bids received shall be time stamped and dated by the Reception Desk and forwarded to the Bid Desk for filing in the respective sealed bid folder until the bid opening.
3. On the day of the bid opening, the Bid Desk prepares a sheet for each sealed bid and lists the names of each company from which responses have been received. This sheet will be used at the public opening to record the bids received.

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<ol style="list-style-type: none">4. The Receptionist Desk time stamps all incoming bids immediately upon receipt and forwards all bids to the Bid Desk without delay.5. Thirty (30) minutes to one (1) hour prior to the bid opening, depending on the number of bids due, a representative from the E.O.C (Equal Opportunity Compliance) Office shall review, at the Bid Desk, the bidders' envelopes to verify that the respective company has a valid E.O.C. number.6. On the outside of the envelope, any company which does not have a valid or current E.O.C. number, the E.O.C. representative will note "No E.O.C. Number" and place their initials and date. Bids without an E.O.C. number can only be opened upon the approval of the Administrator of Purchasing. <p>F. THE PUBLIC BID OPENING</p> <ol style="list-style-type: none">1. All sealed bid openings shall be scheduled for a specific time and day at the location designated in the bid advertisement unless prior approval is received from the Administrator of Purchasing; excluding electronic bids to schedule a specific bid opening for a different time or day.2. Sealed bid openings shall begin promptly at the time specified and shall be conducted in a business like and professional manner.3. No bid envelopes shall be opened before the time of bid closing.4. Prior to opening and reading out of the bids, all persons, including County employees, in attendance are asked to sign an attendance sheet prepared by the Sealed Bid Desk Clerk indicating their company's name, their name, and the applicable bid number(s).5. The bid opening shall be conducted by the Buyer handling the commodity or a designated replacement in their absence.6. The E.O.C. representative will attend the bid opening to verify bidders E.O.C.	

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<p>7. The Bid Desk Clerk will process the bids to be opened as follows:</p> <ul style="list-style-type: none">a. Process and open sealed bids in descending order based on the number of persons in attendance for each individual bid.b. Verify that the E.O.C. number has been checked and the bidder has a current number before opening the bid.c. On bids requiring contractor information (e.g. license number, classification, amount, etc.), verify that the required information is on the outside of the envelope before opening the bid.d. After verification of the above information, open the bid envelope and check bid for inclusion of required bid bonds.e. Give the bid folder and bids to the individual conducting the bid opening for reading out. Note: Alert the individual if only one bid is received to prevent it from accidentally being read out. <p>8. A designated Purchasing staff representative attends the bid opening and records the bids as they are read out on the record sheet prepared by the Bid Desk Clerk.</p> <p>9. The individual conducting the bid opening reads out the bids received stating the Company's name and price(s) quoted, indicates bids which are being rejected and reason for rejection (no E.O.C. number, bid bond, etc.), and indicates companies submitting "no bid" responses.</p> <p>10. When only one (1) bid is received on a sealed bid, it will be announced that only one bid was received along with the name of the company submitting the bid. It will also be announced that, in accordance with current purchasing policy and procedure, the bid will not be opened pending a determination of whether or not new bids will be requested or an award made against the bid in question.</p>	

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<p>11. Once bids for a particular sealed bid have been read out, they are available for public inspection and review at the respective bid opening. After the public opening, they will not be available for public inspection until the completion of the bid evaluation and award of a contract or order. Electronic bids posted on mercury commerce will have responses available to all bidders who participated.</p> <p>G. REJECTION AND RETURN OF BIDS</p> <p>1. No bids shall be accepted after the advertised opening time.</p> <p>2. In addition to being received late, bids may be rejected for other reasons, such as (a) bid not signed, (b) an expired, incorrect, or no E.O.C. number or (c) required bid bond not submitted, etc.</p> <p>3. Upon receiving the bid file after the public opening, the Buyer will review the file and responses received noting on the outside of the bidder's envelope whenever a bid is to be returned to a bidder and why it is being returned. The Buyer will also initial the note on the envelope.</p> <p>4. The Buyer shall forward to the Bid Desk no later than the second day after the date of the bid opening any bid(s) to be returned to the bidder(s).</p> <p>5. The Bid Desk will prepare a form letter and send it along with the rejected bid to the respective bidder.</p> <p>6. A copy of the form letter along with a copy of the bid envelope for all bids returned is filed in the respective sealed bid file.</p> <p>H. BID REVISIONS, WITHDRAWALS, WAIVERS</p> <p>1. Corrections and/or modifications by bidders to bids submitted will not be accepted after the specified time and due date for the sealed bid.</p> <p>2. After the bid opening, the Buyer shall examine all bids for mistakes. In cases of apparent mistakes, and in cases where the Buyer has reason to believe that a mistake may have been made, the Buyer shall request from the vendor, verification of the bid, calling attention to the suspected mistake.</p>	

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<div><div><div>3. Apparent clerical errors such as obvious error in placement of decimal point, incorrect extensions and bid totals may be corrected by the Buyer prior to award, if the Buyer has obtained from the bidder written verification by mail or facsimile machine of the bid actually intended. All pricing submitted on bids shall always prevail. Correction will not be made on the bid document received, but shall be indicated by attaching the verification to the bid and reflecting it in the award document.</div><div>4. Bidders may be allowed to withdraw their bids in the case of obvious errors in pricing if requested in writing by the bidder and approved by the Administrator of Purchasing.</div><div>5. On bids requiring a bid bond, an apparent low bidder withdrawing his bid may be required to forfeit his bid bond.</div><div>6. The Administrator of Purchasing may waive any informality in the bid received provided that the item being waived is only a matter of form or is a variation from the exact requirements which has an insignificant or no effect on price, quality, delivery, or performance, and such waiver would not affect the relative standing of the bidders or be otherwise prejudicial to them.</div></div><div><div>I. BID EVALUATION AND AWARD RECOMMENDATIONS</div><div><div>1. Upon receiving the bid file after the public opening, the Buyer:<div><div>a. Prepares a tabulation of the bids received.</div><div>b. Determines and indicates the successful bidder(s) and in accordance with Locally Owned Small Business ordinance No. 471 and the Minority and Woman Business Enterprise ordinance number 472.</div><div>c. Compares the specifications for the item(s) with the bid specifications and notes where bid specifications are not met or exceeded.</div></div></div></div></div></div>	

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<p>d. Sends a memo to the using department indicating his/her preliminary recommendation for award, the basis of the recommendation, exceptions, if any, to the bid specification of a critical or substantial nature in the bids being evaluated and requesting the using department's recommendations for award.</p> <p><u>NOTE: The departmental memo should include a recap of the bids received or a copy of the bid tabulation sheet appropriately noted by the Buyer should be attached to it, whenever possible, to assist the using department in its evaluation.</u></p> <p><u>Original bids must remain in their respective bid file in the Purchasing Department's Offices.</u></p> <p>e. After the request for recommendations has been sent to the using department, the Bid Desk reviews and puts all the information in the working file in order, transfers it to a permanent file folder, inserts indexes, and forwards back to the Buyer who will maintain a file of all open bids at their desk.</p> <p>2. The using department reviews the information received from the Buyer and notifies the Buyer in writing regarding their recommendation for award of the bid.</p> <p>a. If other than the recommended vendor, the department's recommendation must include adequate justification.</p> <p>b. If only one bid was received and award to the only bidder is recommended rather than requesting new bids in an effort to obtain competitive bids, the department's recommendation must include adequate justification for doing so.</p>	

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<p style="text-align:center">c. Recommendations received for awarding a bid to other than the low bidder or when only one bid is received will require the review and approval of the Administrator of Purchasing before the Buyer proceeds with the formal award of the bid.</p> <p>J. CRITERIA FOR AWARD</p> <p>During the evaluation process, the Purchasing Department and the using department will consider the following criteria as the basis for their award recommendations:</p> <ul style="list-style-type: none">a. Most Responsive Bidder Meeting Specificationsb. Previous Vendor Performance Historyc. Delivery Time Quotedd. Locally Owned Small Business ordinance 471 and MWBE ordinance 472 <p>Note: Prompt payment discounts will be considered in determining the most responsive bidder.</p> <p>K. FORMAL AWARD OF BID</p> <p>SEE PURCHASING RULES AND REGULATIONS NO. RR-090, BIDS - SEALED BID, PREPARATION AND PROCESSING OF FORMAL AWARD.</p>	

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<p>Subject:</p> <p style="text-align:center">BIDS – SEALED BID, PREPARATION AND PROCESSING OF FORMAL AWARD</p>	<p>Effective Date: January 9, 2017</p> <p>Supersedes: 2/22/10</p>
<p>I. PURPOSE:</p> <p>To define the format to be used and information to be included in sealed bid recommendation sheets, to provide routing instructions for approval signatures and to provide other information related to the award of sealed bids.</p> <p>II. SCOPE:</p> <p>These rules & regulations apply to all sealed bid awards.</p> <p>III. GENERAL:</p> <p>The formal award process for sealed bids begins when the using department's recommendations have been received in the Purchasing Department.(SEE RULES AND REGULATIONS NO. RR-080, BIDS - SEALED BID, PREPARATION, SOLICITATION, AND EVALUATION.)</p> <p>IV. PROCEDURES:</p> <p>A. PREPARATION OF TABULATION/RECOMMENDATION SHEET</p> <p>Each Buyer is responsible for preparing and forwarding to the Sealed Bid Desk for typing a complete and correct draft copy of the tabulation/recommendation sheet for bids involving his or her assigned commodities.</p> <p>Upon receipt of the department's recommendation, for award of the bid, unless additional information, justification, or review and approval is needed, the Buyer prepares the draft copy.</p> <p>When preparing the draft copy, the Buyer should utilize a copy of the standard sealed bid recommendation sheets pages 1, 2, & 3 as necessary and provide the following information:</p> <ol style="list-style-type: none">1. Heading & Information Boxes<ol style="list-style-type: none">a. Sealed bid number and due dateb. Put underlined heading on each page indicating subject of bid (Should be short and concise such as description in ad or on bid folder label).	

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<p>c. Fill in appropriate Department and Contact Name.</p> <p>d. Requirements Box - Check <u>all</u> items either yes or no as applicable to processing the bid.</p> <p>e. Bid Information Box - Fill in all blanks pertaining to bids sent out, bids received, bids unopened.</p> <p>2. Tabulation Section</p> <p>This section must be laid out in a manner which provides a clear comparison of the bids received and indicates the bidder(s) recommended.</p> <p>a. Bidders' names should be listed horizontally and underlined on each page of the recommendation sheet.</p> <p>b. Items, identified by item number and a short description, should be listed vertically, down the left side of each page.</p> <p>c. Both unit prices and extension prices are to be shown with extension prices shown in parentheses <u>above</u> its respective unit price.</p> <p>d. Total amount bid for each bidder will be shown after the last item in the tabulation.</p> <p>e. Terms of payment will be shown for each bidder after the bid total.</p> <p>f. Asterisks will be used to denote the following and footnoted at the bottom of the tabulation:</p> <p style="padding-left: 40px;">* Awarded to the most responsive bidder based on price quoted and meeting specifications.</p> <p style="padding-left: 40px;">**Low bid not awarded or does not meet specifications.</p> <p>Asterisks are placed by the company name if all items are awarded to one bidder, otherwise place asterisk by each specific item under the appropriate company name.</p>	

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3. Recommendation Section

- a. This section must be written in a manner which clearly indicates the following:
 - 1. Who is being awarded the bid.
 - 2. What they are being awarded.
 - 3. On what basis the award is being made.
 - 4. The dollar amount of the award.
 - 5. Any special notes pertaining to the award.
- b. On awards to a single bidder, recommendations should consist of a statement indicating the basis of the award, if the using department concurs with the recommendation, name of the company being recommended, and the total dollar amount of the award.
- c. If numerous items are being awarded to a number of different bidders, then the item numbers, the respective bidder name, and actual dollar amount awarded to each bidder should be indented and listed under the initial recommendation statement.
- d. When bid awards involve a number of bidders, the recommendation must also state the total of the bid award for all items in the bid. This should be a separate sentence following the listing of individual bidders and amounts awarded.
- e. The bid recommendation must state the initial award period and, wherever applicable, any renewal options.
- f. The last paragraph of the recommendation section must note the following:

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<div data-bbox="422 514 1559 1386"><ol style="list-style-type: none">1. Any low bid not being recommended and the reason or justification.2. If only one bid was received, why other bids were not received and the justification for awarding the bid to the only bidder.3. Any special requirements regarding funding or approval such as expenditures involving C.I.P. funds and/or requiring Commission approval.4. Any other information necessary to adequately explain or clarify the basis for, or the criteria involved in making, the recommendation for award.<div data-bbox="422 861 1559 1228"><p>g. The Bid Desk must type tabulation/recommendation sheets in the above format. Draft copies submitted to the Bid Desk by the Buyers for typing which do not follow the format in this section should be returned to the respective Buyer for correction before typing.</p><p>h. Before forwarding the draft tabulation/recommendation to the Bid Desk for typing, Buyers should review the contents, check all extensions and verify that the bidders recommended for award are correct.</p><p>i. Buyers must proof the typed copy and have any necessary corrections made before processing the tabulation/recommendation sheet for approval.</p><p>On awards requiring Commission approval, the typed copy should be double checked for correctness. (Once an award is approved by the Board of Commissioners, an error may require additional action by the Commission to correct.)</p></div><p>4. Signature and Certification Section</p><p>The following will be provided on the last page of the recommendation sheet:</p></div>	

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- a. Signature/Date lines for indicating review and approval of recommended award by the Buyer and Administrator of Purchasing.
- b. A statement and signature line for the Administrator of Purchasing to certify that the bid is in compliance with procedures as stated in Resolution No. 50 on Purchasing Department Policy, Dated 2/4/80 and Ordinance No. 84, adopted 1/7/91.
- c. Notary statement, information and signature lines.

B. ROUTING FOR APPROVAL

1. The typed tabulation/recommendation sheet is placed on top of its respective bid file and routed to the respective Buyer and Administrator of Purchasing for review and approval.
2. After the Administrator of Purchasing approves the recommendation and signs the certification statement, the bid is returned to the Sealed Bid Desk for notarizing.
3. Routing of the bid and recommendation sheet is coordinated by the Bid Desk so the status of the bid award in progress can be determined at any time.

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<p>C. FINAL AWARD OF PURCHASE ORDER OR CONTRACT</p> <p>When the Buyer receives the approved tabulation/recommendation back, the following action is taken:</p> <ol style="list-style-type: none">1. <u>Contract/Commission Approval NOT Required.</u><ol style="list-style-type: none">a. Buyer approves requisition in the Purchasing Electronic System to print as purchase order to the successful vendor.b. Bid file is flagged by Buyer to indicate that purchase order(s) have been issued and returned to the Bid Desk for updating sealed bid log and forwarding of file to the File Room.2. <u>Contracts and/or Commission Approval Required.</u><ol style="list-style-type: none">a. Copies of the approved recommendation sheets, along with a form letter instructing the using department to obtain the required contract documents and/or prepare the required Commission packet, are sent to:<ol style="list-style-type: none">1. The Using Department2. The E.O.C. Office3. The Contract Administration Departmentb. The using department will prepare and route the contract documents and/or commission packet in accordance with applicable Contract Administration Procedure No. CA-030 or CA-040.c. Pursuant to Resolution No. 14, adopted 9/17/79, and Resolution No. 50, adopted 2/4/80, <u>the following additional procedures shall apply if:</u>	

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<div data-bbox="479 556 1477 703"><p>1. <u>The contract is to be awarded on a bid basis and the low bid is not recommended.</u></p><p>a. The reasons for rejecting said low bid shall be explained in writing.</p></div> <div data-bbox="479 756 1559 1375"><p>2. <u>Only one bid is received on an item(s).</u></p><p>A special notation will be made on the Commission’s resolution requesting the purchase of that item with an explanation given for the reason(s), if known, why only one bid was received. Purchasing shall make a diligent inquiry into the reason(s) for the sole bid, by contacting the vendors who did not bid, to ascertain the reason(s) for the single bid.</p><p>a. The Contract Administration Department will, after approval of the award or contract by the Board of Commissioners, give the Buyer a copy of the approved resolution and/or where applicable the notice to proceed when a contract is required.</p><p>b. Upon receiving a copy of the approved resolution, the Buyer will issue purchase order(s), if required.</p><p>c. The Buyer will forward the copy of the approved resolution and/or notice to proceed received from the Contract Administration Department to the Sealed Bid Desk for updating the sealed bid log and filing in the respective bid file.</p></div>	

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Subject: LETTER OF CREDIT, BOND AND INSURANCE REQUIREMENTS FOR BIDS	Effective Date: January 9, 2017 Supersedes: 2/22/10
<p>I. PURPOSE:</p> <p>To set requirements for certificates of insurance and bid, performance, and labor and materials bonds.</p> <p>II. SCOPE:</p> <p>The procedures apply to bids and contracts solicited by any Department, Office, Board, and Agency of the County.</p> <p>III. GENERAL:</p> <p>A. Bid specifications shall state the minimum bond and insurance, and other surety requirements.</p> <p>B. The Administrator of Purchasing shall determine whether a bid bond or deposit is required for a purchase contract or sale, except where required by law. If a bid bond or deposit is required, the Administrator of Purchasing shall specify the bond amount and form.</p> <p>C. The Administrator of Purchasing may waive any bonding requirements not required by law. Bonds required in the bid specifications shall not be waived after the solicitation has been advertised.</p> <p>IV. BID BONDS:</p> <p>Bid bonds or deposits shall generally be required for bids involving large expenditures. The bid bond and deposit is intended to protect the County, in the event that the low bidder attempts to withdraw the bid or refuses to enter into a contract.</p> <p>A. BID BOND REQUIREMENTS</p> <p>1. When deemed necessary, bid bonds shall be required on all construction projects with an estimated cost of \$100,000.00 or more, and projects involving Capital Improvement Program funds. These solicitations require Board of Commissioners approval and additional time to award the bid and execute the contract.</p>	

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<div><div><div>2. Unless approved by the Administrator of Purchasing, required bid bonds shall be five percent 5% of the bid amount.</div><div>3. Bid deposits may be in the form of:<div><div>a. A bond from a bonding company recognized by the Treasury and licensed to do business in the State of Tennessee.</div><div>b. A certified check or a cashier's check.</div><div>c. A letter of credit by a national bank or a certificate of deposit therein, duly assigned.</div></div></div></div><div><div>B. RETENTION/RETURN OF BID BONDS OR DEPOSITS</div><div><div>1. The bid bonds or deposits of all, except the three (3)lowest bidders, shall be returned five (5) working days after the bids are checked, tabulated, and ranked.</div><div>2. The bid bonds or deposits of the three (3) lowest bidders shall be returned as soon as the successful bidder's contract and bond have been executed and approved.</div><div>3. On the day of the bid opening, the Purchasing Department shall forward the three (3) lowest bidders' bid bonds or deposits to the Finance Department. Deposits will be hand delivered to the Finance Department along with a form memorandum indicating the bid involved, the bidder submitting the bid deposit, and bid deposit information such as check number, bank of withdrawal, and dollar amount. Copies of the check, receipts from the Finance Department shall be attached to the memorandum and kept in the bid file.</div><div>4. When requesting a refund from the Finance Department, the Buyer shall contact the Sealed Bid Desk to prepare a memorandum and check request. A copy of the memorandum and check request shall be kept in the bid file.</div></div></div></div>	

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<p style="text-align:center">C. FORFEITURE OF BID BOND OR DEPOSIT</p> <p style="text-align:center">If the lowest bidder refuses to enter into a contact within ten (10) days after receiving written notice of award, then the bid bond or deposit shall be forfeited to the County.</p> <p>V. PERFORMANCE BONDS AND LABOR AND MATERIALS BONDS:</p> <p>A performance bond shall guarantee that the work shall be done according to specifications and within the specified time.</p> <p>A labor and materials bond shall protect the County from liens created against the contractor in the event of subcontractor payment disputes. The bond shall provide protection for goods and services contracts valued at \$25,000 and under.</p> <p>A. Both a performance bond and labor and materials bond shall be required on all construction contracts, each in the amount shown below :</p> <table><tr><td>1. Contracts over \$100,000.00</td><td>100% of the amount of the contract.</td></tr><tr><td>2. Contracts under \$100,000.00</td><td>at the discretion of the Administrator of Purchasing</td></tr></table> <p>The T.C.A. 12-4-201 requires a minimum labor and materials bond of twenty-five percent (25%) of the contract price on all contracts over \$100,000.00.</p> <p>B. Performance bonds shall be required on various types of service contracts (e.g. janitorial services, radio communications equipment maintenance, printing of election materials, etc.). The guidelines in section A above shall be used to determine the amount of the performance bond required, unless the Administrator of Purchasing determines a different amount or waives the requirement.</p> <p>C. In lieu of the bonds required in this section, other types of securities or cash may be substituted at the percentage rate. See IV (A)(3), Bid Bond Requirements, for alternate acceptable forms.</p>		1. Contracts over \$100,000.00	100% of the amount of the contract.	2. Contracts under \$100,000.00	at the discretion of the Administrator of Purchasing
1. Contracts over \$100,000.00	100% of the amount of the contract.				
2. Contracts under \$100,000.00	at the discretion of the Administrator of Purchasing				

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<p>D. At the Administrator of Purchasing's discretion, the following securities may be provided in lieu of a performance bond:</p> <ol style="list-style-type: none">1. A certified check or a cashier's check.2. A letter of credit by a national bank or certificate of deposit therein, duly assigned. <p>E. Any bond(s) required of the successful bidder shall be stated in the bid specifications.</p> <p>VI. CERTIFICATES OF INSURANCE:</p> <p>A. Certificates of Insurance are required on all construction type contracts where the amount of the contract is over \$25,000.00.</p> <p>Types of insurance included:</p> <ol style="list-style-type: none">1. Worker's Compensation2. Comprehensive General Liability3. Automobile Liability4. Owner's Protective Liability(Where required by specification)5. Bidder's Risk (Where required by specification) <p>B. Certain types of insurance coverage shall be required on other types of contracts based on the nature of the service provided and the County's potential loss exposure (e.g. contracts for recreational type services, water treatment services, transportation services, building maintenance services, security services, etc.).</p> <p>C. Whenever insurance coverage is required, it is the Buyer's responsibility to contact the County's Risk Management Department to conform the required coverage types and respective limits for bid specification inclusion.</p>	

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<p>I. PURPOSE:</p> <p>To provide information regarding freight charges for the transportation of supplies and equipment purchased, including applicable shipping terms to be stated on purchase orders and payment of freight charges.</p> <p>II. SCOPE:</p> <p>These procedures apply to all purchases for all departments and offices of the County.</p> <p>III. GENERAL:</p> <p>A. The F.O.B. point quoted by a bidder or vendor and shown on the purchase order is very important because it determines (1) the responsibility and basis for payment of freight charges and (2) the point at which title for the shipment passes from the seller to the buyer.</p> <p>B. The most common shipping terms are “F.O.B. Point of Origin” (or “F.O.B. Shipping Point”) and “F.O.B. Destination”.</p> <p>C. Under the shipping term “F.O.B. Point of Origin” (or “F.O.B. Shipping Point”) the buyer assumes title of the goods the moment the carrier signs the bill of lading. The buyer, therefore, assumes risk of transportation and is entitled to route the shipment; but he also must undertake the responsibility for getting the goods to the destination and for filing claims for loss or damage, regardless of who pays the freight charges. Unless qualified, this shipping term places responsibility for freight charges on the buyer; but, the terms may be worded in such a way as to provide for absorption of freight charges or a portion of them through allowance or prepayment.</p>	

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<p>D. Under the shipping term “F.O.B. Destination” the seller retains title and control of the goods, and the invoice covering them does not become payable until they are delivered and the contract for carriage has been completed. The seller selects the carrier and is responsible for the risk of transportation, including the filing for loss or damages. Unless the F.O.B. clause states otherwise, the seller assumes transportation and related charges either by payment or allowance. When the goods purchased are to be delivered in the seller’s truck, or in the trucks of a carrier operating under contract to the seller, such arrangements should be F.O.B. destination, even if a charge is made for the delivery service, for obviously the buyer cannot assume title or control of the goods, nor the risk of transportation if the seller has not relinquished them. Ownership of goods, upon delivery, passes to the buyer.</p> <p>E. Both F.O.B. terms, origin and destination, may be qualified by modifiers to indicate payment term variations. There are three common modifiers: collect, prepaid and added, and prepaid and allowed. The modifier determines the payment of transportation charges and has nothing to do with the title of goods or filing of claims.</p> <p>IV. DESIGNATING SHIPPING TERM ON PURCHASE ORDER:</p> <p>A. F.O.B. Destination, Inside/In Place Delivery is the preferred shipping term for the shipment of goods to the County.</p> <p>B. Collect shipments are not acceptable because the using departments cannot pay carriers directly for transportation charges. Any vendor indicating a desire to ship an order collect, regardless of the F.O.B. point, will be instructed by the buyer to prepay the freight charge and add it back to the invoice for the goods purchased.</p> <p>C. The appropriate shipping term, “F.O.B. Shipping Point” or “F.O.B. Destination”, must be shown on all purchase orders. If “F.O.B. Shipping Point” is shown, an appropriate freight charge must also be shown.</p>	

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<p>D. Prior to forwarding any requisition to the Purchase Order Desk for creation of the purchase order, the Buyer must check the appropriate purchase order note box at the bottom of the requisition to indicate the correct F.O.B. point or write it in plain view in the body of the requisition.</p> <p>E. If the box is not checked to indicate the F.O.B. point when the requisition is received at the Purchase Order Desk, it will be returned to the Buyer.</p> <p>F. When the purchase order is printed out by the Purchasing Electronic System, based on the note box selected by the Buyer, the applicable shipping term will be printed out in capital letters in the body of the purchase order at the end of the description column.</p> <p>V. PAYMENT OF FREIGHT CHARGES:</p> <p>A. If the estimated freight charges are noted on the purchase order then the Finance Department, upon receipt of the receiving report from the respective department, may go ahead and pay the freight charges up to \$100.00 without a change order.</p> <p>B. No freight charges will be paid when the purchase order states “F.O.B. Destination” unless a change order has been approved by the Purchasing Department.</p> <p>C. If the purchase order shows a Sealed Bid or Regular Bid number then <u>only</u> those freight charges shown on the purchase order can be paid. Any change in the freight charges shown on these purchase orders must first be approved by the Purchasing Department by change order.</p>	

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<p>Subject:</p> <p style="text-align:center">PURCHASE ORDER – BLANKET, REQUESTING AND PROCESSING</p>	<p>Effective Date: January 9, 2017</p> <p>Supersedes: 2/22/10</p>
<p>I. PURPOSE:</p> <p>To provide procedures for the requesting and processing of blanket purchase orders.</p> <p>II. SCOPE:</p> <p>These procedures apply to all blanket purchase orders issued for the purchase of repetitive and routine items by the various departments and offices of the County.</p> <p>III. GENERAL:</p> <p>A. A blanket purchase order is a contractual agreement with a vendor to allow departments to buy directly from the vendor by referencing the blanket purchase order number.</p> <p>B. A blanket purchase order has the following characteristics:</p> <ol style="list-style-type: none">1. Is issued for a specific period of time, i.e. monthly, quarterly, etc.2. Allows for multiple releases as needed and requested by the using department.3. May be for general categories of items, e.g. office supplies, automotive repair parts, etc., rather than for specific items.4. States the authorized using department.5. States the department's employee(s) authorized to issue order releases. <p>C. Blanket purchase orders shall not be used to purchase fixed asset items (7000 account numbers) such as office furniture and equipment, computer equipment and software, production equipment, vehicles, heavy equipment, and miscellaneous assets.</p> <p>D. Only the type items indicated may be purchased on a blanket purchase order. In the case of a blanket purchase order issued against a bid or system contract award, then only those specific items awarded to the vendor to whom the purchase order is issued may be purchased on the blanket purchase order.</p>	

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<p>E. Purchases against blanket purchase orders must be made within the time period and monetary limits for which the blanket purchase order is issued</p> <p>IV. REQUESTING BLANKET PURCHASE ORDERS:</p> <p>A. Departments must submit their purchase requisitions for blanket purchase orders to the Purchasing Department no later than the 20th of the month prior to the period for which the blanket purchase order is requested.</p> <p>B. The standard information required on all purchase requisitions (department name, section name, authorized by, requisition date, and accounting numbers) is to be typed in the spaces provided.</p> <p>C. The following information is to be typed in the format shown below in the description column of the requisition.</p> <ol style="list-style-type: none">1. Encumbrance of Funds2. To: (Vendor No.) (Vendor Name)3. For: (Indicate the type of items involved.)4. Period: (State period for which blanket purchase order is to be issued. Specify month(s) and year(s) involved. Cannot extend beyond end of fiscal year.)5. Amount: (State dollar amount to be encumbered for the period covered by the blanket purchase order.)6. Authorized Persons: (Indicate the person or persons authorized to place orders against the blanket purchase order.)7. Special Notes: (Indicate any special requirements such as receiving hours, etc.)	

