

TRINITY COUNTY

1C-6 PURCHASING POLICY AND PROCEDURES

The County Auditor is charged with the responsibility of insuring that all purchases are made in accordance with Federal, State and local laws as well as verifying that each purchase is in-line with the approved and adopted Trinity County Budget. Each department head is responsible for maintaining the integrity of his/her department budget and planning the day-to-day operations 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 1 12.001 & 1 12.006.

All Texas Local Government Code (LGC) purchases and/or services must be routed through the County Auditor's office. LGC 113.901 requires all Counties use a purchase order requisitioning system.

Before a purchase is made or services are performed the County official or representative requesting the purchase or services, must provide a purchase order number, obtained from the Auditor's office, to each vendor. The purchase order number must appear legibly on all vendor invoices and/or statements in order to note that the vendor had authority to accept the order or to start work and bill the County. EMPHASIS: this process must be completed prior to any order or commitment on behalf of the County. Items received without prior approval have a possibility of not being approved and the department head/County official could be responsible for payment of that item.

All purchases must be for a quantity suitable to the purpose and at the least possible expense to Trinity County.

In order to obtain the best price in the most efficient manner, purchases will be divided into the following five (5) classes:

1. Less than \$10,000 – Requires advance approval only.
2. \$10,000 - \$24,999 – Requires three (3) quotations from vendors and advance approval.
3. \$25,000 - \$49,999 – Requires three (3) quotations from vendors and advance approval by Commissioners' Court.
4. Over \$50,000 – Requires formal sealed, competitive bids as specified by Chapter 262 of *Texas Local Government Code*.
5. Purchases made through cooperative purchasing agreements or from a state contract.

If these methods are not useful, then specifications will need to be written and approved by commissioner's court. Then, advertisement of the specifications must be according to Local Government Code 262.025. Once bids are opened, they must be awarded by Commissioner's Court.

Purchases made through cooperative purchasing agreements should be coordinated through the County Auditor's Office. A purchase order will be issued in advance of the order being placed.

Formal bids to be advertised will be placed on the Commissioners Court Agenda for approval and authorization. Complete specifications for the item(s) to be purchased will be filed in the Auditor's Office before such bids are advertised.

A request for items to be purchased through the formal bid process should be planned to allow enough time for delivery before the end of the fiscal year.

In the event that an emergency purchase needs to be made the following procedures should be followed:

- a) The purchase should only be made to keep buildings, machinery and vehicles in proper and safe operating condition when the safety or idleness would result in expense to Trinity County.
- b) The purchase may be made for extreme emergency cases involving public health and welfare.
- c) These purchases are subject to approval by the Commissioner's Court. Texas LGC 111.070.

County capital projects under \$50,000 will be under the direction of the appropriate department head/elected official. All County capital projects over \$50,000 will be under the direction of the County Judge unless the Commissioners' Court, by order, appoints someone else to be responsible for the project.

Purchase Orders will not be issued for goods/services that do not have a budget balance. If funds are not available, the department head/elected official should complete a budget amendment for transfer of funds from other appropriations or additional funds to the Commissioners' Court.

If a purchase requires a trade-in, such as an automobile, office machines, or other equipment, the department head/elected official should request approval of the trade-in from Commissioners' Court prior to the purchase of the new asset. The County Auditor's office should be sent copies of the trade-in agreement along with trade-ins' County identification number.

All lease/purchase agreements must be approved by the Commissioners' Court and signed by the County Judge unless the Commissioners' Court authorized someone else to sign the agreement. All lease/purchase agreements must contain the "government clause" authorizing the return of the equipment if the Commissioners' Court does not appropriate funds for the lease/purchase in a future year. Failure to comply with this provision will result in the department head/elected official becoming liable for any losses sustained by Trinity County.

County employees wishing to purchase items for personal use from vendors doing business with Trinity County should set up their own account with the vendors and not use Trinity County's account. Trinity County is exempt from state sales taxes; however, County employees are not exempt. In addition, Trinity County receives government discounts; however, County employees are not eligible for these discounts.

Trinity County pays claims and invoices after the Commissioners' Court approval at the regular term meeting which currently is the second and fourth Tuesday of each month. Only bills received in the County auditor's office before noon the Wednesday prior to the regular term meeting will be considered for payment at that meeting.

