

ORDINANCE NO. \_\_\_\_\_

**BEFORE THE BOARD OF WHITMAN COUNTY COMMISSIONERS**

WHEREAS, the Whitman County Board of Commissioners met in their Chambers on this 17th day of September 2018; and,

WHEREAS, a public hearing was conducted September 17, 2018 to consider revisions to Whitman County Code, Title 3, Chapters 3.12-Claims.

NOW, THEREFORE, BE IT HEREBY ORDAINED that the Whitman County Board of Commissioners duly approves the attached revisions to the Whitman County Code, Title 3, Chapters 3.12-Claims as described herein.

PASSED, APPROVED AND ADOPTED THIS 17TH DAY OF SEPTEMBER 2018 and effective as of this date.

BOARD OF COUNTY COMMISSIONERS  
OF WHITMAN COUNTY, WASHINGTON

\_\_\_\_\_  
Dean Kinzer, Chairman

ATTEST:

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Arthur D Swannack, Commissioner

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Maribeth Becker, CMC  
Clerk of the Board

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Michael Largent, Commissioner

## Chapter 3.12 - CLAIMS\*

### Sections:

3.12.005 Claims.  
3.12.010 Goals.  
3.12.020 Scope.  
3.12.025 Authorization process.  
3.12.030 Vendor lists.  
3.12.040 Small works roster.  
3.12.050 Professional services roster.  
3.12.060 Obligation to pay.  
3.12.070 Hearing of claims.  
3.12.080 Presentment of claims.

#### **3.12.005 Claims.**

The guidelines set forth in this chapter are intended to be applicable to all funds and departments which are part of the Whitman County government entity and to provide guidance and direction on the policies and procedures that must be complied with for all purchases. (Ord. 68105 (part), 2008: Ord. 66916 (part), 2007).

#### **3.12.010 Goals.**

The goals of Whitman County's purchasing policies are:

- A. To protect and advance the public interest by maximizing the purchasing value of public funds and by providing safeguards for maintaining a purchasing system of quality and integrity;
- B. To ensure the fair and equitable treatment of all persons involved in the purchasing process;
- C. To ensure fair and equal access to county business by local vendors and minority and women's businesses. Whenever a unit of local government is required to make purchases from the lowest, responsible bidder or from the suppliers offering the lowest price for the items desired to be purchased, the unit of local government may, at its option when awarding a purchase contract, take into consideration tax revenue it would receive from purchasing the supplies, materials, or equipment from suppliers within its boundaries. The unit of local government must award the purchase contract to the lowest bidder after such tax revenue has been considered. However, any local government may allow for preferential purchase of products made from recycled materials or products that may be recycled or reused. The board of county commissioners reserves the right to reject any or all bids, to waive technicalities or irregularities, and after careful consideration of all bids and factors involved, make the award of bid to serve best the interest of Whitman County;
- D. To avoid conflicts of interest in purchasing and contracting.

(Ord. 68105 (part), 2008: Ord. 66916 (part), 2007).

#### **3.12.020 Scope.**

The scope of Whitman County's purchasing policies is:

