

# Polk County Purchasing Policy & Procedures

Effective Date: December 10, 2024

## Purpose

The purchasing policy for Polk County aims to:

1. Obtain goods and services that benefit county residents as economically as possible.
2. Acquire goods and services best suited to the particular needs of County departments.
3. Ensure timely delivery of goods and services to avoid interruption of governmental operations.
4. Ensure that purchasing procedures conform to Federal, State, and local laws, County policies, and are budget compliant.

The **County Auditor** is responsible for ensuring all purchases are made in accordance with Federal, State, and local laws and verifying that each purchase aligns with the approved and adopted Polk County Budget. Each department head is responsible for maintaining the integrity of their department budget and planning the day-to-day affairs of the department. One of the most important functions of the department head is to maintain adequate supplies and materials for the efficient operation of the department (LGC 112.001 & 112.006).

Only those purchases that are necessary for department operations are allowed. County funds are not intended for personal use items, gifts/office parties, or any expenditures that do not serve a legitimate public purpose or align with County operations and policies. Purchases must prioritize cost-effective options and adhere strictly to what is necessary for maintaining efficient and productive operations. Departments should consolidate orders where feasible to reduce costs and avoid wasteful spending. Misuse of County funds for unauthorized purchases may result in disciplinary action, reimbursement of funds, and potential legal consequences under the Texas Penal Code.

**Purchases for personal use or benefit utilizing Polk County assets or resources are strictly prohibited** and such misuse is a prosecutable offense under the Texas Penal Code.

## Scope

This policy provides guidance for all County elected officials and internal offices governed by the Commissioners' Court of Polk County, including any departments for which the County holds fiduciary responsibility.

## Definitions

**Blanket Requisition:** A simplified method of filing anticipated repetitive needs for supplies or services to be paid for on a monthly basis.

**Bonds:** Surety or fidelity bonds required by law or policy to ensure financial accountability, performance, or compliance for certain County offices and personnel.

**Commodity:** A product distinguished from a service.

**County Auditor:** The official responsible for ensuring all purchases comply with Federal, State, and local laws and verifying that each purchase aligns with the approved and adopted Polk County Budget.

**Dues:** Membership fees to professional organizations or associations directly tied to the statutory duties of an elected official or department.

**Emergency Purchase:** A purchase necessary only to keep buildings and machinery in operating condition when their idleness would result in expense to the County, or for extreme emergency cases involving public health and welfare.

**Fixed Assets:** Any asset leased, purchased, or owned by the County that has an operating value of at least \$5,000 or is considered a high-risk item. (See Fixed Asset Purchases/Disposals/Inventory)

**Formal Bid:** Bids for purchases made according to Chapter 262 of the Local Government Code requiring consideration by the Commissioners' Court, advertisement for bids, and formal specifications. (See Purchasing Guidelines)

**Furnished Transportation:** Funds allocated for the operational costs of County vehicles, including fuel, routine maintenance, and necessary repairs to ensure safe and efficient transportation for County operations.

**Invoice:** Itemized list or receipt of merchandise or services provided from a vendor for payment.

**Line Item:** The budget category for a specified class of goods or services, such as Office Supplies, Travel Training, or Furnished Transportation.

**Purchasing/Procurement Coordinator:** The individual responsible for processing Requisition Requests, issuing Requisitions, and coordinating with departments and vendors.

**Office Supplies:** Items essential for the day-to-day administrative operations of a department, limited to basic tools and consumables required to perform standard office tasks. This includes, but is not limited to, paper, pens, pencils, notepads, folders, printer ink or toner, staplers, staples, and other necessary items directly supporting operational needs.

**Regular Employee:** A full or part-time employee (not labor pool) who is not an elected official.

**Requisition:** A document and first official offer issued by the County to a seller, indicating types, quantities, and agreed prices for products or services.

**Requisition Request:** A request used to indicate the need for goods or services.

**Requestor:** Elected official, department head, or employee who is authorized to make purchases.

**Travel Training:** Funds allocated for training registration fees and associated necessary travel expenses required for County employees or officials to fulfill statutory duties, enhance professional knowledge, or maintain compliance with regulatory standards. All travel and training expenses must be pre-approved following County policies.

**Uniforms:** Clothing and related items required for County employees to perform their official duties, as specified by their department's operational needs. All uniforms purchased with County funds remain the property of Polk County and must be returned to the department upon separation or when they are no longer serviceable.

## Requisition

The purpose of a Requisition is to indicate the needs of the requesting department, to correctly identify the goods or services requested and will serve as the **approval** for the purchase of those goods or services. A Requisition is the seller's authorization to invoice and ship the specified goods or services. The invoice will be checked against the Requisition by the Purchasing/Procurement Coordinator.