1C-7 DEBARMENT POLICY

It shall be the Policy of Trinity County that all Departments/Offices shall comply with this Debarment Policy in an effort to provide assurance to the Federal Government that Trinity County complies (a) with Federal Executive Order 2549, 44 CFR §13.35 ("Sub-awards to debarred and suspended parties"), and the Texas Uniform Grant Management System (UGMS), (b) with the Texas Department of Public Safety/Texas Homeland Security-State Administrative Agency who requires all recipients to verify the debarment status of all vendors before contracting with or making any purchases with federal grant funds.

All Debarment verifications shall be conducted by reviewing the Excluded Parties Listing Systems (EPLS). The Excluded Parties Listing Systems (EPLS) is an electronic database of parties excluded from federal procurement and non-procurement programs and is located at <https://www.sam.gov>. The EPLS identifies those parties excluded throughout the U.S. Government (unless otherwise noted) from receiving Federal contracts or certain subcontracts and from certain types of Federal financial and nonfinancial assistance and benefits based upon statutory or administrative debarments.

Responsibility of Countywide Departments/Offices:

Trinity County shall award all contracts and purchases through procurement processes or through non-procurement process to responsible vendors that have not been excluded under the excluded parties listing systems.

All Departments/Offices of Trinity County shall verify the debarment status of a vendor by using the EPLS prior to procuring or entering into contract(s) for any goods/services regardless whether it is a unit price or quantity. The Department/Office shall document that verification and retain such record in accordance with the County's Retention Policy.

In cases of non-procurement processes, the Department/Office shall verify if the vendor has been excluded when placing the order (purchase order, etc.) in order to ensure that the selected vendor is NOT on the EPLS System before the purchase is made or the "contract" start date.

Furthermore, because vendors are being removed and new ones added on a daily basis, all Departments/Offices shall be required to verify the vendor for exclusion before issuing a new purchase order, blanket purchase order, contract or single time purchase. If verification has been performed prior to entering into multiple invoice or multiple billing period contracts, such as a yearly wireless phone subscription, then verification is not required prior to making each payment to the vendor. However, verification should be performed prior to extending a contract, renegotiating a contract, or entering into a new contract.

If any Department/Office end user does not verify EPLS and the vendor was on the exclusion list, all other County Department/Offices may be disallowed of any federal funding in the future. Thus, if needed, a Department/Office may notify the Purchasing Department to conduct the search before placing the order.

Verification Process

In verifying the status of debarment exclusion, the Department/Office shall:

1. Go to the EPLS web-site. The internet address is <http://sam.gov>
2. Government employees (Department/Office) must create a SAM user account with their government email address. Log in before searching in order to see FOUO (for official use only) information and those registrants who selected to opt out of the public search.
3. Select "Search Record".
4. You can enter a DUNS number, CAGE code or Business Name to search for the entities that you are interested in reviewing. You can also enter exclusion search terms to search for exclusion records. Once a search has returned results, use the filters provided to narrow results.
 - a. If the vendor is not found to be debarred, a copy of the screen print indicating the vendor is not debarred at the time of the procurement should be included with the paperwork for that purchase and retained with the procurement records for audit and monitoring purposes.
 - b. If the search finds a match, more research is required to rule out the possibility of a "false hit."
 - Is the name an exact match?
 - Is the name very close?
 - Is the vendor you are searching for located in the same general area as the name returned in the search?
 - If the match appears to be valid, print the page
 - c. If the vendor is debarred, the County shall not do business with this vendor.

Emergency Purchases

From time to time, the County Judge may declare a Disaster Declaration because of a disaster, such as a hurricane. In those emergency circumstances, the implementation of the County's debarment policy is suspended during this emergency period but no longer than sixty (60) days. On FEMA grants, FEMA may honor this suspension. However other Federal Agencies may not honor any suspension of the County's Debarment Policy.

Consequences

In order to continue receiving Federal funds either directly or through a pass-through state funding, the Department/Office shall follow this Debarment policy. Failure to follow may result in forfeiting of federal funds in future Countywide grant applications. Implementation of this Debarment Policy is County-wide.