

CHAPTER 5

PURCHASING PROCEDURES

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## CHAPTER 5

## PURCHASING PROCEDURES

501. General Statement. This Chapter establishes the policies and procedures for purchasing supplies, equipment, and contractual services by the County, any special district governed by the Board of Supervisors, and other local government entities having purchase agreements with the County.

502. Purchasing Division Responsibilities. It is the Purchasing Division's responsibility to evaluate proposed purchases in order to bid or negotiate requisitions and contracts on behalf of the County. In addition to the duties specified in the County Ordinance Code, Chapter 2.38, the Purchasing Agent is responsible for salvage or surplus personal property disposition, vehicle registration and licensing, contracting for telephone and vending machine installation, price quotation requests, negotiating pricing for frequently used items or services, and reviewing agreements for information technology services, software licensing, and equipment. The Purchasing Agent also oversees the procedures for certain competitive bidding processes and is authorized to execute contracts to acquire personal property and specified services, including purchasing or renting all materials, supplies, furnishings, equipment and other personal property for the County; engaging independent contractors to perform sundry services; and contracting with experts for special and scientific data and services, provided that it does not conflict with the duty of any County officer.

503. Definitions. For the purposes of this Chapter, the following are defined:

- .1 *Shall, must, and will* mean that the procedure is mandatory.
- .2 *Should* means that the procedure is recommended.
- .3 *May* means that the procedure is optional.
- .4 *Bid.* A vendor's formal price offered for items requested on a quotation request.
- .5 *Agreement at a Glance.* The form that summarizes the key components of an agreement that is to be used by departments when seeking Board of Supervisors' approval of an agreement or an amendment to an agreement. (Rev. 08/09)
- .6 *Blanket Purchase Order.* A purchase order issued to a vendor for items or services for a specified period of time when it is determined to be in the best interest of the County.
- .7 *Claim for Payment (White Claim).* The form used to process payment for Board of Supervisors' approved contracts, postage, subscriptions, and other items where the Purchasing Division cannot add value to the procurement process.
- .8 *Contractual Services.* Labor, material, or specialized services contracted for a department, except personal services and advertising.
- .9 *Fixed Asset.* Any single item costing \$5,000 or more, including tax and shipping, must have a fixed asset account established.
- .10 *Personal Property.* Supplies, material, livestock, furnishings, equipment, and personal property of whatever kind or nature, except materials furnished "in kind" in lieu of cash to indigents pursuant to State law.
- .11 *Personal or Professional Services.* The services of attorneys, physicians, architects, engineers, accountants, consultants, or other individuals possessing a high degree of technical skill.
- .12 *Public Works Contract.* Any agreement for the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement of any kind. Additional examples

of public works include projects related to fences, runways, excavations, quarry repairs and alterations, bunkers, tunnels, power lines, conveyors, towers and water tanks. (Public Contract Code §101) (Rev. 03/02)

.13 *Purchase Order*. The document issued by the Purchasing Division that specifies the items or services ordered from vendor for an indicated price.

.14 *Purchasing System*. The online program used by departments to enter requisitions.

.15 *Quotation Request*. The document used to solicit competitive bids from vendors.

.16 *Quote Sheet*. The form used by a department to initiate a “fast track” purchase order. (Rev. 03/02)

.17 *Request for Proposal (RFP)*. A document used to solicit proposals for personal or professional services.

.18 *Request for Qualification (RFQ)*. The process used to solicit consultants for a project.

.19 *Salvage or Surplus Property*. Personal property and material that is no longer useful to a department.

504. Authorization to Approve Payments from Petty Cash Revolving Fund or Using a Purchasing Card. A department head or designee must be authorized in writing by the Purchasing Agent to approve payments for purchases using a department’s petty cash fund or a purchasing card (Form GSA 580 1610 107). Department heads seeking such authority must submit a request via memorandum to the Purchasing Agent, and must certify compliance with the purchasing procedures as outlined in this Chapter, Ordinance Code §§2.38.070-.150, and Government Code §25500.

505. Requisitions. A request for items or services to be purchased from vendors is submitted to the Purchasing Agent via the online purchasing system. Departments shall designate staff members authorized to prepare requisitions, and staff members authorized to approve requisitions. Approval by the department designee signifies that the funds are available and that the expense key has been established. Departments must contact the Purchasing Division to add/delete approval authorization. Departments are responsible for providing specifications that can be bid by multiple vendors. If the specifications can only be bid by one vendor, the purchase is a sole source procurement and must be processed as such. (Rev. 03/06)

.1 *Quote Sheet*. A quote sheet is used to tabulate the bids received from vendors and must be used when a department wants to fast track the bid process, unless waived by the Purchasing Agent. When submitting a requisition for a fast track purchase, a quote sheet with responses from at least three vendors must be provided. The quote sheet must include the requisition number, invoice terms, price, delivery date, and shipping charges. This form is available on CountyNet.

The department may indicate the low bidder on the requisition and quote sheet as the suggested vendor. If printing is involved, the Reprographics Division must be included as a vendor. If the Reprographics Divisions is unable to provide the required services, it should be noted on the quote form. (Rev. 06/05)

Properly completed requisitions and quote sheets will not again be competitively bid by the Purchasing Division if the total dollar amount of the purchase is not more than \$20,000 and the low bid vendor is the suggested vendor. The Purchasing Division will prepare a purchase order if these conditions are met. If a quote sheet is not submitted or is incomplete, the Purchasing Agent will evaluate the request and may exercise the option of competitively bidding the requisition. (Rev. 03/06)

.2 *Construction, Maintenance, and Repairs*. Formal plans and specifications are required for construction, maintenance, or repair projects if the estimated labor exceeds \$6,500. The Purchasing Agent may purchase materials and supplies used for constructing or repairing public works using an informal bid process if the estimated cost does not exceed \$3,500. Any construction project exceeding an estimated cost of \$6,500, exclusive of the estimated cost of materials and supplies to be furnished by the Purchasing Agent, must be done by contract using a formal bidding procedure. (Public Contract Code §20122) (Rev. 03/02)

506. Purchase Orders. Purchase orders are prepared and processed by the Purchasing Division based on the information provided on the requisitions submitted by departments. The Purchasing Division evaluates the requisition, initiates a competitive bid process and determines the existence of any vendor agreement, software license agreement, or additional terms and conditions associated with the requested procurement. If an agreement is required, the Purchasing Agent may execute the agreement upon approval as to form by County Counsel. It is the requisitioning department's responsibility to have the agreement reviewed by County Counsel. If County Counsel finds that the agreement requires the County to assume any unusual or unreasonable risk or liability, the requisitioning department must submit the agreement to the Board of Supervisors for approval.

The Purchasing Division transmits the completed purchase order to the Auditor-Controller-County Clerk for encumbrance against the department's budget. After the purchase order is encumbered, it is transmitted to the vendor. Departments are to verify the listed items or service with the original request submitted on the requisition to insure that the correct items or service has been solicited. Departments may view and print a copy of the purchase order using the online purchasing system. (Rev. 06/05)

.1 *Partial Delivery.* If a vendor makes a partial delivery of items or services, partial payment against the purchase order may be made. Invoices covering the partial delivery shall be listed on a Purchase Payment Authorization (PPA) form and accompanied by the invoice showing the partial amount and entering a "P" in the designated box. Forward the completed PPA to the Auditor-Controller-County Clerk. Upon delivery of the balance of items or services, forward the PPA indicating the remaining amount to be paid with an "F" in the designated box to the Auditor-Controller-County Clerk. (Rev. 8/01)

.2 *Bulk Items.* Bulk item shipments such as sand, rock, road oil, and printed forms, can exceed the ordered quantity on a one-time purchase order by up to 10% without requiring special approval by the Purchasing Division. The actual quantity accepted should be noted on the department's copy of the purchase order. When the quantity accepted exceeds 10% of the quantity ordered, the department must submit a request to increase the encumbrance amount via the Auditor-Controller-County Clerk's online encumbrance system. (Rev. 08/01)

.3 *Freight Payments.* The Auditor-Controller-County Clerk may initiate freight payment up to \$50.00 against purchase orders indicating a shipping point of FOB without obtaining prior approval from the department if sufficient funds are available. (Rev. 03/02)

507. Rentals and Leases—Personal Property. A requisition is required to rent or lease personal property items. If the total dollar amount of a proposed personal property lease exceeds \$20,000, County Administrative Office approval is required prior to submitting the requisition to the Purchasing Division. All personal property leases over \$20,000 will be competitively bid. If a bidding process is not an option, the proposed lease is a sole source lease, which requires Board of Supervisors' approval. The Purchasing Division is responsible for negotiating personal property rental/lease agreements on behalf of the County, signing the personal property rental/lease agreement, and issuing purchase orders authorizing the lease of personal property. Booth and/or space rentals for job fairs, marketing of services, etc. may be processed through the Purchasing Agent using a purchase order if no agreement is required. If an agreement is required, the Purchasing Agent may execute the agreement upon approval as to form by County Counsel. (For remodel or lease of real property see Chapter 14, Property Management). (Rev. 03/06)

508. Reprographics Stock Items and Services.

.1 *Stock Items.* The Reprographics Division maintains an inventory of various items such as paper goods and forms that have been purchased in large quantities in order to obtain the best pricing. To request a stock item, submit a requisition to the Reprographics Division specifying the stock number and unit of measure. Departments are to verify the delivered items against the original requisition. Any errors or omissions not noted as a back-order should be reported to the Reprographics Division within five working days of the delivery. (Rev. 02/08)

.2 *Back Orders.* If an item is temporarily out of stock, only the item listed as a back-order will be held until stock can be replenished. Any other items requested will be delivered to the requesting department. Once stock has been replenished, the items shorted from the original order will be delivered.

*.3 Delivery Schedule.* Deliveries in Bakersfield and in outlying areas will be made promptly on an as-needed basis. (Rev. 02/08)

*.4 Request for Printing and Duplicating.* Requests for printing, duplicating, graphics, or related services are submitted to the Reprographics Division either on-line or on a written Requisition for Printed Forms. If requested, the requesting department will be provided a preliminary cost estimate. Departments requesting Reprographics' services can use private qualified vendors if either their total costs are lower, timeliness of the request cannot be met by the Reprographics Division, or the service requested is beyond the scope of the Division. (Rev. 02/08)

A copy of the requisition will accompany the order when it is delivered. Departments are also provided a monthly statement listing invoices for the month. (Rev. 02/08)

509. Price Agreements. The Purchasing Division competitively bids and negotiates price agreements for standard commodities and services that are routinely required by departments. A price agreement is established to capture the total countywide usage on items and services and is the best price available to departments. Departments shall use these price agreements unless they have provided a detailed justification to the Purchasing Agent specifying why a particular agreement will not meet the department's needs. A list of price agreements with the agreement number, vendor, agreement duration, and the major commodity or service provided is available on CountyNet. (Rev. 06/05)

*.1 Requisition.* Submit a requisition to the Purchasing Division, stating the anticipated amount of funds to be expended for the items or services under the price agreement. The duration shall be from the originating date to the expiration date of the agreement or to the end of the fiscal year, whichever occurs first.

*.2 Blanket Purchase Order.* A blanket purchase order authorizing the purchase of the listed items or service for the price indicated on the price agreement will be issued and the Auditor-Controller-County Clerk will encumber the funds against the department's budget. (For blanket purchase orders without a price agreement refer to Section 510.)

*.3 Vendor Payment.* To make payment for items or services purchased against a blanket purchase order that references a price agreement, the department verifies the invoice charges against the price agreement and submits a Partial Payment Authorization (PPA) to the Auditor-Controller-County Clerk with copies of the invoices.

