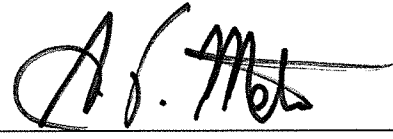


Resolution No. 20-1

Whereas, Sangamon County has researched and reviewed its Procurement procedures and policies and compared them to updated Federal and State policies, and

Whereas, the compatibility with the new Tyler Financial System was also considered;

Now, therefore be it resolved, that the Members of the Sangamon County Board, in session on this 14th day of August, adopt the updated/attached **Contracts and Procurement Ordinance** and the **Payment of Claims Ordinance** with effective dates of December 1, 2018.



County Board Chairman

Respectfully submitted,

RECEIVED
2660
AUG 10 2018
Andy Goleman
SANGAMON COUNTY AUDITOR

FILED
AUG 10 2018
Sangamon County Clerk

VI. – CONTRACTS AND CLAIMS PROCUREMENT

2.04.450 - Conflict of interest—Prohibitions. Contracts and Procurement - Purpose and Applicability

~~A. No member of the Sangamon County board, or any elected official of Sangamon County, may have or acquire any contract, or have any direct or indirect pecuniary interest in any contract, whether for stationery, printing, paper, supplies, services or materials, if said contract is to be wholly or partially satisfied by the payment of county funds.~~

~~B. County employees other than board members and elected officials may have or acquire such contracts provided:~~

- ~~1. The employee is not involved in the decision making process for the award of said contract;~~
- ~~2. The performance or completion of said contract does not interfere with the employee's normal working hours as an employee of Sangamon County; and~~
- ~~3. That prior to acquiring said contract the employee obtains the written consent of his department head or elected official and files said consent with the Sangamon County clerk.~~

~~C. Any contract made or acquired in violation of this section is void.~~

~~D. This section does not apply to a contract of deposit of moneys, loans, or other financial services with a bank or savings and loan association.~~

~~(Res. 12 (part), June 12, 2001).~~

A. The purpose of this ordinance is to establish standards for the County’s procurement of goods, such as supplies, materials and equipment, and services to ensure that such goods and services are procured in a cost-effective manner that complies with applicable State and Federal requirements and ensures that vendors seeking business with the County are treated in an open, consistent, fair, and equitable manner. The requirements of this ordinance shall apply to the selection and award of contracts for services as well as to the acquisition of supplies, materials, equipment and other goods. Travel related expenses, such as the purchase of airfare, lodging and conference fees must be procured in accordance with the County’s Travel Ordinance (County Code 2.44.140 et seq.), and are not subject to the requirements of this ordinance. Grant agreements with Federal, State and other entities must be approved in accordance with County-wide grant policies approved by the Finance Committee. However, all purchases and contracts using grant funds are subject to the requirements of this procurement ordinance. All elected offices, departments and component units for which the County is financial accountable shall comply with the procurement requirements set forth in this ordinance.

B. The County Administrator, with the assistance of the County Auditor and State’s Attorney, shall promulgate policies and procedures to implement and clarify the procurement requirements of this ordinance. Such policies and procedures shall be submitted to the County Board’s Finance Committee for its review and approval and shall be published on the County’s internet site. It is the responsibility of

each office, department and component unit to establish adequate internal controls to ensure compliance with the requirements of this ordinance and the procurement policies and procedures approved by the Finance Committee.

C. Any contract or purchase made or acquired in violation of this chapter of the Code is void.

(Revised August 14, 2018)

• **2.04.460 - ~~Private contracts~~—~~Bids required.~~ Procurement Thresholds and Required Approvals**

~~Bids shall be obtained on all private contracts (except for professional service, or otherwise provided for by law) which obligate the county for more than twenty thousand dollars and shall be let to the lowest and best bidder. All bids received on contract, shall be kept on file in the originating department.~~

~~(Res. 13 (part), June 4, 2007; Res. 12 (part), June 12, 2001).~~

A. Small Purchases: When an office or department considers the price to be reasonable, it may acquire or contract for goods and services costing in aggregate less than \$3,500 without soliciting informal quotes or bids. In such instances, reasonable efforts should be made to obtain the best value at minimum cost to the County. Office directors and department heads, and their formally designated representatives, may approve small purchases without additional levels of approval, if they have sufficient funds available in their approved budgets to make such purchases and the purchase or contract complies with the requirements established by this ordinance and the procurement policies and procedures approved by the Finance Committee.

