

RESOLUTION NO. 2019-27-3111

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE RESCINDING CITY COUNCIL RESOLUTION NO. 2009-04-2362 AND AUGMENTING THE DOLLAR LIMITS APPLICABLE TO PURCHASING PURSUANT TO CHAPTER 3.44 OF THE IRWINDALE MUNICIPAL CODE, REVISING SIGNATURE AUTHORITY LEVELS, AND APPROVING UPDATES TO THE PURCHASING POLICY

WHEREAS, City Council desires to improve the efficiency and effectiveness of the City's purchasing operations; and

WHEREAS, the Irwindale Municipal Code Chapter 3.44 provides for the establishment of a purchasing system and specific dollar amounts for the City's formal and informal bid procedures and signature authority levels; and

WHEREAS, the City Council had, pursuant to its Resolution No. 2009-04-2362 adopted on January 14, 2009, last updated the dollar limits for formal and informal bids and signature authority levels; and

WHEREAS, it has been over ten (10) years since the City last updated its purchasing dollar limits and signature authority levels; and

WHEREAS, the City Council desires to adjust the dollar limits for informal and formal bids and signature authority levels to reflect the increase in costs of materials and services since 2009; and

WHEREAS, the policies for Federally Funded Procurements were recently amended by the federal Office of Management and Budget (OMB), and it is required for cities to update their policies to include these updates from the Uniform Guidance Code, Title 2, Subtitle A, Chapter II, Section 200; and

WHEREAS, the City Council also desires to update the Purchasing Policy to incorporate recommendations resulting from City audits.

NOW THEREFORE, be it resolved by the City Council of the City of Irwindale, California, as follows:

SECTION 1. That City Council Resolution No. 2009-04-2362 is hereby rescinded and replaced by this Resolution.

SECTION 2. The informal bid limit shall be established at \$5,000, and the formal bid limit shall be established at \$30,000.

SECTION 3. The signature authority levels are established at \$30,000 for the City Manager, \$15,000 for the Assistant City Manager, \$12,000 for Department Heads, \$7,500 for the Purchasing Officer, and \$7,500 for all Department Managers.

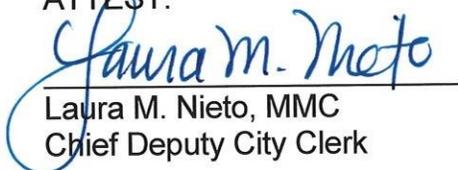
SECTION 4. The Revised Purchasing Policy Manual included as Exhibit A, shall be approved with the new Federal Funding Procurement requirements, and other audit recommendations and edits needed.

SECTION 5. That the Chief Deputy City Clerk shall certify the passage and adoption of this resolution, and the same shall thereupon take effect and be in force.

PASSED, APPROVED AND ADOPTED this 26th day of June 2019.


Albert F. Ambriz, Mayor

ATTEST:


Laura M. Nieto, MMC
Chief Deputy City Clerk

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES } ss.
CITY OF IRWINDALE }

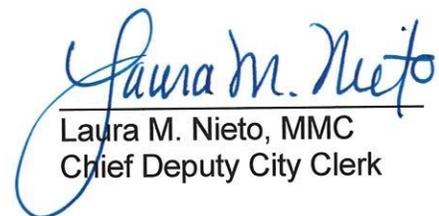
I, Laura M. Nieto, Chief Deputy City Clerk of the City of Irwindale, do hereby certify that the foregoing Resolution No. 2019-27-3111 was duly adopted by the City Council of the City of Irwindale at a regular meeting thereof held on the 26th day of June 2019, by the following vote:

AYES: Councilmembers: Breceda, Garcia, Ortiz, Mayor Ambriz

NOES: Councilmembers: Burrola

ABSTAIN: Councilmembers: None

ABSENT: Councilmembers: None


Laura M. Nieto, MMC
Chief Deputy City Clerk



CITY OF IRWINDALE PURCHASING POLICY

Revised: June 26, 2019

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SECTION I – PURPOSE

The purpose of this policy is to provide the City of Irwindale (“City”) a means of assuring continuity and uniformity in its purchasing operation, and to define the responsibilities for purchasing supplies, services and equipment for the City. These guidelines are not intended to address every issue, exception, or contingency that may arise in the course of purchasing activities. Employees are expected to exercise good judgment in the use of City resources, including keeping within the budget authorized by the City Council.

1. POLICY STATEMENT

This policy was developed under the authority, and should be interpreted consistent with the terms, of Chapter 3.44 of Title 3 of the Irwindale Municipal Code (“IMC”). The City Manager shall appoint the Purchasing Manager/ Purchasing Officer (collectively “Purchasing Officer”). The Purchasing Officer will delegate the administration of the purchasing program and is charged with the responsibility and authority for coordinating and managing the procurement of the City’s supplies, services and equipment according to this policy.

This policy is to be adhered to by the Purchasing Officer and all departments when procuring supplies, services and equipment. This policy strives to define decision making with prudent review and internal control procedures and maintain departmental responsibility and flexibility in evaluating, selecting, and purchasing, supplies, equipment and services.

Excluded from this policy is the purchase of supplies, services and equipment which is included within the specification of a “Public Works Contract” construction project and is subject to the regulations contained in the State of California Public Contract Code. Also excluded is the award of Professional Design and Consulting Services, governed by California Government Code Section 4525-4529. See Section V of this policy.

2. UNAUTHORIZED PURCHASES

Except for urgencies, such as those under IMC section 3.44.080, or other authorized exemptions stated in these guidelines, no purchase of supplies, services, or equipment shall be made without an authorized purchase order or contract, as required pursuant to Section II of this policy. Otherwise:

- a. Such purchases are void and not considered an obligation of the City.
- b. Invoices without an authorized purchase order may be returned to the vendor unpaid.

Purchase orders or contracts shall be issued by the Authorized Department Personnel, and approved by the Purchasing Officer of City Manager, as

applicable, prior to ordering supplies, equipment and services and not “after the fact” for work already done or materials already ordered.

3. RESPONSIBILITIES OF THE PURCHASING OFFICER

The Purchasing Officer is responsible for 1) the procurement of general supplies, services and equipment; 2) the administration of the purchasing policy; and 3) the management of surplus City property. To perform these functions efficiently and assist departments, the Purchasing Officer shall:

- a. Be charged with the responsibility and authority for coordinating and managing the procurement of the City’s general supplies, services and equipment from the lowest responsive and responsible bidder when required by this policy.
- b. Ensure full and open competition on all purchases as required by this policy.
- c. Identify, evaluate and utilize purchasing methods which best meet the needs of the City (i.e., cooperative purchases, blanket purchase orders, contractual agreements, etc.).
- d. Assist all departments with research and recommendations in developing specifications; review specifications for completeness of information to ensure specifications are not unnecessarily restrictive.
- e. Coordinate vendor relations, locate sources of supply, and evaluate vendor performance.
- f. Recommend revisions to purchasing procedures when necessary and keep informed of current developments in the field of public purchasing.
- g. Prescribe and maintain all forms and records necessary for the efficient operation of the purchasing function.
- h. Act as the City’s agent in the transfer and disposal of surplus equipment and materials.
- i. Investigate the cost of recycled and non-recycled products to determine if the purchase of recycled products is practical and economical. To be considered economical, the added costs should not exceed approximately 10% of the lowest non-recycled product price. Recycled materials are those meeting the description in Section III-9 of this policy.
- j. Make purchase award recommendations to the appropriate authority.

4. RESPONSIBILITIES OF DEPARTMENTS

Department personnel designated in the current Signature Authorization Form (Attachment "A") to make purchases pursuant to this policy ("Authorized Department Personnel") are charged with the following responsibilities in the purchasing process:

- a. To provide to the Purchasing Officer at the beginning of each fiscal year, an updated Signature Authorization Form (Attachment "A") designating the Authorized Department Personnel who are delegated the authority to make purchases per the policies and procedures as described in this policy.
- b. To anticipate requirements sufficiently in advance to allow adequate time to obtain goods in accordance with the best purchasing practices.
- c. To communicate and coordinate purchases with the Purchasing Officer, as necessary.
- d. To provide detailed, accurate specifications to ensure goods obtained are consistent with requirements and expectations.
- e. To prepare requisitions in accordance with instructions so as to minimize the processing effort.
- f. To inform the Purchasing Officer of any vendor relation problems, shipping problems (i.e., damaged goods, late delivery, wrong items delivered, incorrect quantity delivered, etc.) and any situations which could affect the purchasing function.
- g. To minimize urgent and sole source purchases and to provide written documentation when such purchases may be necessary.
- h. To assist the Purchasing Officer with the review of all bids received for compliance with specifications, and provide the Purchasing Officer with written documentation regarding their findings.
- i. To notify vendors of purchase awards when authorized by Purchasing Officer.
- j. To not "split" orders for the purpose of avoiding procurement requirements. See Definitions Section X.
- k. To consider the use of recycled products when practical and economically feasible. To be considered economical, the added costs should not exceed approximately 10% of the lowest non-recycled product price. Recycled materials are those meeting the description in Section III-9 of this policy.

5. VENDOR RELATIONS

It is to the City's advantage to promote and maintain good relations with vendors. The Purchasing Officer and operating department staff shall conduct their dealings with vendors in a professional manner, promote equal opportunity, and demonstrate fairness, integrity, and courtesy in all vendor relations. When feasible and economical to do so consistent with the requirements of this Policy, vendors within the City should be utilized for supplies, services and equipment.

SECTION II – PURCHASING METHODS

Purchasing dollar limits are “per order”. This policy specifically prohibits splitting an order to circumvent the specified dollar limits. Authorized Department Personnel shall contact the Purchasing Officer to coordinate volume bids of repetitive requirements (i.e., the frequent purchase of items such as chemicals, paper goods, etc., which annually exceed the specified limits). The PO/Contract Check List (Attachment “B”) must accompany all purchases exceeding the minimum amount established by resolution adopted per IMC section 3.44.090 (“Purchasing Resolution”, Attachment “M”). Additionally, for all purchases requiring a contract, the responsible City Department Personnel must complete the Contract Review and Transmittal Form (Attachment “J”) and attach it to all contracts being circulated for review and approval.

1. MINOR PURCHASES - PURCHASES OF LESS THAN THE MINIMUM AMOUNT SET BY THE PURCHASING RESOLUTION (\$5,000 as of the date of this Policy)
 - a. For purchases of less than the minimum amount set by the Purchasing Resolution, the authority to award is the Department Head.
 - b. Comparative pricing is not required, but shall be used when practical.
 - c. Prudent judgment shall be used at all times.
 - d. All departments may purchase supplies, equipment, and services, of less than the minimum amount set by the Purchasing Resolution without competitive bidding and without a purchase order; provided that any purchase without a purchase order is documented through an invoice or receipt and provided to the Finance Department .
 - e. This value represents a one-time per fiscal year purchase or the total value of multiple purchases of the same item or group of similar items throughout the fiscal year.
 - f. A purchase order may be requested by the department if required by the vendor or if the department wishes to use the purchase order as a mechanism to encumber funds.
2. INFORMAL BIDS - PURCHASES BETWEEN THE MINIMUM AMOUNT AND THE MAXIMUM AMOUNT SET BY THE PURCHASING RESOLUTION (\$5,001 - \$30,000 as of the date of this Policy)

The authority to award is identified in the table below
 (for purposes of this table, the amounts stated are pursuant to the Purchasing Resolution)

Signature Authority	Amount
City Manager	\$30,000
Assistant City Manager	\$15,000
Department Head*	\$12,000
Purchasing Manager/Officer	\$ 7,500
Department Managers	\$ 7,500

*Chief of Police, City Engineer/Building Official,
 Finance Director/City Treasurer, and
 Community Development Director

All departments shall obtain three oral or written competitive quotations whenever possible for purchases. The Department Head/Manager must complete the Informal Bid/Quote Form (Attachment "C"). The Purchasing Officer may be requested to assist in this process. Authorized Department Personnel shall submit a requisition, which includes the recommended vendor, with all supporting documentation to the Purchasing Officer. Supporting documentation shall include:

- a. Competitive price quotes obtained.
- b. Names of vendors contacted.
- c. Description of the items required.
- d. Certificates of insurance as applicable.

The Purchasing Officer shall review the recommendation and supporting documentation and may contact additional sources for quotations.

