

COUNTY OF IMPERIAL BOARD OF SUPERVISORS POLICY



Subject

PROCUREMENT POLICY

Policy Number

PUR-PO-001-2026

Version

3.0

Page

1 of 12

I. PURPOSE

Imperial County Procurement Services (“Purchasing Department”) is a centralized purchasing department where all purchasing activities are managed and controlled by a single, central unit rather than individual departments or divisions.

The purpose of the Procurement Policy is to establish guidelines for the provisions set forth by Section 25500 et seq. of the Government Code of the State of California and Imperial County Ordinance 2.52.010. This policy is intended to provide a transparent, competitive, fair, and impartial process for conducting business within the County vendor community.

All purchases must be made in accordance with this policy. Failure of County employees to comply with this policy may result in disciplinary action.

This Procurement Policy supersedes all previous purchasing manuals, policies, and written procedures not consistent with this policy.

II. RESPONSIBILITIES

IMPERIAL COUNTY PROCUREMENT SERVICES

The Purchasing Department manages the administration of the centralized purchasing system. The Purchasing Manager/Supervisor acts as the ex-officio Purchasing Agent and has the duties and powers prescribed by law for county purchasing agents. Under that authority, the Purchasing Department is responsible for the following activities:

- Assisting departments with procurement methods, specifications, and contract compliance;
- Conducting solicitations and obtaining competitive quotes on behalf of departments;
- Purchasing, renting, or leasing supplies, equipment, services and assets;
- Managing disposal, sale, transfer, or trade-in of surplus property;
- Administering County-owned vehicles, boat crafts, Off-Road Vehicles (ORVs) and heavy equipment registration and the procurement Cal-Card program, and;
- Developing procedures necessary to implement this Procurement Policy.

Departments are responsible for the following:

- Ensuring that all purchases are made for official County business;
- Assuring all requests are properly budgeted in the appropriate account;
- Providing complete scope of work, specifications, or descriptions;
- Order follow-up and material expediting
- Providing punctual responses to questions from vendors throughout the procurement process;

- Inspecting and accepting goods or services;
- Ensuring timely and proper payment processing; and
- Coordinating with Purchasing regarding vendor or contract issues.

III. COMPETITIVE PROCUREMENT

County procurements shall use open and fair competition whenever possible. Competitive solicitations are required unless otherwise exempted by law or this policy.

IV. MANDATORY USE OF PURCHASE ORDERS

Purchase orders are required for the procurement of all supplies, services, equipment, and maintenance.

V. THRESHOLDS

The following thresholds apply for the purchase of goods or services required by departments and agencies where a competitive process is required. Each threshold is described in more detail below. Purchases shall not be divided to circumvent any competitive bidding requirement.

Public Works projects are governed by the California Public Contract Code and have different thresholds. Solicitations must be made in accordance with applicable state law.

County Purchasing Thresholds	
Small Purchases	\$0 - \$5,000
Informal Solicitation	\$ 5,000 and \$50,000
Formal Solicitation	\$50,000

Example of thresholds used by the Sheriff's Office:

APPROVAL AUTHORITY	DOLLAR THRESHOLD	EXAMPLE OF PURCHASE	PURPOSE OR METHOD OF PURCHASE
Sheriff's Office	Small Purchases \$0-\$5,000	15 pair of work gloves	For inmate workers
Purchasing Agent	Informal Solicitation \$5,000-\$50,000	2 Lawn mowers	Purchasing conducts solicitations and obtains competitive quotes on behalf of departments.
Board of Supervisors	Formal Solicitation \$50,00 and above	Inmate Telephone and Video Conferencing Services	A formal Solicitation would be used to find most qualified vendor. Award would be made by Board of Supervisors

SMALL PURCHASES

Department heads, or designees, may approve purchases of up to \$5,000 when determined to be in the County's best interest. Purchases must still be entered into the County procurement system. The following items require Purchasing department involvement regardless of amount:

- Furniture and furnishings;
- Construction, improvements, and maintenance of facilities;
- Information technology software and hardware;
- Telecommunications equipment;
- Road projects, including parking lots;
- Vehicles, watercrafts, off-road vehicles (ORVs) and heavy equipment;
- Apparel, uniforms, and boots governed by employee MOU; and
- Items available through existing County contracts.

