

Commissioner Odom moved that the following Resolution be adopted:

BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF THE COUNTY OF JEFFERSON

STATE OF COLORADO

RESOLUTION NO. CC12-198

RE: County Administrator – Policy Manual Part 2, Chapter 1, Section 2 Regarding Delegation of Authority, Part 4, Chapter 6, Section 1 Regarding Purchasing, and Part 4, Chapter 6, Section 2 Regarding Procurement Cards

WHEREAS, the Administrative Services Department has undergone a reorganization that eliminated the Purchasing Division and included Purchasing Operations under the Accounting Division, and

WHEREAS, the Delegation of Authority Appendix delegated signature authority to the Director of the Purchasing Division, and

WHEREAS, the Purchasing Policy and the Procurement Card Policy made reference to the Purchasing Division and the Director of the Purchasing Division, and

WHEREAS, the County Administrator's Office recommends changing any authority previously delegated to the Purchasing Division Director to the Accounting Division Director or the Accounting Director's Designee and changing references to the Purchasing Division or Purchasing Division Director to Purchasing Operations or Purchasing Operations Manager as appropriate, and

WHEREAS, the Board of County Commissioners previously discussed the reorganization and the subsequent need for revisions at its briefing on May 15, 2012.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Jefferson County that the existing policy 2.1.2 and the existing Delegation of Authority Appendix dated May 8, 2012 are hereby rescinded and replaced with the Policy and appendix attached hereto, effective May 22, 2012, and

BE IT FURTHER RESOLVED, by the Board of County Commissioners of Jefferson County that the existing policy 4.6.1 dated February 27, 2007 and the existing policy 4.6.2 dated November 17, 2009 are

hereby rescinded and replaced with the Policies attached hereto, effective May 22, 2012, and

BE IT FURTHER RESOLVED, that the Board of County Commissioners hereby approves and ratifies any previous actions taken in conformance with the Delegation of Authority Policy, including contracts covered by the Policy that were signed by the County Administrator, the Administrative Services Department Director, the Accounting Division Director, the Manager of Purchasing Operations, or their respective designees.

Commissioner Griffin seconded the adoption of the foregoing Resolution. The roll having been called, the vote was as follows:

Commissioner John Odom	Aye
Commissioner Faye Griffin	Aye
Commissioner Donald Rosier, Chairman	Aye

The Resolution was adopted by unanimous vote of the Board of County Commissioners of the County of Jefferson, State of Colorado.

Dated: May 22, 2012

Title: Administrative Policy Contract and Delegation Authority	Policy No. Part 2, Board Administration Chapter 1, Board of County Commissioners Section 2
	Effective Date May 22, 2012
Policy Custodian Board of County Commissioners	Adoption/Revision Date May 22, 2012

Adopting Resolution(s): CC12-198

References (Statutes /Resos/Policies): §30-11-107 (1) (aa) C.R.S.; CC86-956, CC90-556, CC90-668, CC90-754, CC90-857, CC90-861, CC91-24, CC91-176, CC91-540, CC92-218, CC94-224, CC92-334, CC92-842, CC92-918, CC93-253, CC93-443, CC93-749, CC94-201, CC99-457, CC00-356, CC00-411, CC03-592, CC09-259, CC10-217, CC11-152, CC11-172, CC12-172

Purpose: To establish Board of County Commissioners' authority to contract and delegate contracting authority.

Policy: Board of County Commissioners Contract and Delegation Authority

A. Authority

1. The County has authority pursuant to Section 30-11-101(1), C.R.S., "to make all contracts and do all acts in relation to the property and concerns necessary to the exercise of its corporate or administrative powers."
2. The Board of County Commissioners has authority pursuant to Section 30-11-107(1) (aa), C.R.S., to establish policies and procedures regarding entering into contracts binding on the County and to delegate its power to enter into such contracts pursuant to such policies and procedures.

B. Approval

1. The Board of County Commissioners' approval of a contract by resolution duly adopted by the Board of County Commissioners shall:
 - a. Constitute authorization of the Board of County Commissioners for the Chairman, or the Chairman pro-tem in the absence of the Chairman, or any Commissioner in the absence of the Chairman and the Chairman pro-tem, to execute the contract.
 - b. Authorize the Chairman, or the Chairman pro-tem in the absence of the Chairman, or any Commissioner in the absence of the Chairman and the Chairman pro-tem, to execute all documents necessary for the completion of the services, transactions amendments to the contract, or other objects of the contract unless otherwise stated in the contract, including, but not limited to, any attachments to the contract, certifications, applications, licenses, permits, or any other documents required or implied by the terms of the contract.

