

PURCHASING POLICY

This supersedes any portions that are mentioned specifically in the Finance Policy

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SECTION 1: GENERAL

PURPOSE

The purpose of this policy is to provide for a fair, accountable, and transparent public procurement system in CLARK COUNTY implemented in compliance with Federal Law, State Statute, and County Board policy, maximizing efficiency with the use of public funds and establishing a consistent public purchasing process that meets high standards of integrity.

SCOPE

This policy applies to all Clark County personnel and all organizations for which Clark County is the fiscal agency except that, if in conflict with a collective bargaining agreement or other contractual obligation, the provisions of that agreement or contract prevail. Further, in the event any policy violates federal or state law or is held invalid by a court of competent jurisdiction, the affected policy shall be deemed to have been severed from this policy to the extent of its invalidity.

DEFINITIONS

For purposes of this policy, the following terms have the meanings given:

1. *Business* means a corporation, partnership, individual, sole proprietorship, joint stock company, joint venture, or any other private legal entity.
2. *Certificate of insurance* means a document issued by an insurer providing evidence that an insurance policy exists and including information such as insurer, insurance agency, insured, types of insurance, policy numbers, effective dates, limits, certificate holder, cancellation procedure, special provisions, e.g., additional insured, and the name of the representative authorizing the policy.
3. *Change order* means a written method of modifying a contract (purchase order) after it has been written by way of another purchase order.
5. *Contract* is written evidence of an agreement between two parties (e.g. the county and a vendor) to perform some act or service. A contract may cover a specific transaction or a series of transactions. A contract is legally enforceable on both parties.
6. *Credit cards* approved by the Finance Committee to designated departmental employees.
7. *Invoice* means a document that itemizes charges for materials or services furnished upon which payment is due.
8. *A lease* means an agreement, whether oral or written, for transfer of possession of real property, or both real and personal property, for a definite period of time.
- B. *Petty cash* means a fund in the form of currency or coin that is advanced by an organization unit from appropriated funds to an authorized employee.
9. *Procurement* means the entire span of acquisition from determination of need through final disposition, with purchasing one segment of this cycle.
10. *Professional services* are unique, technical and/or infrequent functions performed by an independent contractor qualified by education, experience and/or technical ability to provide services of a specific project nature and predominately intellectual in character.
11. *Public works projects* are as defined in Wisconsin Statutes sections 59 and 66 as amended from time to time.

12. *Purchase order* means a formal offer to buy.
13. *Purchasing agent* means that person entrusted by this policy to represent their department and authorized to initiate purchasing transactions.
14. *Quotation* means a vendor reply to inquiry, giving terms and conditions of sale, or an offer to sell.
15. *Responsible bidder* means a business that has the capability in all respects to perform fully the contract requirements, and the experience integrity, reliability, capacity, facilities, equipment, and credit which will a good faith performance.
16. *Responsive bidder* means a business who has submitted a bid, which conforms in all material respects to the requirements, set forth in the invitation for bids.
17. *Request for proposal* means an invitation presented for vendors to submit a proposal on a specific commodity or service.
18. *Request for quotation* means an invitation for vendors to submit a proposal when the specifications of a product or service are already known and when price is the main or only factor in selecting the successful bidder.
19. *Vendor* means a business with which the County has purchased or may purchase a good or service.
21. *W-9 form* means a document issued by the United States Internal Revenue Service (IRS) for certain tax purposes.

RESPONSIBILITIES

The following agencies have the responsibilities assigned them under this policy in addition to those assigned under other policies, State and Federal laws and regulations.

Office of Finance/Administrative Coordinator

Except as otherwise provided in this policy, the purchasing policy must be implemented and administered by the County Administrative Coordinator, Comptroller, or his/her designee. In so doing, the Administrative Coordinator, Comptroller, or designee must:

- Ensure compliance with all written policies, administrative practices and procedures as adopted by the County Board;
- Ensure the maintenance of the fixed asset inventory;
- Periodically review and recommend modifications and changes to purchasing policies, administrative procedures and practices where necessary;
- Ensure departments have adequate funds available to undertake a requested purchase and, if not, modify or cancel the purchase to ensure budget compliance;
- Review and, as needed, amend the quality and quantity of goods or services requested or otherwise make substitutions;
- Maintain oversight over department purchase requests as they relate to need, quality, price, and conformity with County standardization practices.

