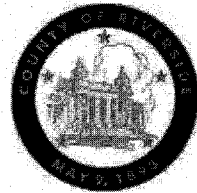


SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM
3.15
(ID # 8833)

MEETING DATE:

Tuesday, January 29, 2019


FROM : PURCHASING AND FLEET SERVICES:

SUBJECT: PURCHASING AND FLEET SERVICES: Introduction of Ordinance No. 459.6,
Amending Ordinance No. 459, Establishing Purchasing Policies and Procedure.
All Districts; [\$0] [Item #3.4 of January 15, 2019]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Introduce, read title and waive further reading of ordinance, and adopt on successive weeks, Ordinance No. 459.6, an Ordinance of the County of Riverside Amending Ordinance No. 459, Establishing Purchasing Policies and Procedures (Attachment A).

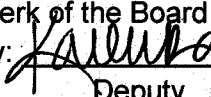
ACTION:


Teresa Summers, Director of Purchasing 1/17/2019

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Spiegel, seconded by Supervisor Hewitt and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended with direction to Executive Office to report back within 30 days and that the above Ordinance is approved as introduced with a waiver of reading.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: January 29, 2019
xc: Purchasing, E.O., COB

Kecia Harper
Clerk of the Board
By: 
Deputy

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$ 0	\$ 0	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS:			Budget Adjustment 0 No	
			For Fiscal Year: 18/19	

C.E.O. RECOMMENDATION: APPROVE

BACKGROUND:

Summary

Ordinance No. 459 ("Ordinance") was first adopted by the county in 1959 and has been amended five times over the last sixty years to update ordinance provisions to meet changes in government code and county operational needs. The Ordinance provides the establishment of purchasing policies and procedures for the County, which is allowed under California Government Code Sections 25500 et seq. The purpose of this submittal is to process updates to the Ordinance which was last revised in 2015. The proposed changes to the Ordinance are as follows:

1. Includes workers compensation, malpractice liability services, and liability insurance service provisions that were previously in Board Policy A-18 that has since been rescinded in anticipation of inclusion of the provisions in this ordinance update.
2. Includes shelter home and youth home services contract provisions that were previously in Board Policy A-18 that has since been rescinded in anticipation of inclusion of the provisions in this ordinance update.
3. Includes a new provision that provides for litigation services needed to assist County Counsel.
4. Includes a new provision that allows departments to meet contract mandates for specialized vendor services funded by state and federal programs up to \$50,000; contracts over \$50,000 requires Board approval.
5. Includes a new provision that allows departments to contract with governmental entities up to \$50,000 for budgeted services; contracts over \$50,000 requires Board approval.
6. Includes a new provision that allows departments to secure budgeted organizational memberships and event sponsorships/registrations up to \$50,000; items above \$50,000 requires Board approval.

Allowing departments to proceed with contracts services as noted above will eliminate additional procurement approval processing. The above requested ordinance provision for membership and sponsorships recognizes the department's fiscal responsibility to appropriately budget and account for these expenditures. The Executive Office is coordinating with departments to provide for a central reporting of these expenditures.

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

The Board of Supervisors adopted an order to initiate the amendment to the Ordinance on October 30, 2018, M.O. #3.16.

Impact on Residents and Business

Adopting Ordinance No. 459.6 will streamline procurement processes and reduce the processing time for specific services.

Additional Fiscal Information

The Purchasing Agent provides purchasing policies and guidelines for county departments, agencies and districts. All funding required for the purchase of commodities and services is the responsibility of county departments; allocation for these expenses must be approved within the adoption of their annual budget and/or by minute order approval by the Board.

Contract History and Price Reasonableness

N/A



Gregory V. Priamos, Director County Counsel 1/18/2019

1 also be known as the Director for Purchasing and Fleet Services, and shall have the
2 powers and perform the duties prescribed by the general laws of the State of California
3 relating to and for County Purchasing Agents, this ordinance, other ordinances,
4 resolutions and orders of the Board of Supervisors.