**If a Requisition is not obtained prior to a purchase, the County will assume no responsibility unless other arrangements have been made**

- A Requisition for purchases of \$500.00 or greater will be issued only by the Purchasing/Procurement Coordinator. Department heads and elected officials may generate their own Requisitions for purchases below \$500.00. Road and Bridge Commissioners may generate their own Requisitions for all purchases.
- Requisitions created by the Purchasing/Procurement Coordinator will be forwarded to the Requestor for their records.
- The Requestor should submit the Requisition to the Vendor when placing the order.

## Requisition Exemptions

### Exempt Purchases:

The following types of goods and services will not require a Requisition:

- Fuel
- Contracted Services
- County-Wide Bids
- Court Ordered Vouchers
- Conference Registrations
- Hotel Reservations
- Inmate Medical Expenses
- Repair and Maintenance for vehicles, buildings and IT equipment
- Utility Bills (to include Telephone)
- Bonds
- Monthly Leases
- Travel Reimbursements
- Membership Dues
- Subscriptions
- Insurance Premiums
- Legal Notices

## Purchasing Guidelines

All invoiced purchases must be made as follows unless an emergency situation exists (outlined below).

- **\$5.00 – \$4,999.99:** Requires a Requisition.
- **\$5,000–\$19,999.99:** Requires quotations from at least three (3) vendors, if possible, or an eligible proposal from a qualified purchasing cooperative member, and a Requisition.
- **\$20,000–\$49,999.99:** Requires quotations from at least three (3) vendors, if possible, or an eligible proposal from a qualified purchasing cooperative member, Commissioners' Court approval, and a Requisition.
- **\$50,000 and over:** Requires formal sealed competitive bids or an eligible proposal from a qualified purchasing cooperative member as specified by Chapter 262 of the Texas Local Government Code, Commissioners' Court approval, and a Requisition. Bid specifications must be approved by Commissioners Court prior to bid advertisement.

### Use of Credit Cards:

Credit card transactions are strictly limited to situations where:

1. The purchase cannot reasonably be made through standard procurement methods, such as invoiced purchases or requisition orders.
2. Time-sensitive, essential purchases are required to maintain County operations.
3. The vendor does not accept requisition orders or invoices.

This may include authorized travel expenditures that cannot be paid in advance.

All credit card transactions must adhere to County budgetary constraints and purchasing guidelines. Detailed receipts and a clear explanation of the necessity for using the credit card must be provided with the transaction documentation. Misuse of credit cards, including circumvention of standard procurement methods, is prohibited and may result in disciplinary action.

#### **Additional Guidelines:**

All purchases and/or services must be routed through the County Auditor's Office. Local Government Code 113.901 requires all counties to use a purchase order/requisitioning system.

Before a purchase is made or services are performed, the county official or representative requesting the purchase must provide a Requisition order number to each vendor. The Requisition order number must appear legibly on all vendor invoices and/or statements.

**Emphasis:** The Requisition process must be completed **prior to any order or commitment** on behalf of the County. Items received without prior approval may not be approved, and the department head/elected official could be responsible for payment.

Purchases made through cooperative purchasing agreements are governed by these policies and procedures, except that formal sealed competitive bids as specified by Chapter 262 of the Local Government Code do not apply.

Certain purchases that would not typically be authorized, such as employee meals, may be authorized by the County Judge or their designee during a Disaster Declaration to support emergency operations.

#### **Annual Contracts:**

The County will contract annually for supplies and materials exceeding \$50,000 per year. These purchases and contracts, approved by Commissioners' Court, are exempt from requiring a Requisition. The Purchasing/Procurement Coordinator will maintain copies of all annual bid contracts and make them available upon request.

## **The Purchase Request**

The purpose of a Requisition is to indicate the needs of the requesting department, correctly identify the goods or services requested, and serve as approval for the purchase of those goods or services in the amount of \$5.00 or more.

#### **Procedure:**

1. **Initiate Request:** The Requestor should prepare and email a Requisition Request to the Purchasing/Procurement Coordinator at [purchasing@co.polk.tx.us](mailto:purchasing@co.polk.tx.us) for purchases that will exceed the \$500 limit.

2. **Advance Notice:** The Requisition Request should be received far enough in advance to allow for proper review and preparation.
3. **Vendor Information:** Provide the vendor's name. If the vendor is not on the approved list, a W-9 will be required and eligibility will need to be verified by the Auditor's Office.
4. **Detailed Description:** Include detailed item descriptions—size, color, type, grade, etc.
5. **Pricing:** Provide exact pricing or an estimated unit price and calculate a grand total.
6. **Budget Account Code:** Indicate the appropriate budget account code for each item.
7. **Approval:** Submission of a Requisition Request is considered the department head's approval for the purchase.
8. **Budget Verification:** The Purchasing/Procurement Coordinator will verify funds are available in the budget. If not, the Requisition Request will be returned with possible options.
9. **Budget Balance:** Requisition Orders will not be issued for goods/services without sufficient budget balance. If funds are not available, a budget amendment must be completed and approved by the Commissioners' Court.