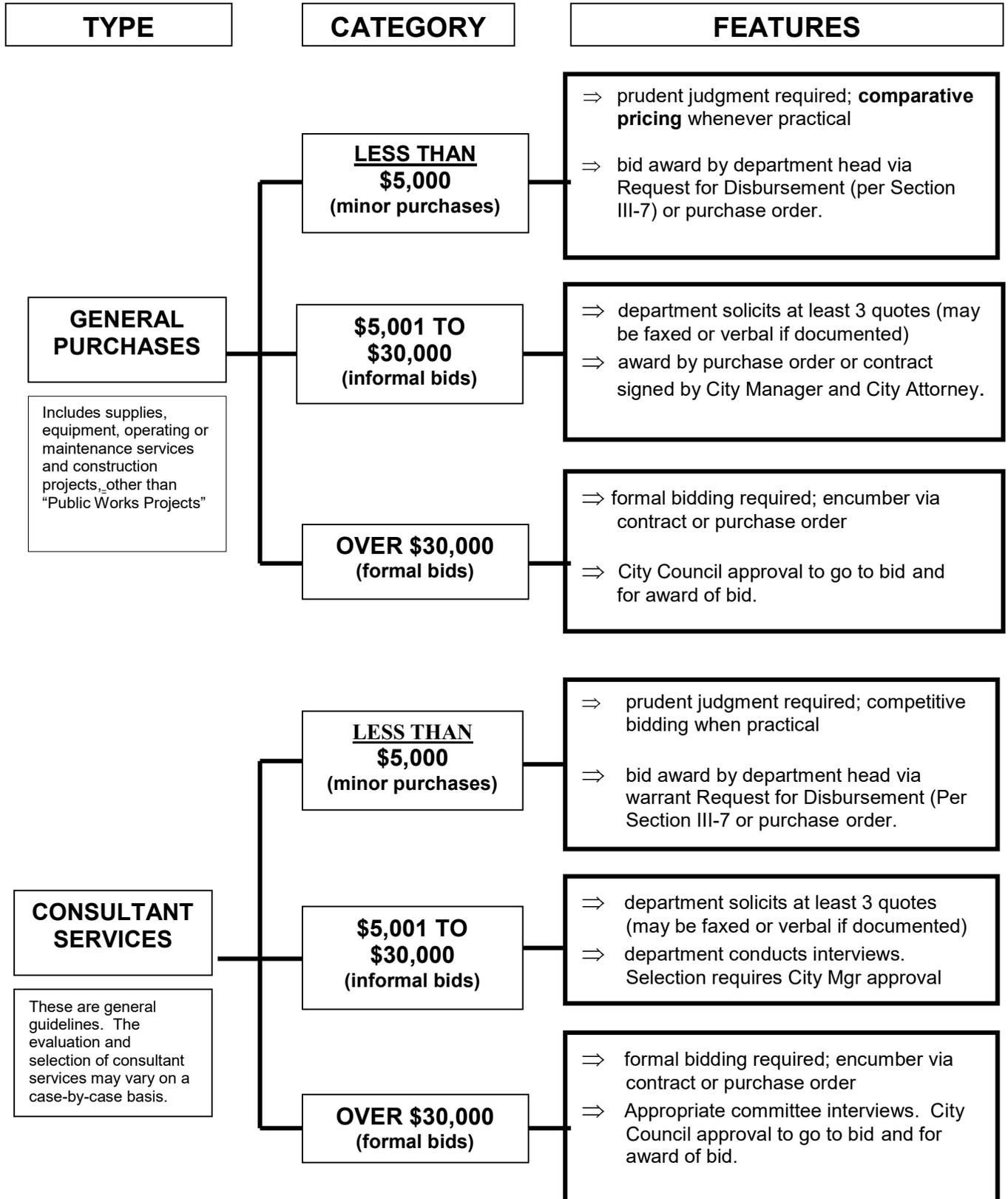
The purchase shall be awarded (by the City Manager, Department Head, or Purchasing Officer pursuant to the limits established by the Purchasing Resolution) to the lowest responsive and responsible bidder whose quote fulfills the intended purpose, quality, and delivery needs of the solicitation, provided that an unencumbered appropriation for that item exists. In lieu of awarding the purchase, the authorized City staff member may reject bids, or may negotiate further to obtain terms more acceptable to the City.

3. FORMAL BIDS - PURCHASES EXCEEDING THE MAXIMUM AMOUNT SET BY THE PURCHASING RESOLUTION (more than \$30,000 as of the date of this Policy)

Purchases that exceed the maximum amount set by the Purchasing Resolution require a Formal Bid Process, and City Council approval. The Formal Bid Process is described in Section IV of this policy.

PURCHASING SYSTEM OVERVIEW

(for purposes of this chart, the amounts stated are pursuant to the Purchasing Resolution)



4. PETTY CASH: PURCHASES OF \$50 OR LESS

The high cost of payment processing makes it imperative that small-dollar purchases be made with cash. For purposes of making purchases where the estimated cost is less than \$50 per day, there is a purchasing petty cash fund. The purchasing petty cash fund shall be replenished by periodic claims submitted to the City Finance Director, supported by sales slips or invoices for each purchase, and indicating the department for which the purchase is made and the Authorized Department Personnel requesting such purchase. If the vendor is heavily patronized by the City, the vendor should be requested to establish a credit account with the City. Currently there are two petty cash funds, in the Recreation Department and City Hall. The Recreation Manager and the City Hall Office Specialist are responsible for disbursing and accounting for their respective petty cash funds. The petty cash fund should be used only for minor purchases of up to \$50.

5. CREDIT CARD USAGE

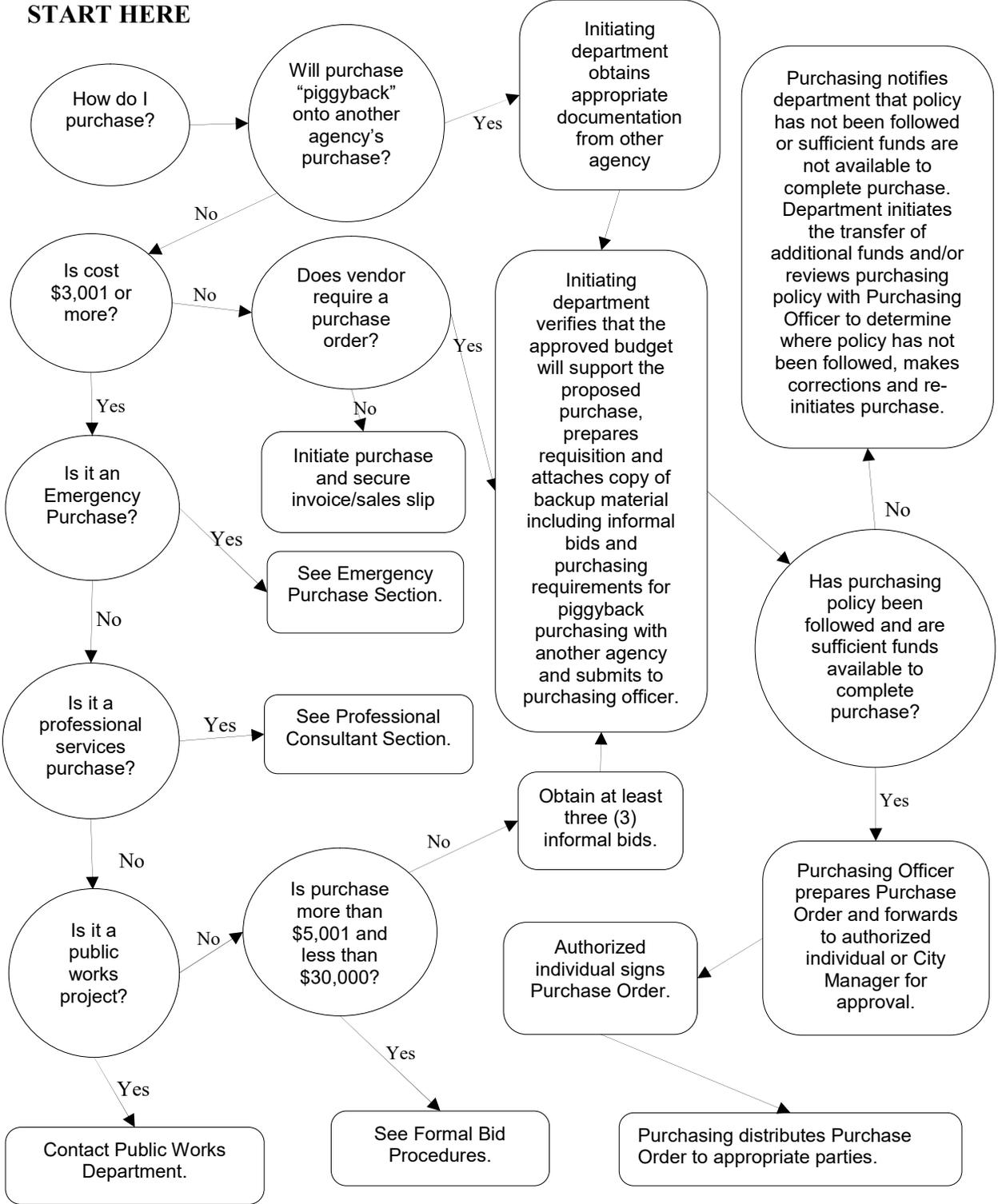
Under certain circumstances, the use of a City credit card may be the most appropriate method for certain purchases. The following policies and procedures are established to insure internal control and timely payment of charges.

- a. Due to Internal Revenue Service (IRS) tax reporting requirements, except for Emergency Purchases, City credit cards may not be used to purchase services provided by vendors who are doing business as partnerships or sole proprietors.
- b. Examples of this include, but are not limited to:
 - i. Labor charges for auto repair
 - ii. Plumbers
 - iii. Construction contractors
- c. City credit cards may be made available to the City Council on an as-needed basis and those members of City Staff approved pursuant to Section 5.f below for the conduct of official City business, included, but not limited to the following purposes:
 - i. Gasoline purchases.
 - ii. Authorized travel expenses and hotel charges which shall subsequently be documented on the travel reconciliation report.
 - iii. Meals when required in the conduct of official business, except when an employee is traveling on a per diem basis. (Refer to Travel Policy)

- iv. Other circumstances where the use of a credit card best meets the City's purchasing needs as determined by the Purchasing Officer or the appointed designee.
- d. Credit Cards and Gasoline Cards may be signed out by an employee authorized to purchase items per Section 5.f below and may be distributed by that authorized employee to personnel under their supervision provided that authorized employee later approves the receipt. Once the purchase is complete, the credit card shall be returned. Gas and other merchant retail credit cards may be assigned to specific individuals to carry at all times.
- e. A City credit card may not be used to obtain a cash advance.
- f. The credit card can be checked out from the Finance Department. The Credit Card Authorization Form (Attachment "D") must be completely filled out, including account number to be charged and approval signature(s) prior to use of the City credit card. The credit card should be returned the same day unless other arrangements have been made. Departments are required to turn in actual receipts to support the purchase when the credit card is returned to the Finance Department.
- g. No personal items shall be charged on any City credit card.

THE PURCHASING PROCESS FLOWCHART

(for purposes of this chart, the amounts stated are pursuant to the Purchasing Resolution)



SECTION III – PURCHASE ORDERS

1. BLANKET PURCHASE ORDERS

A Blanket Purchase Order is an agreement whereby the City contracts with a vendor to provide equipment or supplies on an as-needed and often over-the-counter basis. Blanket Purchase Orders provide a mechanism whereby items which are uneconomical to stock may be purchased in a manner that allows field operations timely access to necessary materials. Blanket Purchase Orders shall not be used to purchase services, capital assets or items maintained in stock.

The Purchasing Officer shall request confirmation of Blanket Purchase Orders annually, before the beginning of the fiscal year. Requests for Blanket Purchase Orders may also be submitted by the Authorized Department Personnel to the Purchasing Officer on an as-needed basis. The Purchasing Officer shall review Blanket Purchase Order requests based upon the following criteria:

- a. Geographic location.
- b. Responsiveness and capabilities.
- c. Average dollar value and type of items to be purchased.
- d. Frequency of need.

