

PURCHASING POLICY MANUAL



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MISSION STATEMENT

The Taney County Purchasing Department, guided by the highest standards of professional purchasing practice, seeks to secure needed products and services for all county departments at the lowest ultimate cost consistent with quality, quantity and required delivery.

This office is dedicated to providing the latest procurement techniques in a continuing effort to achieve the best value for the public funds entrusted to our care. We strive to represent the county to the business community in the best possible light, to promote competition to the fullest practicable extent and to administer its programs openly, uniformly and fairly.

GOALS AND OBJECTIVES

- To be responsive by providing timely acquisition of goods and services in support of County operations and scheduled projects while continuing to revise and improve the purchasing process.
- To be responsible for processing transactions in accordance with applicable regulations. Acquire goods and services at the lowest possible cost, consistent with the quality needed for effective use while actively promoting the competitive acquisition process to add value and protect the taxpayers' investment.
- To remain active in "Cooperative Purchasing" efforts with other agencies across the country and protect the County's reputation by promoting and adhering to High Ethical Standards.

PURPOSE

The purpose of this manual is:

- A. To implement and make effective the purchasing policies set out in Missouri Statutes and as established by the Taney County Commission.
- B. To simplify, clarify, and modernize Taney County procurement practices.
- C. To permit the continued development of procurement policies and practices.
- D. To make the procurement procedures for all county departments as consistent as possible.
- E. To provide for public confidence in public procurement procedures.
- F. To maximize the purchasing value of county funds.
- G. To ensure that every expenditure of public funds (including State and Federal funds) complies with the terms and conditions of the funding source. If State or Federal requirements conflict with the provisions of this manual, nothing in the manual shall prevent the County from complying with the terms and conditions of the State or Federal requirement.
- H. Certain provisions of this policy are administered, or managed, by departments other than the Purchasing Department, such as Administrative Services, the Office of the Auditor, and the IS Department.

PURCHASING DEPARTMENT ORGANIZATIONAL STRUCTURE

Purchasing Agent:

1. The County Purchasing Agent is responsible to the County Commission for the performance of County purchasing policies.
2. Except when statutes indicate that certain procedures are the sole responsibility of the Purchasing Agent, the Purchasing Agent may delegate any of the various purchasing functions in his/her office and under his/her supervision.

Buyer:

1. Senior Buyer - The Senior Buyer gives technical direction and supervision to the buyers. The Senior Buyer assists in managing the functions of the office and represents the Purchasing Agent as required. The Senior Buyer may also perform various technical duties in carrying out the provisions of purchasing. *(Position not currently available.)*
2. Buyer - The Buyer performs various technical duties in carrying out the provisions of purchasing. The Buyer is considered part of the professional technical staff. *(Position not currently available.)*

PURCHASING PRINCIPLES & POLICIES

Principles.

Personnel associated with the purchasing function shall comply with the following principles:

1. In all transactions to consider first the interests of the County.
2. To carry out the established policies of the County.
3. To establish practical methods for the conduct of the office.
4. To assist fellow Purchasing Agents in the performance of their duties.
5. To cooperate with all organizations and individuals engaged in activities designed to enhance the development and standards of purchasing.
6. To encourage participation in the Equal Business Opportunity (EBO) program in order to attain increased EBO participation in purchasing activities.

Policies.

A. Purchase Orders.

Purchase Orders for materials, products, or services should be submitted prior to ordering by each Office Holder (or designee) listing each item, control number, quantity, price and Vendor (one Vendor per order). Services are defined as any service provided on behalf of Taney County, including Engineering, Architect, and Mechanical services.

A Purchase Order must first be sent to the County Auditor (or designee) pursuant to § 50.660, RSMo. for certification to insure there is adequate funding in the department and then forwarded to the Purchasing Department for approval. A purchase order will be issued and should be attached to the invoice for payment. (**NOTE:** *In accordance with § 50.660, RSMo., Auditor Certification is not required regarding any given term & supply contract which does not quantify a measurable county obligation at time of execution; but all orders for supplies, materials, equipment, or services, other than personal, shall bear the Auditor's Certification.*) Every bid related PO shall include the bid quoted amount either in the bid number field, with the bid number, or user comments section to match the PO amount and avoid any possibility of overpayment.

After the Purchasing Agent reviews the Purchase Order per the below described process, it is formally issued. The Purchasing Agent's responsibility, as directed by the Commission, regarding the processing of Purchase Orders is limited to the following:

- A.1 Closely inspect Purchase Orders for a final review.
- A.2 Ensure all purchases fit within the requirements of the bid laws or,
- A.3 Verify the presence of circumstances which meet legal requirements.
- A.4 Approve or Deny.

Once a PO is either approved or denied the Purchasing Agent no longer has access and has no involvement with Payment Requests. Corrections, adjustments, modifications or other necessary services to the Purchase Order System are handled by Accounts Payable or the Information Services Department. The Taney County Purchasing Agent has no management authority over purchase orders beyond what is listed above.

