



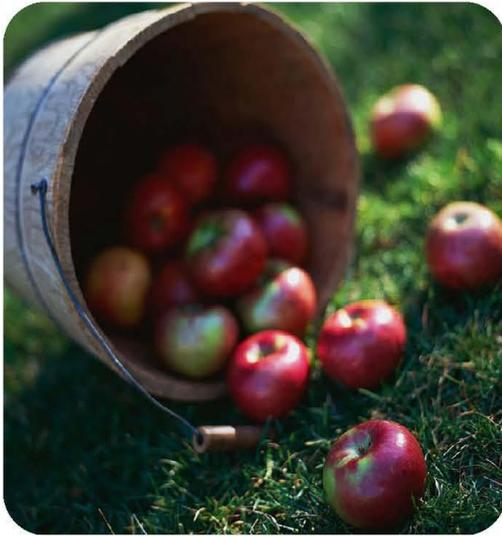
# City/County Procurement Manual



## Contents

MISSION/VISION/GOALS.....	3
I. CITY/COUNTY PURCHASING DIVISION CODE OF ETHICS .....	4
II. FEDERAL FUNDING .....	6
III. CONTROLLED COMMODITIES .....	6
IV. HOW TO PURCHASE MATERIALS, SUPPLIES, EQUIPMENT .....	7
V. HOW TO PURCHASE CONSTRUCTION ACTIVITIES: .....	13
VI. HOW TO PURCHASE ARCHITECT AND ENGINEERING SERVICES: .....	18
VII. HOW TO PURCHASE ORDINARY OR “PURCHASED” SERVICES: .....	18
VIII. HOW TO PURCHASE PROFESSIONAL SERVICES:.....	19
IX. HOW TO PURCHASE PERSONAL SERVICES:.....	19
X. HOW TO LEASE: .....	20
XI. HOW TO DECLARE AN EMERGENCY: .....	20
XII. HOW TO DECLARE A SOLE SOURCE:.....	22
XIII. DISPOSAL OF SURPLUS PROPERTY .....	25
XIV. CAYENTA PROCEDURES.....	26
XV. FREIGHT .....	26
XVI. DEFINITIONS.....	28

***Note: Sections in GREEN are specific to the City. Sections in BLUE are specific to the County. All other sections are applicable to both agencies.***



## MISSION

Purchasing facilitates the timely procurement of goods and services to help customers fulfill their missions by providing cost effective opportunities to purchase quality goods and services at the best value while conducting business in a legal, fair, open, and competitive manner.

## VISION

- Use a cooperative, collaborative approach in understanding customers' needs while helping to expedite purchasing processes.
- Ensure processes are consistent, timely, efficient, seamless, and promote legal compliance and fiscal responsibility.
- Provide easy to use tools and accessible information which allows customers to provide services to the public.
- Provide services in a professional, knowledgeable, and respectful manner.
- Look for opportunities to be innovative and resourceful and to leverage the combined purchasing power of the City and County.
- Ensure public funds are responsibly spent in a transparent and fair manner.

## GOALS

- Maintain and expand relationships with vendors and purchasing organizations, and promote fair and equitable opportunities for vendors.
- Educate City and County departments on the services provided by Purchasing and their legal requirements and obligations.
- Develop seamless procurement processes and procedures that comply with each jurisdiction's legal requirements.
- Develop and utilize cost-effective methods for purchasing using best management practices and technological tools, where appropriate.
- Maximize the efficiency and effectiveness of administrative policies, internal operations, and public information.
- Create and maintain a positive and cooperative culture that respects employees, customers and vendors.
- Hire and retain professional, well trained, and knowledgeable employees.

# “QUALITY SERVICE, RESPONSIBLE PUBLIC PROCUREMENT”



## I. CITY/COUNTY PURCHASING DIVISION CODE OF ETHICS

The public must have confidence in the integrity of its government. The purpose of this Code of Ethics is to apply and give guidance to all Purchasing Division employees so that they may conduct themselves in a manner which will be compatible with the best interest of themselves and of the City of Yakima and Yakima County.

### ***Proper operation of the City/County Purchasing Division requires that:***

- Actions of Purchasing Division employees be impartial and fair.
- Government decisions and policies be made in the proper channels of government structure.
- Public employment not be used for personal gain.
- Purchasing Division employees may neither solicit, accept, nor agree to accept any gratuity for themselves, their families or others that results in their personal gain which may affect their impartiality in making decisions on the job. Discounts or concessions realistically available to the general population, items received that do not result in personal gain, and samples to the City/County used for general City/County use are examples of items that are not gratuities. Personal judgment should be used and questions regarding particular problems/events should be referred to the employee's manager.

### ***Goals:***

- To protect and enhance the reputation of the City of Yakima, Yakima County and its employees.
- To treat all citizens equally with courtesy and impartiality, and refrain from granting any special advantage to any citizen beyond what is available to all citizens.
- To give efficient, productive, and economic service to the public.
- To avoid real or potential conflicts between private and public duties, remembering that the public interest must be the principal concern.
- To keep confidential all information acquired by reason of one's position, which may be used for personal or financial gain for the employee or other persons.
- To refrain from securing special privileges or exemptions for one's self or other persons that are not available to all citizens.