All Blanket Purchase Orders shall include the following information:

- a. A general description of the equipment or supplies which may be charged.
- b. The period of time the order will remain open, not to exceed one year.
- c. The maximum total amount which may be charged on the purchase order.
- d. The maximum amount which may be charged each time the Authorized Department Personnel implementing a purchase enters the vendor's place of business, or if unspecified, \$300 per purchase, for a total not to exceed \$1,000 per month.
- e. Items excluded from the purchase, if applicable.
- f. The phone number of the purchasing agent for questions or approval of charges which exceed the limit.
- g. Identification of the department(s) and Authorized Department Personnel who may charge against the order.
- h. Requirement that the Authorized Department Personnel show his/her City Employee Identification Card.
- i. Requirement that Authorized Department Personnel print and sign his/her name when picking up goods.
- j. City account number(s) to be charged.

Once a Blanket Purchase Order is issued to a vendor, any Authorized Department Personnel may contact the vendor directly to place orders per the terms and conditions specified in the Blanket Purchase Order.

2. CONTRACT PURCHASES ORDERS

Contract Purchase Orders, which are those purchase orders where the acquisition of supplies or services is made pursuant to a contract between the City and the vendor, are the preferred method of purchasing repetitive-use items or services which may be common to several departments or within one department. Establishing Contract Purchase Orders provides a means of obtaining volume pricing based upon the combined needs of all departments, reduces the administrative costs associated with seeking redundant competitive bids and processing a Purchase Order each time an order is placed, and allows departments to order as needed, reducing the requirement to maintain large inventories of stock.

If a Contract Purchase Order exists, departments shall order all of their requirements from the successful vendor. No other source shall be used without prior approval of the Purchasing Officer. Departments shall submit, in writing to the Purchasing Officer, any performance problem encountered immediately following the occurrence so that corrective action may be taken.

Contract Purchase Orders are annual and may include an option for renewal for specific products, product types, or services at agreed upon prices or pricing structure and for a specified period of time.

If a vendor requires a Purchase Order to process an order, the department shall submit a purchase order requisition to the Purchasing Officer to initiate a purchase order.

3. COOPERATIVE (PIGGYBACK) PURCHASES

The Purchasing Officer may participate in purchases and contracts established by other government agency, provided the cooperative agreement is established following a competitive bid process by such other agency within the previous three hundred sixty-five days (one year). The City Manager may authorize the award of cooperative purchase agreements up to the maximum amount under the Purchasing Resolution. City Council approval is required for the award of any cooperative purchase exceeding the maximum amount under the Purchasing Resolution.

4. SOLE SOURCE PURCHASES

It is the City's policy to solicit competitive bids for its requirements. Sole source purchasing shall not be used unless there is clear and convincing evidence that only one source exists to fulfill the City's requirements pursuant to IMC Section 3.44.080,C. Sole source specifications should be avoided whenever possible as they minimize or eliminate competition.

As allowed by IMC Section 3.44.080,C, sole source purchases may be authorized when:

- a. The commodity can be obtained from only one vendor, as the one vendor is the only one that offers the item for sale, lease, or rental.
- b. The item being purchased is available from only one vendor within the time frame or under the terms and conditions which reasonably meet the needs of the using department; Examples include where the item being purchased is required to match or be compatible with other items presently on-hand, and the purchase is made from the manufacturer or supplier who supplied the original terms or where the product or service is for a complex or unique function.

All sole source purchases shall be supported by written documentation signed by the appropriate department head and forwarded to the Purchasing Officer. Final determination that an item is a valid sole source purchase will be made by the Purchasing Officer and approved by the City Manager or City Council, as applicable. The following procedures must be followed:

- a. Sole source shall not be claimed by the requesting department in an effort to eliminate the need for the competitive quote process.
- b. Sole source purchases shall be supported by a Sole Source Justification form (Attachment "E") signed by the requestor's Department Head.
- c. The form must be sent to Purchasing with the other required purchasing paperwork.
- d. If the using department wishes to place the order directly, it must contact the Purchasing Officer prior to making any commitments to the vendor. Upon receipt of the completed Sole Source Justification form and with the Purchasing Officer's approval and City Manager or City Council, as applicable, a Purchase Order number will be given.
- e. With the approval described above, an agreement may be negotiated by the department with the designated sole source vendor, to achieve an agreement that is advantageous to the City.

5. EMERGENCY PURCHASES PROCEDURES

Chapter 2.08.090 of the Irwindale Municipal Code states, "In case of accident, disaster, or other circumstance creating a public emergency, the City manager may award contracts and make purchases for the purpose of meeting said emergency; but he shall file promptly with the Council a certificate showing such emergency and the necessity for such action, together with an itemized account of all expenditures. (Ord. 184 §1(part), 1966: Ord. 62 §1(part), 1959: prior code §2208)."

Emergency purchases may be made without competitive bidding when time is of the essence, and shall be made only for the following reasons:

- a. To preserve or protect life, health or property;
- b. Upon natural disaster;
- c. To correct or forestall a shutdown to maintain essential public services; or
- d. Other unforeseeable events.

Since emergency purchases do not normally provide the City an opportunity to obtain competitive quotes or properly encumber funds committed, sound judgment shall be used in keeping such orders to an absolute minimum. In addition, the following requirements shall apply:

- a. The Emergency Justification Form (Attachment "F") must be completed and submitted to the Purchasing Officer the next available workday.
- b. The Purchasing Officer shall be contacted as soon as possible for an advance purchase order number, which may be given verbally, to cover the urgent transaction. If unable to contact the Purchasing Officer, place the order and contact the Purchasing Officer the next available workday.
- c. A completed purchase requisition shall be submitted to the Purchasing Officer within two working days, or as soon as the information is available. All purchase requisitions for urgent purchases shall be signed by the appropriate Department Head.
- d. Documentation explaining the circumstances and nature of the emergency purchase shall be submitted by the appropriate Department Head as follows:
 - i. Purchases less than the minimum amount set by the Purchasing Resolution: Use standard purchasing procedures.
 - ii. Purchases more than the minimum amount and less than the maximum amount set by the Purchasing Resolution: Report to the City Manager by processing memo of "Emergency Purchase Exceeding \$5,000" and then processing a requisition within one week.
 - iii. Purchases exceeding the maximum amount set by the Purchasing Resolution: 1) Report to City Manager within two working days, and 2) Report to the City Council at its next scheduled meeting for ratification.

If the emergency purchase causes any budget line item to exceed the approved budget, it shall be the responsibility of the department requesting the purchase to obtain subsequent City Council approval for an additional appropriation or to make a department transfer to cover the purchase.

6. PURCHASE ORDER EXEMPTIONS

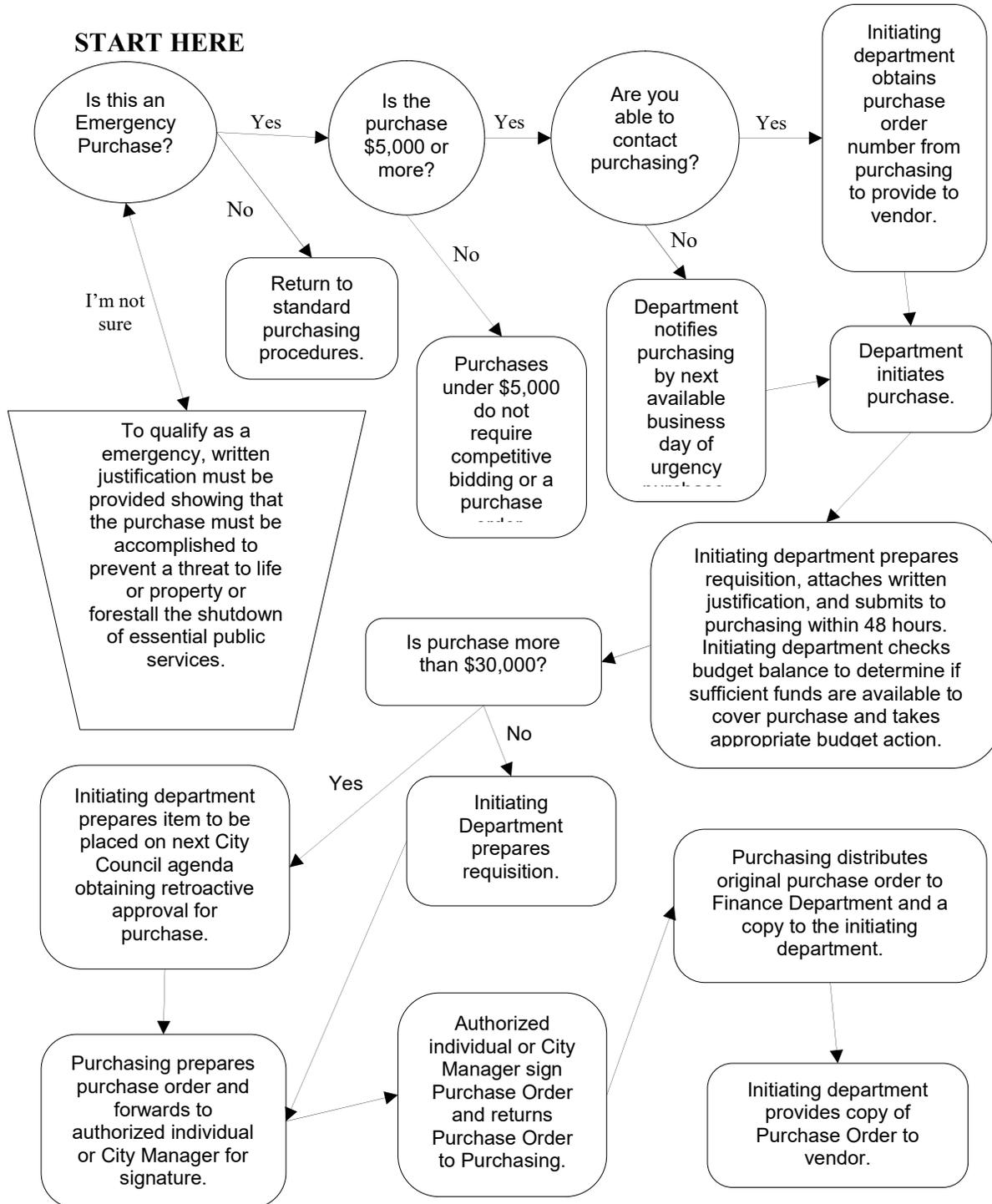
Certain purchases are not readily adaptable to the open market and formal bidding process. In such circumstances and where bidding is otherwise not applicable pursuant to this Policy and the IMC, a Request for Disbursement Form (Attachment "G") should be completed with appropriate account number coding and approvals with the invoice or approved contract attached in order for a payment to be processed by the Finance Department. Following is a list of allowable exemptions:

Advertisements and Notices	Membership Dues
Attorney Services	Utility Payments
Property Rentals	Petty Cash Replenishment
Subscriptions	Real Property/Easement Acquisition
Travel Expense/Advances	Trade Circulars or Books
Payments to other Government Units	Insurance Claims and Premiums
Courier/Delivery/Messenger Services	Fuel
Department Purchases Under \$5,000 (see Section II-1)	Medical Payments (physicians, lab, etc.)

Exemptions are limited to those items listed above. Departments may submit written requests for additional exemptions to the Purchasing Officer. If warranted, additional exemptions will be added to this list.

EMERGENCY PURCHASING PROCEDURES FLOWCHART

(for purposes of this chart, the amounts stated are pursuant to the Purchasing Resolution)



7. CHANGE ORDERS

Purchase Orders represent a contract between the City and the Vendor. Any substantial change to a Purchase Order shall be documented as a change order. Change Orders shall be reviewed by the Purchasing Officer and shall be approved by the City Manager. A purchase order may not be increased by more than 10% or \$5,000, whichever is less, without a change order, except for taxes, shipping and handling as discussed below. If the change itself exceeds the amount set forth by the resolution adopted pursuant to 3.44.090, the formal bidding procedure must be followed (See Section IV).

Taxes, shipping and handling may cause the purchase order to exceed the authorized purchase order amount. These items do not require a Change Order, even if they exceed 10% of the original purchase order amount.

The Purchase Order/Contract Change Order Form (Attachment "H") shall be used to change a quantity, description, size, color, vendor name or address, unit price, delivery location, terms and conditions and to delete or add to the order. It shall also be used to terminate a purchase order and to correct errors in the original purchase order.