B. Quote Process for Purchases in the \$1500.00 - \$5999.99 Range.

The Office Holder (or designee) shall obtain three (3) written quotes and submit them to the Purchasing Department prior to the purchase requisition being approved to ensure the County is getting the best value. *(See "EXHIBIT C" attached at the end of this manual.)* Routine purchases below \$1500.00 will not require quotes, bidding, sole source, nor any other formal competitive process other than the usual effort to ensure the best possible choices when acquiring necessary products or services at the lowest possible cost to the County. At any point in time the Purchasing Agent may be contacted to consider extenuating circumstances allowing waiver of this requirement, per assigned authority given within this policy manual by the Taney County Commission. Any and all circumstances shall be documented.

C. Emergency Events.

When a major emergency event occurs such as a flood, tornado, or ice storm, etc. – and needs are identified requiring a purchase above the bid limit to initiate recovery processes, an "Emergency Event Procurement" form shall to be used by departments. This process is handled through the Purchasing Agent working closely with the department and the Taney County Commission to ensure proper approval and tracking of all emergency procurements. This includes any/all emergencies where our quick response is required to, "protect against further loss of, or damage to, County property, to prevent or minimize serious disruption in County services" per state statute.

Taney County Emergency Procurement Policy (§ 50.780.2, RSMo.). Notwithstanding any other provisions of this Policy the Taney County Commission may waive the requirement of competitive bids or proposals for supplies when the County Commission has determined that there exists a threat to life, property, public health, or public safety or when immediate expenditure is necessary for repairs to County property in order to protect against further loss of, or damage to, County property, to prevent or minimize serious disruption in County services or to ensure the integrity of County records. Emergency procurements shall be made with as much competition as is practicable under the circumstances. After an emergency procurement is made by the County Commission, the nature of the emergency and the vote approving the procurement shall be noted in the minutes of the next regularly scheduled meeting. A written determination of the basis for the emergency and for the selection of the particular contractor shall be included in the contract file. As soon as practicable, a record of each emergency procurement shall be made including the contractor's name, amount and type of the contract, a listing of the item(s) procured under the contract. The County Purchasing Agent will assign a specific Emergency Event Procurement number ("EEP") for each event to cover all emergency purchases made within the necessary recovery timeframe as set by the Taney County Commission. *(See "EXHIBIT B" attached at the end of this manual.)*

- D. Payment for any purchase of supplies and/or services shall not be completed without an invoice/receipt and the appropriate purchase order attached. Payment requests without the appropriate attachments will be returned to the Elected Official responsible for that department and it shall be the responsibility of said Elected Official to comply with all policies and procedures. This procedure also applies to use of the Procurement Card, which is issued at the request of the Elected Official.
- E. Due to various needs arising for materials/services that are performed by the "IS" Department and the Purchasing Department, purchase orders may be requested by either of these departments for any/all departments of the County.
- F. The Purchasing Department maintains information for future bidding needs. Departments needing this information should contact the Purchasing Department.
- G. Should the appropriate process not be followed it will be the duty of the Auditor to notify the Purchasing Agent in writing of his/her concerns. The Purchasing Agent will note all concerns, make recommendations and/or changes and notify the appropriate party as well as the Auditor.

H. Bids.

Section 50.660, RSMo. requires legal bids on any purchases greater than \$6,000.00 from any one person, firm or corporation during any period of ninety (90) days, except for contracts not subject to this requirement, including, but not limited to state contracts or other cooperative contracts, which must first be verified and approved by the Purchasing Agent.

- H.1 The county Office Holder (or designee) must provide a bid request to the Purchasing Agent for any intended purchase of materials or services with an estimated cost of more than \$6,000.00. Said request shall include but not limited to:
 - Description of products or services
 - Quantity
 - Complete Specifications
 - Estimated Costs
 - Budgeted Account for payment
 - Preferred Vendor listing
- H.2 The Purchasing Agent will confirm that the County Office Holder (or designee) requesting any given purchase has verified adequate funding is available via the Auditor prior to finalizing and preparing the documents for solicitation.
- H.3 Bids submitted by Vendors shall be sealed and sent to the Purchasing Agent who shall hold them unopened until the stated time and date for opening of said invitation.
- H.4 Bids received after the listed closing date/time will be considered late Bids and NON-RESPONSIVE. They will remain un-opened. It shall be the responsibility of the Vendor to make sure bid responses are timely delivered and delays with the postal system, express delivery or drive time problems are not the responsibility of the County and no exceptions will be allowed.

H.5 Bids will be opened in the Commission Hearing Room or Conference Room, when the Hearing Room is *not* available. Bids requested by the “Originator”, *may* be scheduled to be opened in front of the Taney County Commission. In addition, RFPs & RFQs *may* be scheduled for opening in front of the Commission.

H.6 Bids shall be opened in the presence of one or more witnesses, which may include a representative from the requesting department, at the time and place designated within the original Request for Bid package.

The following key points will be recorded:

- ✓ The amount of each bid,
- ✓ Other relevant information,
- ✓ Name of each Bidder.

This record, with full results of each bid, shall be available for public inspection in accordance with current requirements of the Sunshine Law.