510. Blanket Purchase Orders. Blanket purchase orders may be used to purchase low dollar items totaling no more than \$20,000 annually and when there is no bid or price agreement to support the blanket purchase order. Blanket purchase orders should not be used for single transactions over \$4,999. Transactions over \$4,999, including tax and shipping, should be submitted to the Purchasing Division on a requisition for an itemized purchase order. If there is no competitive bid, price agreement, or sole source justification provided to support the blanket purchase order, the total dollar amount for that blanket purchase order shall not exceed \$20,000 over an entire fiscal year. (Rev. 03/06)

To request a blanket purchase order that is not covered by a price agreement, submit a requisition clearly describing the items or services needed, and the name of the suggested vendor. If maintenance or repair work is required, the department must state whether or not the vendor provides services on-site, or offsite. Provide the anticipated amount of funds required for the duration of the blanket purchase order, and a detailed justification for the need to open the blanket purchase order. When the Purchasing Division issues the blanket purchase order, the Auditor-Controller-County Clerk will encumber the funds against the department's budget. (Rev. 03/06)

*.1 Vendor Payment.* Requests for payment of invoices for items or service received under a blanket purchase order are transmitted on a Purchase Payment Authorization (PPA). The department is to verify the purchases as accurate, list the invoices on the PPA in numerical order, and attach the invoices as listed. Once signed by an authorized departmental representative, forward the PPA to the Auditor-Controller-County Clerk for processing. (Rev. 03/02)

*.2 Change in Encumbrance Amount.* To increase or decrease the original encumbrance amount, submit a

Request For Encumbrance Of Funds/Change Order via the Auditor-Controller-County Clerk's online encumbrance system. Increases and/or changes to a blanket purchase order require the prior approval by the Purchasing Division.

All blanket purchase order cancellations should be entered in the online encumbrance system, which will automatically forward the request to the Auditor-Controller-County Clerk. Change orders will not be prepared for vendor remittance address changes. Increases for blanket purchase orders that are not supported by a competitive bid process or a price agreement require review by the Purchasing Division and, if approved, a change order will be generated notifying the vendor of the increase in the amount of the blanket purchase order. The County will not be liable for the payment of any purchases that are above the amount established on the blanket purchase order. (Rev. 02/06)

.3 *Insurance.* Vendors are required to carry insurance in the amounts established by the County Risk Manager. The Purchasing Division will confirm evidence of this insurance for all price agreements, and construction projects, and when it has conducted a competitive bid process prior to issuing a purchase order or blanket purchase order. Departments will obtain proof of insurance on all sole source procurements and low dollar purchase orders issued without a competitive bid process. The final decision regarding the amount of insurance required rests with the County Risk Manager. (Rev. 03/06)

511. Surplus Property Disposal. Per Government Code §25504, the Purchasing Agent has the sole responsibility to dispose of surplus County-owned property or salvage. Departments in need of equipment that is deemed surplus by another department may submit a written request to the Purchasing Division, which will attempt to match the department's request with surplus equipment.

.1 *Surplus Material.* To initiate surplus property or equipment disposal, submit an online Inventory Adjustment Request (IAR) to the Auditor-Controller-County Clerk that itemizes each piece of property, and noting County inventory numbers, if applicable. The Purchasing Division will issue an IAR control number, which will be e-mailed back to the department automatically.

When the authorization notification is received from the Purchasing Division, the department arranges for transportation and delivery of the surplus items to the designated auction service. Prior to accepting the surplus property, the auction service will require a copy of the IAR that has the control number and signature of the Purchasing Division. (Rev. 03/02)

.2 *Interdepartmental Transfer.* If the surplus property or equipment is being transferred to another department, the transferring department prepares the IAR for approval to the other department and submits it to the Auditor-Controller-County Clerk.

.3 *Cannibalizing for Parts.* If the surplus equipment is beyond economical repair but has parts that can be used to replace defective parts on like equipment still in service, it may be more economical to keep the equipment in order to cannibalize (salvage) its parts. To cannibalize equipment parts, submit an IAR to the Auditor-Controller-County Clerk requesting authority, explaining the economic justification, and requesting authorization to delete the equipment from inventory. The Auditor-Controller-County Clerk will note approval of the request and delete the item from the department's inventory. The requesting department will remove all inventory tags or other identification from the item and proceed with the cannibalization. The equipment remains are transferred to the Purchasing Agent as surplus, non-inventoried equipment.

.4 *Junked Equipment.* When equipment items are to be junked as unusable and unsaleable, the department submits an IAR to the Auditor-Controller-County Clerk.

.5 *Surplus Vehicles.* Submit an IAR to the Purchasing Division. When authorization is obtained, it is the department's responsibility to remove the vehicle license plates and return them to the Purchasing Division. The Purchasing Division will obtain the legal title to the vehicle and transmit the title along with a copy of the IAR to the department. The department will deliver the vehicle along with the title to the County garage. If department has three or more vehicles, the Purchasing Division will arrange for the auction service to pick up and transport vehicles to the auction site. (Rev. 03/02)

.6 *Proceeds.* All proceeds are subject to auction service fees. The remainder is returned to the General

Fund. Items acquired through special purpose or grant funds or for which proceeds must be returned to the transferring department will be credited to that department, provided that prior notification to the Purchasing Division has been made.

Auction proceeds from surplus equipment that is replaced by new equipment acquired through a debt financing shall be applied to the outstanding debt by crediting the net auction proceeds to the fund and budget unit from which the replacement equipment was purchased.

512. Surplus Property Donation. To initiate a donation of surplus property or equipment to another governmental entity, submit an IAR to the Purchasing Division listing the items and the County inventory number, if applicable. The Purchasing Division will first determine if another department has identified a need for the equipment, and if not, will notify the department to proceed with the donation process. (Rev. 08/01) Board of Supervisors' approval by a 4/5 vote is required to donate surplus property or equipment. Prepare a Board letter that details the items to be donated, requests Board approval of the intent to donate, directs County Counsel to prepare a Notice of Intent, and directs the Clerk of the Board to publish the Notice. The Clerk of the Board will quarterly place all of the requests received on the Board's agenda as one item. If a department requires a donation before the next available quarterly cycle, the department head may request that the Clerk of the Board place the proposal on the next available agenda and the department will be invoiced for the cost of publication.

Following publication of the Intent to Donate, the Board will again consider each request. If approved, the Board will authorize the departments and Purchasing Division to complete the donation and transfer ownership of the items. The process for surplus property disposal applies, excepting that the department will deliver the property, equipment, or vehicle to the governmental entity receiving the donation.

*.1 Surplus Computer Equipment.* Surplus computer equipment may be donated to school districts and those non-profit organizations with a 501(c)(3) status that are organized for the care, teaching or training of children or that provide health and human services. To initiate the donation, submit an IAR to the Purchasing Division listing the items and the County inventory number, if applicable. The Purchasing Division will first determine if another department has identified a need for the equipment, and if not, will identify what school or non-profit can use the equipment being donated. Separate Board of Supervisors' approval is not required.

The donation must be conditioned on the following: computers will be loaded with operating system software only (all electronic files deleted and licensed software removed), inventory and identification tags must be removed, the County will not guarantee the current or future working condition nor provide technical assistance with the set-up or operation of the equipment. (Rev. 06/04)

513. Vending Machines and Public Telephones. The Purchasing Division is responsible for negotiating and executing licenses and agreements for placement and operation of vending machines and public telephones in County owned and leased buildings. All proceeds are credited to the General Fund through the Purchasing Division, unless otherwise authorized by the Purchasing Agent.

To have a vending machine installed in a facility, submit a written request to the Purchasing Division that includes the types of products to be vended, the anticipated number of staff members the machine will serve, whether the general public will have access to the machine, and the proposed location in the facility. The Purchasing Division will coordinate installation of the machines between the contract vendor and the requesting department. If there is already a contract with the State Department of Rehabilitation no vending machine will be allowed.

Requests for public telephone installation must contain justification and provide the number of existing public telephones in the facility or the closest public telephone to the County owned or leased facility.

514. Advance Payment. Postage, post office box rental, magazine and text subscriptions, membership dues, and training and technical materials on audio or video cassettes are expenditures that generally require advance payment. This payment can be made on a purchasing card or by processing a Claim for Payment (White Claim).

For payment with a Claim for Payment, submit a claim which includes the information regarding the desired payment, such as item, cost per item, sales tax, shipping instructions, invoice number, and inclusive dates of

subscription to the Auditor-Controller-County Clerk. Attach invoices, request for dues, etc., to the claim for proof of legal expenditure. The requesting department is responsible for determining the correct payee, payee address, and price. Warrants will be mailed directly to the vendors, except for postage, or unless otherwise requested.

Warrants for postage meter claims and postage claims will be returned to the requesting department via messenger mail, or in the case of out-of-town requests, mailed to the department. The requesting department is responsible for the purchase of stamps, etc. Warrants will be made payable to U.S. Postmaster.

**515. Revolving Funds.** Departments can request approval from the Auditor-Controller-County Clerk to establish a revolving fund for specific items. The written authorization from the Auditor-Controller-County Clerk will specify the dollar limit and use of the fund. Purchases should be in compliance with Government Code §29320. Reimbursement procedures are the same as for a petty cash fund.

**516. Petty Cash Revolving Fund.** To establish a petty cash revolving fund, the department head must obtain an authorization using the procedure in Section 504 and submit a request to the Auditor-Controller-County Clerk specifying the amount. Petty cash revolving funds will not be established for less than \$100. Departments with larger petty cash funds should consider establishing a checking account to handle disbursements. Contact the Auditor-Controller-County Clerk's Office for guidelines.

*.1 Unauthorized Use.* Accepting IOUs in any form, splitting invoices or receipts, and cashing checks or negotiable instruments is prohibited. Medicine, memberships, parking fees, printing (excluding bank charges for printing checks and deposit slips), training, registration fees, goods or services for employee socialization, travel or transportation expenses, gasoline, or furniture of any kind cannot be purchased through a petty cash fund.

*.2 Purchase Limits.* Purchases can be made up to \$500. Purchases over \$500 must be made by purchase order or with a purchasing card.

*.3 Reimbursement.* A receipt, invoice, or a petty cash voucher that states the vendor's name, what was purchased, and where the purchase was made must support purchases. Submit an electronic Claim for Payment and send a copy of the claim with the supporting expense documentation to the Auditor-Controller-County Clerk as frequently as needed to maintain an adequate cash balance in the fund. Claims for less than \$50 will not be accepted, except that all funds are to be reimbursed at the end of the fiscal year regardless of the amount reimbursable. Unless the size of the departmental structure prohibits, the custodian signature and the authorized signature on the Claim For Payment should not be the same. The warrant will be payable to the department head. If any portion of the claim is not approved for payment, the claim will be returned to the department for further review. If a claim is rejected for payment, the employee who authorized the purchase is responsible for reimbursing the Petty Cash Revolving Fund.

*.4 Accounting Documents.* The Auditor-Controller-County Clerk will provide samples of the petty cash vouchers, petty cash log, and a prepared Claim For Payment upon department request. Departments should maintain a log of any petty cash transactions that are not in a checking account. Distributions from the fund should match to receipts, invoices, and petty cash vouchers. Departments should retain a copy of receipts and invoices, petty cash vouchers, Claims for Payment, and petty cash log.