8. AUTHORIZED SIGNERS

The Signature Authorization Form (Attachment "A") is the authority limits given to individuals by the City Manager or their Department Head. This form shall be updated each fiscal year to maintain personnel accuracy.

9. RECYCLED PRODUCTS

Products that minimize environmental impacts, toxics, pollution, and hazards to workers and community safety to the greatest extent practicable should be considered. Acceptable recycled products are those which include some or many of the following components: contain a significant portion of re-used materials, are durable and long-lasting, conserve energy and water, use agricultural fibers and residues, reduce green house gas emissions, use unbleached or chlorine free manufacturing process, are lead-free and mercury-free, use wood from sustainably harvested forests, and can be purchased at competitive prices.

10. BILLING AND PAYMENT

The City requires invoices for each purchase order issued to the vendor. The purchase order number or contract number must appear on all invoices, shipping tags, and correspondence relevant to the order. Payment is made after receipt of invoice and delivery and acceptance of material as specified on the purchase order or contract, and signed off by the Authorized Department Personnel

receiving the goods or services. Unless otherwise specified on the purchase order or contract, invoices should be submitted to:

City of Irwindale
Accounts Payable
5050 N. Irwindale Avenue
Irwindale, CA 91706

Directing invoices to any other department (unless instructed otherwise) will delay payment. The City aims to pay all invoices within thirty (30) days of receipt of invoice and acceptance of the order. Questions regarding payment of invoices should be made to the Finance Department, Accounts Payable division, and will require specific purchase order or contract information.

11. INSURANCE

In all instances in which vendor personnel enter City property to repair, install, service, construct, consult, etc., the City requires a certificate of insurance verifying coverage per City insurance requirements. Whenever insurance is required on a purchase order or contract, the vendor will be supplied with complete requirements for coverage.

12. BUSINESS AND PROFESSION TAX

Chapter 5 of the Irwindale Municipal Code states that a City business license is required for all business, trades or professions who operate any kind of business within the City, whether or not the business is physically located within the City or located elsewhere. Businesses who are exempt by the federal or state law are not required to pay for a City business license, however they are required to complete a business license application.

SECTION IV – FORMAL BIDS

1. FORMAL BID PROCESS

Except as otherwise exempted in the policy, supplies, services and equipment with an estimated value greater than the maximum amount set by the Purchasing Resolution or more shall be made following a Formal Bid Process using a Request for Quotes (RFQ) or Request for Proposals (RFP).

To initiate an RFQ or RFP, the Department making the request shall provide specifications (see Item 2. below) for the item to be purchased, and documentation showing the existence of an unencumbered appropriation for the item in the current approved budget. The Purchasing Officer or requesting Department shall solicit formal bids as prescribed by IMC Chapter 3.44.090

Formal bids shall be posted at City Hall and shall be published at least once in a newspaper of general circulation as required by State law and/or the IMC, and, if applicable, in appropriate trade publications. The date of publication shall be at least 10 days before the due date. All formal bids shall be sealed and shall be publicly opened and read at the date, time, and place indicated in the published notice.

Bids shall be reviewed for compliance with specifications by the requesting Department. All deviations from the specifications shall be fully documented by the requesting department, and the impact of the deviations on the performance or suitability of the bid item shall be detailed. Staff will prepare and forward a recommendation for approval of purchase.

- a. Informal bids shall be approved by the City Manager.
- b. Formal bids shall be approved by the City Council.

2. SPECIFICATIONS

It is the responsibility of each department to provide detailed and accurate specifications when requisitioning supplies, equipment and services. Accurate specifications are essential for effective bidding.

- a. Sole Source Specifications: Sole source specifications shall be avoided whenever possible, as they minimize or eliminate competition. The appropriate authority (City Manager, if total purchase is less than the maximum amount set by the Purchasing Resolution; City Council, if total purchase is more than the maximum amount set by the Purchasing Resolution) may waive bidding requirements if sufficient written justification for a sole source purchase exists, per Section III-4 above.
- b. Standardization: Standardization of specifications for items common to several divisions and/or departments can facilitate the purchasing process. The Purchasing Officer and Departments shall work together to establish standard specifications for such items.
- c. Brand Name, or Equal, Specifications: In purchasing equipment or supplies needed to be compatible with existing equipment, or to perform complex or unique functions, the Purchasing Officer may limit bidding to a specific product type or a brand name product.

Use of brand names in specifications shall be for the purpose of describing the standard of quality, performance, and characteristics the City desires and not be intended to limit or restrict competition. If a brand name is incorporated into a specification, a minimum of two acceptable brands shall be listed

whenever possible and shall be followed by the statement “or approved equal” unless the sole source rule applies.

Using specifications provided by a specific manufacturer should be avoided, however, if used, the name of the manufacturer, model number, etc., should be indicated. The bid document shall clearly state that the use of the manufacturer’s specifications are for the sole purpose of establishing the level of quality desired. The Purchasing Officer reserves the right to determine and approve any product submitted as an “or equal.”

- d. Vendor Assistance in Writing Specifications: There may be occasions when vendor assistance is required to develop a specification. Such specifications shall be written in general terms and the vendor shall be informed that the information they provide may be used to develop specifications for a competitive bid process. The vendor shall be allowed to submit a bid, but will not be given any preference over the other bids

3. AWARD OF BID

Bids shall be awarded to the lowest responsive bidder.

In determining the lowest “responsive bidder”, the following elements shall be considered in addition to price:

- a. A responsive bid is one which is in substantial conformance with the requirements of the invitation to bid, including specifications and the City’s contractual terms and conditions. Bidders who substitute terms and conditions or who qualify their bids in such a manner as to nullify or limit their liability shall be considered non-responsive bidders.
- b. Whenever goods are subject to sales tax, in-town vendors shall be given a one percent (1%) deduction from the bid, where it is determined that, if the bid were accepted by the City as the lowest responsible bid received, the City would receive a refund of the 1% sales and use tax imposed by Chapter 3 of the IMC.
- c. That the products offered provide the quality, fitness, and capacity for the required usage.
- d. Bidder has the ability, capacity and skill to perform the contract satisfactorily and within the time required.
- e. Bidder’s experience(s) regarding past purchases by the City or other public agencies demonstrates the reliability of the bidder to perform the contract.

- f. Bidder can demonstrate the ability to successfully fulfill a contract, including rendering of subsequent and continuing service. Staff may request proof of a prospective bidder's reliability. Prospective bidders may be requested to furnish proof of financial resources, a list of current or previous customers, and other pertinent data. Such action may also be taken after receipt of bids.

A bidder may be determined to be non-responsive if a prospective bidder fails to furnish proof of qualifications when required.

Conformance with the requirements of the invitation to bid may also include providing proof of insurance, completing all forms, including references, and all other information as requested in the bid document.

When a bid is recommended to be awarded to other than the low bidder, written justification is required. The written statement, signed by the appropriate department head, shall be attached to the purchase requisition.

The Purchasing Officer or the requesting Department may recommend rejection of any or all bids if it is determined to be in the best interests of the City. Reasons for rejection may include, but are not limited to, the following: a bid is determined to be non-responsive, the number of bids received is inadequate, bids received are not reasonably uniform in price, or the lowest bid received is deemed to be too high. The Purchasing Officer may, in any given case, reject all bids with or without cause and submit the supplies, equipment or service involved to a new bidding process. If all bids are rejected, the Purchasing Officer may be authorized to re-solicit bids, negotiate a contract for the purchase, or abandon the purchase.

If two or more bids are received which are in all respects equal, the Purchasing Officer may accept the one deemed to be in the best interests of the City or implement a random selection process acceptable to the tie bidders.

SECTION V – PROFESSIONAL CONSULTANT SELECTION

Procuring professional consulting services follows the same authority limits for informal and formal bid requirements as listed in Section II above. Contracts under \$30,000 require informal bids, and may be approved by the City Manager or authorized Department Personnel per the Purchasing Resolution (Attachment "M"). Contracts over \$30,000 require City Council approval.

For all professional services contracts, City Personnel must complete a Contract Review and Transmittal Form (Attachment "J") and attach it to the contract being circulated for review and approval. Additionally, where the cost for professional services over \$30,000 has been deemed exempt from bidding due to the specialization and qualifications of the consultant, a Cost Justification and Post Evaluation Form

(Attachment "K") must be completed to assert the cost for professional services is fair and reasonable. This form will also serve to document that any services provided that were exempt from bidding met the City's expectations and quality standards.

All consultant and professional services agreements, except for time and material agreements, shall be encumbered.

1. SELECTION OF CONSULTANTS FOR PROFESSIONAL SERVICES (GENERAL):

- a. The following criteria shall be used to determine approval authority for Professional Consultant Service Contracts:
 - i. Department Head Approval - Contracts under the minimum amount set by the Purchasing Resolution(\$12,000 as of the date of this Policy)
 - ii. City Manager Approval - Contracts more than the minimum and less than the maximum amount set by the Purchasing Resolution (\$30,000 and under as of the date of this Policy)
 - iii. City Council Approval - Contracts exceeding the maximum amount set by the Purchasing Resolution (Over \$30,000 as of the date of this Policy)
- b. This policy specifically prohibits splitting a purchase to circumvent the limits set forth in Section 1.a above.
- c. The appropriate Department Head, with the approval of the City Manager, shall prepare a scope of work consistent with budget and project authorization of the City Council. The Request for Proposals (RFP) shall outline the City requirements and project description. The list of solicited firms will be drawn from firms who, in the opinion of the Department Head, can perform the work. A Request for Qualifications may first be necessary if the required services are particularly specialized or if the qualifications of the available consultants are unknown. The list of solicited firms may be limited to a minimum of 3 to 5 due to time constraints or specialties involved.
- d. The initial review of proposals shall be conducted by the involved Department Head(s), who shall make a recommendation to the City Manager regarding which consultants should be invited to interviews.
 - i. Interviews (Contracts less than the maximum amount set by the Purchasing Resolution) will be conducted by the appropriate department staff members.
 - ii. Formal interviews (for Contract exceeding the maximum amount set by the Purchasing Resolution) will be conducted by a committee consisting of staff or consultants who deals with the subject matter of the proposal. The Committee will make a recommendation to the City Council for final selection.

- e. Qualifications should be the determining factor in the selection of a professional consultant. Staff shall then negotiate the final fee based upon the agreed scope of work.
- f. Prior to approval of a contract, the department head shall conduct appropriate background and reference checks and ensure that adequate bonding or security, if required, is posted.
- g. Consultants shall comply with all regulations and laws dealing with conflict of interest disclosure and reporting. Consultants shall not be engaged if a conflict of interest exists, unless such conflict is the type that may be and is actually waived by the City Manager or City Council, as applicable.
- h. Approval of "Additional Work" items shall comply with the limits of Section 1.a above.

