



COUNTY OF SACRAMENTO PURCHASING PROCEDURES AND GUIDELINES

Procedures and Guidelines Updated September 2021

This document and related forms and information are available on of the
Department of General Services intranet site:

<https://insidedgs.saccounty.net/capsd/Pages/default.aspx>

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1. INTRODUCTION

1.1 Purpose

These Procedures and Guidelines support the County of Sacramento Procurement Code of Ethics, Form 700 procedures and Purchasing Policy which sets forth how purchasing activities are to be conducted in Sacramento County and applies to all County employees. (See CAPSD Buyer's Guide, Section 1, Section 3 and Section 10)

A more detailed explanation of the entire contents of this guide can be found in the CAPSD Buyer's Guide. The purchasing function in California's local governments (counties, cities, special districts, and school districts) is governed by many state statutes, local charters and ordinances. In addition to complying with state and local regulations, CAPSD follows accepted public purchasing practices and procedures (Uniform Commercial Code). For Sacramento County, the governing regulations are found in three sources:

- California Government Code and the Public Contract Code, (<https://leginfo.legislature.ca.gov/faces/codes.xhtml>)
- The Sacramento County Charter and Code, and (<http://qcode.us/codes/sacramentocounty/>)
- The Sacramento County Purchasing Code (Section 2.56). (<http://www.dgs.sacCounty.net/capsd/Pages/County-Purchasing-Code.aspx>)

1.2 Authority Sacramento County Purchasing Policy and exemptions. (See Purchasing Policy 2101 and CAPSD Buyer's Guide, Section 1)

2. PROCEDURES & GUIDELINES

2.1 Department Level Purchasing Guidelines

Some purchases may be made at the department level. A quick reference guideline for such purchasing is as follows:

- Department identifies a need for a product or service.
- If the item is stocked in a county warehouse, such as surplus, a request is issued for the item
- If the item or service is available already by county contract, the item or service can be obtained by contract shipping order or procurement card if the value is less than the cardholders transaction limit. The procurement card can also be used for non-contract suppliers with the limit of \$1,000 or \$2,500, depending on the authority assigned to the card holder.
- If the item is not under county contract and is \$5,000 or less, the department may be able to use a delegated purchase order (DP0) to

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purchase an item. DPO's should not be used for recurring purchases or split to avoid the limit of \$5,000. The DPO limit does not include sales tax, handling charges or freight, therefore the total amount of the purchase may exceed \$5,000 once sales tax and shipping charges are included.

2.2 Delegated Authority Contracts

The County Executive and various department heads have the authority to contract for services under delegated contracting authority. The delegated authority contracts must be reviewed by County Counsel. Delegated authority contracts are subject to provisions of Section 71-J of the Sacramento County Charter including any implementing ordinance, resolution or policy.

(The specifics of the delegated contracting authority can be found in Chapter 2.61 of the Sacramento County Code and CAPSD Buyer's Guide, Section 7.

2.3 Contract and Purchasing Services

The first step for any department that needs assistance from CAPSD to purchase services or goods is to issue a requisition. CAPSD reviews the requisition submitted by the Department and determines the procurement method that best meets the user's needs.

CAPSD can issue a request for quote, which is an informal request for vendors to submit their offers for conducting business with the County. A request for quote is used for low dollar/low risk purchases.

CAPSD can also issue a request for bid, which is a request for vendors to submit their offers for conducting business with the County. The award is made to the lowest responsive and responsible bidder.

CAPSD can also issue a request for proposal (RFP) which is a formal invitation to potential suppliers to propose a solution to a need that the County has identified. An RFP, is a formal competitive procurement process that allows the County to consider multiple factors such as price, qualifications, experience, innovations, creativity, value-added services and/or project approach. For more information on these procedures, see CAPSD Guidelines for Developing Statement of Work and Evaluation Criteria, and CAPSD Buyer's Guide, Sections 1 and 2.

After the bidding process concludes, CAPSD makes purchases by Contract or Purchase Order.

See CAPSD Buyer's Guide, Section 2 for more specific instructions on this process.