5 Except as otherwise ordered by the Board of Supervisors, the Purchasing Agent
6 shall provide the services stated in this ordinance on behalf of all County departments,
7 agencies, and districts (collectively referred to hereafter as "Departments"). In the
8 performance of his/her duties, the Purchasing Agent shall comply with applicable law and
9 Board of Supervisors orders, including limitations on purchasing procedures. Applicable
10 law shall have precedence over the authority described in this ordinance.

11 Except as to purchases initiated by the Purchasing Agent, the Purchasing
12 Agent shall have no responsibility to determine that funds are budgeted or available
13 for any purchase. This responsibility shall belong to the department requesting the
14 purchase. County Departments shall cooperate fully with the Purchasing Agent to assist
15 him/her carrying out the duties under this ordinance.

16 Section 5. SPECIFIC DUTIES OF THE PURCHASING AGENT. The
17 Purchasing Agent shall manage and administer his/her department, its warehouses, funds
18 and accounts; and shall have the authority to:

- 19 a. Provide a countywide eProcurement/contract management system to be
20 utilized by all departments/agencies/districts regardless of funding source.
- 21 b. Purchase for the County Departments all personal property.
- 22 c. Rent or lease for the County Departments all personal property,
23 provided that any rental or lease agreement for longer than one year shall
24 first be approved by the Board of Supervisors.
- 25 d. Engage contractors to perform services and provide materials.
- 26 e. Sell, exchange, or dispose of any item of personal property declared surplus
27 to County needs.
- 28 f. Utilize cooperative purchasing arrangements, including but not limited to

1 State contracts, multi-jurisdictional agreements, group purchasing
2 organizations, and other purchasing cooperatives that aggregate demand
3 for the purpose of obtaining lower prices.

4 g. Bid and award contracts for public works projects pursuant to thresholds
5 established in the Uniform Public Construction Cost Accounting Act
6 (Public Contract Code section 22000 et seq.), as it currently exists or may
7 be amended from time to time.

8 h. Perform such other services approved as required by the Board of
9 Supervisors.

10 i. Maintain the County Purchasing Policy Manual as the source for
11 Purchasing staff and Department staff to obtain current information on
12 County purchasing requirements. The Purchasing Agent shall update the
13 Policy Manual and include new legal requirements or information as will
14 best fulfill his/her mission as described in this ordinance.

15 Section 6. BIDDING AND PROCUREMENT PROCEDURES. Except as
16 specifically otherwise required by law, the Purchasing Agent may make any purchase of
17 personal property or services, or perform any other act under this ordinance, without
18 notice, advertisement or securing competitive bids up to an amount of \$50,000. Board of
19 Supervisors approval is required for purchase of any item or service costing more than
20 \$50,000 made without securing competitive bids. Purchase of any item costing over
21 \$5,000 from other than the responsive and responsible lowest bidder must be approved by
22 the Board of Supervisors. The Purchasing Agent shall use procurement methods and
23 procedures as in his/her judgment to secure the lowest price while also obtaining the best
24 value and quality for the County through the most responsive and responsible bidder.

25 Section 7. EXCEPTIONS. No purchases described in Section 5 shall be made
26 by any County officer or employee without a contract and purchase order or other written
27 authority first obtained from the Purchasing Agent. Exceptions are allowed for specific
28 purchases as described below:

1 Category I Exceptions: The following purchasing activities do not require the
2 purchasing practice of bidding and awarding under the approval of the Purchasing
3 Agent.

- 4 a. Advertising
- 5 b. Election supplies
- 6 c. Legal brief printing, transcripts, and similar documents
- 7 d. Subscriptions to publications
- 8 e. Insurance
- 9 f. Public utility services
- 10 g. Common carrier transportation
- 11 h. Ordinary travel expense items
- 12 i. Items exempt by law or by specific order or policies of the Board of
13 Supervisors
- 14 j. Government publications and law books
- 15 k. Postage, including postage supplies and services
- 16 l. Workers compensation services, malpractice liability services, and
17 liability insurance services, including investigative and rehabilitation
18 services and legal services from Board-approved panel of firms
- 19 m. Litigation services, including investigative and professional services and
20 retention of Board-approved special counsel necessary to assist County
21 Counsel

22 Category II Exceptions: The following purchasing activities do not require the
23 purchasing practice of bidding and awarding under the approval of the Purchasing
24 Agent. Board approval is required for activities that exceed \$50,000.