- To avoid receiving, soliciting or otherwise obtaining anything of value that is greater than nominal intrinsic value from any other public official, employee or citizen which is intended to influence the performance of official duties.
- To disclose to the appropriate authority the nature and extent of any financial or personal interest in a City/County contract, legislation, or in any type of transaction involving the City/County, when participating in the development of or giving an official opinion on the matter.

***Purchasing Division Employees shall:***

Certify, in writing, that they have read and understand this policy. Non-compliance may result in disciplinary action, per the Civil Service rules at the discretion of City Management.

Sue Dwyer  
Maria Mayhue  
Dina Kuntz  
Colleen Bailey  
Christine Payne  
Susan Knoch



## II. FEDERAL FUNDING

Are you trying to procure something that involves any type of grant or federal funding? Then STOP!

Purchases or work that have received a grant or federal funding may not be covered by this manual. These types of purchases often have their own procurement requirements.

Contact Purchasing for advice on how to proceed. We will review your specific grant and guide you on what the next steps are.

ALL GRANTS ARE DIFFERENT, so one size does not fit all. Some grants simply require you to use your own procurement rules, while others require you to insert their contracting clauses into your contract.

When you're ready to enter your requisition, note "Federal Funding" in the description section of the requisition, using the project number assigned by [Finance/Auditing](#), in order to ensure that Purchasing complies with appropriate Federal regulations.

**EXAMPLE OF HOW GRANT FUNDING DIFFERS:** DOT Grant Funded purchases, per [FTA C 4220.1F](#), require that documentation must be on file for micro-purchases between \$3,000 (\$2,000 if the Davis-Bacon Rule applies) and [\\$5,000/\\$7,500](#) determining that the price is fair and reasonable, with a description of how the recipient made its determination. Note this is stricter than City/County Competition rules.

## III. CONTROLLED COMMODITIES

The following items **(NO MATTER WHAT THE DOLLAR AMOUNT)** require approval from designated people. They are:

- Cell phones, telephone equipment, pagers - **Electronics Manager**.
- Computers and related equipment, fax machines, printers, scanners and copiers, software or systems - **IT Manager**.
- Anything Technology Services is requested or required to install, connect, service, maintain or support – Use Technology Procurement Request (**TPR**) process for these purchases.
- Anything purchased using Equipment Rental and Revolving (ER&R) funds must be purchased through **Public Services**.
- Furniture, Office Supplies, On-Call Repair Contracts, or anything else on a master contract that Purchasing has let that serves all divisions, applies to both entities.

#### IV. HOW TO PURCHASE MATERIALS, SUPPLIES, EQUIPMENT (Unrelated to Services, A&E or Construction/Public Work)

It is the Division Managers/Department Heads responsibility to appoint who shall make purchases for their department on the City/County’s behalf under the respective quote limits.

**Only authorized purchases used to conduct City/County business, consistent with the Cities Strategic Priorities and Counties Priorities of Government , and state and local laws that are within predetermined budgets are allowed.**

##### A. THRESHOLDS:

CITY	
\$ -0- to \$7,499	Purchasing involvement not required
\$7,500 to \$24,999	3 Quotes (Involve Purchasing)
Over \$25,000	Formal Sealed Bid or RFP (Involve Purchasing)

COUNTY	
\$ -0- to \$4,999	Purchasing involvement not required
\$5,000 to \$24,999*	3 Quotes (Involve Purchasing)
Over \$25,000	Formal Sealed Bid or RFP (Involve Purchasing)

\* Per [RCW 39.04.190](#), Purchasing advertises for the “vendor list” procedure enabling quotes to be obtained between \$5,000 and \$24,999.

All dollar limits include freight, handling, and set-up cost, plus appropriate sales tax. If there will be a **trade-in**, the dollar limit is of the gross purchase, not the net purchase after trade-in.

Both City and County may choose to get quotes for items under the competition limit, however, it does not need to be routed through Purchasing or kept on file.

B. **PAYMENTS** : When ordering from vendors, tell the vendor to send the invoice(s) to:

City of Yakima  
Accounts Payable  
129 North 2nd Street  
Yakima WA 98901  
509-575-6070



Yakima County will determine  
address at time of order.

Notify the vendor it is required that the **PO number must be on all invoices**. All questions regarding payments should be directed to the respective City/County Accounts Payable Divisions.

C. **PROCEDURE FOR DIVISION PERSONNEL TO OBTAIN INFORMAL (\$7,500/\$5,000 to \$24,999) QUOTES:**

Division personnel may obtain the informal quotes (phone or written) using the Quote Form provided below. DIVISION PERSONNEL DO NOT HAVE THE AUTHORITY TO CONFIRM (PLACE) THE ORDER within this dollar range. **This is done by Purchasing after reviewing the quotes, unless purchasing has given you specific instructions otherwise.** If your quote is of a complex nature, let Purchasing obtain the quotes for you to ensure everything is apples-to-apples.

