



PROCUREMENT MANUAL

Approval by
Yakima County Commissioners:
February 1, 2022
BOCC Resolution 31-2022

Revision # New

BOARD OF YAKIMA COUNTY COMMISSIONERS RESOLUTION

**IN THE MATTER OF AUTHORIZING
THE PROCUREMENT MANUAL FOR
THE COUNTY**

031-2022

WHEREAS, functional responsibility for County purchasing was transitioned from the City of Yakima to Yakima County in 2021; and

WHEREAS; Yakima County subsequently established a County Purchasing Department; and

WHEREAS; the Purchasing Department created the attached Procurement Policy Manual to implement the requirements of state law and, when applicable federal guidance with regards to procurement of goods and services and the bidding on public contacts for goods, services, supplies, and materials; and

BE IT HEREBY RESOLVED by the Board of Yakima County Commissioners that the attached Procurement Manual be adopted by Yakima County.

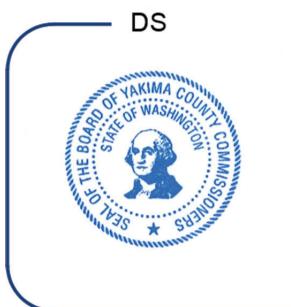
BE IT FURTHER RESOLVED that the Procurement Manual shall take effect on February 1, 2022.

DONE **FEB 01 2022**

DocuSigned by:


Julie L. AD065DD63F9E94CB...
Linda Kay O'Hara, Deputy Clerk of the Board

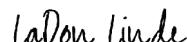
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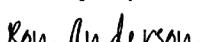
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Amanda McKinney, Chairman

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*Constituting the Board of County Commissioners
for Yakima County, Washington*

YAKIMA COUNTY PURCHASING DEPARTMENT
ETHICS STATEMENT

This statement sets forth the general guidelines for ethical performance of Yakima County Purchasing personnel in conducting business for Yakima County.

All Yakima County personnel involved in the purchasing process shall seek not only to avoid any impropriety, but to avoid even the appearance of an impropriety. We are expected to uphold the highest professional standards in conducting the County's business. To achieve those high standards, each employee supports and abides by the following principles:

Open and honest dealing with everyone who is involved in the purchasing process

This includes all businesses with which the County contracts or from which it purchases goods or services, as well as all members of the purchasing staff and of the public who utilize the services of the Purchasing Department.

Maintain Professional Relationship with the Supplier

Maintain and practice, to the highest degree possible, business ethics, professional courtesy, and competence in all transactions.

Fair and impartial award recommendations for all contracts and tenders

Yakima County will not extend preferential treatment to any vendor. Not only is it against the law, it is not good business practice, since it limits fair and open competition for all vendors and is therefore a detriment to obtaining the best possible value for each tax dollar.

An irreproachable standard of personal integrity on the part of all those designated as Purchasing personnel for the County.

At no time, or under any circumstances, should any county employee accept, directly or indirectly, gifts or other things of value from suppliers. Also, the purchasing staff does not publicly endorse products or services.

Signed:

Kristine White, Purchasing Manager

1.0 PURPOSE

The purpose of this manual is to implement the requirements of state law and, when applicable, federal guidance with regards to procurement of goods and services and the bidding on public contracts for goods, services, supplies, and materials not associated with a Public Work as defined in [RCW 39.04.010](#).

It is the County's policy to follow state and, when applicable, federal requirements regarding the expenditure of public funds, to provide a fair forum for those interested in bidding on public contracts, and to help ensure that public contracts are performed satisfactorily and efficiently at least cost to the public, while avoiding fraud, waste, and favoritism in their award. For federally funded purchases and contracts, the purpose of this manual is to ensure that there is no abuse of federal funds and that all allowable costs are accorded consistent treatment.

Except as otherwise expressly provided herein, the provisions of this manual are intended solely as a convenience and reference guide for County officials and employees. Nothing in this manual is intended to create any liability for or against the County. Without limitation of the foregoing, nothing in this manual is intended to create any enforceable right, entitlement, or cause of action in or for any third parties.