H.7 Subsequent to the opening of all responses and the recording of results, a review process will be completed by the requesting department with the assistance of the Purchasing Department. Once this process is completed a recommendation will be formulated with support documentation including copies of all bid responses and a Bid Tabulation Form. An agenda request will be made to deliver recommendations to the Taney County Commission, as soon as possible for their review and vote to award.

H.8 Bids shall be evaluated based on the requirements set forth in the Request for Bid, which may include criteria to determine acceptability such as inspection, testing, quality, workmanship, delivery, and suitability for a particular purpose. Those criteria that will affect the bid price and be considered in the evaluation for an award shall be objectively measurable, including, but not limited to discounts, transportation costs, and total or life cycle costs. The Request for Bid will set forth evaluation criteria to be used. Original bids shall remain in the custody of the Purchasing Agent and shall follow the Local Records Law.

H.9 **Award:** The contract shall be awarded with reasonable promptness by appropriate written notice to the lowest, and best, responsible and responsive Bidder whose bid meets the requirements and criteria set forth in the Request for Bid – as approved by the Taney County Commission. *All contracts and purchases shall be let to the lowest and best bidder after due opportunity for competition. § 50.660, RSMo.*

H.10 Post award notifications will be made to all bidders with the results of said bid. This information shall also be posted on the Taney County website.

H.11 To ensure proper payment and delivery of products/services, a contract “DRAFT” shall be completed by the Purchasing Agent working with the Legal Department.

H.12 The Auditor shall stamp all bills processed for payment and send to the Commission for their approval of the invoice and payment. Should problems, delays, or other unforeseen discrepancies occur involving any purchase, and/or service, it will *not* be the responsibility of the Purchasing Agent alone to resolve. However, working with the respective department the Purchasing Agent will be available to assist in finding solutions / resolutions.

I. Sole Source Purchases.

When a department has a purchasing need they believe to be only available from one specific source, or Vendor, a "single source purchase" form (SSP) shall be submitted to the Purchasing Agent prior to proceeding with any such purchase. (See "EXHIBIT A" attached at the end of this manual.) The Purchasing Agent shall act according to § 50.753, RSMo. on behalf of the County Commission. Pursuant to § 50.783, RSMo. on any single feasible source purchase where the estimated expenditure is three thousand dollars or over, the commission shall post notice of the proposed purchase. Where the estimated expenditure is six thousand dollars or over, the Commission shall also advertise the commission's intent to make such purchase in at least one daily and one weekly newspaper of general circulation in such places as are most likely to reach prospective Bidders or offerors and may provide such information through an electronic medium available to the general public at least ten days before the contract is to be let. This process shall be handled by the Purchasing Agent.

After investigation by the Purchasing Agent to verify sole source, a presentation will be made in an open meeting requesting a formal declaration of any given sole source Vendor for the purpose of award of said purchase by the County Commission with the required stipulation that if at any future time an alternative source for like products and services should identify itself, the Commission would then immediately set aside this declaration. At such time Taney County will take other available statutorily governed steps as required, acting in the best interest of the County, to legally procure like products and services.

J. Annual Bids.

Each department shall be responsible for estimates of future needs for supplies/equipment and/or services with the assistance of the Purchasing Department, so that annual bidding is complete and accurate. Departments need to be alerted to, and track, ongoing contracts which upon expiration will need to be re-bid and make said requests for re-bidding to the Purchasing Department at least 45 days prior to expiration.

K. Consultant Selection Procurement Procedures.

Per §§ 8.285-8.291, RSMo. the purpose of the following policy is to establish procedures for the selection of Qualified Professional Architectural, Engineering, and Land Surveying Services for Taney County and the administration of negotiated contracts to insure that the "third party" has management, fiscal and technical capabilities to render satisfactory service to Taney County.

- The Purchasing Agent will oversee this process by use of a "Request For Qualifications" (RFQ) including advertising, meetings, etc. The Commission may request firms to submit a statement of qualifications and performance data and to update on an annual basis.
- Whenever services are needed for a particular project, the Commission may evaluate current statements of qualifications and performance data of firms on file together with others regarding the proposed projects. In evaluating the qualifications of each firm, for the project being planned, the county will use the criteria listed as follows.