DEPARTMENT HEAD

It is the responsibility of the department head or designated staff to:

- Oversee along with the supervising committee all bid specifications based on information furnished by the department for which the purchase is to be made, ensuring that the bid specifications fully describe the goods or services to be purchased and clearly differentiate the same from similar goods or services;
- Determine the form and required contents of all requests for proposal and requests for quotation;
- Report to the Office of Finance any purchasing deviations from line items budgeted;
- Document the receipt of all merchandise or services purchased;
- Prepare appropriate invoices for payment; and
- Properly record purchases made under the proper line item account code.
- Ensure they have adequate budgeted funds available to undertake a requested purchase and, if not, modify or cancel the purchase to ensure budget compliance;
- Review and, as needed, amend the quality and quantity of goods or services requested or otherwise make substitutions;
- Ensure all bids are adequately publicized to inform local bidders; and
- Maintain oversight over their purchase requests as they relate to need, quality, price, and conformity with County standardization practices.

DEPARTMENTAL PURCHASING AGENT

It is the responsibility of the purchasing agent to:

- Ensure that all relevant Board policies, State and Federal laws are followed;
- Prepare all necessary documentation as required by this policy including requests for proposal and requests for quotation;
- Determine the method of purchasing that is the most appropriate;
- Conduct the purchasing process; and
- Preserve and transmit all required documentation to the department head or designated staff.

ETHICAL STANDARDS:

CLARK COUNTY employees must meet the highest standards of integrity in public procurement and failure to do so will be subject to disciplinary action. Accordingly:

- No county employee or official may solicit, demand, accept or agree to accept from any other person a gratuity in connection with any decision, approval, disapproval or recommendation of a purchase request.
- Purchases by the county for the personal use of an employee or official are prohibited even if reimbursement is made to the county for the cost of the purchase.
- Any employee who identifies a conflict of interest must disclose that conflict in writing to the purchasing agent and remove themselves from the procurement process.
- No employee may disclose confidential proprietary information from solicitations to other vendors or using that information for personal gain.

Any purchase made by an employee or county official that is contrary to these ethical provisions must in no way obligate the county for payment. Any such purchase will be considered a personal liability of the involved employee or official.

SECTION 2: CONSIDERATIONS IN PURCHASING

ENERGY CONSUMPTION

The CLARK COUNTY Board of Supervisors recognizes the importance of energy conservation in cost control and in environmental protection. Accordingly, in purchasing capital equipment that has an energy use of significance a department must request energy consumption data from all vendors in any request for proposals and may consider potential energy costs in determining the lowest bidder.

LOCAL PREFERENCE

The CLARK COUNTY Board of Supervisors recognizes the importance of County purchases in supporting the local economy, and supports local purchases whenever possible within the constraints of State and Federal law. Departments must take into consideration the monetary value of the availability of local services/goods, transportation costs, and proximity of the vendor in determining purchases that are in the County's best interests. F

CONTRACTING AUTHORITY

Only the County Board Chair can legally bind the County to any total lease or contract valued at or above \$100,000 unless State law requires otherwise. . Contracts under \$100,000 shall be reviewed and approved by the supervising committee and, if approved, the department head or designee has the authority to bind the county. Copies of executed agreement shall be stored in a central network folder except for agreements that contain confidential information, which shall be stored by the department head..

PUBLIC WORKS PROJECTS

In accordance with Wisconsin Statutes 66.0901 and 59.52(29), all public work, including any contract for the construction, repair, remodeling or improvement of any public work, building, or furnishing of supplies or material of any kind where the estimated cost of such work will exceed \$25,000 must be competitively bid and must be awarded to the lowest responsible, responsive vendor without regard to the vendor's location. The Board shall give a class 1 notice before contracting with a person qualified as a bidder for public works contracts estimated to have a cost between \$5,000 and \$25,000. **It is the department's responsibility to verify that the Wisconsin Statutes limits have not changed in relation to the limits stated above.**

Public Emergencies: The above requirements for public works are not mandatory for the repair or reconstruction of public facilities when damage or threatened damage thereto creates an emergency, as determined by resolution of the County Board, in which the public health or welfare of the County is endangered. A notice pursuant to Wisconsin Statutes 59.52(29) must be prepared as required and, in an emergency, the procedure followed as provided in this same section as in effect at any given time.

All highway department construction projects and equipment purchases of \$150,000 and greater require the approval of the supervising committee and compliance with federal aid requirements (see grant funded purchases below).

SECTION 3: CERTAIN PURCHASES, SPECIAL PROVISIONS

GRANT FUNDED PURCHASES

Unless specifically prohibited by the granting authority, grant funded purchases must be administered through a written contractual agreement between the County and the party providing the service. All purchases made with grant funds must comply with the terms and conditions of the grant and this policy. If the grant requirements conflict with this policy, the Office of Finance and/or Administrative Coordinator may suspend those provisions of this policy only for the specific grant and for the duration of that grant. The department head is responsible to comply with purchases covered by grant funds.

Uniform Grant Guidance issued by the Federal Office of Management and Budget (OMB) outlined the following procurement standards for all dollars applied to federal grant programs:

A. Micro Purchases (Items less than \$3,000):

Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (§200.67 Micro-purchase). To the extent practicable, the non-Federal entity must distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the non-Federal entity considers the price to be reasonable.