- A. Authority to make purchases and commit Whitman County for the payment for those items purchased lies strictly with the board of county commissioners.
- B. The board has delegated this authority to elected officials and appointed department heads through the vehicle of the annual operating budget.
- C. All officials of Whitman County, whether elected or appointed, are given authority to make purchases necessary for the operation of their respective departments by following the guidelines set forth in the BARS manual, RCWs, WACs, ordinances and resolutions adopted by Whitman County, as long as they do not exceed the budget authorized for the department.
- D. All obligations to the county will be submitted and paid in a timely manner to avoid finance charges or late fees.
- E. All officers and employees of Whitman County shall comply with this policy.
- F. This policy shall cover the purchases of materials, equipment, supplies and services. This policy does not cover those purchases made in the form of salaries and benefits.
- G. This policy also applies to all leases of equipment entered into by county offices/departments. The office/department should analyze lease versus purchase alternatives to determine the most economical approach.
- H. When a purchase involves the expenditure of federal funds, purchasing shall be conducted in accordance with all applicable federal laws or regulations.
- I. Nothing in this policy shall prevent the county from complying with the terms and conditions of a grant, gift or bequest which is otherwise consistent with law.
- J. The minimum county requirements are listed in this policy. Offices/departments may develop their own internal purchasing procedures, which may be more detailed or more stringent.
- K. Elected officials or department heads may delegate purchasing responsibility in their department to no more than four (4) employees (with no further delegation). Such delegation will be documented by delivering a letter of authority with original signatures to the board of county commissioners. The board of county commissioners will act upon the request and then deliver the letter of authority to the Whitman County auditor's office for filing. The letter of authority must be updated at least annually or when changes in authorization occur. It will be the responsibility of the clerk of the board in January of each calendar year to obtain the updated letter of authority from each elected official or department head. Any elected official or department head delegating purchasing responsibility will also, unless clearly stated otherwise, authorize such person(s) to key into the financial system and/or sign instruments including claims, investments, warrant cancellations, fund transfers, payroll, etc.
- L. Any non-emergency capital improvement purchase of ten thousand one dollars (\$10,001) or more shall be listed on the County Overall Economic Development (CEDS) Plan, Whitman County Comprehensive or Capital Improvement Program (CIP) Plan or another plan/resolution approved by the Board of County Commissioners and/or have received state or federal project approval prior to purchase.
- M. Any Whitman County city, town or district may use Whitman County's small works roster, vendors and professional services lists upon first entering into an interlocal agreement with Whitman County.

(Ord. No. 69717, 7-20-2009; Ord. 68105 (part), 2008: Ord. 66916 (part), 2007)

### 3.12.025 Authorization process.

The purchasing process is as follows:

Amount	Process	Authorization
\$0-\$5,000	Claim/purchase order	Budget
\$5,001-\$10,000	Claim/purchase order Approval by elected official, department head or authorized designee	Budget
\$10,001-\$50,000	Vendor list or Formal bids Requires advance capital improvement, state or federal project approval listing	WCC 3.12.030B RCW 36.32.245 RCW 39.04.190 WCC 3.12.020L
\$50,001 and over	Formal bids	RCW 39.04.190

Construction of a public works or improvement project:

Amount	Process	Authorization
\$0-\$5,000	Claim/purchase order	Budget
\$5,001-\$10,000	Claim/purchase order or Small works roster	Budget
\$10,001-\$300,000	Small works roster or Formal bids Requires advance capital improvement, state or federal project approval listing	RCW 36.32.250 RCW 39.04.155 WCC 3.12.020L
\$300,001 and over	Formal bids	RCW 39.32.250

**Definition:** RCW 39.04.010 as now or hereafter amended: "The term "public works" shall include all work, construction, alteration, repair, or improvement other than ordinary maintenance, executed at the cost of the state or any municipality, or which is by law a lien or charge on any property therein, but nothing herein shall apply to the construction, alteration, repairs, or improvement of any municipal street railway system. All public works, including maintenance when performed by contract shall comply with the provisions of RCW 39.12.020."

(Ord. 68105 (part), 2008: Ord. 66916 (part), 2007)

### 3.12.030 Vendor lists.

- A. Whitman County shall semi-annually publish a notice soliciting names of vendors for the county vendor lists.
- B. For purchases between ten thousand one dollars (\$10,001) and fifty thousand dollars (\$50,000), county departments shall secure at least three quotations from different vendors by telephone, facsimile, email or in writing to assure a competitive bid price or use the formal bid process.
- C. Prior to actual purchase, the quotations, with a recommendation from the department, shall be presented to the board of county commissioners for review and approval of the award to the lowest responsible quoter.
- D. Immediately after the award is made, the quotations shall be recorded and made available for public inspection and telephone inquiry.
- E. At least every two months, the county must post a list of contracts awarded. The list must contain, for each contract, the name of the contractor, the amount of the contract, a brief description of the public work project and the date of the award.