B. Informal Quotes: Informal quotes must be obtained for all contracts and purchases of goods and services costing in aggregate \$3,500 or more, but less than \$30,000. In such instances, price or rate quotations must be obtained from an adequate number of qualified sources. In most instances, offices, departments and component units should attempt to obtain at least three quotes. Examples of informal quotes include telephone or written quotes from vendors and price comparisons obtained from different stores or websites. Offices and departments are required to document and retain price quotes in their procurement files.

All purchases and contracts costing \$3,500 or more but less than \$30,000 must be approved in advance by a majority vote of those present and voting of the appropriate oversight committee of the County Board. Evidence of such prior approval must be submitted with the appropriate pay requests.

C. Formal Solicitations: Unless covered by an authorized exception as discussed in Section 2.04.470 of this ordinance, purchases and contracts with a value of \$30,000 or more must be formally advertised and awarded based on a full and open competitive process such as sealed bids, competitive proposals (RFPs) or other approved competitive section method. The specific requirements for advertising, preparing bid documents and RFPs, evaluating proposals and awarding such procurement transactions shall be detailed in the procurement policies and procedures approved by the Finance Committee. Offices, departments and component units are responsible for ensuring that their procurement activities for competitive selections are adequately documented to support their award recommendations.

All purchases and contracts costing \$30,000 or more must be approved in advance by the County Board. Evidence of such prior approval must be submitted with the appropriate pay requests.

D. Change Orders and Contract Modifications: All changes and modifications to previously approved contracts and purchase requests must be germane to the original contract and formally documented in writing. All changes and modifications must be approved in accordance with the requirements set forth in the procurement policies and procedures approved by the Finance Committee.

(Revised August 14, 2018)

- **2.04.470 - ~~Private contracts—Under twenty thousand dollars.~~ Exceptions to Informal Quotes and Formal Solicitations**

~~Contracts which do not obligate the county for more than twenty thousand dollars may be entered into by the respective committees of the board of unanimous vote. If the committee vote is not unanimous, the contract shall come before the full county board.~~

~~(Res. 13 (part), June 4, 2007; Res. 12 (part), June 12, 2001).~~

State law and Federal grant regulations establish exceptions defining when procurement transactions may be made without informal quotes or formal solicitations. Examples of such exceptions include emergency purchases authorized by the County Board; purchases from authorized joint purchasing programs such as the State of Illinois' Joint Purchasing Program; contracts for professional services not directly funded by Federal or State grants; and transactions, such as the purchase of highway right of ways, which by their nature are not suitable to competitive bids. The procurement policies and procedures approved by the Finance Committee shall define the exceptions to informal quotes and formal solicitations that apply to County purchases and contracts and the requirements for using such exceptions.

(Revised August 14, 2018)

- **2.04.480 - Splitting contracts prohibited when.**

~~The splitting of any contract into smaller contracts with the purpose or effect of evading these rules is prohibited.~~

~~(Res. 12 (part), June 12, 2001).~~

The splitting of any contract or purchase into smaller contracts or purchases with the purpose or effect of evading the procurement and approval thresholds established by this ordinance is prohibited.

(Revised August 18, 2018)

- **2.04.490 - ~~Purchase of supplies and printing.~~ Conflict of Interest**

~~All supplies and printing shall be purchased from merchants and printers residing in this county if it can be done as inexpensively and efficiently as elsewhere.~~

~~(Res. 12 (part), June 12, 2001).~~

A. Employees, elected officers and members of the Sangamon County Board may not participate in the selection, award or administration of a contract or purchase if they have a real or apparent conflict of interest. Such a conflict of interest exists if an employee, elected officer, Board member or any member of his or her immediate family has a financial interest in or a tangible personal benefit from a firm considered for a contract. It is impossible to detail all situations which may cause or give the appearance of a conflict of interest. Questions concerning potential conflicts of interest should be discussed with the County's designated ethic officer.

B. No member of the Sangamon County Board, elected County official or members of their immediate family, may have or acquire any contract, or have any direct or indirect pecuniary interest in any contract or purchase, whether for stationery, printing, paper, supplies, equipment, services or materials, if said contract or purchase is to be wholly or partially satisfied by the payment of County funds.