- 25 a. Memberships
- 26 b. Event sponsorships and registration
- 27 c. Contracts for shelter home and youth home services
- 28 d. State and federal mandates for specific participation and contracted services

- e. Services rendered by any federal, state, or local government agency
- f. 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

Section 8. SURPLUS PROPERTY. Any item of personal property may be declared surplus to County needs by a department if concurred with by the Purchasing Agent. The Purchasing Agent shall maintain a pool of extra County property deemed usable and shall make it available to any department having a need. In disposing of surplus property, the Purchasing Agent shall use such methods and procedures as in his/her judgment will return the best value to the County. When the Purchasing Agent is purchasing personal property for which it is not necessary to advertise for bids, may solicit and accept advantageous trade-in allowances for County personal property found by the Purchasing Agent to be not required for public use and such item of personal property having a scrap value of less than \$10,000.

Section 9. STANDARDS/DEPARTMENT COOPERATION. The Purchasing Agent may organize one or more committees to assist him/her in establishing standards of type, design or quality of purchases. He/she shall be the chair of any such committee, which may include the heads or other representatives of user departments and others concerned. As to purchases for particular uses, the Purchasing Agent shall consult with and give consideration to the recommendations of the department head making the purchase.

Section 10. PARTICIPATION OF OTHER ENTITIES. As deemed appropriate by the Purchasing Agent, including such application of procurement conditions as are necessary, cities or other governmental entities shall be allowed to participate in County purchase contracts. Such purchases will be made in the name of the city or governmental entities. The city or governmental entities will be responsible for payment directly to the vendor and for any tax liability; and will hold the County harmless

1 for all matters related to its purchase. Participation may be subject to an administrative
2 charge as determined by the Purchasing Agent.

3 Section 11. SEVERABILITY. If any provision, clause, sentence or
4 paragraph of this ordinance or the application thereof to any person or circumstances
5 shall be held invalid, such invalidity shall not affect the other provisions of this ordinance
6 which can be given effect without the invalid provision or application, and to this end, the
7 provisions of this ordinance are hereby declared to be severable.”

8
9 Section 2. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after
10 its adoption.

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

13 By: _____
14 Chairman

14 ATTEST:

15 CLERK OF THE BOARD:

16
17 By: _____
18 Deputy

19 (SEAL)

20
21 APPROVED AS TO FORM
22 January 16, 2019

23 By: Synthia M. Gunzel
24 Synthia M. Gunzel
25 Chief Deputy County Counsel
26
27
28

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



3.4
(MT 8832)

On motion of Supervisor Perez, seconded by Supervisor Spiegel and duly carried by unanimous vote, IT WAS ORDERED that the recommendation from Purchasing And Fleet Services regarding Introduction of Ordinance No. 459.6, Amending Ordinance No. 459, Establishing Purchasing Policies and Procedure. All Districts, is continued to Tuesday, January 29, 2019 at 9:00 a.m. or as soon as possible thereafter.

Roll Call:

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on January 15, 2019 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors
Dated: January 15, 2019
Kecia Harper, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

(seal)

By: _____

Deputy

AGENDA NO.
3.4

xc: Purchasing, CQB

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



ITEM
3.4
(ID # 8832)

MEETING DATE:

Tuesday, January 15, 2019

FROM : PURCHASING AND FLEET SERVICES:

SUBJECT: PURCHASING AND FLEET SERVICES: Introduction of Ordinance No. 459.6,
Amending Ordinance No. 459, Establishing Purchasing Policies and Procedure.
All Districts; [\$0] (3.41 of 12/04/2018) (Continue to January 29, 2019)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Introduce; read title and waive further reading of ordinance, and adopt on successive weeks, Ordinance No. 459.6, an Ordinance of the County of Riverside Amending Ordinance No. 459, Establishing Purchasing Policies and Procedures (Attachment A).