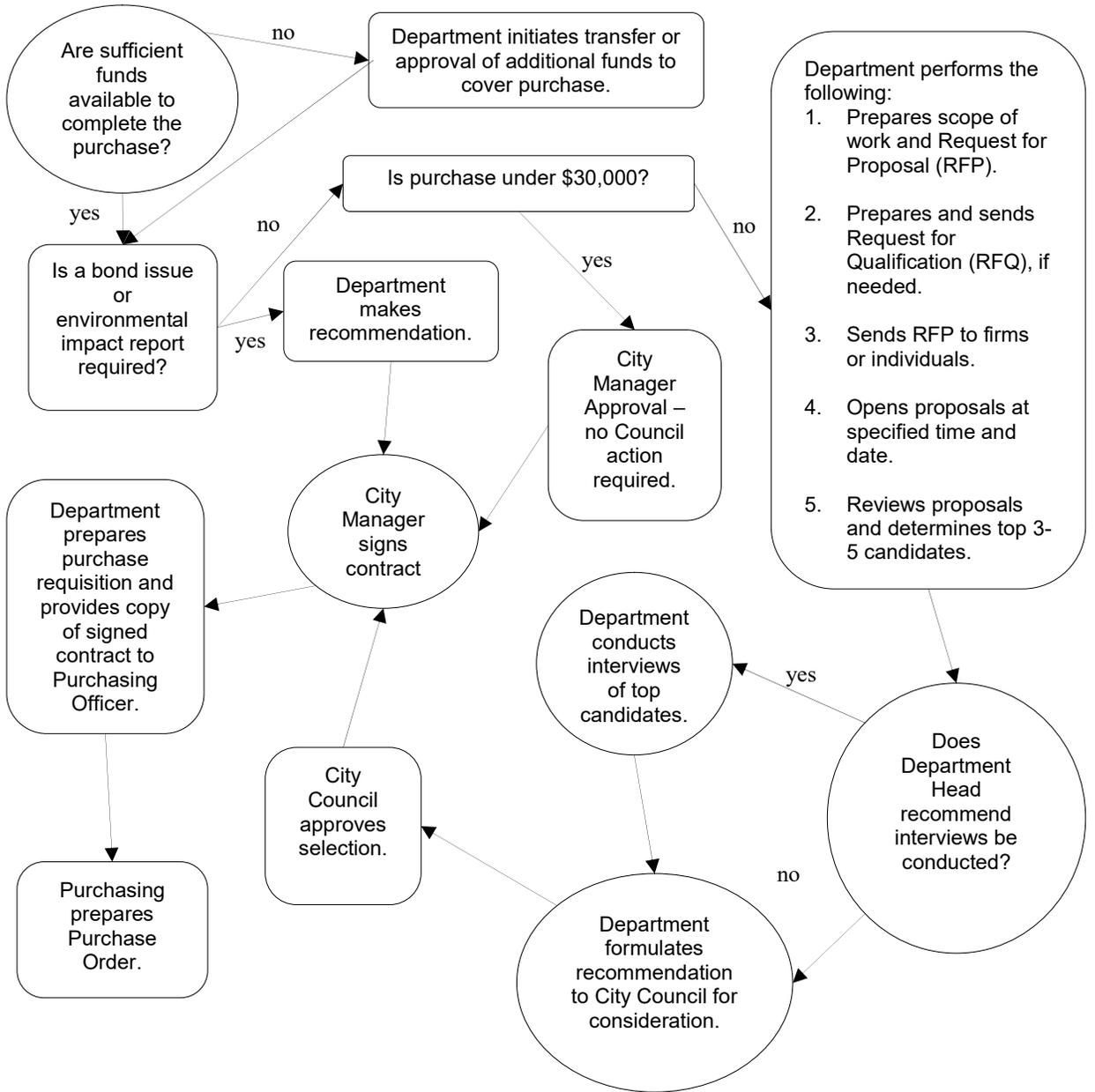
2. SELECTION OF CONSULTANTS FOR PROFESSIONAL SERVICES FOR CONTINUING SERVICES:

- a. Professional firms providing engineering, land surveying, transit, planning, environmental, auditing, landscape architecture or other services may be retained on a continuing basis to provide professional services. The department head, with the approval of the City Manager, may contract on a project-by-project or on a retainer basis for additional work/services without going through the RFP and selection process. Such arrangements may be reviewed from time-to-time to ensure the City is receiving the best value in their services.
- b. Beginning each fiscal year, the Purchasing Officer shall make a written request to each department head to submit to the City Manager a Department Consultant List (Attachment "I") currently under contract by their department, setting forth name of firms, type of services, cost of contracts, length of contracts and date entered into, and the number of years retained by the City.
- c. Exclusions
 - i. The process of selecting environmental impact report consultants for non-City projects shall be conducted by the Community Development Department Head due to time restraints and application processing requirements. The final consultant selection and fee shall be reviewed and approved by the City Manager or City Council, as applicable.
 - ii. City Council shall also review and approve each bond issue in concept with approval for the selection of certain professional consultants, as needed, to be selected by the Finance Director as approved by the City Manager or City Council, as applicable.

SELECTION OF CONSULTANT AND PROFESSIONAL SERVICES

(for purposes of this chart, the amounts stated are pursuant to the Purchasing Resolution)

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SECTION VI - FEDERALLY FUNDED PROCUREMENTS

This section pertains to procurements for projects or purchases for which the City has been awarded federal funds or grants. The federal Office of Management and Budget (OMB) provides guidance for federally funded procurements under the Uniform Guidance Code, Title 2, Subtitle A, Chapter II, Section 200. The City is required to follow the federal procurement policies as follows:

1. CODE OF CONDUCT

As representatives of the City of Irwindale, all employees are expected to conduct themselves in a professional and ethical manner, maintaining high standards of integrity and the use of good judgement. Employees are expected to be principled in their business interactions and act in good faith with individuals both inside and outside the City. The following Code of Conduct shall govern the performance, behavior and actions of the City, including employees, directors, appointed or elected officials, volunteers, or agents who are engaged in any aspect of procurement, including, but not limited to, purchasing goods and services, awarding contracts and grants, and the administration and supervision of contracts:

- a. No employee, director, appointed or elected official, volunteer, or agent of the City shall participate in the selection, award, or administration of contracts supported by a federal award if a conflict of interest is real or apparent to a reasonable person.
- b. Conflicts of interest may arise when any employee, officer, or agent of the City, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a real or apparent financial or other interest in or a tangible personal benefit from a firm considered for the contract.
- c. No employee, director, appointed or elected official, volunteer, or agent of the City shall do business with, award contracts to, or show favoritism toward a member of his or her immediate family, spouse's family, or to any company, vendor, contractor, or parties to subcontractors who either employ or has any relationship to a family member; or award a contract or bid which violates the spirit or intent of federal, state and local procurement laws and policies established to maximize free and open competition among qualified vendors.
- d. The City's employees, directors, appointed or elected officials, volunteers, or agents shall neither solicit nor accept gratuities, favors, gifts, consulting fees, trips, or anything having a monetary value from a vendor, potential vendor, family or employees of a vendor, contractor or parties to subcontractors.
- e. Disciplinary measures for violations of the Code of Conduct by employees, directors, appointed or elected officials, volunteers, or agents who are engaged in any aspect of procurement, including, but not limited to, purchasing goods and services, awarding contracts and grants, and the administration and supervision of contracts could lead to disciplinary measures, up to and including possible termination of employment.

2. PROCUREMENT PROCEDURES

- a. Acquisition of unnecessary or duplicative items must be avoided. Consideration should be given to consolidating or dividing procurements to obtain a more economical purchase. When appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach.
- b. To foster greater economy and efficiency, and in accordance with efforts to promote cost-effective use of shared services, the City shall enter into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services.
- c. Procuring federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs shall be encouraged.
- d. Value engineering clauses may be used in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions. Value engineering is a systematic and creative analysis of each contract item or task to ensure that its essential function is provided at the overall lower cost.
- e. Contracts shall only be awarded to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.
- f. Records will be maintained sufficient to detail the history of procurement. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.
- g. Time and material type contracts (open-ended) may be used only after a determination that no other contract is suitable. Time and material type contract means a contract where the cost to the City is the sum of the actual cost of materials and direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expense, and profit. Each time and material contract will set a ceiling price that the contractor exceeds at its own risk. A higher degree of oversight is required in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.
- h. The City alone will be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the City of any contractual responsibilities under its contracts. The federal awarding agency will not substitute its judgment for that of the City unless the matter is primarily a federal concern. Violations of law will be referred to the local, state, or federal authority having proper jurisdiction.

3. COMPETITION

- a. All procurement transactions must be conducted in a manner providing full and open competition. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, and invitations for bids or requests for proposals will be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include, but are not limited to:
 - i. Placing unreasonable requirements on firms in order for them to qualify;
 - ii. Requiring unnecessary experience and excessive bonding;
 - iii. Noncompetitive pricing practices between firms or affiliated companies;
 - iv. Noncompetitive contracts to consultants that are on retainer contracts;
 - v. Organizational conflicts of interest;
 - vi. Specifying only a brand name product instead of allowing an equal product to be offered and describing the performance or other relevant requirements of the procurement; and
 - vii. Any arbitrary action in the procurement process.
- b. The City must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state or local geographical preferences in the evaluation of bids or proposals, except in those cases where applicable federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.
- c. All solicitations must incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standard to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a brand name or equivalent description may be used as a means to define the performance or other relevant requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated.
- d. Bids and proposals shall identify all the requirements which the offerors must fulfill and all other factors to be used in evaluation bids or proposals.
- e. All prequalified lists of persons, firms, or products which are used in acquiring goods and services must be current and include enough qualified sources to

ensure maximum open and free competition. Also, the City must not preclude potential bidders from qualifying during the solicitation period

4. METHODS OF PROCUREMENT

In addition to observing the City's purchasing policy approval limits, one of the following methods should be used:

- a. Micro-purchase: Purchases where the aggregate dollar amount does not exceed \$3,000, or the current limitation set by the Federal Acquisition Regulation at 48 CFR Subpart 2.1, where this threshold is periodically adjusted for inflation.
- b. Small purchase: Purchases up to the Simplified Acquisition threshold, which is currently \$150,000. Informal purchasing procedures are acceptable, but price or rate quotes must be obtained from an adequate number of sources.
- c. Sealed bid: Purchases over the Simplified Acquisition threshold, which is currently \$150,000. Under this purchase method, formal solicitation is required, and the fixed price (lump sum or unit price) is awarded to the responsible bidder who conformed to all material terms and is the lowest in price. This method is the preferred procurement method for construction contracts, if the following conditions apply:
 - i. A complete, adequate, and realistic specification or purchase description is available;
 - ii. Two or more responsible bidders are willing and able to compete effectively for the business, and,
 - iii. The procurement lends itself to a fixed price contract and the selection of the successful bidder can be made principally based on price.
 - iv. The invitation for bids will be publicly advertised and bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date for opening the bids;
 - v. The invitation for bids, which will include any specifications and pertinent attachments, must define the terms or services in order for the bidder to properly respond;
 - vi. Bids will be publicly opened at a time and place listed in the invitation for bids;
 - vii. A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts will only be used in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and
 - viii. Any or all bids may be rejected if there is a sound documented reason.
- d. Competitive proposals: Purchases over the Simplified Acquisition threshold, which is currently \$150,000. This procurement method requires formal solicitation, fixed-price or cost-reimbursement contracts, and is used when sealed bids are not appropriate. The contract should be awarded to the

responsible firm whose proposal is most advantageous to the program, with price being one of the various factors. If this method is used, the following requirements apply:

- i. Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical;
 - ii. Proposals must be solicited from an adequate number of qualified sources;
 - iii. The methods for conducting technical evaluations of the proposals received and for selecting recipients may include, but not limited to: oral interviews, references, past performance, availability to perform work, and certifications as determined by project scope.
 - iv. Any response that takes exception to any mandatory items in this proposal process may be rejected and not considered;
 - v. Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered; and,
 - vi. Competitive proposal procedures may be used for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services, though A/E firms are a potential source to perform the proposed effort.
- e. Noncompetitive proposals: Also known as sole-source procurement, this may be appropriate only when one or more of the following criteria are met:
- i. The item is available only from a single source;
 - ii. The public emergency for the requirement will not permit a delay resulting from competitive solicitation;
 - iii. The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-federal entity; or
 - iv. After solicitation of a number of sources, competition is determined inadequate.
- f. Procurement of recovered materials: The City must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that

maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

- g. Contracting with small and minority business, women's business enterprises, and labor surplus area firms. All necessary affirmative steps will be taken to assure that minority business, women's business enterprises, and labor surplus area firms are used when possible. Affirmative steps include:
 - i. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
 - ii. Assuring that small and minority businesses and women's business enterprises are solicited whenever they are potential sources;
 - iii. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses and women's business enterprises;
 - iv. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses and women's business enterprises;
 - v. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and,
 - vi. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.

5. CONTRACT COST AND PRICE

A cost or price analysis shall be performed in connection with every procurement action in excess of the Simplified Acquisition threshold (\$150,000) including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, independent estimates shall be made prior to receiving bids and proposals.

- a. Profit shall be negotiated as a separate element of the price for each contract in which there is a no price competition and in all cases where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.
- b. Costs or prices based on estimated costs for contracts under the federal award are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable for the City under Subpart E-Cost Principles of Part 200- Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.
- c. The cost plus a percentage of cost and percentage of construction cost methods of contracting shall be used.