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<p>D. If the blanket purchase order is being issued against a bid or system contract award, the department will type the following additional information, furnished by the Buyer at the time of the award, in the information box at the top of the requisition.</p> <ol style="list-style-type: none">1. Buyer Name2. Commodity Code3. Sealed Bid (SB) or Regular Bid (RB) No.4. Bid Due Date <p>V. PLACING ORDERS AGAINST BLANKET PURCHASE ORDERS:</p> <p>A. Orders will be placed by the using department directly with the vendor on an as needed basis.</p> <p>B. The using department will provide the vendor with the following information when placing orders:</p> <ol style="list-style-type: none">1. Department Name2. Name of Person Placing Order3. Blanket Purchase Order Number4. Quantities and Descriptions of the Items Being Ordered <p>C. When placing orders against a blanket purchase order, using departments must:</p> <ol style="list-style-type: none">1. Monitor and keep track of orders to make sure that the total expenditures do not exceed the total amount for which the purchase order was issued.2. Make certain that purchases are made only during the period specified on the purchase order.3. Make certain that items purchased do not exceed any limitations on purchase order such as maximum cost per item, type of items, etc.4. Make certain, if the purchase order issued is against a bid or system contract award, that only items awarded to the vendor are ordered on the purchase order.	

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<p>VI. DELIVERY OF ORDERS AND INVOICING:</p> <p>A. After receiving an order, the vendor must:</p> <ol style="list-style-type: none">1. Make delivery and ensure that a copy of the invoice or other documentation, including unit prices, accompanies the shipment.2. Prepare an invoice showing the blanket purchase order number, department name, name of person placing order, date of order, quantity and description of item(s) ordered, unit price(s), price extension(s) and grand total.3. Send the original copy of the invoice to address specified on the Purchase Order. <p>VII. RECEIPT OF SHIPMENTS AND REQUESTING PAYMENT:</p> <p>A. Upon receiving a shipment from the vendor, the using department must:</p> <ol style="list-style-type: none">1. Inspect the items received.2. Verify the accuracy of the invoice or other documentation received.3. Note any discrepancies on the invoice or documentation received. <p>B. During the encumbrance period shown on the purchase order, partial payments are requested at the end of each month or, if activity warrants, at least twice a month and the using department must:</p> <ol style="list-style-type: none">1. Prepare a partial receiving report listing the invoice number(s), invoice date(s), and invoice amount(s), and grand total to be paid.2. Attach copies of invoices or documents when necessary to note any discrepancies (e.g, items rejected and returned or not received with shipment) and forward the partial receiving report to the Finance Department for matching up with original invoices and processing for payment.	

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<p>C. At the end of the encumbrance period shown on the purchase order, final payment is requested to close out the purchase order and return unused funds to the using department's budget.</p> <p>NOTE: Using departments should send their final receiving reports to close out blanket purchase orders to the Finance Department by the 10th of the month following the end of the encumbrance period shown on the blanket purchase order. This <u>is especially important at the end of the fiscal year.</u></p> <p>D. No requests for partial or final payments which cause the total payments against a blanket purchase order to exceed the amount encumbered, will be processed by the Finance Department without an approved change order from the Purchasing Department.</p> <p>E. When total expenditures are less than the amount encumbered, no change order is required to make final payment against a blanket purchase order and return unused funds to the using department's budget.</p>	

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	Supersedes: 2/22/10
<p>I. PURPOSE:</p> <p>To establish requirements regarding purchase order change orders and provide instructions for their preparation and processing.</p> <p>II. SCOPE:</p> <p>These procedures apply to all purchase order change orders.</p> <p>III. GENERAL:</p> <p>A. Only the Purchasing Department is authorized to issue a purchase order change order.</p> <p>B. The purchase order change order is issued by the Purchasing Department to alter, adjust, revise, terminate or cancel a purchase order.(excluding making changes to the funding)</p> <p>C. All change order requests shall be processed by the Purchasing Department within 24 hours from the date and time they are received.</p> <p>D. Change orders <u>are normally</u> required for the following reasons:</p> <p>1. To correct an error in addition.</p> <p>2. To adjust the purchase order if there is an over shipment or under shipment which the using department is willing to accept.</p> <p>3. To increase or decrease the quantity, price or total value of the purchase order.</p> <p>4. To revise specifications, shipping terms, cash and quantity discounts or other terms and conditions accepted by the County.</p> <p>5. To cancel or terminate a purchase order.</p>	

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<p>E. Change orders <u>are mandatory</u> when the following conditions exist:</p> <ol style="list-style-type: none">1. A bid number is shown on a purchase order and there is any change whatsoever.2. Freight is charged by the vendor and the purchase order shows "F.O.B. Destination".3. The purchase order shows a bid number and freight charges and the freight charged is more than shown.4. To change a vendor or vendor number on a purchase order. <p>F. Change orders <u>are not</u> required when:</p> <ol style="list-style-type: none">1. The total amount of the change is within \pm \$100.00 of the total amount of the purchase order, including freight and any other charges (shipping and handling, etc.) unless housing or weatherization contracts/purchase orders.2. A monthly, quarterly, semi-annual, or annual encumbrance purchase order is to be closed out and the total expenditures are less than the amount encumbered on the purchase order. (Upon receipt of the final receiving report, the Finance Department may automatically close out the purchase order and return the excess funds to the encumbered line item.)3. The purchase order indicates freight is to be prepaid and added back to the invoice and (a) the actual charges for freight do not exceed \$100.00 or, (b) if estimated freight charges are shown on the purchase order and the actual amount charged does not exceed the estimate shown by more than \$100.00.	

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IV. PROCEDURES: A. REQUEST FOR CHANGE ORDER 1. When there is a change required on a purchase order before payment can be made, the user department or Finance forwards the change order request and related documents (i.e. receiving report, invoices, etc.) to the appropriate Buyer in the Purchasing Department. 2. Any changes requested to a purchase order by the using department must be made in writing to the appropriate Buyer. 3. Upon receipt of a requested change order, the Buyer reviews it to be certain the correct information is contained on the form such as, Buyer's name, purchase order number, type of change, original dollar amount of purchase order, requested dollar amount increase/decrease, purchase order item number, reason for the change, etc. 4. If the Buyer determines that the information is correct and the change order is justified, the change is processed and forwarded to the appropriate departments. The change is attached to the original pink copy in the file. 5. If the Buyer determines that additional information is needed, the Buyer will contact the using department and request additional information. The vendor or supplier will be advised of the change to the purchase order via email or fax. 6. If the Buyer feels that the change order is not justified, they are to contact their Supervisor with the information.	

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<p>I. PURPOSE:</p> <p>To provide rules & regulations for preparing and processing purchase orders.</p> <p>II. SCOPE:</p> <p>These rules & regulations apply to all purchase orders issued by the County.</p> <p>III. GENERAL:</p> <p>A. The purchase order is a legal document used to authorize the delivery of supplies and services in accordance with specific terms and conditions.</p> <p>B. The purchase order also acknowledges the obligation that payment will be made upon receipt of the required supplies or services.</p> <p>C. When a purchase order is written as an acceptance of a bid, quotation or an offer, a contractual relationship is established.</p> <p>D. All purchase orders shall be prepared by the Purchasing Department from a properly executed requisition.</p> <p>E. The regular purchase order is an order that is issued for a specific item/equipment/service at a specific price to be delivered at a specific time.</p> <p>IV. PROCEDURES:</p> <p>A. PREPARATION OF PURCHASE ORDER</p> <p>The purchase order is created through the Purchasing system using information received from the Buyer on a properly completed purchase requisition. The following information is to be completed when preparing a purchase order (See sample on last page of this procedure):</p>	

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<ol style="list-style-type: none">1. <u>Vendor No.</u>-Vendor number for vendor to which purchase order issued.2. <u>Delivery Required By</u>-Date supplies or services are to be delivered.3. <u>Date Of Order</u>-Date the purchase order is issued.4. <u>Req. No.</u>-Purchase requisition number.5. <u>Req. Date</u>-Date of purchase requisition.6. <u>Placed By</u>-Signature of person who authorized purchase requisition.7. <u>Bid No.</u>-Regular bid (RB) or sealed bid (SB) number, if applicable.8. <u>Bid Date</u>-Bid due date, if applicable.9. <u>Terms</u>-Specific payment terms, i.e., 2%-10 or Net-30.10. <u>Fund</u>-The three (3) digit number of the accounting code which represents the department level to which the supply or service is to be charged.11. <u>Org</u>-The six (6) digit organization number which represents the specific section level to which the supply or service is to be charged.12. <u>Buyer</u>- Initials of buyer who will issue purchase order.13. <u>Quoted By</u>-Name of the vendor representative who provided the quotation.14. <u>Date</u>-The date of the quotation.15. <u>Item No.</u>-Line item number, i.e., 1, 2, 3, etc.16. <u>Acct.</u>-The four (4) digit expenditure account number to which the item is to be charged.	

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<div>17. <u>Commodity Code</u>-The five (5) digit commodity classification code for the item(s) ordered.</div> <div>18. <u>Quantity</u>-Specific quantity of the item(s) to be delivered in the unit(s) shown.</div> <div>19. <u>Unit</u>- Specific unit(s) of quantity for the item(s) to be delivered.</div> <div>20. <u>Description</u>-Specific description of item(s), including size, style, model number, etc.</div> <div>21. <u>Unit Price</u>-Unit price quoted by vendor.</div> <div>22. <u>Extension</u>-Actual extended value (quantity times unit price).</div> <div>23. <u>Grand Total</u>-The total cost of all items on the purchase order.</div> <div>24. <u>Date to Purchase Order Desk</u></div> <div>25. <u>Buyer Initials</u></div>	

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<p>B. CERTIFICATION, APPROVAL AND DISTRIBUTION OF PURCHASE ORDER</p> <ol style="list-style-type: none">1. Purchase requisitions are received and clocked in at the Front Desk.2. The Front Desk enters the printed requisition number in “F” drive in the requisition 2017 Section by department.3. The Front Desk “hi-lites” the fiscal year and printed number of the requisition and forwards to the appropriate buyer.4. Buyer processes the requisition.5. Appropriate Buyer reviews requisition for correctness and availability of funds. When the requisition is correct and funds are available, the requisition is returned to the Front Desk for processing into the Purchasing system.6. The Front Desk enters requisitions into the Purchasing system which assigns new requisition numbers7. New requisition number is written in the top right hand corner of the requisition by the Front Desk Clerk who also records the following information on the requisition control sheet. Old requisition number, date requisition keyed, department, new system requisition number, system generated P.O. number (if Buyer has assigned reserve P.O. number) and Buyer.8. Requisition is then updated in the “F” drive with the new requisition number and the name of the Buyer.9. The Front Desk Clerk then forwards requisition to the appropriate Buyer.10. Buyer reviews requisition, collects quotes, assigns vendor, updates the changes and approves requisition.11. Buyer authorizes conversion of the requisition to a purchase order.12. The Purchase Order Desk prints the approved requisition report and notifies Buyers when complete.	

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<p>13. Buyer approves requisition to print as purchase order.</p> <p>14. Purchase Order Desk converts requisition to purchase order report.</p> <p>15. Purchase orders are printed and requisitions are matched with the appropriate purchase order.</p> <p>16. Purchase orders are forwarded to the Administrator of Purchasing or his/her designee to be signed.</p> <p>17. The Administrator of Purchasing then forwards purchase order to the Receptionist Desk to be mailed.</p> <p>18. Receptionist notifies Purchase Order Desk Clerk that signed purchase orders have been received.</p> <p>19. Purchase Order Desk Clerk then runs purchase order update report to encumber funds against printed purchase orders. Please note, if this report is not run, funds are not encumbered against the purchase order.</p>	

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20. The Front Desk takes the following action:

a. Breaks down the purchase orders and distributes as follows:

<u>Part</u>	<u>Copy</u>	<u>Distribution</u>
1.	Original (Vendor Copy)	Vendor
2.*	Yellow (Receiving Report)	Using Department
3.	White (Purch. Alpha in vendor file)	Purchasing

(*) If vehicles are involved, the purchase order and requisition are returned to the Buyer. The receiving report and specification of the winning bid are forwarded to Fleet Services. The acknowledgement copy of the requisition and a copy of the purchase order are forwarded to the department notifying them that the purchase order has been placed.

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<p>C. RECEIPTS AND PAYMENTS AGAINST PURCHASE ORDER</p> <p>1. <u>Receiving and Inspecting</u></p> <p>a. Originating or using departments are required to perform their own receiving and inspection of goods and services delivered except as follows:</p> <p>1. Vehicles (motorized rolling stock) which are delivered to Fleet Services, 6200 Haley Road, Memphis, TN 38134, pursuant to Purchasing Policy No. P-290, Vehicles – Centralized Receiving.</p> <p>b. Although the inspection of supplies and services is not a purchasing function, the Buyer should be informed of any negative inspection results so that the appropriate action can be taken with the vendor. (See Rules and Regulations No. RR-360 Vendor - Documenting Unsatisfactory Performance.)</p> <p>c. Upon receipt of an item, the using Department must complete the following steps.</p> <p>1. Check all packages and weights against shipper’s manifest.</p> <p>2. Observe and record the condition of all packages for evidence of rough handling with carrier’s representative prior to acceptance; qualify acceptance accordingly.</p> <p>3. Check all items to ascertain agreement with the supplier’s packing slip and the receiving report.</p>	

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<div><div><div>4. Record non-compliance, such as overages, shortages, damages or incorrect materials, failure to meet specifications, etc. on a vendor complaint report (see Exhibit J).</div><div>5. Complete the yellow receiving report (see sample on last page of this procedure) for final delivery received (or a copy for the receipt of partial delivery), clearly indicating the date and quantity received. Check the appropriate box to indicate partial or final delivery, sign and date the report, and send it to the Finance Department for processing for payment.</div><div>6. Notify others concerned as to the receipt of the shipment and its quantity, condition, and arrival time.</div><div>7. Deliver material to proper location for use or for storage.</div></div><div><div>2. <u>Payments</u></div><div><div>a. The Finance Department will match and check the invoice(s) received from the vendor against the receiving report from the using department and, if they agree, process the documents for payment.</div><div>b. If there are discrepancies between the invoices, purchase order, and/or receiving report, the Finance Department will (1) request corrected invoice(s) or credit memo(s) from the vendor when needed or, when required, forward the documents to the Purchasing Department with a request for a change order.</div><div>c. Upon receipt of the corrected invoice, credit memo, or approved change order, the documents are processed for payment.</div></div></div></div>	

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<p>D. PURCHASE ORDER REVISIONS OR CANCELLATION</p> <ol style="list-style-type: none">1. Except as otherwise stated in Rules and Regulations No. RR-130, Purchase Order - Change Order, Preparation and Processing, all revisions to a purchase order or cancellation of a purchase order require that a change order be issued by the Purchasing Department.2. Only the Purchasing Department has the authority to instruct the vendor to make revisions or cancel a purchase order he has received.3. When notifying the vendor of revisions, the Buyer should request that the vendor provide written acknowledgement of the changes made:4. If the purchase order is being cancelled, the Buyer should notify the vendor in writing by certified mail, return receipt requested. The vendor should be requested to return the copy of the purchase order he/she received, if at all possible.5. All documentation, i.e., notification of revision or cancellation, acknowledgement from vendor, certified mail receipt, etc., must be attached to the pink copy of purchase order in the appropriate requisition file. <p>E. CONTROL OF PURCHASE ORDER NUMBERS</p> <ol style="list-style-type: none">1. Purchase order numbers will be issued in numerical sequence by the Purchasing Electronic System and must be carefully controlled.2. Buyers are the only individuals authorized to issue P.O. numbers unless authorized by the Administrator of Purchasing.3. Reserve P.O.s are only authorized by the Administrator of Purchasing or his/her designee.	

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<p>I. PURPOSE:</p> <p>To provide terms and conditions of purchase of goods and services.</p> <p>II. SCOPE:</p> <p>These terms and conditions apply to all purchases.</p> <p>III. RESPONSIBILITY:</p> <p>Administrator of Purchasing is responsible for this procedure and ensuring that it is reviewed and updated annually or when deemed appropriate by legal counsel.</p> <p>IV. TERMS AND CONDITIONS:</p> <p>The following terms and conditions are printed on the back of the white vendor copy and the pink purchasing numerical copy of all purchase orders of the County.</p> <ol style="list-style-type: none">1. VENDOR: Shall in all cases be the Seller.2. BUYER: Shall in all cases be the Shelby County Government/Purchasing Department.3. ACCEPTANCE: This order with any attachments, constitutes the entire agreement of the Vendor and Buyer. No waiver or modification or additions to the terms of this order shall be valid unless in writing and signed by the Vendor and Buyer.4. PRICES: The Buyer shall not be billed at prices higher than those stated on the front of this order. Unless otherwise specified, the price stated includes all charges for packing, hauling, storage and transportation to point of delivery. No taxes shall be included in this price except those which the Vendor is required by law to collect from Buyer. If there are any of these taxes, then they shall be listed separate on the Vendor's invoice. Finance charges, interests and/or penalties for late payment will not be paid on this purchase order.	

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<p>5. PACKAGING: Seller will package goods in accordance with good commercial practice. Each shipping container shall be clearly and permanently marked as follows: (a) Seller's name, address; (b) Consignee's name, address and purchase order number or purchase release number and the supply agreement number if applicable; (c) Container number and total number of containers, e.g. box 1 of 4 boxes and (d) the number of the container bearing the packing slip. Seller shall bear the cost of packaging unless otherwise provided.</p> <p>6. TITLE AND RISK: The title and risk of loss of the goods shall not pass to Buyer until Buyer actually receives and takes possession of the goods at the point or points of delivery.</p> <p>7. TRANSPORTATION CHARGES: F.O.B. destination unless delivery terms are specified otherwise in bid; Buyer agrees to reimburse Seller for transportation costs in the amount specified in the Seller's bid, or actual costs, whichever is lower, if the quoted delivery terms do not include transportation costs, provided, Buyer shall have the right to designate what method of transportation shall be used to ship the goods.</p> <p>8. DELIVERY: Substitutions will not be accepted. Partial shipments shall be allowed, however, the shipment must be completed by the date shown on this order or order shall be subject to cancellation by Buyer. Vendor shall not ship excess quantities without Buyer's prior approval.</p> <p>9. INVOICING: Vendor shall invoice all shipments in duplicate. The invoice shall describe the items, reflect any applicable terms of payment, and must show the Purchase Order Number. Unless this Purchase Order Number is shown on the invoice, it may be returned to the Vendor. The invoice shall be an original or a certified copy by the Vendor.</p>	

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<p>10. GRATUITIES: Shelby County Government may, by written notice to the Vendor, cancel any contract and/or purchase order without liability to the Seller if it is determined by the County that gratuities, in the form of entertainment, gifts, or otherwise, were offered or given by the Seller, or any agent or representative of the Seller, to any officials or employees of the County with a view toward securing a contract or securing favorable treatment with respect to the awarding or amending, or the making of any determination with respect to the performing of such a contract. In the event the contract and/or purchase order is cancelled by the County pursuant to this provision, the County shall be entitled, in addition to any other rights and remedies, to recover or withhold the amount of the cost incurred by the Seller in providing such gratuities.</p> <p>11. WARRANTIES: Seller warrants that the items and services covered hereunder will conform to applicable specifications, instructions, drawings, data and samples, will be merchantable, of good material and workmanship, free from defects and will be fit and sufficient for the purpose intended. These warranties shall be in addition to all other warranties, express, implied or statutory. Payment for, inspection of, or receipt of articles or services shall not constitute a waiver of any breach of warranty.</p> <p>12. AUTHORIZATION FOR CHANGES: Only the Administrator of Purchasing or his/her designated person has the authority to change any description, price or delivery date on this Purchase Order. If the items listed hereon were purchased by the Buyer on a formal bid form, then NO change in the above will be made.</p> <p>13. DEFAULT-CANCELLATION: Buyer reserves the right by written notice of default, to cancel the order, without any liability to Buyer, in the event of the happening of any of the following: insolvency of the Seller, the filing of a voluntary petition in bankruptcy of the Seller, the filing of an involuntary petition to have Seller declared bankrupt, the appointment of a Receiver or Trustee for Seller, or the execution by Seller of an assignment for the benefit of creditors, if Seller fails to perform as specified herein, or if Seller breaches any of the terms hereof, Buyer reserves the right, without any liability to Buyer, upon giving Seller written notice, to (1) cancel this order in whole or in part, by written notice to Seller and Seller shall be liable to Buyer for all damages, losses and liability incurred by Buyer directly or indirectly resulting from Seller's breach, or (2) obtain the goods ordered herein from another source with any excess cost resulting therefrom, chargeable to Seller, if such deficiencies are not remedied. The remedies herein provided shall be cumulative and in addition to any other remedies provided at law or in equity.</p>	

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<p>Subject:</p> <p style="text-align:center">PURCHASE ORDER – TERMS AND CONDITIONS</p>	<p>Effective Date: January 9, 2017</p> <p>Supersedes: 2/22/10</p>
<p>14. INDEMNIFICATION: Seller agrees to indemnify and hold harmless Buyer, its successors and assigns, customers and users of its products against all suits at law or in equity and from all damages, claims and demands arising out of death or injury, to any person or damages to any property alleged to have resulted from the goods hereby ordered, and, upon the tendering of any suit or claim to Seller, to defend the same at Seller's expenses as to costs, fees and damages. The foregoing indemnification shall apply whether Seller or Buyer defends such suit or claims and whether the death, injury or property damage caused by the sole or concurrent negligence of Seller or otherwise.</p> <p>15. PATENT INDEMNIFICATION: Seller shall indemnify and save harmless Buyer, its successors, assigns, customers and users of its products, from and against all loss, liability and damage, including costs and expenses, resulting from any claim that the manufacture, use, sale or resale of any goods supplied under this order infringe any patent or patent rights, and Seller shall when notified, defend any action or claim of such infringement at its own expense.</p> <p>16. ASSIGNMENT: Subletting, assignment or transfer of all or part of the interest to a contract or purchase order by seller is strictly prohibited. The seller cannot delegate the performance of any of its duties hereunder without the County's prior written consent. Any assignment or attempted assignment, of any nature to third parties, without the prior written consent of the County, shall be cause for termination of the contract and/or purchase order at the option of the County government.</p>	

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<p>17. EQUAL EMPLOYMENT: To comply fully with the equal requirements of Title VII of Civil Rights Act of 1964, with Title VI of the Civil Rights Act of 1964, Americans with Disabilities Act of 1990 and Employment Eligibility Verification.</p> <p>18. CONFLICT OF INTEREST: No part of the total contract and/or purchase order amount shall be paid directly or indirectly to any official or employee of the County of Shelby Tennessee as wages, compensation, or gifts in exchange for acting as official, agent, employee, subcontractor, or consultant to the contractor in connection with any work contemplated or performed relative to this contract.</p> <p>19. HANDICAP, RACE, COLOR, RELIGION, SEX, OR NAT[ONAL ORIGIN: No person on the ground of handicap, race, color, religion, sex, or national origin, will be excluded from participation in, or be denied benefits of, or be otherwise subjected to discrimination in the performance of this contract, or in the employment practices of the contractor (vendor).</p> <p>20. ARRLICABLE LAW: The validity, interpretation and performance of these terms and conditions shall be governed by the laws of the State of Tennessee.</p> <p>21. UNIFORM COMMERCIAL CODE: If any provisions of this agreement are in conflict with the provisions of Title 47, Chapters 1 through 9, T.C.A., it is the intent of this agreement to modify or vary the provisions of Title 47 of the T.C.A.</p>	

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<p>Subject:</p> <p style="text-align:center">PURCHASES – ADVERTISING, NEWSPAPER</p>	<p>Effective Date: January 9, 2017</p> <p>Supersedes: 2/22/10</p>
<p>I. PURPOSE:</p> <p>To provide guidelines pertaining to the placement of advertisements, public and legal notices in the local newspapers.</p> <p>II. SCOPE:</p> <p>This procedure applies to all Administrative Departments, Elected Offices, Boards and Agencies of the County.</p> <p>III. PROCEDURES:</p> <p>A. Requests for advertising are submitted to the Purchasing Department on the standard Purchase Requisition.</p> <p>B. The requisition must be properly coded to the department’s account number to which the ad will be charged.</p> <p>C. Requisitions for personnel advertisements must be approved by the Human Resources Department before they can be processed by the Purchasing Department.</p> <p>D. The following information should be shown on the requisition:</p> <ol style="list-style-type: none">1. A brief description of the ad published, i.e., Legal Notice-Issuance of General Obligation Refunding Bonds, Legal Notice of Intent to File Suit, Classified Ad-Counselor B, Shelby County Correction Center, etc.2. The date(s) the ad is to run in the newspaper(s).3. The name(s) of the newspaper(s) the ad is to be published in.4. The approximate size of the ad.5. If applicable, the desired section of the paper in which the ad is to appear.6. The exact wording as it is to appear in the ad. (Note: This may be submitted on a separate page attached to the requisition.)	