VI. SOLICITATIONS

All solicitations shall be placed on the Purchasing Department automated bid platform. Specifications and scopes of work must encourage fair competition and may not improperly favor a particular vendor, brand, or product unless properly justified.

INFORMAL SOLICITATIONS

Informal solicitations may be used for procurement up to \$50,000.

Purchasing administers the solicitation process. The requesting department is responsible for providing the necessary guidelines and specifications for an informal solicitation. All quotes received for the required goods or services will be reviewed and evaluated by the requesting department to determine the lowest, responsive, and responsible bidder.

Final approval of any quote resulting from an informal solicitation shall be made by the Purchasing Agent or their designee. All awards issued under an informal solicitation must be properly documented, including the rationale and justification supporting the award decision.

FORMAL SOLICITATIONS

Formal solicitations are required for purchases exceeding \$50,000.

Solicitation Period

- A minimum of 30 calendar days shall be provided unless a shorter time is deemed necessary for a particular procurement as determined by the Purchasing Agent.
- When a Bid includes a pre-bid meeting or walkthrough, the bidding time is to be extended to a minimum of 14 calendar days after the bidder's meeting or walkthrough.

Specifications/Scopes of Work

The Purchasing Department shall make the final determination of the acceptability of specifications and scope of work requirements to be included in any solicitation.

A firm or vendor may be utilized as a professional consultant to assist the County with the development of specifications. Vendor information from current and/or past solicitations may be used as long as the information is not proprietary or will serve as a single-supplier specification.

Solicitation documents must identify all criteria which will be considered in an award recommendation.

Addendum(s)

Addenda shall be distributed to all firms or vendors known to have received solicitation documents. Addenda which are issued within four (4) County working days of the solicitation due date must also include an extension of the due date. Addenda which cancel a solicitation in its entirety may be issued at any time prior to the solicitation posted due date.

Receipt of Responses/Opening

Late responses to County solicitations shall not be accepted.

All responses shall be submitted through the Purchasing Department automated platform at the time designated in the solicitation and shall be administered by the Purchasing Agent or designee.

Public and Confidential Records

Responses to Requests for Proposals and Requests for Quotes shall be considered confidential records upon receipt and throughout the evaluation process.

Records maintained by the Purchasing Department that document the processing and award, purchase orders, and contract documentation shall be retained for seven (7) calendar years from the end of the fiscal year in which the encumbrance is fully liquidated.

Solicitation Clarifications

A vendor may submit missing information after the original response, provided it does not affect pricing or give the vendor an unfair advantage over other respondents, and complies with the solicitation requirements.

A vendor shall not be permitted to correct a response for errors of judgment.

The Purchasing Agent or designee shall maintain complete and sufficient records of evidence used to identify the oversight and the clarified response.

Option to Reject, Waive, and/or Re-Solicit

The County reserves the right to reject a response which is incomplete, irregular, amplified, unqualified, conditional, or otherwise not in compliance with the solicitation documents in all material respects.

- The County may waive any informality, irregularity, immaterial defects, or technicalities in any response.
- The Purchasing Agent, or their designee, has the final authority to reject or cancel a solicitation, prior to or after receipt of responses, if it is determined that an award would not be in the best interest of the County. If the responses are rejected or the solicitation is cancelled, the County may re-advertise the product or service or negotiate, whichever is in the best interest of the County.

The Purchasing Agent or designee shall maintain complete and sufficient records of evidence used to justify any action taken under this section.

Evaluation and Award

Responses to a solicitation shall be reviewed by the Purchasing Agent or designee to ensure all requirements have been met. The requesting department shall evaluate, inspect, and review all compliant submissions and provide an award recommendation based on the criteria established in the solicitation.

Awards are based on the lowest responsive and responsible bidder or highest-ranked proposer.

The vendor with the lowest bid has the right to decline an award.

Option to Cancel Award

If the awarded firm fails to meet contract requirements before execution, the County may cancel the award, forfeit any bid security, and award the contract to the next qualified bidder, re-advertise, or take other appropriate action.

VII. EXCEPTIONS TO COMPETITIVE SOLICITATION

Competitive procurement may be waived only when authorized by law or this policy.