ACTION:


Teresa Summers, Director of Purchasing 1/7/2019

MINUTES OF THE BOARD OF SUPERVISORS

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$ 0	\$ 0	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS:			Budget Adjustment 0 No	
			For Fiscal Year: 18/19	

C.E.O. RECOMMENDATION: APPROVE

BACKGROUND:

Summary

Ordinance No. 459 ("Ordinance") provides the establishment of purchasing policies and procedures for the County, which is allowed under California Government Code Sections 25500 et seq. The purpose of this submittal is to update the Ordinance, which was last revised in 2015. The proposed changes to the Ordinance address upcoming changes to in state law governing public purchasing as a result of inflationary adjustments, and other administrative changes that are recommended.

Effective January 1, 2019 an update to Government Code Section 25502.5 increases the Purchasing's Agent authority for competitively bid services from \$100,000 to \$200,000. Contracts for services above \$200,000 require Board for approval. The last change in the Government Codes was 27 years ago; increasing the authority from \$25,000 to \$100,000.

The proposed change before the Board today is to allow the Purchasing Agent's authority to match the current provisions in the Government Code as legislative updates occur. The Board may allow the Purchasing Agents authority to match current provisions, or maintain the current authority at \$100,000. Staff has reviewed the contracts placed before the Board over the last six months and has identified that five of the eighty-eight contracts reviewed by Purchasing fell between \$100,000 to \$200,000. The total of all 88 contracts was \$170 million; the amount of the five contracts between \$100,000 and \$200,000 was only \$71,516. If the Board approves the increase to the Purchasing Agent's authority, the number of competitively bid awards placed before the Board for approval will be decreased.

There are no requested changes to increase the Purchasing Agent's authority to approve items without competition, such as for single or sole source requests. The authority will remain at \$50,000.

A similar change is taking effect on January 1, 2019 related to Section 22032 of the Public Contract Code which increases the \$45,000 threshold to \$60,000 for public works activities to be performed by negotiated contract or purchase order. The change also increases the informal bidding procedures for public works projects from \$175,000 to \$200,000. The proposed

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

changes to the Ordinance will also allow for the Purchasing Agent authority to match the provisions of the Public Contract Code as legislative updates occur.

The proposed Ordinance changes also includes:

1. Combining provisions that were previously in Board Policy A-18 that has been rescinded in anticipation of inclusion in the ordinance.
2. Allowing for an exemption for litigation services needed to assist County Counsel.
3. Allowing for an exemption from approval by the Purchasing Agent up to \$50,000 for specific contracting mandates for specialized services funded by state and federal programs; services above \$50,000 will still require Board approval.
4. Allowing for an exemption from approval by the Purchasing Agent up to \$50,000 for services from higher education and governmental entities; services above \$50,000 will still require Board approval.
5. Allows for exemption from approval by the Purchasing Agent up to \$50,000 for memberships, event sponsorships and speakers fees; services above \$50,000 will still require Board approval.

It is recommended that the above requested ordinance provision for membership, sponsorships, and speakers should be the responsibility of the department head based on their operational needs and must be within their approved budget allocations, as these activities are not general purchasing activities.

The Board is requested to approve the addition of all items proposed in the Ordinance however the Board may expand or limit the requested additions. The Board of Supervisors adopted an order to initiate the amendment to the Ordinance on October 30, 2018, M.O. #3.16.

Impact on Residents and Business

Adopting Ordinance No. 459.6 will streamline the procurement process and reduce the processing time for specific services.

Additional Fiscal Information

The Purchasing Agent provides purchasing policies and guidelines for county departments, agencies and districts. All funding required for the purchase of commodities and services is the responsibility of county departments; allocation for these expenses must be approved within the adoption of their annual budget and/or by minute order approval by the Board.

Contract History and Price Reasonableness

N/A

Attachment

Attachment A - Ordinance No. 459.6

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



3.41
(MT 8151)

On motion of Supervisor Jeffries, seconded by Supervisor Perez and duly carried by unanimous vote, IT WAS ORDERED that the recommendation from Purchasing and Fleet Services regarding the Introduction of Ordinance No. 459.6, Amending Ordinance No. 459, Establishing Purchasing Policies and Procedure, All Districts, is continued to Tuesday, January 15, 2019 at 9:00 a.m. or as soon as possible thereafter.