2. The Board of County Commissioners' approval of a contract for the conveyance or acquisition of an interest in property of any kind (including real property, personal property and water rights), shall authorize the Chairman, or the Chairman pro-tem in the absence of the Chairman, or any Commissioner in the absence of the Chairman and the Chairman pro-tem, to execute all documents necessary for the completion of the transaction or transactions including, but not limited to All documents referenced in subsection B.1.b, Commissioners' Deed(s). Commissioners' Easement(s), Acceptance of Deed(s), Acceptance of Easement(s).
3. All documents must be approved by the County Attorney's Office prior to execution by the Chairman, or the Chairman pro-tem in the absence of the Chairman, or any Commissioner in the absence of the Chairman and the Chairman pro-tem.
4. The Chairman, or the Chairman pro-tem in the absence of the Chairman, or any Commissioner in the absence of the Chairman and the Chairman pro-tem, may not execute documents, contracts, or amendments which:
 - a. obligate the County to a sum in excess of the contract sum or a term in excess of the contract term unless such additional amount or additional contract time is authorized in the resolution approving the contract or in the contract itself.
 - b. are not approved by resolution duly adopted by the Board of County Commissioners.

C. Delegation of Authority

1. The Board of County Commissioners may delegate authorities through resolutions or policies, including but not limited to the following:
 - a. The Delegation of Authority Appendix
 - b. Human Service Calendar Year Agreements
 - c. Short-Term Delegation List

Title: Administrative Policy Purchasing	Policy No. Part 4, Financial Administration Chapter 6, Procurement and Contracting Section 1
	Effective Date May 22, 2012
Policy Custodian Administrative Services	Adoption/Revision Date May 22, 2012

Adopting Resolution(s): CC12-198

References (Statutes/Resos/Policies): Uniform Commercial Code, Amendment 41, CC03-417, CC07-106

Procedure: Yes

Purpose: To establish policies governing purchasing activities.

Policy: Purchasing

A. General Responsibility

1. Purchasing Operations is the County's authorized agent for the lease, rental and purchase of products and services for all County departments, divisions and elected offices (collectively "County Entities"), in accordance with any applicable provisions of laws and regulations, and in accordance with County policies promulgated by resolutions approved by the Jefferson County Board of County Commissioners ("BCC").
2. Purchasing Operations will submit products and services to proposal or bid, issue purchase orders, and in conjunction with the County Attorney's office, negotiate and enter into contracts and Master Agreements for products and services.
3. Purchasing Operations shall not participate in the negotiation of agreements for the lease, purchase, or sale of real property.
4. It is the responsibility of Purchasing Operations to provide "best in class" procurement and contracting support services that will provide the best value to the County as set forth in Section B.6 of this policy. Purchasing Operations shall implement sound business practices and programs that promote fiscal responsibility, mitigate County risk, strategically position the County for future benefit, and facilitate transparency and due diligence in all County transactions.
5. Purchasing Operations is responsible for reviewing requisitions for completeness and clarity and notifying County Entities when there is a need for additional information or a recommended change in specifications. Purchasing Operations shall clarify the quality, quantity and type of items requisitioned so that the best interests of the County may be served. No changes, however, will be made to a requisition until after collaborative discussion with and subsequent notification to the affected County Entity.
6. Purchasing Operations may negotiate agreements for products and services that can be used by other local governmental entities to promote goodwill and leverage economies of scale consistent with the provisions of Colorado statute.
7. Purchasing Operations has authority, in accordance with its established Procedures, to determine the manner in which a product or service will be acquired.

B. Procurement & Contracting Procedures

1. Procedures that will support these policies are set forth under separate cover ("Procedures"). These Procedures shall apply to all County Entities and will incorporate the requirements of applicable state statutes and federal laws that may govern certain County transactions.
2. Procedures will be established collaboratively with other County Entities as appropriate in an effort to ensure efficient and effective operations.
3. All Procedures shall be established in accordance with sound business practices, principles, and any applicable provisions of laws and regulations. The County Attorney's office shall review procedures to ensure consistency with Policy and any applicable state statutes and federal laws that may govern certain County transactions.
4. Laws and regulations applicable to the procurement process will be referenced in the Procedures.
5. Products and services subject to competitive procurement shall be awarded to the supplier that can provide the "Best Value" for the County. Best Value will be determined based upon clearly stated evaluation criteria set forth in the competitive document, unless otherwise required by applicable laws and regulations. For purposes of this policy, best value shall be defined as: the lowest overall cost to the County after taking into consideration actual costs, tangible and intangible benefits and or metrics, cost savings, cost avoidance, or opportunity cost. All business awarded in this manner must have detailed documentation as set forth in the Procedures supporting the best value selection.