C. County employees other than County Board members and elected officials may have or acquire such contracts provided:

1. The employee is not involved in the decision-making process for the award of said contract; and
2. The contract or purchase does not involve the employee's work activities and the employee has no real or apparent conflict of interest regarding the purchase or contract; and
3. The performance or completion of said contract does not interfere with the employee's normal working hours as an employee of Sangamon County; and
4. Prior to acquiring said contract or purchase, the employee obtains the written consent of his department head or elected official and the County's designated ethics officer. Such consent must be filed with the Sangamon County Auditor's Office.

D. All County Board members, elected officials and employees involved in procurement activities must comply with the conflict of interest and gift ban requirements set forth in Sections 2.44.300, 2.78.030 and 2.80.020 of the County Code.

E. Individuals wishing to report potential violations of the County's procurement requirements or other County requirements, including ethics violations, false claims or the inappropriate use of County resources, should contact the County's designated ethics officer, the Office of the State's Attorney, the County Auditor's Office or the County Board. Potential violations may also be reported using the "Report Fraud" telephone number (217/535-3125) or e-mail address (reportfraud@co.sangamon.il.us) established by the County Auditor .

No employee of Sangamon County shall be subject to any adverse employment actions because he or she provided information concerning an activity, policy, practice, or incident that the employee

reasonably believed to be a violation of the County's procurement regulations, conflict of interest requirements or other County requirements, including instances of false claims and the inappropriate use of Sangamon County resources. (See County Code 2.78.070 – Employee Protection.)

(Revised August 14, 2018)

2.04.495 Persons Ineligible to Bid or Contract with the County

A. Contractors that develop or draft specifications, requirements, statements of work and invitations for bids or requests for proposals are excluded from competing for such procurement transactions.

B. Any bidder, supplier, contractor or subcontractor who is delinquent in the payment of property taxes, real or personal, to the County Treasurer shall be considered to be an irresponsible bidder, contractor or supplier and for that reason shall be ineligible to bid upon, to supply to or contract with Sangamon County for the delivery of any goods or services.

C. County contracts may not be awarded to any vendor who is identified on the current Federal or State "suspension or debarment" list at the time of contract award. The County may void contracts with vendors who are added to the Federal or State suspension and debarment lists after a contract is awarded.

(Revised August 14, 2018)

~~**2.04.500 Expenditures and payments—Procedures required.**~~

~~A. No purchase or expenditures of any kind or description shall be valid and payable except upon execution of a dated requisition in writing itemizing the goods or services needed and specifying the supplier and the cost thereof; and except upon the dated signature approval of the county auditor, which approval shall be given only if sufficient funds are on hand in a specific fund or account for such purchase or expenditure; and except upon the dated signature approval of such purchase or expenditure by the county board or a committee thereof.~~

~~B. No payment for said goods or service shall be made except upon receipt of such bill or statement by the county, and except upon written and dated certification by the appropriate officer involved that the particular goods or services were received on or by a particular date and that they conformed to the requested standards of quality and quantity, with exceptions to be noted if any; and except upon written and dated certification of the appropriate committee of the board authorizing payment in specified amount according to said bill or statement received or in specified amount as adjusted because of exceptions in quality or quantity received as noted.~~

~~C. The requisitions, approvals and certifications required by this section shall be in such manner of copies and in such particular forms as provided by the building grounds to central services committee. Signatures (written or stamped), rather than initials, shall be required on the originals of all forms maintained in the files of the county auditor after competition of the purchase and payment therefore, except where certain original forms are required by law to be filed with the county clerk.~~

~~D. The requirements contained in this section shall not apply to salaries of county officials and employees.~~

~~(Res. 12 (part), June 12, 2001).~~

~~**2.04.520 – Claims – County auditor to report violations.**~~

~~The county auditor shall report to the board and to the committee having jurisdiction over the subject matter, any claim which violated the rules codified in this chapter or which is based upon a contract made in violation thereof and such claim shall be disallowed.~~

~~(Res. 12 (part), June 12, 2001).~~

~~**2.04.530 – Claims – Payment procedures**~~

~~A. No claim shall be paid unless it shall have been first recommended for payment by the county auditor and referred to and approved by the appropriate committee of the board.~~

~~B. No claim that has been presented to the board and been rejected shall again be brought before the board except by a two-thirds' vote thereof. No money shall be paid out of the county treasury upon any claim until such claim has been presented to and approved by the board or committee as herein provided.~~

~~(Res. 12 (part), June 12, 2001).~~

~~**2.04.540 – Claims – Attachment of vouchers required.**~~

~~Vouchers or receipts shall be taken for all disbursements made by the several county officers for expenses incurred by them and the same shall be attached to all claims presented by the board for such expenses.~~