- K.1 The specialized experience and technical competence of the firm with respect to the type of services required. The consultant shall furnish education and experience details of the members of the firm and their key personnel. If necessary, interviews with firm members may be held. The consultant will have properly trained and experienced personnel available to perform the services within the time prescribed. Personal knowledge of the past performance of the members will be a factor.
 - K.2 The capacity and capability of the firm to perform the work in question, including specialized services, within the time limitations fixed for the completion of the project. Experience in preparation of plans and documentation required to secure the necessary state and federal clearance for the design and construction of local county roads and bridges, as applicable. The adequacy of the consultant's instant staffing together with available additional staffing for a proposed design-relative to present design load or other professional services. The experience of consultant's staff in related highway work such as work with electronic computer design, traffic analysis, structural design, hydraulics, etc. will be considered, as applicable.
 - K.3 The past record of performance of the firm with respect to such factors as control of costs, quality of work, and ability to meet schedules. The County's experience in engaging the consultant for other design work or engineering services will be a considered qualification if past work indicates both a professional approach with professional results.
 - K.4 The firm's proximity to and familiarity with the area in which the project is located.
 - K.5 The financial status of a consultant will be considered sound and adequate unless there is evidence to the contrary.
- The Commission, working with the Purchasing Agent, should identify and select at least three (3) qualified firms to choose from. They will then select the firm best qualified and capable of performing the desired work and negotiate a contract for the project at hand with the firm selected. The County will prepare a written description of the scope of the proposed services as a basis for negotiating.
 - If the county is unable to negotiate a satisfactory contract with the firm selected, negotiations with that firm will terminate. The County will then undertake negotiations with another of the qualified firms available. If there is a failing of accord with the second firm, negotiations with such firm shall also be terminated. The County will then undertake negotiations with the third firm.
 - If the county is unable to negotiate a contract with any of the selected firms, it will re-evaluate the necessary architectural, engineering and/or land surveying services, including the scope, reasonable fee requirements and then compile a new list of qualified firms and proceed in accordance with the adopted procedures.
 - The use of cooperative purchasing per § 70.220, RSMo. may be used to save the County time and funds as well as restore, correct, or repair County property, roads, or bridges to ensure the

best services and safety to the public. All services as listed, within section “K”, here are available through cooperative purchasing specifically through the State of Missouri Office of Administration, or the Missouri “On Call” list established by MODOT through a bid process available to Taney County.

L. Vendors. (Ethics and Professional Conduct.)

- L.1 All employees of Taney County are prohibited, with the exception of an event, from accepting for personal use any gifts, samples, entertainment, special personal price considerations, fees, commissions or other gratuities from any Vendors or Bidders except items of negligible value as indicated in (L.2) below.
- L.2 Employees may accept items of negligible value used as obvious forms of advertisement such as pencils, calendars, notepads and key rings, which shall not be considered gratuities.
- L.3 Vendors or Bidders who offer gifts, entertainment, etc. may be declared irresponsible Bidders and may be debarred from bidding.
- L.4 An employee accepting a gift, entertainment, etc. shall be subject to disciplinary action.
- L.5 In capital project contracts, it shall be the general practice that the contractor supply all required materials unless the use of materials from County inventories or direct procurement by the County will result in savings to the County.

M. Cooperative Purchasing.

An active list of cooperative agencies Taney County is registered with, or maintains memberships with, will be available from the Purchasing Agent. All products / services discussed / addressed specifically within this policy manual are available through cooperative purchasing pursuant to § 70.220, RSMo. (Page #15). Copies of cooperative contracts will, in all cases, meet Missouri statutory requirements when applied toward Taney County purchasing needs. Contract copies may be kept on file electronically or “hard copy” by Purchasing and Legal. Cooperative Purchasing Partners include the following, but are not limited to:

- State of Missouri Cooperative Purchasing, (Office of Administration).
- Missouri Department of Transportation (MODOT).
- Mid-Missouri Public Purchasing Cooperative (MACPP).
- Missouri Association of Public Procurement (MAPP).
- National Association of Counties (NACO).
- Western States Contracting Alliance (WSCA).
- Sourcewell (Formerly; National Joint Powers Alliance - NJPA).
- U.S. Communities.
- General Services Administration (GSA).
- National IPA.
- CDW-G (Managed Print Services Equipment).
- TIPS (The Inter-Local Purchasing System).

- Any/all available sources, or other governmental agencies, nationwide.

N. Bidder's List.

The Taney County Purchasing Department does not maintain, require, manage, nor enforce a structured "Bidder's List" as is the case with larger governmental entities.

(1) No formal registration requirements, up front qualifications, credit checks, or other such activities are required for Vendors before they can participate in any, or all, routine bid processes handled solely by the Purchasing Agent.

(2) On occasion, when very large projects are involved and the County makes use of selected project managers through the RFQ process, said manager may require qualifications specific to a certain project.

(3) As a general rule, interested Vendors may / should send an information package via email to the Purchasing Agent at ron.erickson@co.taney.mo.us for filing by commodity to be used for direct bid invitations sent through email. (DBIs)

CONTRACTS

Types of Contracts:

- A. The preferred type contract to use for all procurements is firm fixed price or lump sum. It requires minimum administration and provides maximum incentive to the supplier. However, any type of contract that will promote the best interest of the County may be used.
- B. A cost-not-to-exceed or cost-reimbursement contract, with an upper limit, may be used when the County Commission concludes that such a contract is likely to be less costly to the County than any other type or that it is impractical to obtain the supplies, services, or construction required except under a cost-not-to-exceed or cost reimbursement contract.
- C. Pursuant to § 50.660, RSMo. the contract shall bear the certification of the Accounting Officer. (**NOTE:** Also in pursuant to § 50.660, RSMo., Auditor Certification is *not* required regarding any given term & supply contract which does not quantify a measurable county obligation at time of execution; but all orders for supplies, materials, equipment, or services, other than personal, shall bear the Auditor's Certification.)