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<p>E. Lead Time For Requesting Advertisement</p> <ol style="list-style-type: none">1. All requests for advertisements to be published in any of the daily newspapers, i.e., Commercial Appeal, Daily News, etc., must be received in the office of the Purchasing Department no later than noon three (3) days prior to the first day of the requested insertion.2. All requests for advertisements to be published in weekly newspapers, i.e., Tri-State Defender, Millington Star, etc., must be received in the office of the Purchasing Department no later than seven (7) days prior to the date that the insertion is required. <p>F. Ordering Advertisement</p> <ol style="list-style-type: none">1. Requisitions for advertisements upon receipt in the Purchasing Department will be forwarded directly to the Sealed Bid Desk for processing.2. The Bid Desk will issue purchase orders to the appropriate newspaper(s) and forward a copy of the advertisement to the newspaper or have the copy of the ad picked up. (If necessary, the requesting department may deliver the email of the ad to the newspaper after the requisition has been received in Purchasing and a purchase order issued.)3. Newspapers will be requested to submit invoices along with tear sheets (copies of the ad published) to the Purchasing Department for verification of prices.4. Copies of the tear sheet and invoice will be forwarded to the requesting department for release of the receiving copy of the purchase order.5. A copy of the tear sheet(s) is filed in the appropriate requisition file along with a copy of the respective purchase order.	

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Subject: PURCHASES - BUYING OFF OF OTHER GOVERNMENT CONTRACTS/ COOPERATIVE PROCUREMENT	Effective Date: January 9, 2017 Supersedes: 2/22/10
<p>I. PURPOSE:</p> <p>To provide procedures for the purchase of materials, supplies, equipment or services off of other government contracts or through cooperative purchasing practices.</p> <p>II. SCOPE:</p> <p>This procedure applies to the purchase of materials, supplies, equipment or services for all Administrative Departments, Elected Offices, Boards and Agencies of the County.</p> <p>III. GENERAL:</p> <p>A. Pursuant to Purchasing Policy P-060, Cooperative/Piggyback Purchasing, the Purchasing Department, at the discretion of the Administrator of Purchasing, may purchase from the current contracts of other government agencies and may contract for cooperative purchasing with any other government agency.</p> <p>B. The piggyback method of purchasing (buying off of another government’s contract) becomes available when a larger jurisdiction, such as the State of Tennessee, stipulates in their bid invitations that participating jurisdictions within the state, such as cities and counties, will have the option to purchase items in the bid at the same price and under the same terms and conditions available to the larger jurisdiction.</p> <p>C. The cooperative purchasing method involves joint purchasing of common or similar commodities by two or more jurisdictions. They agree on specifications and contract terms and conditions for the items involved, combine their usage requirements for these items, and issue a single request for competitive sealed bids. Once the bids have been received and evaluated, each entity issues its own purchase order, does its own receiving and inspection, is billed separately, issues its own checks for payment and resolves its own disputes.</p> <p>D. When the expenditure is estimated to be \$100,000.00 or more or involves C.I.P. funds, then Board of Commissioners approval is required even if the purchase or bid award is processed by the “piggyback” or “joint” method of procurement.</p>	

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<p>IV. PROCEDURES:</p> <p>A. “PIGGYBACK” PURCHASING</p> <ol style="list-style-type: none">1. The using department may request, at the time goods and services are requisitioned, that the items be purchased off of an existing State of Tennessee contract, or any other government contract.2. If requested by the department, the following information should be provided on the requisition submitted to Purchasing.<ol style="list-style-type: none">a. Order quantities.b. The product or model numbers for the contract items.c. The vendor’s name and address.d. The type of contract and contract number, State of TN number has (the prefix SWC-).e. The expiration date for the contract number referenced.3. Buyers may also consider purchasing goods and services requisitioned off any government contract or the State of Tennessee contract if in the best interest of the County and approved by the Administrator of Purchasing.4. Upon receipt of the requisition, before purchasing the items off of the State of Tennessee contract, the Buyer will take the following steps:<ol style="list-style-type: none">a. Verify that items meeting the department’s requirements are available on a current statewide State of Tennessee contract.	

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<p style="text-align: center;">b. Note on the requisition or, if shown, verify the current contract- number and applicable contract expiration date.</p> <p style="text-align: center;">c. Compare the contract price(s) with other competitive prices obtained (or current bid prices).</p> <p style="text-align: center;">d. Determine the total dollar amount of the purchase and whether or not C.I.P. funds are involved.</p> <p style="text-align: center;">e. If the total cost exceeds the Buyer’s buying limit of \$14,999.99, the requisition along with the price comparison prepared by the Buyer will be forwarded to the Administrator of Purchasing for review and signature approving purchase off of the State of Tennessee contract referenced.</p> <p style="text-align: center;">f. If the amount to be purchased is \$50,000.00 or over, or involves C.I.P. funds, Board of Commissioner approval will be required prior to issuing a purchase order.</p> <p style="text-align: center;">g. Assure that the vendor being used has an E.O.C. number or receives waiver from the Administrator of Purchasing.</p> <p>B. COOPERATIVE OR “JOINT” PURCHASING</p> <p>1. When the Buyer deems it to be a cost saving factor, then he/she will, with the approval of the Administrator of Purchasing, Director of Administration and Finance and/or Chief Administrative Officer, enter into an agreement with another government entity to joint bid certain items that are a repetitive or common usage nature.</p> <p>2. Standard specifications and contract terms and conditions will be developed, estimated usage determined, and a single bid will be requested.</p> <p>3. After receipt, evaluation and award of the bids received, each entity will be responsible for issuing its own purchase orders or contracts against the bid.</p> <p>4. If the Shelby County portion of the estimated total amount to be awarded to a single bidder is \$100,000.00 or more, or if C.I.P. funds are involved, the award will require Board of Commissioner approval.</p>	

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Subject: PURCHASES - COMMUNICATIONS EQUIPMENT AND MAINTAINANCE OF TWO WAY RADIO EQUIPMENT	Effective Date: January 9, 2017 Supersedes: 2/22/10
<p>I. PURPOSE:</p> <p>To provide rules & regulations for the purchase of various types of communications equipment and maintenance for two way radio equipment.</p> <p>II. SCOPE:</p> <p>This procedure applies to all Administrative Departments, Elected Offices, Boards and Agencies of the County.</p> <p>III. GENERAL:</p> <p>A. For the purpose of standardization and the desire to insure that all future leases or purchase of such equipment are compatible with existing equipment, the Administration has established an oversight process for all communications projects and/or equipment (e.g., all types of telephone equipment, mobile radios, base stations, pagers, walkie talkies, facsimile equipment, etc.) except those peculiar to the Sheriff's Department.</p> <p>B. Prior to submitting a requisition to Purchasing, for the purchase of any communications equipment as outlined above, the department (except Sheriff's) must first review and coordinate their requirements with the County's Telecommunication Department and Technical Compliance Office (TCO). The purpose of this action is:</p> <ol style="list-style-type: none">1. To identify and analyze the using department's needs and recommend equipment necessary to meet those needs.2. To determine if the equipment needed is available on existing contracts; and3. To assist the using department in the preparation of bid specifications when it is necessary to request bids for the items needed.	

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<p>IV. PROCEDURES:</p> <p>A. REQUISITION ROUTING, PURCHASE ORDERS, AND BIDS</p> <ol style="list-style-type: none">1. The using department, after review of their proposed requirements by Telecommunications and receipt of their recommendations, will submit a purchase requisition to the Purchasing Department for either the issuance of purchase orders against existing contracts or the requesting of formal bids. This requisition should be routed through Telecommunications so they can indicate their approval and recommendation prior to receipt in Purchasing.2. Requisitions received in Purchasing will be logged in and routed to the appropriate Buyer for processing.3. If bids are required, all bids and pertinent information received by Purchasing will be sent to the Telecommunications Manager for review and evaluation jointly with the using department (except Sheriff's Department).4. The using department will be notified by the Buyer that bids have been received and forwarded to Telecommunications for review.5. Upon receipt of recommendations from Telecommunications and using department, the Buyer will prepare and route the formal recommendations for award of the bid for approval.	

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<p>B. FINAL AUTHORITY TO PURCHASE</p> <p>Final decision will rest with the CAO's Office as to which equipment is most appropriate to purchase to fit with the County's overall program.</p> <p>C. INVENTORY OF EQUIPMENT</p> <p>1. Each using department is responsible for maintaining an accurate and up to date inventory of its equipment and notifying Telecommunications and Fixed Assets Management of any relocation or reassignment of communication equipment.</p> <p>D. EQUIPMENT MAINTAINANCE (RADIO EQUIPMENT ONLY)</p> <p>1. Bid specifications and general terms and conditions for the County's consolidated requirements for radio maintenance are prepared by Telecommunications.</p> <p>2. Proposals are requested and received by Purchasing and the bids received are forwarded to Telecommunications for evaluation and recommendation for bid award.</p> <p>3. Funds for standard and routine maintenance repair for radio equipment belonging to General Fund departments under the Administration is budgeted by Telecommunications. Money is budgeted for the repair of this equipment by Telecommunications for <u>standard and routine maintenance</u>. All radio communication repairs are to be coordinated with Telecommunications.</p> <p>4. In the event that the equipment has been abused and/or the repair is not considered standard and routine, the individual department will be billed for these services. NOTE: Consumable items such as batteries are not covered under the radio maintenance agreement or contract and will be paid for by the using department.</p>	

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<p>Subject:</p> <p style="text-align:center">PURCHASES – COMPUTER HARDWARE AND SOFTWARE</p>	<p>Effective Date: January 9, 2017</p> <p>Supersedes: 2/22/10</p>
<p>I. PURPOSE:</p> <p>To provide rules & regulations for the purchase of computer hardware and software.</p> <p>II. SCOPE:</p> <p>This procedure applies to all Administrative Departments, Elected Offices, Boards and Agencies of the County.</p> <p>III. GENERAL:</p> <p>A. Due to the County’s significant investment in data processing equipment and the desire to insure that all future leases or purchases of such equipment are compatible with existing equipment and/or the County’s long range plans, Resolution No. 11, adopted June 21, 1982, created a review and approval procedure for the lease or purchase of data processing equipment within the Shelby County Government.</p> <p>B. Prior to submitting a requisition to Purchasing, for the purchase of computer hardware, software and/or accessories (not including consumable supplies), the department must first consult with the County’s Information Technology Department and Technical Compliance Office (TCO). The purpose of this action is:</p> <ol style="list-style-type: none">1. To identify and analyze the using department’s needs and recommend equipment necessary to meet those needs;2. To determine if the equipment needed is available on existing contracts; and3. To assist the using department in the preparation of bid specifications when it is necessary to request bids for the items needed.	

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<p>Subject:</p> <p style="text-align:center">PURCHASES – COMPUTER HARDWARE AND SOFTWARE</p>	<p>Effective Date: January 9, 2017</p> <p>Supersedes: 2/22/10</p>
<p>IV. PROCEDURES:</p> <p>A. REQUISITIONS ROUTING, PURCHASE ORDERS, AND BIDS</p> <ol style="list-style-type: none">1. The using department, after review of their proposed requirements by the Information Technology Department and Technical Compliance Office (TCO) and receipt of their recommendations, will submit a purchase requisition to the Purchasing Department for either the issuance of purchase orders against existing contracts or the requesting of bids.2. Requisitions submitted for the purchase of items off of existing contracts must reference the vendor's name, applicable sealed bid number, and bid due date. (This information will be provided by the Information Technology Department after their review and recommendations regarding the department's requirements.) <u>Note: Do not request purchases from multiple contracts or vendors on the same requisition.</u>3. Requisitions received in Purchasing will be logged in and routed to the appropriate Buyer for processing.4. If bids are required, all bids and pertinent information received will be sent to the Information Technology Department for review and evaluation jointly with the using department.5. The using department will be notified by the Buyer that bids have been received and forwarded to the Information Technology Department for review.6. Upon receipt of recommendations from the Information Technology Department and using department, the Buyer will prepare and route the formal recommendation for award of the bid for approval. <p>B. FINAL AUTHORITY TO PURCHASE</p> <p>Final decision will rest with the CAO's Office as to which equipment is most appropriate to purchase to fit with the County's overall program.</p>	

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<p>Subject:</p> <p style="text-align:center">PURCHASES - EMERGENCY</p>	<p>Effective Date: January 9, 2017</p> <p>Supersedes: 2/22/10</p>
<p>I. PURPOSE:</p> <p>To provide rules & regulations for the purchase of materials, supplies, equipment or services on an emergency basis.</p> <p>II. SCOPE:</p> <p>This procedure applies to all Administrative Departments, Elected Offices, Boards and Agencies of the County.</p> <p>III. GENERAL:</p> <p>A. Pursuant to Purchasing Policy P-070, Emergency Purchases, the Administrator of Purchasing may authorize any County Official or office to purchase in the open market, without filing requisition or estimate, any supplies, materials, or equipment for immediate delivery <u>in actual emergencies</u>.</p> <p>B. Actual emergencies arise from unforeseen causes, including, but not limited to, delays by contractors, delays in transportation and an unanticipated volume of work. Emergencies exist when there is a threat to public health, welfare, or safety, or disruption of essential services.</p> <p>C. Emergencies do not include conditions arising from neglect or indifference in anticipating normal needs. Although poor planning, overlooked requirements, inaccurate usage history, and inadequate projection of future needs may often cause “emergency situations” and the need for expedited purchases, these are not bona fide emergency situations but poor management.</p> <p>D. Emergency purchases must be kept to a minimum. They will result in higher cost to the County because of insufficient time for suppliers to carefully prepare a quotation or bid to provide the lowest possible price, higher transportation cost to expedite shipments, supplier overtime cost, etc.</p> <p>E. Written justification, approved by the appropriate Departmental Head and Division Director or Elected Official must be submitted to the Purchasing Department with any request for purchase on an emergency basis.</p>	

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<p>IV. PROCEDURES:</p> <p>A. During Office Hours</p> <ol style="list-style-type: none">1. If an emergency occurs during office hours, the using department shall contact the appropriate Buyer in the Purchasing Department and provide the following information:<ol style="list-style-type: none">a. Department Nameb. Requisition Numberc. Person Requesting Emergency P.O.d. Nature of Emergency and Description of Materials/Services Requestede. Estimated Costf. Vendor Name (Source for the supply or service needed)g. Vendor Representative Name (If vendor has been contacted)2. The above information, along with the date and time the emergency purchase was requested, will be entered on an information sheet by the Buyer.3. If the amount of the purchase is within the Buyer's buying limits, the Buyer may assign a purchase order number and make the purchase or authorize the using department to place the order. In this case, the Buyer will give the purchase order number to the using department.4. If the amount of the purchase exceeds the Buyer's buying limits (\$49,999.99), the Buyer must first obtain the approval of the Administrator of Purchasing before processing the emergency request.5. The using department must submit their purchase requisition with a completed emergency justification form (see Exhibit H), signed by the appropriate Department Head and Division Director or Elected Official, to the Purchasing Department within 24 hours following the emergency procurement.	

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6. The requisition submitted to Purchasing should clearly indicate that it was an emergency purchase, the name of the Buyer contacted, and reference the emergency purchase order number if known.
7. After the requisition is received in Purchasing and logged in, it will be forwarded to the Administrator of Purchasing for approval of the emergency justification form before routing to the Buyer for the issuance of a confirming purchase order.
8. The Buyer is responsible for following up to make sure that the requisition and required justification are received from the using department within the required 24 hour period.

B. After Office Hours

1. If an emergency occurs at a time when the Purchasing Department is closed, the using department may purchase supplies or services directly to meet the existing emergency.
2. In order to meet this emergency requirement, the Department Head must, on the first working day thereafter, submit to Purchasing a requisition with an emergency justification form attached outlining the circumstances of the emergency for the approval of the Administrator of Purchasing and issuance of an emergency purchase order by the appropriate Buyer.

C. Other Requirements

1. Whenever possible, every effort should be made to obtain competitive prices for any purchase made on an emergency basis.
2. If the using department has obtained competitive prices from several sources, this information should be given to the Buyer at the time an emergency purchase order is requested and included with the emergency requisition submitted to Purchasing.

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<p>3. While emergencies are exempt from bid requirements, they are not exempt from other requirements, such as Board of Commissioners approval on C.I.P. expenditures or expenditures \$50,000.00 and over.</p> <p>4. All documentation pertaining to an emergency purchase, i.e. Buyer's information sheet, department's justification, confirmation of prices or proposal(s) from vendor(s), approvals, etc., will be filed with the requisition in the Purchasing Department and open for public inspection.</p>	

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Subject: PURCHASES – FIXED ASSETS	Effective Date: January 9, 2017 Supersedes: 2/22/10
<p>I. PURPOSE:</p> <p>To provide rules & regulations for the purchase of items of a fixed asset nature.</p> <p>II. SCOPE:</p> <p>This procedure applies to all Administrative Departments, Elected Offices, Boards and Agencies of the County.</p> <p>III. DEFINITION:</p> <p>A. <u>A fixed asset is identified as any stand alone item of equipment which costs more than \$5,000.00 and has a useful life of three (3) or more years.</u></p> <p>B. Office furniture and equipment, computer equipment and software, production equipment, communication equipment, vehicles and construction equipment, etc. which meet the above criteria are examples of fixed asset items.</p> <p>IV. PROCEDURES:</p> <p>A. It is mandatory that items classified as fixed assets be purchased from the appropriate – 7000 series line item account code. This applies to all departments and offices that process their procurement requirement through the Shelby County Purchasing Department.</p> <p>B. All purchases of fixed assets shall be approved by the Department Head and their respective Division Director prior to submittal of the requisition to the Purchasing Department.</p> <p>C. Before processing requisitions for fixed asset items, the Buyer is responsible for verifying (1) that the items are coded to the appropriate fixed asset line item account number.</p>	

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<p>Subject:</p> <p style="text-align:center">PURCHASES – FIXED ASSETS</p>	<p>Effective Date: January 9, 2017</p> <p>Supersedes: 2/22/10</p>
<p>D. Requisitions improperly coded (not coded to a 7000 series account number) will be returned to the using department for correction.</p> <p>E. Properly coded requisitions are processed by the Buyer according to standard purchasing procedures as determined by the Buyer's buying limits and the County's bid requirements.</p> <p>F. When issuing purchase orders for motorized or mechanized assets which require programmed maintenance by Fleet Services, the Buyer must take the following action:</p> <ol style="list-style-type: none">1. Check the appropriate purchase order note box at the bottom of the requisition so the purchase order will show that the asset is to be delivered to Fleet Services rather than to the using department.2. Forward Fleet Services a copy of the requisition, purchase order, and specifications. <p>G. It is imperative that the above procedures are followed to ensure that:</p> <ol style="list-style-type: none">1. Fixed asset tags are created by the Purchasing Department when the purchase order is certified.2. Required fixed asset control forms are processed when items are received.3. Items are properly tagged and, where applicable, decaled upon receipt.4. Receiving reports are submitted in a timely manner for payment.5. Old equipment being replaced is turned in to Fleet Services for disposal at time new equipment is received.	

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<p>Subject:</p> <p style="text-align:center">PURCHASES – INSURANCE AND BONDS</p>	<p>Effective Date: January 9, 2017</p> <p>Supersedes: 2/22/10</p>
<p>I. PURPOSE:</p> <p>To provide rules & regulations for the purchase of insurance and bonds.</p> <p>II. SCOPE:</p> <p>This procedure applies to all Administrative Departments, Elected Offices, Boards and Agencies of the County.</p> <p>III. GENERAL:</p> <p class="list-item-l1">A. The Risk Management Department under the Division of Administration and Finance is responsible for coordinating the insurance coverage and bond requirements, preparing insurance specifications, and, when necessary, requesting RFPs through the Purchasing Department to provide continuous coverage needed by the various departments and offices of the County.</p> <p class="list-item-l1">B. In accordance with Purchasing Policy No. P-090, Insurance and Bond Purchases, the purchase of all types of Property and Casualty Insurance Coverage and/or Fidelity Bonds required by the County or any of its officials shall be purchased through the RFP process or negotiated with the present carrier.</p> <p class="list-item-l1">C. Renewals through negotiations with the present carrier shall not exceed three (3) years without competitive bidding.</p> <p class="list-item-l1">D. Except as otherwise noted below, all RFPs for insurance and bonds will be processed in accordance with Rules and Regulations No. RR-080, Bids – Bids, Preparation, Solicitation, and Evaluation.</p> <p>IV. PROCEDURE:</p> <p class="list-item-l1">A. At least ninety (90) days prior the effective date for the coverage needed, the Risk Management Department will submit a purchase requisition to the Purchasing Department for RFP purposes.</p>	

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<p>B. Along with the requisition, the following shall also be submitted:</p> <ol style="list-style-type: none">1. A complete set of specifications for the coverage desired including pricing and signature pages.2. A mailing list of potential vendors (agents).3. A sign in sheet for companies picking up a copy of the bid packet. <p>C. Upon receipt of the final draft of the RFP document, the Buyer will forward it to the Bid desk for posting, preparing the request for solicitation letter and printing out mailing labels.</p> <p>D. After the request for solicitation letter has been signed by the Administrator of Purchasing, copies are mailed out to the prospective bidders by the Bid desk.</p> <p>E. Copies of the bid packet are placed at the Front Desk for pick up by companies interested in bidding on the sealed bid.</p> <p>F. The person picking up the bid packet is to sign his or her name and indicate the company for which the packet is being picked up on the sign in sheet.</p> <p>G. The RFPs are received as a bid, but the results are not shared publicly at the time of receipt. Copies of the responses are forwarded to the requesting department (s) to evaluate.</p>	

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<p>Subject:</p> <p style="text-align:center">PURCHASES – OFFICE EQUIPMENT MAINTENANCE</p>	<p>Effective Date: January 9, 2017</p> <p>Supersedes: 2/22/10</p>
<p>I. PURPOSE:</p> <p>To provide rules & regulations pertaining to the purchase of office equipment maintenance.</p> <p>II. SCOPE:</p> <p>This procedure applies to all Administrative Departments, Elected Offices, Boards and Agencies of the County.</p> <p>III. GENERAL:</p> <p>A. Elected Offices and/or co-funded departments are responsible for budgeting and paying for maintenance of their own equipment.</p> <p>B. It will be the responsibility of the individual using department to budget, request and pay for maintenance on all other types of office machinery or equipment, i.e., audio/visual equipment, computers, word processors, etc.</p> <p>C. All maintenance agreements must be forwarded to the Purchasing Department for review and approval as to form by Contract Administration and routing for the appropriate signature.</p> <p>IV. PROCEDURE:</p> <p>A. PLACING CERTAIN EQUIPMENT UNDER MAINTENANCE/SERVICE AGREEMENT</p> <p>1. To request maintenance for certain types of equipment, the using department will submit a purchase requisition, along with the maintenance service agreement, to the Purchasing Department for processing.</p>	

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<p>2. The maintenance agreement submitted shall contain the following information:</p> <ul style="list-style-type: none">a. An itemized listing of the equipment to be covered.b. Manufacturer's Name(s)c. Model Number(s)d. Serial Number(s)e. Specific location of equipment (Room number and address) <p>3. Upon receipt of the requisition, the Buyer will forward the maintenance agreement to Contract Administration for review and approval as to form prior to routing for required signatures.</p>	

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<p>B. RENEWAL OF MAINTENANCE CONTRACTS OR AGREEMENTS FOR EQUIPMENT OTHER THAN TYPEWRITERS AND DICTATING EQUIPMENT</p> <ol style="list-style-type: none">1. Contract Administration will send out notification by memorandum at least ninety (90) days prior to the end of the fiscal year to each department and/or Elected Official of all contracts they have on file.2. The department or Elected Official should review the list of contracts to ascertain which contracts need to be renewed.3. Each department or Elected Official is responsible for notifying Contract Administration of any contract that will be renewed for the upcoming fiscal year.4. Each department or Elected Official is responsible for the preparation of contract amendments and submissions to Contract Administration for renewal. <p>C. RECORDS</p> <ol style="list-style-type: none">1. A binder containing all requests for placing equipment under maintenance will be maintained in the Purchasing Department.2. The contents will be in alphabetical order by department name and cover a specific fiscal year.3. Executed maintenance contracts or agreements will be kept on file in the Contract Administration Department and, if necessary, departments will be provided with a copy for their information and files.	

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<p>Subject:</p> <p style="text-align:center">PURCHASES – OFFICE FURNITURE OR OFFICE MACHINES</p>	<p>Effective Date: January 9, 2017</p> <p>Supersedes: 2/22/10</p>
<p>I. PURPOSE:</p> <p>To provide rules & regulations pertaining to the purchase of office furniture or office machines.</p> <p>II. SCOPE:</p> <p>This procedure applies to all Administrative Departments, Elected Offices, Boards and Agencies of the County.</p> <p>III. GENERAL:</p> <p>A. All office furniture, including modular workstations, partitions, etc., and office machines costing more than \$5,000.00 are considered fixed assets and must be charged to the appropriate 7000 series line item account number.</p> <p>IV. PROCEDURES:</p> <p>A. Prior to submitting a purchase requisition for office furniture or equipment needed, the using department will first contact the Surplus Property Section of Support Services to determine if surplus furniture or equipment is available.</p>	

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<p>B. If the items are available from surplus, the following occurs:</p> <ol style="list-style-type: none">1. Surplus Property will tag the item(s) to hold for delivery to the using department.2. The using department will submit an In-House requisition directly to Surplus Property for the surplus items.3. Upon receipt of the requisition, Surplus Property will deliver the items and initiate fixed asset change order forms to transfer the assets to the receiving department. <p>C. If the items are not available from surplus, the following actions will be taken:</p> <ol style="list-style-type: none">1. The department will prepare a purchase requisition for the purchase of new office furniture or equipment.2. The Buyer will make every effort to purchase the requested items through the most cost effective means (via system contract, government or State of Tennessee Contract).3. The Buyer will process the requisition in accordance with standard purchasing procedures.	

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<p>D. Special Requirements Pertaining to Purchase of Modular Partitions and Workstations</p> <ol style="list-style-type: none">1. Due to related essential modifications required in the office environment, i.e., relocation of electrical receptacles and wiring, computer equipment and cables, telephone equipment and wiring, etc., using departments must notify Support Services, Information Technology, and Telecommunications at the time new or additional modular partitions and workstations are requested.2. When requesting bids or purchasing modular partitions and workstations, the department will verify that these three areas receive a copy of any available drawings for the project to assist them in identifying related equipment and wiring needs.3. Due to the substantial savings available on the State of Tennessee Contract, the Buyer will make every effort to purchase modular partitions and workstations from this contract.	