Roll Call:

Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley
Nays: None
Absent: None

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on December 4, 2018 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors
Dated: December 4, 2018
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

(seal)

By: _____

Deputy

AGENDA NO.
3.41

xc: Purchasing, EO, Co.Co., COB

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



ITEM
3.41
(ID # 8151)

MEETING DATE:

Tuesday, December 4, 2018

FROM : PURCHASING AND FLEET SERVICES:

SUBJECT: PURCHASING AND FLEET SERVICES: Introduction of Ordinance No. 459.6,
Amending Ordinance No. 459, Establishing Purchasing Policies and Procedure.
All Districts; [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Introduce, read title and waive further reading of ordinance, and adopt on successive weeks, Ordinance No. 459.6, an Ordinance of the County of Riverside Amending Ordinance No. 459, Establishing Purchasing Policies and Procedures (Attachment A).

ACTION:


Teresa Summers, Director of Purchasing 11/19/2018

MINUTES OF THE BOARD OF SUPERVISORS

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$ 0	\$ 0	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS:			Budget Adjustment 0 No	
			For Fiscal Year: 18/19	

C.E.O. RECOMMENDATION: [CEO use]

BACKGROUND:

Summary

Ordinance No. 459 ("Ordinance") provides the establishment of purchasing policies and procedures for the County, which is allowed under California Government Code Sections 25500 et seq. The purpose of this submittal is to update the Ordinance, which was last revised in 2015. The proposed changes to the Ordinance address upcoming changes to in state law governing public purchasing as a result of inflationary adjustments, and other administrative changes that are recommended.

Effective January 1, 2019 an update to Government Code Section 25502.5 increases the Purchasing's Agent authority for competitively bid services from \$100,000 to \$200,000. Contracts for services above \$200,000 require Board for approval. The last change in the Government Codes was 27 years ago; increasing the authority from \$25,000 to \$100,000.

The proposed change before the Board today is to allow the Purchasing Agent's authority to match the current provisions in the Government Code as legislative updates occur. The Board may allow the Purchasing Agents authority to match current provisions, or maintain the current authority at \$100,000. Staff has reviewed the contracts placed before the Board over the last six months and has identified that five of the eighty-eight contracts reviewed by Purchasing fell between \$100,000 to \$200,000. The total of all 88 contracts was \$170 million; the amount of the five contracts between \$100,000 and \$200,000 was only \$71,516. If the Board approves the increase to the Purchasing Agent's authority, the number of competitively bid awards placed before the Board for approval will be decreased.

There are no requested changes to increase the Purchasing Agent's authority to approve items without competition, such as for single or sole source requests. The authority will remain at \$50,000.

A similar change is taking effect on January 1, 2019 related to Section 22032 of the Public Contract Code which increases the \$45,000 threshold to \$60,000 for public works activities to be performed by negotiated contract or purchase order. The change also increases the informal bidding procedures for public works projects from \$175,000 to \$200,000. The proposed

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

changes to the Ordinance will also allow for the Purchasing Agent authority to match the provisions of the Public Contract Code as legislative updates occur.

The proposed Ordinance changes also includes:

1. Combining provisions that were previously in Board Policy A-18 that has been rescinded in anticipation of inclusion in the ordinance.
2. Allowing for an exemption for litigation services needed to assist County Counsel.
3. Allowing for an exemption from approval by the Purchasing Agent up to \$50,000 for specific contracting mandates for specialized services funded by state and federal programs; services above \$50,000 will still require Board approval.
4. Allowing for an exemption from approval by the Purchasing Agent up to \$50,000 for services from higher education and governmental entities; services above \$50,000 will still require Board approval.
5. Allows for exemption from approval by the Purchasing Agent up to \$50,000 for memberships, event sponsorships and speakers fees; services above \$50,000 will still require Board approval.

It is recommended that the above requested ordinance provision for membership, sponsorships, and speakers should be the responsibility of the department head based on their operational needs and must be within their approved budget allocations, as these activities are not general purchasing activities.