2.0 GENERAL PROVISIONS

2.1 Procurement Authority and Authorized Personnel.

Only authorized personnel acting within the scope of their authority may obligate the County in the acquisition of goods or services. Any employee purchasing goods on behalf of the County without proper authorization may be personally liable to the supplier and/or to the County and subject to disciplinary action.

2.2 Code of Ethics.

To instill public confidence in the award of public contracts and the expenditure of public funds, authorized personnel are responsible to conduct procurements in a deliberate, fair, and ethical manner and therefore adopts the following code of ethics regarding public contracting:

- a. Actions of employees shall be impartial and fair;
- b. Decisions and policies shall be made in compliance with required procedures and within the proper channels of the County government structure;
- c. Public employment shall not be used for personal gain, and employees shall not solicit, accept, or agree to accept any gratuity for themselves, their families, or others that would or could result in personal gain. Purchasing decisions shall be made impartially, based upon the County's specifications for the contract and the responses of those bidding on the contract; and
- d. In addition to Yakima County's Conflict of Interest Policy (HR-018), no employee, officer, or agent may participate in the selection, award, or administration of a contract if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when

the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

2.3 Controlling Law.

The expenditure of public funds for the purchase of and contracting for goods and services shall comply with all applicable state law requirements as set forth in the Revised Code of Washington ([RCW](#)) and the Washington Administrative Code ([WAC](#)). Where this manual conflicts with state law requirements, the more restrictive provision shall prevail. Where this manual is silent with regards to purchasing and/or bidding requirements, state law shall prevail.

Purchases and/or contracts that include federal funding shall also comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, published under Title 2 of the Code of Federal Regulations ([2 CFR 200](#)).

2.4 Budget Sufficiency and Procurement Authority.

Each department leader must ensure that purchases are initiated only when the departmental budget is sufficient to cover the anticipated cost.

Expenditures in excess of department procurement authority limits set forth in section 3.1 "Purchasing Thresholds" and all sole source procurements regardless of the dollar value require BOCC approval.

2.5 Funding Source.

Purchases or work funded through grants and/or federal funds require additional coordination with the Purchasing Department to ensure compliance with the requirements of such funding.

2.6 Monitoring and Compliance.

The Purchasing Department shall implement, monitor, and enforce these policies. In the event of any conflict in procurement requirements or questions about proper procedure or other requirements, the matter shall be referred to the Purchasing Manager or manager's designee for further action. Willful or intentional violations of public procurement requirements may result in discipline, personal penalties, and/or financial liabilities([RCW 39.30.020](#)).

In addition to the enforcement of these policies, the Purchasing Department manager shall insure that reasonable measures are taken to safeguard protected, personally identifiable information and other information the federal awarding agency or pass-through entity designates as sensitive or that the County considers sensitive consistent with applicable federal, state, and local laws regarding privacy and obligations of confidentiality.

3.0 GENERAL PROCEDURES

3.1 Purchasing Thresholds.

Purchasing thresholds are established per calendar year for one or more identical, similar or like items, and items used in conjunction with one another.

Authorized personnel performing the purchasing function shall not carry out Bid Splitting or otherwise segregate purchases to avoid purchasing thresholds. If a recurring purchase has the potential exceed the thresholds listed below, then the next higher bid threshold shall be utilized.

Regardless of thresholds stated in the tables below the County may, at its discretion, solicit formal bids at any time.

a. Materials, Supplies, and Equipment (not associated with Public Works Projects)

Type of Purchase	Process	Authorization
Items less than \$4,999	No state law required process	Department director or designee
Items from \$5,000 to \$9,999	Department obtains oral or written quotes and retains in file	Department director or designee
Items from \$10,000 to \$49,999	<ul style="list-style-type: none"> Department completes the Pre-Bid Checklist (Attachment A) to prescreen bidders Department obtains a minimum of (3) written quotes by using the Quote form (Attachment B) Completes purchase requisition, then routes to purchasing 	Purchasing Manager or designee
Items over \$50,000	Formal Bid process	BOCC

b. Professional and Personal Services

Type of Purchase	Process	Authorization
Architectural and Engineering Services	<ul style="list-style-type: none"> Develop RFQ in conjunction with purchasing Publish RFQ prior to solicitation (ref. RCW 39.80.030) Evaluate RFQ based on performance and qualifications Contract negotiated with provider after selection 	BOCC
All other Personal Services	<p>No state law required process</p> <p>May utilize RFQ process if appropriate</p>	BOCC

