

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

139



FROM: Purchasing and Fleet Services Department

SUBMITTAL DATE:
April 14, 2015

SUBJECT: Introduction of Ordinance 459.5, Establishing Purchasing Policies and Procedures. All Districts; [\$5,000]; Purchasing Department Budget 100%

RECOMMENDED MOTION: That the Board of Supervisors:

1. Introduce Ordinance 459.5, an Ordinance of the County of Riverside Amending Ordinance No. 459 Establishing Purchasing Policies and Procedures (Attachment A), and;
2. Adopt Ordinance 459.5, An Ordinance of the County of Riverside Amending Ordinance No. 459, Establishing Purchasing Policies and Procedures at the May 19, 2015, Board meeting.

BACKGROUND:

Summary

(Continued on Page 2)

Lisa Brandl

Lisa Brandl, Director
Purchasing and Fleet Serv. Dept.

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 5,000	\$	\$ 5,000	\$	Consent <input type="checkbox"/> Policy <input type="checkbox"/>
NET COUNTY COST	\$ 5,000	\$	\$ 5,000	\$	
SOURCE OF FUNDS: Purchasing Department Budget				Budget Adjustment: No	
				For Fiscal Year: 14/15	

C.E.O. RECOMMENDATION:

APPROVE

BY:

Ivan M Chand

4/20/2015

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

COUNTY APPROVED COUNTY COUNSEL
 4/16/15
 DATE
 JAMES E. BROWN

Departmental Concurrence

- A-30
- 4/5 Vote
- Positions Added
- Change Order

Prev. Agn. Ref.: 3.6 4/20/1993; 3-14 4/14/15 | **District:** ALL | **Agenda Number:**

3-26

BACKGROUND:
Summary (continued)

Ordinance 459 provides the establishment of purchasing policies and procedures for the County, which is allowed under sections 25502.5 and 25502.7 of the Government Code. The purpose of this submittal is to update the Ordinance, which was last revised in 1993. Since that time, updates in state law governing public purchasing, inflationary adjustments and other administrative changes within the County need to be reflected within the Ordinance.

Administrative changes include removal of reference to the General Services Agency, which no longer exists, the revision of the name of the Purchasing Department from "Purchasing and Material Services" to "Purchasing and Fleet Services Department", allowing an administrative fee if another political subdivision uses an awarded contract by the county, and other reformatting changes. Additionally, the revision increases the specified limit for notifying the Board regarding the purchase of goods or services without securing competitive bids from \$25,000 to \$50,000 to accommodate inflationary increases.

An additional change consists of clearly adopting the updated the limits for public works in accordance with Section 22032 of the Public Contract Code and Ordinance No. 757, which now allow the following: Public works projects of \$45,000 or less may be performed by negotiated contract or purchase order. Public works projects of \$175,000 or less may be contracted for using informal bidding procedures.

Impact on Citizens and Businesses

Adopting Ordinance No. 459.5 will streamline the procurement process to be more efficient and reduce the processing time to pay vendors who do business with the County.

SUPPLEMENTAL:

Fiscal

The costs of preparing and processing the ordinance amendment will be approximately \$5,000. All of these costs are reflected in the Purchasing Department's 2014-15 budget. No budget adjustment is requested.

Contract History and Price Reasonableness

N/A

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDINANCE NO. 459.5

AN ORDINANCE OF THE COUNTY OF RIVERSIDE
AMENDING ORDINANCE 459 ESTABLISHING PURCHASING
POLICIES AND PROCEDURES

The Board of Supervisors of the County of Riverside, State of California, ordains as follows:

Section 1. This ordinance amends and replaces Ordinance No. 459.4 and any prior version of Ordinance No. 459 in their entirety with the following:

Section 1. PURCHASING AGENT. The Department of Purchasing remains established and headed by the Purchasing Agent, who shall also be known as the Director for Purchasing and Fleet Services, and shall have the powers and duties prescribed by law for County Purchasing Agents, this ordinance, other ordinances, resolutions and orders of the Board of Supervisors.

Except as otherwise ordered by the Board of Supervisors, the Purchasing Agent shall provide the services stated in this ordinance on behalf of all County departments, agencies, and districts (collectively referred to hereafter as "departments").

In the performance of his/her duties, the Purchasing Agent shall comply with applicable law and Board of Supervisors orders, including limitations on purchasing procedures. Applicable law shall have precedence over the authority described in this ordinance.

Except as to purchases initiated by him/her, the Purchasing Agent shall have no responsibility to determine that funds are budgeted or available for any purchase. This responsibility shall belong to the department requesting the purchase.

County departments shall cooperate fully with the Purchasing Agent to assist him/her carrying out the duties under this ordinance.