**517. Claim For Payment (White Claim).** White claims are submitted to the Auditor-Controller-County Clerk electronically. The department creates and approves the claim prior to submitting it to the Auditor-Controller-County Clerk. A copy of the intranet claim and invoice or other documentation is then sent to the Auditor-Controller-County Clerk for payment processing. Invoices should be original. In the event that a copy of an original must be used, it must be marked "Original" and must be signed by someone authorized by the department head to sign white claims. A valid signature card for those authorized to sign claims must be on file with the Auditor-Controller-County Clerk. A copy of an invoice should be provided for remittance to the vendor if necessary. If the invoice has a perforated remittance, no copy is needed. White claims must be used to process all payments on County contracts. Business invoices must be submitted to support claims or the claimant must sign the claim.

The Auditor-Controller-County Clerk will return to the department any claims it determines to be in error, and the

department will be requested to submit a requisition to the Purchasing Division. White claims shall not be used for payments of utilities or items that are purchased against a price agreement.

If statute or County policy requires a purchase order or agreement, the claim will be returned to the department unprocessed.

Charges that can be paid on a white claim without a purchase order or agreement are:

1. Emergency type payments that have been authorized by the Board
2. Subscriptions
3. Any charge the Board has authorized
4. Departmental specific charges for which the Board has authorized payment upon departmental approval
5. Registration fees
6. Employee reimbursements (See Chapter 3)
7. Payment of assessed liens
8. Penalty assessments
9. Memberships
10. Bank charges on County banking accounts
11. Reimbursement of Revolving, Cash Difference and Petty Cash Funds
12. Medical service payments (EMS, Health and KMC)
13. Government Code Refunds
14. Books, technical publications, training materials and postage, etc. (Rev. 03/06)
15. Permit fees
16. Notary Bonds
17. Legal notices
18. Expert testimony
19. Witness lodging under California Witness Protection Program
20. Live Scan fingerprints from the Department of Justice
21. Process service
22. Reproduction of litigation documents
23. Mediation
24. Arbitration
25. Witness fees
26. Reimbursement of legal costs ordered by the court
27. Court conference calls
28. Registration to practice before the Supreme Court
29. Court ordered fees or costs
30. Filing fees with the State or the court related to a case
31. Administrative hearing costs, including retirement
32. Superior court fees
33. Accident photos
34. Costs to access court records
35. Board of Trade event-related activities, including catering  
(Rev. 12/07)

518. County Contracts. The power to make contracts lies with the Board of Supervisors and the Purchasing Agent. It is the requisitioning department's responsibility to have the agreement reviewed by County Counsel. If County Counsel finds that the agreement requires the County to assume any unusual or unreasonable risk or liability, Board of Supervisors approval is required. For additional information on Purchasing Agent agreements see Section 523. (Rev. 03/02)

*.1 Department Responsibility.* The department head is responsible for the content of contracts handled by the department. The department head must be able to explain and defend the business terms and conditions in the contract, especially those that impose unreasonable and unusual liability on the County.

The department head is fully responsible for preparation and negotiation of business terms, conditions, and substantive content of all contracts for specialized services provided to or managed by the department, e.g. agreements of sale, software license agreements, professional service agreements. The substantive content includes, but is not limited to, total cost, per unit costs, deliverables, delivery dates, performance specifications, warranties, termination provisions, insurance and indemnification provisions, and County audit requirements. County Counsel will review and comment on statutory compliance, adequacy and accuracy of terms, and enforceability of all contracts. The Purchasing Division is charged with the responsibility of reviewing, and approving as to content, all technology related contracts for services, software licensing and equipment, for compliance with County standards and contract terms and conditions. The Purchasing Division is also available to provide assistance with contract negotiations and reviewing contract deliverables after a contract has been approved.

In negotiating with vendors, providers, consultants, experts, and any contractor, the department shall inform the contractor of the standard County terms and conditions or use a standard form contract that contains such terms and conditions. Negotiated terms and conditions must be favorable to the County, insure delivery of specialized services in a timely manner, and protect the County's interests. If a contractor insists that the County use the contractor's standard form contract, the department shall forward the contract to County Counsel for review. If the contract is approved by County Counsel it may be submitted to the Purchasing Division for execution, otherwise the department head must submit the contract to the Board of Supervisors for approval. (Rev. 03/02)

The department head is responsible for ensuring that the contractor is performing and complying with the terms and conditions of the contract prior to payment being made. A process/procedure for monitoring contracts for compliance must be established. (Rev. 02/03)

*.2 Authority to Enter into Contracts on Behalf of the County.* With few exceptions, only the Board of Supervisors or the Purchasing Agent may contract on behalf of the County. (Rev. 03/02)

*.3 Common Contract Types and Purchasing Agent Authority.* The following are the most common kinds of County contracts.

*a. Purchase of Personal Property.* The Purchasing Agent has authority to purchase all materials, supplies, furnishings, equipment, livestock, and other personal property (except election supplies), without Board of Supervisors' approval. County officers may spend money from revolving funds and other special funds for the acquisition of personal property consistent with Board of Supervisors' resolutions authorizing such expenditures.

*b. Leasing Goods for County Use.* The Purchasing Agent has authority to rent the furnishings and equipment for County offices without Board of Supervisors' approval.

*c. Service and Training Agreements.* The Board of Supervisors has authorized the Purchasing Agent to execute personal/professional services agreements up to \$20,000. (Refer to Section 523)

*d. Sale of County Personal Property.* If a department finds that personal property owned by the County and controlled by their department is no longer required for public use, the Purchasing Agent may sell that property or trade it in on the acquisition of other property.

*.4 Retroactive Approval of Board Contracts and Personal/Professional Service Agreements—General.* Departments must formally notify the Board of Supervisors of each contract that will be brought to the Board for approval after the contract's effective date. The notification shall be placed on the Board's agenda prior to the effective date of the contract and prior to the commencement of services required by the contract. The item may be placed on the agenda as a consent item. (Rev. 11/09)

The title of the notification is to be: NOTIFICATION OF ANTICIPATED RETROACTIVE APPROVAL OF AGREEMENT WITH (CONTRACTOR NAME) FOR (DESCRIPTION OF SERVICE). The recommendation is to be "receive and file notification", and the letter shall contain at least the following information: 1) amount of the agreement; 2) the services or products to be provided; 3) the effective date of the agreement; 4) an explanation as to why the services must commence prior to the Board's approval of the agreement; and 5) a detailed explanation as to

why the agreement was not brought before the Board for approval prior to the commencement of services required by the agreement. (Rev. 03/02)

If an agreement is not executed within six months of notifying the Board of Supervisors of the anticipated retroactive agreement, a status report must be placed on the Board's agenda. The item may be placed on the agenda as a consent item. (Rev. 07/06)

*.5 Retroactive Approval of Board Agreements—Other Government Entities.* Agreements with other government entities that are routinely presented to the Board for approval retroactively are to be consolidated in one annual Board notification of the anticipated retroactive approval, with each contract listed within the text of the Board letter and in the departmental subagenda language. (Rev. 11/09)

*.6 Agreement at a Glance.* This form is to be completed by the department and submitted in front of a proposed agreement with the accompanying agenda materials when a contract or an amendment to a contract is proposed for approval by the Board of Supervisors. This document allows for quick review of the contract's provisions by all parties. The form is available on CountyNet and is at Exhibit C. (Rev. 08/09)

**519. Request for Proposal for Personal and Professional Services.** Contracts in excess of \$20,000 for procuring personal and professional services must be approved by the Board of Supervisors following a Request for Proposal (RFP) process. If it is not possible to use an RFP process, or the department finds that such a process would not be appropriate or in the County's best interest, a sole source procurement may be used only after the department submits a letter to the Board of Supervisors sufficiently justifying the sole source procurement and requesting Board approval. This letter must be provided to the Purchasing Division at least 10 days prior to being placed on the Board's agenda for the Purchasing Agent's concurrence on the sole source justification. (Rev. 03/02)

State or federal funding agencies may require other specialized procurement procedures that must be integrated into the County's procedures. When the funding agency requires a significant deviation from the County's procedure, it is the requesting department's responsibility to properly and adequately notify the County Administrative Office and other affected departments.

*.1 Request for Proposals (RFP)/(Request for Qualifications (RFQ) - CountyNet Posting.* All RFP/RFQs must be posted on CountyNet. Departments are to complete the CountyNet RFP Notification Form. The electronic notification should be posted prior to issuing the RFP/RFQ. The notification will appear on the Purchasing Division's web page to encourage maximum RFP/RFQ response. (Rev. 06/01)

*.2 Local Vendor Solicitation.* Departments are to make every reasonable effort to ensure that local vendors are aware of and have an opportunity to respond to RFPs. Such efforts may include documented personal contact or mailing the RFP to local vendors. (Rev. 06/07)

*.3 Specialized RFP Procedure.* Departments that frequently issue RFPs may establish uniform specialized RFP development and review procedures. Although each department's process may vary somewhat each process must provide for the following:

Before the RFP is issued, the department prepares the RFP (using the RFP template on CountyNet) including a sample agreement, and forwards it to the County Administrative Office and County Counsel, and the Purchasing Division if the Division will be assisting with the RFP and resultant contract, for review and comment. The department forms an RFP evaluation committee and notifies the County Administrative Office of its members, and of the date for proposer interviews. The evaluation committee, after signing the "Conflict of Interest" form, meets to select a proposer to recommend to the department head, and the department negotiates an agreement for services. The agreement is forwarded to County Counsel for approval as to form and to the County Administrative Office for comment. After County Counsel and the County Administrative Office approve the agreement, the department places the agreement on the Board of Supervisors' agenda for approval or submits the agreement to the Purchasing Agent, if appropriate. (Rev. 03/02)

*.4 Standardized RFP Procedure.* Departments that use the RFP process shall use the standard RFP format, available on CountyNet, to begin the process. The department should customize the standardized RFP format for the services needed. County Counsel reviews the RFP prior to the RFP being forwarded to the County Administrative

Office and the Purchasing Division, if the Division will be assisting with the RFP and the resultant contract, for review and comment. All other procedures are the same as those above.

*.5 General RFP Requirements.* It is recommended that one person be assigned to interact with potential proposers. All information in a response to an RFP, including price, timing, staffing, etc., shall be confidential until the evaluation committee completes its recommendation.

At a minimum, the RFP should include a statement of the purpose of the RFP, a complete description of the project or the services to be obtained, a due date for return of the RFP that shall include a specific time of day and a location, and the specific criteria to be used in evaluating each proposal. The scope of work or type of services to be provided must be clearly defined. A sample agreement should be included whenever possible. (Rev. 08/01)

The RFP should request that the proposer indicate its understanding of the problem and work to be accomplished, outline the approach to obtain the result, detail the number of personnel and hours required for each major task, provide a cost and fee structure, and list related experience and references for like projects only. Verifiable milestone and time line charts should also be required.

*.6 RFP Review.* The RFP must be reviewed for legal form, insurance requirements, and other items deemed necessary by County Counsel. The Purchasing Agent may review the RFP for general compliance with County procedures for the acquisition of goods and services. The County Administrative Office may review the RFP for policy and procedural issues. This process is to help assure that County policies and procedures are appropriately addressed in the RFP and the resultant agreement for services, and does not diminish the department's responsibility for issuance, adequacy, and compliance with policies and legal requirements.

*.7 Evaluation of Responses.* The responses are evaluated against the established criteria, and the top responders are interviewed if necessary. The evaluation should include a review of the general quality of the response, responsiveness to the RFP, quality of the firm, experience of the personnel, timeliness, price, past work and other criteria specific to the service requirements. All RFP evaluators shall sign the "conflict of interest" statement available on CountyNet. (Rev. 03/06)

*.8 Exemptions to RFP Procedure for Personal Service Contracts.* A department that determines it is eligible for an exemption to all or part of this procedure shall send a position memorandum, for information purposes only, to the County Administrative Office justifying the reasons for the exemption along with supporting documentation. The exemption may be for a single RFP or a group of like RFPs (e.g. physician contracts).