Exemptions:

Noting that there are occasions where opportunities arise to save money, we welcome those requests for review. The Purchasing Agent, at his/her sole discretion, is authorized to waive any/all policies as outlined in this manual so long as it is in accordance with legal requirements and is in the best interest for Taney County.

Adopted and approved to form this 12th day of November, 2019



Mike Scofield

Mike Scofield, Presiding Commissioner

Sheila Wyatt

Sheila Wyatt, Eastern District Commissioner

Brandon W. Williams

Brandon W. Williams, Western District Commissioner

Missouri Revised Statutes (Applicable to, or referenced, in this Policy Manual)

50.660. Rules governing contracts. — All contracts shall be executed in the name of the county, or in the name of a township in a county with a township form of government, by the head of the department or officer concerned, except contracts for the purchase of supplies, materials, equipment or services other than personal made by the officer in charge of purchasing in any county or township having the officer. No contract or order imposing any financial obligation on the county or township is binding on the county or township unless it is in writing and unless there is a balance otherwise unencumbered to the credit of the appropriation to which it is to be charged and a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made, each sufficient to meet the obligation incurred and unless the contract or order bears the certification of the accounting officer so stating; except that in case of any contract for public works or buildings to be paid for from bond funds or from taxes levied for the purpose it is sufficient for the accounting officer to certify that the bonds or taxes have been authorized by vote of the people and that there is a sufficient unencumbered amount of the bonds yet to be sold or of the taxes levied and yet to be collected to meet the obligation in case there is not a sufficient unencumbered cash balance in the treasury. All contracts and purchases shall be let to the lowest and best bidder after due opportunity for competition, including advertising the proposed letting in a newspaper in the county or township with a circulation of at least five hundred copies per issue, if there is one, except that the advertising is not required in case of contracts or purchases involving an expenditure of less than six thousand dollars. It is not necessary to obtain bids on any purchase in the amount of six thousand dollars or less made from any one person, firm or corporation during any period of ninety days. All bids for any contract or purchase may be rejected and new bids advertised for. Contracts which provide that the person contracting with the county or township shall, during the term of the contract, furnish to the county or township at the price therein specified the supplies, materials, equipment or services other than personal therein described, in the quantities required, and from time to time as ordered by the officer in charge of purchasing during the term of the contract, need not bear the certification of the accounting officer, as herein provided; but all orders for supplies, materials, equipment or services other than personal shall bear the certification. In case of such contract, no financial obligation accrues against the county or township until the supplies, materials, equipment or services other than personal are so ordered and the certificate furnished.

50.750. Missouri products to be purchased by officers. — Every county officer, agent or any governing body of any county in this state authorized to make purchases for use of their county shall purchase and use only those materials, products, supplies, provisions and other needed articles produced, manufactured, compounded, made or grown within the state of Missouri, when they are found in marketable quantities in the state and are of a quality suited to the purpose intended, and can be secured without additional cost over foreign products or products of other states; provided, however, that quality and fitness of articles shall be considered in purchasing or letting contracts for articles herein mentioned.

50.753. Purchasing agent, how appointed, compensation, assistants. — The county commission of any county may by order of the commission appoint some suitable person to the position of county purchasing agent. The purchasing agent shall serve at the pleasure of the county commission, and at such compensation as is determined by the commission. The county commission may appoint assistants for the purchasing agent and may fix their compensation.

50.755. Purchasing agent to investigate need for supplies requested by officers. — All county officers, officials or employees shall make known to the county purchasing agent, if one is appointed as herein provided, any and all requirements that may exist for the purchase of any and all articles needed for the proper conduct or duties of their office or position, and it shall be the duty of such purchasing agent, under the direction of the county commission, to investigate and determine if such article or articles are necessary and actually required for the proper conduct of the official business of the county.

50.757. Purchasing agent, duties — bids rejected, when. — 1. It shall be the duty of the county purchasing agent, if one is appointed, to purchase all supplies of whatever kind or nature necessary for the conduct of the business of the county in all its departments; and the county shall not be liable for any debts except upon the written order of such purchasing agent, who shall make purchases only from those offering the lowest price, quality considered, and the purchasing agent is not authorized to purchase supplies of higher quality or price than is reasonably required for the purpose to which they are to be applied.

2. The purchasing agent may reject any or all bids for the sale of articles and supplies for the use of the county.

50.770. Supplies defined (second class and certain first class counties). — The word "supplies", as used in sections 50.760 to 50.790, means materials, equipment, contractual services, and shall be held and construed to include every article or thing, excluding utility services regulated under chapters 392 and 393, for which payment may by law be required to be made by the county, and including advertising and printing required to be done by the county. The term "purchase" includes the rental or leasing of any equipment, articles, or things.