- 1) Requesting division personnel contacts at least three vendors for quotations. (Be sure technical information defines acceptable quality and insure vendors are quoting on equal and comparable items, etc.) **All vendors must be provided the same information.** If one vendor offers an acceptable alternate, **it must be re-quoted using the alternate specifications.**
- 2) The City/County will not pay for any technical information from the vendor. If the information is to be shared with other vendors, it must be stated so up front. If you use a vendor's technical information without their approval, you may find yourself in a legal tangle.
- 3) On-site demonstrations or delivery of preview/trial merchandise should be arranged with the Purchasing Division beforehand. **Just because you have demoed someone's product does not mean you will be able to buy it. Competition may still be required.**

- 4) Complete the "Quotation Form" below. Obtain freight pricing (FOB Destination), if not indicated by vendor, on the form. Include first and last name of person contacted and phone number.
- 5) Enter a requisition into Cayenta. Use a buyer ID of a Purchasing Division employee or select the proper Cayenta template and indicate recommended vendor on your requisition form. Quotation forms should then be routed to Purchasing for order.
- 6) Vendor selection is made by Purchasing on the recommendation of the requesting division personnel, considering price, quality and product availability.
- 7) Order is confirmed and purchase order is issued by Purchasing.
- 8) Quote documentation is attached to purchase order and filed in Purchasing for auditing and document retention.

**D. PROCEDURE IF PURCHASING OBTAINS QUOTES (INFORMAL OR FORMAL)**

- 1) Division enters requisition into Cayenta. Use a buyer ID of a Purchasing Division employee or select the proper Cayenta template. Minimum specifications should be clearly stated along with any other pertinent information.
- 2) Purchasing contacts three vendors for quotations. Vendor selection is made by Purchasing on the recommendation of the requesting division personnel, as well as price, quality and product availability.
- 3) Order is confirmed and purchase order is issued by Purchasing.
- 4) Quote documentation is attached to purchase order and filed in Purchasing.

(QUOTE FORM IMAGE BELOW. CLICK THIS [LINK](#) FOR FILLABLE FORM.)



**FOR AUDIT:** Purchasing may allow you to place the order yourselves, once the contract has been set up (If you don't receive this instruction, assume Purchasing must place the order. Notate **in the description field of the header section of the PR**, the name and number of the contract that you are using, i.e. bid number, sole source, and verify that the vendor is charging you the correct price. Not identifying which existing contract the item(s) are covered under will result in an Improper Purchase Procedure form being sent to your Department Head.

- d. Route technical specifications as well as a list of potential vendors to Purchasing. **(Do not re-type or change our boilerplate)**
- e. Perform final review of technical specifications and be prepared to answer technical questions from vendors. Any information that needs to be disseminated to all vendors shall be done as an addendum issued by Purchasing. If applicable, attend pre-bid conference and answer technical questions.
- f. Any Bids/RFP's utilizing **federal funding** will require an Independent Cost Estimate to determine the reasonableness of the response being evaluated. See FTA Circular [4220.1F](#) Chapter VI, paragraph 6.
- g. **AWARD:** After bids have been opened, recommend award on form provided. If recommendation for award is being made to anyone other than the low bidder, attach memo stating specific reasons why the low bid is not acceptable. Don't reveal status of your recommendation to the vendor. Refer them to Purchasing.
- h. **POOR PERFORMANCE?** When things go wrong, don't remain silent! Contact Purchasing and let us remedy the problem. Remember to **DOCUMENT, DOCUMENT, DOCUMENT!!** Even if you have had on-going problems with a vendor, we will have a very hard time canceling a contract unless we have proper documentation of the problem.

## 2) Purchasing's Duties in the Bidding Process

- a. Receive technical specifications from division.
- b. Assemble bid package and check for legalities.
- c. Route to division for final review.
- d. Arrange pre-bid conference, if necessary to invite contractors to discuss bid requirements.
- e. Establish bid opening date and place ad in newspaper.
- f. Distribute bid packages to vendors and maintain accurate vendor records.

- g. Conduct bid opening with Clerk.
- h. Tabulate bids and verify responsiveness.
- i. Review recommendation of award.
- j. If Purchasing agrees with division's recommendation, bid is routed to **City Manager/Board of County Commissioners** for approval.
- k. Place the order.
- l. Administer bid for the life of the contract, i.e. price increases, lapses in insurance coverage, bonding, prevailing wage, etc.

### 3) SPLITTING UP ITEMS TO AVOID A BID? **Not cool!**

- a. **Issuing several PO's under the dollar limit to avoid bidding is against state law.**
- b. Combine the total of foreseen **identical** items purchased at the same time or within a calendar years' time, in which the cost exceeds competition limits or when it is determined by Purchasing that volume discounts can be obtained by combining City/County-wide usage (i.e. office supplies, laundry services, janitorial paper products, etc.)
- c. Items that are designed, or intended to be **used together** (i.e., water meter covers and lids), and the cost exceeds competition limits should be bid together.

### 4) ALTERNATIVES TO BIDDING:

#### a. **Inter-Governmental Cooperative Purchases**

RCW [39.34.030](#) permits governmental agencies to utilize other entities contracts without going to bid. Contact Purchasing to determine if interlocal purchasing is feasible for your division's particular need. The following criteria must first be met:

- There must be an Interlocal Agreement, approved by **Council**, or **BOCC** and signed by both parties, on file in Purchasing.
- It must be a current contract with interlocal language included.