3.2 Bid Procedures.

a. Informal Quote Procedures (\$49,999 or less)

Authorized personnel can move forward with a procurement of goods and/or services not related to a public works project in accordance with the matrix listed in Section 3.1.a above.

b. Formal Bid Procedures – General

The following shall apply when formal bidding is required for the purchase of materials, supplies, or equipment, except as otherwise noted:

- To ensure a consistent and fair process, the County will use standard forms, documents, contracts, and terms and conditions. The purchasing manager will maintain templates for bid-related documents.

- The County may use an evaluation selection committee to promote an open and fair selection process. The purchasing manager and when practical, the requesting department director will appoint committee members to act in an advisory capacity. Committee members shall complete and sign the “Evaluation Committee Agreement” prior to appointment.
- An RFQ may be used as a prerequisite to the formal bid process to ensure proponents meet minimum qualifications. Minimum qualifications and/or specifications are stated to ensure bids address the needs of the County. Minimum qualifications cannot be used to eliminate qualified contractors and suppliers. Minimum qualifications should be tested against the marketplace to ensure they promote fair and open competition and are not overly restrictive.
- An RFP must be prepared and submitted to an adequate number of qualified sources to permit reasonable competition consistent with the requirements of the procurement.
- Notice of the RFP must be published in a newspaper of general circulation in the county at least 13 days before the last date on which proposals will be received. This subsection does not apply if using an authorized Interlocal cooperative purchasing agreement as described in Section 5 of this manual.
- The county must provide reasonable procedures for technical evaluation of the proposals received, identification of qualified sources, and significant evaluation factors.
- The County may conduct an optional pre-bid conference to allow a thorough discussion of the County’s intent, scope, specifications, and terms. Interested companies should be encouraged to attend.
- Bids are to be submitted as directed in the advertisement for bids. Bids will be time and date stamped upon receipt. The bids shall be opened at the time and place specified in the advertisement for bids.
- The award must be made to the qualified bidder whose proposal is “most advantageous” to the county, with price and other factors considered. The county may reject any or all proposals for good cause and make further calls for bids.

3.4 Exemptions to Bidding.

Competitive bidding requirements may be waived pursuant to [RCW 39.04.280](#)(1) for:

- Purchases that are clearly and legitimately limited to a single source of supply;
- Purchases involving special facilities or market conditions;
- Purchases in the event of an emergency;
- Purchases of insurance or bonds; and
- Public works in the event of an emergency.

If the competitive bidding requirements are waived for any of the exceptions listed in the paragraph above other than in the event of an emergency, (1) a resolution stating the factual basis for the waiver must be obtained from BOCC; or (2) apply a previously adopted written policy. If the county legislative authority chooses the latter, immediately after the award of any

contract, the contract and the factual basis for the waiver must be recorded and open to public inspection.

3.5 Single or Sole Source.

A Single or Sole Source occurs when the purchase is clearly and legitimately limited to a single supplier. These situations may arise when the County has specific technological requirements. Examples include: (a) licensed, copyrighted, or patented products or services that only one supplier provides; (b) new equipment or products that must be compatible with existing equipment or products; (c) proprietary or custom-built software or information systems that only one supplier provides; and (d) products or services where only one supplier meets the required certifications or statutory requirements.

The [Single or Sole Source Justification Form](#) in attachment C shall be completed by department personnel and authorized by BOCC resolution. Upon approval, the County must make such contracts available for public inspection not less than ten (10) working days before the proposed starting date of the contract in accordance with [RCW 39.26.140](#).

3.6 Emergency Purchases.

If an Emergency has been declared, then pursuant to the appropriate BOCC Resolution, the official named in the resolution may make or authorize others to make Emergency procurements of materials, supplies, equipment, or services without complying with the requirements of this policy.

A written determination of the basis for the Emergency and for the selection of the contractor/supplier shall be included in the contract file. Immediately after the award of any contract pursuant to the resolution the contract and the factual basis for award under this exception shall be recorded in the Purchasing Department. If an emergency contract is awarded without competitive bidding, the BOCC or its designee must enter a written finding of an emergency into the public record no later than two weeks following the contract award ([RCW 39.04.280\(2\)\(b\)](#)).