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<p>Subject:</p> <p style="text-align:center">PURCHASES – OFFICE SUPPLIES, CONTRACT ITEMS</p>	<p>Effective Date: January 9, 2017</p> <p>Supersedes: 2/22/10</p>
<p>I. PURPOSE:</p> <p>To provide guidelines for the purchase of items on the County’s office supply contract.</p> <p>II. SCOPE:</p> <p>These rules & regulations apply to all Administrative Departments, Elected Offices, Boards and Agencies of the County.</p> <p>III. GENERAL:</p> <p>A. Approximately 300 items which are of a repetitive and routine nature are available on the current office supply system contract. These items are estimated to comprise 70% of the total office supply requirements for the various departments and offices of Shelby County Government.</p> <p>B. Orders are placed by the using departments on an as needed basis directly with the supplier against an encumbrance purchase order requested by each department and issued for that individual department’s use.</p> <p>C. A catalog and listing of all office supply items available under the system contract, complete with product descriptions, standard order quantities and prices, is provided to all departments.</p> <p>D. Only those items in the catalog and on the listing may be purchased under this procedure. Those office supply items not identified must be ordered on a separate purchase requisition.</p> <p>E. The supplier is not allowed to substitute items in place of those bid and awarded on the system contract.</p> <p>IV. PROCEDURES:</p> <p>A. ENCUMBERING FUNDS</p> <p>1. Departments shall request an encumbrance purchase order for office supply items under contract per instructions in Rules and Regulations No. RR-120, Purchase Order-Blanket, Requesting and Processing.</p>	

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<div><div>2. The encumbrance requested must be from line item number 6052.</div><div>3. The dollar amount to be encumbered should be only those funds necessary to order supplies on the system contract. All of the funds in your office supply line item should not be encumbered.</div><div>4. Unless otherwise notified by the Purchasing Department, encumbrance purchase orders will be requested and issued on a monthly, quarterly or semi annual basis.</div><div>5. The total cost of all orders placed against the encumbrance purchase order shall not exceed the amount encumbered. If you use all of the funds encumbered, you must submit a new requisition for another encumbrance purchase order.</div><div><div>B. ORDERS AND DELIVERIES</div><div><div>1. Upon receipt of a copy of the certified purchase order, the using department may place orders directly with the supplier for contract items on an as needed basis.</div><div>2. When placing orders, the following information must be given to the supplier:<div><div>a. Name of the person placing the order</div><div>b. Department name</div><div>c. Encumbrance purchase order number</div><div>d. Delivery address</div><div>e. Name of person to whose attention the order should be delivered.</div><div>f. The specific product/item number(s) and complete product description(s) for the items being ordered.</div></div></div></div></div></div>	

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C. RECEIVING AND PAYING FOR ORDERS

1. When an order is received, the following will apply:
 - a. Check the order carefully before accepting and signing for it. If incorrect, then state so on the delivery documents and return.
 - b. Sign and date the delivery (invoice) papers indicating receipt of the order. Do not use initials, sign with a clear legible signature.
2. It is important that the supplier be paid promptly and the following will apply:
 - a. Departments will receive a copy of their invoice at the time supplies are delivered and the original invoice will be mailed directly to the using department to be processed for payment .
 - b. Departments must indicate the invoice date(s), invoice amount(s) and total amount to be paid on the copy of their purchase order receiving report when submitting to the Finance Department by the vendor for payment.
 - c. Departments must submit requests for payment at least once a month, or, if activity warrants, twice a month.
 - d. Departments are not to delay sending their requests for payment to the Finance Department because of pending backorders.

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<p>Subject:</p> <p style="text-align:center">PURCHASES – PRODUCE</p>	<p>Effective Date: January 9, 2017</p> <p>Supersedes: 2/22/10</p>
<p>I. PURPOSE:</p> <p>To provide rules & regulations for the purchase of produce items.</p> <p>II. SCOPE:</p> <p>This procedure applies to the purchase of produce by any department or office of the County.</p> <p>III. GENERAL:</p> <p>A. Pursuant to Purchasing Policy No. P-130, Purchase of Perishable Commodities, certain types of perishable commodities, if approved by the Administrator of Purchasing, are exempt from the requirements for sealed bids and public notice.</p> <p>B. Due to the constantly fluctuating prices of produce on the open market and the impracticality of requesting bids on this commodity, the Administrator of Purchasing has approved the purchase of produce on the open market.</p> <p>C. To meet conditions stipulated in the ordinance exempting perishables from bid requirements, the steps in this procedure must be followed and the documentation and reports specified must be submitted to Purchasing by each using department when purchasing produce.</p> <p>IV. PROCEDURE:</p> <p>A. INFORMATION AND FORMS PROVIDED BY PURCHASING</p> <p>Departments which order produce will receive the following information and forms from the Purchasing Department: <u>(THESE FORMS MUST BE UTILIZED AND SUBMITTED TO PURCHASING AS OUTLINED IN THIS PROCEDURE TO MEET THE REQUIREMENTS OF THE ORDINANCE APPROVED BY THE COUNTY COMMISSION GOVERNING THE PURCHASE OF THIS PERISHABLE COMMODITY.)</u></p>	

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<ol style="list-style-type: none">1. PRODUCE VENDOR LISTING BY MONTH BY DEPARTMENT- This listing will be prepared by the Buyer to show the three (3) vendors the using department is to contact for prices for the month shown. (Vendors assigned monthly by department will be rotated on the listing by the Buyer so that all vendors will have the opportunity to quote prices and provide produce to all departments involved.)2. PRODUCE TABULATION SHEET/ORDER FORM- This form will be used by the using department to record three (3) competitive prices obtained and to indicate who received the order.3. MONTHLY PRODUCE SUMMARY REPORT FORM- This form is to be completed by the using department and submitted to Purchasing at the end of each month to report their monthly purchases. <p>B. OBTAINING PRICES, PLACING ORDERS, PAYING INVOICES</p> <ol style="list-style-type: none">1. The using department will contact and obtain competitive prices only from three (3) vendors indicated for their department during the respective month shown on the Produce Vendor List.2. Departments must call all three (3) vendors and obtain competitive prices whenever produce is needed and prior to placing an order.3. At the time the vendors are contacted for prices, the using department will prepare a Produce Tabulation Sheet/Order Form as follows:<ol style="list-style-type: none">a. Enter the department name and delivery date at the top of the form.	

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<p>Subject:</p> <p style="text-align: center; margin-top: 20px;">PURCHASES – PRODUCE</p>	<p>Effective Date: January 9, 2017</p> <hr/> <p>Supersedes: 2/22/10</p>
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- b. List the quantity, unit, and description for each item to be ordered in the spaces provided.
- c. Enter the unit prices quoted, name of person quoting prices and date quoted under the respective vendor's name.
- d. Extend and total the price for each vendor and only place the order with the overall low bidder.
- e. Enter the vendor's name with whom the order was placed, the date order was placed and the total dollar amount of the order in the spaces provided.
- f. Sign and date the form to show who prepared the form.

4. Departments must maintain a copy of the completed Produce Tabulation Sheet/ Order Form for payment and reporting purposes.

5. When an invoice is received for an order, the using department shall request payment on a check request form. The check request, with the invoice and a copy of the completed Produce Tabulation Sheet/Order Form attached, will be forwarded to the Purchasing Department for review, approval and routing to Finance for payment.

C. REPORTING PRODUCE PURCHASES

- 1. At the end of each month, the using department will prepare a Monthly Produce Summary Report indicating the total dollar amount ordered from each vendor during the month in the appropriate space to the right of their department's name.
- 2. The completed Monthly Produce Summary Report, along with all Produce Tabulation Sheets/Order Sheets for the applicable month attached, will be forwarded to the Buyer in the Purchasing Department no later than the last day of each month.

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<div><div><div>3. The Buyer, upon receipt of the using department’s monthly reports, will prepare a consolidated monthly report showing (a) the dollar amounts purchased from each vendor by each department, (b) the total by department for all produce purchased during the month, and (c) a total by vendor for all produce purchased during the month.</div><div>4. The consolidated monthly report, along with each department’s monthly report and their respective tabulation sheet/order forms, will be maintained by the Buyer in a binder for future reference.</div><div>5. A copy of the consolidated monthly report will be forwarded to the Purchasing Manager each month for review and routing to the Administrator of Purchasing.</div></div><div><div>D. VENDOR NOTIFICATION AND RESPONSIBILITIES</div><div>Produce vendors will be notified in writing by the Purchasing Department regarding the procedures which the County will use to obtain its produce requirements and are responsible for the following:</div><div><div>1. Providing prices to and accepting orders from only the authorized person(s) in the using departments as designated in writing by the Purchasing Department.</div><div>2. Delivering orders within 48 hours from the time order is placed.</div><div>3. Providing invoices to the using department at the time the order is delivered.</div><div>4. Providing credit memos to the using department by the next day following their return for items returned to the vendor due to spoilage.</div></div></div></div>	

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<p>Subject:</p> <p style="text-align:center">PURCHASES – PUBLICATIONS AND SUBSCRIPTIONS</p>	<p>Effective Date: January 9, 2017</p> <p>Supersedes: 2/22/10</p>
<p>I. PURPOSE:</p> <p>To provide clarification regarding procedures for the purchase of publications and subscriptions.</p> <p>II. SCOPE:</p> <p>This procedure applies to all departments or offices of the County.</p> <p>III. GENERAL:</p> <p>A. Due to the large number of publications and subscriptions required by the various County departments and offices for reference material in their specific areas of expertise, it is necessary to establish the identity of the ordering department when a publication or subscription is initially ordered.</p> <p>B. The cost of many subscriptions and their renewals often does not justify the expense associated with issuing a purchase order and, in some cases, such as that of multi-volume law books requiring constant updates and supplements to remain current, the purchase order process is not a viable procedure because of the difficulty in determining what updates are needed to keep the sets current at all times.</p> <p>IV. PROCEDURE:</p> <p>A. NEW ORDERS</p> <p>1. Initial or new orders for a publication or subscription, are to be submitted on a check request form to the Finance Department by the using department.</p>	

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<p>B. RENEWALS OR UPDATES</p> <ol style="list-style-type: none">1. Purchase orders will not be issued for subscription renewals or automatic updates to law books.2. Subscription renewals will be processed for payment on a Check Request form.3. Automated subscription updates for law books, such as those purchased by the County for use of its legal staff, judges, etc., do not require a purchase order.4. Departments and offices may order these updates directly from a publisher such as the Michie Company by simply checking where indicated at the bottom of the order form and returning the form to the vendor.5. The invoice for these updates will be processed for payment on a Check Request form.	

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<p>Subject:</p> <p style="text-align:center">SMALL PURCHASES PROGRAM</p>	<p>Effective Date: January 9, 2017</p> <p>Supersedes: 2/22/10</p>
<p>I. PURPOSE:</p> <p>To provide policy for small purchases of less than \$200.00, from Petty Cash or Procurement Card.</p> <p>II. SCOPE:</p> <p>This procedure applies to all Administrative Departments, Elected Offices, Boards and Agencies of the County.</p> <p>III. AUTHORITY:</p> <p>Private Acts 1974, Ch. 260, Sec. 4.03 (9), Division of Administration and Finance</p> <p>Shelby County Code, Sec. 2.57, Department generally; general duties of Administrator</p> <p>IV. GENERAL:</p> <p>A. DEFINITION AND BENEFITS</p> <p>Due to the cost of issuing and processing purchase orders, purchases of items with a small dollar value will be purchased with Petty Cash or Procurement Card whenever possible.</p> <p>B. Departments cannot circumvent the County’s bidding policy by breaking down their requirements for purchase under this policy.</p> <p>C. There will be no exceptions to this policy without the approval of the Administrator of Purchasing.</p> <p>V. GUIDELINES FOR SMALL PURCHASES:</p> <p>A. Items must cost less than \$200.00.</p> <p>1. Items must not be of repetitive and routine nature.</p> <p>2. Items must not be available on a systems contract.</p>	

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<div><div>3. Repair parts and/or services available through other County Agencies, i.e. Road Repair-Automotive Shop, Support Service, Health Services, etc.</div><div>4. Items not covered by check request or procurement card.</div></div>	

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<p>Subject:</p> <p style="text-align:center">SOLE AND SINGLE SOURCE PURCHASES</p>	<p>Effective Date: January 9, 2017</p> <p>Supersedes: 2/22/10</p>
<p>I. PURPOSE:</p> <p>To provide standards for the purchase of goods and services as a sole or single source procurement.</p> <p>II. SCOPE:</p> <p>These rules and regulations apply to all Departments, Offices, Boards and Agencies of the County.</p> <p>III. GENERAL:</p> <p>A. Pursuant to Purchasing Policy No. P-220, the sole or single source procurement of goods, and services under certain conditions and with the approval of the Administrator of Purchasing may be purchased from a sole or single source vendor on a negotiated basis without competition.</p> <p>B. All sole and single source purchases exceeding \$25,000 shall require prior approval by the Mayor.</p> <p>C. Prior to award of any single source procurement over \$25,000 on the single source justification will be published on the County's website in seven (7) business days.</p> <p>D. The Buyer in the Purchasing Department is responsible for verifying that there is adequate justification for the purchase on a sole or single source basis prior to submitting to the Administrator of Purchasing for approval.</p> <p>E. Goods and services approved for purchase on a sole or single source basis are exempt from the County's competitive bid requirements.</p> <p>F. Sole and single source contracts will be tracked by industry and department.</p> <p>IV. PROCEDURE:</p> <p>A. PURCHASE ORDERS TO BE ISSUED</p> <p>1. The user department shall prepare a requisition for the procurement stating at the bottom of the description column the sole or single source purchase requested and the name of the recommended vendor.</p>	

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Subject: SOLE AND SINGLE SOURCE PURCHASES	Effective Date: January 9, 2017 Supersedes: 2/22/10
<p>2. The user department will attach written documentation to the requisition providing the sole or single source purchase basis and justification.</p> <p>3. Upon receipt of the requisition the Buyer in the Purchasing Department will take the following action:</p> <ul style="list-style-type: none">a. Review the specifications to determine that they were not written specifically to eliminate competition and justify a sole or single procurement.b. Review and verify the adequacy of justification provided for procurement on a sole or single source basis.c. Forward, the requisitions and the analysis of the sole or single source justification to the Administrator of Purchasing for approval when exceeding the buyer's limit of \$4,999.99. <p>B. CONTRACT OR CONTRACT RENEWAL INVOLVED</p> <p>If the sole or single source purchase requires a contract or the renewal of an existing contract, the user department will send a memorandum to the Administrator of Purchasing including the following: a request that the item(s) be declared sole or single source items; source items; the basis for the sole or single source item purchase; and adequate justification to support sole or single source purchase.</p> <p>C. PROCUREMENT APPROVED FOR SOLE OR SINGLE SOURCE PURCHASE</p> <p>If the Administrator of Purchasing, after reviewing the department's request and supporting documentation, determines that the item(s) requested are available from only one source the following action will be taken:</p> <ul style="list-style-type: none">1. If the purchase exceeds \$25,000, the Administrator of Purchasing will certify in writing to the Mayor that the items are considered sole or single source items and state the basis for this determination.	

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<div data-bbox="381 619 1559 955"><ul style="list-style-type: none">2. The Mayor’s approval will be requested to open negotiations with the designated vendor for the sole or single source item(s) requested.3. Upon receipt of the Mayor’s approval, the Administrator of Purchasing will notify the buyer or user department as required and designate who is authorized to negotiate purchase of the item(s) with the sole or single source vendor.4. Once price negotiations have been completed, a purchase order or contract will be processed in accordance with standard Purchasing Department Rules and Regulations.</div> <div data-bbox="332 987 1510 1024"><p>D. PROCUREMENT NOT APPROVED FOR SOLE OR SINGLE SOURCE PURCHASE</p></div> <div data-bbox="381 1060 1559 1171"><p>Should the Administrator of Purchasing not consider the item(s) requested to be available from only one supplier or should the Mayor not approve the Administrator of Purchasing’s request to purchase the items on a sole or single source basis, then the following shall occur:</p></div> <div data-bbox="381 1207 1559 1396"><ul style="list-style-type: none">1. The department will be notified that purchase on a sole or single source basis as requested has not been approved.2. In accordance with standard bid procedures, bids will be requested subject to receipt of a purchase requisition and specifications from the requesting department.</div> <div data-bbox="332 1428 665 1465"><p>E. DOCUMENTATION</p></div> <div data-bbox="381 1501 1559 1575"><p>Requisitions for a sole or single source purchase and supporting documentation shall be on file in the office of the Administrator of Purchasing.</p></div>	

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<p>Subject:</p> <p style="text-align:center">REQUISITION - IN HOUSE, PREPARATION AND PROCESSING</p>	<p>Effective Date: January 9, 2017</p> <p>Supersedes: 2/22/10</p>
<p>I. PURPOSE:</p> <p>To provide general procedures for the preparation and processing of in-house requisitions.</p> <p>II. SCOPE:</p> <p>These rules & regulations apply to all in-house requisitions.</p> <p>III. GENERAL:</p> <p>A. In-house requisitions are used to request materials and services provided internally within County Government by functional areas such as (1) Printing and Copy Duplicating, (2) Forms Control, and (3) Auto Shop.</p> <p>B. Approved in-house requisitions are submitted directly to the servicing department for processing.</p> <p>IV. PROCEDURES:</p> <p>A. PREPARATION</p> <p>1. <u>Department Name</u> –Enter department name.</p> <p>2. <u>Section Name</u> –Enter section name.</p> <p>3. <u>Account Code</u> – Enter the fund, organization (org), and account number in the spaces provided.</p> <p>4. <u>Delivery Needed</u> – State the date the materials or services requested are needed.</p> <p>5. <u>Federal Grant No. and % of Grant Funds</u> – Enter the appropriate grant number and percent of grant funds. (If expenditure does not involve grant funds, state “N/A”).</p>	

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<div style="margin-left: 40px;"><p>6. <u>Authorized By</u> – The individual authorized to approve the expenditure of funds for the department must sign here.</p><p>7. <u>Date of Request</u> – Enter the date the requisition is prepared.</p><p>8. & 9. <u>Quantity AND Unit</u> – Specify the quantities and units for the items being requested.</p><p>10. <u>Catalogue No.</u> – Enter the warehouse stock number (or forms control number) when ordering warehouse or forms control items. Otherwise, leave blank.</p><p>11. <u>Description</u> – Enter a brief description of the item or service requested.</p><p>12. <u>Routing Box</u> – Check the appropriate box in the top right hand portion of the requisition to indicate the type of services requested.</p></div> <div style="margin-left: 20px; margin-top: 20px;"><p>B. PROCESSING</p><div style="margin-left: 40px;"><p>1. The requesting department retains the pink (department) copy and forwards the white (servicing department) and the yellow (acknowledgement or delivery ticket) copies directly to the servicing department.</p><p>2. The servicing department will fill the order or provide the service requested and indicate the respective unit and extension prices on the requisition.</p><p>3. The individual receiving the items or services requested will sign their name and date received on the requisition.</p><p>4. The yellow copy of the requisition indicating the prices will be left with the department for their records.</p><p>5. IDBs (interdepartmental billings) will be prepared by the servicing department and forwarded to the Finance Department to charge the department for the items or services provided.</p></div></div>	

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<p>Subject:</p> <p style="text-align:center">REQUISITION – PURCHASE, PREPARATION</p>	<p>Effective Date: January 9, 2017</p> <p>Supersedes: 2/22/10</p>
<p>I. PURPOSE: To provide detailed instructions for preparing a purchase requisition.</p> <p>II. SCOPE: These rules & regulations apply to all paper or electronic requisitions.</p> <p>III. GENERAL: A requisition is a document paper or electronic which a functional department initiates that details its needs for goods, equipment or services.</p> <p>The Following are detailed procedures to be followed when preparing a requisition for materials, supplies, services, etc.</p> <p>A. There are two types of requisitions:</p> <ol style="list-style-type: none">1. Purchase requisition: Details a department's needs from an outside source.2. In-house requisition: Details a department's needs from an internal source. <p>Note: This policy only concerns purchase requisition.</p> <p>B. Purchase orders shall be issued only in consequence of a requisition for the goods, material or services required.</p> <p>C. Requisitions shall be authorized by the Head of the County office or Elected Official (or their designee) requiring the goods, equipment or services. All individuals who have the authority to authorize must have their authorized signatures on file in the Purchasing Department.</p> <p>D. The Administrator of Purchasing has the responsibility to purchase or contract for needed goods, equipment or services. The Buyers have the authority to review purchase requisitions, specifications and suggest sources.</p> <p>E. The approved requisition and, where applicable, any other required forms are to be forwarded to the Purchasing Department for processing.</p>	

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<p>F. The requisition is designed to contain all of the necessary information and authorization relevant to the processing of the procurement requested by the using department. The completion of the requisition by the Buyer also serves to create a formal purchase order which is the contractual commitment between the supplier and the County.</p> <p>G. It is the requesting department's responsibility to make certain that funds are available for the requested procurement prior to submitting their requisition to the Purchasing Department.</p> <p>IV. PROCEDURES:</p> <p>All of the following information must be included on your requisition to ensure prompt and timely processing of your order. Any information inadvertently omitted could delay the processing of your order.</p> <p>The original purchase requisition form is a three (3) part, pre-numbered form and is to be completed as follows (See example on last page of this procedure):</p> <p>A. PREPARATION BY USING DEPARTMENT</p> <p>NOTE: It is preferred that information provided on the requisition form be typed and not handwritten.</p>	

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<ol style="list-style-type: none">1. <u>Department Name</u> – Enter department name.2. <u>Section Name</u> – Enter section name.3. <u>Federal Grant No. and % of Grant Fund</u> – Enter the appropriate grant number and percent of grant funds. (If expenditure does not involve grant funds, state “N/A”).4. <u>Authorized By</u> – The individual authorized to approve the expenditure of funds for the department must sign here.5. <u>Date of Requisition</u> – Enter the date the requisition is prepared.6. <u>Date Needed</u> – Specify the date the items requested are needed. <p style="margin-left: 40px;">Avoid the use of vague terms, such as ASAP (as soon as possible). Always estimate or project a specific preferred delivery date for the items requested. Allocate as much lead time as practical by determining your needs as far as possible in advance. These considerations will assist the Buyer in determining priorities and allow adequate time to receive competitive bids and purchase in the best and most efficient manner for the County.</p> <ol style="list-style-type: none">7. <u>Account Code</u> – Enter the fund, organization, and account numbers in the spaces provided. <p style="margin-left: 40px;">Multiple fund or organization and account numbers may be used per requisition, however, items requested on each requisition must be of the same type commodity due to the assignment of commodities by Buyer.</p>	

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8. Item No. – Each individual item requested should be listed as such. Each item should be listed separately.

9. Commodity Code – A system of numbers designed to indicate the material, equipment or services by classes and subclasses.

10. There is a designated space to identify commodity codes on the requisition in the space marked Commodity No.

11. & 12. Quantity AND Unit – Specify quantities and units to be purchased and delivered, i.e., 10 EA, 5 LB, 3 TN, etc. The following abbreviations for units of purchase are recommended:

Symbol	Description	Symbol	Description
BB	Barrel	LT	Lot
BF	Board Feet	M	Thousand
BG	Bag	MF	Per 1,000 FT
BO	Bottle	MO	Month
BX	Box	OZ	Ounce
C	Hundred	PC	Piece
CD	Card	PD	Pad
CF	Cubic Foot	PG	Page
CI	Cubic Inch	PK	Package
CS	Case	PR	Pair
CY	Cubic Yard	PT	Pint
DA	Day	QT	Quart
DM	Dram	RL	Roll
DZ	Dozen	RM	Ream
EA	Each	SF	Square Foot
FT	Foot	SH	Sheet
GA	Gallon	SI	Square Inch
GM	Gram	SP	Spool
GR	Gross	ST	Set
HF	Hundred FT	SY	Square Yard
HW	Hundred WT	TU	Tube
IN	Inch	TN	Ton
JB	Job	TO	Troy Ounce
KG	Kilogram	UN	Unit
LB	Pound	WK	Week
LF	Linear Foot	YD	Yard
LG	Length	YR	Year

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<p>Where no specific quantity and unit of purchase are applicable, use “LT” (lot) as the unit of purchase.</p> <p>13. <u>Description</u> – The items requested must be identified with a complete description, including information such as size, style, model number, part number, amps, voltage, hp, brand, catalog reference, color, dimensions, equivalent substitute data, etc. DO NOT GENERALIZE. Use specific description, name plate data, etc. If an equivalent substitute is allowable, specify “or equal” after the applicable commodity description.</p> <p>Communicate any information that will assist Purchasing and the vendors in determining the application of the supply or service requested, including special shipping instructions, suggested vendor’s, etc.</p> <p>Also include the total estimated cost of the supplies or services requested.</p> <p>14. <u>Attachments Included</u> – If the items requested are emergencies or involve detailed specifications, etc., staple the required forms, specifications, or other documents to the requisition here and check the appropriate box.</p> <p>15. <u>Buyer/Commod. No./Bid No. /Bid Date</u> – <u>Departments will enter information in this box only when requesting (encumbrance) purchase orders against system contracts.</u> (This information will be provided to the using department at the time the system contract is awarded). Also please see System Contract Index in Appendix A.</p> <p>16. Vendor Number – A number assigned to all vendors the County does business with.</p> <p>B. INFORMATION TO BE COMPLETED BY PURCHASING</p> <p>17. <u>Buyer/Commodity No./Bid No./Bid Date</u> – If the requisition is not for a purchase order against a system contract, information will be entered in the appropriate spaces in this box by Purchasing when the requisition is logged in to the Buyer, written bids are requested, on the purchase order(s) issued.</p>	

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18. & 19. Quoted By/On – Enter the name of the vendor’s representative making the quotation and the date quotation was made.

20. Delivery By – Enter the date the vendor promises to make delivery.

21. Terms – Enter vendor’s terms of payment. One of the following codes should be entered:

- a. Net – 30 days
- b. 2% - 10 days
- d. 2% - 10th prox

22. Unit Price – Enter the unit price quoted by the vendor and show the extended price above it in parentheses.

23. P.O. Total – Enter the total amount for individual items awarded to vendor(s) in appropriate block.

24. (Vendor Name) – Enter vendor(s) name over appropriate column.

25. Vendor Number – Enter respective vendor’s number.

26. P.O. No./Contract Number – Enter the purchase order number assigned by the Buyer awarding the item to the vendor.

27. Purchase Order Notes – Check appropriate boxes for notes to be printed on purchase order.

28. Mail with P.O. – Check appropriate box if order form or exemption certificate is to be mailed with purchase order.

29. & 30. On Hold Pending/Return to Dept. For – Check appropriate box to indicate status and reason if requisition is placed on hold or returned to department and date of action.

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<p>V. CHECKING ON THE STATUS OF YOUR REQUISITION:</p> <p>A. The Purchasing system assigns its own requisition number to each request. Although the requisition has a number printed in the upper right hand corner, this is not the number assigned by the Purchasing Electronic System.</p> <p>B. To check on your requisition, call the appropriate Buyer. If you do not know who the Buyer is, call the Receptionist Desk and give the number printed in the top right hand corner of the requisition.</p> <p>C. The Receptionist will cross-reference the requisition number printed on your copy of the requisition to the number the Purchasing system has assigned and transfer you to the appropriate Buyer.</p> <p>D. Once you have contacted the Buyer, the Buyer will give you the status of the requisition.</p>	

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<p>I. PURPOSE:</p> <p>To provide general procedures for processing purchase requisitions.</p> <p>II. SCOPE:</p> <p>These rules & regulations apply to all paper or electronic requisitions.</p> <p>III. GENERAL:</p> <p>All requisitions submitted to Purchasing for processing must be prepared by the using department as outlined in Rules and Regulations No. RR-310, Requisition – Purchase Preparation.</p> <p>IV. PROCEDURES:</p> <p>A. PROCESSING BY USING DEPARTMENT</p> <ol style="list-style-type: none">1. The requisition, along with any applicable attachments, is forwarded to the Purchasing Department unless additional approval is required such as emergency justification forms or Division Director approval.2. Requisitions for fixed assets or emergency purchases must be routed to the appropriate Division Director or Elected Official for approval prior to submitting to the Purchasing Department.3. For original hard copy forms, the requesting department or office retains the pink (department) copy of the requisition and copies of any attachment for its records and forwards the white (purchasing) copy and yellow (acknowledgement) copy, with original copies of attachments, if any, to the Purchasing Department for processing.	