50.780. Commissions may permit officers to purchase supplies direct — liability therefor — preference in bids — waiver, when (second class and certain first class counties). — 1. It shall hereafter be unlawful for any county or township officer in any county to which sections 50.760 to 50.790 apply to purchase any supplies not contracted for as provided in sections 50.760 to 50.790 for the officer's official use and for which payment is by law required to be made by the county unless the officer shall first apply to and obtain from the county commission an order in writing and under the official seal of the commission for the purchase of such supplies, and in all cases where the supplies requested by such officer have been contracted for by the county commission as provided in sections 50.760 to 50.790, the order shall be in the form of a requisition by said officer addressed to the person, firm, company or corporation with whom or which the county commission has made a contract for such supplies, and presented to the county commission for approval or disapproval; and unless approval be given such requisition shall not be filled and any such requisition filled without such approval shall not be paid for out of county funds. The county shall not be liable for any debts for supplies except debts contracted as provided in sections 50.760 to 50.790. The best price and the quality of supplies shall be considered and supplies of a higher price or quality than is reasonably required for the purposes to which they are to be applied shall not be purchased or contracted for. Preference to merchants and dealers within their counties may be given by such commissioners, provided the price offered is not above that offered elsewhere.

2. The county commission may waive the requirement of competitive bids or proposals for supplies when the county commission has determined that there exists a threat to life, property, public health, or public safety or when immediate expenditure is necessary for repairs to county property in order to protect against further loss of, or damage to, county property, to prevent or minimize serious disruption in county services or to ensure the integrity of county records. Emergency procurements shall be made with as much competition as is practicable under the circumstances. After an emergency procurement is made by the county commission, the nature of the emergency and the vote approving the procurement shall be noted in the minutes of the next regularly scheduled meeting.

50.783. Waiver of competitive bid requirements, when — rescission of waiver, when — single feasible source purchases — exception for Boone and Greene counties. — 1. The county commission may waive the requirement of competitive bids or proposals for supplies when the commission has determined in writing and entered into the commission minutes that there is only a single feasible source for the supplies. Immediately upon discovering that other feasible sources exist, the commission shall rescind the waiver and proceed to procure the supplies through the competitive processes as described in this chapter. A single feasible source exists when:

- (1) Supplies are proprietary and only available from the manufacturer or a single distributor; or
- (2) Based on past procurement experience, it is determined that only one distributor services the region in which the supplies are needed; or
- (3) Supplies are available at a discount from a single distributor for a limited period of time.

2. On any single feasible source purchase where the estimated expenditure is over six thousand dollars, the commission shall post notice of the proposed purchase and advertise the commission's intent to make such purchase in at least one daily and one weekly newspaper of general circulation in such places as are most likely to reach prospective bidders or offerors and may provide such information through an electronic medium available to the general public at least ten days before the contract is to be let.

3. Notwithstanding subsection 2 of this section to the contrary, on any single feasible service purchase by any county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants or any county of the first classification with more than two hundred sixty thousand but fewer than three hundred thousand inhabitants where the estimated expenditure is over six thousand dollars, the commission shall post notice of the proposed purchase and advertise the commission's intent to make such purchase in at least one daily and one weekly newspaper of general circulation in such places as are most likely to reach prospective bidders or offerors and may provide such information through an electronic medium available to the general public at least ten days before the contract is to be let.

610.026. Fees for copying public records, limitations — fee money remitted to whom — tax, license or fee as used in Missouri Constitution Article X, Section 22, not to include copying fees. — 1. Except as otherwise provided by law, each public governmental body shall provide access to and, upon request, furnish copies of public records subject to the following:

(1) Fees for copying public records, except those records restricted under section 32.091, shall not exceed ten cents per page for a paper copy not larger than nine by fourteen inches, with the hourly fee for duplicating time not to exceed the average hourly rate of pay for clerical staff of the public governmental body. Research time required for fulfilling records requests may be charged at the actual cost of research time. Based on the scope of the request, the public governmental body shall produce the copies using employees of the body that result in the lowest amount of charges for search, research, and duplication time. Prior to producing copies of the requested records, the person requesting the records may request the public governmental body to provide an estimate of the cost to the person requesting the records. Documents may be furnished without charge or at a reduced charge when the public governmental body determines that waiver or reduction of the fee is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the public governmental body and is not primarily in the commercial interest of the requester;

(2) Fees for providing access to public records maintained on computer facilities, recording tapes or disks, videotapes or films, pictures, maps, slides, graphics, illustrations or similar audio or visual items or devices, and for paper copies larger than nine by fourteen inches shall include only the cost of copies, staff time, which shall not exceed the average hourly rate of pay for staff of the public governmental body required for making copies and programming, if necessary, and the cost of the disk, tape, or other medium used for the duplication. Fees for maps, blueprints, or plats that require special expertise to duplicate may include the actual rate of compensation for the trained personnel required to duplicate such maps, blueprints, or plats. If programming is required beyond the customary and usual level to comply with a request for records or information, the fees for compliance may include the actual costs of such programming.

2. Payment of such copying fees may be requested prior to the making of copies.

3. Except as otherwise provided by law, each public governmental body of the state shall remit all moneys received by or for it from fees charged pursuant to this section to the director of revenue for deposit to the general revenue fund of the state.

4. Except as otherwise provided by law, each public governmental body of a political subdivision of the state shall remit all moneys received by it or for it from fees charged pursuant to sections 610.010 to 610.028 to the appropriate fiscal officer of such political subdivision for deposit to the governmental body's accounts.