- It must have been advertised on the entities web page and competitively bid.
- The government entity, and the vendor, must be willing to share their contract pricing.
- A complete copy of the contract must have been reviewed by Purchasing. Purchasing will set up a bid binder and track as if it were our own bid process.
- If one-time purchase, Purchasing will place the order. If ongoing, Department may request permission to order themselves.

b. **Purchases at Auctions, per [RCW 39.30.045](#)**

c. **An Emergency has been declared (see Section X)**

d. **Alternative Public Work Processes (E.G. GCCM, Design Build, JOC). See [Engineering/Public Services](#) for more information.**

e. **Sole Source (see Section XI)**

## V. HOW TO PURCHASE CONSTRUCTION (Public Work) ACTIVITIES:

Dollar thresholds of when competition is required are summarized below. It is the Division Managers/Department Heads responsibility to appoint who shall order work for their department on the City/County's behalf under the respective quote limits.

### A. **Is it Maintenance or Repair?**

- 1) Maintenance is defined as keeping existing facilities in good, usable, operational condition.
- 2) Repair fixes facilities that are already broken and is always a public work

**B. THRESHOLDS for Public Works:**

<b>CITY</b>	
<b>\$ -0- to \$9,999</b>	Competition not required. <b>Prevailing Wage and Insurance still required!</b>
<b>\$10,000 to \$34,999</b>	Utilize “Limited Public Work” process as described in <a href="#">RCW 39.04.155</a> (3). <b>Purchasing Involvement Required</b> (See procedure below)
<b>\$35,000 to \$299,999</b>	Utilize “ <a href="#">Small Works Roster</a> ” process as described in RCW <a href="#">39.04.155</a> . <b>Contact Engineering</b> at 575-6112 for assistance.
<b>Over \$300,000</b>	Must be competitively bid as described in RCW <a href="#">39.04</a> ; <a href="#">35.22.620</a> . <b>Contact Engineering</b> at 575-6112 for assistance

**COUNTY**

**City Purchasing has no involvement in Construction activities for Yakima County. Consult Yakima County Resolution [594-2007](#) for further information.**

**C. PROCEDURE FOR “LIMITED PUBLIC WORK” per RCW [39.04.155\(3\)](#) - \$10,000 to \$34,999 **Purchasing Involvement Required.****

- Department utilizes Small Works Roster at [www.mrscrosters.com](http://www.mrscrosters.com) to obtain vendor list (obtain sign in and password from Purchasing).
- Department solicits at least 3 informal bids (can notify all on roster).
- Route requisition and paperwork through **Purchasing** for confirmation.
- No advertisement required.
- Bid Bonds Optional.
- Payment/Performance Bonds Can Be Waived.
- Retainage Can Be Waived.
- Prevailing Wage Intents/Affidavits required.
- Insurance required.

D. **DISADVANTAGED AND MINORITY VENDORS (City only)**

In June 1983, Council passed Resolution No. D-4816, *Women and Minority Business Enterprise Policy*. It is the policy of the City of Yakima that women and minority business enterprises shall have the maximum opportunity to participate in the performance of work relating to the City's activities. To this end, the City is committed to take all necessary and reasonable steps in accordance with state and federal rules and regulations to ensure women and minority business enterprises are given the maximum opportunity to compete for and to perform contracts.

Yakima Transit updated its DBE Goal and Program October, 2013. The entire Program and Goal Methodology can be viewed online at [www.yakimawa.gov](http://www.yakimawa.gov) Click on Services/Purchasing/Disadvantaged Business Enterprise Program.

E. **INSURANCE/LICENSES/PREVAILING WAGES**

When hiring anybody to do anything for the City, there are four main requirements that need to be met.

1. **Certificates of Insurance**

Before any contractor is allowed to work on City property, contact Purchasing to determine if a Certificate of Insurance is required. If required, the contractor must furnish the City with a Certificate of



Insurance, naming the City of Yakima as primary & noncontributory **additional insureds with an additional attached endorsement**. Click [HERE](#) for sample.

Certificates of Insurance are a complex issue, so please contact Purchasing! We will happily discuss Insurance Requirements and what the limits of coverage should be, according to how much risk is involved (Insurance requirements are determined by the City Legal Department).

2. **Washington State Contractor's License**

It is unlawful for the City to hire anyone to do construction work on our property that does not have a valid State of Washington Contractor's License - **Period**. If someone is not properly licensed, DO NOT HIRE THEM. You may look up a Contractor, Electrician or Plumber at:

<https://fortress.wa.gov/lni/bbip/>

Department of Revenue Business Records Database:

<http://dor.wa.gov/content/doingbusiness/registermybusiness/brd/>

Verify Workers' comp Premium Status: <https://fortress.wa.gov/lni/crpsi/>

**...or call Purchasing and we will look them up for you.**

### **3. City of Yakima Business License**

A City of Yakima Business License is also required for any business working inside the City limits. The vendor may contact the Building Permits Division at 575-6121 for more information or click this [LINK](#).