3.7 Auctions.

[RCW 39.30.045](#) authorizes the County to acquire supplies, materials, and equipment through an auction conducted by an agency of the State of Washington, an agency of the United States, any municipality or other government agency, or any private party if the items can be obtained at a competitive price. Contact the purchasing department prior to participating in an auction to ensure compliance.

3.8 Procedure for Miscellaneous Purchases.

a. Travel

All expense payments or reimbursements for travel and/or subsistence expenses must meet the requirements set forth in the Yakima County Business Expense Reimbursement Policy which establishes policy and procedure related to obtaining travel authorization, advance travel funds, and expenditure or reimbursement for travel and subsistence expenses incurred in conduct of business of the County.

b. P-Cards

The P-Card program provides a cost-efficient, alternative method for purchasing and payment of County business related purchases. The P-Card program has features to control and manage County expenditures and reduces processing costs by minimizing the number of procurement-related transactions and warrants. Please refer to the County [P-Card Manual](#) for guidance regarding the use of P-Cards.

4.0 INTERLOCAL AGREEMENTS

Inter-governmental cooperative purchases or “piggybacking” on another jurisdiction’s competitive process allows the County to realize savings and procure goods and services to foster greater economy and efficiency. The vehicle to accomplish such an action is an Interlocal agreement. The County may enter Interlocal agreements with other public agencies similarly authorized under [RCW 39.34.030](#).

The purchasing department maintains a list of active Interlocal agreements approved by BOCC and signed by the appropriate parties. Please contact purchasing to determine if utilization of an Interlocal agreement is feasible.

5.0 PURCHASE ORDER(S)

The authority to issue Purchase Orders is assigned to personnel through access permissions in the County’s purchasing system of record. Prior to issuing purchase orders, authorized personnel shall complete procurement and purchasing system training.

6.0 SHIPPING AND FREIGHT

When purchasing items that incur freight charges, authorized personnel should request that the items be shipped with the Free on Board (FOB) Destination, with the freight prepaid. This means that the carrier owns the item(s) until delivered. If anything happens to the item(s) during shipping, the carrier is responsible for filing claims.

Shipping FOB Origin is not recommended since ownership transfers upon shipment and the County would be responsible for damage or losses in transit.

It is the responsibility of the individual who signs the carrier’s delivery receipt to properly receive all cartons they are signing for. Anyone who accepts and signs for the receipt of goods acknowledges that the item was received and accepted as delivered. Whoever accepts the delivery should confirm that it has been delivered to the right location, verify the number of pieces or packages according to the quantities on the slip, and open the packages to verify that the order is correct.

7.0 INVOICE AND PAYMENT

7.1 Invoices

All purchases require an invoice from the supplier of record on the purchase order. Prior to submitting an invoice to the County, Suppliers must reference the purchase order on all invoices.

Invoices shall be addressed to:

Yakima County
128 N 2nd Street
Yakima, WA 98901

7.2 Payment

Suppliers are paid by County Warrant in accordance with the payment terms set forth in the purchase order.

8.0 DEFINITIONS AND ACRONYMS

- A. “Architectural and Engineering Services” means services rendered by any person, other than a county employee, to perform activities within the scope of the professional practice of architecture [RCW 18.08](#), professional practice of engineering and land surveying [RCW 18.43](#), and/or professional practice of landscape architecture [RCW 18.96](#).
- B. “Bid Splitting” means breaking a public work project or purchase of equipment or supplies into segments. The county may not break a public works project to avoid compliance with bidding statutes.
- C. “BOCC” means Board of County Commissioners.
- D. “Contract” means a contract in writing for the execution of a fixed or determinable amount duly awarded after advertisement and competitive bid, or a contract awarded under the small works roster process in [RCW 39.04.155](#).
- E. “Emergency” means any unforeseen circumstances beyond the control of the County that either present a real, immediate danger to the proper performance of essential functions, or will likely result in material loss or damage to property, bodily injury, or loss of life if immediate action is not taken. This includes declared federal or state disasters, as well as local agency-declared disasters.
- F. “FOB” means Free On Board. FOB is used to determine where the liability responsibility for goods transfers from seller to buyer.
- G. “Formal Bid” means the process of advertising and receiving sealed written bids from prospective suppliers.
- H. “Informal Quotes” means price quotes from suppliers that are obtained using a variety of mediums such as phone, fax, e-mail, or writing. Results must be documented and submitted in the purchasing system of record.
- I. “Interlocal Agreements” are the exercise of governmental powers in a joint or cooperative undertaking with another public agency.
- J. “MRSC” means Municipal Research Services Center.