5. The term "tax, license or fees" as used in Section 22 of Article X of the Constitution of the State of Missouri does not include copying charges and related fees that do not exceed the level necessary to pay or to continue to pay the costs for providing a service, program, or activity which was in existence on November 4, 1980, or which was approved by a vote of the people subsequent to November 4, 1980.

70.220. Political subdivisions may cooperate with each other, with other states, the United States or private persons — tax distribution agreement, authorized for certain counties and cities (Buchanan County and city of St. Joseph; Greene County and city of Springfield). — 1. Any municipality or political subdivision of this state, as herein defined, may contract and cooperate with any other municipality or political subdivision, or with an elective or appointive official thereof, or with a duly authorized agency of the United States, or of this state, or with other states or their municipalities or political

subdivisions, or with any private person, firm, association or corporation, for the planning, development, construction, acquisition or operation of any public improvement or facility, or for a common service; provided, that the subject and purposes of any such contract or cooperative action made and entered into by such municipality or political subdivision shall be within the scope of the powers of such municipality or political subdivision.

8.285. Policy on contracts for architectural, engineering, land surveying services. — It shall be the policy of the state of Missouri and political subdivisions of the state of Missouri to negotiate contracts for architectural, engineering and land surveying services on the basis of demonstrated competence and qualifications for the type of services required and at fair and reasonable prices.

8.289. Agencies using services to be furnished statement of firm's qualifications and performance data. — Present provisions of law notwithstanding, in the procurement of architectural, engineering or land surveying services, each agency which utilizes architectural, engineering or land surveying services shall encourage firms engaged in the lawful practice of their professions to annually submit a statement of qualifications and performance data to the agency. Whenever a project requiring architectural, engineering or land surveying services is proposed for an agency of the state or political subdivision thereof, the agency shall evaluate current statements of qualifications and performance data of firms on file together with those that may be submitted by other firms regarding the proposed project. In evaluating the qualifications of each firm the agency shall use the following criteria:

- (1) The specialized experience and technical competence of the firm with respect to the type of services required;
- (2) The capacity and capability of the firm to perform the work in question, including specialized services, within the time limitations fixed for the completion of the project;
- (3) The past record of performance of the firm with respect to such factors as control of costs, quality of work, and ability to meet schedules;
- (4) The firm's proximity to and familiarity with the area in which the project is located.

8.291. Negotiation for contract — not applicable for certain political subdivisions. — 1. The agency shall list three highly qualified firms. The agency shall then select the firm considered best qualified and capable of performing the desired work and negotiate a contract for the project with the firm selected.

2. For a basis for negotiations the agency shall prepare a written description of the scope of the proposed services.

3. If the agency is unable to negotiate a satisfactory contract with the firm selected, negotiations with that firm shall be terminated. The agency shall then undertake negotiations with another of the qualified firms selected. If there is a failing of accord with the second firm, negotiations with such firm shall be terminated. The agency shall then undertake negotiations with the third qualified firm.

4. If the agency is unable to negotiate a contract with any of the selected firms, the agency shall reevaluate the necessary architectural, engineering or land surveying services, including the scope and reasonable fee requirements, again compile a list of qualified firms and proceed in accordance with the provisions of sections 8.285 to 8.291.

5. The provisions of sections 8.285 to 8.291 shall not apply to any political subdivision which adopts a qualification-based selection procedure commensurate with state policy for the procurement of architectural, engineering and land surveying services.



NOTICE OF INTENT TO DECLARE SINGLE SOURCE PROVIDER No. _____

ORIGINATING OFFICE:
PERSON(S) REQUESTING:
CONTACT PHONE :
DATE RELEASED:
DEADLINE / DISCUSSION DATE:
DISCUSSION LOCATION:

EXHIBIT A (2 PAGES)

Any/all discussions concerning the process to declare a Sole Source will be held in front of the Taney County Commission, on above date & time. Interested parties as well as the public in general are welcome. A final determination to declare will be made shortly thereafter in lieu of, or lack thereof, alternatives being presented.

| | |
|---------------------|--|
| Vendor Name | |
| Vendor Address | |
| Vendor Phone | |
| Service Description | |
| Estimated Cost | |

The following is a list of questions to be answered when making sole source requests. This is a formal document for submission to the County Commission. If a question is not applicable, please indicate N/A. Use layman's terms and avoid jargon and the use of acronyms.

1. Please check all that apply as the reason(s) for this sole request:
 - Only Known Source-Similar service not available from another vendor.
 - Equipment or service must be compatible with existing Equipment.
 - Immediate purchase necessary to correct situation threatening life/property.
 - Lease Purchase - Exercise purchase option on lease.
 - Medical device or supply specified by physician.
 - Used Equipment - Within price set by one/two appraisal(s) by disinterested parties.
 - Other. (Explain.)
2. Describe the unique features/compatibility of the service that precludes competitive bidding.
3. What research has been done to verify this vendor as the only known source?
4. Does this vendor have any distributors or dealers that sell their service to others?
 - Yes (please attach a list of known sources).
 - No.