6. FEDERAL AWARDING AGENCY OR PASS-THROUGH ENTITY REVIEW

- a. The City shall make available, upon request of the federal awarding agency or pass-through entity, technical specifications on proposed procurements where the federal awarding agency or pass-through entity believes such review is needed to ensure that the item or service specified is the one being proposed for acquisition. This review generally will take place prior to the time the specification is incorporated into a solicitation document. However, if the City desires to have the review accomplished after a solicitation has been developed, the Federal awarding agency or pass-through entity may still review the specifications, with such review usually limited to the technical aspects of the proposed purchase.
- b. The City will make available upon request, for the Federal awarding agency or pass-through entity pre-procurement review, procurement documents, such as requests for proposals or invitations for bids, or independent cost estimates, when:
 - i. Procurement procedures or operations fails to comply with the procurement standards in this part;
 - ii. The procurement is expected to exceed the Simplified Acquisition Threshold (\$150,000) and is to be awarded without competition or only one bid or offer is received in response to a solicitation;
 - iii. The procurement, which is expected to exceed the Simplified Acquisition Threshold, specifies a “brand name” product;
 - iv. The proposed contract is more than the Simplified Acquisition Threshold and is to be awarded to other than the apparent low bidder under a sealed bid procurement; or
 - v. A proposed contract modification changes the scope of a contract or increases the contract amount by more than the Simplified Acquisition Threshold.
- c. The City is exempt from the pre-procurement review in paragraph 2 of this section if the federal awarding agency or pass-through entity determines that its procurement systems comply with the standards of this part.
- d. The City may request that its procurement system be reviewed by the federal awarding agency or pass-through entity to determine whether its system meets these standards in order for its system to be certified. Generally, these reviews must occur where there is continuous high-dollar funding, and third-party contracts are awarded on a regular basis;
- e. The City may self-certify its procurement system. Such self-certification must not limit the federal awarding agency's right to survey the system. Under a self-certification procedure, the federal awarding agency may rely on written assurances from the City that it is complying with these standards. The City must cite specific policies, procedures, regulations, or standards as being in compliance with these requirements and have its system available for review.

7. BONDING REQUIREMENTS

Bonding Requirements. For construction or facility improvement contracts or subcontracts exceeding the Simplified Acquisition Threshold (\$150,000), the federal

awarding or pass-through entity may accept the bonding policy and requirements of the City provided that the federal awarding agency or pass-through entity has made a determination that the federal interest is adequately protected. If such a determination has not been made, the minimum requirements must be as follows:

- a. A bid guarantee from each bidder equivalent to five percent (5%) of the bid price. The bid guarantee must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified;
- b. A performance bond on the part of the contractor for 100 percent (100%) of the contract price. A performance bond is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract; and,
- c. A payment bond on the part of the contractor for 100 percent (100%) of the contract price. A payment bond is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.

8. CONTRACT PROVISIONS

All federal funding source compliance provisions shall include the following, as applicable:

- a. Contracts for more than the simplified acquisition threshold currently set at \$150,000, determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.
- b. Contracts in excess of \$10,000 must address termination for cause and for convenience by the City including the manner by which it will be effected and the basis for settlement.
- c. Equal Employment Opportunity - All contracts, when funded in whole or partly by monies derived from the federal government (either directly or indirectly), shall contain a provision requiring compliance with Equal Employment Opportunity.
- d. Davis-Bacon Act - Applies to construction contracts in excess of \$2,000. It requires contracts to pay laborers and mechanics wages not less than the prevailing wage as determined by the Secretary of Labor and must be required to pay wages not less than once a week. Each bid solicitation published by the City must contain the current prevailing wage determination. Any award of the contract must be conditioned on contractor's acceptance of that wage determination and suspected or reported violations of this act shall be immediately reported to the Federal awarding agency.
- e. Copeland "Anti-Kickback" Act - Applies to construction contracts in excess of \$2,000. It prohibits kickbacks in construction contracts funded with Federal

- monies. Contractors and subcontractors or subrecipients shall be prohibited from inducing any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled and suspected or reported violations shall be immediately reported to the Federal awarding agency.
- f. Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708) - Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.
 - g. Rights to Inventions Made Under a Contract or Agreement - If the Federal award meets the definition of "funding agreement" under 37 CFR §401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that "funding agreement," the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency.
 - h. Clean Air Act & Federal Water Pollution Control Act- Applies to contracts and sub grants in excess of \$150,000. Contractor shall be required to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act and the Federal Water Pollution Control Act. Suspected or reported violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).
 - i. Debarment and Suspension- Contracts funded with federal grant monies may not be awarded to contractors that have been debarred or suspended from receiving federal monies pursuant to the System for Award Management (SAM).
 - j. Byrd Anti-Lobbying Amendment- Contractors that apply or bid for an award of \$100,000 must certify that they will not and have not used federal funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or

employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award.

SECTION VII – SURPLUS PROPERTY

The Purchasing Officer is responsible for the transfer and disposition of surplus City property. “Surplus property” is used generically to describe any City property or equipment that is no longer needed or useable by the holding department. The Purchasing Officer or designee has the authority to declare item(s) surplus per IMC Section 3.44.150. For surplus property that was acquired using grant or special revenue funds, prior to disposition of such equipment, City Staff must notify the relevant agency or grantor of the damage, destruction, or loss of the equipment, and any steps to replace the equipment if applicable.

Surplus property that may result from the termination of a lease agreement shall be specifically reported to the Purchasing Officer prior to the termination of the lease. The report shall include all information about the lease, including purchase price at the commencement of the lease, residual value at the end of the lease, the total payments through the end of the lease and the fair market value at the end of the lease. In determining the fair market value, each department shall document the methods used to make such determination including tools such as Kelly Blue Book, classified advertisements, and local vendors with similar products available.

Each department shall periodically review its equipment, material, and inventory, and shall promptly notify the Finance Department of any surplus property. A surplus property form shall be completed and submitted for each surplus property item.

1. METHODS OF DISPOSITION

The Purchasing Officer or designee shall determine or approve one of the following methods of disposition that is most appropriate and in the best interests of the City.

a. Transfer to Another Department

Surplus property may be transferred between City departments. Departments wishing to transfer surplus property to or from another department shall complete the Property Transfer/Disposition Form (Attachment “J”) and submit it to the Finance Department for review. All transfers of items with an estimated value of \$1,000 or more require approval of the Department Heads from each department affected by the transfer.

b. Trade-In

Property declared as surplus may be offered as a trade-in for credit toward the acquisition of new property. All trade-in offers will be submitted for the review and approval of the Purchasing Officer. If surplus property is to be

applied to a purchase order, the trade-in value shall be itemized on the Purchase Order. The amount charged against the expenditure account will be the value of the purchase before application of the trade-in credit.

c. Return to Manufacturer

Surplus property may, when possible, be returned to the manufacturer for buy-back or credit toward the purchase of new property.

d. Disposal

Surplus property may be offered for sale by the Purchasing Officer with approval of the City Manager or City Council, as applicable. All surplus property is for sale "as is" and "where is", with no warranty, guarantee, or representation of any kind, expressed or implied, as to the condition, utility or usability or the property offered for sale. In addition to those methods authorized under IMC Section 3.44.150, appropriate methods of sale are:

- i. Public Auction - Surplus property may be sold at public auction. Public Auctions may be conducted by City staff, or the City may contract with a professional auctioneer including professional auction services.
- ii. Sealed Bids - Sealed bids may be solicited for the sale of surplus property. Surplus property disposed of in this manner shall be sold to the highest responsible bidder.
- iii. Selling for Scrap - Surplus property may be sold as scrap if the Purchasing Officer deems that the value of the raw material exceeds the value of the property as a whole.
- iv. Negotiated Sale - Surplus property may be sold outright if the Purchasing Officer determines that only one known buyer is available or interested in acquiring the property.
- v. No Value Item – Where the Purchasing Officer determines that specific supplies or equipment are surplus and of minimal value to the city due to spoilage, obsolescence or other cause or where the Purchasing Officer determines that the cost of disposal of such supplies or equipment would exceed the recovery value, the Purchasing Officer shall dispose of the same in such a manner as he or she deems appropriate and in the best interest of the City and as authorized under IMC Section 3.44.150.

2. PROCEEDS

Proceeds from the sale or trade-in of surplus property shall be returned to the appropriate fund.

SECTION VIII – ADMINISTRATIVE APPEALS PROCEDURES

Administrative Appeals Procedures fall into the following two categories:

1. INFORMAL

This category is for all purchases less than the maximum amount set by the Purchasing Resolution. The City Manager will be the approving authority for all Administrative Appeals for this category. Appeals must be written and submitted to the City of Irwindale within five (5) working days after the aggrieved Bidder is notified of the decision. A written decision will be issued within ten (10) working days after receipt of the written appeal. The appeal decision by the City Manager is final.

2. FORMAL

This category is for all purchases over the maximum amount set by the Purchasing Resolution. The City Council is the approving authority for formal appeals for the City of Irwindale. Appeals must be written and submitted to the City Manager within five (5) working days after the aggrieved Bidder is notified of the City Manager's decision. The City Council shall endeavor to issue a written decision within thirty (30) working days after receipt of the written appeal. The appeal decision made by the City Council is final.

SECTION IX – GIFTS AND REBATES

Every officer and employee of the City is expressly prohibited from accepting, directly or indirectly, from any person, company, firm or corporation to which any purchase order or contract is, or might be awarded, any rebate, gift, money, or anything of value whatsoever.

No officer or employee of the City shall discriminate in the provision of services to the public. This means not receiving gifts or other tokens of appreciation in connection with services rendered in the performance of duties for which they are already paid and not bestowing special favors upon any member of the public in return for gifts or gratuities.

No officer or employee of the City shall solicit any gift or accept or receive any gift whether it be money, services, loan, travel, entertainment, hospitality, promises, or any other form under circumstances where it can be reasonably inferred or expected that the gift was intended to influence in the performance of official duties or the gift is intended to serve as a reward for official action on the part of the employee.

No officer or employee of the City shall receive economic advantage or discount not available to all City employees. Examples of these occurrences include but are not limited to free or reduced admission to places of amusement or sporting events.

Every officer and employee of the City that is required to file an Annual Statement of Economic Interests (Form 700) under state law or the City's Conflict of Interest Code must also adhere to the City's Ticket and Pass Distribution Policy.

SECTION X – DEFINITIONS

AGREEMENT	An understanding or arrangement between two or more parties. Also see " <i>Contract</i> " and " <i>Purchase Order</i> ".
APPROPRIATION	City Council authorization in the approved City budget to expend public funds for a specific purpose.
AS IS	A term indicating that goods offered for sale in existing condition are without <i>Warranty</i> or <i>Guarantee</i> .
AWARD	The acceptance of a <i>Bid</i> or <i>Proposal</i> .
BID	An offer or proposal submitted by a Bidder setting forth the price for Goods, Services, or Construction to be provided.
BIDDER	An individual, firm, partnership, corporation or combination thereof, submitting a Bid, acting directly or through a duly authorized representative.
BLANKET PURCHASE ORDER	An <i>Agreement</i> of no more than one year between the <i>City</i> and a <i>Vendor</i> allowing authorized <i>City</i> employees to charge repetitive <i>Purchases</i> of supplies, equipment or services at pre-arranged prices, dollar limits and/or other terms and conditions.
BRAND NAME	A trade name which serves to identify a product or particular manufacturer.
CHANGE ORDER	City issued document used to modify a Purchase Order or Contract to add, delete, or revise the quantity, price or scope of Goods, Services, Professional Services or Construction being provided.
CITY	<i>City</i> shall mean the City of Irwindale and other such districts, authorities, or agencies as may be governed by the members of the City of Irwindale <i>City Council</i> .
CITY ATTORNEY	Shall mean the <i>City Attorney</i> or authorized deputies of the City Attorney's office of the City of Irwindale.
CITY COUNCIL	Shall mean and include the <i>City Council</i> of the City of Irwindale. It

shall also mean the governing boards of such other districts, authorities, or agencies as may be governed by the *City Council* of the City of Irwindale.