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<p>B. PROCESSING BY THE PURCHASING DEPARTMENT</p> <p>1. Upon receipt in Purchasing, the hard copy requisition form will be date and time stamped by the Receptionist at the Front Desk, entered on the requisition log with the date received, requisition number hi-lited and in a timely manner forwarded to the appropriate Buyer.</p> <p>NOTE: Emergency requisitions will be separated from the regular requisitions and forwarded to the Administrator of Purchasing. Requisitions for advertisement will be separated and forwarded to the Bid Desk who handles advertisements.</p> <p>2. The appropriate Buyer will review the requisition immediately upon receipt, initial and forward for processing. Requisitions for unusual purchases or large amounts should be brought to the attention of the Administrator of Purchasing.</p> <p>3. At the Front Desk, the Receptionist will process the requisition as follows:</p> <p>a. Input all emergency requisitions in the emergency tray first and then input the other requisitions.</p> <p>b. Log the requisition in to the appropriate Buyer based on current commodity assignments and the type of commodity requested on the requisition.</p> <p>c. Enter the information on the requisition identifying the requesting department, account number, and items (quantities and descriptions) requested.</p> <p>d. Enter the requisition number assigned by the Purchasing System on our current year requisition log for cross-referencing purpose.</p> <p>e. Initial and date the requisition showing when it was entered and who processed it.</p> <p>f. Forwards requisition to the appropriate Buyer.</p>	

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<p>4. Upon receipt by the Buyer, the requisition will be processed as follows:</p> <ul style="list-style-type: none">a. The Buyer will review the requisition to determine the proper method of procurement required and process the requisition in accordance with applicable procedures for the method selected.b. Buyers are responsible for checking each requisition for correctness. If any information is found to be incorrect, the Buyer is responsible for getting back with the department and making all applicable changes with the departments approval.c. If all information is correct, Buyers are to verify with the vendor(s) all prices before approving the requisition as a purchase order. <p>NOTE: Buyers have the authority to shop around for better pricing from other vendors if they think they can receive the same item for a better price.</p> <ul style="list-style-type: none">d. Once the vendor and the price have been determined, the Buyer approves the requisition in the Purchasing System and files the requisition.e. The Purchase Order is printed, the Front Desk matches it with the requisition and forwards the purchase order to the Buyers to verify if the information is correct. Once the information is verified, the order is forwarded to the Administrator for his/her signature.f. The Administrator signs the purchase order and forwards it to the Receptionist Desk. The Receptionist breaks each down and forwards copies to the appropriate departments. <p>C. MODIFICATIONS TO REQUISITIONS</p> <p>NOTE: Buyers are authorized to make changes to a requisition such as accounting codes, quantities, or items requested <u>only</u> upon written request or approval from the using department. Requests for these changes should be signed by the person who signed the requisition.</p>	

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Subject: SPECIFICATIONS – DEVELOPMENT AND USE	Effective Date: January 9, 2017
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<p>I. PURPOSE:</p> <p>To establish guidelines for the development and use specifications.</p> <p>II. SCOPE:</p> <p>These rules & regulations apply to all persons who may prepare specifications for the County's use.</p> <p>III. GENERAL:</p> <p>A. Pursuant to Purchasing Policy No. P-230, Specifications, the using departments are responsible for the preparation of specifications for services and supplies they require.</p> <p>B. The Purchasing Department will assist the using department in the preparation and refinement of their specifications.</p> <p>C. Because quality and service are as important as price, the specifications furnished to the Purchasing Department must clearly describe the requirements of the using department and permit maximum practical competition.</p> <p>D. Specifications should always be written based on the following:</p> <ol style="list-style-type: none">1. Need rather than desire.2. Items, equipment or service which will do the best and most efficient job for the using department.3. To allow for competitive bidding.4. If necessary to use an "or equal", then be prepared to accept "an equal".5. Reasonable tolerances. Unnecessary precision is expensive. <p>E. In accordance with Resolution No. 50, dated 2/4/80, description of items to be purchased shall be given by their generic name rather than brand name in all invitations for bids, unless the brand name is used to identify the quality level of acceptance.</p>	

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<p>F. Also, pursuant to the resolution referenced above, a printed notice shall be placed on invitation to bid forms encouraging potential vendors to write the County Commission and/or Purchasing Department if prospective vendors feel that the bid or specifications drawn are unfair, inequitable or contrary to practices which would result in the County receiving the most economical and best bid possible.</p> <p>IV. DEFINITION OF TERMS:</p> <p>A. Brand Name Specification: A specification that is limited to one or more items by manufacturers’ names or catalog numbers.</p> <p>B. Brand Name or Equal Specifications: A specification that uses one or more manufacturers’ names or catalog numbers to describe the standard of quality, performance, and other characteristics needed to meet County requirements and which provides for the submission of equivalent or equal supplies.</p> <p>C. Purchase Description: The words used in solicitation to describe the supplies or services to be purchased, including any performance, physical or technical requirements. Purchase descriptions and specifications may be used interchangeably.</p> <p>D. Qualified Products List: An approved list of supplies or services described by model or catalog number which, prior to competitive solicitation, an entity has determined will meet applicable specifications and requirements. (Note: Qualified products lists are used by the State of Tennessee.)</p> <p>E. Specifications: Any description of the physical, functional, or performance characteristics or nature of a supply or service. A specification includes, as appropriate, requirements for inspecting, testing, or preparing a supply or service for delivery.</p>	

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<p>V. DEVELOPMENT OF SPECIFICATIONS:</p> <p> A. <u>Purchase Description or Specification</u></p> <p> The purchase description or specification should include the essential physical and functional characteristics necessary to express the minimum requirements of the County, such as the following:</p> <ol style="list-style-type: none">1. Common nomenclature2. Kind of material. i.e., type, grade, class, alternatives, etc.3. Electrical data, if necessary4. Dimensions5. Size or capacity6. Principles of operation7. Environmental conditions8. Intended use, including location, operating conditions, and acceptable product levels within the range of products available in the commercial marketplace.9. Equipment with which the item is to be used10. Warranty information11. Other pertinent information that further describes the supply or service required, service availability, replacement, etc. <p> B. <u>Alternate Specification</u></p> <p> A specification may provide an alternate description of supplies or services where two or more design, functional, or performance criteria will satisfactorily meet the County's requirement.</p>	

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<p>In addition, user Department shall determine whether the required product or service can be divided into smaller quantities as to increase competition and increase the number of Locally Owned Small Business participants.</p> <p>C. <u>Contractual Terms – Not to Be Included</u></p> <p>Specifications must not include any solicitation or contractual terms or conditions, such as the time or place for the bid opening, time of delivery, payment, liquidated damages, or qualifications. These clauses should be included in the appropriate sections of the bid package, i.e., Instructions to Bidders, terms and conditions, etc.</p> <p>D. <u>Use of Existing Specifications</u></p> <p>If a specification for a common or general use item has been developed, it must be used unless the Administrator of Purchasing makes a determination that it is not in the County’s best interest and that other specifications should be used.</p> <p>E. <u>Brand Name or Equal</u></p> <p>Brand name or equal specification may be used when it is determined that:</p> <ol style="list-style-type: none">1. No other design or performance specification is available.2. Time does not permit the preparation of another form of purchase description not including a brand name.3. The nature of the product or the nature of the County’s requirements makes use of the brand name or equal specification suitable for the procurement.4. The use of brand name or equal specifications is in the County’s best interest. <p>F. <u>Designation of Several Brands</u></p> <p>Brand name or equal specifications should designate three, or as many different brands as are practical, as “or equal” references and must state that substantially equivalent products to those designated will be considered for award.</p>	

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<p>Subject:</p> <p style="text-align:center">SPECIFICATIONS – DEVELOPMENT AND USE</p>	<p>Effective Date: January 9, 2017</p> <p>Supersedes: 2/22/10</p>
<p>G. <u>Qualified Products List</u></p> <ol style="list-style-type: none">1. A qualified products list may be developed when testing or examining the supplies prior to issuance of the solicitation is desirable or necessary in order to best satisfy the County's requirements.2. When developing a qualified products list, a representative group of potential suppliers must be solicited in writing to submit products for testing and examination to determine acceptability for inclusion on a qualified products list. Any potential supplier, even though not solicited, may offer his product for consideration.3. Inclusion on a qualified products list must be based on results of tests or examinations conducted in accordance with prior published requirements. <p>VI. PROCEDURES:</p> <ol style="list-style-type: none">A. After determining its requirements, the using department shall prepare a purchase requisition, attach technical specifications, route it for any required approvals, and then forward it to the Purchasing Department for processing a hard and soft copy of the final specifications.B. Upon receipt of the requisition, the Buyer will review the technical specifications and, if necessary, recommend changes.C. After the changes, if any, have been reviewed and approved by the using department, the Buyer will forward the requisition and revised specifications to the bid desk to prepare the bid.D. Changes to the bid specifications must always be in written form and may be requested by the using department or made by the Purchasing Department. If the bid is already in progress, all changes will be sent to prospective bidders in the form of a written addendum with a copy to the using department	

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<p>Subject:</p> <p style="text-align:center">SYSTEM CONTRACT – BIDS, AWARDS AND ORDERS</p>	<p>Effective Date: January 9, 2017</p> <p>Supersedes: 2/22/10</p>
<p>I. PURPOSE:</p> <p>To define rules & regulations to be used in the bidding, awarding, and ordering of contract items.</p> <p>II. SCOPE:</p> <p>These rules & regulations apply to the purchase of all contract type items for all departments and offices of the County.</p> <p>III. GENERAL:</p> <p>A. In accordance with Purchasing Policy No. P-260, Contracting, annual requirements for items of a routine and repetitive nature which are used by more than one department will be consolidated and bids requested by the Purchasing Department.</p> <p>B. Contracts will be awarded only on a full or partial fiscal year basis. They may contain renewal options which may be exercised after the initial award period.</p> <p>C. Items currently under contract may include apparel; bedding and linens; computer equipment, software and supplies; electrical supplies; food; fuel; handtools; hardware items; industrial gases; janitorial supplies and services; laundry supplies and services; lighting supplies; office supplies; paint and related products; paper and plastic products; printing supplies; and road materials.</p> <p>IV. PROCEDURES:</p> <p>A. BID PREPARATION</p> <p>1. The Buyer, six (6) months prior to the expiration of a current system contract award, will take the following actions:</p> <p>a. Review the system contract to determine whether or not it has a renewal option or must be rebid for the coming fiscal year.</p>	

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<p>b. If a renewal option is available and it is considered in the County’s best interest to exercise the renewal option, the Buyer will contact the vendor(s) and request written notification if he/she is agreeable to renewing the award for the coming year.</p> <p>c. If there is no renewal option, or the renewal option is not to be exercised, the Buyers will request by memo, updated annual requirements from the applicable departments for bid purposes.</p> <p>2. The using departments, upon receipt of the Buyer’s request, shall take the following actions:</p> <p>a. Review and update the estimated quantities and specifications for items on the current contract based on their projected needs for the coming fiscal year.</p> <p>b. Submit to Purchasing within thirty (30) days from date of Buyer’s request their updated requirements along with a requisition for bid purposes only for the contract items involved.</p> <p>NOTE: Departments must make every effort to be as accurate as possible when estimating their requirements. Accurate estimates assure the County of receiving the best price possible and also help the vendor avoid unnecessary inventory and over obligation to his supplier. The Buyer will also obtain usage reports from the current vendor(s) to substantiate using department(s) figures. The Buyer should also obtain a current AP Activity Report from Finance for dollar spend on all vendors involved with the present contract.</p> <p>3. The Buyer, upon receipt of the individual using departments requirements, will update the consolidated requirements for the respective contract specifications, assign a bid number and schedule a bid due date.</p> <p>NOTE: When scheduling bids for contracts, due to the additional processing time required, Buyers will identify and give priority to the processing of those requiring Board of Commissioners approval.</p> <p>4. System contract bid packets will be prepared and processed according to Rules and Regulations No. RR-080, Sealed Bid - Preparation, Processing, and Evaluation.</p>	

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<p>B. AWARD PROCESS</p> <p>System contract awards will be prepared and processed according to Rules and Regulations No. RR-090, Sealed Bid - Preparation and Processing of Formal Bid Award with the following exceptions:</p> <ul style="list-style-type: none">a. When the award involves several departments and Board of Commissioners approval is required, the Purchasing Department will prepare the required documents and route the Commission packet for approval.b. Upon receipt of the approved sealed bid tabulation/recommendation sheet or, if Commission approval is required, the approved resolution, the Buyer will prepare a draft copy of the Purchasing Department’s standard “Notice of Bid Award” form letter for processing and signing by the Administrator of Purchasing.c. The “Notice of Bid Award” will contain the following:<ul style="list-style-type: none">1. Vendor’s No., Name, and Address2. Sealed Bid No. and Due Date3. Buyer’s Name and Telephone No.4. Vendor Contact and Telephone No.5. Commodity Code and Commodity Description6. Bid Items Awarded (indicate per attached list if applicable)7. Award Period Covered8. Dollar Amount of Award9. Terms of Payment10. Delivery Requirements (Minimum Order Quantity, etc., if any)11. F.O.B. Point12. Special Notes (pertaining to terms and conditions of the award)	

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<p style="text-align:center">13. Administrator of Purchasing and Vendor Signature and dates denoting approval and acceptance of the award.</p> <p>d. The “Notice of Bid Award” will be processed as follows:</p> <ol style="list-style-type: none">1. The original copy, signed by the Administrator of Purchasing, will be mailed to the respective vendor for signing and returning to the Purchasing Department. Copies will be put in to the sealed bid file and to the Buyer for follow up on the signed copy returned by the vendor.2. Upon receipt of the original signed by the vendor, copies are placed in the Buyer’s award file and the sealed bid file. The original is filed in the vendor’s correspondence file. <p>e. The Buyer sends a memo to the using department notifying them of the items awarded, vendor receiving the award, commodity code, bid number, and other pertinent information to be used when ordering against the system contract.</p> <p>C. PLACEMENT OF ORDERS</p> <ol style="list-style-type: none">1. Each using department will submit a requisition to Purchasing for a purchase order for the items requested off the contract.2. Requisitions for these purchase orders must be submitted to the Purchasing Department by the using department no later than the 20th of the month prior to the period for which the purchase order is requested.3. The requisition shall state the items requested for the specified period, state the persons authorized to place orders against the purchase order, and provide other information relative to the contract award and orders placed against it. (See Rules and Regulations RR-120, Purchase Order - Blanket.)4. The purchase order allows for multiple releases against a single purchase order and the using department places orders directly with the vendor for system contract items on an as needed basis.	

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<p>I. PURPOSE:</p> <p>To identify the rules & regulations for disqualification of vendors from bid solicitations.</p> <p>II. SCOPE:</p> <p>These rules & regulations apply to all vendors, both those currently doing business with the County and prospective vendors of the County.</p> <p>III. CAUSES FOR DISQUALIFICATION:</p> <p>The following shall be cause for disqualification of a vendor from bid solicitations issued by the County.</p> <p>A. Conviction for commission of a criminal offense as an incident to obtaining or attempting to obtain a public or private contract, or in the performance of such contract.</p> <p>B. Conviction under state or federal statutes of embezzlement, theft, bribery, falsification or destruction of records, receiving stolen property or any other offense indicating lack of business integrity or honesty which currently, seriously and directly affects responsibility as a contractor.</p> <p>C. Conviction under state or federal antitrust statutes arising out of the submission of bids or proposals.</p> <p>D. Violations of contract provisions, as set forth below, of a character which is regarded by the Administrator of Purchasing to be so serious as to justify disqualification actions:</p> <p>1. Deliberate failure without good cause to perform in accordance with specifications or within the time limit provided by contract; or</p> <p>2. A recent record of failure to perform or of unsatisfactory performance in accordance with the terms of one or more contracts: provided that failure to perform or unsatisfactory performance caused by acts beyond the control of the contractor shall not be considered to be a basis from disqualification.</p>	

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<p>E. Any other cause the Administrator of Purchasing determines to be so serious and compelling as to affect responsibility as a contractor, including disqualification by another governmental agency.</p> <p>F. Conflict of Interest</p> <p>IV. PROCEDURE:</p> <p>A. VENDOR NOTIFICATION</p> <ol style="list-style-type: none">1. After consultation between the Administrator of Purchasing, the using department, Buyer and Contract Administrator and finding of probable cause, the Administrator of Purchasing will issue a "Notice of Disqualification" to the vendor.2. The Notice of Disqualification shall set forth the reason(s) for such disqualification.3. The notice will also contain a statement that a "request for Hearing" may be made.4. The notice will be mailed to the vendor by certified mail, return receipt requested.5. Bid solicitations shall cease to be issued to the vendor as of the date of the notification. <p>B. REQUEST FOR HEARING</p> <ol style="list-style-type: none">1. A Request for Hearing may be submitted to the Administrator of Purchasing, in writing, within seven (7) working days of receipt of the Notice of Disqualification by the vendor.2. The Administrator of Purchasing or his/her designee shall be the Hearing Officer and will notify the vendor of the location, time and date of such hearing. <p>C. HEARING</p> <ol style="list-style-type: none">1. An informal hearing will be held to settle, simplify or address the issues leading to disqualification.2. The hearing shall be as informal as is reasonable and appropriate.	

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<p style="text-align: center;">3. Evidence may be presented by any party to the hearing. Witnesses may be present and questioned.</p> <p>D. NO HEARING</p> <p style="text-align: center;">If no Request for Hearing is made, the decision of the Administrator of Purchasing stands and is final.</p> <p>E. DETERMINATION</p> <ol style="list-style-type: none">1. All decisions made with regard to disqualification of the vendor will be initiated in writing.2. The decision of the Administrator of Purchasing is final.3. No notice of disqualification shall be tendered without prior approval of the Administrator of Purchasing.	

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<p>Subject:</p> <p style="text-align:center">VENDOR – DOCUMENTING UNSATISFACTORY PERFORMANCE</p>	<p>Effective Date: January 9, 2017</p> <p>Supersedes: 2/22/10</p>
<p>I. PURPOSE:</p> <p>To provide rules & regulations for documenting the unsatisfactory performance of a vendor.</p> <p>II. SCOPE:</p> <p>This procedure applies to all vendors providing goods and services under a purchase order or contract executed by the County.</p> <p>III. GENERAL:</p> <p>A. Monitoring and documenting vendor performance in a consistent, thorough and impartial manner is essential to identifying and resolving problems with vendor's performance, evaluating vendors for future bid awards, and, when necessary, providing the basis for removing a vendor from the County's bidder's lists.</p> <p>B. Vendor performance must be documented in writing whenever the vendor fails to perform in accordance with the specifications, terms, and conditions of a purchase order or contract or performs in any manner deemed unsatisfactory by the using department.</p> <p>C. It is the using department's responsibility to notify the Purchasing Department whenever a vendor's performance is unsatisfactory.</p> <p>D. Complaints registered with a vendor by the using department should be confirmed in writing to the Purchasing Department either in a memorandum or, preferably, on a vendor complaint form. If the problem has not been resolved, the Buyer should take appropriate action.</p> <p>IV. PREPARATION OF VENDOR COMPLAINT FORM:</p> <p>The vendor complaint form is a two part preprinted form (see Exhibit I) and is available from Forms Control. (Forms Control No. S-203138-T).</p>	

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<p>A. To document a complaint, the using department must prepare and submit to Purchasing, immediately following the occurrence of the vendor’s unsatisfactory performance, a vendor complaint form or memorandum providing details regarding the nature of the complaint.</p> <p>B. The using department should enter the following information on the vendor’s complaint form.</p> <ol style="list-style-type: none">1. Vendor name, address, etc.2. Department name, contact person, P.O. number, etc.3. Commodity or service involved4. Nature of complaint5. Details and support documentation6. Signature, title, phone number of the complainant and date <p>C. The using department will retain the yellow copy of the vendor complaint form for its records and forward the white copy to the Buyer in the Purchasing Department for appropriate action.</p> <p>D. If the problem has not been resolved, the Buyer must take prompt remedial action and document the action taken in the section entitled “Action Taken By Buyer”.</p> <p>E. The Buyer must sign, date, and forward the white copy of the vendor complaint form to the vendor’s correspondence file along with any correspondence or documentation pertaining to the complaint.</p> <p>F. A copy of the completed form may be mailed to the vendor along with any correspondence notifying the vendor of the complaint, actions required, or actions agreed upon to resolve the problem.</p>	

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<p>V. COMMUNICATION WITH VENDORS:</p> <p>In order to resolve complaints or unsatisfactory delivery, these guidelines should be followed:</p> <p class="list-item-l1">A. For routine cases of non-compliance, such as late delivery, the using department should contact the supplier to arrange for him/her to correct the deficiencies. Whatever arrangements are necessary should be made. If the situation is not corrected promptly, then it should be reported to Purchasing promptly by phone and confirmed on a vendor complaint form.</p> <p class="list-item-l1">B. Where major purchases of supplies or services are involved, the situation should be reported immediately to Purchasing, who will then initiate action with the supplier.</p> <p class="list-item-l1">C. Where it may be necessary to cancel a contract, initiate a new purchase order, or remove a supplier from a bidder’s list, Purchasing is responsible for such action.</p>	

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Subject: VENDOR – QUALIFICATIONS, E.O.C. CERTIFICATION, BUSINESS LICENSE, CONTACTORS LICENSE, ETC.	Effective Date: January 9, 2017 Supersedes: 2/22/10
<p>I. PURPOSE:</p> <p>To identify the rules & regulations for vendors to bid on or be awarded a purchase order or contract from the County.</p> <p>II. SCOPE:</p> <p>This procedure applies to all vendors for the purchase of or contracting for materials, equipment or services by the County.</p> <p>III. GENERAL:</p> <p>A. All firms doing business with the County shall receive a current E.O.C. Contract Compliance Eligibility Number from the Shelby County Government’s Office of Equal Opportunity Compliance.</p> <p>B. Any Company/Organization who wishes do to business with Shelby County, unless exempt from the County’s business license requirement, must have a current Shelby County business license prior to the submission of their bid. Businesses that do not have a current Shelby County business license prior to the submission of their bid, then bid shall be rejected.</p> <p>C. On construction projects, when the cost of the completed work equals or exceeds \$25,000.00, any person, firm or corporation engaging in <u>or offering to engage in</u> contracting in the state is required to have a current State of Tennessee Contractor’s License.</p> <p>IV. SHELBY COUNTY E.O.C. CONTRACT COMPLIANCE ELIGIBILITY NUMBER</p> <p>A. E.O.C. Contract Compliance Eligibility Numbers are issued by the Office of Equal Opportunity Compliance which is an office under Shelby County Board of Commissioners.</p> <p>B. All firms, regardless of number of employees, must pre-qualify for an E.O.C. Contract Compliance Eligibility Number prior to submission of a bid or receipt of a purchase order/contract, or the requirement must be waived by the Administrator of Purchasing and/or EOC Administrator or as approved by Commission. Exceptions to this requirement will be evaluated on a case-by-case basis by the EOC Administrator and/or the Administrator of Purchasing to determine the feasibility of issuing an award to a vendor not having EOC certification. The following is a list of firms exempt from having an EOC number unless they are participating in a competitive bid situation. However, this list is not all inclusive and firms and situations will be evaluated on a case by case basis and a decision rendered by the Administrator of Purchasing and/or Administrator of EOC:</p>	

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<p>Professional Services in accordance with TCA 12-4-106 Health Facilities (Hospitals, Clinics, etc.) Banks/Financial Institutions Government Agencies (Federal, State, Local) Credit Bureaus Educational Institutions Museums & Parks Newspapers, Publications & Magazines Hotels/Motels Seminars & Conferences Professional Associations (Membership purposes) Any Inter-local agreements Local government based organization (MLGW, etc.) Land purchases (Right of way, easements, etc.) Non profit organizations (MIFA, Red Cross, American Heart Association, etc.) Property leases Government contract purchases Single/Sole Source purchases (Proprietary equipment, information, maintenance support, etc.) Communication entities (AT&T, Verizon, etc.) Emergency purchases</p> <p>C. To receive an E.O.C. Eligibility Number, specific information must be received by the Shelby County E.O.C. Office at least 48 hours prior to the bid opening or issuing a purchase order.</p> <p>D. For VENDORS, unless stipulated otherwise on the Contract Eligibility Report received from the E.O.C. Office, certification numbers are valid for a period of twelve (12) months. (Note: The first three (3) or four (4) digits of the eligibility number indicate the month and year of expiration.</p>	

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<p>E. For CONSTRUCTION PROJECTS estimated to be <u>below two hundred and fifty thousand dollars (\$250,000.00)</u>, the certification number is valid for a period of six (6) months.</p> <p>F. For CONSTRUCTION PROJECTS estimated to be <u>two hundred thousand and fifty dollars (\$250,000.00) and above</u>, a certification number must be obtained for each bid submitted.</p> <p>G. To verify their E.O.C. Number or receive information for obtaining a number, firms should contact the Shelby County Equal Opportunity Compliance Office.</p> <p>H. Prior to the opening of sealed bids, a representative of the E.O.C. Office verifies that a bidder has a current E.O.C. number.</p> <p>I. Prior to opening any regular bid, the respective Buyer is responsible for verifying that a bidder has a current E.O.C. number.</p> <p>J. Bids submitted by firms which do not have a current E.O.C. number will be returned unopened to the bidder by the Purchasing Department unless waived by the Administrator of Purchasing.</p> <p>V. SHELBY COUNTY BUSINESS LICENSE:</p> <p>A. Shelby County Business Licenses are issued by the Business Tax Division of the Shelby County Clerk's Office.</p> <p>B. It is the Buyers' responsibility to verify, prior to the award of a bid, that any firm located within the boundaries of Shelby County recommended for award has a current County business license or is considered exempt from the license requirement by the County Clerk's Office.</p> <p>C. A listing of business licenses issued by the County Clerk's Office will be maintained in the Purchasing Department for verification purposes.</p>	

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<p>VI. STATE OF TENNESSEE CONTRACTOR’S LICENSE</p> <p>A. State of Tennessee Contractor’s Licenses are issued by the State Board for licensing contractors located in Nashville, Tennessee.</p> <p>B. Pursuant to the Contractors Licensing Act of 1976, T.C.A. 62-601, bidders on construction projects involving the construction, erection, alteration, or repair of part or all of any structure where the cost of the completed work, or of different projects under a single contract, equals or exceeds twenty-five thousand dollars (\$25,000.00) must have a current State of Tennessee Contractor’s License.</p> <p>C. Bidders on the above projects are required to provide their State of Tennessee Contractor’s License number, expiration date, limit of the license and that part of classification applying to the bid on the outside of the envelope containing their bid; otherwise the bid shall be rejected and returned to the bidder unopened.</p> <p>D. Notice of this requirement, when applicable, must appear in the invitation to bidders and bid specifications.</p> <p>E. Project architects and engineers are responsible for including this requirement in their project specification manuals and verifying that bidders meet this requirement.</p> <p>VII. OTHER QUALIFICATIONS:</p> <p>A. Depending on the type of services or work being bid, other qualifications may be required of a vendor, such as meeting bonding and/or insurance requirements, providing minimum staffing levels, maintaining minimum inventory levels, maintaining a local office or service location, meeting local codes for licenses and permits, years experience, certification in specific areas of expertise, etc.</p> <p>B. Notice of these requirements, when applicable, will be included in the respective bid specifications.</p>	

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Subject:	PROCUREMENT CARD RULES AND REGULATIONS	Effective Date: September 20, 2011
		Supersedes: 02-22-10

**Please see the attached Procurement Card Rules and Regulations Manual , Release 4
Effective September 20, 2011**

Shelby County Government



Procurement Card

Rules and Regulations

Release 4
Effective September 20, 2011

Shelby County Government
Procurement Card Rules and Regulations
Release 4 - September 20, 2011

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Attachment A – Agreement to Accept the Shelby County Government Procurement Card

Attachment B – Procurement Card Requisition Form

Attachment C – Procurement Card Payment Request

Attachment D – Procurement Card Request Form

I. General Information

A. Implementation

1. Release 4 of the Procurement Card Rules & Regulations (“Rules & Regulations” hereafter) of Shelby County is effective on September 20, 2011 and supersedes Release 3.
2. The Director of Administration & Finance is assigned responsibility for overall administration of these Rules & Regulations. The Director or designee may issue clarifications, authorize changes in use of the cards, approve changes in administrative responsibilities, and approve other matters relative to the use and administration of the card program consistent with the spirit of these Rules & Regulations. Major changes will only occur in the form of revisions being issued to these Rules & Regulations.