- K. “Newspaper” means a publication issued at regular intervals, generally daily or weekly, and commonly containing news, comment, features, and advertising.
- L. “Ordinary Maintenance” is work not performed by contract and that is performed on a regularly scheduled basis (e.g., daily, weekly, seasonally, semiannually, but not less frequently than once per year), to service, check or replace items that are not broken; or work not performed by contract that is not regularly scheduled but is required to maintain the asset so that repair does not become necessary.
- M. “P-Card” means a corporate credit card which the County obtained through participation in a statewide contract administered by DES. Local governments are authorized to use procurement cards (P-Cards) for specific official purchases and acquisitions please refer to the [County P-Card Manual](#) for guidance regarding P-Card use.
- N. “Personal Services” (interchangeable with professional services) means services that involve technical expertise provided by a consultant to accomplish a specific study, project, task, or other work. These activities and products are predominantly intellectual in nature, and do not include Architectural and Engineering services. Example of services include accounting, legal, comprehensive planning, and real estate services.
- O. “Purchase Order or PO” means a commercial document and first official offer issued by a buyer to a seller indicating types, quantities, and agreed prices for products or services. It is used to control the purchasing of products and services from external suppliers.
- P. “Professional Services” – see personal services.
- Q. “Public Work” as defined in [RCW 39.04.010](#), means a complete project, and includes all work, construction, alteration, repair, or improvement other than ordinary maintenance executed at the cost of the county or which is by law a lien or charge on any county property. Public work projects include the related materials, supplies, and equipment to complete the project.
- R. “Purchased Services” means services that are generally routine, repetitive, or mechanical in nature and support day to day County operations. Purchased Services are different from personal services in that these services include janitorial, debt collections, equipment service agreements, machine repair, or delivery services and may include Ordinary Maintenance.
- S. “RCW” means Revised Code of Washington.
- T. “Request for Proposal or RFP” means a process that requests proponents to submit a statement of their proposal for completing a project. Proposals are evaluated based upon the suitability, practicality, quality of the proposal and experience and cost.
- U. “Request for Qualifications or RFQ” means a step that may be used in the formal process of procuring a product or service. It is used at the prequalification stage of the procurement process. Proponents who successfully respond to the RFQ and meet the qualification criteria

will be included in the subsequent Request for Proposal (RFP) solicitation process. An RFQ does not include pricing information.

V. "Small Works Roster" means a roster of qualified contractors maintained for use in a modified formal bid process.

W. "Single or Sole Source" Supplier means an instance when a purchase is clearly and legitimately limited to a single supplier. These situations often arise when the County has specific technological requirements. Examples include: (a) licensed, copyrighted, or patented products or services that only one supplier provides; (b) new equipment or products that must be compatible with existing equipment or products; (c) proprietary or custom-built software or information systems that only one supplier provides; and (d) products or services where only one supplier meets the required certifications or statutory requirements. ([RCW 39.04.280\(1\)\(a\)](#)). Requires BOCC Approval.

X. "WAC" means Washington Administrative Code

EXHIBIT A “PRE-BID CHECK LIST”

This checklist is intended to be used to guide authorized county personnel through the process to vet potential sources of supply.