### **4. Prevailing Wage Requirements**

Chapter [39.12](#) RCW is the **Washington State Public Works Act**, also known as the Prevailing Wage Law. This law requires that workers be paid certain hourly wages for all public work and public service maintenance contracts, **NO MATTER WHAT THE DOLLAR AMOUNT!** Click [HERE](#) for the State's booklet on Prevailing Wage.

This Prevailing Wage law was enacted to protect the employees of contractors performing public works construction/maintenance from substandard earnings, and to preserve local wage standards.

The Department of Labor and Industries administers the law; the Attorney General prosecutes violators; and the State Auditor ascertains if our policies, practices and procedures meet the requirements of the law.

**WORK IN  
PROGRESS**

**Owner/Operators** that do not have any employees do not need to pay themselves prevailing wages, however, **they do still need to file Intents and Affidavits** with the Department of Labor and Industries and list in section 3 of the form that they are Owner/Operator.

### **EXAMPLES**

Public Work is all work, construction, alteration, repair or improvement that the City has performed. It includes, but is not limited to:

- Demolition
- Remodeling
- Renovation
- Painting
- Road Construction

- Utilities Construction
- Offsite prefabrication of ducts, liners & steel products for Public Work
- Production & delivery of gravel, rock, concrete & asphalt (to a construction site (not to a stockpile)

Any worker, laborer or mechanic performing public work must be paid prevailing wages. It does not usually apply to work that is clerical, executive, administrative or professional (grant funded projects may be an exception).

**DIVISION RESPONSIBILITIES TO ENSURE PREVAILING WAGE LAW IS FOLLOWED:**

- 1) ***Prior to Getting an Estimate or a Quote*** – Notify vendor that they are to pay prevailing wages. More information may be obtained by the vendor from the Department of Labor and Industries (see link to booklet above). They may also contact Purchasing at 509 575-6093 and we will provide them with a copy of the most recent wage rates listing for Yakima County. The list can also be obtained online at:

[www.lni.wa.gov/TradesLicensing/default.asp](http://www.lni.wa.gov/TradesLicensing/default.asp)

- 2) ***After a Vendor has been selected*** – The vendor is required to file a “Statement of Intent to Pay Prevailing Wages” with the Department of Labor and Industries PRIOR TO STARTING WORK. Most vendors file online at:

<http://www.lni.wa.gov/TradesLicensing/PrevWage/IntentAffidavits/File/default.asp>

There is a \$40 fee that the Vendor will have to Pay L & I, and the completed Intents are also available online. **Note:** The vendor must insert the City Purchase Order number in the contract number box on the Statement form.

- 3) ***After the work is completed*** – The vendor must also file an “Affidavit of Wages Paid” with the Department of Labor and Industries. There is another \$40 fee that the Vendor will have to pay to L & I, and completed Affidavits are also available online. **Note:** The vendor must insert the City Purchase Order number in the contract number box on the Statement form.

Final Payment must not be released until certified intents and affidavits have been received. Call Purchasing if you need help looking them up.

#### 4) **FOR PROJECTS UNDER \$2,500**

The City of Yakima has signed up with the Department of Labor and Industries to administer the intents and affidavits ourselves, for projects under \$2,500 (including tax). **There is no filing fee to the vendor.** Purchasing will collect and file the combined intent and affidavit forms for the City.

#### 5) **FOR PROJECTS BETWEEN \$10,000 and \$35,000**

Purchasing will take care of all the above requirements utilizing the “Limited Public Works” process, per [RCW 39.04.155\(3\)](#).

## VI. HOW TO PURCHASE ARCHITECT AND ENGINEERING SERVICES:

A & E’s are hired following the rules in [RCW 39.80](#). City Departments must follow the [“Contracting for Architects and Engineers Manual”](#) available on Purchasing’s ICE page.

County Departments must follow Board of County Commissioners Resolution [531-2007](#) (Policy Regulation No. 28-B) to procure the services of an A & E.

## VII. HOW TO PURCHASE ORDINARY OR “PURCHASED” SERVICES:

“Ordinary/Purchased Services” are those provided by vendors for routine, necessary and continuing functions of a local agency, mostly relating to physical activities. Ordinary services are usually bid through Purchasing, because there is so much competition available. **There are lots of ordinary services that require prevailing wages - - Check with Purchasing.**

- Repetitive, routine, or mechanical in nature; – following established or standardized procedures
  - Contribute to the day-to-day business operations
  - Completion of assigned and specific tasks.
  - Decision-making is routine or perfunctory in nature
  - May require payment of prevailing wages
  
- Examples include:
  - Delivery/courier service
  - Landscaping
  - Building maintenance (janitorial)
  - Herbicide application service

- Recycling/disposal/litter pickup service
- Vehicle inspection, lubricating and repair services
- HVAC system maintenance service (without repair)

Click [HERE](#) for the very dry, but very informative **Webinar** that Sue Ownby, Yakima City/County Purchasing Manager, Laura Herman, Industrial Relations Specialist, L&I, and John Carpita, MRSC Public Works Consultant did for MRSC called “*Contracting for Purchased Services*”.