A receipt or invoice for all purchases must be emailed to [purchasing@co.polk.tx.us](mailto:purchasing@co.polk.tx.us) and [cc.auditors.office@co.polk.tx.us](mailto:cc.auditors.office@co.polk.tx.us) with a payment voucher by the end of the following business day in which it is received. Payment will not be made until the receipt/invoice with completed payment voucher is received.

## **Emergency Purchases**

Emergency Purchases should be limited by anticipating needs in advance. They are allowed only to:

1. Keep buildings, machinery and vehicles in proper and safe operating condition when their idleness would result in expense or injury to the County.
2. Address extreme emergency cases involving public health and welfare.
3. These purchases are subject to approval by Commissioners Court (LGC 111.070).

### **Emergency Purchase Procedures:**

#### **Emergency During Business Hours:**

- Contact the Purchasing/Procurement Coordinator, explain the emergency, and request a Requisition number.
- Provide the Requisition number to the Vendor and secure a sales ticket or receipt.

#### **Emergency Outside Normal Business Hours:**

- Departments must take necessary action to obtain needed goods or services.

- For expenditures of \$5,000 or more, make a reasonable effort to contact the County Judge or designated representative.
- Limited to Road and Bridge Departments, Maintenance Department, Sheriff's Department, Jail, Information Technologies, and Emergency Management.

In either case, the Requestor must submit the sales ticket or receipt to the Purchasing/Procurement Coordinator by the end of the following business day.

**Note:** Emergency Purchases are subject to approval by Commissioners' Court (Texas LGC 111.070). Efforts should be made to obtain the best possible price when making an emergency purchase and when possible, purchased from a vendor who has previously supplied the same or similar goods or services.

## **Inspecting & Receiving**

The receiving department will:

- Inspect and count the merchandise to ensure it meets quantity, quality, and specifications.
- Confirm receipt by replying to the purchasing@co.polk.tx.us email where the Requisition was received.
- If merchandise does not meet specifications and cannot be resolved, contact the Purchasing/Procurement Coordinator immediately. The Purchasing / Procurement Coordinator will take action to compel replacement by the Vendor or cancel the order.

Polk County does not pay for invoiced items not received. For partial shipments, attempt to contact the Vendor to receive the remaining items before submitting the invoice for payment. If contact with the Vendor is unsuccessful, the receiving department should then contact the Purchasing / Procurement Coordinator for resolution with the Vendor.

## **Fixed Asset Purchases/Disposals/Inventory**

The County will maintain an inventory of all fixed assets in accordance with Generally Accepted Accounting Principles (GAAP) and Governmental Accounting Standards Board (GASB) Pronouncement Number 34.

**Definition:** Fixed assets are tangible items with a cost of \$5,000 or more (including all related expenditures, such as shipping/freight and installation) or that are considered high risk. High risk items may include, but not limited to, weapons, electronics, tools, and computer peripherals.

**Labeling:** Such items will be labeled with a County Property tag including a sequential number.

**Responsibility:** Each elected official or department head must ensure assets are tracked and secured in a manner that is most likely to prevent theft, loss, damage, and misuse of assets.

**Lost or Stolen Property:** Must be reported immediately to the County Auditor's Office by the department head or elected official responsible for the inventory.

**Major Repairs:**

Repairs may be added to the original asset cost if the total cost exceeds 20% of the original acquisition cost, is not due to accidental damage, and extends the asset's life (e.g., motor overhaul).

**Trade-Ins:**

- Approval from Commissioners' Court is required prior to trade-ins.
- Copies of trade-in agreements must be submitted to the County Auditor's Office, along with the trade-ins' county identification number.

**Lease/Purchase Agreements:**

- All lease/purchase agreements must be approved by Commissioners' Court and signed by the County Judge unless otherwise authorized.
- Agreements must contain a "government clause" for return of equipment if funds are not appropriated in future years.
- Failure to comply with this provision will result in the department head or elected official becoming liable for any losses sustained by Polk County.

**Change in Elected Official or Department Head:**

- Upon notice of separation, arrangements must be made with the County Auditor to perform an inventory of the elected official or department head's assigned assets prior to the separation date.
- The Auditor will provide a full report to the Commissioners Court, noting any discrepancies between property actually located and property listed on the inventory.
- Per Local Government Code Section 130.908, if an incumbent county or precinct officer is not renominated or reelected to the county or precinct office of a county, during the time following the date the results of the official canvass of the preliminary election returns are announced, the commissioners court must approve any expenditure by the incumbent county or precinct officer who was not renominated or reelected that is over an amount set by the commissioners court.