*.9 Requests for Qualifications or Requests for Quotations (budget estimating purposes only).* The issuance of an RFQ should follow the same procedure as for an RFP. Requests for qualifications or requests for quotations (RFQs) should not be used in place of RFPs in order to simply save time or shortcut the normal RFP process except in certain limited situations, and such use must be approved in advance by County Counsel. Prior approval by County Counsel is not required if an RFQ will be used merely to gather the information necessary to prepare a more complete RFP that will then be used to select a consultant to provide the required services. Contact County Counsel if further clarification is needed. (Rev. 03/02)

*.10 Sub-grantees and Cooperative Agreement Entities.* This procedure does not apply to sub-grantees or cooperative agreement entities used by Employers Training Resource or Community Development Program Departments.

**520. Sole Source Procurement of Goods.** If the competitive process cannot be used to procure goods or the department feels that such a process would not be appropriate or in the County's best interest, a sole source justification for the purchase of goods only may be submitted to the Purchasing Agent for approval if the dollar amount is no more than \$20,000 per single item and no more than \$50,000 per acquisition. Board of Supervisors' approval is required for sole source procurement of any single item costing more than \$20,000 and when any single acquisition totals more than \$50,000. Any department requesting the issuance of a blanket purchase order to purchase of goods in excess of \$50,000 without the use of a competitive bid process, must first get Board of Supervisors' approval.

Prior to seeking Board of Supervisors' approval for sole source purchase of goods in excess of \$50,000 annually, the sole source request must be forwarded to the Purchasing Division for review 10 days prior to putting the letter on the Board's agenda. The Board letter justifying a sole source purchase must include the vendor's name, the dollar amount of the purchase, the justification for the purchase, all background information, and a statement as to whether the Purchasing Division concurs with the request. A "not to exceed" amount must be included on the Board letter. If a change is made in the vendor or the dollar amount is increased after the Board has approved the purchase, the department must seek re-approval from the Board. (Rev. 03/02)

Exceptions to this policy will be made for utility services and purchases from other government agencies or from competitive contracts awarded by other government agencies where the County can 'piggyback' on the competitive process and resulting contract.

521. Non-Professional Services – Blanket Purchase Orders. For non-professional services to be used against blanket purchase orders (i.e. pumping services, window cleaning, towing, electricians, plumbers and other like types of services), departments may use one-time services costing up to \$4,999, including tax. Services costing more than \$4,999, including tax, per occurrence or \$50,000 annually must be taken to the Board of Supervisors for sole source approval unless the Purchasing Division conducts a competitive bid process prior to the department needing the services.

Construction contracts (projects) with an estimated labor cost in excess of \$6,500 or a total cost of over \$10,000 shall be processed in accordance with State law and County policies and procedures and are not subject to the provisions in this section. (Refer to Section 505.2) (Rev. 03/02)

522. Demonstrations of Equipment/Software by Vendors. Departments may request a demonstration of equipment or software. This evaluation process is not in lieu of a competitive process. Prior to arranging any type of demonstration, the department must notify the Purchasing Division. No demonstration of equipment or software may remain in the department for more than 30 days, and the vendor must be advised that the Purchasing Division will conduct a competitive bid process prior to the department procuring the equipment or software. The demonstration and evaluation by the department does not give the department the authority to bypass the competitive bid process. (Rev. 06/05)

523. Personal/Professional Services and Speaker/Training Agreements. The Purchasing Agent is authorized to contract for personal or professional services in an amount not to exceed \$20,000 per contract for a term not to exceed two fiscal years and \$5,000 for agreements with speakers and trainers using the Board of Supervisors' pre-approved agreements. Departments shall not break a project into segments in order to use a Purchasing Agent agreement or to avoid issuing the contract using a competitive process. If evidence of such activity is present, the Purchasing Agent cannot sign the agreement and the department will be required to seek Board of Supervisors' approval. Agreement templates and instructions for completion are on CountyNet. (Rev. 08/01)

If the personal or professional services agreement is in excess of \$10,000, the department must advise the Purchasing Agent of the competitive process used to select the contractor. If the competitive bid process cannot be used, or the department finds that such a process would not be appropriate or in the County's best interest, then a sole source justification form shall be submitted to the Purchasing Division for approval. This form is located on CountyNet. (Rev. 03/02)

524. Purchasing Card. Except as prohibited by Section 524.3, a purchasing card may be used to make authorized purchases at any establishment that accepts credit cards. The merchant is responsible for obtaining authorization for the transaction. Those transactions exceeding the single, daily, or monthly transaction limit or are for non-qualified purchases will not be processed. Department heads are responsible for the proper use of purchasing cards issued to employees and for insuring compliance with the policies and procedures provided in this section.

The Purchasing Division will forward a U.S. (Cal-Card) Purchasing Card Cardholder Set-Up/Change Request form for each employee authorized by the department head to be issued a card. The employee completes the Applicant Information section and signs the form. The department head completes the Authorization Parameters and by signing indicates approval for issuing the card. The form is returned to the Purchasing Division for review and submittal to U.S. Bank. U.S. Bank will forward the cards to the Purchasing Division. Each card will be issued a unique account

number specific to the department and the employee (cardholder).

.1 *Lost or Stolen Cards.* Promptly report lost or stolen cards to the Assistant County Administrative Officer for General Services, who will immediately notify U.S. Bank and request cancellation of the card. Any unauthorized charges incurred prior to notifying U.S. Bank are the responsibility of the department, not to exceed \$50 in accordance with the U.S. Bank Purchasing Card Agreement.

.2 *Card Cancellation.* When a cardholder leaves County employment or the department head rescinds the employee's authorization, it is the responsibility of the department to promptly return the card(s) to the Purchasing Division with a written explanation for cancellation. The department is responsible for any charges incurred after an employee leaves County employment or has the card canceled.

.3 *Card Restrictions.* Single transactions cannot exceed \$2,500. Purchasing cards shall not be used for personal items or services, fuel, fixed assets, cash advances, meals, travel and/or lodging, personal or professional services, items with an associated contract or under a price agreement, or items stocked by the Reprographics Division or duplicating services without obtaining a price estimate from the Reprographics Division.

Use of a purchasing card at a restaurant or hotel will cause a rejection of the card. Food items for employee appreciation or socials may not be purchased without Board of Supervisors' approval. (Rev. 03/02)

A cardholder cannot charge over \$50,000 to a purchasing card (or cards if they purchase for more than one budget unit) during a fiscal year, without special approval from the Purchasing Agent. Any card reaching the \$50,000 amount will be frozen until the start of the next fiscal year. Additional restrictions may be implemented on the employees' use of the cards by the authorizing department head. (Rev. 03/02)

.4 *Supporting Documentation.* Approved purchases will require the employee's (cardholder's) signature verifying the items purchased, and the correct pricing and sales tax (when applicable). All charges must be supported by a sales draft. If the sales draft does not contain sufficient description to properly identify the items purchased, a detailed receipt or other supporting document by the merchant should be attached to the sales draft. Sales drafts and receipts are to be maintained by the department for three years from the date of purchase for audit purposes and are considered public documents. The copy of the sales draft and any supporting receipts are used by the department to verify and reconcile the charges on the monthly statement from U.S. Bank and are not submitted to the Auditor-Controller-County Clerk. (Rev. 08/07)

A written log of purchases made by telephone must be maintained. The log will be used to reconcile purchases against the monthly statement and must include the employee (cardholder) name, card (account) number, order date, items purchased, amount charged, date goods received, and the billing statement date.

.5 *Card Purchase Payments.* Departments must set up expense key 7446 to enable the Auditor-Controller-County Clerk to cost apply the department's purchasing card charges monthly. At the close of each billing cycle, departments will receive a Statement of Account. Departments must review the Statement of Account for accuracy and verify that each charge is supported by a sales draft. The Statement of Account and the Purchasing Card Certification form signed by an authorized department employee are maintained by the department for audit purposes. The Auditor-Controller-County Clerk will pay all charges as listed on the countywide Statement of Account. (Rev. 08/07)

If the department identifies any incorrect or non-allowable charges, then the department will prepare a request for credits for incorrect charges. The request shall be supported by a detailed explanation. The Auditor-Controller-County Clerk will make these adjustments before the next billing cycle. All service charges or fees are to be identified by expenditure code 7446. Changes will be cost applied to departments by a Journal Voucher. If a change to the statement is made, a copy of the revised statement will be returned to the department. (Rev. 03/02)

.6 *Unauthorized Card Use.* Employees that misuse their cards will lose all card privileges. Misuse is defined as purchasing multiple items over several days to avoid the competitive bid process, splitting items to circumvent the fixed asset process or the card transaction limit, purchasing food, purchasing items for employee appreciation or socials without prior authorization from the Board of Supervisors, purchasing personal and

professional services, travel or lodging expense payment, or any use as stated in Section 524.3. Purchasing cards shall only be used by the employee to whom the card was issued. Cards shall not be loaned. Any misuse found by the Auditor-Controller-County Clerk during the auditing process will be reported to the Purchasing Division. (Rev. 08/01)

7. *Declared Disaster.* During a declared disaster, purchasing card restrictions shall be lifted for specified cardholders to handle emergency requirements as needed to keep the department functioning. Upon declaration of a disaster, as authorized by the Board of Supervisors, purchasing card restrictions for pre-approved cards will be increased to \$10,000 per transaction. Once the initial disaster is over, all dollar amounts will go back to the original limits. (Rev. 03/06)

525. Local Vendor Preference. This Board of Supervisors' approved program applies to all competitive bids for equipment, materials, supplies, and contractual services for which low bid to specification is the sole criteria for award. No consideration shall be given to any other factors such as qualifications, references or experience in determining contract award, provided the local vendor whose price is ultimately determined to be the lowest has met all of the bid specifications and requirements. The definition of "local vendor" and the process for implementation of the local vendor preference are contained in Ordinance Code section 2.38.131. (Rev. 09/09)

The local vendor preference does not apply to contracts required by State or federal statutes or regulations to be awarded to the "lowest responsible bidder" or any other contracts that are statutorily or otherwise precluded from the use of local vendor preferences. (Rev. 09/09)

If the low bidder is not a local vendor, any local vendor who submitted a bid that is within five percent of the low bid shall have the option of submitting a new bid in an amount less than or equal to the low bid within 48 hours (not including weekends and holidays) of the time indicated in the bid documents of the bid opening. For telephone quotes or facsimile bids it is the responsibility of the buyer to determine who the low bidder is and to implement the Local Vendor Preference Program. (Rev. 09/09)

Departments using the fast track purchase order process must complete the quote sheet. The Purchasing Division will make any necessary contact with vendors; departments will not initiate the contact to implement the program, but will submit a quote sheet with the requisition to the Purchasing Division for an award. (Rev. 09/09)

526. Confirming Orders. With few exceptions, only the Board of Supervisors and the Purchasing Agent can obligate the County. Any employee that orders goods or services without following the established procedures for payment has exceeded his/her authority. The Purchasing Division with a written justification may approve confirming orders if the amount is less than \$4,999, including tax and shipping, and is not for personal or professional services. Confirming orders over \$4,999 or personal or professional services contracts, regardless of the amount, shall be placed on the Board of Supervisors' agenda by the department for approval. (Rev. 03/06)

527. Emergency Purchases. Departments must notify the Purchasing Division immediately to obtain approval to proceed with an emergency purchase of goods (any dollar amount) or services (under \$10,000). If the emergency is an 'after hours' health and safety issue, proceed with acquiring the goods or services required to handle the emergency and notify the Purchasing Division the next business day for instructions on how to issue payment to the vendor responding to the emergency. If the emergency purchase was required for a 'public works' project and exceeds \$6,500 in labor cost or \$10,000 in total cost, refer to the procedures in Section 528.2. (Rev. 03/06)

528. Purchasing Agent Procurement and Applicable Dollar Limitations. The following is a brief guideline for the procurement of goods and services through the Purchasing Agent. This guideline identifies certain dollar limitations relative to the acquisition of specific types of goods and services. (Rev. 03/02)

.1 *Construction Projects (\$10,000).* Where the aggregate cost of a public works project does not exceed \$6,500 in labor and \$3,500 in materials, a contract may be let by the Purchasing Agent using informal bidding procedures without the adoption of plans and specifications by the Board of Supervisors or the need to advertise for bids. It is a misdemeanor to split a project into two or more smaller projects to avoid the dollar limitations.