## VIII. HOW TO PURCHASE PROFESSIONAL SERVICES:

“Professional Service Contract” means an agreement with an independent contractor for providing professional services to the City. The City/County does not provide direction to the provider other than the circumstances that are stated in the terms of the contract.

There is not a state law requiring Professional Service Contracts over \$25,000 to be bid.

*At the City Manager’s discretion, Professional Service Contracts shall be bid/quote through Purchasing when the total cost in a calendar years’ time exceeds \$25,000.*

**The Legal Department must review and the City Manager/Board of Commissioners must sign all Professional Service Contracts, regardless of dollar amount.**

Examples:

- Medical and Dental
- Legal Services
- Management Consulting
- Accounting and Auditing
- Real Estate Broker

## IX. HOW TO PURCHASE PERSONAL SERVICES:

A “Personal Service Contract” is an **employment contract** with an independent contractor for providing personal services to the City/County. Personal Service means hiring a consultant to provide professional or technical expertise to accomplish a specific study, project, task or other work statement according to RCW [39.29.006](#).

*At the City Managers discretion, Personal Service Contracts shall be bid/quote through Purchasing when the total cost in a calendar years’ time exceeds \$25,000.*

The Legal Department must review and the **City Manager/Board of Commissioners** must sign all **Personal Service Contracts**, regardless of dollar amount.

Examples:

- Artistic Designs
- Class Instructions for Parks Division Activities
- Referees



## X. HOW TO LEASE:

1. **City Bids are *not* required on equipment leases, however Legal must review and the City Manager must approve all equipment leases. Leasing is usually the most expensive way to finance a purchase. Contact Finance to see if an “internal Lease Option” will allow you to achieve a reduced monthly payment.**
  - a. Legal Review – Send to Legal for review.
  - b. Fiscal Approval - Review proposals with the Finance Dept. prior to budgeting the expense. Lease purchases are to be budgeted and accounted for as if the total expense is to be incurred when the item is purchased.
  - c. Lease Approval - City Manager must approve all Equipment Leases and may opt to send lease to Council for approval if he so desires.
  - d. To exercise the purchase option of a lease, route to the City Manager for approval.
2. **COUNTY: All leases must be competitively bid per RCW [36.32.253](#).**

## XI. HOW TO DECLARE AN EMERGENCY:

Emergency situations are basically a single source and must follow the procedures below. The city must follow fiscal approval limits as set forth in [ADM Policy 2-200](#).



**Emergency purchases** occur when an emergency situation arises that was unforeseen and must be remedied immediately.

Examples: Acts of God, (i.e. flood damage); machinery that is critical to the operation of the City/County and rendered out of service

Yakima County has two personnel that can declare emergencies. The Public Works Director and the Technology Services Director. Contact them for guidance/direction on how to proceed, as spelled out in Resolution No. [328-2006](#).

**A. City procedure to obtain an Emergency Purchase Order:**

1. Division recognizes an emergency situation has developed.
  - a) Division estimates cost to correct the emergency.
  - b) Division identifies potential vendor to perform service/supply materials. **(DON'T FORGET PREVAILING WAGES AND INSURANCE...they still apply!)**
2. **Division staff obtains appropriate verbal approval** from Division Manager and/or Department Director.
3. Division initiates remedy to emergency (contacting vendor).
4. Division contacts Purchasing next business day to obtain a preliminary "Emergency Purchase Order Number" and initiates the "[Emergency Purchase Order Justification form](#)" after-the-fact (image included on next page).
  - a) The form will require the vendor name, reason for emergency, materials required, anticipated costs. Route for Signatures.
6. Division Requisitioner enters requisition into CAYENTA system, with the words "Emergency PO NO. \_\_\_\_" in the PR Header description **(failure to do this will result in a "Nastygram", since the person auditing will not know if this was an approved purchase)**. Contact Purchasing to give them the Requisition number.
7. Once Emergency PO Justification form is fully signed, return to Purchasing for logging and safekeeping.
8. Emergencies over \$25,000 must be approved by City Council via Resolution.

**NOTE:** Division Managers will receive an annual report to review emergency purchase requests received from their division.

**(EMERGENCY FORM BELOW. CLICK THIS [LINK](#) FOR FILLABLE FORM.)**



**A sole source purchase may be approved if one of the following conditions are met:**

1. Compatibility to existing City/County standard or to existing equipment, inventory, systems, data, programs or service.
2. Licensed or patented product with only one dealer.
3. Only authorized Service Provider, Repair and/or Warranty Services.
4. Unique design: Requires unique features that are essential, aesthetic requirements, or not practical to match to existing design or equipment.
5. Delivery Date: Only one supplier can meet required delivery date: Describe and list efforts to find other suppliers to meet the delivery date.
6. 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 will be sold before an entity will have a chance to complete the bidding process (e.g. a flood is coming and you must obtain sandbags immediately), or only one supplier can meet required delivery date (describe why the delivery date is critical and list efforts to find other suppliers to meet the delivery date).

**NOTE:** Any sole source utilizing **Federal Grant money** must also include 1) Written responsibility determination for the successful contractor and; 2) Basis for contract price (Cost Price Analysis). Each Grantee must evaluate and state its justification for the contract cost or price.

