

City of Sheridan

Resolution 16-19

A resolution of the City of Sheridan adopting the Purchasing and Procurement Policy which shall repeal and replace Resolutions 14-07 and 88-07.


BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SHERIDAN:

- (1) The 2019 Purchasing and Procurement Policy shall be adopted and implemented. This Policy shall remain in effect unless amended by the City of Sheridan Governing Body. The City Treasurer may amend the Policy from time to time without Governing Body approval in order to ensure compliance with Wyoming State Statute.
- (2) The City of Sheridan Human Resource Director is authorized to update and amend the City of Sheridan's current Employee Handbook as may be necessary to ensure compliance with the Purchasing and Procurement Policy.
- (3) City of Sheridan Resolution 88-07 pertains to the use of City credit cards. Resolution 88-07 is hereby repealed and replaced by the Purchasing and Procurement Policy.
- (4) City of Sheridan Resolution 14-07 pertains to the City credit cards for procurement and travel and is hereby repealed and replaced by the Purchasing and Procurement Policy.

Passed, approved and adopted this 15th day of April, 2019.



Roger Miller, Mayor

ATTEST: 

City Clerk





Purchasing and Procurement Policy

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Purchasing and Procurement Policy

The purpose of this policy is to establish procedures for an efficient, fiscally responsible purchasing system capable of providing daily service and support to all City departments and to assure the citizens that the City is receiving maximum value for each dollar spent. This Policy provides City of Sheridan employees a guideline to assure continuity and uniformity in purchasing practices to define the responsibilities of each employee. This Policy also provides guidelines for public works projects and items let by bid. While being fiscally responsible, employees are encouraged to purchase from local Sheridan businesses, per City of Sheridan Resolution 29-11, which is included as **Attachment A**.

This Policy is not intended to address every issue, exception, or contingency that may arise in the course of purchasing activities. Employees should always exercise good sound judgment, seek the best value when using City resources and keep within the budget authorized by the Governing Body. Each purchase shall encourage open competition between suppliers and contractors, while seeking the best value for the City.

This Policy is not all-inclusive. If a question should arise that is not addressed in this Policy, contact the City Treasurer.

1. PURPOSE

- 1.1. Purchasing objectives serve as a set of guidelines to be used by Administration, City personnel and the Chief Procurement Officer in achieving responsible and intelligent decisions when purchasing and procuring services, supplies and equipment.
- 1.2. The objectives of this Policy are as follows:
 - Assure responsible and accountable procurement of commodities, contractual services, equipment, and capital outlay items.
 - Assist management at all levels in reaching responsible, cost-effective decisions in the purchasing of quality supplies and services for City use.
 - Formulate policies and procedures which maximize the efficiency of the City's purchasing process.
 - Promote goodwill and clear communication in City/vendor relations relative to purchasing.
 - Promote equal-opportunity policies through professional relations with vendors.
 - Ensure compliance with Federal requirements for Federally funded purchases.
 - Ensure compliance with State requirements for State funded purchases.

2. DEFINITIONS

- a. "Architectural and/or Engineering Services" means professional services of an architectural or engineering nature, as defined by state law, if applicable, that are required to be performed or approved by a person licensed, registered, or certified to provide the services described as follows:
 - professional services of an architectural or engineering nature performed by contract that are associated with research, planning, development, design, construction, alteration, or repair of real property; and
 - other professional services of an architectural or engineering nature, or incidental services, which members of the architectural and engineering professions (and

individuals in their employ) may logically or justifiably perform, including studies, investigations, surveying and mapping, tests, evaluations, consultations, comprehensive planning, program management, conceptual designs, plans and specifications, value engineering, construction phase services, soils engineering, drawing reviews, preparation of operating and maintenance manuals, and other related services.

- b. "Bid" means the offer made by a contractor or vendor in response to an advertisement for bid pursuant to Wyoming State Statute.
- c. "Chief Procurement Officer" means the City Treasurer.
- d. "Consultant" means engineering firms, architectural firms, surveying firms, and other firms or individuals engaged in providing consulting or other professional services.
- e. "Contractor," means any person who is a party to a contract with a public entity to construct, renovate or perform major maintenance of any highway, public building, public work or public improvement, structure or system. W.S. § 16-6-701(a)(ii),
- f. "Department Head" means the person designated as the administrative official who oversees a department.
- g. "Department Supervisor" means a supervisory position who reports to the Department Head.
- h. "Electronic Requisition" hereinafter referred to as an 'eReq', is the official document that records information regarding the purchase and obligates the funds in the budget.
- i. "Resident," means a natural person, association or business entity authorized to be formed under Wyoming Statute Title 17, or the laws of another state which are the functional equivalent, and that is certified as a resident by the Department of Workforce Services following receipt of an affidavit executed and sworn to by a chief executive officer of the entity setting forth information required by the department to determine compliance with this act and prior to bidding upon the contract or responding to a request for proposal. W.S. § 16-6-101(a)(i)
- j. "Maintenance" means any repair which does not constitute "Major Maintenance."
- k. "Major Maintenance" means the repair or replacement of complete or major portions of building and facility systems at irregular intervals which is required to continue the use of the building or facility at its original capacity for its original intended use and is typically accomplished by contractors due to the personnel demand to accomplish the work in a timely manner, the level of sophistication of the work or the need for warranted work. W.S. § 16-1-101(a)(v).
- l. "New Vehicle" means any motor vehicle that has had no previous owner and is still covered by the manufacturer's warranty.