B. Small Purchases (Items between \$3,000 and \$150,000):

Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than the Simplified Acquisition Threshold. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources.

C. Large Purchases (Items greater than \$150,000):

Follow requirements under 1 (construction) or 2 (all other) below depending on applicability.

1. Sealed Bids for Construction Contracts: Note that a federally funded public works project shall follow the lower dollar threshold requirements of Wisconsin Statutes 66.0901 and 59.52(29) outlined in the public works projects section above. Bids are publicly solicited and a firm fixed price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price.

In order for sealed bidding to be feasible, the following conditions should be present:

- (i) A complete, adequate, and realistic specification or purchase description is available;
- (ii) Two or more responsible bidders are willing and able to compete effectively for the business; and
- (iii) The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

If sealed bids are used, the following requirements apply:

- (i) Bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date set for opening the bids, for state, local, and tribal governments, the invitation for bids must be publically advertised;

(ii) The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;

(iii) All bids will be opened at the time and place prescribed in the invitation for bids, and for local and tribal governments, the bids must be opened publicly;

(iv) A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and

(v) Any or all bids may be rejected if there is a sound documented reason.

2. Competitive Proposals for Other Contracts Greater than \$150,000: The technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed price or cost-reimbursement type contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids. If this method is used, the following requirements apply:

(i) Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical;

(ii) Proposals must be solicited from an adequate number of qualified sources;

(iii) The non-Federal entity must have a written method for conducting technical evaluations of the proposals received and for selecting recipients;

(iv) Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered; and

(v) The non-Federal entity may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

D. Noncompetitive Proposals:

Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:

(1) The item is available only from a single source;

(2) The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;

(3) The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity; or

(4) After solicitation of a number of sources, competition is determined inadequate.

(5) Per the departmental Uniform Grant Guidance Policy and Procedure.

PROMOTIONAL ITEMS

Departments may purchase items of negligible value for educational or promotional purposes to be given to members of the public only at events generally open to the public or educational sessions. Such items must be clearly and permanently marked with the name of the County and the department or agency and funding for these purposes specifically identified in the annual budget.

COMPUTER PURCHASES

In addition to the approval by the supervising committee, purchase or lease of computer hardware and software must be managed and authorized for procurement by the Information Technology staff. For purposes of this section, computer hardware also includes copiers. The Information Technology staff will manage and procure all requisitions for computer hardware and software that are in the best interest of Clark County based on the best price including state pricing.

Technological compatibility must be a consideration in awarding any contracts for computer hardware and software.

PURCHASES OF LEGAL SERVICES

It is recommended the purchasing agent seek approval for the purchase of legal services of the corporation counsel. The corporation counsel may establish a guideline for obtaining such approval.

END OF YEAR PURCHASES

Unless provided by other policy, State and Federal law, grant or other funding contract, all expenditures for capital assets (\$5,000 or more) must be made so that delivery of that asset occurs on or before December 31 in the year in which the purchase was authorized unless authorized by the Comptroller.

HIGHWAY DEPARTMENT CONTRACTS

Pursuant to Wisconsin Statutes section 83.035 as in effect at any given time, the highway commissioner, with the approval of the CLARK COUNTY Highway Committee, is authorized to execute contracts for the purpose of enabling the county to construct and maintain streets and highways in cities, villages and towns within the County, with a copy filed with each respective clerk. Maintenance includes the furnishing of any road supplies and equipment to these municipalities.

INDEFINITE QUANTITY CONTRACTS

Notwithstanding any other provision of this policy, and as permissible under state and federal law, rules and regulations, the highway commissioner may enter into a contract to procure materials for construction, maintenance and repair of highways valid for a period not to exceed one year. For purposes of this section, an indefinite quantity contract means an agreement to procure these materials at a set rate per amount, with the total amount to be purchased estimated only. These contracts must competitively bid following the standard procurement procedure appropriate for the estimated dollar cost of materials to be purchased during that year.

PROHIBITED EXPENDITURES

Unless specifically authorized by the County Board of Supervisors, the following expenditures may not be made using County funds:

- Entertainment expenditures such as tickets for admission to public entertainment events, theaters, and similar;
- Alcoholic beverages and tobacco, except in conjunction with a compliance investigation;
- Retirement parties or similar events including awards and gifts unless authorized under an employee recognition policy;
- Charitable contributions made by County employees;
- Common courtesy expenditures such as flowers or cards for ill county employees or local officials; and
- Any travel or related expense for employee's spouse, other family members or for any acquaintances.