5. Must this service be compatible with present inventory/equipment, or in compliance with the manufacturer's warranty or existing service agreement? If yes, please explain.
6. Once this declaration is approved, what additional upgrades, additions, or supplies is anticipated or projected over the useful life of this product?
7. If this is an upgrade/add-on/supply/repair/etc. to existing equipment, how was the original equipment purchased (sole source or competitive bid)?
8. What additional, related, sole source purchases have occurred since the initial purchase?
9. How has this service been purchased in the past? (Sealed Bid, Sole Source, RFP, other) Please provide document numbers.
10. What are the consequences of not securing this specific service?
11. Additional reasons supporting the continuation of this service.
12. How long is sole source approval necessary for this type of purchase? Is this a one-time purchase or is there an identified time period needed?

NOTE: If no possible viable competition has been established resulting from all efforts made during this request process which fully meets, or exceeds, all requirements as set forth within this document, we ask for a motion to be made by the Taney County Commission to finalize this request. Thereafter a signature below designating, and authorizing, _____ as the "Single Feasible Sole Source" available to provide / continue said products / services, to Taney County Missouri, as is listed throughout this document and within any final Agreement version to follow at a later date.

Approved By: Taney County Commission:

Mike Scofield, Presiding Commissioner

Date



TANEY COUNTY MISSOURI

Purchasing Department
132 David Street / P. O. Box 1630
Forsyth, Missouri 65653

➤ EMERGENCY EVENT PROCUREMENT

EXHIBIT B (2 PAGES)

Taney County Emergency Procurement Policy (§ 50.780.2, RSMo.): Notwithstanding any other provisions of this Policy the Taney County Commission may waive the requirement of competitive bids or proposals for supplies when the County Commission has determined that there exists a threat to life, property, public health, or public safety or when immediate expenditure is necessary for repairs to County property in order to protect against further loss of, or damage to, County property, to prevent or minimize serious disruption in County services or to ensure the integrity of County records. Emergency procurements shall be made with as much competition as is practicable under the circumstances. After an emergency procurement is made by the County Commission, the nature of the emergency and the vote approving the procurement shall be noted in the minutes of the next regularly scheduled meeting. A written determination of the basis for the emergency and for the selection of the particular contractor shall be included in the contract file. As soon as practicable, a record of each emergency procurement shall be made including the contractor's name, amount and type of the contract, a listing of the item(s) procured under the contract. The County Purchasing Agent will assign a specific Emergency Event Procurement number ("EEP") for each event to cover all emergency purchases made within the necessary recovery timeframe as set by the Taney County Commission.

REQUEST FOR EMERGENCY PROCUREMENT – EEP# _____

DATE REQUESTED:

EMERGENCY EVENT:

ORIGINATING OFFICE:

PERSON(S) REQUESTING:

CONTACT PHONE :

UPON COMPLETION OF THIS FORM, PLEASE SUBMIT TO THE PURCHASING DEPARTMENT.

PURCHASING DEPARTMENT APPROVAL: _____
Signature Date

EMERGENCY EVENT PROCUREMENT NUMBER: EEP# _____ (Assigned by Purchasing)

COMMISSIONER APPROVAL: _____
Signature Date

EMERGENCY EVENT RECOVERY DATES: _____ - through - _____

| | |
|-----------------------------|--|
| Vendor Name | |
| Vendor Corporate Address | |
| Vendor Phone | |
| Product / Service Described | |
| Estimated Cost | |

The following is a list of questions that must be answered when making emergency procurement requests. This is a formal document for submission to the Commission for the requesting department.

1. **Please describe the reason for the request of emergency procurement with respect to the threat to public health, welfare, or safety:**

2. **Describe anticipated consequences of not procuring immediately:**

3. **Describe and attach any quotes received:**

4. **Is this a one-time purchase? _____ Yes or _____ No.** If not, detail the anticipated future purchases with anticipated acquisition dates.

5. **Please provide a current - signed W-9 from supplying Vendor.**

6. **Please provide the name of the person who signed / authorized their quote / invoice.**

7. **Please provide any/all warranty information to be added to our Contract Agreements.**

EXHIBIT C (1 PAGE)
QUOTE PROCESS

DATE: _____ **CHECKED BY:** _____

PRODUCT: _____

DEPARTMENT: _____

| |
|------------------------------|
| VENDOR: _____ DATE: _____ |
| CONTACT: _____ PHONE: _____ |
| PRICE: _____ WEBSITE: _____ |
| DETAILED DESCRIPTION: _____ |
| VENDOR: _____ DATE: _____ |
| CONTACT: _____ PHONE: _____ |
| PRICE: _____ WEBSITE: _____ |
| DETAILED DESCRIPTION: _____ |
| VENDOR: _____ DATE: _____ |
| CONTACT: _____ PHONE: _____ |
| PRICE: _____ WEBSITE : _____ |
| DETAILED DESCRIPTION: _____ |

This form may be used at the Department level to assist in tracking compliance with section B, page #5, of the Taney County Purchasing Policy for purchases falling in the range of \$1500.00 - \$5,999.99.