Approved exceptions include:

- Cooperative purchasing agreements, and other one purchasing programs, except for furniture purchases, which shall be procured through a formal competitive bidding process;
- Professional or expert services requiring specialized expertise;
- Contract renewals or extensions approved by the Purchasing agent or designee;
- The Purchasing Agent or designee determines that competitive proposals do not produce any advantage, or it is impractical to obtain what is required and to observe a competitive process.

SOLE SOURCE AND SINGLE SOURCE

Departments requesting Sole source or single source procurements must submit written justification forms and obtain approval from the Purchasing agent or designee. **Attachment A.**

- **Sole Source** – Only one vendor can provide the required good or service.
- **Single Source** – multiple vendors exist, but one vendor is determined to be the best fit based on compatibility, experience, or operational need.

EMERGENCY PURCHASES

Emergency purchases are permitted when immediate procurement action is necessary to protect public health, safety, life, or County property.

- **Department Level Emergency** – In the event of an emergency, the Department Director or authorized designee may authorize an exception to the Procurement Policy and related procedures to address an immediate need. Emergency purchases over \$5,000 must be ratified by the Purchasing Agent or designee and the County Executive Officer or designee. Emergency purchases exceeding \$50,000 must also be ratified by the Board of Supervisors.
- **Local Emergency** – During declared local emergencies, procurement requirements may be modified or suspended as permitted by law and approved by Board of Supervisors, as prescribed in the Public Contract Code Section 22050.
- **State & Federal Emergency** – In the event of an emergency declared at either a State or Federal level, all procurement actions necessary to acquire the goods and services required to address an immediate threat to life, public health, or safety, or to eliminate/reduce an immediate threat of significant damage to improved public and private property through cost-effective measures shall be pursuant to applicable State and/or Federal policies and procedures.

VIII. UNAUTHORIZED PURCHASES

Purchases made outside of approved procurement procedures are considered unauthorized and subject to review.

The Purchasing Agent shall investigate any unauthorized purchase that is brought to his/her attention and determine the actions necessary to correct the matter. Actions may include but are not limited to:

- approval or ratification of the purchase by the Purchasing Agent or Board of Supervisors;
- return of the items purchased; and/or
- refer the issue to the applicable department head for disciplinary action.

If it is determined that any purchases are deemed potentially illegal in nature, the matter will refer to the appropriate law enforcement agency for further investigation.

IX. LOCAL VENDOR PREFERENCE

A Local Vendor Preference Policy was established and passed by the County's Board of Supervisors on October 29, 2013, by Minute Order No. 10. A business qualifying for a local preference credit shall meet the following criteria:

- Hold a valid County business license; and
- A principal business office or a satellite office located within Imperial County which is staffed by at least one (1) full-time employee or the equivalent of one (1) full-time employee

Awarding of Preference is as follows:

- When the lowest bidder is not a local vendor, a local vendor within 10 percent (10%) of the lowest bid may match the low bid. The offer to match must be in writing and personally delivered to the Purchase Agent or designee within two (2) business days of the date of the bid opening.
- Where more than one local vendor meets the criteria above, priority shall be given to local vendors in order to proximity to the lowest original bid.
- Any bidder who intentionally misrepresents their eligibility to receive a bid preference may be disqualified by the Purchasing Agent from the bidding process and from submitting future bids for up to three (3) years.

PUBLIC WORKS

A public works project is any work done on or to a public facility (or property such as a parking lot) or anything that is part of the facility or attached to it. Carpet installation and modular office furniture are included. The County of Imperial has adopted the Uniform Public Construction Cost Accounting Act ("UPCCAA") VIA Chapter 4.08 of County codified ordinances to provide for informal and formal bidding procedures for public projects.

Public works projects exceeding the \$75,000 threshold shall be processed through a formal public works procurement process, including public advertisement, sealed bids, and compliance with all applicable public contracting laws, County ordinances, and UPCCAA requirements.

All public works project requests must start with a Construction Project Request Form available from the Imperial County Department of Public Works, Facilities Maintenance webpage or by contacting Facilities Maintenance at 442-265-4528.

RECYCLED PRODUCTS

Recycled products may be purchased in accordance with the Recycled Products and Recycled Materials Procurement Policy passed by the Board of Supervisors on September 19, 2006, Minute Order No. 37.