C. Special Review and Approval Requirements

In addition to the approval requirements set forth in the Procedures for County acquisitions, the following items shall require special review and approval prior to acquisition:

Acquisition	Reviewing Authority
Certificates of Participation expenditures (fund 130)	County Administrator
All Capital Improvement Projects	Budget Director
County Vehicles, excluding Sheriff	Director of Fleet Services
Computer hardware and software products & services	Chief Information Officer or Deputy Chief Information Officer
Telecommunications Equipment Products & services	Chief Information Officer or Deputy Chief Information Officer
Microfilming and computer microfilm services	Archives and Records Management Supervisor
Radio Equipment	Radio Maintenance Supervisor
Surplus Property Disposal (other than PC equipment)	Division/Office Director and Director of Administrative Services
Surplus PC Equipment	Chief Information Officer or Deputy Chief Information Officer
Electrical Equipment (with special voltage requirements)	Director of Facilities and Construction Management
Hazardous Material Disposal	Critical Incident Response Section (Sheriff) Jefferson County Public Health Department

D. Approval Authority

Spending and competitive bid levels and the review, approval and signature authorities for procurement transactions are set forth in the Delegation of Authority Appendix to these policies. Any authority level changes to the Delegation of Authority Appendix shall require approval by the BCC.

E. Supplier Relations

1. Market Competition

Purchasing Operations shall encourage and provide equitable opportunities among qualified suppliers for fair and equal competition through the implementation of its Procedures. Such competition shall support the strategic initiatives of the County and establish mutually beneficial relationships between the County and its suppliers.

2. Strategic Supplier Relationships

- a. For purposes of this policy, strategic supplier relationships are defined as long term commitments characterized by information sharing, cooperative continuous improvement efforts, and sharing of risks and rewards. Under the direction of the Purchasing Operations Manager, the selection of a strategic supplier is a collaborative effort with primary stakeholders and is based upon a critical and thorough analysis of the County's long term needs as they relate to the product and/or service, a thorough market analysis, objective evaluation of all critical requirements, and other vigorous due diligence procedures as set forth procedurally.
- b. Strategic supplier relationships must provide 'Best Value' as defined in Section B.6 of this Policy.

3. Preferences

No provision is made in this policy for set-asides for minority or women owned businesses, nor for dollar percentage or other types of preferential considerations for local vendors and contractors, except as directed by federal or state laws or regulations, statute, or by the funding entity consistent with those laws.

4. Supplier Grievances

- a. The aggrieved party bears the burden of complying with all applicable Procedures, which are available upon request, when filing a protest.
- b. All protests must be sent to the Director of Administrative Services and will be addressed in accordance with the Procedures. The determination and resolution of the protest, as set forth in the Procedures, shall be considered final.

F. Negotiations and Good Faith Requirement

1. All parties involved in the negotiation, performance or administration of County procurement actions shall perform these activities in good faith. New or additional information, that in the opinion of the Purchasing Operations Manager might affect the award, may be considered as part of the negotiations with the selected supplier.
2. Purchasing Operations and/or the County Attorney's office in conjunction with the County Entity are authorized to facilitate negotiations concerning general business and legal terms and conditions of the transaction.

G. Use of County-Wide Programs

1. Purchasing Operations, for the benefit of the County, may establish programs and agreements for similar products and services that are utilized by multiple County Entities. Entities under the direction of the County Administrator shall participate in these programs and agreements for their similar needs to ensure the best use of the taxpayers' money subject to G.2.below. Elected Officials' offices are strongly encouraged to participate in these programs and agreements.
2. Acquisitions for similar products and services outside of County programs and agreements must have appropriate justification and documentation as set forth in the Procedures and must be approved by the Purchasing Operations Manager.
3. Procurement Card ("P Card" or "Pro Card")
Purchasing Operations shall administer and manage the program as set forth in Procurement Card Policies and Procedures.

H. Code of Ethics

Any person employed by Jefferson County who engages in purchasing activities for the County will abide by this code and will:

1. Avoid engaging in acts or actions that could be perceived as immoral, illegal or unethical behavior in relationships, actions, and communications.
2. Conduct all purchasing activities in accordance with governing laws and regulations and in keeping with sound business ethics, professional courtesy, and competence.
3. Demonstrate loyalty to the County by diligently adhering to County policies and procedures.
4. Adhere to the authority granted them by the County.
5. Avoid any private or professional activity that would create a conflict between personal interests and the interests of the County.
6. Disclose, in writing to their division/department director/elected official, any potential conflict of interest.
7. Refuse, directly or indirectly, gifts, gratuities or any other thing of value from present or potential suppliers that might influence or appear to influence procurement decisions.
8. Afford suppliers equal opportunity to compete for County business when competition is warranted and purchase without prejudice, striving to obtain the maximum value for each dollar of expenditure.
9. Adhere to and protect the supplier's business and legal rights to confidentiality for trade secrets and other proprietary information subject to public records requirements.
10. Enhance the proficiency and stature of the purchasing profession by adhering to the highest standards of ethical behavior.