SECTION 4: STANDARD PROCUREMENT PROCEDURE

DETERMINATION OF NEED

A department head, or his/her designee, must initiate the procurement process through a determination of need, that the operation of that department requires the purchase of goods or services from an external vendor. If funds for that purpose have been appropriated in the annual budget, the department head or his/her designee may initiate this process by transmitting a request to the purchasing agent for that department or division. If funds for that purpose have not been appropriated, the procurement process may not be initiated until such time as funds are appropriated.

PROCEDURES FOR COMPETITIVE BIDS

Departments must use a bidding process in purchasing unless otherwise provided in this policy and even if not required are encouraged to do so. Awards will be made to the lowest responsible and responsive bidder but a bid or quote may be accepted or declined that reflects the best interest of the County. In determining the lowest bidder, the purchasing agent may consider cost of operation over the life of the item. When comparing bids or quotes, the following elements must be considered: price, conformity with original specifications, warranty, delivery date, freight charges, quality of product and/or vendor. Upon reviewing the bid results, the purchasing agent may elect to solicit additional bids. It is the responsibility of the department head or designee to see that the requirement for competitive bidding has been met. Unless otherwise required by state statute or the uniform grant guidance, professional services are not subject to the competitive bidding on the theory that public bodies should be free to judge qualification of those who are to perform such services.

PURCHASES IN PROCESS

Unless otherwise stated in this policy, , all purchasing agents must follow the procedures listed below based on the amount of the purchase. No purchase of a single good or commodity at the same general time may be divided into separate purchases to qualify for a lower threshold of approval, process or documentation.

ORDERS LESS THAN \$10,000

1. If a purchasing agent determines the expected cost of the purchase is less than \$10,000 and the goods or services are not offered on standard contracts, the purchasing agent may place the order directly with the vendor using his or her best judgment as the basis for vendor selection. The use of purchase orders is optional for orders less than \$10,000.
2. Once the order is accepted by the vendor and the delivery of goods and services takes place the purchasing agent completes a direct payment voucher or a purchase order payment voucher if a purchase order has been issued attaching the appropriate invoice unless this purchase qualifies for completion using a procurement card.
3. The purchasing agent must forward the approved direct payment voucher to the Office of Finance for processing except in the case of purchases made through a procurement card.
4. The Office of Finance must, on submission of the appropriate documentation, pay the vendor of these goods or services.
5. The Highway Department is excluded from this section and must follow Wisconsin State Statutes.

ORDERS GREATER THAN OR EQUAL TO \$10,000 AND LESS THAN \$25,000.

1. The purchasing agent must obtain at least two informal bids or price quotes. These bids may include current price lists or catalogs, recent price quotations on file (within 30 days), quotations solicited from vendors and written informal price bids (including faxes).
2. Once the department secures the lowest informal bid or price quote, and receives approval of the supervising committee they can accept the best price bid or quote that is in the best interest of the county. The purchase/order may be placed with the successful bidder. After the delivery of goods or services takes place the department completes a voucher for payment attaching the invoice, purchase order, and documentation of the informal bids.
3. The purchasing agent must forward the approved direct payment voucher to the Office of Finance for processing.
4. The Office of Finance must, on submission of the appropriate documentation, pay the vendor of these goods or services
5. The supervising committee can grant authority to the purchasing agent for standard day-to-day purchases under this price category.
6. Vehicles are excluded from this section, and will be addressed below.
7. The Highway Department is excluded from this section and must follow Wisconsin State Statutes.

ORDERS GREATER THAN OR EQUAL TO \$25,000 - COMPETATIVE PROPOSALS

1. The purchasing agent must forward specifications and requirements and bid documentation to the supervising committee for approval, including justification for specification of a specific brand or model that may limit competition.
2. The department head or his/her designee must review the designation and approve the process, including specification of a specific brand or model.
3. On approval, the purchasing agent must issue a request for proposals, allowing two weeks for a response unless another time period is authorized by the supervising committee and obtain three or more formal written bids or proposals.
4. If vendors submit bids for a product or service different from that specified, a determination must be made if the alternate item is an equal substitution. The vendor must provide sufficient product

information for the user to evaluate the alternate item. If not awarding to the low bidder, justification for not accepting the low bid must be documented.

5. The purchasing agent must document at least two formal written bids or proposals, which may include faxed and emailed bids or proposals unless otherwise stated in request for proposals. The prices quoted must represent all costs including delivery and, if applicable, estimated energy usage over the life the equipment. All purchasing documents are to be approved by the supervising committee.
6. The department must inform the successful vendor in writing that their bid or quote was accepted.
7. On receipt of the invoice the department will complete a voucher and submit to the Office of Finance for payment.
8. The supervising committee has the authority to determine whether competitive bidding or sealed bidding is appropriate with the exception of purchases that must follow the state statutes.
9. Clark County follows Wis. Stats. 59.52(29) and 66 for public works contracts and bidding.
10. The Highway Department is excluded from this section and must follow Wisconsin State Statutes.