2.4 Exception to the Competitive Solicitation Process

Purchases may, but need not be, let pursuant to competitive proposals under the following circumstances, pursuant to SCC 2.56.250:

- When the aggregate or cumulative price to be paid under the purchase contract is one hundred thousand dollars (\$100,000) or less, unless otherwise required by State law; or
- When a patented or proprietary item is being purchased; or
- In the event of an emergency; or
- When the following types of personal property or services are being acquired, obtained, rented or leased:
 - advertising;
 - books, recordings, motion picture films, subscriptions;
 - election supplies;
 - insurance;
 - public utility services;
 - travel services;
 - property or services provided by or through other governmental agencies; or obtainable from suppliers which have in force a current contract with another governmental agency for the same item or service; or
 - property or services the price of which is fixed by law; or
- When the Purchasing Agent determines that making of a purchase without competitive proposals is reasonably necessary for the conduct of County business. An Exception to Bid form must be completed by the end user and approved by the Purchasing Agent.

For more information see CAPSD Buyer's Guide, Section 1.

2.5 Contract Award Protests

Any bidder in the course of a competitive solicitation who is determined non-responsive or who is not being recommended for award of a contract, may protest the award of a contract. For a more detailed explanation on the protest process, please see the CASPD Buyer's Guide, Section 2.

2.6 Exceptions for Not Using Contracted Vendors

This guideline clarifies when it may be acceptable to purchase contracted goods/services from a non-contracted vendor. It applies to all Purchasing Activities. If a department identifies the same or comparable goods or services at significantly less cost, and the department wishes to acquire it from

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a non-contracted vendor, the department must perform an “apples to apples” comparison. Prior to the comparison, the following should be addressed:

- the amount of time employee(s) will invest in shopping (including time & resources for item pick-up if vendor does not deliver) for the needed goods or services (is the saving’s worth the time spent?), and
- the awareness and acceptance by the employee’s supervisor of the time used for “procurement” duties when his/her classification’s principal duties do not include procurement.

These comments shall be included in the written comparison. This statement must also include a comparison of the contemplated good or service as regards to the pricing, provisions, terms and conditions of the Countywide contract. Other provisions that the department may need to consider when making an “apples to apples” comparison include, but are not limited to:

- return policies,
- FOB Point,
- payment terms,
- product support,
- product maintenance,
- quality,
- performance requirements, and
- insurance requirements.

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Once a user has completed their comparison, he/she shall submit a requisition in COMPASS and include a copy of the comparison. The appropriate contracting officer will determine if the proposed purchase is both comparable and cost effective.

2.7 Retroactive Purchases

Retroactive purchases are not acceptable and cannot be processed by the CAPSD. This applies to all purchases unless considered an “emergency purchase”.

2.8 Environmental Purchases

Consistent with the requirements of Assembly Bill 939, requiring a 50% reduction of material going to landfills, and the economics of effectively managing costs for solid waste disposal, all County of Sacramento Agencies/Departments/Divisions shall adopt and promote the use of

recycled/recyclable supplies and materials as a Countywide priority.(See CAPSD Buyer's Guide, Section 1)

2.9 Copiers (Multifunctional Devices)

The County shall rent copiers for a short-term period (usually three years). The County does not purchase or lease copiers. The CAPSD shall establish multiple contracts providing a selection of copier choices from which users can select a device(s) that best suits their copying needs. At the end of the copier rental term, the user will return the existing copier after removal of existing hard drive and select a new copier from the available list of suppliers/devices.

2.10 Single Bid or Proposal

When only a single bid or proposal is received in response to an RFB, RFP, or RFQ, the County must conduct a review to determine whether competition was inadequate due to circumstances within the County's control, or whether the lack of responses was due to due conditions beyond the County's control. The review must include a determination of whether the requirements were unduly restrictive (e.g. unreasonable requirements, restrictive specifications, inadequate time allowed for responses), whether an adequate number of qualified sources was solicited, and if changes could be made to encourage submission of more bids or proposals. The review might include a survey of potential sources that chose not to submit a bid or proposal.

Many unrelated factors beyond the County's control might cause potential sources not to submit a bid or proposal. If the County determines that the specifications are not unduly restrictive and changes cannot be made to encourage greater competition, the County may determine the competition adequate. If it is determined that competition was adequate, the County's competition requirements will be fulfilled, and the procurement will qualify as a valid competitive award.

If it is determined that competition was inadequate due to circumstances within the County's control, the County must resolicit with revised requirements or procedures, where possible. If the inadequate competition was due to restrictive requirements that cannot be revised, the County must justify the procurement as noncompetitive and follow noncompetitive procedures by completing an Exception to Bid.