The Board is requested to approve the addition of all items proposed in the Ordinance however the Board may expand or limit the requested additions. The Board of Supervisors adopted an order to initiate the amendment to the Ordinance on October 30, 2018, M.O. #3.16.

Impact on Residents and Business

Adopting Ordinance No. 459.6 will streamline the procurement process and reduce the processing time for specific services.

Additional Fiscal Information

The Purchasing Agent provides purchasing policies and guidelines for county departments, agencies and districts. All funding required for the purchase of commodities and services is the responsibility of county departments; allocation for these expenses must be approved within the adoption of their annual budget and/or by minute order approval by the Board.

Contract History and Price Reasonableness

N/A

Attachment

Attachment A - Ordinance No. 459.6

1 also be known as the Director for Purchasing and Fleet Services, and shall have the
2 powers and perform the duties prescribed by the general laws of the State of California
3 relating to and for County Purchasing Agents, this ordinance, other ordinances,
4 resolutions and orders of the Board of Supervisors.

5 Except as otherwise ordered by the Board of Supervisors, the Purchasing Agent
6 shall provide the services stated in this ordinance on behalf of all County departments,
7 agencies, and districts (collectively referred to hereafter as "Departments"). In the
8 performance of his/her duties, the Purchasing Agent shall comply with applicable law and
9 Board of Supervisors orders, including limitations on purchasing procedures. Applicable
10 law shall have precedence over the authority described in this ordinance.

11 Except as to purchases initiated by the Purchase Agent, the Purchasing Agent
12 shall have no responsibility to determine that funds are budgeted or available for any
13 purchase. This responsibility shall belong to the department requesting the purchase.
14 County Departments shall cooperate fully with the Purchasing Agent to assist him/her
15 carrying out the duties under this ordinance.

16 Section 5. SPECIFIC DUTIES OF THE PURCHASING AGENT. The
17 Purchasing Agent shall manage and administer his/her department, its warehouses, funds
18 and accounts; and shall have the authority to:

- 19 a. Provide a countywide eProcurement/contract management system to be
20 utilized by all departments/agencies/districts regardless of funding source.
- 21 b. Purchase for the County Departments all personal property.
- 22 c. Rent or lease for the County Departments all personal property,
23 provided that any rental or lease agreement for longer than one year shall
24 first be approved by the Board of Supervisors.
- 25 d. Engage contractors to perform services and provide materials.
- 26 e. Sell, exchange, or dispose of any item of personal property declared surplus
27 to County needs.
- 28 f. Utilize cooperative purchasing arrangements, including but not limited to

1 State contracts, multi-jurisdictional agreements, group purchasing
2 organizations, and other purchasing cooperatives that aggregate demand
3 for the purpose of obtaining lower prices.

4 g. Bid and award contracts for commodities and services pursuant to
5 thresholds established in California Government Code section 25502.5, as
6 it currently exists or may be amended from time to time.

7 h. Bid and award contracts for public works projects pursuant to thresholds
8 established in the Uniform Public Construction Cost Accounting Act
9 (Public Contract Code section 22000 et seq.), as it currently exists or may
10 be amended from time to time.

11 i. Perform such other services approved or required by the Board of
12 Supervisors.

13 j. Maintain the County Purchasing Policy Manual as the source for
14 Purchasing staff and Department staff to obtain current information on
15 County purchasing requirements. The Purchasing Agent shall update the
16 Policy Manual and include new legal requirements or information as will
17 best fulfill his/her mission as described in this ordinance.

18 Section 6. BIDDING AND PROCUREMENT PROCEDURES. Except as
19 specifically otherwise required by law, the Purchasing Agent may make any purchase of
20 personal property or services, or perform any other act under this ordinance, without
21 notice, advertisement or securing competitive bids up to an amount of \$50,000. Board of
22 Supervisors approval is required for purchase of any item or service costing more than
23 \$50,000 made without securing competitive bids. Purchase of any item costing over
24 \$5,000 from other than the responsive and responsible lowest bidder must be approved by
25 the Board of Supervisors. The Purchasing Agent shall use procurement methods and
26 procedures as in his/her judgment to secure the lowest price while also obtaining the best
27 value and quality for the County through the most responsive and responsible bidder.