**A. Procedure to obtain sole source purchase approval:**

1. Fill out the Sole Source Justification Form (below) and forward to Purchasing for recommendation. Purchasing will forward to **City Manager (NOTE: Council approves over \$25,000)/Board of County Commissioners for approval over \$5,000**. Enter a requisition into Cayenta and **use a buyer ID of a Purchasing Division employee or select the proper Cayenta template**. If over \$25,000 Division initiates a request for "Legal Opinion or Action" supported by the necessary information justifying a sole source exists and routes to the Legal Department. **City Sole Source: Department attaches Sole Source Justification Form to Resolution and uploads into NOVUS. County Sole Source: Department routes Sole Source Form/Resolution to Purchasing. Purchasing will prepare the Agenda Request form to BOCC for approval.**

- Once approved, **Purchasing will place the order**, unless Purchasing has given written permission for the division to order it themselves.

(EMERGENCY FORM IMAGE BELOW. CLICK THIS [LINK](#) FOR FILLABLE FORM.)




## City of Yakima/Yakima County

SOLE SOURCE JUSTIFICATION (revised May, 2012)

Your Name: <input style="width: 90%;" type="text"/>	Your Department/Division: <input style="width: 90%;" type="text"/>
Your Phone: <input style="width: 90%;" type="text"/>	Requisition Number: <input style="width: 90%;" type="text"/>
Requested Vendor: <input style="width: 90%;" type="text"/>	Cost Estimate (including TAX): <input style="width: 90%;" type="text"/>
Vendor's Address: <input style="width: 90%;" type="text"/>	Vendor E-Mail & Website: <input style="width: 90%;" type="text"/>
Vendor Contact Name: <input style="width: 90%;" type="text"/>	Vendor Phone: <input style="width: 90%;" type="text"/>

1. What are you purchasing? Describe the product, service or system. Attach all information (Quotes, etc.):
2. Is this product/service available only through one vendor?  NO  YES  
 If yes, attach documentation that supports the screening process you performed to confirm. (e.g. Internet Screenshots, etc.)
3. Is this a one-time purchase?  NO  YES If NO, explain.
4. What efforts were made to assure the City/County is receiving the lowest or best price possible? Describe
5. ARE FEDERAL FUNDS BEING USED?  NO  YES  
**If Federal Funds are being used, a Cost Price Analysis prior to requesting Sole Source MUST also be attached.**
6. Below are eligible reasons for sole source. Check all boxes below that apply to your sole source situation and attach any useful documents to justify the sole source. List who you contacted, what they said and how you verified their accuracy.
  - Compatibility to existing City/County standard or to existing equipment, inventory, systems, data, programs or service.** Describe. List efforts to find other sources (attach documentation, e.g. Internet Screenshots, etc.).
  - Patented product.** Attach documentation to confirm propriety (patent letter, etc.) .

**Only authorized Service Provider, Repair and/or Warranty Services.** Attach proof in writing from the MANUFACTURER (not the vendor) confirming there is only one dealer authorized to sell/service in our area. Is written certification attached?  NO  YES

**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 efforts to find other suppliers 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 will be sold before and entity will have a chance to complete the bidding process (e.g. a flood is coming and you must obtain sandbags immediately), or only one supplier can meet required delivery date (describe why the delivery date is critical and list efforts to find other suppliers to meet the delivery date).

**Other:** Please describe:

**STATEMENT OF NEED:**  
 My division's recommendation for sole source is based upon an objective review of the good/service being required and appears to be in the best interest of the City/County. I know of no conflict of interest on my part or personal involvement in any way with this request. No gratuities, favor, or compromising action have taken place. Neither has my personal familiarity with particular brands, types of equipment, materials or firms been a deciding influence on my request to sole source this purchase when there are other known suppliers to exist.

<input type="text"/>	<input type="text"/>
Signature of Requestor	Date
<input type="text"/>	<input type="text"/>
Signature of Department Head	Date
<input type="text"/>	<input type="text"/>
Recommendation of approval by Purchasing Mgr.	Date
<input type="text"/>	<input type="text"/>
Approval by Executive	Date

**Please complete entire form and forward to Purchasing.**

### XIII. DISPOSAL OF SURPLUS PROPERTY

The City and the County both have separate Surplus Property Policies. Refer to Disposal of Surplus Property Policy available in the [Administrative Code Book, Policy No. 3-100](#) for the City and [Resolution No. 443-2014](#) for the County.

## XIV. CAYENTA PROCEDURES

City employees can visit [ICE](#) on the intranet to view Cayenta Procedures.

County employees may go to the County Intranet to view the County Cayenta Procedure Manual at:

<http://ycshare/Purchasing/SitePages/Home.aspx?InitialTabId=Ribbon%2EDocument&VisibilityContext=WSSTabPersistence>

## XV. FREIGHT

### 1. Shipping Terms

Whenever you are shipping an item that will incur freight charges, always request that it be shipped *FOB destination, freight prepaid*. What this means is that the vendor you

ordered the merchandise from owns it until it reaches your door and there won't be a separate invoice for freight. If anything should happen to the merchandise during shipping, the vendor (not the City/County) is responsible for filing the claims with the carrier.