Title: Administrative Policy Procurement Cards	Policy No. Part 4, Financial Administration Chapter 6, Procurement and Contracting Section 2
	Effective Date May 22, 2012
Policy Custodian Administrative Services	Adoption/Revision Date May 22, 2012

Adopting Resolution(s): CC12-198

References (Statutes/Resos/Policies): CC07-201, CC09-452

Procedure: Yes

Purpose: The Jefferson County, Colorado Procurement Card (PCard) program was created to provide an efficient, cost effective alternative to the traditional, labor-intensive purchase transactions for goods and services such as purchase orders, petty cash and voucher requests, and field purchase orders. The card can be used to purchase those items requiring accelerated acquisition, and emergency purchases required to maintain operations.

Policy: Procurement Cards

A. Purchasing Operations and Accounting Division Responsibility

1. Purchasing Operations shall establish procedures to issue Procurement Cards (P Cards), set up accounts and monitor compliance.
2. The Purchasing Operations Manager may designate a Program Administrator.
3. On a monthly basis, Purchasing Operations shall:
 - a. Perform usage reviews to verify appropriate card usage.
 - b. Compare list of cardholders with list of employees separated from employment and cancel cards as necessary.
4. On a monthly basis, the Accounting Division shall review account statements to identify purchases of Capital Equipment and Non-Capital Equipment that must be inventoried in accordance with the Inventory Policy.
5. Purchasing Operations, in conjunction with Elected Officials and Department/Division Directors, or their designee, shall establish monthly charge limits for each P Card. Each P card shall be assigned a unique Business Unit (BU) number linked to a specific individual and respective Department, Division or Office. Once issued, the BU number can only be changed by Purchasing.

B. Department/Division Director or Elected Official Responsibility

1. Each Department/Division Director or Elected Official shall designate cardholders and determine spending authority limits. A Procurement Card Request Form shall be completed for each cardholder.

2. Each Division, Department, or Office shall have a designated P Card Coordinator.
 - a. The P Card Coordinator shall be responsible for printing monthly account statements for cardholder and supervisor verification that purchases fall within the scope of P Card Policy and Procedure.
 - b. If any purchases do not conform, the P Card Coordinator will notify the P Card Program Administrator who will contact the cardholder and/or their supervisor to initiate corrective measures as necessary.
3. On a monthly basis, the Department/Division Director or Elected Official shall:
 - a. Review and verify cardholder account statements
 - b. Notify Purchasing Operations of any cardholders who have separated from employment.
4. On an annual basis, the Department/Division Director or Elected Official shall review each employee's spending behavior and adjust the spending limit accordingly.

C. Employee Responsibility

1. Employees shall comply with P Card Policy and Procedures, including proper safekeeping, knowing Acceptable and Unacceptable Uses, and being Accountable for non-compliance.
2. On a monthly basis, cardholders shall:
 - a. Review and verify the account statement
 - b. Submit receipt or verification for each transaction
3. Cardholders shall not permit others to use their card unless prior written approval from the respective Division/Department Director or Elected Official has been granted.
4. Accidental misuse of the card shall be reported immediately to the Purchasing Operations Manager or the Accounting Division Director to determine acceptability and accountability.
5. If unsure whether a particular purchase is within the bounds of the P Card Policy and Procedure, the cardholder shall contact the P Card Program Administrator or the Purchasing Operations Manager for clarification.
6. Failure to comply with P Card Policy and Procedure will result in loss of card privileges and further disciplinary action pursuant to existing Jefferson County Personnel Rules.

D. P Card Usage

1. Jefferson County retains the right to cancel P Card privileges at any time. Cards will be collected and cancelled should any cardholder fail to follow Policy and Procedures.
2. Examples of acceptable and unacceptable uses of the P Card are outlined in the P Card Procedures. Finalized categories for acceptable and unacceptable uses of the P Card will be determined by the individual requirements of the business unit.
3. In evaluating instances of misuse, emergency circumstances as outlined in the P Card Procedures will be considered, however, when feasible, an attempt to obtain approval should be made prior to purchase.