Pre-Bid Checklist			
Process Step	Process Guideline	Yes	No
Requirement justification	Does a valid business need for Product(s) exist? If “No” – contact purchasing	<input type="checkbox"/>	<input type="checkbox"/>
Product description or defined Supplier SOW	Does a clear description of Product to be purchased or clearly defined statement of work to be performed exist? If “No” obtain Product description or SOW	<input type="checkbox"/>	<input type="checkbox"/>
Review budget	Is the Product value within department budget? If “No” obtain appropriate budget approval	<input type="checkbox"/>	<input type="checkbox"/>
Purchasing threshold review	Is the total Product value to be purchased under \$5,000? If “Yes”, no state law requirement to bid Is the total Product value to be purchased greater than \$5,000 and under \$50,000? If the total Product value is equal to or greater than \$50,000, utilize the Formal Bid Procedure	<input type="checkbox"/>	<input type="checkbox"/>
Identify potential sources	Identify at least three sources of supply (need help? use MRSC small works roster , county bid list, manufacturer website, or contact purchasing)	<input type="checkbox"/>	<input type="checkbox"/>
Debarred Review	Click on Debarred contractors link Enter company name; record result here	<input type="checkbox"/>	<input type="checkbox"/>
L&I Review	Labor & Industries verify contractor	<input type="checkbox"/>	<input type="checkbox"/>
Check Interlocal Agreements	Review Interlocal Agreement link. Navigate to agency website and search for the Product. Did you find a match? If “Yes”, Contact purchasing to obtain authority to utilize Interlocal Agreement If “No”, proceed with In-Formal Bid	<input type="checkbox"/>	<input type="checkbox"/>
Congratulations Pre-Bid Checklist Complete!			

EXHIBIT B “QUOTATION FORM – FOR PURCHASES UNDER \$50,000”

This is not an Order
Yakima County Request for Quotation



Quote / Requisition #: [REDACTED]

Due Date: [REDACTED]

Vendor Contact: [REDACTED]

Vendor Phone#: [REDACTED]

Vendor Name: [REDACTED]

Vendor Address: [REDACTED]

Item #	Description	On Dock Date	Quantity	Unit of Measure	Price	Extended Value
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
FOB Point:					Freight:	[REDACTED]
[REDACTED]					Tax:	[REDACTED]
					Total Value:	[REDACTED]
[REDACTED]					Date	[REDACTED]
Signed [REDACTED]					[REDACTED]	
Firm price quote good through [REDACTED] (date)					[REDACTED]	

EXHIBIT C “SINGLE OR SOLE SOURCE JUSTIFICATION”



YAKIMA COUNTY SOLE SOURCE JUSTIFICATION

Name: _____ Department: _____
 Phone: _____ Requisition #: _____
 Vendor Name: _____ Cost Estimate: _____
 Vendor Address: _____ Vendor Phone: _____
 Vendor Contact: _____ Vendor Website: _____
 Vendor Email: _____

1. Describe the product, services or system to be purchased:

2. Is the product, service or system available from more than one source? (If no, attach documentation to support the screening process used)

3. Is this a one-time purchase? (If no, please explain)

Yes No

4. Explain the level of effort performed to ensure the County received the lowest price.

5. Are federal funds being used for the purchase? (If yes, explain)

Yes No

6. Check the appropriate boxes below to determine eligibility:

- Compatibility to existing County standard or to existing equipment, inventory, systems, data, programs, or service. Describe:
- Vendor proprietary product (attach patent documentation)
- Only authorized service provider, repair and /or warranty. (attach manufacturer's statement)
- Unique design: Requires unique features that are essential, aesthetic requirements, or not practical to match to existing design or equipment. Describe:
- Delivery Date: Only one supplier can meet required delivery date. Describe why the delivery date is critical and list level of effort to find other sources to meet the delivery date.
- Special market conditions: Can be used to purchase items at auction (RCW 39.30.045) or other items that are offered at a very favorable price and would be sold before the County would have an opportunity to complete the bidding process (e.g. flood, natural disaster, etc.)
- Other. Describe



YAKIMA COUNTY SOLE SOURCE JUSTIFICATION

STATEMENT OF NEED:

My division's recommendation for sole source is based upon an objective review of the product, service or system requested and appears to be in the best interest of the County. I know of no conflict of interest on my part or personal involvement in any way with this request. No gratuities, favors, or compromising actions have taken place. My personal familiarity with the brand(s), types of equipment, materials or firms have not been a deciding influence on my request to sole source this purchase when there are other known suppliers to exist.

Approved by:

Date:

Requestor

Division Manager

Department Head

Recommendation by Purchasing Manager

Executive