*.2 Construction - Emergency Projects.* Where the aggregate cost of an emergency ‘public works’ project exceeds \$6,500 in labor cost or \$10,000 in total cost and there is not sufficient time to follow the normal bidding process due to a health and safety issue, a resolution must be prepared for approval by the Board of Supervisors at the next scheduled Board meeting. The Clerk of the Board has the required forms available and the department should work with County Counsel to prepare the necessary resolution dispensing with the bid procedures and notifying the Board of the emergency action taken. The department should also notify the Purchasing Division of the action being taken and send a copy of the resolution to the Purchasing Division for review prior to the date the item will be placed on the Board’s agenda. (Rev 02/06)

*.3 Personal/Professional Services (\$20,000).* The Purchasing Agent is authorized to execute Board pre-approved contracts for personal/professional services when the total compensation to the vendor is not more than \$20,000. The procurement of personal/professional services exceeding that amount should go through the RFP process, and should culminate with a Board approved contract. Boilerplate personal/professional services agreements and the instructions are available electronically on CountyNet.

*.3 Fixed Assets (\$5,000).* Any single item costing \$5,000 or more, including tax and shipping, must have a fixed asset account established.

*.4 Sole Source Purchase (\$20,000).* Any single item costing \$20,000 or more that is purchased without using the competitive bid process requires Board of Supervisors’ Approval. (Section 520)

*.5 Other Than Low Bid (\$1,000).* If the Purchasing Division or the requisitioning department elects to purchase an item from a vendor who is not the low bidder, and the single item has a cost of \$1,000 or more, the purchase requires Board of Supervisors’ approval per the County Ordinance Code.

*.6 Fast Track Purchase Order (up to \$20,000).* The Purchasing Division will prepare a “fast track” purchase order when a department has obtained three bids and the total dollar amount is not more than \$20,000. (Refer to Section 505.1) (Rev. 03/06)

*.7 Decentralized Purchasing (\$2,500)—Purchasing Cards.* The authority to purchase goods or services up to \$2,500 with a purchasing card is delegated to departments, except for the procurement of personal/professional services. When procuring non-professional services, all normal policies and procedures are to be followed and checked by departments (i.e. obtaining certificates of insurance, paying prevailing wage, and verifying State of California valid contractors license numbers). Payment may be made with a purchasing card. (Refer to Section 524)

529. Protest Procedures for Request for Bid/Quotation, Request for Proposal, Request for Qualifications. Any bidder, proposer, or contractor who is allegedly aggrieved in connection with the solicitation or award of a contract or purchase order may protest. Bidders are to be advised that protests of the process, terms, conditions or any other aspect of the solicitation must be made prior to the bid or proposal due date. Bidders may not protest the contents of the specifications of the bid nor the award based on the use of the Local Vendor Preference ordinance. Protests must be transmitted by facsimile or by mail to the attention of the Purchasing Agent.

Protest of the award must be made immediately, and in no event later than five working days after the aggrieved party knows, or should have known, the facts giving rise thereto. All protests must include the following information: 1) the name, address and telephone number of the protestor; 2) the signature of the protestor or protestor’s representative; 3) the solicitation or contract number; 4) a detailed statement of the legal and/or factual grounds of the protest and all documentation supporting the vendor’s position at the time of the initial protest; and 5) the form of relief requested.

The Purchasing Agent will respond in writing within five working days to the protestor. If the protestant wishes to appeal the decision rendered by the Purchasing Agent, such appeal must be made in writing to the Board of Supervisors within five working days of the Purchasing Agent’s response. Protestants must contact the Clerk of the Board to be scheduled on the Board’s agenda for the very next available meeting. All information submitted to the Board must be presented to the Purchasing Agent five working days prior to the Board meeting. (Rev. 03/02)

530. County Vehicle Standards. It is the policy of the Board of Supervisors that County purchased and leased vehicles are to be the most economical and fuel efficient vehicle suitable for the planned use of the vehicle, while considering employee safety and vehicle durability. The full policy in Exhibit "A" applies to all vehicles purchased or leased by County departments. (Rev. 01/05)

531. "I Agree" Software Policy. Department heads and designees are authorized to click "I Agree" to download and purchase software and software maintenance throughout the internet and to purchase off-the-shelf software with shrink-wrap licenses subject to the conditions stated in Exhibit "B", which contains the full policy. (Rev. 07/05)

## KERN COUNTY VEHICLE STANDARDS

### Summary

The Policy of the Board of Supervisors related to managing the County's diverse fleet of vehicles is to ensure all County vehicles, purchased or leased, are appropriate for their intended use, are the most economical, fuel efficient and low emitting vehicles possible while considering employee safety, vehicle durability and reliability.

This policy encourages replacement of the oldest vehicles in the fleet and vehicles that have come to the end of their determined lifespan with appropriately classed vehicles that have cleaner running engines which will significantly reduce emissions of NOx, PM, and Carbon Dioxide. This tactic confirms the County's commitment and responsibility to improving air quality, increasing fuel efficiency, and successfully managing its fleet.

Over the next year and reporting back to the Board of Supervisors annually, the County Administrative Office, General Services Division will establish a baseline of its current overall fleet emissions and will monitor and evaluate that fleet average emission rate as it declines over time due to vehicle replacements with lower emissions.

The County replaces vehicles through a responsible process, requiring interaction between Departments and the County Administrative Office that articulate justification for the Department's operational needs for a class of vehicle. This policy demands that all new motor vehicles and replacement vehicles undergo appropriate steps within the justification process to ensure that the vehicle purchase is warranted and that the appropriate size and configuration are understood and agreed upon for its intended use. The County Vehicle Standard allows for that class of vehicle to enter into a procurement phase where vehicles are bid and selected based upon their emission rating score and their stated fuel economy.

It is our goal, as an agency with a large number of motor vehicles in the Southern San Joaquin Valley, to lead by example and to operate and maintain a low emission, fuel efficient fleet of vehicles while conducting County government services.

### **1. Vehicle Policy Requirements**

- a. All fleet vehicles purchased for the County of Kern shall be:
  - i. Consistent with the Board-approved program to standardize fleet vehicles,
  - ii. The most fuel-efficient and lowest emissions within the vehicle class/type,\*
  - iii. Commercially available from foreign and domestic manufactures,
  - iv. Practical,

- v. The acquisition of vehicles carrying the US EPA Certified SmartWay or SmartWay Elite designation\*\* (AFV, Hybrid, PZEV and SULEV or stringent emission rated fleet vehicles) shall be the first choice when considering a new or replacement vehicle. Vehicles not meeting the EPA's Certified SmartWay designation will require justification and approval from the CAO's Office.
- vi. When the CAO's Office denies a request for a vehicle do to lack of justification or work assignment. The Department may appeal the decision to the Board of Supervisors.

\*The "most fuel-efficient vehicles" are those with a fuel economy rating (combined average of city and highway mileage) determined by the U.S. Environmental Protection Agency that is within 10% of the highest rated vehicle meeting the criteria above. Currently in 2007, in order of decreasing stringency, these emission categories are: ZEV (Zero Emission Vehicles), AT PZEV (Advanced Technology Partial Zero Emission Vehicle), PZEV (Partial Zero Emission Vehicle), SULEV (Super Ultra Low Emission Vehicles), ULEV (Ultra Low Emission Vehicles), and LEV (Low Emission Vehicle).

\*\*The lowest emissions vehicles are those vehicles with a very good or superior environmental score (Air Pollution Score, and Greenhouse Gas Score) indicated with the SmartWay or SmartWay Elite designation. SmartWay is earned by those vehicles that score 6 or better on both the Air Pollution and Greenhouse Gas Scores and achieve a combined score of at least 13 when added together. Higher Air Pollution scores indicate vehicles that reduce emissions that cause smog and other health problems relative to other vehicles. Higher Greenhouse Gas Scores indicate vehicles that reduce emissions of carbon dioxide and have improved fuel economy relative to other vehicles. The [Greenhouse Gas Score](#) has been revised for 2008 models to account for the new fuel economy methods.<sup>1</sup>

- b. If more than one vehicle model meets the criteria above or if a fuel economy rating has not been established for the candidate vehicles based on their Gross Vehicle Weight (GVW) rating, preference will be given to the make and model that is certified by the US EPA as Certified SmartWay or SmartWay Elite designation
- c. Non-standard vehicles and options will not be purchased without justification and necessity of work assignment. Justifiable work assignments may include rough terrain/off-road travel, passenger/cargo requirements, and /or trailer towing requirements on a routine basis.
- d. The CAO General Services Division will assist departments that operate County vehicles to identify opportunities to replace gasoline and diesel powered fleet vehicles with lower emissions, more fuel-efficient vehicles. Working toward a goal to lower the overall fleet average emission rate.
- e. Departments that request an additional vehicle, replacement vehicle, or other than a standard County vehicle (see Appendix A) must provide justification from the Director of the requesting department for necessity of work assignment, and be

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<sup>1</sup> [epa.gov/greenvehicles](http://epa.gov/greenvehicles)

approved by the CAO's Office. Due to their special requirements, law enforcement and Emergency Response vehicles as defined in Section 165 of the California Vehicle Code will not be included in this requirement.

Exceptions to this policy may be approved by the CAO's Office on a case-by case basis, based on the intended use or application, vehicle specifications and/or overriding cost considerations. Fuel economy and vehicle emissions shall continue to be taken into account when selecting vehicles.

- f. The Assistant CAO for General Services and Primary Assignees that manage County fleets will, on an ongoing basis, evaluate the most economical time to replace County vehicles. Factors to be used in evaluating replacement vehicles will include vehicle age, accumulated usage, condition, maintenance/cost history, and suitability of assignment. The age/mileage criteria to be used in evaluating County vehicles for replacement will be:
  - i. Standard Sedan – 7 years / 100,000 miles
  - ii. Patrol Sedan – 4 years / 90,000 miles
  - iii. Patrol SUV – 5 years / 90,000
  - iv. Light Trucks/Vans – 10 years / 100,000 miles
  - v. Medium/Heavy Trucks – 10 years / 100,000 miles
  - vi. Construction/Specialty Equipment – To be determined based on operational needs and recommendation from Department Director.

\*The preceding standardized classification designation recommendations are indented to be a baseline and general enough to initiate conversations amongst the fleet manager and departmental representatives. Additional modifications of the timelines and mileage and vehicle types may be negotiated among the CAO, fleet managers and Departmental representatives for mutual satisfaction.