B. Purposes and Principles

1. The procurement card program was implemented for the following reasons:
 - reduce the time required to acquire goods and services.
 - minimize operating costs and increase productivity in the procurement and payment processes.
 - provide a convenient method to make legitimate County business purchases that do not require employees to advance their own funds or credit.
 - provide vendors with a safe and reliable method to secure payment for goods and services provided to the county.
 - permit the County to take maximum advantage of its exemption from sales taxes.
2. The purpose of these procurement card rules & regulations are to establish guidance for the appropriate use of the Procurement Card on behalf of Shelby County Government as follows:
 - provide clear and specific rules & regulations for the use and administration of the procurement card program.
 - ensure that all users of cards understand both the proper and authorized uses and the prohibited and unauthorized uses of the card.
 - ensure that all purchases with the cards are consistent with County Purchasing Procedures Rules & Regulations for the acquisition of goods and services.
 - ensure that appropriate internal control procedures are established within each department using a card.
 - ensure appropriate internal controls over review and payment are in place and followed by the Finance and Purchasing Departments and that internal auditing of charges is conducted by the County’s Internal Audit Department.
 - ensure that cards are used only for specific purposes and within dollar and transaction limits.
3. Principles used in development and administration of the procurement card program and these rules & regulations are as follows:

- ensure that all users of the card understand that it is to be used only for official business purposes of Shelby County Government and that no use for personal or other non-job related purposes is allowed.
- ensure that responsibility for each procurement card and its use is fully assigned to and accepted by the cardholder and the cardholder's manager, and that all higher level management officials accept responsibility for proper use of cards in their organizations through administrative actions, including appropriate and timely follow up on possible misuse or violation of these rules & regulations.
- ensure full accountability for the use of all County resources and services related to the procurement card program.
- ensure a balance between the requirements for accountability, responsibility, and compliance with policy and procedure and the procurement-related purposes of the card program.
- provide policies and procedures that can be understood and followed by procurement card users and can be reasonably administered by supervisors, Purchasing, Finance, and other management and can be audited by both internal and external auditors.
- provide minimum standards, policies, and procedures for the procurement card program and permit individual departments and managers to establish additional requirements beyond those required by these rules and regulations.
- provide adequate controls and provisions that apply uniformly to all cards.

C. Applicability

1. This policy is issued in accordance with the PURCHASING PROCEDURES, RULES & REGULATIONS. These rules and regulations apply to all divisions, departments, offices, and Elected Officials of Shelby County Government. Each cardholder, manager, official, and Elected Official who requests and is issued a procurement card or has a card issued to staff within their organization is subject to these rules & regulations.
2. These rules & regulations and procedure apply only to the Procurement Card program administered by the Purchasing Department. All other forms of credit or charge cards or similar arrangements for Shelby County will be addressed by separate procedures, rules & regulations. These rules & regulations specifically do not apply to accounts used to facilitate electronic commerce as authorized by the Director of Administration & Finance.

II. Card Issuance and Assignment

A. The Procurement Card

The procurement card will contain the following information:

- Shelby County Government (preprinted on all cards)
- Employee's Name (individual name of the cardholder)
- Card account number (individual number)
- Card expiration date (specific date for each card)
- Tax exemption statement (preprinted on all cards)

The financial institution that issues the card will have no individual information other than the cardholder's name and work address. No credit reports, social security numbers, or other personal information will be maintained by the issuer of the card.

B. Requesting and Approving Issuance of Procurement Cards

1. Procurement cards under these rules & regulations will not be approved or issued to the following positions. For Elected Officials, this applies to equivalent positions regardless of job title or classification.
 - County Mayor or any Elected Official
 - Chief Administrative Officer (CAO) and Assistant CAO
 - Senior Management staff
 - Division Directors & Deputy Directors
 - Department Administrators
 - Employees in pay grade 56 or above
2. When the department wants a procurement card issued to an employee or official, a "Procurement Card Request Form" (Attachment D) must be submitted to the Purchasing Department.
3. The request must be signed by the proposed cardholder and approved by the administrator of the department or higher official.
4. The request must be approved by:
 - Under the Mayor's administration: the Division Director, CAO, or Mayor
 - Under an Elected Official: the Elected Official or his/her authorized designee
5. The request must be approved by the Purchasing Administrator or designee responsible for the Procurement Card program.

C. Acceptance of a Procurement Card

1. Each person issued a procurement card must sign the "Agreement to Accept the Shelby County Procurement Card" (Attachment A). The Agreement must be signed at the point the card is ready for issuance.
2. The Agreement will be signed by the Administrator of Purchasing or designee who issues the card to the cardholder and will be used to document the issuance of the card.

D. Cardholder Employment Terminated

1. Procurement cards are issued to and in the name of individual employee cardholders. If a cardholder leaves the employment of Shelby County Government, the card must be cut in half and returned to the Purchasing Department attached to a memo detailing the requested action to be taken. The cardholder or the department, upon request, will be given a receipt for the return of the card. The Department Administrator is responsible for retrieving the card from a terminating employee and for determining that the card has been returned to the Purchasing Department.
2. In the event the County is not able to collect the card when a cardholder terminates employment, the Department Administrator will notify the Purchasing Department immediately by telephone and follow-up in writing.
3. The Purchasing Department will notify the issuing financial institution that the card should be canceled and no further purchases permitted.

E. Employee Transferred

1. If a cardholder is transferred to a different department within Shelby County Government, the cardholder must surrender his/her procurement card. If the card is not surrendered, the Administrator of the department the employee is leaving should immediately notify the Purchasing Department and the card will be canceled.
2. The Department Administrator of the employee's new department will determine if the employee should be issued a new procurement card. If so, the procedures for requesting a new card should be followed.

F. Lost or Stolen Cards

1. Should a cardholder lose or have the procurement card stolen, it is the responsibility of the cardholder to immediately notify the procurement card issuer. The telephone number of the card issuer will be provided when the card is issued to the cardholder.
2. In addition to notifying the card issuer, the cardholder must notify his/her Department Administrator and the Purchasing Department of the lost or stolen card within one (1) workday after discovery of the loss or theft of the card. The Department Administrator will be required to make or approve a written report to the Purchasing Department within five (5) workdays. This report will include the complete information on the loss, the date the loss was discovered, the date of the loss if known, the location where the loss occurred if known, the most recent purchases made before the loss, and any other information that may be needed.

III. Use of the Card

A. Personal Responsibility of Cardholder

The Procurement Card empowers the cardholder to make small-dollar purchases, but also carries with it the responsibility to be held accountable for these purchases and their contribution to the sound business decisions of the County.

1. The Procurement Card will have the cardholder's name embossed on it and may be used only by that cardholder. No other person is authorized to use the card.
2. No personal use is allowed for any reason. The cardholder has the personal responsibility to insure that no personal, non-job related charges are made on the card.
3. The cardholder will ensure that all charges are made in accordance with Shelby County Governments Purchasing Procedures, Rules & Regulations as well as the Procurement Card Rules & Regulations and only for approved County business.
4. A cardholder who makes an unauthorized purchase may be held personally liable to reimburse Shelby County Government and will receive disciplinary action up to and including termination.
5. The cardholder is responsible for safeguarding the card and the associated account number at all times. Cards must be kept in a secure location at all

times. Written card numbers should not be kept where others can easily see them.

B. General Provisions and Conditions on Use

1. The Procurement Card is to be used for eligible business purposes authorized herein for Shelby County Government purchases only and must comply with all Purchasing Procedures, Rules & Regulations established for purchases.
2. Each purchase transaction must be authorized in advance by department management. This authorization may be on the Procurement Card Requisition Form (Attachment B), made orally, or by other processes established by the department. The Procurement Card Requisition Form is provided as a recommended document to provide additional documentation and control by department management.
3. Absolutely no cash refunds are permissible. All refunds must be applied as a credit to the Procurement Card.
4. No Elected Official, cardholder or employee may purchase or attempt to purchase an item using a procurement card issued to another employee. Delegation of authority is not permitted for use of the Procurement Card.
5. All items purchased must be immediately available. Purchases for items on back-orders are allowed.
6. An available budget balance must exist in the account to be charged.

C. Limits on Amounts and Number of Transactions

Each Procurement Card will have preset limits. The limits are as follows:

1. Single Purchase Limit - not to exceed \$2,000.00 per transaction. This control governs the dollar amount only for each single purchase. Each procurement card holder still bears the responsibility of following the Purchasing Department's open market buying limits as set forth in the Purchasing Procedures, Rules & Regulations Manual.
2. A single visit or call to a vendor for pre-approved purchases using the card may consist of multiple items not in excess of the authorized Single Purchase Limit of \$2,000.00. Payment for purchases may not be split into multiple charge tickets at the same vendor in order to stay within the Single Purchase Limit. No single item exceeding \$2,000.00 may be purchased using the Procurement Card, unless preauthorized by the Administrator of Purchasing or in an emergency situation.
3. Maximum of six (6) transactions per day - a cardholder may not make more than six (6) purchase transactions per day.
4. 30-Day Limit - Not to exceed \$5,000.00. This is a total dollar amount for all purchases made within a given billing cycle (30-Day Limit).
5. Since the County, not the individual cardholder, is financially liable for purchases made with the County Procurement Card, electronic controls are a component of the Procurement Cards. When authorization is sought for a purchase by the merchant, the financial institution's Procurement Card issuer authorization system will check each individual cardholder's single purchase amount limit, six transaction daily limit and the cardholder's 30-day purchase amount limit before authorization for that transaction is granted. Failure of the

electronic controls will not relieve the cardholder of responsibility for violation of any of the purchase limitations.

6. Purchases may not be charged on multiple cards in order to circumvent any limits under these rules & regulations.

D. Eligible Purchases

1. Automotive supplies
2. Building supplies
3. Computer products and supplies
4. Court fees
5. Delivery service charges (FedEx, UPS, etc.)
6. Electronic supplies (not equipment) & data services
7. Employee recognition items
8. Food service supplies
9. Medical equipment & supplies
10. Memberships, dues, books, periodicals, video tapes, audio tapes
11. Office supplies
12. O&M supplies
13. Photographic supplies
14. Small repair services-*one time only* (equipment, electrical, plumbing & HVAC, etc.) *not for routine maintenance or service.*
15. Training programs & seminars (*if conducted within Shelby County or if a travel authorization is not required to attend*)
16. Emergency purchases
17. Other purchases not prohibited

E. Ineligible Purchases and Restrictions

The Procurement Card may not be used for the following purchases:

General Restrictions

1. Purchases involving conflicts of interest
2. Purchases not related to official County business
3. Personal charges of any nature
4. Purchases that are inconsistent with specific County purchasing procedures, rules & regulations
5. Purchase of items placed on backorder
6. Payment of State or local sales taxes in Tennessee
7. Charges related to debt or a capital improvement project
8. Charges requiring a specific advance approval outside the department
9. Recurring monthly charges (or other periods less than annually) that on an annual basis would exceed the single purchase limit
10. Charges for items on an existing County approved contract

Restrictions of Specific Types of Vendors or Businesses

11. Airlines
12. Bars, taverns, nightclubs
13. Fast food restaurants (except for catered events)
14. Hotels and motels
15. Package stores and liquor stores
16. Restaurants (except for catered events)

Restrictions on Specific Goods and Services

17. Alcoholic beverages, including beer, wine, whiskey, or other liquor
18. Animals
19. Automobile rentals
20. Cash advances, traveler's checks, gift cards or any other form of medium of exchange
21. Contractor's payments
22. Consulting or personal services or any other payment requiring the County to issue an IRS Form 1099 (without regard to whether or not dollar requirements are met)
23. Decorative items such as flowers, plants, lamps, pictures, rugs, etc.
24. Firearms/weapons/ammunition
25. Gasoline/fuel
26. Groceries, food items, & cooking products (except for kitchen operations of the Sheriff, Corrections, Juvenile Court & Head Start) (except for catered events)
27. Heavy equipment rental
28. Insurance
29. Legal or medical services
30. Maintenance agreements
31. Moving expenses
32. Postage (except by the Mail Room)
33. Prescription drugs/controlled substances, except Health Department
34. Printing services, including business cards (except by Printing Services)
35. Telephones & related equipment (except by Telecommunications)

36. Travel and related expenses, including advance travel expenses

F. Tax Exemption

Shelby County Government is exempt from all state and local sales taxes charged in Tennessee according to state law. The tax-exempt status appears on the Procurement Card.

1. If sales tax is billed incorrectly to the cardholder's account, it is the responsibility of the cardholder to recover the taxes. The first step should be to contact the vendor to determine if a credit can be issued. If not, then dispute the charge as outlined in section IV. C entitled "Transaction Disputes."
2. Nominal amounts of sales taxes may be paid when the acquiring department requests payment rather than incur cost disproportionate to the amount of the tax.
3. If a vendor requires a tax-exempt certificate, it is the responsibility of the cardholder to obtain a tax exemption form from the Purchasing Department:
 - Fax or email request to the Purchasing Department
 - List type of purchase, particular goods or services
 - Provide vendor's complete mailing address, telephone #, and fax #

G. Locally Owned Small Business (LOSB)

Shelby County Government has initiated a program to expand the procurement of goods and services from locally owned small businesses within Shelby County. To continue the effort of the County, it is important that cardholders try to procure, as much as possible, from locally owned small businesses. You may contact the EOC Administration at 545-4336 to obtain a current list of locally owned small businesses with which Shelby County currently conducts business or at www.shelbycountyttn.gov.

H. Misuse of Procurement Card

1. The Procurement Card represents Shelby County's trust in the cardholder as a responsible employee of the County to safeguard and protect County assets. The cardholder assumes the responsibility for the protection and proper use of the Procurement Card. The following are some examples of misuse of the Procurement Card. These examples are not all inclusive.
2. Personal misuse:
 - Purchases for the personal non-job related benefit of the cardholder or others.
 - Assignment or transfer of a card to another person.
 - Use of the Procurement Card by a suspended or terminated employee.
3. Administrative misuse:
 - Failure to follow these rules & regulations regarding use, documentation and the payment process.
 - Any supervisory or management personnel instructing an employee to make an unauthorized or illegal purchase.
4. Misuse of the Procurement Card will be handled promptly and uniformly for all cardholders. Failure to comply with the requirements of these rules & regulations may result in any of the following actions:

- Immediate revocation of Procurement Card privileges and surrender of the card,
- Disciplinary action, up to and including termination
- Personal liability of the cardholder, or individual authorizing the purchase, to reimburse the County for any losses to the County resulting from the improper or unauthorized use of the Procurement Card.
- Referral for criminal prosecution in appropriate cases.

IV. Acquisition Documentation, Reconciliation, and Payment

A. Acquisition Documentation

1. Any time a purchase is made a document must be secured and retained as proof of purchase. The documentation and vendor receipts must be legible and clearly identify (a) the date of purchase (b) description of items, quantities, and unit prices of each individual item purchased, (c) total amount charged, and (d) the merchant's name and address. Vendor receipts must have the detailed description of each item purchased or Procurement Card purchases may not be made from that vendor. A charge card receipt alone showing only the total of the charge is not adequate documentation.
2. If the business purpose is not evident, a notation of the purpose should be written on the invoice, receipt, or other purchase documentation.
3. When a purchase is made over the counter the cardholder must obtain a customer copy of the charge slip. The cardholder must make sure that all items purchased are itemized on the sales slip or secure an additional invoice or other documentation.
4. When making purchases by telephone or on the Internet the cardholder must document the transaction, attach any shipping documents associated with the order, and verify that the card will only be charged for currently available merchandise.
5. For mail, Internet, phone or fax purchases when a receipt is not available, the cardholder should use a copy of the completed application, flyer, or order form as the receipt. The receipt should clearly indicate the total dollar amount, description of the product or service ordered, name of payee, and date the transaction was made using the Procurement Card.
6. Whenever the cardholder does not have documentation of the transaction to send with the statement, the cardholder must attach an explanation of why there is no supporting documentation. This explanation must include a description of the item(s) purchased, date(s) of purchase, merchant(s) name, and reason(s) for no supporting documentation. The Department Administrator must also approve the explanation.
7. When food and refreshment items are purchased using the card – other than the kitchen operations of the Sheriff's Office, Corrections Center, Juvenile Court and Head Start - there should be submitted with the monthly procurement card payment request the documentation as required by Section IV of the Comprehensive Travel Policy providing an explanation for the event, the identity of those attending, etc.

B. Payment and Invoice Reconciliation Procedures

1. Individual cardholders will be responsible for monthly reconciliation.
2. At the end of each billing cycle that runs from the 26th through the 25th of the following month, the Procurement Card issuer will provide one copy of the billing statement to the cardholder and one copy to the Finance Department. The cardholder's copy, a Statement of Account, will have a listing of all the items processed during the previous 30 days. If the statement is not received, the cardholder can print a copy from the bank's Internet site. .
3. The cardholder must review the statement and note any error(s) on the statement. The cardholder must attach copies of the receipt(s) to the statement. It is recommended that smaller receipts and invoices be taped to an 8½ x 11 sheet of paper but be careful to tape over only blank areas of the receipt. The cardholder must also sign the Procurement Card Payment Request Form (Attachment C) certifying the items purchased, assign account codes to each item, and forward to the Department Administrator (or above) for his/her approval within five (5) work days after receipt by the cardholder. Noncompliance may mean denial of future use of the card.
4. The Department Administrator (or above) must review the statement, verify the statement and approve the purchases as received and used for necessary county business. The Department Administrator must sign the Form and forward it to the Finance Department by the 10th day of the month following the statement date. If the Department Administrator is unavailable, it is the cardholder's responsibility to seek the approval of someone above the administrator. Delegation of approvals is not permitted. It is the Administrator's responsibility to note any instances of noncompliance with these Rules & Regulations and to report corrective actions taken.
5. By the 10th of each month each cardholder must review all transactions, verify the account coding, and approve or sign off on the transactions. The coding in this system is uploaded into the County's general ledger, so it is critical that the coding be correct and that the monthly approval be completed by the 10th of each month.
6. Should travel or extended leave be scheduled by the cardholder at the time payment processing is due, it will be the responsibility of the Department Administrator to complete the appropriate forms so that payment may be completed within the appropriate time frame and forward them to Finance. A brief explanation should be included stating why the cardholder was not available.
7. The Finance Department will pay purchases made by cardholders on or before the due date to avoid late payment and/or interest charges. If the required documentation and approvals have not reached the Finance Department, the amount of charges on the card will be paid and charged to an account of the cardholder's department. The Finance Department will usually pay the exact amount of charges billed but at its discretion may decide to withhold payment for pending credits or disputed charges.

C. Transaction Disputes

1. If items purchased with the Procurement Card are found defective or the repair or services faulty, the cardholder must return the item(s) to the merchant for replacement or to receive a credit on the purchase. If the

merchant refuses to replace or correct the faulty item(s), then the purchase of the item(s) will be considered to be in dispute.

2. A disputed item must be noted on the cardholder's Statement of Account. In addition, a correspondence letter must be completed by the cardholder with the appropriate documentation attached, if necessary. This letter will be forwarded through the Department Administrator to the Purchasing Department for adjustment. The Purchasing Department will notify the card issuer. The Purchasing Department will notify the cardholder and approving official of the action taken by the card issuer on disputed item(s).
3. It is essential that the time frames and documentation requirements established by the Procurement Card issuer be followed to protect the cardholder's rights in dispute. Dispute policies and procedures issued by the Procurement Card issuer will be provided at the time Procurement Cards are issued to cardholders.

V. Card Program Responsibilities

A. Finance Department Responsibilities

The Finance Department is primarily responsible for determining compliance with these Rules & Regulations requirements on documentation, approval for payment of charges, and actual payment of charges. The Administrator of Finance or designee will perform the following:

1. Review each statement and payment request:
 - Match the total amount for each statement received to the master statement.
 - Verify that a "Procurement Card Payment Request" is attached to each statement and is signed by the cardholder and Administrator as provided by policy and further verify that the total amount agrees to the statement.
 - Verify that for each expenditure on the statement there is an invoice, receipt, or other documentation attached that satisfies these Rules & Regulations requirements on documentation.
 - For each charge, verify that the business purpose is reasonably apparent or is documented and appears appropriate.
 - Review for any apparent violations of the procurement card Rules & Regulations.

If there are no problems noted, the Finance Department assigned employee will sign the bottom of the Procurement Card Payment Request noting approval for payment.

2. If problems are noted, notify the cardholder's Department Administrator in writing with a copy to the Division Director or Elected Official explaining the problems noted. Attach a copy of the notification to the statement and reference the notification on the "Procurement Card Payment Request".
3. The Administrator notified must respond or approve a response to any notification concerning problems within 10 business days from the notification date. If a response is not received within the 10 days, Finance may send a copy of the notification with a statement "Response not Received" to the Purchasing Administrator as documentation for cancellation of the card. Finance will review all responses and if the response satisfies the concern, the Finance Department Administrator or designee will indicate acceptance of the

response. If the response does not satisfy the concern, Finance will send the notification and response to the Director of Administration & Finance or the Chief Administrative Officer for resolution.

4. If any statements and departmental payment request are not received by the 15th calendar day of the month following the date of the statement, Finance may notify the Purchasing Administrator and the card will be cancelled.

B. Purchasing Department Responsibilities

The Purchasing Department is primarily responsible for the overall Procurement Card program, managing the relationship with the issuer of the cards, dealing with the issuer of the cards, issuing cards to cardholders, and determining that card usage complies with other County purchasing requirements and Rules & Regulations.

1. The Purchasing Department will maintain a computer log of all cards issued and reference those later cancelled. The log will include the employee name, his/her job title, his/her department, account number, date issued and date cancelled, if applicable. Purchasing will also maintain a paper file containing the Agreement to Accept the Shelby County Procurement Card (Attachment A) signed by Purchasing and the cardholder for each card issued and returned (cancelled). The Agreement includes acknowledgement of the conditions of these rules & regulations including personal liability for any personal purchases.
2. *Every ninety (90) days Purchasing may, at its sole discretion, terminate all cards not used in the previous ninety (90) days.* Purchasing will notify the cardholder and his/her Department Administrator of the cancellation and request return of the card. Returned cards should be cut in half and returned to Purchasing no later than 4:15 p.m. the next business day.
3. The Administrator of Purchasing or designee will examine the County's monthly card statements in order to determine whether any cardholder appears to have violated any purchasing prohibition (example: split purchases, monetary limitations, etc.) which are specifically prohibited under these rules and regulations..
4. If the Purchasing official does not recognize any problems, he/she must document the review in writing. If problems are noted, the Department Administrator will be notified in writing with a copy to the Division Director or Elected Official explaining the transaction in question.
5. The Administrator, Division Director or Elected Official must respond or approve a response to any notification concerning problems within 10 business days from the notification date. If a response is not received within the 10 days, the Purchasing Administrator may cancel the card. Purchasing will review all responses and if the response satisfies the concern, Purchasing will document and sign approving the explanation. If the response does not satisfy the concern, Purchasing will send the notification and response to the Director of Administration & Finance or the Chief Administrative Officer for resolution.

C. Internal Audit Responsibilities

The Internal Audit Department will perform an annual audit of procurement card activity. The extent of the audit will be established by the Internal Audit Department based on their professional judgment. Transactions will be reviewed to ensure:

1. Adequate detailed documentation is on file, including (a) original receipts, (b) shipping documents (if available), (c) vendor's name, (d) unit cost of each item purchased, (e) date of purchase/sale, (f) total amount of purchase transaction, (g) itemized description of each item, and (h) business purpose, if not evident,
2. The purchases were relevant to the needs of that account,
3. The purchases did not include unauthorized items,
4. Purchases were within spending limits, and
5. Purchases were not in direct violation of goods or services available through contract or preferred suppliers

Agreement to Accept the Shelby County Government Procurement Card

Your participation in the Shelby County Government Procurement Card Program is a convenience that carries responsibilities along with it. Although the card is issued in your name, it is the property of Shelby County Government and should be used with good judgment.

1. The Shelby County Procurement Card is provided based on the need to purchase business-related goods and services. A card may be revoked at any time based on change of assignment or location.
2. The Procurement Card is for business-related purchases only; **ABSOLUTELY** no personal charges are to be made on the card.
3. The cardholder is the only person entitled to use the card and is financially responsible personally for all unauthorized charges made against the card.
4. All charges are billed to and paid by Shelby County Government. Any personal charges or improper use on the card will be considered misappropriation of County funds since the cardholder cannot pay the bank directly. This may result in disciplinary action, including but not limited to termination.
5. A lost or stolen card should be reported immediately by telephone to the bank that issued the card using the telephone number provided when the card is issued.
6. The cardholder must surrender his or her card upon request or termination of employment (i.e. retirement or voluntary/involuntary termination).
7. Your signature below verifies that you have received, understand and agree to comply with the Procurement Card Rules and Regulations and have received training related thereto.

Accepted & Agreed:

Issued by Purchasing Department:

Cardholder Signature_____
Administrator Signature_____
Print Name_____
Print Name_____
Date_____
Date_____
Cardholder's Employee ID No._____
Procurement Card Account Number

Shelby County Government
Procurement Card Requisition Form

Department _____ Date _____

Items to be Purchased	Reason For Purchase	Quantity	Amount
Total Amount			

Vendor _____
Address _____
Phone # _____
Charge to: _____ - _____ - _____

Requested by _____ Authorized by _____

ATTACH RECEIPT HERE IF LESS THAN A HALF PAGE

This form may be completed and approved prior to any purchase being made on the Shelby County procurement card. This form and the accompanying invoices may be attached to the monthly procurement card statement submitted with the Procurement Card Payment Request.

DATE _____

SHELBY COUNTY GOVERNMENT
PROCUREMENT CARD REQUEST FORM

Proposed Cardholder _____ Phone _____

Job Classification _____ Employee ID No. _____

Department _____ Fund _____ Org _____

Number of cards in Department _____ Number of cards for Dept. at this location _____

The proposed Cardholder has a salary grade of 56 or below as required _____ Yes _____ No

Has Department had any Procurement Cards cancelled or revoked in the last 12 months for non-compliance with the Procurement Card Policy? _____ Yes _____ No

Has proposed Cardholder ever had a card before? _____ Yes _____ No

If yes, explain why card is no longer in use: _____

Explain need and planned use of card: _____

Billing Instructions (Department's mailing address)

The requested card is necessary for the normal operations of County business and all provisions of the Procurement Card Rules and Regulations have been reviewed and will be followed.