ORDERS GREATER THAN OR EQUAL TO \$25,000 - SEALED BIDS

1. A department head must request authorization from their supervising committee to proceed with the advertisement of bids, furnishing complete and detailed specifications on the item to be purchased including any specification of a particular brand or model that may limit competition. The date of opening is established at this time.
2. A department head must develop a written request for proposals.
3. The department head or his/her designee must review the designation and approve the process, including specification of a specific brand or model.
4. Upon authorization the department head or his/her designee will submit for publication to the designated media, and request the County Clerk to publicly advertise the bid on the County website.
5. All bids received must be sealed and received prior to the determined date of opening.
6. All bids received must be publicly opened, with the supervising committee, department head and/or purchasing agent present.
7. If vendors submit bids for a product or service different from that specified, a determination must be made if the alternate item is an equal substitution. The vendor must provide sufficient product information for the user to evaluate the alternate item. If not awarding to the low bidder, justification for not accepting the low bid must be documented.
8. Decision on bid award is the responsibility of the supervising committee.
9. The supervising committee has the authority to determine whether competitive bidding or sealed bidding is appropriate with the exception of purchases that must follow the state statutes.
10. Clark County follows Wis. Stats. 59.52(29) and 66 for public works contracts and bidding.

VEHICLES

1. The department head or his/her designee must forward standard bid forms or quote documentation to be reviewed with the supervising committee for approval, including justification for departmental specification.
2. On approval, the department head or his/her designee must issue a request for proposals, allowing two weeks for a response unless another time period is authorized by the supervising committee and send three or more formal written bids or proposals.

3. If vendors submit bids for a product or service different from that specified, a determination must be made if the alternate item is an equal substitution. The vendor must provide sufficient product information for the user to evaluate the alternate item. If not awarding to the low bidder, justification for not accepting the low bid must be approved and documented by the supervising committee.
4. The department head or his/her designee must document all responses received within the authorized time period. The prices quoted must represent all costs including delivery and, if applicable, estimated energy usage over the life the equipment. All bids or proposals are reviewed by the supervising committee. The bid or proposal is awarded based on the best interest of Clark County by the supervising committee.
5. The department must inform the successful vendor in writing that their bid or quote was accepted.
6. On receipt of the invoice the department will complete a voucher and submit to the Office of Finance for payment.
7. The supervising committee has the authority to determine whether competitive bidding or sealed bidding is appropriate with the exception of purchases that must follow the state statutes.
8. Clark County follows Wis. Stats. 59.52(29) and 66 for public works contracts and bidding and must use sealed bids process stated below.
9. Highway vehicles are not included in this category.

SOLE SOURCE PURCHASES

It is the expectation of the CLARK COUNTY Board of Supervisors that all purchases will be made under full and open competition except as provided in this section. Justification for other than full and open competition may be:

ONLY ONE RESPONSIBLE SOURCE: The supplies or services required by the department or agency are available from only one responsible source and no other type of supplies or services will satisfy agency requirements. In the determination of only one responsible source, documentation must cite specific reasons for such exemption, such as compatibility with existing equipment, professional services that involve specific knowledge or familiarity with County activities not otherwise available, or that only one supplier exists to provide particular goods or services.

FUNDING SPECIFICATION: The source of the funding, e.g. granting agency specifies a single source for goods or services. Documentation requesting sole source purchases must include a copy of those provisions specifying this source.

UNUSUAL AND COMPELLING URGENCY: The department or agency's need for the supplies or services is of such an unusual and compelling urgency that the County would be seriously injured unless the agency is permitted to limit the number of sources from which it solicits bids or proposals. Solicitation from as many potential sources as is practicable under the circumstances is required. This urgency may also extend to delays in procurement through other vendors that would be unacceptable to the county. This authority will not be approved if it is determined that the urgency is due to a lack of advance planning by the department or agency.

Documentation for an emergency purchase must also include an explanation of the emergency, the financial or operational damage or risk of damage that will or may occur if needs are not satisfied immediately, why the needs were not or could not be anticipated so that goods or services could not have been purchased following standard procedures.

In all justifications made under this section, the requesting purchasing agent must list the reason and process used for selecting the vendor and documentation supporting the cost in the absence of directly comparable market data.

INVOICES

An invoice must be itemized and the original provided to the Office of Finance before any payment may be authorized. An invoice must contain:

- Purchase order number, if used;
- Itemized list of merchandise shipped;
- Prices, terms, date, quantities and all other pertinent information about the purchase; and
- All charges for delivery, freight listed separately from the merchandise.
- Must contain NO sales tax or a request has been made to have a refund of sales tax for credit card purchases.