CITY MANAGER	Shall mean the <i>City Manager</i> of the City of Irwindale.
COMPETITIVE BIDDING CONTRACT	The submission of prices by individuals or firms competing for a <i>Contract</i> , privilege, or right to supply merchandise or services. A verbal or written, legally binding mutual promise between two parties.
CONTRACT PURCHASE ORDER	A <i>Purchase Order</i> (usually issued for one year) which outlines unit prices to be charged by the <i>Vendor</i> for the term of the <i>Purchase Order</i> . This type of <i>Purchase Order</i> is generally used for such things as electrical, plumbing and other goods and services which are anticipated to be needed periodically throughout the year. The <i>Bids</i> are usually expressed at hourly rates plus parts expressed at a specific <i>Discount</i> below list price.
COOPERATIVE PURCHASING	A purchasing method whereby the procurement requirements of two or more governmental entities are combined in order to benefit from the volume procurement or reduction in administrative expenses.
DESIGNEE	A duly authorized and appointed representative of an employee that holds a superior position to the person appointed to represent him or her.
DISCOUNT	An allowance or deduction from a normal or list price extended by a seller to a buyer to make the unit price more competitive.
DISPOSE OF	To transfer or part with, to sell; to get rid of; to throw out.
ENCUMBRANCE	Committing budgeted funds prior to receiving supplies, equipment or services; funds are shown as an encumbrance until supplies, equipment or services are received, at which time funds are actually expended.
EQUIPMENT	Personal property necessary to conduct the City's business, including, but not limited to furnishings, machinery, vehicles, rolling stock, and other property used to conduct the <i>City's</i> business.
FORMAL BID	A <i>Bid</i> which must be submitted in a sealed envelope and in conformance with a prescribed format, to be opened and announced at a specified time at a public opening.

GENERAL SERVICES	Services such as janitorial, uniform cleaning, maintenance, and other services for which the performance of such activities do not require any unique skill, special background or training.
GIFT	Transfer of personal property made voluntarily and without consideration.
GUARANTEE	A pledge or assurance that something is as represented and will be replaced or repaired if it fails to meet the stated <i>Specifications</i> .
INFORMAL BID	Written or verbal <i>Quotations</i> for supplies, equipment and services which pursuant to this policy are not required to meet the formal bidding requirements. <i>Informal Bids</i> include unsealed written quotes, verbal quotes and quotes received via fax or e-mail.
NON-RESPONSIVE BID	A <i>Bid</i> that does not conform to the essential requirements of the <i>Notice Inviting Bids</i> and is sometimes referred to as “Non-Conforming <i>Bid</i> ” or “Unresponsive <i>Bid</i> .”
NOTICE INVITING BIDS (NIB)	A formal notice, published in the newspaper or elsewhere or sent directly to potential <i>Bidders</i> , notifying them that the <i>City</i> is accepting bids for a specific purpose.
PROFESSIONAL SERVICES	Advisory, consulting, architectural, information technology, engineering, financial, legal, surveying, research or developmental and any other services which involve the exercise of professional discretion and independent judgment based on an advanced or specialized knowledge, expertise or training gained by formal studies or experience.
PROPOSAL	The executed document submitted by an offer or in response to a <i>Request for Proposals</i> (and the basis for subsequent negotiation).
PUBLIC CONTRACT CODE	Shall mean the <i>Public Contract Code</i> of the State of California.
PUBLIC PROJECT (definition is from State of California Public Contract Code)	<ul style="list-style-type: none"> a) A project for the erection, improvement, painting, or repair of public buildings and works. b) Work in or about streams, bays, waterfronts, embankments, or other work for protection against overflow. c) Street or sewer work except maintenance or repair. d) Furnishing supplies or materials for any such project, including maintenance or repair of streets or sewers.

PUBLICLY OWNED, LEASED or OPERATED FACILITY	Any plant, building, structure, ground facility, utility system, real property, streets and highways or other capital improvement, for which the project is to be undertaken by the <i>City</i> .
PURCHASE	Buying, renting, leasing or otherwise acquiring or obtaining goods, services or construction; this also includes all functions and procedures pertain thereto.
PURCHASE ORDER	Used to communicate to a vendor the City's terms and conditions, authorizes an encumbrance of City funds and is a contractual understanding to pay for acceptable goods and services received. Used to process payment and trace an expenditure in the financial system.
PURCHASING OFFICE	The division and/or department within the organization to which the purchasing function has been delegated by the <i>Purchasing Officer</i> .
PURCHASING OFFICER	Designated by the <i>City Manager</i>
QUOTATION	A <i>Bid</i> . A statement of price, terms of sale, and description of goods or services offered by a prospective seller to a prospective <i>Purchaser</i> , usually for <i>Purchases</i> below the amount requiring <i>Formal Bidding</i> .
REQUEST FOR PROPOSALS (RFP)	All documents, whether attached or incorporated by reference, utilized for soliciting competitive <i>Proposals</i> . The <i>RFP</i> procedure permits negotiation of <i>Proposals</i> and prices as distinguished from <i>Competitive Bidding</i> and a Notice Inviting <i>Bids</i> . The procedure allows changes to be made after <i>Proposals</i> are opened and contemplates that the nature of the <i>Proposals</i> and/or prices offered will be negotiated prior to <i>Award</i> .
REQUEST FOR QUOTATIONS (RFQ)	The document generally used for seeking competition on small <i>Purchases</i> or on any <i>Purchase</i> that does not require competitive <i>Sealed Bidding</i> . Can be used for obtaining price and delivery information for <i>Sole Source</i> and emergencies. Also, see <i>Quotation</i> .
RESPONSIBLE BIDDER	A person who has the capability in all respects to perform in full the <i>Contract</i> requirements, and the integrity and reliability which will assure good faith performance.
SEALED BID	A <i>Bid</i> which has been submitted in a sealed envelope to prevent its contents from being revealed or known before the deadline for the submission of all <i>Bids</i> ; required on <i>Formal Bids</i> .

SOLE SOURCE	An <i>Award</i> for a commodity or service to the only reasonably known capable supplier due to the unique nature of the requirement, the supplier, or market conditions.
SPECIFICATIONS	A description of what the <i>Purchaser</i> seeks to buy or accomplish, and consequently, what a <i>Bidder</i> must be responsive to in order to be considered for <i>Award</i> of a <i>Contract</i> . A <i>Specification</i> may be a description of the physical or functional characteristics, or the nature of a supply or service. It may include a description of any requirements for inspecting, testing, or preparing a supply or service item for delivery.
SPLITTING	To divide a <i>Purchase</i> into two or more parts in order to avoid the requirements of the Purchasing Policy. This action is prohibited by the Policy. Example : <u>Split</u> : If a department knows it will use \$11,000 of a particular supply in one fiscal year and it places two orders six months apart to keep each order below the \$10,000 limit, the action is considered <i>Splitting</i> and is not allowed under the policy. <u>Not Split</u> : If a department hires ABC Engineering to prepare a fee study for \$8,000 and also hires the same company to oversee a capital improvement project for \$9,000, the action is not considered splitting.
SUPPLIES	Office <i>Supplies</i> , janitorial <i>Supplies</i> , materials, goods, tools, or other commodities used in the general conduct of the <i>City's</i> business, excepting <i>Supplies</i> or materials for a <i>Public Work</i> which is regulated under the <i>Public Contract Code</i> section 20160, et seq.
SURPLUS PROPERTY	Any City personal property that is no longer needed or usable by the holding department.
VENDOR	A supplier of goods or services.
WARRANTY	The representation that something is true. Not to be confused with "Guarantee". A representation of utility, condition, and durability made by a Bidder or offerer for a product offered.

ATTACHMENTS

- A. Signature Authorization Form
- B. PO/Contract Check List
- C. Informal Bid/Quote Form
- D. Credit Card Authorization Form
- E. Sole Source Justification Form
- F. Emergency Justification Form
- G. Request for Disbursement Form
- H. Purchase Order/Contract Change Order Form
- I. Department Consultant List
- J. Contract Review and Transmittal Form
- K. Professional Services Cost Justification and Post Evaluation Form
- L. Property Transfer/Disposition Form
- M. Resolution 2019-27-3111 – Purchasing Resolution

Attachment "A"
CITY OF IRWINDALE

TO: All Departments
 FROM: Director of Finance
 DATE: Effective July 1, 2019
 SUBJECT: Annual Authorized Signatures

Please complete the following annual authorized signature designations for your department.
 This will supersede any previous authorizations.

ANNUAL AUTHORIZED SIGNATURE DESIGNATION										
DEPARTMENT							DIVISION:			FY
The following persons are authorized to approve/sign these various Finance documents as specified by an "X" in the appropriate box. Please indicate dollar limit. Period indicates time frame that authorization(s) will be in effect.										
Typed/Printed Name Signature	A/P Invoice	Req for pmt	Education Expense Reimb	Purch Req	Expense/ Revenue Transfer	Budget Transfer	Petty Cash	A/R Billing	Dollar Limit	
Name										
Sign.										
Name										
Sign.										
Name										
Sign.										
Name										
Sign.										
Name										
Sign.										
Name										
Sign.										
Name										
Sign.										
DEPARTMENT DIRECTOR SIGNATURE										DATE

Attachment "B"
PO/Contract Check List

1. Goods – Under \$5,000* – must have the following:

- One (1) quote from a vendor; use local vendor whenever possible and practicable

2. Goods - \$5,001 - \$30,000 – must have the following:

- Three (3) quotes or approved sole source waiver; ***copy attached***
- Piggyback Procurement Contract or Agreement entered in with _____; (i.e., WSCA, US Communities, NJIP, State of California, etc., ***copy attached***)
- Purchase Order Requisition completed and forwarded to Purchasing for P.O. generation

3. Services - \$5,001 - \$30,000 – must have the following:

- Three (3) quotes or approved sole source waiver (use local vendors when possible); ***copy attached***
- Signed "Short form" contract; ***copy attached***
- Insurance certificate(s) or waiver – if service (only); ***copy attached***
- Piggyback Procurement Contract or Agreement entered in with _____; (i.e., WSCA, US Communities, NJIP, State of California, etc., ***copy attached***)
- Purchase Order Requisition completed and forwarded to Purchasing for P.O. generation

4. Goods \$30,000 and above must have the following:

- Completed formal bid process required; ***copy attached***
- City Council approval; copy to be attached to P.O.
- Insurance certificate(s) or waiver; ***copy attached if applicable***
- Purchase Order Requisition completed and forwarded to Purchasing for P.O. generation

5. Services \$30,000 and above – must have the following:

- Completed request for proposal process
- City Council approval; *copy to be attached to P.O.*
- Signed Standard Professional Services Agreement; ***copy attached***
- Insurance certificate(s) or waiver; ***copy attached***
- Piggyback Procurement Contract or Agreement entered in with _____; (i.e., WSCA, US Communities, NJIP, State of California, etc., ***copy attached***
- Purchase Order Requisition completed and forwarded to Purchasing for P.O. generation

6. Public Works Projects – PWC’s, Goods and Services and Professional Services Agreements – \$5,000 and above must have the following:

- Completed PWC formal invitation-to-bid process
- City Council Approval and Signed by Mayor; ***copy attached to P.O.***
- Signed Standard Professional Services Agreement; ***copy attached***
- Purchase Order Requisition completed and forwarded to Purchasing for P.O. generation
- Signed Debarment and Suspension form
 - Check www.epls.gov for prime, principal and subcontractor(s)
 - Print & attach copies as verification
- Insurance certificate(s) or waiver; ***copy attached***
- Applicable Contract Bonds; ***copies attached***

Attachment "C"

CITY OF IRWINDALE
Informal Bid/Quote Form

A minimum of 3 bids must be attached to this form in order to process a PO.

Project Name _____ Project or Quote No. _____

Brief Description of Item(s) being purchased: _____

Quantity: _____ Size: _____ Specs: _____

1. Company Name _____

Address _____

Phone _____ E-mail _____

Unit Cost (s) \$ _____ Total \$ _____

2. Company Name _____

Address _____

Phone _____ E-mail _____

Unit Cost (s) \$ _____ Total \$ _____

3. Company Name _____

Address _____

Phone _____ E-mail _____

Unit Cost (s) \$ _____ Total \$ _____

Accept the lowest bid of _____
(Name of Bidder)

Accept the bid of _____ . See remarks
section below. (Name of Bidder)

Reject all bids. See remarks section below.

IF THE AWARD IS TO BE MADE TO OTHER THAN THE LOW BIDDER, PLEASE PREPARE A COMPLETE AND FULL JUSTIFICATION OF THE REASON FOR REJECTION. You may write your justification below and obtain the necessary authorized signatures (i.e. department head). If you have any questions, please call me at Ext. 294.