Proposed Cardholder Signature
Approved by:

Department Administrator Signature

Date

OR

Signature of Division Director,
CAO or Mayor

Signature of Elected Official
or Authorized Designee

This request is in compliance with the Procurement Card Rules and Regulations and the Card has been ordered.

Purchasing Administrator Signature

DATE

SHELBY COUNTY GOVERNMENT
PURCHASING
RULES AND REGULATIONS

Policy No. **RR-390**
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Subject: MOBILIZATION PAYMENTS	Effective Date: January 9, 2017 Supersedes: 02-22-10
<p>I. PURPOSE:</p> <p>To authorize mobilization payment to construction subcontractors to cover project start-up costs when mobilization payments are authorized for the prime contractor.</p> <p>II. SCOPE:</p> <p>These rules and regulations apply to any Department, Office, Board, and Agency of the County.</p> <p>III. GENERAL:</p> <p>A. Subcontractors shall receive mobilization payments to help alleviate construction project start-up costs.</p> <p>B. Mobilization payments on construction projects shall cover site location costs, including equipment, supplies, trailers, and other operations, which must be performed prior to beginning work.</p> <p>IV. PROCEDURE:</p> <p>A. When a mobilization payment is made to the prime contractor as the first invoice payment, the subcontractor shall be paid the appropriate share of its bid when directed to mobilize.</p> <p>B. The user department is responsible for the approval and disbursement of mobilization payments to subcontractors.</p>	

SHELBY COUNTY GOVERNMENT
PURCHASING
RULES AND REGULATIONS

Policy No. **RR-400**
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Subject: CONTRACT OPPORTUNITIES FORECAST	Effective Date: January 9, 2017 Supersedes: 02-22-10
<p>I. PURPOSE:</p> <p>To provide timely notice of contracts anticipated to be awarded.</p> <p>II. SCOPE:</p> <p>These rules & regulations apply to any Department, Office, Board, and Agency of the County that solicit contractors for projects within Shelby County.</p> <p>III. GENERAL:</p> <p>A. The County shall annually publish its forecasted contract opportunities for all construction, professional services, and commodities and services contracts. services, and commodities and services contracts.</p> <p>IV. PROCEDURES:</p> <p>A. The County shall publish its contract opportunities forecast annually for all construction, professional services, and commodities and services contracts on its Purchasing webpage.</p> <p>B. The forecast shall also be emailed to each business and trade association that requests to be on the County's mailing list. The forecast shall be published within 60 days of the start of its fiscal year.</p> <p>C. The County's contract opportunities forecast shall include the anticipated solicitations for the next 12 to 24 months. The solicitation details, shall include awarding department, anticipated bid opening date, and anticipated budget.</p> <p>D. The contract opportunities forecast shall be searchable by awarding department, industry, and other key terms and downloadable into Microsoft Word or Excel format from the Purchasing webpage.</p>	

SHELBY COUNTY GOVERNMENT
PURCHASING
RULES AND REGULATIONS

Policy No. **RR-410**
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<p>Subject:</p> <p style="text-align:center">PURCHASING DEPARTMENT WEBPAGE</p>	<p>Effective Date: January 9, 2017</p> <p>Supersedes:</p> <p>02-22-10</p>
<p>I. PURPOSE:</p> <p>To ensure easy to navigate access to the County’s procurement information and opportunities.</p> <p>II. SCOPE:</p> <p>These rules and regulations apply to all contracts awarded by any Department, Office, Board, and Agency of the County</p> <p>III. GENERAL:</p> <p>Requests for Proposals and solicitations over \$50,000.00 for all Departments, Offices, Boards, and Agencies of the County shall be published on the Purchasing Department webpage</p> <p>IV. PROCEDURES</p> <p>A. The Purchasing Department webpage shall provide general procurement information, including information on purchase authorization, processes, and standards for vendor qualification.</p> <p>B. The Purchasing Department webpage shall provide bidding information, enabling online viewing of bids, RFPs, and RFQs. The webpage shall also provide information regarding open, cancelled, awarded, and closed bids.</p> <p>C. The Purchasing Department webpage shall provide a search function to search for bid solicitations by title, RFP or RFQ number, user department, or other keywords.</p> <p>D. The Purchasing Department webpage shall publish contract award information. The contract award publication shall include solicitation information, contractor name, award date, and award amount.</p> <p>E. The Purchasing Department webpage shall post prime contractor payments to allow subcontractors to track payment schedules. The webpage shall be searchable by contract number, contract description, prime contractor number, and prime contractor name</p>	

SHELBY COUNTY GOVERNMENT
PURCHASING
RULES AND REGULATIONS

Policy No. **RR-420**
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Subject: SUBCONTRACTOR UTILIZATION TRACKING SYSTEM	Effective Date: January 9, 2017 Supersedes: 02-22-10
<p>I. PURPOSE:</p> <p>To record and report subcontractor utilization information.</p> <p>II. SCOPE:</p> <p>These rules and regulations apply to construction and professional services contracts awarded by any Department, Office, Board, and Agency of the County.</p> <p>III. GENERAL:</p> <p>A. All subcontract awards and payments shall be recorded in a relational database application.</p> <p>IV. PROCEDURE:</p> <p>A. A subcontractor relational database shall be incorporated into the County’s financial system to link subcontractor data to the related prime contract.</p> <p>B. Prime contracts shall be coded by industry classification using National Institute of Governmental Purchasing (NIGP) codes, and identified by the procurement method established in the County’s Purchasing Policy Rules and Regulations.</p> <p>C. The data collected shall include all subcontractor information on construction and professional services contracts, including subcontract awards and .</p>	

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<p>Subject:</p> <p style="text-align:center">VIRTUAL PLAN ROOM</p>	<p>Effective Date: January 9, 2017</p> <p>Supersedes: 02-22-10</p>
<p>I. PURPOSE:</p> <p>To establish procedures to post construction plans and specifications for projects within Shelby County.</p> <p>II. SCOPE:</p> <p>These rules and regulations apply to all formal construction contracts solicited by any Department, Office, Board, and Agency of the County.</p> <p>III. GENERAL:</p> <p>A. The plans and specifications for construction contracts shall be made available, at no cost on the County’s Purchasing webpage, to view and download, or directions provided for pick-up locations.</p> <p>IV. PROCEDURE:</p> <p>A. The plans and specifications shall be posted on the Purchasing webpage when the solicitation is published.</p> <p>B. The County’s Purchasing webpage shall have a subpage labeled “Plan Room” that shall host the virtual plans. Project plans and specifications shall be indexed by RFP or RFQ numbers and searchable by bid announcement, bid deadline, user department, and project description.</p>	

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Subject: TECHNICAL ASSISTANCE WORKSHOPS AND BUSINESS TRAINING	Effective Date: January 9, 2017 Supersedes: 02-22-10
<p>I. PURPOSE:</p> <p>To advertise community resources to improve contractor capacity and diversity for project solicitation within Shelby County.</p> <p>II. SCOPE:</p> <p>These rules and regulations apply to any Department, Office, Board, and Agency of the County that solicit contractors for projects within Shelby County.</p> <p>III. GENERAL:</p> <p>A. The County shall partner with local government entities, non-profits, and third party organizations to provide technical assistance workshops and training opportunities to M/WBEs and LOSBs.</p> <p>IV. PROCEDURE:</p> <p>A. The County’s Purchasing webpage shall promote community resources, events, and programs that provide technical assistance through different government entities, non-profits, and third party organizations. The County shall place particular focus on promotions from ethnic/trade organizations, and free small business workshops and training sessions.</p> <p>B. The County shall post news and links to business development, training, and networking opportunities provided through different government entities, non-profits, and third party organizations.</p>	

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Subject: INDEX SECTION III – CONTRACT ADMINISTRATION PROCEDURES	Effective Date: February 22, 2010 Supersedes: 11/01/02																
<table><tr><th data-bbox="272 695 529 726">PROCEDURE NO.</th><th data-bbox="656 695 792 726">SUBJECT</th></tr><tr><td data-bbox="272 768 380 800">CA-010</td><td data-bbox="561 768 1110 800">Contract – Procedures and Responsibilities</td></tr><tr><td data-bbox="272 842 380 873">CA-020</td><td data-bbox="561 842 1068 873">Contracting – For Professional Services</td></tr><tr><td data-bbox="272 915 380 947">CA-030</td><td data-bbox="561 915 1365 947">Contracts – Criteria for Determining Proper Routing Procedure</td></tr><tr><td data-bbox="272 989 380 1020">CA-040</td><td data-bbox="561 989 1422 1062">Contracts – Routing Procedures for Contracts <u>REQUIRING</u> Board of Commissioners Approval</td></tr><tr><td data-bbox="272 1104 380 1136">CA-050</td><td data-bbox="561 1104 1414 1178">Contracts – Routing Procedures for Contracts <u>NOT REQUIRING</u> Board of Commissioners Approval</td></tr><tr><td data-bbox="272 1220 380 1251">CA-060</td><td data-bbox="561 1220 1386 1293">Resolutions – Routing Points and Time Deadlines for Placing on Commission Agenda</td></tr><tr><td data-bbox="272 1335 380 1367">CA-070</td><td data-bbox="561 1335 976 1367">Contracts - Change Order Policy</td></tr></table>		PROCEDURE NO.	SUBJECT	CA-010	Contract – Procedures and Responsibilities	CA-020	Contracting – For Professional Services	CA-030	Contracts – Criteria for Determining Proper Routing Procedure	CA-040	Contracts – Routing Procedures for Contracts <u>REQUIRING</u> Board of Commissioners Approval	CA-050	Contracts – Routing Procedures for Contracts <u>NOT REQUIRING</u> Board of Commissioners Approval	CA-060	Resolutions – Routing Points and Time Deadlines for Placing on Commission Agenda	CA-070	Contracts - Change Order Policy
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<p>Subject:</p> <p style="text-align:center">CONTRACT – PROCEDURES AND RESPONSIBILITIES</p>	<p>Effective Date: February 22, 2010</p> <p>Supersedes: 11/01/02</p>
<p>I. PURPOSE:</p> <p>To clarify the procedures and responsibilities pertaining to the preparation of contracts.</p> <p>II. SCOPE:</p> <p>This procedure applies to all Administrative Departments, Elected Offices, Boards and Agencies of the County.</p> <p>III. PROCEDURES:</p> <p>A. CONTRACTS</p> <ol style="list-style-type: none">1. All contracts are awarded based on the bid process or request for proposals for professional services.2. At the time of award of a bid for contracts of a general nature, the Department is responsible for the preparation of Resolution packets (if necessary) and submission of a contract for review by the Contract Administration Department.3. <u>IF</u> the vendor does not have a contract for submission, please contact the Contract Administration Department for assistance in the preparation of the contract.4. Specialty contracts or professional services contracts, i.e., Contracts for Construction Projects, Architect/Engineer Services, Professional Services, etc., will be prepared by the Contract Administration Department, upon request. <p>B. RENEWALS</p> <ol style="list-style-type: none">1. The Contract Administration Department distributes a quarterly report notifying all Administrative Departments, Elected Officials, County Boards and Agencies of all contracts that will expire in the upcoming quarter. However, each department remains responsible for notifying the Contract Administration Department of any contracts that will be renewed for the next fiscal year.	

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Subject: CONTRACT – PROCEDURES AND RESPONSIBILITIES	Effective Date: February 22, 2010 Supersedes: 11/01/02
<p>2. Departments should submit to the Contract Administration Department a memorandum notifying Contracts Administration of its decision to renew the contract for the next fiscal year, at least forty-five (45) days prior to the expiration date of the contract.</p> <p>3. In the event that there are no additional renewal periods remaining on the contract, the Department may extend the contract for a period not to exceed ninety (90) days, after the Purchasing Department has determined the appropriate procurement process, and issued written approval to extend the contract. The Purchasing Department will determine the appropriate extension period. All Departments remain responsible for anticipating the need for renewals in a timely manner.</p> <p>4. The memorandum shall state the Company Name, Contract Number and Dollar Amount for the renewal period. A copy of the proposed amendment/renewal contract must accompany the memorandum.</p> <p>5. A Contract and Encumbrance Information Sheet for each contract renewal, signed by both the Department Head and Division Director, shall also be attached to the memorandum and proposed amendment/renewal contract.</p> <p>C. MAINTENANCE AGREEMENTS</p> <p>Contracts for maintenance of computer equipment, copiers, etc. shall originate from the Department in accordance with the Purchasing Policy Rules and Regulations and the maintenance agreement submitted to Contract Administration for processing.</p>	

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Subject: CONTRACTING FOR PROFESSIONAL SERVICES	Effective Date: February 22, 2010 Supersedes: 11/01/02
<p>I. PURPOSE:</p> <p>To establish the procedures involved in contracting for professional services.</p> <p>II. SCOPE:</p> <p>This procedure applies to all Administrative Departments, Elected Offices, Boards and Agencies of the County.</p> <p>III. PROCEDURE:</p> <ol style="list-style-type: none">1. Department Head submits request to the Administrator of Purchasing stating the need for professional services.2. Department Head prepares specifications or scope of work for the services to be provided and submits to the Administrator of Purchasing with a request for services.3. Administrator of Purchasing sends out Request for Proposals to all providers who have requested placement on the Professional Services Providers listing.4. Proposals are generally due a minimum of ten (10) days from issue of Requests for Proposals. In certain situations, this time will be extended.5. Upon receipt of proposals, the Department will be notified and a copy of each proposal will be forwarded to the department for review. (FOR ARCHITECT/ENGINEER SERVICES – PROJECTS OVER \$100,000.00 – EACH MEMBER OF THE CONSULTANTS REVIEW COMMITTEE WILL BE NOTIFIED AND A TIME SET FOR REVIEW OF PROPOSALS.)6. Recommendations from the Consultant Review Committee shall be forwarded to the Mayor for final selection. (FOR ARCHITECT/ENGINEER SERVICES – PROJECTS OVER \$100,000.00 - REVIEW COMMITTEE SHALL SELECT A MINIMUM OF THREE (3) PROVIDERS AND SUCH RECOMMENDATION BY THE REVIEW COMMITTEE WILL BE SUBMITTED TO THE MAYOR FOR FINAL SELECTION.)	

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Subject: CONTRACTING FOR PROFESSIONAL SERVICES	Effective Date: February 22, 2010 Supersedes: 11/01/02
<p>Selection shall be on a rotation basis with an effort to match background, experience and size of firm to size and type of project.</p> <p>7. The Department and Contract Administration Attorneys have the authority to negotiate the contract after selection by the Mayor. If a contract cannot be negotiated with the first provider, the Mayor shall select from the remaining providers on the initial recommendation list.</p> <p>8. After completing contract negotiations, all unsuccessful providers will be notified of the Mayor's selection by the Administrator of Purchasing.</p> <p>9. A contract will be prepared and, if applicable, a resolution packet will be prepared and processed in accordance with Procedures for Contract Routing.</p>	

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Subject: CONTRACTS – CRITERIA FOR DETERMINING PROPER ROUTING PROCEDURE	Effective Date: February 22, 2010 Supersedes: 11/01/02
<p>I. PURPOSE:</p> <p>To identify the proper routing procedures for contracts.</p> <p>II. SCOPE:</p> <p>This procedure applies to contracts for all Administrative Departments, Elected Offices, Boards and Agencies of the County.</p> <p>III. REQUIREMENTS:</p> <p>A. Contracts requiring approval by the Shelby County Board of Commissioners.</p> <p>Contracts meeting the following criteria require Board approval:</p> <ol style="list-style-type: none">1. Sale of real property or any interests therein.2. Any contract, etc. requiring expenditure of C.I.P. funds.3. Franchise agreement.4. Contracts for consolidation of duplicated or overlapping services with other Governmental entities (Example: Codes Enforcement).5. Leasing and/or certain encumbrances of County property.6. Lease agreements where the expenditures over the entire term are over \$100,000.00 (subject to Governmental funding).7. Grant contracts when granting authority requires approval of the County Legislative Body.8. Contracts over \$100,000.00.	

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Subject: CONTRACTS – CRITERIA FOR DETERMINING PROPER ROUTING PROCEDURE	Effective Date: February 22, 2010 Supersedes: 11/01/02
<p>9. Contracts that require expenditure of funds in more than one fiscal year.</p> <p>10. Amendments to contracts that bring total cost over \$100,000.00.</p> <p>11. Any contracts that require amending the budget.</p> <p>12. Only contracts requiring expenditure of County funds are subject to the rules governing Commission approval for contracts subject to rule 11 above.</p> <p>13. Contracts that by law require approval of the Legislative Body.</p> <p>B. Contracts <u>NOT</u> requiring approval by the Board of Commissioners.</p> <p>Any contract which does not meet the criteria listed above in section A does not require Board approval.</p> <p>Contracts up to \$100,000.00 with renewal options do <u>NOT</u> require Commission approval. Renewals are NEW contracts for a new year and remain \$100,000.00 or below. Each year is <u>NOT</u> compounded; however, make sure funds are included in each fiscal year budget for the renewal periods.</p>	

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Subject: CONTRACTS – ROUTING PROCEDURES FOR CONTRACTS <u>REQUIRING</u> BOARD OF COMMISSIONERS APPROVAL	Effective Date: February 22, 2010 Supersedes: 11/01/02
<p>I. PURPOSE:</p> <p>To provide routing procedures for contracts <u>requiring</u> Board of Commissioners approval.</p> <p>II. SCOPE:</p> <p>This procedure applies to contracts for all Administrative Departments, Elected Offices, Boards and Agencies of the County.</p> <p>III. GENERAL:</p> <p>The following is an outline of established resolution routing procedures. County Commission agenda items shall be provided to the County Commission in electronic format and placed into the paperless agenda system. If the Department is unable to utilize the paperless agenda system, the below routing procedures also apply to Resolutions that are physically routed for approval. Taking into consideration the Shelby County Board of Commissioners' Permanent Rules of Order, the Contract Administration Department recommends that Departments email a copy of the Resolution Packet to the appropriate attorney for review in a sufficient amount of time that will allow the Department to make any necessary revisions prior to routing the item.</p> <p>If any of the information, documentation or signatures required in the below procedures are not complete, the item will be returned to the originating department for correction.</p> <p>IV. PROCEDURES:</p> <ol style="list-style-type: none">1. Pursuant to the Permanent Rules of Order of the Shelby County Board of Commissioners, as amended, November 8, 2010, a Resolution Packet must consist of an Agenda Route Sheet signed by the Department Head, a Summary Sheet, Original Resolution, Purchasing and E.O.C. documents, if applicable, AND contracts. If required, Resolution Packets shall also include a Child Impact Statement, and/or a Technology Coordination Office (TCO) Opinion.2. Four (4) original contracts signed by the Vendor/Contractor and a fully executed original Gratuity Disclosure Form must be attached to the Resolution. When applicable, an ORIGINAL and three (3) copies of the Bond, Insurance Certificate and/or Power of Attorney must be attached to the Contracts and Resolution packet.3. The completed packet must be signed by the Department Head and by the Division Director or Elected Official, if possible, and forwarded to the Contract Administration Department.	

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4.

The Resolutions and Contracts will be forwarded to Contracts Administration for final review and approval as to form and legality. (At this point, if any language in the contract is not acceptable, negotiations with the Contractor will continue/begin OR the packet will be returned to the originating department for correction.) The paperless agenda system will automatically forward the Resolution Packet to the next step (Finance, CAO, and then County Commission) for review and approval, and for placement on the Commission’s Agenda.

5.

If the Department is unable to utilize the paperless agenda system, the Contract Administration Department will route the Resolution Packet to the Finance Department’s Budget Section for verification of funds and approval. Upon approval by the Finance Department, the Packet will be returned to the Contract Administration Department.

6.

Upon approval by the Finance Department, the packet will be forwarded to the Chief Administrative Officer to obtain approval and forwarded to the Commission Chairman’s Office to be placed on the next agenda.

7.

Departments should submit the four (4) original contracts and required supporting documentation to the Contract Administration Department prior to the committee meeting that the Agenda item will be discussed and voted upon by the Commission. The Contract Administration Department shall hold all contracts until the Board of Commissioners has approved the contract. Once copies of the attested Resolutions have been received, the Contract Administration Department will then forward the contracts to the Chief Administrative Officer for the Mayor’s signature.

8.

Executed contracts will be returned to the Contract Administration Department, processed and distributed to the Originating Department.

9.

Contracts will be distributed as follows:

1.

Contract Administration Master File

2.

Originating department

3.

Contractor (through the department for issuance of Notice to Proceed OR directly with Notice to Proceed)

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Subject: CONTRACTS – ROUTING PROCEDURES FOR CONTRACTS <u>NOT REQUIRING</u> BOARD OF COMMISSIONERS APPROVAL	Effective Date: February 22, 2010 Supersedes: 11/01/02
<p>I. PURPOSE:</p> <p>To provide routing procedures for contracts <u>not requiring</u> Board of Commissioners approval.</p> <p>II. SCOPE:</p> <p>This procedure applies to all contracts for all Administrative Departments, Elected Offices, Boards and Agencies of the County.</p> <p>GENERAL:</p> <p>Once it has been established that specific services and/or materials are required, selection of the contractor shall be made in one of the following ways:</p> <ol style="list-style-type: none">1. Consultant Review Committee2. Bid Process3. Requesting Department (pursuant to special circumstances or requirements) <p>The following requirements must be met to ensure proper execution and handling of contracts. NOTE: If any of the requirements are not complete, the contract will be returned to the originating department for correction.</p> <p>III. PROCEDURES:</p> <ol style="list-style-type: none">1. The originating department shall have four (4) original contracts and a fully executed original Gratuity Disclosure Form prepared and signed by the Vendor/Contractor. (PLEASE NOTE: DO NOT DATE CONTRACT.) If applicable, all bonds, insurance certificates and other required documents must be attached to the contracts.	

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Subject: CONTRACTS – ROUTING PROCEDURES FOR CONTRACTS <u>NOT REQUIRING</u> BOARD OF COMMISSIONERS APPROVAL	Effective Date: February 22, 2010
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<ol style="list-style-type: none">2. A Contract and Encumbrance Information Sheet shall be filled out completely (with Vendor Number, Commodity Code and EOC Number), signed by the Department Head and forwarded to the Division Director or Elected Official for his/her review and approval. (Approval indicated by signature on the Contract and Encumbrance Information Sheet.)3. The Division Director or Elected Official shall forward the contract packet to the Contract Administration Department, and the Contract Administration Department will verify funding through the Purchasing Department by forwarding the Contract and Encumbrance Information sheet to the Purchasing Department for verification of the same. Upon verification of funds, the appropriate Contract Administration attorney will review the Contract for approval as to form and legality. At this point, if any language in the contract is not acceptable, the packet may be returned to the originating department for correction.4. Upon approval, the packet will be forwarded to the Chief Administrative Officer for the Mayor's signature.5. Executed contracts will be returned to the Contract Administration Department, processed and distributed as follows:<ol style="list-style-type: none">1. Contract Administration Master File2. Originating Department3. Contractor (through the Department for issuance of the Notice to Proceed or directly to Contractor with a Notice to Proceed)	

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Subject: RESOLUTIONS – ROUTING POINTS AND TIME DEADLINES FOR PLACING ON COMMISSION AGENDA		Effective Date: February 22, 2010
		Supersedes: 11/01/02
I. PURPOSE: To provide requirements regarding routing points and time deadlines that must be met for resolutions to be placed on the Commission Agenda.		
II. SCOPE: This procedure applies to all resolutions for all departments and offices of the County.		
III. ROUTING REQUIREMENTS: A. The following outline sets forth routing policy for resolutions to be placed on the Commission Agenda. Please take note that the time deadline shall be NOON unless otherwise stated.		
<u>ROUTING POINT</u>		<u>TIME DEADLINE</u>
APPROPRIATE DIVISION DIRECTOR OR ELECTED OFFICIAL		FRIDAY, week before C.A.O. approval
CONTRACT ADMINISTRATOR		MONDAY, week of C.A.O. approval.
FINANCE (Budget)		TUESDAY, week of C.A.O. approval.
CHIEF ADMINISTRATIVE OFFICER		WEDNESDAY, week prior to Committee meetings.
COMMISSION OFFICE		THURSDAY, week prior to Committee meetings.

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Subject: RESOLUTIONS – ROUTING POINTS AND TIME DEADLINES FOR PLACING ON COMMISSION AGENDA	Effective Date: February 22, 2010 Supersedes: 11/01/02
<p style="text-align:center">Please be advised that these are absolute deadlines that will be strictly enforced.</p> <p>B. Resolution items received in the C.A.O.'S office after the established deadline will be placed on the next meeting agenda of the County Commission.</p> <p style="text-align:center">NO EXCEPTIONS TO THIS POLICY WILL BE CONSIDERED BY THE C.A.O.'S OFFICE UNLESS A WRITTEN EXPLANATION IS ATTACHED TO THE RESOLUTION WHICH DETAILS WHY THE DEADLINE WAS MISSED AND THE NEED FOR ADDING TO THAT COMMISSION AGENDA.</p> <p>The request for an exception must contain the signature of the appropriate Division Director, which indicates that he/she agrees with the request.</p>	

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Subject: CONTRACTS-CHANGE ORDER POLICY	Effective Date: February 22, 2010
	Supersedes: 11/01/02

CHANGE ORDERS FOR CAPITAL CONSTRUCTION PROJECTS

(a) For the purposes of this section:

- (1)** *Scope of the project* means the construction and services that were approved by the board of county commissioners, whether completed in whole or in part, and includes all labor, materials, equipment, and services required to fulfill the contractor's obligations under the contract and the project plans and specifications available and/or referenced by the request for sealed bid.
- (2)** *Minor change* means a change in the scope of the project which does not involve an adjustment in the total contract price, an extension of time to complete contract performance, or a change that is inconsistent with the intent of the contract or the project plans and specifications available and/or referenced by the request for sealed bid.

(b) All change orders for capital construction projects shall be approved by the board of county commissioners for:

- (1)** Any change that exceeds the contingency amount originally approved by the board of county commissioners; or
- (2)** Any change that is inconsistent with, or differs from, the original intent and/or scope of the project.

(c) The designated county construction project manager shall review and recommend all change orders and shall have the authority to order minor changes.