## **2. Vehicle Management Policy**

- a. Fleet management procedures must minimize life cycle cost while meeting operational requirements. (See the definition of life cycle cost in Appendix B under the explanation of terms.) These include:
  - vii. Analyzing the various transportation options to reduce the total travel costs in the organization, including but not limited to the cost of vehicle purchases, leases, local short-term rentals, and costs for employee provided vehicles;

- viii. Selecting the most beneficial vehicle to lease or purchase by analyzing and evaluating historical and anticipated future life cycle data. This will include a cost comparison of fuel types for the expected fuel consumption, maintenance, and repair data and expected resale values as well as expected emission levels when compared to other vehicles in the same class
- b. Procurement and leasing practices must be consistent with County direction to standardize vehicle selection whenever possible and to minimize life cycle cost by:
  - i. Acquiring vehicles through submission of a “Vehicle Request” form to the County Administrative Office who will review the request for compliance with the County Vehicle Standards Policy.
  - ii. Using the County Vehicle Master Bid developed through the Vehicle Request forms submitted and approved by the CAO.
  - iii. Avoiding emergency purchases from dealer stock. These types of purchases should be rare and are not justifiable on grounds of planning difficulties, year-end surplus spending, or the length of the procurement process.
  - iv. Predetermining the most desirable disposal timeframes at the time a vehicle is purchased. Departments will ensure budgets anticipate such replacement costs and the lead-times required for purchase, which can be up to six months. At the time replacement is being considered, a challenge mechanism must be in place to ensure there is an ongoing need for transportation and that of all the options, including leasing and sharing other vehicles, the best response to that need continues to be the procurement of a vehicle. (See section 1 of Appendix C for guidelines on this challenge process.)
- c. Departments must ensure a capability for tracking essential information about the fleet for management and reporting requirements by:
  - i. Using one common County wide fleet management information system and a companion credit card to monitor the cost of maintaining, repairing and operating vehicles as part of a life cycle management approach. Ensuring interoperability and consistency among the fleets for readily accessible data for accurate countywide analysis of individual vehicle cost and usage, except where specifically excluded. Exceptions will be subject to assessment by the CAO’s approval, as appropriate. The assessment will focus on cost-effectiveness and on whether the system sufficiently mirrors best practices in the private sector;
  - ii. Avoiding duplicate or competing systems, or systems that do not retain a department-wide focus. The database must be flexible and responsive to internal and external reporting on environmental and life cycle management requirements;
  - iii. Ensuring one departmental manager is authorized and accountable for maintaining a complete and accurate vehicle fleet database that is responsive to reporting requirements for the departmental vehicle fleet.

- iv. Identifying the vehicle including make, model, Vehicle Identification Number, expected service life of the vehicle, and engine particulars (i.e., engine size in liters, number cylinders, fuel types the vehicle can use.
- v. Identifying vehicle location
- vi. Providing a general description of the operating duties, including; whether the vehicle is single, multi-user or pooled; whether the vehicle is shared with other departments; the pool manager's name and telephone number; the repair and maintenance history, including emission test data; the current odometer reading; and the expected disposal date;
- vii. Tracking the disposal value received or the disposal status, including the physical location of a vehicle declared surplus but still waiting for disposal, the date it was declared surplus, and the date of its disposal;
- viii. Retaining an electronic or manual file record of the life cycle history of the vehicles for the period that they are in the fleet. This information must be retained for a period of five years after a vehicle leaves the fleet and must include purchase, operations, maintenance, repair, and disposal records.

### ***3. Procedural requirements of the Motor Vehicle Policy***

#### ***Definitions***

**Bi-fuel vehicle:** a vehicle with two separate fuel systems that operates on either fuel (e.g., a bi-fuel gasoline/Compressed Natural Gas vehicle can operate on either gasoline or Natural gas).

**Cost-effective:** cost-effectiveness shall be determined in the standardized approach established by the methodology in Appendix B. An alternative fuel vehicle will be considered cost-effective when it delivers a life cycle cost equal to or lower than the equivalent gasoline powered vehicle.

**Dual-fuel vehicle:** a vehicle with two separate fuel systems that operates on one specific fuel or on both fuels simultaneously (e.g., a dual-fuel diesel/natural gas vehicle burns diesel for ignition and natural gas for the source of power; the vehicle can also operate on diesel).

**Flex-fuel vehicle:** a vehicle with a single fuel system that operates on either of two different fuels or a blend of the two (e.g., an M85 vehicle can operate on gasoline alone or on any blend of gasoline and methanol to a maximum of 85 per cent methanol).

**Dedicated-fuel vehicle:** a vehicle with a single fuel system that operates on one fuel only (e.g., a dedicated-fuel natural gas vehicle operates on natural gas only).

**Hybrid vehicle:** Any vehicle is hybrid when it combines two or more sources of power that can directly or indirectly provide propulsion power.

**Operationally feasible:** decisions regarding operational feasibility will relate to the vehicle platform, the fuel availability, and the proposed use of the vehicle as described in Appendix A of the Motor Vehicle Policy.

### **3.1 Selecting an Alternative Fuel Vehicle**

- a) Inefficient fleets must be rationalized to reduce the number of vehicles in the fleet and to maximize the use of the remaining vehicles in the fleet before considering using alternative fuels.
- b) Vehicles in a rationalized fleet must first be identified as good candidates for using alternative fuels based on *operational feasibility* considerations that include fuel availability.
- c) A vehicle must also meet the cost-effectiveness test. If the proposed vehicle is cost-effective (meaning that it delivers a life cycle cost as low as or lower than the comparable gasoline or standard diesel powered vehicle), it is then confirmed as a cost-effective candidate for use of alternative fuels. It can be replaced with an alternative fuel vehicle purchased from a manufacturer, converted in the aftermarket or leased as a vehicle capable of operating on an alternative fuel such as propane, natural gas, ethanol, methanol, hydrogen, or electricity.

### **3.3 Purchasing or leasing a manufactured alternative fuel vehicle**

If a decision is made to purchase or lease a replacement vehicle, consideration must be given to both dedicated alternative fuel vehicles and flex-fuel or bi-fuel vehicles capable of operating on gasoline and an alternative fuel. Operational feasibility considerations will also determine this choice. In considering service support for Original Equipment Manufacturer's (OEM) alternative fuel vehicles, departments must ensure the manufacturer has qualified the local service dealership to service the type of alternative fuel vehicle being purchased or leased. Not all OEM dealerships may be qualified to service the alternative fuel vehicles sold by the manufacturer.

### **3.4 Aftermarket conversions of gasoline vehicles**

The integrity of the basic vehicle warranty must not be affected by converting a gasoline vehicle to use an alternative fuel. Conversion contractors must provide a minimum one-year warranty on the performance of equipment and the quality of installation.

#### 4. Fleet Rule for Public Agencies and Utilities

On December 8, 2005 the California Air Resources Board (ARB) adopted a fleet rule to reduce diesel particulate matter (PM) emissions from fleets operated by public agencies and utilities. Any municipality or utility that owns, leases, or operates on-road diesel-fueled heavy-duty vehicles with a 1960 to 2006 model-year medium heavy-duty or heavy heavy-duty engine and a manufacturer's gross vehicle weight rating greater than 14,000 pounds.

a. **Compliance Requirements:**

**Apply Best Available Control Technology (BACT) to Vehicles According to a Specified Implementation Schedule.** Each fleet is divided into three groups based on engine model-year: Group 1 (1960-1987), Group 2 (1988-2002), and Group 3 (2003-2006). The schedule (see Table 1) specifies compliance deadlines and the percentage of each group that must be equipped with BACT by those deadlines. The first compliance deadline is December 31, 2007 when 20% of Group 1 and 20% of Group 2 engines must be brought into compliance.

b. **Recordkeeping to Document Compliance:**

**Primary Assignees determine their total fleet count as of January 1, of each year with a compliance deadline. A copy of this compliance reporting form is to be sent to the CAO's Office. All records must be kept for the life of the vehicle while it operates in California. Certain records must be kept and made available at the terminal where the vehicle is normally housed. Other records must be kept in the vehicle.**

c. **Continuous Compliance:**

Municipality or utility is required to keep each vehicle in compliance with this regulation, once it is in compliance, so long as the municipality or utility is operating the vehicle in California. Any violations may carry civil penalties as specified in state law and regulations.

**Table 1 Implementation Schedule for Municipal and Utility Fleet vehicles**

Group	Engine Model Year	Percentage <sup>1</sup> of Group use BACT	Compliance Deadline December 31
1	1960-1987	20%	2007
		60%	2009
		100%	2011

2	1988-2002	20% 60% 100%	2007 2009 2011
3	2003-2006 (Includes dual-fuel and fuel engines)	50% 100%	2009 2010

- 1 An owner may not use Level 1 technology as classified pursuant to title 13, California Code of Regulations section 2700, as best available control technology on a Group 1 engine or vehicle.

## **5. Regulation to Reduce Emissions from In-Use Off-Road Diesel Vehicles**

On July 26, 2007, the California Air Resources Board (ARB) approved a regulation to reduce emissions from existing off-road diesel vehicles used in California construction, mining, and other industries.

### **a. Regulation Compliance:**

Departments that owns or operates diesel-powered off-road vehicles (except for agricultural) with engines with maximum power of 25 horsepower (hp) or greater are subject to the regulation. The regulation applies to vehicles commonly used in construction, mining, rental, airport ground support and other industries. Out-of-State companies doing business in California are also subject to the regulation.

### **b. Types of vehicles subject to the regulation:**

The regulation applies to self-propelled diesel-fueled vehicles that cannot be registered and licensed to drive on-road. Examples include loaders, crawler tractors, skid steers, backhoes, forklifts, and airport ground support equipment. The regulation does not apply to stationary equipment or portable equipment such as generators.

### **c. Regulation Requirements:**

The regulation requires fleets to apply exhaust retrofits that capture pollutants before they are emitted to the air, and to accelerate turnover of fleets to newer, cleaner engines.

The regulation establishes fleet average emission rates for PM and NO<sub>x</sub> that decline over time. Each year, the regulation requires each fleet to meet the fleet average emission rate targets for PM or apply the highest level verified diesel emission control system to 20 percent of it horsepower. In addition, large and medium fleets are required each year to meet the fleet average emission rate targets for NO<sub>x</sub> or to turn over a certain percent of their horsepower (8 percent in early years, and 10 percent in later years). “Turn over” means repowering with a cleaner engine, retiring a vehicle, replacing a vehicle with a new or used piece, or designating a dirty vehicle as low-use

vehicle. If retrofits that reduce NOx emissions become available, they may be used in lieu of turnover as long as they achieve the same emission benefits.

**d. Regulation Compliance Dates:**

The regulation takes effect earliest for the largest fleets, those with over 5,000 horsepower of affected vehicles. (The fleet size excludes vehicles operated less than 100 hours per year.) For these large fleets, the first fleet average compliance dates are in 2010.

For medium fleets, those with 2,501 to 5,000 hp, the first fleet average compliance dates are in 2013.

The requirements are delayed until 2015 for fleets of 2,500 hp or less. These fleets are subject only to the PM fleet average, and thus would not have to accelerate turnover of their vehicles.

**e. Primary Assignees Responsibilities:**

Departments that own and operate In-Use Off-Road Diesel vehicles are required to complete the Fleet Average Calculator Excel spread sheet for your fleet and send a copy to the CAO's Office. The file can be found on the on the Air Resources Board Webb site listed below:

<http://www.arb.ca.gov/msprog/ordiesel/documents.htm>

## Appendix A – Listing of Standard County Vehicles

The following vehicle classifications are considered *Standard*.

