



**COUNTY OF SAN BERNARDINO  
POLICY MANUAL**

No. 11-04

**ISSUE**

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**By**

**EFFECTIVE 7/01/12**

**SUBJECT**

PROCUREMENT OF GOODS, SUPPLIES AND EQUIPMENT

**APPROVED**

**JOSIE GONZALES**  
Chair, Board of Supervisors

**POLICY STATEMENT**

The authority and responsibility for purchasing goods, supplies and equipment rests with the Purchasing Department. This places the responsibility on those who have the skill to do the work properly and whose primary concern is in the performance of this special task. It enables the establishment of uniform policies with respect to purchasing and vendor relationships. It promotes economy by consolidating requirements and by setting up material standards for inventories.

**POLICY AMPLIFICATION**

1. Purchasing Department Authority.  
The County Purchasing Department is responsible for acquiring all goods, supplies and equipment for the County, as authorized by state law and County Code section 14.0101 et seq.
2. Use of Procedures Established by Purchasing Department to Request Purchase.  
County agencies, departments and Board-governed special districts must comply with the procedures established by the Purchasing Agent.
3. Use of Competitive Procedures Established by the Board of Supervisors and the Purchasing Agent.  
County agencies, departments and Board-governed special districts must utilize the competitive procedures established through Ordinance, Policies and Standard Practices, or the County Procurement Manual.
  - A. Competitive purchase of goods in any amount may be approved by the Purchasing Agent. Documentation demonstrating that a competitive process was used must be provided for the purchase of goods, supplies and equipment in excess of \$7,500. Documentation for purchase of goods, supplies and equipment in an amount less than \$7,500 must be maintained by the agency, department or Board-governed special district. Proprietary supplies or maintenance to support a competitive procurement may be approved by the Purchasing Agent.
  - B. Non-competitive purchase of goods, supplies and equipment in an amount less than \$100,000 may be approved by the Purchasing Agent after conducting a good faith review of available sources and based upon detailed justification of the non-competitive reason for the purchase provided by the department. If a department maintains that it is in the best interest of the County to obtain the goods, supplies or equipment without a competitive process, the department must provide the Purchasing Agent with written evidence to support a non-competitive determination. The Purchasing Agent may require that negotiations are conducted as to price, delivery and terms. Examples of justifiable non-competitive purchases of goods, supplies and equipment may include, but are not limited to: availability through one sole source, items or systems that are proprietary, matching system compatibility, manufacturer-direct acquisitions, items or system with no functional equivalency, and items or systems acquired under a geographically-protected distribution process.

C. Non-competitive purchase of goods, supplies and equipment for \$100,000 and over must be approved by the Board of Supervisors. In the event the procurement must be approved by the Board of Supervisors, and if the department maintains that it is in the best interest of the County to obtain the goods, supplies or equipment without a competitive process, detailed written evidence to support a non-competitive determination must be provided to the Purchasing Agent in advance of submission to the County Administrative Office for placement on the agenda for approval by the Board of Supervisors, and the justification referencing the non-competitive determination by the Purchasing Agent must also be included in the agenda item.

D. The maximum contract term is three (3) years, including the initial term and any renewals. Contracts exceeding a three-year term may be approved by the Board of Supervisors. No indefinite term contracts are permitted.

4. Purchase of Fixed Assets.

The Board of Supervisors shall approve the purchase of fixed assets (equipment with a unit valuation of \$5,000 or more and a useful life of one year or more, including equipment for capital improvement programs) as part of the adoption of the annual County budget. After the budget has been adopted, fixed asset purchases with a \$10,000 unit value or over require Board of Supervisors approval and should be included in the quarterly budget report. The County Administrative Office may approve fixed asset purchases when the unit value is under \$10,000 and the purchase is made using a transfer of appropriation in accordance with the Budgeting Policy (02-09). Under special circumstances and depending upon level of urgency, substitution of fixed asset purchases may be approved by the County Administrative Office as long as the total fixed asset appropriation approved by the Board of Supervisors does not increase. These substitutions will be included in the next quarterly budget report for Board of Supervisors approval. The Purchasing Department is responsible for purchase or lease-purchase of fixed assets after the requesting department has complied with the approval procedures established in this Policy and Standard Practice 11-04SP2.

If actual cost of a fixed asset would exceed the budgeted or previously approved amount by no more than 10%, the Purchasing Agent shall secure the approval of the appropriate department head prior to the purchase or acquisition. In such cases, no further approval of the Board of Supervisors or County Administrative Office is necessary.

5. Loaned Items from Vendors.

The County Purchasing Department is responsible for evaluating items being considered for purchase and no other County department may accept any items loaned for evaluation unless so authorized by the Purchasing Department. Any item on loan to the County for any purpose whatsoever shall be given the same care and protection against loss, damage and theft as if it were County owned.

6. Personnel involved in the selection process shall not engage in practices which might result in unlawful activity including, but not limited to, rebates, kick-backs, or other unlawful consideration or violation of County Policy 11-02. County employees are prohibited from participating in the selection process when the employees have a relationship with a person or business entity seeking a contract which would subject those employees to the prohibitions of Government Code sections 87100 and 1090 et seq. or when participation might result in a violation of County Policy 11-02.

7. Use of Standard Personalized Printing Materials.

Any County agency, department or office requiring business cards, stationery, or envelopes will requisition the items from Printing Services. Procurement of those items from other sources must be authorized by the Purchasing Agent to be accepted for payment by the Auditor-Controller/Treasurer/Tax Collector. In addition, in order to minimize the cost of special order and personalized printed materials, Printing Services will process all personalized printed materials in accordance with the following criteria:

- A. Standard personal business cards will be provided to employees who frequently contact the public or other government agencies in their job assignments. The cards will be printed in the standard business card form commonly used by the County or as authorized by the County Administrative Office.
- B. Personalized standard stationery will be furnished only to Elected Officials, the Chief Executive Officer, Assistant County Administrators and County Officers with Department Head status. Personalized stationery will be printed on the same stock and be of identical size as the standard commonly used by the County.
- C. Department envelopes will not be personalized, will be printed in black or blue on white on the same stock and be of identical size as the standard commonly used by the County.

8. Exceptions to this Policy may arise through the following:

- A. Law. State or Federal law, if applicable, may specifically govern the procurement of goods, supplies and equipment. If such law mandates the procurement of goods, supplies and equipment in a certain manner, then the State or Federal law will govern the acquisition of those items.
- B. Emergency. A purchase for: (i) any local emergency as proclaimed by the Board of Supervisors or an official designated by ordinance, pursuant to Government Code Section 8630 (or its' successor), or (ii) the preservation of life or property, or (iii) if the Purchasing Agent or any assistant authorized to make purchases is not immediately available and the item or items are immediately necessary for continued operation of the entity and undue delay would cause substantial loss to the County in the event of an emergency, is to be made pursuant to 14.0106 of the County Code.

An item requesting approval and confirmation of emergency purchases for fixed assets necessary for the preservation of life or property that exceed \$10,000 per unit, shall be submitted to the Board of Supervisors at the next scheduled Board meeting following the emergency. In the event that the incident is catastrophic enough to prevent immediate submittal to the Board of Supervisors for consideration, the recommendation of approval and confirmation shall be submitted to the Board of Supervisors for consideration as soon as reasonably possible following the emergency.

- C. Board Action. The Board of Supervisors may make exceptions to this Policy by affirmative action and waiver of this Policy.