



Central Marin Police Authority

Purchasing Policy



PURCHASING POLICY OF THE CENTRAL MARIN POLICE AUTHORITY

PURPOSE

The purpose of this policy is to provide the Central Marin Police Authority (Authority) a means of assuring continuity and uniformity in its purchasing operations, and to provide guidelines for purchasing supplies and services.

POLICY

The Central Marin Police Authority is committed to purchasing supplies, services and equipment in a fair, open and equitable manner and at the lowest possible cost. Each person responsible for the procurement of goods and services for the Authority must follow these guidelines. These rules and regulations do not apply to public projects as defined in Section 20161 of the California Public Contracts Code. Rules applying to public projects are to be followed according to the California Public Contracts Code.

CONFLICT OF INTEREST

Authority employees shall not participate in the selection or in the award or administration of a contract (whether supported by either Authority or Federal funds) if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when:

- the employee,
- any member of his or her immediate family,
- his or her partner, or
- an organization that employs, or is about to employ, any of the above, has a financial or other interest in the firm selected for award.

Authority employees are prohibited from soliciting or accepting gratuities, favors, gifts, or anything of monetary value from actual or potential contractors, bidders, vendors, or parties to purchasing agreements with the Authority. Provided, however, this prohibition shall not apply to gifts of nominal value which are intended for all Authority employees use or consumption or which the individual receives in recognition of national holidays, anniversaries, birthdays or similar occasions.

APPROVAL AUTHORITY/BID AMOUNTS

- Mid-managers (those managers who are: Captains, Lieutenants and Sergeants) are authorized to approve purchases of up to \$1,000 unless the purchase is for their personal use (for



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example membership dues or reimbursement for supplies or services for the Authority, made with their personal monies). In such instances, the Chief of Police must approve the purchase

- Purchases in excess of \$10,000 require Manager's approval unless a purchase order or contract has been approved
- The Chief of Police can authorize the purchase of services, supplies and equipment up to \$10,000
- The Manager can authorize the purchase of services, supplies and equipment up to \$30,000
- Police Council approval is required for all purchases greater than \$30,000 (excluding sales tax)
- Formal bids must be received for purchases of services, supplies or equipment greater than \$49,999 unless authorized by the Police Council and permissible by law

OPEN MARKET OR INFORMAL BID PROCEDURE

Open market or informal bids are required for all purchases \$2,500 to \$49,999. Requirements for open market or informal bids are as follows:

- Purchases shall, whenever possible, be based on at least three informal bids;
- Shall include consideration of the Authority preference to local businesses; and
- Shall utilize Section 10 "Green" Purchasing Policy.

Award of bid shall be awarded to the bidder offering the most advantageous bid to the Authority after consideration of price, quality, durability, servicing, delivery time, standardization, and other factors.

Prior to awarding a bid, all federally funded vendors must be checked to ensure they have not been debarred or suspended for the purchases of goods or services.

CREDIT CARD PURCHASES

Credit cards are issued to the Chief of Police, Captains, Lieutenants and select Sergeants by the approval of the Management Committee. All purchases must be in accordance with authorized authority, with the budget, and purchasing policies. Credit card purchases may be made for gasoline



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for Authority vehicles, travel expenses, training seminars and for supplies or services that will not be billed by a vendor. Credit cards may not be used for an employee's personal purchases. If the credit card is accidentally used for personal expenditures the employee must immediately notify the Finance Director and reimburse the Authority for the charges.

GENERAL GUIDELINES

- **Account number** –the designated employee that is making the purchase is responsible for determining which budget line should be charged for the expenditure. The Finance Department will review the coding and assist with any inconsistencies.
- **Approval** –the invoice must have proper approval prior to being forwarded to Accounts Payable.
- **Original invoice** –all original invoices must be directed to the Finance Department, Accounts Payable, with proper account code and authorization.
- **Credit card receipts** –must be forwarded to Accounts Payable with proper approval and account code as soon as possible.
- **Document purpose of purchase** –if the purpose of the charge/receipt is not readily apparent, the person making the charge must state the purpose of the charge and the people attending, if appropriate.

If an invoice is received without an account code *and* appropriate approval, it will be returned to the department. This delay may cause the payment to be paid in the following week and any finance charges incurred will be charged to the department.