1. **Sub-Compact Sedans:** Shall have a maximum wheel base of 101 inches and will have an engine no larger than a 4-cylinder engine and an emissions rating of SULEV or better.
2. **Compact Sedans:** Shall have a minimum wheel base of 101.1 inches and a maximum of 105.9 inches and will have an engine no larger than a 4-cylinder and an emissions rating of SULEV or better..
3. **Mid-Size Sedans:** Shall have a minimum wheel base of 106 inches and a maximum of 110 inches and will have an engine no larger than a 4-cylinder and an emissions rating of SULEV or better.
4. **Law Enforcement Sedans:** Authorized Emergency vehicles as defined in Section 165 of the California Vehicle Code.
5. **Compact Pickup Regular Cab and Extended Cab 2-Wheel Drive:** Shall be powered by the lowest emission engine available within the class.
6. **Full-Size Half Ton Pickup Regular Cab and extended Cab 2-Wheel Drive:** Shall be powered by the lowest emission engine available within the class.

The following vehicle classifications are example of classifications requiring justification.

1. **Large Size Sedans:** Shall have a minimum wheel base of 110.1 inches and maximum of 120 inches and will have an engine no larger than a 6-cylinder. Larger engines will not be purchased without justification and necessity of work assignment.
2. **Compact Sport Utility Vehicle 2WD and 4WD, Seats up to 5 Passengers:** Shall have a minimum wheel base of 103 inches and a maximum of 113 inches and will have an engine no larger than a 4-cylinder.
3. **Half-Ton Sport Utility Vehicle 2WD and 4WD, Seats up to 7 Passengers:** Shall have a minimum wheel base of 109.5 inches and a maximum of 114 inches and will have an engine no larger than a 6-cylinder or the lowest emission engine within the class.
4. **Half-Ton and 3/4 Ton Sport Utility Vehicles 2WD and 4WD, Seats up to 9 Passengers:** Shall have a minimum wheel base of 116 inches and will have the lowest emission engine within the class.
5. **3/4 Ton and 1 Ton Pickup Regular Cab, Extended Cab, and Crew Cab 2WD and 4WD:** Shall be authorized when such vehicles are essential to the Department's mission. For example, pickup trucks with specialty bodies warrant 3/4 ton and above weight capacity.

6. **Vans Cargo/Passenger to High Cube Cargo:** Shall be authorized when such vehicles are essential to the Department's mission.

### **Vehicle Option Standards:**

1. Standard equipment packages (i.e. power packages- electric windows, cruise control and power door locks)
2. Vinyl or cloth interiors (No leather interiors shall be authorized)
3. White colored vehicles are considered standard. Colored vehicles shall be justified and accepted with solid colors only. No premium or upgraded paint packages will be authorized.
4. No premium or optional rims will be authorized
5. Standard window tinting only, optional tinting configurations must be justified.
6. AM/FM/Single CD Stereo
7. Half-ton vehicles may be equipped with a Class-III hitch.
8. Three-quarter ton may be equipped with a Class IV hitch and appropriate trailer brake system.

Any requested vehicle not in conformance with these policy standards will require additional justification on the Vehicle Request Form.

# VEHICLE REQUESTS (SUBMIT TO CAO)

Budget Unit No. \_\_\_\_\_ Budget Unit Title \_\_\_\_\_ For Fiscal Year 20\_\_

Item Requested - Give Detailed Description (do not use brand names):		This request is for the following: A. <input type="checkbox"/> Additional Vehicle B. <input type="checkbox"/> Replacement Vehicle C. <input type="checkbox"/> Leased Vehicle
Class Code: _____ <small>(See vehicle classification list on intranet)</small>  Gross Vehicle Weight (GVW): _____ lbs. <small>(Only applicable for pickups and trucks)</small>  Vehicle Inventory Number(s) being Replaced:		Select which Vehicle Service Plan:  Plan: <span style="border: 1px solid black; display: inline-block; width: 100px; height: 20px; vertical-align: middle;"></span>  Plan 1 - Garage Owns & Maintains Plan 2 - Dept Owns & Garage Maintains Plan 3 - Dept Owns & Maintains
Number Requested:	Unit Cost:	Total Cost (Includes Freight & Tax): <b style="text-align: center;">\$0</b>
Source of Estimated Cost: <input type="checkbox"/> Purchasing Agent <input type="checkbox"/> Fleet Services Garage <input type="checkbox"/> Other, Explain	Source of Funds:	Intended Location:
Explain Source of Estimated Cost:		
Detailed Justification of use and need: <span style="float: right;"><small>(see Chapter 5, Exhibit A, Appendix A for listing of standard County vehicles)</small></span>		
Justification of vehicle size and type (including options such as engine size, 4x4, etc. if applicable) if other than the County Standard:		
<div style="display: flex; justify-content: space-between; margin-bottom: 10px;"> <span>Approved by Dept. Head: _____</span> <span>Date _____</span> </div> <div style="display: flex; justify-content: space-between;"> <span>Approved by CAO Analyst: _____</span> <span>Date _____</span> </div>		

Once approved by CAO Analyst, fax copy to:

Purchasing - 868-3100  
 Fleet Services - 868-6901  
 Requesting Dept.

## Appendix B – Selecting Alternative Fuel Vehicles

### 1. Introduction

This appendix provides a consistent approach for determining whether a vehicle would be capable of operating cost effectively on alternative fuels over its useful life. It also provides further guidance on what constitutes operational feasibility.

### 2. Determining life cycle cost-effectiveness for the use of an alternative fuel vehicle – Explanation of terms

**Adjusted annual fuel consumption:** is the expected number of gasoline gallon equivalent (GGE) of alternative fuel to be consumed annually by the vehicle. It is calculated by multiplying the projected annual consumption based on the gasoline rating for the vehicle by the gasoline equivalent factor for the alternative fuel being compared.

### 3. Energy Equivalents of Various Fuels

The concept of gallon equivalents using a gallon of gasoline compared to another fuel is one that allows for a comparison of energy content based on British thermal units (BTUs). This comparison allows fleet operators to compare cost per “gallon” of many different kinds of fuel or to compare vehicle miles per “gallon” using the BTU’s in a gallon of gasoline as the base gallon.

For example, if a gallon of gasoline has 114,063 BTUs and a gallon of propane has 84,332 BTUs, then the gasoline gallon equivalent (GGE) of propane is 1.35 gallons. Thus, it can be determined if a GGE of propane (1.35 gallons) costs more or less than a gallon of gasoline or, if a GGE of propane will yield more or less miles per gallon for a particular vehicle than a gallon of gasoline for the same vehicle. This same concept can be used for many kinds of automotive fuels.

#### Example:

The comparable consumption rating for gasoline and propane for a vehicle rated at 17 miles per gallon and expected to go 15,000 miles annually would be calculated as follows: the fuel consumed is  $15,000/17 = 882$  gallons of gasoline per year. If the same vehicle is converted to propane, which has a gasoline conversion factor of 1.35, it will use  $882 \times 1.35 = 1,191$  gallons of propane annually.

The table below summarizes the BTU content of different fuels and the number of units needed to be equivalent to a gallon of regular unleaded gasoline as the base gallon (1 GGE). BTU values were rounded to the nearest 100.

## Gasoline Gallon Equivalent (GGE) Table

Fuel Type	Unit of Measure	BTUs Per Unit	Gallon Equivalent
Gasoline, regular unleaded (typical)	Gallon	114,100	1.00 gallon
Gasoline, RFG, MBTE)	Gallon	112,000	1.02 gallons
Diesel, (typical)	Gallon	129,800	0.88 gallons
Liquid natural gas (LNG)	Gallon	75,000	1.52 gallons
Compressed natural gas (CNG), (typical)	Cubic foot	900	126.67 cu. ft.
Liquefied petroleum gas (LPG or propane)	Gallon	84,300	1.35 gallons
Methanol (M-100)	Gallon	56,800	2.01 gallons
Methanol (M-85)	Gallon	65,400	1.74 gallons
Ethanol (E-100)	Gallon	76,100	1.50 gallons
Ethanol (E-85)	Gallon	81,800	1.40 gallons
Bio Diesel (B-20)	Gallon	129,500	0.88 gallons

1. Note: BTU value of gasses is based on density at one atmosphere at 60 degrees Fahrenheit.
2. Sources:
  - a. Diesel Fuels Technical Review, Chevron (FTR-2)
  - b. North American Combustion Handbook, 3<sup>rd</sup> Edition
  - c. Automotive Fuels Handbook, SAE
  - d. Natural gas BTU values are from a Natural Gas Vehicle Coalition Energy Conversion Chart.

**Annual fuel savings:** is the difference between the annual cost for gasoline and the annual cost for the gasoline equivalent of the alternative fuel.

### Example:

Using our previously calculated consumption figures and a pump selling price for gasoline of \$2.119 per gallon and the pump selling price for propane of \$1.139 per gallon, the annual cost savings will be  $(882 \times 2.119) - (1,191 \times 1.139) = \$512$ , which is the expected annual fuel savings using propane.

**Annual travel:** is the expected number of miles per year that the vehicle will travel based in part on experience with the vehicle it is replacing or the vehicles that are performing similar functions, with adjustments based on knowledge of future travel pattern changes.

**Capital cost:** is the difference in cost of purchasing a vehicle capable of operating on gasoline and the cost of purchasing the same vehicle capable of operating on an approved alternative fuel.

**Cost-effectiveness:** a vehicle is cost-effective to operate on alternative fuel when the payback period is shorter than the life expectancy of the vehicle in the fleet.

### Example:

If purchasing an alternative fuel vehicle results in additional capital cost of \$2,500 but generates annual savings of \$512 in fuel cost, the payback period would be 4.9 years or 57 months ( $\$2,500/\$512$ ). If the vehicle life expectancy were 7 years, it would be cost-effective to operate the vehicle on propane.

**Life cycle cost:** is the expected net total cost for purchase, maintenance, and repair, less disposal proceeds for the sale of the vehicle at the end of its useful life in the fleet.

**Payback period:** is the period of time over which the department recovers the additional capital cost through fuel savings by using an alternative fuel. The calculation is additional capital cost divided by annual savings in fuel cost = payback period in years.

**Vehicle life:** is the expected time the vehicle will be in service in the fleet. (For the example above, seven years has been used.)

#### ***4. Operational feasibility***

Some change in operational procedure must be expected to accommodate using and refueling alternative fuel vehicles. In specific cases, in spite of best efforts, it may not be operationally feasible to use alternative fuels in some locations or for specific vehicles. All of the following must be in place to make the use of alternative fuels operationally feasible:

- (i) Fuel must be available for the area of operation and range of the vehicle;
- (ii) Vehicle service and maintenance support must be in place;
- (iii) The vehicle must meet operational and tailpipe emission requirements while operating on an alternative fuel;
- (iv) The vehicle must be durable for the operating environment;
- (v) Certification and an adequate warranty for conversion work must be available; and
- (vi) The manufacturer's vehicle warranty must not be affected.

