

**Converse County Senior Citizens Service District
Procurement Policy and Procedures**

**Adopted by the Board
Effective: February 13, 2023**

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Definitions:

“Asset or Fixed (Capital) Asset” means one item valued at \$5,000 or more and a useful life of more than one year.

“Board” means the current Board of the Converse County Senior Citizens Service District.

“Capital Expenditure” means an expenditure of or greater than \$3,500.

“Change Order” means a written authorization provided by a vendor requesting approval of a change from the original plans, specifications, or other contract documents, as well as a change in the cost.

“Conflict of Interest” means any situation in which financial or other personal considerations may compromise or appear to compromise (1) a board member’s business judgment; (2) delivery of services; or (3) ability of others to do his or her job. An actual or potential conflict of interest occurs when a board member is in a position to influence a decision that may result in a personal gain for that business or for a relative as a result of business dealings. For the purpose of this policy, a relative shall be defined as spouse, child, parent, grandparent, grandchild, sister or brother, including step and in-law relations.

“District” means the Converse County Senior Citizens Special District and its members.

“Entity” means Converse County Aging Services or other specific Senior specific business receiving funds from the Special District.

“Inventory or Inventory Asset” means an asset with an acquisition cost of up to \$3,500 and a useful life of more than one year.

Agencies and Entities Affected

This policy applies to the following if purchasing, selling, moving, or disposing of assets purchased with funds from the special district.

**Converse County Aging Services,
Douglas and Glenrock**

**Any Other Senior Citizens Group –
Housing or otherwise that
may be eligible for and/or
receives funds from this
Special District**

SECTION 1: PURCHASING GOODS & SERVICES

Section 1.1. Obtaining Bids

The objective of this policy is to provide the citizens of Converse County with the best value for products and services acquired with funds from the special district.

Each entity manages its own procurement of goods and services that have been approved through adoption of the special district's budget.

Purchases at or above \$3,500.00, shall be purchased through either informal or formal competitive bidding processes open to all qualified vendors.

- An *informal* bidding process may be used at the discretion of the purchasing entity by soliciting a minimum of two bids which may be by written invitation or by telephone, facsimile, or e-mail inquiry.
- A *formal* bidding process must be used for products or services valued above \$20,000.00. Invitations to bid must include, but not be limited to, a brief scope of work, date and time deadline for submission of bid, criteria for selection and a contact name and phone number.

In the event of an unanticipated or emergency circumstance where repairs must be made immediately, such purchases or contracts may be made based on availability of a qualified provider.

For any reason whatsoever and at its sole discretion, the Board may elect to waive the bidding process, either informal or formal, for purchases of goods and services and contract services if it feels that this is in the best interest of the County. Justification to waive the bidding process shall be submitted in writing to the entity requesting funding.

Intentionally splitting a purchase to circumvent this procurement policy is strictly prohibited.

SECTION 2: PURCHASING GOODS & SERVICES

Section 2.1. Purchasing Goods

Purchase of products that include recycled contents or energy efficient characteristics is encouraged. Local government is a large consumer of goods and can both demonstrate leadership and have a positive effect on markets for recycled or energy efficient products.

Products valued at or greater than \$3,500.00 each shall be budgeted as a capital expenditure in the annual budget, and shall be purchased through an informal or formal competitive bidding process, unless otherwise specifically approved by the Board. Any capital expenditure that is not included in the annual budget must be submitted in writing to the Board for approval. Bids for non-budgeted capital expenditures may be solicited prior to approval, with the express understanding that acquisition will depend on the Board's approval.

Section 2.2. Solicitation of bids

Solicitation of competitive bids is required per Section 1, except where there is a volume purchase discount, or where there is a sole source for the product. Specifications shall include, but not be limited to: budgeted cost, required delivery, warranty, standards for service and availability of parts, and other

pertinent requirements. To request a waiver on the competitive bid process, the entity shall submit written documentation outlining the reasoning.

When appropriate, the Board will require professionals in a particular field to prepare specifications for bidding. Examples include architectural or engineering design work for construction activities. Vendors may be pre-qualified if it is determined that a specified service or product is required. Prequalification shall not be used to exclude vendors unless their services or products do not meet expectations.