///

///

1 Section 2. SPECIFIC DUTIES OF THE PURCHASING AGENT.

2 The Purchasing Agent shall administer his/her department, its warehouses, funds and
3 accounts; and shall:

- 4 a. Purchase for the County all personal property.
- 5 b. Rent or lease for the County all personal property, provided
6 that any rental or lease agreement for longer than one year
7 shall first be approved by the Board of Supervisors.
- 8 c. Engage contractors to perform services and provide
9 materials.
- 10 d. Sell, exchange, or dispose of any item of personal property
11 declared surplus to County needs.
- 12 e. Participate in cooperative purchasing arrangements through
13 State contracts or in association with other counties or
14 public entities.
- 15 f. Bid and award contracts for public works projects pursuant
16 to the Uniform Public Construction Cost Accounting Act
17 (Public Contract Code Section 22000 et seq.) as authorized
18 by Ordinance No. 757.
- 19 g. Perform such other services as the Board of Supervisors
20 requires.

21 The Purchasing Agent shall maintain the County Purchasing Policy
22 Manual as the source for Purchasing staff and department staff to obtain current
23 information on County purchasing requirements. The Purchasing Agent shall update the
24 Policy Manual and include new requirements or information as will best fulfill his/her
25 mission as described in this ordinance.

26 Section 3. EXCEPTIONS. No purchases described in Section 2 shall
27 be made by any County officer or employee without a purchase order or other written
28 authority first obtained from the Purchasing Agent, except for the following:

- a. Advertising
- b. Election supplies
- c. Legal brief printing, transcripts, and similar documents
- d. Road construction contracts
- e. Subscriptions to publications
- f. Insurance
- g. Public utility services
- h. Common carrier transportation
- i. Ordinary travel expense items
- j. Items exempt by law or by specific order of the Board of Supervisors
- k. Emergency purchases, which shall be limited to those immediately necessary: for protection of life or property from substantial hazard; or for unforeseeable events that jeopardizes immediate continued operation of a County function. Every emergency purchase shall be promptly reported in writing to the Purchasing Agent with the facts constituting the emergency.
- l. Government publications and law books
- m. Postage, including postage supplies and services
- n. Purchases specifically listed as exempt in the Purchasing Policy Manual

Section 4. BIDDING AND PROCUREMENT PROCEDURES.

Except as specifically otherwise required by law, the Purchasing Agent may make any purchase of personal property or services, or perform any other act under this ordinance, without notice, advertisement or securing competitive bids. The Purchasing Agent shall notify the Board of Supervisors prior to the purchase of any item or service costing more than \$50,000 made without securing competitive bids. The Purchasing Agent shall report

1 to the Board within four weeks his/her reasons for the purchase of any item costing over
2 \$5,000 from other than the responsive and responsible lowest bidder.

3 The Purchasing Agent shall use procurement methods and procedures as
4 in his/her judgment will secure the lowest price while also obtaining the best value and
5 quality for the County through the most responsive and responsible bidder.

6 Section 5. SURPLUS PROPERTY. Any item of personal property
7 may be declared surplus to County needs by a department if concurred with by the
8 Purchasing Agent. The Purchasing Agent shall maintain a pool of extra County property
9 deemed usable and shall make it available to any department having a need. In disposing
10 of surplus property, the Purchasing Agent shall use such methods and procedures as in
11 his/her judgment will return the best value to the County.

12 Section 6. STANDARDS / DEPARTMENT COOPERATION. The
13 Purchasing Agent may organize one or more committees to assist him/her in establishing
14 standards of type, design or quality of purchases. He/she shall be the chair of any such
15 committee, which may include the heads or other representatives of user departments and
16 others concerned. As to purchases for particular uses, the Purchasing Agent shall consult
17 with and give consideration to the recommendations of the department head making the
18 purchase.

19 Section 7. PARTICIPATION OF OTHER ENTITIES. As deemed
20 appropriate by the Purchasing Agent, including such application of procurement
21 conditions as are necessary, cities or other governmental entities shall be allowed to
22 participate in County purchase contracts. Such purchases will be made in the name of the
23 city or governmental entities. The city or governmental entities will be responsible for
24 payment directly to the vendor and for any tax liability; and will hold the County
25 harmless for all matters related to its purchase. Participation may be subject to an
26 administrative charge as determined by the Purchasing Agent.”

27 ///

28 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Section 2. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after the date of adoption.

BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

By: _____
Chairman, Board of Supervisors

ATTEST:
CLERK OF THE BOARD

By: _____
Deputy

(SEAL)

APPROVED AS TO FORM:

By: Neal Kipnis
NEAL R. KIPNIS
Deputy County Counsel

Dated: 4/16/15