X. CONTRACT APPROVAL AUTHORITY

The Board of Supervisors, the County Executive Officer, the Purchasing Agent (or his/her designee), or a Department Head are responsible for the approval of County-issued contracts within the thresholds contained in this Policy, unless otherwise permitted by ordinance or as expressly authorized by the Board of Supervisors. The following policies set forth the requirements for purchasing related matters.

BOARD OF SUPERVISORS APPROVAL REQUIRED:

- All contracts are required to be approved by the Board of Supervisors.
- Sale, transfer, or disposal of surplus personal property, having an individual current value of more than \$2,500, identified in the Purchasing Agent Surplus Pool or an individual item with a current value of more than \$7,500, as identified in the Imperial County Fixed Asset Manual, unless otherwise prohibited by law.

BOARD OF SUPERVISORS' RATIFICATION REQUIRED:

- Task orders for construction contracts which ordinarily require Board of Supervisors' approval but are approved by the County Executive Officer or the administering department because of emergency, damage, decay, or where the public interest would suffer by delay, shall be submitted by the responsible department at the next regularly scheduled Board of Supervisors meeting for ratification.
- Emergency purchases of \$50,000 or more must be submitted by the department responsible at the next regularly scheduled Board of Supervisors meeting.

PURCHASING AGENT OR DESIGNEE APPROVAL AUTHORITY

- All contracts with a total cost of less than \$50,000 .
- Change orders, alterations, or addenda to a Board of Supervisors' approved contract that changes or amends the contract in an amount that is not more than ten percent (10%) of the Board-approved amount, not to exceed \$50,000, provided the change does not adversely affect the integrity of the original award, and authority for such changes was included with the original Board approval.
- Purchases involving a trade-in of less than \$10,000, per California Government Code Section 25503, provided the total contract amount before trade-in does not exceed \$50,000.
- Rejection or cancellation of solicitations with an apparent contract award amount of \$50,000 or less.

Ratification of Department Level Emergency purchases of \$5,000 or more.

COUNTY EXECUTIVE OFFICER APPROVAL AUTHORITY

- Contracts with a value of \$50,000 or less for professional services including, but not limited to, studies, investigations, audits, surveys, consulting, or planning.
- Contracts for environmental impact reports (EIRs) for County-funded projects up to the limit authorized by California Government Code Section 25502.5.
- Ratification of Department Level Emergency purchases over \$5,000

DEPARTMENT-HEAD AUTHORITY

- Department Heads may authorize Small Purchases in accordance with this policy.

XI. VEHICLE REGISTRATION

The Purchasing Department manages registration process for all County-owned vehicles and heavy equipment, except as otherwise provided by law. This provision includes processes required for newly acquired vehicles, as well as vehicles approved for disposal, transfer, or sale.

XII. SURPLUS PROPERTY

In accordance with Imperial County Code Section 2.52.110 and Government Code Section 25504, County departments shall transfer excess property to the Purchasing Department. Purchasing shall sell, transfer, donate, dispose of, or exchange surplus property as provided by Imperial County Code, Government Code, and Board of Supervisors direction. Surplus auctions must be publicly advertised for at least five business days.

County employees involved in surplus disposal activities may not purchase surplus property directly or indirectly.

The Purchasing Agent has the authority to dispose of surplus County-owned property or salvage worth less than \$2,500 with approval of the County Executive Officer.

County-owned surplus property or salvage with a value of more than \$2,500 must be approved by the Board of Supervisors.

Surplus property may be disposed of by means of auction, surplus bid, equipment trade-in, recycling, donation or discarding of materials.

XIII. PROCUREMENT CAL CARD

Purchasing is responsible for all administrative actions required for authorization, distribution, and appropriate use of the County Procurement Cal Card for the acquisition of goods and services as provided by the Imperial County Procurement CAL Card Policy. Using the CAL Card to procure any type of asset is unauthorized except for emergency situations and will be required to obtain County Executive Officer or designee and the Purchasing Agent or designee approval prior to purchase. Procurement Services Department is the administrator of the Cal Card program. Refer to the Cal Card Policy link:

<https://intranet.imperialcounty.org/purchasing-centralized-mail/>

XIV. ETHICS

County employees shall adhere to the Imperial County Code of Ethics as written in the Employee Handbook and shall perform their duties impartially to assure fair competitive access to the County procurement process by all responsible suppliers, contractors, and providers of services and to foster public confidence in the integrity of the County's procurement process. If applicable, failure to comply with the Imperial County Code of Ethics may result in disciplinary action.