Section 2.3. Evaluation of bids

A documented evaluation of bids shall be maintained by the entity soliciting bids for a period of one year. Evaluation criteria should include demonstrated understanding of scope of project, qualifications to perform service, cost basis (lump sum, cost-plus on time/material, guaranteed maximum, or other), references of provider and years in business, ability to meet time requirements, adequate insurance (verified with insurance required in bid specification), bonding capability if applicable and terms of payment.

Pursuant to **Wyoming Statute §16-6-101 to 16-6-107** a five percent preferential shall be given to Wyoming contractors, if applicable.

Entities soliciting bids shall reserve the right to accept or reject any or all bids, to negotiate any items in the best interest of the entity, and to accept the bid deemed to be in its best interest. If payment terms include multiple payments, scheduling of these payments are the responsibility of the entity making the purchase and must be turned in to the Treasurer of the Special District by the accounts payable deadline, usually by the first of the month.

Section 2.4. Change Orders

Costs that exceed the original contract amount of an asset costing \$25,000.00 or greater must be approved in writing by the Board through the change order process (see definitions on page 2). This approval should only come after review by Board.

SECTION 3. CONTRACTING SERVICES

All contracts and agreements that commit the Board to more than \$5,000.00 in payment, shall be brought before the Board for review.

All professional, construction, or other services with an estimated cost in of or in excess of \$5,000.00 shall be specifically budgeted as a separate project item.

Contracts for services, other than professional services, with an estimated cost of or in excess of \$5,000.00, shall be contracted through a competitive bidding process, either informal or formal, unless otherwise specifically approved by the Board.

SECTION 4. CONTRACT APPROVAL

All contracts and leases that legally bind the Converse County Senior Services Special District must be reviewed as to form and content by the Board at their regularly scheduled meeting. If needed, the contracts and/or leases may be presented to an attorney for a legal opinion.

Contracts for products and services must contain the following provisions: scope of services or product to be acquired – Engagement of Services, term of contract (if for services), total cost or compensation, payment terms, contact name, address, and phone number for each party, and any other applicable legal provisions.

Copies of all fully executed contracts shall be provided to the Secretary of the Board.

SECTION 5. CONFLICTS OF INTEREST

The district prohibits its board members from engaging in any activity or practice, which conflicts with the interests of the special district or its customers. Examples of conflicts of interests, which should always be avoided, are set forth below.

If any board member or a member of his immediate family has a financial interest in a firm, which does business with the district, and the interest is sufficient to affect the employee's decisions or actions, the employee must not represent the district in such transactions.

No board member shall accept personal gifts from any person or firm doing or seeking to do business with the district under any circumstances from which it might reasonably be inferred that the purpose of the gift is to influence the employee in the conduct of the district's business with the donor. Such gifts should be returned with a note of explanation. However, board members are not prohibited from accepting novelties such as pens, pencils, and calendars, or other gifts of nominal value when the circumstances clearly show that the gifts are offered for reasons of personal esteem and affection.

No employee shall directly or indirectly, give, offer, or promise anything of value to any representative of any financial institution or any other business in connection with any transaction or business that the district may have with such financial institution or business.

In the course of performing their duties, board members may receive information about the special district which, if known to the public, might affect the decisions of a reasonable investor to buy, sell, or hold land or other securities that may either grow or diminish in value depending on the decisions made by the Board.

Board members are prohibited from misusing such material inside information, prior to public disclosure, for their own personal gain or the gain of their immediate family members, or friends.

It is impossible to describe all of the situations, which may arise involving conflicts of interest. When any employee has a question concerning a possible conflict of interest, it is expected that he will request advice from other board members.

SECTION 6. CAPITAL (FIXED) ASSETS AND INVENTORY ASSETS

Section 6.1. Inventory

All property meeting the requirements (including donations and gifts) as a fixed asset or an inventory asset shall be itemized, numbered, and controlled on an Asset Inventory File maintained by the entity in possession of that asset.

Section 6.2. Disposal of Assets

Assets that have been entered on the Asset Inventory File and other property purchased with funds from the special district, may be sold at fair market value or given to another non-profit senior agency or donated to a non-profit. All assets shall be disposed of in a responsible manner.

This policy shall be effective February 13, 2023.