REMARKS: (All bids are periodically audited; therefore, all exceptions to and rejections of low bids shall be documented.)

Bids obtained by: _____ Date: _____

Department Head Signature: _____ Date: _____

Purchasing Officer Signature: _____ Date: _____

Attachment "D"

Card No.: _____

Finance Auth: _____



City MasterCard Purchase

(This form must be completed and approved prior to use of the City MasterCard)

Date of Purchase: _____

Vendor: _____

Item Purchased: _____

Amount Charged: \$ _____

Expenditure Account Number: _____

Department Approval: _____

City Manager Approval: _____

PLEASE ATTACH ALL RECEIPTS, TRAVEL (INFO), PURCHASE ORDERS, ETC...TO THIS FORM.

Revised 07/16/2018

Attachment "E"

CITY OF IRWINDALE
Sole Source Justification Form

Item Requested: _____

Vendor: _____

Cost: _____

Which definition of "Sole Source" does this request meet?

- Exclusive Product
- Sole Source
- Proprietary
- Standardization

Justification and Explanation:

Requisition attached: Yes No

Requesting Department _____ Date _____

Department Head Signature _____

Purchasing Use Only

Date Received _____ Council Action Required Yes No

Comments

Purchasing Officer Approval _____ Date _____

Attachment "F"

CITY OF IRWINDALE
Emergency Justification Form

Purchase Order Number: _____ Amount \$ _____

Vendor Name: _____

Contact: _____ Phone: _____

Emergency purchases should be made only:

1. To preserve or protect life, health or property; or
2. Upon natural disaster; or
3. To correct or forestall a shutdown to maintain essential public services; or
4. Other unforeseeable events.

This form should be forwarded to Purchasing, with a prepared requisition, and any delivery timeframe, documents, etc. Attach any cost comparisons, quotations, Council agenda statements, resolutions, or other pertinent information:

Department/Division: _____

Department Head Signature: _____ Date: _____

City Manager Signature: _____ Date: _____
(Emergency purchases estimating/totaling over \$5,000 require City Manager signature)

Council Resolution Number: _____ Council Date: _____
(Emergency purchases estimating/totaling over \$30,000 require Council approval. Attach resolution)

Purchasing Officer Signature: _____ Date: _____

Attachment "G"
CITY OF IRWINDALE
Request for Disbursement

To: Finance Department

From Dept.: _____

Vendor Number		Vendor Name:	
P.O. Number		Address:	
		City, State, Zip:	

Date	Invoice No.	Description	Account Number	Amount Due
TOTAL				\$0.00

DATE:	APPROVED:
DATE:	APPROVED:
DATE:	CITY MANAGER

Finance Only:

Date:	Initial:
-------	----------

Attachment H"

CITY OF IRWINDALE
Purchase Order/Contract Change Order Form

Change Order No. _____ Vendor Name: _____

Date of Purchase Order/Contract _____ Purchase Order No _____

Original Amount of Purchase Order/Contract \$ _____

Amount of Increase(Decrease) \$ _____

New Total Order/Contract Amount \$ _____

Account Number _____

Reason for change:

Requesting Department _____ Date _____

Department Head Signature _____

Purchasing Department Use Only

Date Received _____ Council Action Required Yes No

Comments

Purchasing Officer Approval _____ Date _____

CHANGES WILL NOT BE MADE BY PURCHASING WITHOUT THIS FORM

Attachment "I"

CITY OF IRWINDALE

Department Consultant List

Firm Name _____

Type of Service _____

Contract Cost \$ _____ Length of Contract _____

Date Entered Into _____ Total Years Retained by City _____

Firm Name _____

Type of Service _____

Contract Cost \$ _____ Length of Contract _____

Date Entered Into _____ Total Years Retained by City _____

Firm Name _____

Type of Service _____

Contract Cost \$ _____ Length of Contract _____

Date Entered Into _____ Total Years Retained by City _____

Firm Name _____

Type of Service _____

Contract Cost \$ _____ Length of Contract _____

Date Entered Into _____ Total Years Retained by City _____

Prepared by: _____ Date: _____

Department Head Approval: _____ Date: _____

Attachment "J"

**CITY OF IRWINDALE
CONTRACT REVIEW AND TRANSMITTAL FORM**

This form must be completed and attached to all contracts circulated for review and approval.
 For administratively approved contracts, originating department is responsible for attaching this transmittal to contracts within the signing authority of the City Manager (\$20,000 or less); City Clerk's office is responsible for attaching this transmittal to contracts taken to City Council for approval.
 In addition to this form, the following items should also be included in your submittal packet:

- All exhibits and attachments referenced in the contract;
- A bid/quote/summary form, if a competitive bid or RFP process (formal or informal) was used; and if this is a contract amendment, provide date of original approval

Date: _____

Department Contact: _____ Phone Extension: _____

Expiration Date of Contract: _____ Original Approval Date (for amendments): _____

Required Materials:

- 1 original contract (Library, Senior Center, Recreation)
- 2 original contracts (City Council approved, other administratively approved)
- Insurance Certificate with required limits
- Bond: (if applicable, please check) Performance Faithful Labor

CONTRACTOR NAME: _____

TYPE OF CONTRACT:

- Vendor Professional Service Construction Instructor Other: _____

<p>PLEASE NOTE: The following review/signature sequence is strongly preferred; however, this sequence may be changed if circumstances warrant. <u>The City Attorney's Office must always approve before the Mayor/City Manager signs the contract.</u></p>	
<p style="text-align: center;"><u>Administratively Approved Contracts & Agreements</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> 1 original contract (Library, Senior Center, Recreation) <input type="checkbox"/> Contractor Signature <input type="checkbox"/> Received by City Clerk's Office <input type="checkbox"/> Entered onto Contract Log <input type="checkbox"/> Human Resources / Risk Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> City Manager and/or Mayor <input type="checkbox"/> City Clerk to enter into Laserfiche <input type="checkbox"/> City Clerk to send to Originating Department and Finance 	<p style="text-align: center;"><u>Council Approved Contracts & Agreements</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> 2 original contracts <input type="checkbox"/> City Clerk Dept enter onto Contract Log <input type="checkbox"/> City Attorney <input type="checkbox"/> City Manager and / or Mayor City Clerk to: <ul style="list-style-type: none"> <input type="checkbox"/> 1) Mail two originals to Contractor <u>OR</u> <input type="checkbox"/> 2) Provide two originals to originating Dept <input type="checkbox"/> Date provided to Contractor or Dept <input type="checkbox"/> All signatures collected <input type="checkbox"/> Entered into Laserfiche <input type="checkbox"/> City Clerk to send to Originating Department and Finance

Attachment "K"

CITY OF IRWINDALE

Professional Services Contracts

Cost Justification and Post Evaluation Form

(For Professional Consulting Services over \$30,000 exempt from the Bidding Process)

Vendor Name: _____

Contract Date: _____

Description of Professional Services Provided:

Justification or explanation for reasonableness/fairness of contract cost:

Post Contract Evaluation

Describe whether the professional services were completed satisfactorily and met the City's expectations and quality standards:

Attachment "L"
CITY OF IRWINDALE
PROPERTY TRANSFER/DISPOSITION FORM

(USE ONE FORM PER ITEM)

INSTRUCTIONS

- | | |
|--|------------------------------------|
| 1. Complete Section A | 4. Section D – Approval Signatures |
| 2. Use Section B for Transfers Only | 5. Return to Purchasing Department |
| 3. Use Section C for Dispositions Only | |

SECTION A – GENERAL EQUIPMENT INFORMATION

Description of Item (Complete where applicable):

Original Purchase Price is estimated to have been less than \$5,000. Yes No

City Tag # _____ Vehicle Identification # _____

Model # _____ Serial # _____

Manufacturer Name _____ Year of Manufacture _____

Condition: Good Fair Poor Operational Non operational Beyond Repair

SECTION B – INTERNAL TRANSFER BETWEEN DEPARTMENTS

Estimated Surplus Value: \$ _____

Estimate from City Staff – Name: _____

Professional Appraisal (please attach a copy)

Estimated Depreciation Value – Describe: _____

Offer from Another Agency – Name: _____

SECTION C - DISPOSITION

No value (broken or destroyed) – Tossed Trade in for new Replacement Equipment

Transferred to a Non-Profit:

Transferred to a Governmental Agency:

Auction:

Name: _____

Address: _____

Phone: _____

Sale Price: \$ _____ Net Sale Price (Purchase price less any fees paid): \$ _____

Payment Method to the City Check Trade in Value on Purchase Order: \$ _____

SECTION D – APPROVAL SIGNATURES

Originating Department Approval

Dept. Head Name: _____

Title: _____

Signature: _____

Date: _____

Receiving Department Approval (If applicable)

Dept. Head Name: _____

Title: _____

Signature: _____

Date: _____

Authorized City Official Approving Property Transfer/Disposal

Name: Laura Nomura

Title: Director of Finance

Signature: _____

Date: _____

Distribution: Copy to Finance, Originating Department, and Receiving Department

FOR SERVICE YARD USE ONLY

Date of Pickup: _____ Final Destination: _____

Service Yard Employee Signature: _____

Attachment "M"

RESOLUTION NO. 2019-27-3111

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE RESCINDING CITY COUNCIL RESOLUTION NO. 2009-04-2362 AND AUGMENTING THE DOLLAR LIMITS APPLICABLE TO PURCHASING PURSUANT TO CHAPTER 3.44 OF THE IRWINDALE MUNICIPAL CODE, REVISING SIGNATURE AUTHORITY LEVELS, AND APPROVING UPDATES TO THE PURCHASING POLICY

WHEREAS, City Council desires to improve the efficiency and effectiveness of the City's purchasing operations; and

WHEREAS, the Irwindale Municipal Code Chapter 3.44 provides for the establishment of a purchasing system and specific dollar amounts for the City's formal and informal bid procedures and signature authority levels; and

WHEREAS, the City Council had, pursuant to its Resolution No. 2009-04-2362 adopted on January 14, 2009, last updated the dollar limits for formal and informal bids and signature authority levels; and

WHEREAS, it has been over ten (10) years since the City last updated its purchasing dollar limits and signature authority levels; and

WHEREAS, the City Council desires to adjust the dollar limits for informal and formal bids and signature authority levels to reflect the increase in costs of materials and services since 2009; and

WHEREAS, the policies for Federally Funded Procurements were recently amended by the federal Office of Management and Budget (OMB), and it is required for cities to update their policies to include these updates from the Uniform Guidance Code, Title 2, Subtitle A, Chapter II, Section 200; and

WHEREAS, the City Council also desires to update the Purchasing Policy to incorporate recommendations resulting from City audits.

NOW THEREFORE, be it resolved by the City Council of the City of Irwindale, California, as follows:

SECTION 1. That City Council Resolution No. 2009-04-2362 is hereby rescinded and replaced by this Resolution.

SECTION 2. The informal bid limit shall be established at \$5,000, and the formal bid limit shall be established at \$30,000.

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SECTION 3. The signature authority levels are established at \$30,000 for the City Manager, \$15,000 for the Assistant City Manager, \$12,000 for Department Heads, \$7,500 for the Purchasing Officer, and \$7,500 for all Department Managers.

SECTION 4. The Revised Purchasing Policy Manual included as Exhibit A, shall be approved with the new Federal Funding Procurement requirements, and other audit recommendations and edits needed.

SECTION 5. That the Chief Deputy City Clerk shall certify the passage and adoption of this resolution, and the same shall thereupon take effect and be in force.

PASSED, APPROVED AND ADOPTED this 26th day of June 2019.


Albert F. Ambriz, Mayor

ATTEST:


Laura M. Nieto, MMC
Chief Deputy City Clerk

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES } ss.
CITY OF IRWINDALE }

I, Laura M. Nieto, Chief Deputy City Clerk of the City of Irwindale, do hereby certify that the foregoing Resolution No. 2019-27-3111 was duly adopted by the City Council of the City of Irwindale at a regular meeting thereof held on the 26th day of June 2019, by the following vote:

AYES:	Councilmembers:	Breceda, Garcia, Ortiz, Mayor Ambriz
NOES:	Councilmembers:	Burrola
ABSTAIN:	Councilmembers:	None
ABSENT:	Councilmembers:	None


Laura M. Nieto, MMC
Chief Deputy City Clerk

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