~~(Res. 12 (part), June 12, 2001).~~

~~**2.04.570 – Expenditure resolutions to designate source of funds.**~~

~~Every resolution providing for the expenditure of money shall designate specifically the fund from which the money is to be paid, and the money shall be paid out of no fund not so designated.~~

~~(Res. 12 (part), June 12, 2001).~~

~~**2.04.580 – Compensation.**~~

~~Members of the board beginning a term of office in December, 1996 or thereafter, shall receive a base salary of five hundred dollars per month. Beginning December 1, 1999 and at the beginning of each fiscal year thereafter, the base salary shall increase by an amount equal to the preceding twelve months increase in the CPIU (Consumer Price Index—all urban consumers) as determined by the United States Department of Labor. The chairman of the board shall receive an additional base salary of fourteen thousand dollars beginning in 1998. The base salary of chairman shall increase at the beginning of each fiscal year by the CPIU as described above.~~

~~A board member may fail to attend five board and/or committee meeting. Beginning with the sixth absence, he shall forfeit thirty five dollars per absence; however, the chairman of the board or a~~

~~committee may excuse member's absences(s) for illness or to attend a meeting on a special non-standing committee. Absence from a special non-standing committee shall not count in the five allowed missed meetings.~~

~~(Res. 12 (part), June 12, 2001).~~

Chapter 3.12 - ~~CENTRAL PURCHASING PROCEDURES~~ PAYMENT OF CLAIMS

3.12.10 – Purpose and Applicability

- A. The purpose of this ordinance is to establish requirements for the payment of claims for the procurement of goods and services, travel reimbursements, grant expenditures and other kinds of payment claims submitted to the County. Except for the provisions detailed in section 3.12.040, the requirements of this ordinance do not apply to the payment of salaries of County officials and employees. All elected offices, departments and component units for which the County is financially accountable shall comply with the payment requirements set forth in this ordinance.
- B. The County Administrator, with the assistance of the County Auditor and County Treasurer, shall promulgate policies and procedures to implement and clarify the payment requirements of this ordinance. Such policies and procedures shall be submitted to the County Board's Finance Committee for its review and approval and shall be published on the County's internet site. It is the responsibility of each office, department and component unit to establish adequate internal controls to ensure compliance with the requirements of this ordinance and the payment policies and procedures approved by the Finance Committee.

(Revised August 14, 2018)

~~3.12.010 Requisition and signature approval required~~

~~No purchases or expenditures of any kind, nature or description shall be valid and payable except upon execution of a dated requisition in writing itemizing the goods or services needed and specifying the supplier and the cost thereof; and except upon the dated signature approval of the county auditor, which approval shall be given only if sufficient funds are on hand in a specific fund or account for such purchase or expenditure; and except upon the dated signature approval of such purchase or expenditure by the county board of supervisors or a committee thereof.~~

~~(Res. 19 §1 (part), December 12, 1967).~~

3.12.020 - Expenditures and Payments – Required Procedures

- A. Departments and offices must itemize all expenditure and payment requests on the County's accounts payable system in accordance with the payment policies and procedures approved by the Finance Committee.
- B. All requests for payments or expenditures must designate the fund from which money is to be paid, and the money shall be paid out of no fund not so designated.
- C. Departments and offices must adequately document all expenditure and payment requests. Required documentation shall be defined in the payment policies and procedures and will include documents such as invoices, billing statements, receipts, approved purchase order requests and other types of support documentation. Such documentation must accompany all requests for payment. Requests that are not adequately documented will be returned to the originating department or office.

D. No request for expenditure or payment will be processed without the approval, written or electronic, of the head of the originating department, or by the department head's formally designated representative. By approving a payment request, the department head certifies that the appropriate goods and services have been received on or by a designated date and that they conform to the requested standards of quality and quantity. The department head's approval also certifies that sufficient funds for the requested payment are on hand in the department's annual lump sum budget.

E. All requests for expenditure or payment must be reviewed and approved for payment by the County Auditor. Such approval shall be given only if sufficient funds are on hand in a department's annual lump sum budget. Except for payments for civil liability claims, payment requests approved by the County Auditor shall be submitted to the County Treasurer for payment. Prior to payment by the County Treasurer, civil liability claims paid from the County's Insurance Fund must be approved by both the County Auditor and the Civil Liabilities Committee of the County Board.

The County Auditor shall provide periodic reports to all oversight committees of the County Board which detail the expenditures that have been processed for each committee's assigned departments.