LOCAL BUSINESS / LOCAL BIDDER PREFERENCE

Whenever possible, the Authority wishes to support local businesses and make a commitment to circulate tax dollars within the local economy. To help facilitate this, a preference to local businesses shall be given. A proposal from a local business that is deemed substantially equivalent to the otherwise preferred proposal shall be selected if it is within 5% of the cost of the otherwise preferred proposal.

Businesses must have a "brick and mortar" place of business within the City/Town limits with a business street address; residential addresses do not qualify.

Businesses must have a current business license and must report and pay sales tax to the State, which identifies the point of sale within the City/Town limits.

The local preference shall not be applied in the following circumstances:

- The business submits a proposal that exceeds the projected budget cost;
- State or Federal law prohibits the use of local preferences;



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- The work is funded in whole or in part by a governmental entity where the laws, rules, regulations or policies prohibit the use of local preferences;
- Emergency purchases;
- Sole source purchases;
- Cooperative purchasing agreements or utilization of other agency contracts;
- The business is determined to be unqualified to perform the work, as determined by the Authority.

SOLE SOURCE PROCUREMENT

The Central Marin Police Authority has acknowledged there are occasions when products/services must be purchased from one specific source or manufacturer. If a request is made to purchase a product produced by only one supplier, yet several sources can provide a similar product, the request will be subject to the normal bid process. Should the request of the products/services be purchased on a sole source basis, it must meet one of the criteria shown below. Written permission from the Chief of Police must be obtained prior to applying for a sole source transaction as a procurement or contract for goods or services or both when only a single business enterprise is afforded the opportunity to offer the state a price for the specified goods or services. A written explanation commonly referred to as a "sole source justification," to support the request. The most commonly accepted sole source justifications are below.

- **Compatibility with existing equipment.**
 - This justification may be used if your products or services are being purchased to directly interface with or attach to equipment of the same manufacturer, and no other manufacturer's products will correctly interface with existing equipment.
- **Public exigency or emergency.**
 - This justification may be used if the products are due to a public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation.
- **Only one supplier can be identified.**
 - In rare cases, only one supplier may exist to provide a particular product or service. When providing a justification based on the availability of one supplier, the product or service must be defined in generic terms. Specifying patented products or processes, when not necessary to meet functional requirements, is not acceptable as a sole source justification. Justifications can be accepted more readily by providing information regarding attempts to locate other suppliers such as letter, informal quotes, or telephone contacts.
- **Competition is inadequate**



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- This justification may be used if after solicitation of a number of sources competition is determined inadequate. Justifications can be accepted more readily by providing information regarding attempts to locate adequate suppliers.

The sole source documentation will remain on file as part of the official procurement documents and maybe subject to audit or review by interested parties.

It is the policy of the Central Marin Police Authority to obtain written permission from the Chief of Police prior to applying for a sole source transaction as a procurement or contract for goods or services or both when only a single business enterprise is afforded the opportunity to offer the state a price for the specified goods or services.

"GREEN" PURCHASING POLICY

It is the policy of the Central Marin Police Authority to purchase and use recycled products, whenever possible, to the extent that such use does not negatively impact health, safety or operational efficiency.

- The Authority shall examine their purchasing specifications and, where feasible, restructure them to include the use of products which contain post-consumer recycled content, are reusable, or are designed to be easily recyclable. Outside contractors bidding to provide products or services to the Authority shall be encouraged, if not required, to use recycled content whenever practicable.
- Whenever feasible, recycled paper shall be purchased and used in copy machines and printers.
- When recycled products are used, departments are encouraged to label these products to indicate their recycled content. The use of the "recycled content" symbol on letterhead stationery and business cards shall be encouraged, whenever possible.
- The Central Marin Police Authority will favorably consider the selection of recycled content and renewable materials, products and supplies over their non-recycled content and non-renewable alternatives in cases where availability, fitness, operational efficiency, quality, safety, and price of the recycled product is otherwise equal to, or better than the non-recycled content and/or non-renewable alternative.
- Environmentally preferable products and services that are comparable in quality to their standard counterparts should receive a price preference of 5%. The percentage preference shall be based on the lowest bid or price quoted by the supplier or suppliers offering non--recycled and/or non-renewable products.
- The Central Marin Police Authority may cooperate with other local governments as appropriate to develop a comprehensive, consistent, and effective county-wide regional procurement effort intended to stimulate the market for recycled products, reusable products, and products designed to be recycled.

TRANSFER OR DISPOSAL OF FIXED ASSETS



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Transfer or disposal of Authority assets must be requested in writing in advance of such transaction. Written notifications should be forwarded to the Authority Finance Director.