County employees shall not accept gifts, compensation, or favors related to procurement decisions. Participate in procurement involving personal financial interest, and/or use their position for personal gain.

CONFLICT OF INTEREST OF COUNTY EMPLOYEES:

County employees shall not participate directly or indirectly in a procurement when the employee knows that: (1) the employee or any member of the employee's immediate family (Immediate family member is defined as a parent, sibling, child by blood, adoption, or marriage, spouse, grandparent or grandchild) has a personal financial interest pertaining to the procurement; (2) a business or organization in which the employee, or any member of the employee's immediate family, has a personal financial interest pertaining to the procurement; or (3) any other person, business or

organization with whom the employee or any member of the employee's immediate family is negotiating or has an arrangement concerning prospective employment is involved in the procurement.

Upon discovery of an actual or potential conflict of interest, an employee shall promptly withdraw from further participation in the transaction involved and notify his/her immediate supervisor and the Purchasing Department of the conflict.

VENDOR ETHICS:

No supplier, provider of services, bidder, offeror, contractor, or subcontractor shall offer any County employee any gift, gratuity, offer of employment, or anything of value in consideration for a preference, waiver, or any manner of influence in a current or future procurement action. Violation of this policy may result in debarment at the discretion of the Board of Supervisors.

DEBARMENT:

Contractors/vendors and subcontractors must not be debarred, suspended or otherwise excluded by the United States Government in compliance with the requirements of 7 Code of Federal Regulations (CFR) 3016.35, 28 CFR 66.35, 29 CFR 97.35, 34 CFR 80.35, 45 CFR 92.35, Executive Order 12549, and Public Contract Code (PCC) Section 6109. (The County will verify bidder, its principal and their named subcontractors are not on the Federal debarred, suspended or otherwise excluded list of vendors located at www.sam.gov.) Contract and/or Purchase Order will be terminated upon verification that vendor is on the excluded list of vendors.

XV. COMMITTEES

The Purchasing agent or designee may establish committees as needed, including:

- **Standards** – The Purchasing Agent may organize “Standards Committee” as needed to establish standards with respect to the type, design, quality, or brand of a certain article or group of related articles or services purchased by the County. The membership of the Committee shall be the Purchasing Agent (who shall be Chairperson), the County Executive Officer, and the heads of each County office, department or institution that is a primary user of the item or group of items for which the committee is appointed. Any member of the committee may act through a representative appointed by him/ her.
- **Junk Committees** – The “Junk Committee” is composed of (at least) the Purchasing Agent, Auditor-Controller, and the Deputy Director of Facilities (or their agents) to take the responsibility for disposing of surplus County property. A junking memo, to include asset number (if applicable), description, and department (if available), will be prepared and maintained by the Purchasing Department. Any items with an asset number identified by the committee as junk will be processed through a Property Transfer Request (PTR) and sent to the Auditor-Controller to be used for his or her fixed asset controls.

XVI. PURCHASES OUTSIDE DEPARTMENTAL OPERATIONS

Departments requesting purchases outside normal operational activities or regular scope of work must obtain prior review and approval from the County Executive Officer and Purchasing Agent before proceeding with the procurement process. Examples of such purchases include, but are not limited to, non-essential wardrobe and office luncheons. **Attachment B**

XVII. REFERENCES

Government Code 25500

Imperial County Code of Ordinance 2.52.010

Board of Supervisors approved Purchasing Manual 3/08/16 #24

Board of Supervisors approved Purchasing Policy 11/19/2019 #15

XVIII. ATTACHMENTS

Attachment A - Justification For Single Source, Sole Source, or Sole Brand

Attachment B- CEO Purchase approval request

ATTACHMENT B



Imperial County CEO Purchase Approval Request

Date: _____

To: _____, CEO

From: _____

Subject: _____

Total Purchase Amount: \$ _____

REQUEST DESCRIPTION:

(continuation on back, attach additional pages if needed)

Printed Name: _____ Signature: _____

PURCHASING DEPARTMENT ONLY

Reviewed By: _____

Recommend

Signature: _____

Not Recommend

COUNTY EXECUTIVE OFFICER ONLY

Signature: _____

Approved

Date: _____

Denied