(Revised August 14, 2018)

~~3.12.020~~ 3.12.030 - Purchase order issuance — ~~Claim submittal procedure~~

~~Upon such authority of the said board or its appropriate committee, a purchase or expenditure order shall be issued by the county auditor to the appropriate supplier who, after having furnished the goods or services ordered, shall make his claim for payment by submitting a bill or statement therefor with executed jurat attached thereto.~~

~~(Res. 19-51 (part), December 12, 1967).~~

Purchases orders shall be approved and issued in accordance with the procurement policies and procedures approved by the Finance Committee.

(Revised August 14, 2018)

3.12.040 - Compensation

Members of the Board beginning a term of office in December, 1996 or thereafter, shall receive a base salary of five hundred dollars per month. Beginning December 1, 1999 and at the beginning of each fiscal year thereafter, the base salary shall increase by an amount equal to the preceding twelve months increase in the CPIU (Consumer Price Index—all urban consumers) as determined by the United States Department of Labor. The Chairman of the Board shall receive an additional base salary of fourteen thousand dollars beginning in 1998. The base salary of Chairman shall increase at the beginning of each fiscal year by the CPIU as described above.

A Board member may fail to attend five Board and/or committee meeting. Beginning with the sixth absence, he shall forfeit thirty-five dollars per absence; however, the Chairman of the Board or a committee may excuse member's absences(s) for illness or to attend a meeting on a special non-standing committee. Absence from a special non-standing committee shall not count in the five allowed missed meetings.

(Formerly 2.04.580 Res. 12(part) June 12, 2001)

(Revised August 14, 2018)

(Res. 12 (part), June 12, 2001).

~~3.12.030 – Claim payment conditions.~~

~~No payment for goods or services shall be made except upon receipt of a bill or statement by the county, and except upon written and dated certification by the appropriate officer involved that the particular goods or services were received on or by a particular date and that they conformed to the requested standards of quality and quantity, with exceptions to be noted if any; and except upon written and dated certification of the appropriate committee of the board authorizing payment in specified amount according to said bill or statement received or in specified amount as adjusted because of exceptions in quality or quantity received as noted.~~

~~(Res. 19 §1(part), December 12, 1967).~~

~~3.12.040 – Forms and number of copies required.~~

~~The requisitions, approvals and certifications required by this chapter shall begin such number of copies and in such particular forms not inconsistent herewith as may be supplied or prescribed or approved by the central services and printing committee from time to time. Committee action shall be shown by the signatures of at least a majority of the members of the particular committee involved. Signatures (written or stamped), rather than initials, shall be required on the original of all forms required hereby, and such original forms shall be maintained in the files of the county auditor after completion of the purchase and payment therefor, except where certain original forms are required by law to be filed with the county clerk.~~

~~(Res. 19 §1(part), December 12, 1967).~~

~~3.12.050 – Exceptions to chapter applicability.~~

~~The requirements contained in this chapter shall not apply to salaries of county officials and employees.~~

~~(Res. 19 §1(part), December 12, 1967).~~

~~Chapter 3.16 – CONTRACTS AND BIDS~~

~~Sections:~~

~~3.16.010 – Certain persons ineligible to bid or contract with county.~~

~~Any bidder, supplier, contractor or subcontractor who is delinquent in payment of property taxes, real or personal, to the county treasurer shall be considered to be an irresponsible bidder or contractor or supplier and for that reason ineligible to bid upon, to supply to or to contract with Sangamon County for the delivery of any goods or services.~~

~~(Res. 33, March 12, 1968).~~

~~Chapter 3.20 – PAYMENT OF CLAIMS~~

~~Sections:~~

~~3.20.010 – Claims under five hundred dollars – Approval conditions.~~

~~All claims against the county for less than five hundred dollars shall be paid upon approval of the standing or special committee, whose duty it is to supervise and approve expenditures connected with the responsibilities of said standing and special committee as established by the rules of order of the board of supervisors as the same shall exist from time to time, and upon such approval, the county auditor is authorized to approve and certify for payment such claims, in accordance with the procedures provided by law. Upon such approval and certification, the county clerk and county treasurer are authorized to issue warrants for payment, provided no claim shall be approved or certified for payment or paid unless there is an unexpended balance of an appropriation sufficient to cover the payment, and provided, further, that this section shall apply to present and future appropriations.~~

~~(Res. 18, March 9, 1965).~~