28 Section 7. EXCEPTIONS. No purchases described in Section 5 shall be made

1 by any County officer or employee without a contract and purchase order or other written
2 authority first obtained from the Purchasing Agent. Exceptions are allowed for specific
3 purchases as described below:

4 Category I Exceptions: The following purchasing activities do not require the
5 purchasing practice of bidding and awarding under the approval of the Purchasing
6 Agent.

- 7 a. Advertising
- 8 b. Election supplies
- 9 c. Legal brief printing, transcripts, and similar documents
- 10 d. Subscriptions to publications
- 11 e. Insurance
- 12 f. Public utility services
- 13 g. Common carrier transportation
- 14 h. Ordinary travel expense items
- 15 i. Items exempt by law or by specific order or policies of the Board of
16 Supervisors
- 17 j. Government publications and law books
- 18 k. Postage, including postage supplies and services
- 19 l. Workers compensation services, malpractice liability services, and
20 liability insurance services, including investigative and rehabilitation
21 services and legal services from Board-approved panel of firms
- 22 m. Litigation services, including investigative and professional services and
23 retention of Board-approved special counsel necessary to assist County
24 Counsel

25 Category II Exceptions: The following purchasing activities do not require the
26 purchasing practice of bidding and awarding under the approval of the Purchasing
27 Agent. Board approval is required for activities that exceed \$50,000.

- 28 a. Memberships

- b. Event sponsorships, registration and speaker's fees
- c. Contracts for shelter home and youth home services
- d. State and federal mandates for specific participation and contracted services
- e. Services rendered by any federal, state, or local government agency, public university, public college or other public educational institution
- f. 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

Section 8. SURPLUS PROPERTY. Any item of personal property may be declared surplus to County needs by a department if concurred with by the Purchasing Agent. The Purchasing Agent shall maintain a pool of extra County property deemed usable and shall make it available to any department having a need. In disposing of surplus property, the Purchasing Agent shall use such methods and procedures as in his/her judgment will return the best value to the County. When the Purchasing Agent is purchasing personal property for which it is not necessary to advertise for bids, may solicit and accept advantageous trade-in allowances for County personal property found by the Purchasing Agent to be not required for public use and such item of personal property having a scrap value of less than \$10,000.

Section 9. STANDARDS/DEPARTMENT COOPERATION. The Purchasing Agent may organize one or more committees to assist him/her in establishing standards of type, design or quality of purchases. He/she shall be the chair of any such committee, which may include the heads or other representatives of user departments and others concerned. As to purchases for particular uses, the Purchasing Agent shall consult with and give consideration to the recommendations of the department head making the purchase.

Section 10. PARTICIPATION OF OTHER ENTITIES. As deemed appropriate by the Purchasing Agent, including such application of procurement

1 conditions as are necessary, cities or other governmental entities shall be allowed to
2 participate in County purchase contracts. Such purchases will be made in the name of
3 the city or governmental entities. The city or governmental entities will be responsible for
4 payment directly to the vendor and for any tax liability; and will hold the County harmless
5 for all matters related to its purchase. Participation may be subject to an administrative
6 charge as determined by the Purchasing Agent.

7 Section 11. SEVERABILITY. If any provision, clause, sentence or
8 paragraph of this ordinance or the application thereof to any person or circumstances
9 shall be held invalid, such invalidity shall not affect the other provisions of this ordinance
10 which can be given effect without the invalid provision or application, and to this end, the
11 provisions of this ordinance are hereby declared to be severable.”

12
13 Section 2. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after
14 its adoption.

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

17 By: _____
18 Chairman

18 ATTEST:

19 CLERK OF THE BOARD:

20
21 By: _____
22 Deputy

23 (SEAL)

24
25 APPROVED AS TO FORM
November 19, 2018

26
27 By: Synthia M. Gunzel
28 Synthia M. Gunzel
Chief Deputy County Counsel