### **Receipt of Donated Property:**

- All assets, services, or materials received via donation or contribution (excluding meals and allowable gifts), regardless of source, must be evaluated and approved by the Commissioners' Court. Upon receipt, these items must be reported immediately to the Purchasing/Procurement Coordinator to adjust the assets on record as necessary.
- Proper recording of donated assets received is essential because some contributed items—such as those received from the Federal Government—require tracking at multiple levels. Improper disposition of these assets could result in penalties or negatively impact the County's ability to participate in certain programs.

### **Disposal of salvage or surplus property (LGC 263.151 subchapter D):**

- Must be approved by Commissioners' Court prior to disposal.
- Submit a complete fixed assets disposal form to the Purchasing/Procurement Coordinator.
- Authorized methods of disposal include auctions or recycling/trashing. Theft is unauthorized.
- When possible, prior to disposing of assets, decals and other identifiers that identify the asset as part of Polk County must be removed.

### **Employee Purchases:**

- County employees may not use county accounts, government discounts, or the county's sales tax exempt status for personal purchases.

## **Payment Procedures**

Polk County pays bills after Commissioners' Court approval at regular meetings on the second and fourth Tuesday of each month. Bills must be received in the County Auditor's Office before noon the Wednesday prior to ensure they will be considered.

### **Exceptions:**

1. Recurring expenses pre-approved by Commissioners' Court Order.
2. Payments established on a recurring basis as required by an approved contract.

## Polk County Debarment Policy

Polk County Departments/Offices must comply with this Debarment Policy to ensure compliance with (a) Federal Executive Order 12549, 44 CFR §13.35, and the Texas Uniform Grant Management System (UGMS), and (b) with the Texas Department of Public Safety/Homeland Security-State Administrative Agency.

Polk County shall award all contracts and purchases through procurement processes or through non-procurement processes to responsible vendors that have not been excluded under the Excluded Parties Listing System (EPLS).

### **Responsibility:**

**Vendor Verification:** All departments/offices must verify a vendor's debarment status using the EPLS at <https://www.sam.gov> before procuring or entering into contracts. The EPLS is an electronic database of parties excluded from federal procurement and non-procurement programs.

**Documentation:** Retain records of the verification process in accordance with the County's Retention Policy.

**Frequency:** Verification should be performed before issuing new requisitions, blanket orders, contracts, or single-time purchases. If verification has been performed prior to entering into annual contracts, verification is not required prior to making each payment to the vendor. However, verification should be performed prior to extending or renegotiating a contract.

### **Verification Process:**

1. **Access EPLS:** Go to <https://www.sam.gov>.
2. **Create Account:** Government employees must create a SAM user account with their government email.
3. **Search Records:** Enter the vendor's DUNS number, CAGE code, or business name. Users can also enter exclusion search terms for exclusion records. Once a search has returned results, use the filters provided to narrow results. If the vendor is confirmed to be debarred, the County is prohibited from conducting business with that vendor.
4. **Documentation:**
  - a. If the vendor is not listed as debarred, a screen print confirming the vendor's eligibility at the time of procurement must be saved and included with the purchase documentation. This record should be retained with the procurement files for audit and monitoring purposes.
  - b. If the search returns a potential match, further investigation is required to determine if it is a "false hit." Consider the following:
    - Does the name match exactly?

- Is the name very similar but not identical?
- Is the vendor located in the same general area as the entity listed in the search results?

If the match appears to be valid, print the page as documentation.

### **Emergency Purchases:**

In emergencies (e.g., disaster declarations), the debarment policy may be suspended for up to 60 days.

FEMA may honor this suspension; other federal agencies may not.

### **Consequences:**

Failure to comply may result in all county departments/offices being disallowed of any future federal funding. Implementation of this Debarment Policy is Countywide.

If needed, a department or office may notify the Purchasing & Procurement Office to conduct the search before placing the order.

## **Purchasing & Procurement for Community Development**

A. Polk County is responsible for administering and implementing the Community Development Block Grant Program.

B. Grants associated with this program must be approved by Commissioners' Court and adhere to Polk County's Purchasing Policy and Procedures. The County Judge must approve any activity regarding Community Development Block Grant funds.

C. In addition to following Polk County and Texas Local Government Code guidelines, all projects through the Community Development Block Grant Program must follow federal procurement standards in 2 CFR 200.317 to 200.326 and include Environmental Reviews and Davis-Bacon Wage Requirements.