(Ord. 68105 (part), 2008: Ord. 66916 (part), 2007).

**3.12.040 Small works roster.**

- A. Whitman County shall semi-annually publish a notice soliciting names of contractors for the small works rosters.
- B. The roster shall consist of responsible contractors that are properly licensed to perform work in Washington State.
- C. Departments requiring contract work under three hundred thousand dollars (\$300,000) shall invite quotes from all appropriate contractors on the appropriate roster. The quote invitation shall include nature and scope of the work and materials and equipment to be furnished.
- D. Alternatively, quotations may be sought from at least five contractors on the appropriate roster who have indicated the capability of performing the kind of work being sought.
- E. If the alternative process is used, the county shall distribute the invitations for quotations in a manner that will equitably distribute the opportunity, not favoring one contractor over another. If the estimated cost of the work is from ten thousand one dollars to three hundred thousand dollars (\$10,001-\$300,000), the county must notify the other contractors on the roster that quotations are being sought. Notice may be published, mailed out, sent by facsimile or other electronic means.
- F. Whenever possible, the county must invite at least one proposal from a minority or woman contractor who must otherwise qualify under RCW 39.04.155(2).
- G. Quotes shall be submitted to the board of county commissioners, with a recommendation from the department, for review and approval prior to the award to the lowest responsible quote.
- H. Immediately after an award is made, the quotations obtained shall be recorded, open to public inspection and available to telephone inquiry.
- I. At least every two months, the county must post a list of contracts awarded. The list must contain, for each contract, the name of the contractor, the amount of the contract, a brief description of the public work project and the date of the award.

(Ord. 68105 (part), 2008: Ord. 66916 (part), 2007).

**3.12.050 Professional services roster.**

- A. The professional services roster process will be used for all departments not subject to the provisions of RCW 39.80 (now or as hereafter amended); or any other applicable statute.
- B. Whitman County shall semi-annually publish the need for various professional services.
- C. The professional services roster will be established with a pool of professionals that can be chosen for various contractual services.
- D. The professional services roster does not require three bids for architectural or engineering services.
- E. A formal contract will be written for the professional services provider selected. A copy of the formal contract will be attached to the claim submitted for payment. If the formal contract is extremely lengthy and therefore not attached to the claim submitted for payment, the claim will clearly state the location of the formal contract for review.

(Ord. 68105 (part), 2008: Ord. 66916 (part), 2007).

### **3.12.060 Obligation to pay.**

- A. All obligations to the county will be submitted and paid in a timely manner to avoid finance charges or late fees.
- B. It is the statutory duty of the county auditor to examine all claims against the county prior to presenting them to the board of county commissioners for their examination and allowance. The county auditor shall examine all claims to verify their payment does not violate state law or county ordinance or resolution. The county auditor shall also examine all claims for completeness, proper BARS coding and accurate documentation attached to support the claim. When the county auditor finds an error, he/she will contact the department submitting the claim immediately to attempt to correct the error. If agreement between the county auditor and the department cannot be reached, the county auditor will prepare a written memo to the board explaining the discrepancies. This written memo will be attached to the claim, a copy of it delivered to the department by the close of business on the Friday in the calendar week in which the claim was due to the county auditor's office, and forwarded with the claim to the board at their next scheduled meeting.

(Ord. 68105 (part), 2008: Ord. 66916 (part), 2007).

### **3.12.070 Hearing of claims.**

Claims will be passed upon by the board of county commissioners at any regularly scheduled meeting. The county auditor is directed to present all claims as provided for in this policy.

(Ord. 68105 (part), 2008: Ord. 66916 (part), 2007).

### **3.12.080 Presentment of claims.**

All claims must be delivered to the county auditor's office according to the schedule set by the county auditor and must go before the board of county commissioners at their next regularly scheduled meeting.

(Ord. 68105 (part), 2008: Ord. 66916 (part), 2007).