Payments requests sent to the Office of Finance must be accompanied by the original invoice, including any supporting documentation. Exceptions to the original invoice requirement are CCRLC, Community Services, Social Services, and Highway which will have the original invoices attached to the vouchers kept or imaged in their department. For these exceptions the department will insure the above is followed. No payment may be made on pro forma invoices. All invoices must be made out to CLARK COUNTY.

PREPAYMENTS

No goods or services may be purchased using prepayments (excluding employee travel expenses), or payment before receipt of goods or services, without the written authorization of the supervising committee.

SECTION 5: OTHER PURCHASING PROCESSES

STATE CONTRACT

If so, determined by the department head, the purchasing agent may use existing contracts bid by the State of Wisconsin and bypass the competitive bidding process outlined in this policy for purchases of less than \$15,000. Purchases greater than \$15,000 require prior approval by the supervising committee. For purposes of this policy, any purchase made from the State of Wisconsin cooperative purchase contract constitutes compliance with any competitive bidding requirements. Further, the State contract amount may be used as price comparisons for the purpose of the competitive bidding requirements for identical items.

COOPERATIVE PURCHASING

Departments may participate with a network of other governmental agencies for cooperative purchasing up to \$15,000 which will meet the competitive bidding requirements.

STANDARD CONTRACTS

Notwithstanding other provisions of this policy, if the County has standardized the purchasing of a good or service and has issued standard purchase orders or contracts for these goods or services, such goods or services must be purchased from these vendors.

PETTY CASH

The Finance Committee must approve any petty cash fund. Any cash fund must be reconciled on a regular basis or at a minimum at yearend. Purchases through the use of petty cash must comply with all other requirements of this policy.

INTERNET PURCHASING

Purchasing agents may purchase via the Internet with credit cards in accordance with the County's Credit Card Policy, located within this document. Purchases via the Internet must comply with all other requirements of this policy.

AUCTIONS

Purchasing agents may purchase goods at auction only if the vendor offers protection against purchasing defective or erroneously described merchandise, or prior inspection of merchandise, and that the vendor allows for refunds, if necessary, after a physical inspection of the goods received.

Any such purchase must have prior approval by the supervising committee, and is subject to the sole source documentation requirement as well as all other required documentation. In addition, the request for approval must be accompanied by an explanation of why it is in the county's best interest to purchase the item through an auction.

PURCHASES FROM COUNTY EMPLOYEES AND OFFICIALS

Provided all other provisions of this policy requirement are met, any single public official or county employee may enter into contract with or sell to CLARK COUNTY in which they have a private interest in and that it does not exceed an aggregated amount of \$15,000 per year (see Wisconsin Statutes 946.13). In addition, all such purchases must be made with full disclosure, meaning discussion at a meeting of the finance committee prior to the purchase.

CREDIT CARDS

Credit cards must be issued by the Office of Finance to the approved card holder after he/she has read and signed the Credit Card Policy Procedures. Credit card purchases must follow the Credit Card Policy listed later. Department heads, purchasing agents, and card holders are required to review and sign the Credit Card Policy and Procedures annually. Each card account must have a dollar limit set by the Finance Committee; no purchase in excess of this limit may be made. Other than as specified, use of a credit card does not negate any other requirements of this policy.

LEASE AGREEMENTS

All lease agreements must follow purchasing policy and, for leases valued at or above 100,000 annually must be reviewed by the supervising committee.

SALES TAX EXEMPTION

As CLARK COUNTY is exempt from Wisconsin State sales tax; employees must provide sales tax exemption information to any hotels, car rental company and similar when traveling on county business. For the occasional preapproved purchase made by the employee that seeks reimbursement, sales tax will not be reimbursed to the employee by the County. These types of purchases are discouraged. With the exception of meals with clients, out of county meals while on county business, and program specific activities approved by the Comptroller.

SECTION 6: MISCELLANEOUS PROVISIONS

DISPOSAL OF EXCESS SUPPLIES OR OBSOLETE EQUIPMENT

Supplies or equipment no longer serving a useful purpose must be reported to the appropriate designated staff. For items of other than negligible value, the appropriate designated staff must dispose of the supplies or equipment by transferring the material to a department which may need similar supplies or equipment, by competitive sealed bidding, by public auction, or in such a manner considered to be in the best interest of the County. County owned supplies or equipment must not be sold to County employees except by public auction or through public, competitive bidding. Items purchased with grant dollars must follow the Uniform Grant Guidance Policy.

CERTIFICATE OF INSURANCE

A certificate of insurance is required by the County when contracts with a vendor for materials, equipment, construction, remodeling, supplies, or services, that vendor's activities and the goods provided create an inherent liability risk to the County. The contractor must add "County of CLARK, its officers, employees, and agents" as an additional insured under the commercial general, automobile and contractor's liability.

Certificates are required for contracted service vendors and require receipt of the certificate and continued renewal of the certificate while the contract exists. Internal audit must periodically sample the service contracts to ensure compliance.