FOB determines at what point the ownership transfers. If an item is FOB origin, the City/County owns the merchandise from the point of shipping while it is in transit.

Freight prepaid or collect refers to who is responsible for paying shipping charges - the City/County or the seller.

### 2. Receiving Freight

*It is the responsibility of the individual who signs for UPS or carrier's delivery receipt to properly receive all cartons they are signing for. Anyone who accepts and signs for receipt of goods, acknowledges that the item was received and accepted as delivered.*

#### a. Get what you sign for

- 1) Confirm the package or carton is being delivered to the proper location.
- 2) Verify the number of cartons, crates or pieces is correct according to quantities on the packing slip.



- 3) Sign the delivery slip legibly so that when you call Purchasing two weeks later and claim you haven't received the package, we can track you down!
- 4) Open packages and verify order is correct.

### 3. Damaged Cartons

#### a. Visible Damage

Any person receiving freight must make a notation on the carrier's delivery receipt of apparent damage to packages. State the specific type of damage on the delivery receipt and obtain the driver's signature (not just initials) on your copy of the receipt.



#### b. Concealed Damage

If the shipment of goods received showed no sign of damage upon receipt, but damage to the contents is found upon opening, concealed damage exists.

- 1) Call the carrier immediately upon discovery of the damage and request an inspection. Notate the date and the person contacted.
- 2) Notify the vendor to file a claim.
- 2) All shipping cartons should be retained for inspection on any damage.
- 3) When making a request for an inspection, advise the carrier whenever possible what the value of the damaged goods is. If the value is less than \$50.00, most carriers will frequently waive inspection. Indicate person contacted on the claim form.
- 4) When an inspection is made, specific damages should be notated by both parties and signed by both on the inspection report. Send report to vendor.

## XVI. DEFINITIONS

**Acknowledgment** -- A form used by a vendor to advise a purchaser that his order has been received. It usually implies acceptance of the order.

**ARO** -- After receipt of order.

**As Is** -- A term indicating that goods offered for sale are without warranty or guarantee. The purchaser has no recourse on the seller for the quality or condition of the goods.

**Bill of Lading** -- A carrier's contract and receipt for goods by which he agrees to transport from one place to another and to deliver to a designated person.

**Capital Outlay** -- Fixed assets of which the value exceeds \$5,000 including tax and freight.

**Cash Discount** -- A discount offered to the City/County to encourage payment of an invoice on or before its due date.

**Change Order** -- Purchaser's written authority to the supplier to modify or add to a purchase order. Change orders are created by Purchasing (other than Capital Improvements).

**Controlled Commodity** -- Items which may fall under the quote dollar limit that require approval from designated people, i.e. office products, communication equipment and computer equipment.

**Emergency Purchases** -- Emergency purchases occur when an emergency situation arises that was unforeseen and must be remedied immediately.

**Expediting** -- Attempt to reduce the contractually agreed upon delivery time of a product.

**F.O.B. (Free on Board)** -- The stated F.O.B. point is usually the location where title to the goods passes from the seller to the buyer. The seller is liable for transportation charges and the risks of loss or damage to the goods up to the point where title passes to the buyer. The buyer is liable for such charges and risks after passing of title.

**Lead Time** -- The period of time from date of ordering to the date of delivery which the buyer must reasonably allow the vendor to prepare goods for shipment.

**Ordinary Services** -- The furnishing of labor, time, or effort by a contactor or vendor, not involving the delivery of any specific end product, other than reports that are incidental to the required performance or general service work performed such as backhoe, landscape, Janitorial, window washing, repairs to things other than personal property, training, surveys, etc.

**Packing List** -- A document which itemizes in detail the contents of a particular package or shipment.

**Payment Discount** -- See Cash Discount.

**Personal Service Contract** -- An employment contract with an independent contractor for the rendering of personal services to the City/County. The City Manager/Board of County Commissioners must sign all Personal Service Contracts.

**Prepaid** -- Transportation charges that have been or are to be paid at the point of shipment.

**Professional Service Contract** -- An agreement with an independent contractor for the rendering of professional services to the City/County. The City/County does not provide direction to the provider. The City/County states a goal and objective and the provider, under his own direction, accomplishes the goal.

**Public Work** -- A project including all work, construction, alteration, repair or improvement other than ordinary maintenance executed at the cost of the City.

**Request For Proposals** -- Similar to the formal bid process, except that factors other than price are used to award the contract.

**Sealed Bid (Formal Bid)** -- An advertised solicitation for a requirement in which the cost exceeds the \$25,000 bid limit. The bids are opened during a public opening.

**Specification** -- A clear, complete, and accurate statement of the technical requirements descriptive of a material, an item, or a service.

**Standardization** -- When it is necessary to standardize to one type of item because of uniformity or interchangeable parts issues. Authorization for standardization is obtained from Purchasing.

**Visible Damage** -- Broken cartons, crushed or wet cartons, or markings which indicate that the shipment of goods may have received rough treatment in transit with consequent damage to the contents.