(d) The designated county construction project manager may recommend an allowance for capital construction project change orders as follows:

- (1)** An allowance of up to ten percent of the contract amount for contracts in an amount up to \$500,000.00;
 - (2)** An allowance of up to seven percent of the contract amount for contracts in the amount of \$500,000.00 up to \$10,000,000.00; and
 - (3)** An allowance of up to five percent of the contract amount for contracts in an amount over \$10,000,000.00.
- (e)** The board of county commissioners may approve a change order allowance greater than that authorized by subsection (d) of this section.
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NONE	DESCRIPTION OF FORMS	
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EXHIBIT B	IN-HOUSE REQUISITION	
EXHIBIT C	PURCHASE ORDER	
EXHIBIT D	RECEIVING REPORT	
EXHIBIT E	CHECK REQUEST	
EXHIBIT F	REQUEST FOR QUOTATION	
EXHIBIT G	EMERGENCY JUSTIFICATION	
EXHIBIT H	BIDDERS LIST APPLICATION	
EXHIBIT I	VENDOR COMPLAINT FORM	
EXHIBIT J	NOTICE OF BID AWARD	
EXHIBIT K	RECOMMENDATION SHEET	
EXHIBIT L	RFP SCORECARD	

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<p>Subject:</p> <p style="text-align:center">DESCRIPTION OF FORMS</p>	<p>Effective Date: January 9, 2017</p> <p>Supercedes:</p>
<p>EXHIBIT A – PURCHASE REQUISITION (FORMS CONTROL NO. S-203101)</p> <p>The purchase requisition is a three (3) part form prepared by the using department and forwarded to the Purchasing Department for processing. The form submitted must include all information relevant to the supplies or services needed, proper accounting code and authorized signature. The using department retains one (1) copy and forwards the other two (2) copies to the Purchasing Department for processing.</p> <p>EXHIBIT B – IN-HOUSE REQUISITION (FORMS CONTROL NO. (G-222338-T)</p> <p>The in-house requisition is a three (3) part prenumbered form used for obtaining materials and services provided internally within County government by functional areas such as: (1) Printing and Copy Duplicating, (2) Forms Control, (3) Warehouse and (4) Auto Shop. The using department retains one (1) copy and forwards the other two (2) copies directly to the servicing department for processing.</p> <p>NOTE: THE ABOVE FORM IS ORDERED ON AN IN-HOUSE REQUISITION FORM DIRECTLY FROM FORMS CONTROL</p> <p>EXHIBIT C – PURCHASE ORDER</p> <p>The purchase order is a three (3) part continuous form and is used by Purchasing to obtain supplies, services and equipment from vendors. The purchase order spells out the specific items to be delivered, price, quantity and delivery requirements, as well as terms and conditions. The purchase order serves as a contract between the County and the seller. Copies are distributed to the vendor, Finance Department, using department and Purchasing.</p> <p>EXHIBIT D – RECEIVING REPORT</p> <p>The receiving report is one of three (3) copies of the purchase order document. It is used by the receiving department or office to show the items received from a vendor. It is required that the using department complete and sign this form and forward it to the Finance Department for matching with the purchase order and vendor's invoice for partial or full payment against the purchase order.</p>	

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<p>EXHIBIT E – CHECK REQUEST (FORMS CONTROL NO. S-202508-T)</p> <p>The check request form is a two (2) part form used by the using department to request payment of (1) invoices for contractual and C.I.P. items and (2) specific non-contractual services listed on the form. The duplicate copy is retained by the using department and the original copy with invoice is routed for approval signatures where required and to the Finance Department for payment.</p> <p>NOTE: THE ABOVE FORM IS ORDERED ON AN IN-HOUSE REQUISITION FORM DIRECTLY FROM FORMS CONTROL</p> <p>EXHIBIT F – REQUEST FOR QUOTATION (FORMS CONTROL NO. S-203118-T)</p> <p>The request for quotation form is a one (1) part continuous form and is used to request informal bids when the description of a supply or service is relatively straightforward. If the description is relatively complex, the form may still be used by detailing the procurement requirements in a separate specification document and referring to it on the form. It may also be used in formal or sealed bids as a pricing and signature page.</p> <p>EXHIBIT G – EMERGENCY JUSTIFICATION (FORMS CONTROL NO. G-203107-T)</p> <p>The emergency justification form is a one (1) part form which must be completed and submitted by the using department with purchase requisitions for items required on an emergency basis. The form and requisition must be routed for required approval signatures before they are forwarded to Purchasing.</p>	

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<p>EXHIBIT H – BIDDERS LIST APPLICATION (FORMS CONTROL NO. S-203116-T)</p> <p>The bidder’s list application form provides basic data on vendors for the Purchasing Department’s (GEMS) System. It is completed electronically by the vendors and updated when a substantial change is known to have occurred in the vendor’s company. Based on commodity codes and descriptions listed in the application and checked by the vendor, bidder’s mailing lists are developed and maintained by the Purchasing Department.</p> <p>EXHIBIT I– VENDOR COMPLAINT FORM (FORMS CONTROL NO. S-203138-T)</p> <p>The vendor complaint form is a two (2) part form which is used to document unsatisfactory vendor performance. It is to be completed by the using department and forwarded to the Purchasing Department each time a vendor does not perform satisfactorily in the delivery of goods and services to the County. The original white copy of the form is sent to the Purchasing Department and the yellow copy is retained by the using department.</p> <p>EXHIBIT J – NOTICE OF BID AWARD</p> <p>The notice of bid award is used to notify vendors awarded systems contract for materials, supplies and/or goods or services. It contains delivery requirements, terms of payment and other general terms and conditions pertinent to the bid award. Notices of bid awards are approved by the Administrator of Purchasing and mailed to the respective vendor for their signature and returned to the Purchasing Department. Copies of the signed agreement are maintained in the respective vendor, bid and awards file.</p>	

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<p style="text-align:center">-A-</p> <p>ADVERTISE: To make a public announcement of the intention to purchase goods, services, or construction with the intention of increasing the response and enlarging the competition. The announcement must conform to the legal requirements to inform the public imposed by established policies and procedures. See legal notice.</p> <p>ALL OR NONE: A bid submitted in response to an invitation for bids (IFB), in which the bidder states he/she will not accept a partial bid, but will accept only an award for all of the items, services, etc. This qualified bid may be accepted, only if provided for in the IFB, or if the bidder quoted individual prices for each of the items, services, etc.</p> <p>ALTERNATE BID: A substitute bid; an international substantive variation to a basic provision or clause of an invitation to bid by a bidder.</p> <p>AMENDMENT: A revision or change to improve or correct a document; often used to correct IFB's as distinguished from "modification", which is generally used in procurement to change an existing contract.</p> <p>AUCTION: A public sale of property to the highest offerer.</p> <p>AWARD: The presentation, after careful consideration, of a purchase agreement or contract to the selected bidder or offerer.</p> <p style="text-align:center">-B-</p> <p>BACK-DOOR BUYING OR SELLING: Unofficial, irregular, devious buying or selling; unauthorized actions.</p> <p>BACK ORDER: That portion of order for merchandise not available for delivery at the scheduled time and promised for delivery at a later date.</p>	

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<p style="text-align:center">-B-</p> <p>BID: An offer submitted in response to an IFB issued by a governmental agency; can become a contract upon acceptance by the government.</p> <p>BID BOND: A written agreement or check by which a third party guarantees that a bidder will accept a contract as bid, if it is awarded.</p> <p>BIDDERS LIST: A list of names and addresses of suppliers from whom bids, proposals and quotations might be expected; the list, maintained by the purchasing office, should include all suppliers who have expressed interest in doing business with the government.</p> <p>BID OPENING: The public opening of bids which are recorded and made available for public inspection.</p> <p>BLANKET PURCHASE ORDER: A purchase order under which a vendor agrees to provide goods or services to a purchaser on a demand basis; the purchase order generally establishes prices, terms, conditions and the period covered (no quantities are specified); shipments are to be made as required by the purchaser.</p> <p>BOND: A binding agreement, and/or sum of money put up for security to guarantee the performance of certain duties.</p> <p>BRAND NAME: A brand or trademark which identifies a product or service. Products are usually referenced by model or part number. Note: A careful distinction must be made between brand name and sole source procurement actions.</p> <p>“BRAND NAME OR EQUAL” SPECIFICATIONS: A specification that uses one or more manufacturers brand names or catalogue numbers to describe the standards of quality, performance, and other characteristics needed to meet requirements of a solicitation, and which provides for the submission of equivalent or equal supplies.</p> <p>BREACH OF CONTRACT: The breaking of a contract; failure to fulfill a contract wholly or in part.</p>	

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<p style="text-align:center">-B-</p> <p>BUYER: An assistant to a Purchasing Manager or Contracting Officer, generally responsible for processing bids and conducting negotiations with vendors; normally recommends procurement actions, but is not authorized to award contracts.</p> <p>BUSINESS: A corporation, partnership, individual, sole proprietorship, joint venture or other private legal entity.</p> <p style="text-align:center">-C-</p> <p>CENTRALIZED PURCHASING: A purchasing system with authority, responsibility and control of purchasing centralized.</p> <p>CHANGE ORDER: A written modification to a contract or purchase order, which normally establishes the cost impact on the contract.</p> <p>COMMODITY: A transportable article of trade or commerce that can be bartered or sold.</p> <p>COMMODITY CLASSIFICATION: The procedure which identifies commodities or services by classes and sub-classes.</p> <p>COMPETITIVE SEALED BIDDING: The process of publicizing government needs, inviting bids (IFB's), conducting public bid openings and awarding a contract to the lowest responsible bidder; the preferred method of procurement.</p> <p>CONFIRMING ORDER: A purchase order restating the same terms originally placed orally.</p> <p>CONFLICT OF INTEREST: The actual or potential conflict in which a person may gain from (or holds interest in) a company doing business with his/her employer.</p> <p>CONSTRUCTION: The process of building, altering, repairing, improving or demolishing any public structure or building or any other public improvement to public real property.</p>	

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<p style="text-align:center">-C-</p> <p>CONTRACT: Any type of County agreement, regardless of what it may be called, for the procurement of supplies and services. A solemn agreement between parties, usually written, with binding legal and moral force; usually exchanging goods or services for money or other consideration.</p> <p>CONTRACT ADMINISTRATION: The management of all actions, after the award of a contract, that must be taken to assure compliance with the contract; e.g. timely delivery, acceptance, payment, closing contract, etc.</p> <p>CONTRACTOR: Any person who has a contract with the County. A person who agrees to furnish goods or services for a certain price; may be a prime contractor or subcontractor.</p> <p>COOPERATIVE PURCHASING: The combining of requirements of two or more public political entities in order to obtain the benefits of volume purchases and/or reduction in administrative expenses.</p> <p style="text-align:center">-D-</p> <p>DESIGN SPECIFICATIONS: A specification setting forth the required characteristics to be considered for award of a contract and including sufficient detail to show how the product is to be manufactured.</p> <p>DISCOUNT: The deduction, by a seller, of a specified sum or percentage from the selling price of an item, usually accompanied by a cost-reducing condition; e.g. prompt payment, etc.</p> <p>DISTIBUTOR: A person or business who does not manufacture its own products but buys and sells goods from a manufacturer, usually maintaining an inventory.</p> <p>DROP SHIPMENT: Merchandise which is shipped directly by a manufacturer directly to a customer in response to the seller who collects orders but does not maintain an inventory.</p>	

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<p style="text-align:center">-E-</p> <p>EMERGENCY PURCHASE: A purchase made in an emergency, often made under special procedures, designed to meet the urgency.</p> <p>ESCALATION CLAUSE: A contract provision which permits the adjustment of contract prices by an amount or percent if certain specified contingencies occur, such as changes in the vendor's raw material or labor cost.</p> <p>ESTABLISHED CATALOG PRICE: The price included in a catalog, price list, schedule or other format that: (a) is regularly maintained by a manufacturer or contractor; (b) is either published or otherwise made available for inspection by customers; and (c) states prices at which sales are currently or were last made to a significant number of any category of Buyers constituting the general buying public for the supplies or services involved.</p> <p>EXPEDITE: To speed up an action; to facilitate a delivery of goods or services; to rush.</p> <p>EXPENDABLE SUPPLIES: Denotes supplies or equipment that are normally used up in an operation; consumed; as distinguished from nonexpendable supplies.</p> <p>EXPRESS WARRANTY: The assurance as to certain facts written by a seller; a guarantee in the precise words of the seller.</p> <p style="text-align:center">-F-</p> <p>FAIR MARKET VALUE: The price for an item upon which buyer and seller agree in an open market when fully acquainted with market conditions.</p> <p>FEE: A sum of money asked or paid for some service, charge or payment, usually for professional or technical service.</p> <p>FISCAL YEAR: The twelve (12) month period between one (1) annual settlement of financial accounts and the next; term used for budgeting, etc. The fiscal year for Shelby County Government is July 1 to June 30 yearly.</p>	

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<p style="text-align:center">-F-</p> <p>F.O.B. OR FOB: <u>Free On Board</u>; a term used in conjunction with an identified physical location to determine: (1) the responsibility and basis for payment of freight charges and (2) the point at which title for shipment passes from the seller to the buyer. Commonly used deliveries are:</p> <ul style="list-style-type: none">a. FOB Destination: A shipment to be delivered to the destination designated by the buyer; usually the point at which the buyer accepts shipment.b. FOB Point of Origin or FOB Shipping Point: Means that a shipment is to be delivered to the buyer, on board the indicated conveyance or carrier at contractors designated facility. <p>FORFEITURE OF DEPOSIT OR BOND: A loss resulting from one's own act, negligence or fault. See bid, deposit, fidelity bond or performance bond.</p> <p>FORMAL BID: A bid which must be submitted in a sealed envelope and in conformance with a prescribed format to be opened publicly at a specified time.</p> <p style="text-align:center">-G-</p> <p>GENERIC: The characteristics of a kind or class. Identification of a product by description of the characteristics common to a group; generally not protected by trademark registration.</p> <p>GRATUITY: Something given voluntarily and beyond obligation usually in return for or in anticipation of some service. It is a breach of ethical standards for any person to offer, give or for any employee to solicit, demand, accept or agree to accept gratuity or offer of employment in connection with any decision or recommendation pertaining to any program requirement or proposal.</p> <p style="text-align:center">-I-</p> <p>IDENTICAL BID: A bid that agrees in all respects with another bid.</p>	

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<p style="text-align:center">-I-</p> <p>IMPROPER INFLUENCE: Any attempt to induce purchasing employee or officer to act on any contractual basis other than the merits of the matter under consideration.</p> <p>INDEFINITE QUANTITY BUYING: An arrangement which establishes a price agreement with a vendor who will accept orders for the requirements of the government as they occur. There is no minimum volume guaranteed, however, solicitation should include an estimated quantity based on historical purchasing levels.</p> <p>INELIGIBLE VENDOR: A supplier who is not qualified for placement on a bidders list (or for award of a contract) because of a history of unacceptable performance.</p> <p>INFORMAL BID: A request for price quotations for a commodity or service that does not require a sealed bid, public opening or public reading of bids.</p> <p>INVENTORY: Goods in stock or an itemized list of a stock of goods showing volume and value.</p> <p>INVENTORY CONTROL: Management supervision of estimated requirements, productions, procurement, distribution, maintenance and disposal of materials.</p> <p>INVENTORY TURNOVER: The number of times in a year that an entire inventory is issued and replaced. In inventory analysis – the ratio of the cost of annual issues divided by the cost of average inventory cost during the year.</p> <p>INVITATIONS FOR BIDS (IFB): A formal request to prospective suppliers requesting price quotations. The term includes all documents that are attached or incorporated.</p> <p style="text-align:center">-J-</p> <p>JOINT VENTURE: Two or more persons entering into a single effort; partners working together for mutual benefit.</p>	

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<p style="text-align:center">-K-</p> <p>KICKBACK: An unethical payment made to a person as an inducement for the award of a contract or order.</p> <p style="text-align:center">-L-</p> <p>LATE BID OR PROPOSAL: Any bid, proposal, withdrawal or modification received after the established due date and time at the designated place for receipt is late. Late bids may be considered or rejected as prescribed by the rules applicable to the purchasing officers.</p> <p>LEAD TIME: The time that it would take a supplier to deliver goods after receipt of order.</p> <p>LEAD TIME (INTERNAL): The time required by a purchasing office to place an order after receipt of a requisition.</p> <p>LEASE: A rental contract giving the right to use real estate or property for a specified time in return for rent or other compensation.</p> <p>LEASE-PURCHASE AGREEMENT: A rental contract in which rental payments, or a specified portion of the rent, is applied as installment payments for equity or ownership upon completion of the agreement.</p> <p>LEGAL NOTICE: A public notice required by law. An announcement of intent to purchase posted in a public place, a notification sent to potential bidders, or a formal advertisement in a newspaper or newspapers.</p> <p>LETTER OF CREDIT: A document issued by a bank which authorizes the bearer to draw money from that bank or its agents. It may extend credit up to a certain amount.</p> <p>LETTER OF INTENT: A letter issued in advance of a contract in which the signer declares his intention to buy, manufacturer or deliver a product or service.</p>	

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<p style="text-align:center">-L-</p> <p>LIQUIDATED DAMAGES: A sum agreed upon in settlement of a breach of contract to be paid by the party who breaches a contract.</p> <p>LOWEST RESPONSIBLE BIDDER: The bidder, with the lowest price, whose past performance, reputation and financial capability is deemed acceptable.</p> <p style="text-align:center">-M-</p> <p>MISREPRESENTATION: A false or wrong idea which results from a failure to present something correctly or adequately.</p> <p>MISTAKE IN BID: An error in the preparation of a bid which results from a failure to present something correctly or adequately.</p> <p style="text-align:center">-N-</p> <p>NEGOTIATION: Contracting through the use of either competitive or other than competitive proposals and discussions. Any contract awarded without using sealed bidding procedures is a negotiated contract.</p> <p>NET CASH: Payment for goods sold, to be made within a rather short period with no deduction allowed from the invoice price.</p> <p>NET PRICE: Price after all discounts, rebates, etc. have been allowed.</p> <p>NON-CONFORMANCE: The failure of material or services to conform to specified requirements for any quality characteristics.</p> <p>NON RESPONSIVE BID: A bid that does not conform to the mandatory or essential requirements of the invitation for bid.</p>	

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<p style="text-align:center">-O-</p> <p>OBSOLETE: Out of date; no longer in use or effectively usable.</p> <p>OPEN END CONTRACT: A contract in which quantity or duration is not specified. See blanket order contracting, term contracting.</p> <p>OPEN MARKET PURCHASE: A purchase, usually of a limited dollar amount, made by buying from any available source, as opposed to buying from a vendor who has responded to an invitation for bids.</p> <p style="text-align:center">-P-</p> <p>PRE-BID CONFERENCE: Meeting held with prospective bidders prior to solicitation of bids or proposals, to recognize state of the art limits, financial aspects, specifications and standards relative to the subject, and to elicit expertise and bidders interest in pursuing the task.</p> <p>PRICE ADJUSTMENT CLAUSE: A clause in a contract allowing for adjustment in the price up and/or down in accordance with circumstances arising during the term of the contract due to variances in wages, cost of living, rates of exchanges on importation, etc.</p> <p>PRICE AGREEMENT: A contractual agreement in which a purchaser contracts with a vendor to provide the purchaser's requirements at a predetermined price. Usually it involves a minimum number of units, orders placed directly with the vendor by the purchaser and limited duration of the contract. See blanket order, open end contract, requirements contract and term contracting.</p> <p>PRICE FIXING: Agreements among competitors to sell at the same price.</p> <p>PROCUREMENT: The buying, purchasing, renting, leasing or otherwise acquiring of any supplies or services. It also includes all functions that pertain to the obtaining of any sources, preparation and award of contract and all phases of contract administration.</p> <p>PROGRESS PAYMENTS: Payments arranged in a purchase transaction paid in advance of delivery, or as specified percentages of the total purchase are delivered.</p>	

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<p style="text-align:center">-P-</p> <p>PROPRIETARY ARTICLE: An item produced and marketed by a person or persons having the exclusive right to manufacture and sell it.</p> <p>PROTEST: A complaint about a governmental administrative action or decision brought by a bidder or vendor to the appropriate administrative section, with the intention of receiving a remedial result.</p> <p>PROX: Payment occurring in the subsequent month.</p> <p>PUBLIC POLICY: That which is deemed by courts to be general and well settled public opinion relating to the duties of persons and governments.</p> <p>PUBLIC PURCHASING: The process of obtaining goods and services for public purpose, following procedures implemented to protect public funds from being expended extravagantly or capriciously.</p> <p>PURCHASE DESCRIPTION: The words used in solicitation to describe the supplies or services to be purchased, including any performance, physical or technical requirements. Purchase descriptions and specifications may be used interchangeably.</p> <p>PURCHASE ORDER: A purchaser's written document to a supplier formally stating all terms and conditions of a proposed transaction.</p> <p>PURCHASE ORDER CHANGE ORDER: A written notice prepared and issued by the Purchasing Department to alter, adjust, revise, terminate or cancel a purchase order.</p> <p>PURCHASING: The act and the function or responsibility for the acquisition of equipment, materials, supplies and services. In a narrow sense, the term describes the process of buying. In a broader sense, the term describes the need, selecting the supplier, arriving at a fair and reasonable price and terms, preparing the contract or purchase order, and following up to ensure timely delivery.</p>	

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<p style="text-align:center">-Q-</p> <p>QUALIFIED BIDDER: A bidder determined by a buying organization to meet minimum set of standards of business competence, reputation, financial ability and product quality for placement on the bidders list.</p> <p style="text-align:center">-R-</p> <p>RECEIVING REPORT: A form used by the receiving function of a company or agency to inform others of the receipt of goods purchased.</p> <p>REGULATION: A statement by a governmental body having general or particular applicability and future effect, designed to implement statute law and prescribe policy, or to describe organization, procedure or practice, often promulgated in accordance with an administrative procedures act. See rules and regulations.</p> <p>REQUEST FOR QUOTE (RFQ): A form of informal solicitation, including obtaining oral or written quotes from vendors, without formal advertising and receipt of sealed bids. Normally used for purchases where statutes do not require formal sealed bids and it is considered good business to establish price competition.</p> <p>REQUIREMENT: Materials, personnel or services for a specific period of time.</p> <p>REQUIREMENTS CONTRACT: A form of contract covering long-term requirements used when the total quantity required cannot be definitely fixed but can be stated as an estimate or within maximum and minimum limits, with deliveries on demand.</p> <p>REQUISITION: An internal document by which a functional department (stores, maintenance, production, etc.) sends to the Purchasing Department details of materials to meet its needs, replenish stocks or obtain materials for specific jobs or contracts.</p> <p>RESPONSIBLE BIDDER: A person who has the capability in all respects to perform fully the contract requirements, and the tenacity, perseverance, experience, integrity, reliability, capability, facilities, equipment and credit which will assure good faith performance.</p>	

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<p style="text-align:center">-R-</p> <p>RESPONSIVE BIDDER: A person who has submitted a bid which conforms in all material respects to the specifications and requirements set forth in the invitation for bids.</p> <p>RESTRICTIVE SPECIFICATIONS: Specifications that unnecessarily limit competition by eliminating items capable of satisfactorily meeting actual needs.</p> <p>RULES AND REGULATIONS: Governing precepts and procedures, made by an administrative body or agency under legislative authority, that sometimes have the effect and force of law.</p> <p style="text-align:center">-S-</p> <p>SALVAGE: Property having some value in excess of its basic material content, but is in such condition it has no reasonable prospect of use for any purpose as a unit, and its repair or rehabilitation for use as a unit is clearly impractical.</p> <p>SCRAP: Material damaged, defective or deteriorated to the extent that it has no value except for its basic material content.</p> <p>SEALED BID: A bid submitted in a sealed envelope to prevent dissemination of its contents before the deadline for the submission of all bids; usually required by a purchasing authority on major procurement to ensure fair competition among bidders.</p> <p>SERVICE: 1. The furnishing of labor, time or effort by a contractor, not involving the delivery of a specific product other than reports which are merely incidental to the required performance. 2. A supplier's ability to comply with promised delivery dates, specifications and technical assistance.</p> <p>SERVICE CONTRACT: An agreement calling for a contractor's time and effort rather than a product.</p> <p>SINGLE (SOLE) SOURCE PROCUREMENT: A contract for the purchase of goods and services entered into after soliciting and negotiating with only one source, usually because of the technology or uniqueness required.</p>	

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<p style="text-align:center">-S-</p> <p>SPECIFICATIONS: Any description of the physical, functional or performance characteristics or of the nature of a supply or service. A concise statement of a set of requirements to be satisfied by a product, material or process; indicating whenever appropriate the procedures to determine whether the requirements are satisfied. As far as practicable, it is desirable that the requirement be expressed numerically in terms of appropriate units together with their limits. A specification may be standard, a part of a standard or independent of a standard.</p> <p>STANDARD: A characteristic or a set of characteristics for an item, generally accepted by the manufacturers and users of the item as a required characteristic for all such items.</p> <p>STANDARD CONTRACT: Standardized form of contract terms and conditions.</p> <p>STANDARDIZATION: Process of defining and applying the conditions necessary to ensure that a given range of requirements can normally be met, with a minimum of variety, in a reproducible and economic manner, based on the best current techniques.</p> <p>STATE CONTRACT: A contract for supplies competitively bid by the State Division of Purchasing which is made available to the County and other political subdivisions.</p> <p>STOCK (INVENTORY) CONTROL: The process of maintaining inventory data on the quantity, location and condition of supplies and equipment due in, on hand and due out. Done to determine quantities available for issue and to facilitate distribution and management of material.</p> <p>STOCKLESS PURCHASING: A system whereby the buying organization has no responsibility for inventory of the goods being purchased. The inventory is owned by the supplier and may be located at the seller's or the buyer's facility. In the case of the latter, it may be referred to as consignment purchasing.</p> <p>SYSTEM CONTRACT: A method of procurement designed to improve reordering of materials used repeatedly.</p>	

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<p style="text-align:center">-T-</p> <p>The recording of bids and bidding data submitted in response to a specific invitation for the purposes of comparison, analysis and record keeping.</p> <p>TERM CONTRACTING: A purchasing technique in which a source or sources of supply are established for a specified period of time, usually characterized by an estimated or definite minimum quantity, with the possibility of additional requirements beyond the minimum, all at a predetermined unit price. See blanket order, open end contract and requirements contract.</p> <p>TERMS AND CONDITIONS: A phrase generally applied to the rules under which all bids must be submitted and the stipulations, included in most purchase contracts, often published by purchasing authorities for the information of all potential bidders.</p> <p>TWO-STEP PROCUREMENT: A bidding procedure consisting of two stages; step one consists of a request for technical proposals and the selection of bidders whose technical proposals have been rated most acceptable submitting cost proposals. Bidding then proceeds as in conventional formal sealed bid procedures.</p> <p style="text-align:center">-U-</p> <p>UNIT PRICE: The price of a selected unit of a good or service (e.g. each, box, case, pound, labor hours, etc.)</p> <p>USING AGENCY: 1. A unit of government that requisitions items through central purchasing. 2. A participant in a consortium contract.</p> <p style="text-align:center">-V-</p> <p>VENDOR: One who sells something; a “seller”. An actual or potential contractor; a supplier.</p> <p>VENDOR FILE: The accumulated record maintained by the central purchasing authority on a vendor. The record includes information on the vendor’s relationship with the purchasing authority, such as application for inclusion on the bidder’s list, record of performance under contract and correspondence.</p>	

SHELBY COUNTY GOVERNMENT
PURCHASING
RULES AND REGULATIONS

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Subject: GLOSSARY OF TERMS	Effective Date: 01/09/2017
	Supercedes: 2/22/2010
<p style="text-align:center">-W-</p> <p>WAIVER OF BIDS: A process, usually statutory, whereby a government purchasing office may procure items without formal bidding procedures because of the uniqueness of circumstances related to that procurement action.</p> <p>WAIVER OF MISTAKE OR INFORMALITY: The act of disregarding errors or technical nonconformities in the bid which do not go to the substance of the bid, and will not adversely affect the competition between bidders.</p> <p>WARRANTY: The representation, either expressed or implied, that a certain fact regarding the subject matter of a contract is presently true or will be true. Not to be confused with “guarantee” which means a contract or promise by one person to answer for the performance of another person.</p> <p>WASTE DISPOSAL: The act of getting rid of unwanted items and material having no value in excess of their basic material content.</p>	