W-9 FORM

Vendors doing business with the County must provide a signed form W-9 to the Office of Finance before payment will be authorized. All vendors that meet any of the qualifications for the codes stated below will need a W-9 sent to them.

Code 1 – This is for amounts paid for rent. The exception being any amounts paid for rent to a corporation does NOT need that code.

Code 3 – This is for payments made to volunteer drivers that are paid over 14 cents a mile.

Code 6 – This is medical and health care payment for services. A corporation is NOT EXEMPT from this code. The only ones exempt are a tax-exempt hospital or a tax-exempt extended care facility or ones that are owned and operated by a government.

Code 7 – This is for payments for any “services” that a vendor provides. However payments to corporations are NOT included EXCEPT for payments that are paid to a corporation that has attorneys.

When you have someone who is a LLC, they can be EITHER a corporation OR a partnership, an individual or a company. If they are other than a corporation then they do NOT qualify for the corporation exemption for reporting requirements.

Please do not assume that because you paid a certain vendor less than the dollar amount needed for a 1099 that you do not have to code it with the proper code. You are only seeing your department’s payments and when they are added to the other departments they could go over the limitations for the year.

During the year when you are adding new vendors please make sure that if they “may” qualify under one of the above codes that a W-9 is sent to them and returned to our department. This is the form that requests their identification number.

LAW ENFORCEMENT MEAL PURCHASES

Notwithstanding any policy to the contrary, the sheriff or his/her designee may authorize the purchase of meals for law enforcement employees or volunteers at an accident or crime scene, natural disaster, search and rescue operation or a cooperative event with another law enforcement department where the required time commitment spans a traditional meal time and it is impractical to provide an adequate meal break. The maximum amount per meal may not exceed the maximum amount stated in the relevant travel policy.

CREDIT CARD POLICY

PURPOSE

It has been determined that there are some situations when a credit card is beneficial for the county. One situation is for the purpose of reserving a hotel so that a personal credit card does have to be used. Whenever possible the usual direct billing method should be used for the actual payment of the hotel bill. The other situation would be used by the Sheriff Dept. for the purpose of payment for unanticipated expenses due to the requirements of their job and/or investigation or the unplanned travel needed as part of their job. Due to the dollar restrictions that are on meals, there should not be any charging of meals on the credit card with the exception of the Sheriff Dept. for meals for emergency purposes only. The total credit card limit for the county is currently at \$20,000 with review by the Finance Committee at various times to make sure it is meeting the needs of the county.

PROCEDURES

All cards are the property of Clark County and each card will be issued in the name of each authorized cardholder. Before issuing a credit card the person must read and sign a credit card agreement/policy and supply appropriate personal information on the application (Exhibit A).

- Employees must abide by the terms of the agreement/policy.
- Clark County has a total limit of \$20,000 that is not to be exceeded by the collective purchases of the individual cardholders.
- The County Clerk will have one credit card that will be used mainly for the purposes of reserving hotel rooms.
- The Sheriff will have the designated employees that will be authorized to have credit cards to be used for unanticipated expenses.
- Other authorized users can be added with Finance Committee approval.
- There are to be no personal amounts charged to the credit card only county related purchases.
- Meals should not be paid for with the credit card with the exception for the Sheriff's Dept. for emergency use.
- Cash transactions will not be authorized with this credit card.
- Itemized receipts must be turned in to substantiate the cost on the credit card transaction within 10 days or as soon as possible so that it may be matched up with the billing.
- Full payment of the credit card needs to be made timely each month in order not to incur interest charges.
- Credit Card usage is intended for unanticipated expenses and not for ordinary everyday purchases
- All charges will be audited by the Office of Finance when payment is submitted
- Finance Committee and the supervising committee have the right to review all credit card transactions.

EMPLOYEE EXPENSE REIMBURSEMENTS

Reference the Clark County Employee Handbook and Finance Policy for employee reimbursable expenses.

CLARK COUNTY

FINANCIAL TRANSACTION CARD CARDHOLDER

ACKNOWLEDGEMENT / POLICY

2-20-09

Introduction

Clark County provides qualified employees with a Financial Transaction Card at County expense to purchase selected materials and services costing less than \$2,500.00 (including shipping and handling). Using the Financial Transaction Card benefits the County and Cardholder through:

- Promptly paying our suppliers
- Reducing overall processing costs
- Decentralizing purchasing responsibility
- Providing easy access to obtaining supplies and services

Cardholders must follow the policies contained in this agreement for conducting County business. Policy violations will result in revocation of Cardholder privileges and may result in disciplinary action up to and including termination.

1. General Policy Guidelines

Cardholder Definitions: Financial Transaction Cards are issued at the discretion of the Clark County Finance Committee to the Clark County Clerk and members of the Sheriff's Department for uses specified in Section 2. Additional persons may be added if further need for the cards is deemed necessary by the Finance Committee.