## **Appendix C – Guidelines on the Motor Vehicle Policy**

### ***1. Determining transportation requirements***

- a. The **challenge process** established in departments to assess the need for **new vehicles or replacement vehicles** shall consider all other transportation options and document the

reasons for choosing the purchase of a vehicle. When a vehicle is the transportation supply method of choice, consideration should be given to:

- b. The nature, extent, and duration of the requirements, the types of fuel available in the area of operation, and the type of vehicle best suited to the job;
- c. The effect on life cycle costs, operational effectiveness, and the combined air pollution score and greenhouse gas score of the proposed vehicle purchase compared to other options including, but not limited to, leasing (annually or seasonally), using existing vehicles, pooling vehicles for departmental or interdepartmental use, and using personal vehicles. All options shall be considered before determining which vehicle to purchase as the best method of satisfying a requirement.
- d. Buying vehicles with the most fuel efficient and reduced carbon dioxide emissions within the vehicle class shall be considered using the EPA's Green Vehicle Guide for air pollution and green house gas score. Go to <http://www.epa.gov/greenvehicles/Index.do> for a list of vehicles to help choose the cleanest and most fuel-efficient vehicle that meets your department's needs. A combined score of 13 and above is desirable;
- e. Determining the expected in-service life of the vehicle, the maintenance cost, and emission levels based on experience with similar vehicles and current technology and market information;
- f. Vehicle security and custody when not in use;
- g. The availability of dealer maintenance and repair facilities;
- h. Purchasing optional equipment at the time the vehicle is ordered, when it is available and cost-effective, rather than adding equipment at higher cost after taking delivery of the vehicle;
- i. Promoting the standardization of vehicles in the fleet to increase fuel economy and reduce carbon dioxide emissions, while maintaining operational effectiveness.

## ***2. Credit card use***

To maintain a useful database, it is recommended that a separate electronic credit card be assigned to capture transactions for each individual vehicle. The card should not be used for purchases for other vehicles or equipment. Work covered by warranty should also be recorded. Emergency transactions not paid by credit card should be reported to the appropriate authority for manual entry into the vehicle management database.

## ***3. Odometer readings***

All vehicle operators (drivers) are expected, as part of their responsibilities, to report the vehicle's odometer reading at regular intervals as specified by the department. Outdated

odometer readings can have a negative effect on monthly management report results used to manage the fleet.

#### **4. Vehicle pooling**

Departments should use motor vehicle pools to the fullest possible extent for economy and should carry out regular maintenance on pooled vehicles to increase safety and economy. In complexes where there are two or more departments, they should consider sharing a pool of vehicles.

#### **5. Options selection criteria**

(a) The following guidelines outline options that departments may acquire with County vehicles, but that are considered to be beyond normal requirements for motor vehicles (e.g., cassette players, power windows or power seats).

(b) In deciding which, if any, options to recommend for approval, departments should consider:

- (i) Whether the employees need the option to carry out their duties;
- (ii) The public's perception when departments provide what could be considered luxury options for government vehicles;
- (iii) Cost implications such as the initial purchase, operating expenses, and resale value (reasonable options can add to the initial cost of the vehicle and may result in higher maintenance costs, but countervailing reasons such as increased employee productivity and higher resale value may offset the increased initial cost);
- (iv) The efficiency and safety of the employees using the vehicle;
- (v) Normal fleet practice (i.e., the normal government or private sector practice for the type of work being carried out);
- (vi) The location where the vehicle will be used;
- (vii) Consistency (i.e., equitable treatment to employees in similar work environments and work circumstances);
- (viii) The effect on life cycle cost; and
- (ix) The difference in cost between, on one hand, models with significant upgrades in options and, on the other hand, higher-level base models where the options required are standard equipment. It may be less expensive to buy vehicles with extensive standard features than it is to add options to a lower model, especially if these vehicles retain more value when disposed of.

- (c) The rationale and supporting documentation should be maintained on file for decisions taken. This is particularly important where decisions result in higher initial cost. These documents should be available for audits or other evaluations.

## **6. Monitoring criteria**

The purpose of the following questions is to provide guidelines for monitoring and auditing motor vehicle fleets.

- (a) Have baselines been established from which departments can regularly measure improvements in vehicle fleet operations?
- (b) Is the department using the most effective method to acquire, use, maintain, and dispose of vehicles to achieve the lowest life cycle cost?
- (c) Is the department adequately justifying deviations from approved specifications and standards (e.g., operational requirements in the case of larger vehicles)?
- (d) Is the department applying the policy to all categories of departmental vehicles, whether purchased or leased? Are adequate records being maintained to provide an audit trail that supports departmental choices?
- (e) Is the department taking full advantage of the private sector credit card system for recording vehicle expenditures and other related data? Is the system recording environmental data such as the use of cleaner alternative fuels and recycled oil?
- (f) Has the department established adequate controls over the use of its vehicles?
- (g) Have other less costly but effective controls been considered?
- (h) Is the department monitoring the use of private motor vehicles for government business and using that information in acquisition decisions?
- (i) Have other methods for providing vehicles been considered, such as using private vehicles with paid mileage or pooling vehicles within the department or between departments where it is cost-effective?

## **7. Green Fleet Management Checklist**

Adverse environmental effects resulting from corporate vehicle use can be minimized through environmentally responsible fleet management. The three major environmental concerns facing fleet managers and operators are energy consumption, emissions, and waste generation. As a guide to environmentally responsible fleet management, the following checklist should be used to evaluate departmental fleets.

## **7.1 Planning**

- Environmentally responsible fleet management guidelines developed
- Needs carefully assessed to minimize fleet size
- Vehicle use and routing carefully planned to maximize efficiency and minimize mileage driven.

## **7.2 Acquisition**

- Vehicles of appropriate size and attributes purchased according to the needs assessment
- Vehicles selected are as fuel efficient and durable as possible
- Harmful emissions reduced through buying alternative fuel vehicles or converting vehicles that can meet California emission requirements for new vehicles (for the same model year)

## **7.3 Maintenance and Operations**

- Preventive maintenance performed regularly to ensure optimal vehicle operation
- Where facilities exist, recycled oil and lubricants, engine fluids, antifreeze, batteries, and tires recycled
- Fuel consumption and vehicle maintenance records monitored regularly
- Driver inspections carried out weekly and prior to extended trips to ensure correct tire pressure, oil, and coolant levels, and to identify possible signs of other fluid leaks.
- Vehicle operator awareness programs in place, perhaps in conjunction with existing safe driving courses, for reducing fuel consumption and emissions. These programs include:
  - (i) Reducing idling time
  - (ii) Minimizing air conditioning use (if applicable)
  - (iii) Adopting conservative driving habits such as gradual acceleration, strict adherence to speed limits, and anticipation of traffic movements.

## **“I AGREE” SOFTWARE POLICY**

Department Heads and their designated representatives are hereby authorized by the Board of Supervisors to click “I Agree” to download and purchase software and software maintenance through the Internet, or purchase off the shelf software with shrink-wrap licenses, on their own authority and without review of the software license or maintenance agreement by County Counsel and Information Technology Services (ITS), under the specific conditions provided for below. Shrink-wrap licenses under this policy are considered to be those licenses that do not require a signature and you confirm agreement to the license terms by opening the software packaging, by using the software, or by not returning the product to the manufacturer once it has been opened.

1. Prior to purchasing software and maintenance from the Internet or using software with a shrink-wrap license, departments are expected to review the terms and conditions of the agreement(s). Department heads or their designees who have been assigned County purchasing cards are authorized to make purchases up to the single purchase limit on their departmental purchasing card, or \$5,000 through the Purchasing Agent, without having the agreement(s) reviewed and approved by County Counsel and ITS, if the associated “click-on” or shrink-wrap agreement does not contain any of the prohibited terms and conditions indicated below and the product is not mission critical. The Purchasing Agent may, upon the request of a department and receipt of a Department Head Certification, purchase software licenses and maintenance without obtaining approval by County Counsel and ITS where the cost exceeds the purchase limit of a departmental purchasing card provided that: (a) the cost does not exceed the dollar limits specified in this policy, (b) the product is not mission critical, and (c) the agreement(s) does not contain any of the prohibited provisions identified in section 2 below.

This policy also allows department heads or their designees to purchase multiple seats/copies of a software license and maintenance. In those situations where the single seat/copy cost is \$5,000 or less but the cost of two or more seats/copies, inclusive of maintenance, or the cost of a server license, inclusive of maintenance, exceeds that amount, the department head or their designee may authorize the purchase of multiple seats/copies, a server license, maintenance, or a combination thereof, up to but not exceeding \$10,000 pursuant to section 2 below.

2. A department head or their designee may not agree to a license or maintenance agreement, regardless of whether the product is mission critical or not, if it contains any of the following provisions:

- Requirement for the agreement to be confidential between the County and the vendor
- Language allowing the vendor to unilaterally modify the agreement
- Multi-year agreement requiring annual subscription/license fees or automatic renewals with no ability for the County to terminate the agreement prior to each new annual period
- The County must indemnify the vendor for anything other than the County’s own acts
- Limitations or disclaimer of the vendor’s liability for gross negligence or intentional acts
- Any type of on-site services are included
- Language granting vendor the right to access any County server without the prior written approval of an authorized County representative and ITS

If a product is mission critical, the license and maintenance agreement must be reviewed by County Counsel and ITS prior to downloading or use by the department. In this context, mission critical is intended to mean any use of a product whereby over a period of time the department becomes dependent upon it to perform a function that is critical to the mission of their department and does not have any

easily obtainable alternative means of accomplishing that portion of their mission. As a result, the use of such a product creates a potential risk to the County or the department because they may be required to discontinue use on short notice without sufficient time to replace the product or develop another method to adequately perform that particular task.

Should a department have questions concerning the terms and conditions in any “I Agree” or shrink-wrap license or maintenance agreement, they should seek guidance from County Counsel and ITS.

3. If any software license, maintenance agreement or other document subject to this policy requires a signature by a County representative, it must be submitted by the department to the Purchasing Agent for signature along with a copy of the Department Head Certification relating to that document. Unless otherwise authorized by the Board of Supervisors or state statute, departments are not authorized to execute agreements on behalf of the County.

4. When a department wants to “demo” a software product, if the vendor insists on having a “demo” or “trial” license, such license is subject to this full policy. In the event there is a “demo” or “trial” License, although not prohibitive, a department should make special note of any provisions that require the license to be purchased if not returned or destroyed within a specified period of time.

5. Any no-cost hardware drivers, software patches, anti-virus updates and other such maintenance releases, other than full maintenance releases, that require clicking on an “I Agree” to obtain them are hereby authorized for those products for which the department already has a valid license and maintenance agreement as applicable. Requirements of Section 6 below do not apply to hardware drivers, patches, updates, or maintenance releases for valid software licenses or maintenance agreements that are already documented in the department’s permanent software licensing file.

6. In accordance with the County’s Software Licensing policy, each department is required to print and file a copy of each distinctly different “I Agree” document that they agree to. It is the responsibility of the Department Head to, either by his/her own certification or through their designee, sign the form attached to this policy, indicating approval of the purchase and certifying their assessment of the risks. The main risk factors a Department Head must consider are:

- Financial liability due to use of the product if the product functions incorrectly or a third party incurs damages from the County’s correct use of the product
- Loss of ability to use the product due to injunctive process or other restrictions such as a threat of an infringement lawsuit

The license and maintenance agreement documents, and the Department Head certification, must be filed in the permanent departmental software license file along with all other signed license agreements, shrink-wrap licenses, and proof of purchase. The departmental software license file shall be audited by the Auditor/Controller during each department’s bi-annual audit for compliance with this policy.

Department Head Certification

Re: \_\_\_\_\_  
(Software Title and Version/Release No.) (Software Manufacturer Name)

I hereby approve acquisition of the above referenced software license based on the County's current "I Agree" Software Licensing Policy in effect on this date.

\_\_\_\_\_ I certify this software will not fulfill a mission critical function within my Department, that the agreement does not contain any prohibited provisions, and I have assessed the risk to the County resulting from the terms and conditions contained therein and hereby certify those risks have been determined by me to be acceptable based on the use of this software within my Department.

\_\_\_\_\_ The above referenced software title is already approved for use in the County under Purchasing Agreement No. \_\_\_\_\_.

\_\_\_\_\_  
Signature of Department Head

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name of Department