Ownership and Cancellation of the Financial Transaction Card: The Financial Transaction Card remains the property of the issuing financial institution. It may not be transferred to, assigned to, or used by anyone other than the designated Cardholder. The issuing financial institution or the County may suspend or cancel Cardholder privileges at any time for any reason. The Cardholder will surrender the Financial Transaction Card upon request to the Financial Transaction Card Administrator or any authorized agent of issuing financial institution. Use of the Financial Transaction Card or account after notice of its cancellation may be fraudulent and may cause the County to take legal action.

Spending Limits: The Financial Transaction Card Account has pre-set spending limits,

which may not be exceeded under any circumstances. The financial Transaction Card may be used whenever and wherever possible for charging materials and selected services costing less than \$2,500.00 (including shipping and handling). **NO PERSONAL EXPENSES ARE TO BE CHARGED TO the Financial Transaction Card.**

Financial Transaction CARD Abuse: Abuse of the Financial Transaction Card will result in revocation of the Card and appropriate disciplinary action, which may include termination. Policy violations include, but are not limited to:

- Purchasing items for personal use
- Exceeding bank credit line limit
- Utilizing the Financial Transaction Card for purchases of \$2,500.00 or more unless authorized by the Finance Committee.
- Using the Financial Transaction Card for entertainment purposes
- Failure to return the Financial Transaction Card when reassigned, terminated, or upon request
- Failure to submit proper documentation to Accounts Payable

Usage

Approved usage is for conducting official county business such as authorized purchases and hotel/motel reservations and fees. Personnel issued the Card will submit all receipts associated with the Card use along with the appropriate expense report to their supervisor for approval and audit purposes.

Receipts

It is the Financial Transaction Card Cardholder's responsibility to obtain detailed transaction receipts from the merchant or supplier each time the Financial Transaction Card is used. Each month, the Cardholder will receive an activity statement from the issuing financial institution and said statement shall be audited by the Finance Committee.

Individual transaction receipts are to be attached to this monthly activity report and submitted to the Cardholder's supervisor for review and approval.

Disputed Items

It is the Financial Transaction CARD Cardholder's responsibility to follow-up on any erroneous charges, returns, or adjustments and to ensure proper credit is given on subsequent statements.

Protecting the Financial Transaction-Card

The Financial Transaction Card is valuable property, which requires proper treatment by the Cardholder to protect it from misuse by unauthorized parties.

Validation/Safekeeping

Sign the Financial Transaction Card immediately upon receipt. When the expiration date has passed and/or after you have received a new Financial Transaction Card, cut the old Financial Transaction Card in half and dispose of it. Make sure the Financial Transaction Card is returned to you after each charge and verify that the returned Card has your name on it.

Lost/Stolen Financial Transaction Cards

If the Financial Transaction Card is lost or stolen, contact the Financial Card's 24 hour toll free number at 1-(800)-XXX-XXXX. The Cardholder is also required to contact their immediate supervisor. The Cardholder shall also submit a written report detailing the circumstances involving how the Card was lost / stolen.

The recipients of any county card shall sign an acknowledgement of this policy.

2. Sheriff's Department Additional Policy Guidelines

General

Financial Transaction Cards may be issued to named individuals and their usage is subject to the General County Policy except for the exceptions listed below. Financial Transaction Cards are issued at the discretion of Clark County Sheriff's Department to Clark County Sheriff's Department employees in permanently allocated positions. Said cards shall all be on the same one account.

Usage

Approved usage is for conducting official county business such as emergency meals (as authorized by the Sheriff or his designee), fuel, Hotel/ Motel or other authorized purchases. Personnel issued the Card will submit all receipts associated with the Card use along with the appropriate expense report to their supervisor for approval and audit purposes.

Receipts

It is the Financial Transaction Card Cardholder's responsibility to obtain detailed transaction receipts from the merchant or supplier each time the Financial Transaction Card is used. Each month, the Sheriff's Department / Cardholder will receive an activity statement from the issuing financial institution.

Individual transaction receipts are to be attached to this monthly activity report and submitted to the Cardholder's supervisor for review and approval. Following supervisor approval, the activity report, and receipts must be forwarded thorough the Law Enforcement Committee to the Finance Committee, for additional audit.

The recipients of any county card shall sign an acknowledgement of this policy.

The undersigned Financial Transaction Card Cardholder applicant and Department Head request that a Financial Transaction Card be issued to the applicant. This applicant has read the above agreement and guidelines and agrees to be bound by their terms and conditions.

Financial Transaction Cardholder Applicant

Date

Department Head / Designee

Date

Financial Transaction CARD Cardholder Applicant and Department Head / Designee

- Complete Application
- Retain one copy each of Agreement/Application