- Automobile means a 4-wheeled vehicle that is propelled by fuel, or by alternative fuel, manufactured primarily for use on public streets, roads and highways and rated less than 10,000 pounds gross vehicle weight. 49 USC 32901(a)(3).
 - Truck is defined as a motor vehicle designed, used or maintained for the transportation of property, including pickup trucks but excluding multipurpose vehicles and cars.
- m. "Project Manager" means the assigned Department Head or his/her designee responsible to oversee specified projects and tasks.
- n. "Public Improvement" means an improvement made within any City for which general bonded obligation may be incurred. W.S. § 15-1-101(a)(xi)
- o. "Procurement" means buying, purchasing, renting, leasing or otherwise acquiring any supplies or services. W.S. § 9-2-1016(a)(i)
- p. "Sealed Bid" means a bid which is not revealed or evaluated until the date of public opening, per W.S. § 15-1-113.
- q. "Services" means the furnishing of labor, time or effort by a contractor to an agency. The term does not include employment agreements. W.S. § 9-2-1016(a)(ii)
- r. "Supplies" means all property, including but not limited to, furniture, fixtures, stationery, printing, paper, fuel and equipment of every kind required for use in the offices, service and functions performed by agencies, and for repairing, heating and lighting the buildings; and insurance and bonds from licensed Wyoming agents as required. W.S. § 9-2-1016(a)(iii)

3. TAX EXEMPT STATUS

3.1. The City of Sheridan is exempt from most city, state sales taxes and some excise taxes. The City may also be exempt from other State's sales taxes if that State participates in the Streamlined Sales & Use Tax Agreement with the State of Wyoming. The City of Sheridan's Federal Tax Identification number is **83-6000090** and the State Tax Exempt number is **69-0830210**. These numbers must only be used for City of Sheridan purposes. It is the expectation that all employees who make purchases on behalf of the City ensure that the vendor is informed of the City's tax exempt status. If proof of exemption is required by the vendor, proper documentation may be obtained from the Treasurer's office.

4. USE OF MUNICIPALITY NAME

4.1. The City of Sheridan's name shall not be used for personal gain. This includes, but is not limited to, the use of the name to receive or request discounts on supplies, equipment, services or any other function that could be construed or perceived as "for personal gain."

5. ORIGINAL CONTRACT DOCUMENTS AND MAINTENANCE AGREEMENTS

5.1. All original contracts, excepting original maintenance agreements, will be kept with the City Clerk's office. Copies may be kept by the appropriate departments.

- 5.2. Original maintenance agreements will be kept on file in the office of the appropriate department.
- 5.3. Copies of all procurement contracts and maintenance agreements must be given to the Treasurer's office.

6. VEHICLE AND EQUIPMENT REGISTRATION AND/OR INSURANCE

- 6.1. The City Clerk must be notified and given proper paperwork at least two (2) weeks prior to delivery of vehicles or equipment. Proper paperwork for registration includes a Certificate of Origin for out of state vendors, a Sales Tax Certification form for local vendors, and a Bill of Sale. Provided, Certificates of Origin and Title may not be available until payment is tendered and Bills of Sale may not be received until equipment is delivered.
- 6.2. The use of vehicles or equipment is prohibited until proof of insurance has been obtained by the City Clerk.

7. ASSET ADDITION OR DELETION

- 7.1. Any assets purchased with a value over \$5,000 must be reported to the Treasurer's office on a New Asset Form (**Form FA-1**).
- 7.2. Any asset that is sold, traded, scrapped, or donated must be reported to the Treasurer's office on an Asset Deletion Form (**Form FA-2**).

8. ELECTRONIC REQUISITION (eReq)

- 8.1. An eReq shall be used for all purchases. EReqs shall be completed either before the purchase is made (preferably) or as soon thereafter as possible, but prior to receipt of the supplies/equipment/services.
 - If possible, the eReq number should be given to vendors to include on packing slips and receipts/invoices.
- 8.2. EReqs will be converted to a purchase order by the Treasurer's office.
- 8.3. Exceptions
 - Payments required for payroll
 - Utility payments

9. COOPERATIVE PURCHASING

- 9.1. When two (2) or more entities join together to buy one (1) or more items, the venture is called cooperative or collective purchasing. The Treasurer shall approve the use of cooperative agreements bid by other governmental agencies, unless otherwise provided by this Policy. An example would be the City using a State of Wyoming bid for vehicles.

10. PETTY CASH

- 10.1. The Treasurer's Office has a petty cash fund. The petty cash funds shall be reconciled at least monthly.
- 10.2. Excluding funds used for licensing/registrations at the County Clerk's office, use of petty cash is limited to expenditures not to exceed \$50. Petty cash reimbursements shall comply with Sections 11, 12 and 13.
- 10.3. A Petty Cash Voucher (**Form PC-1**) must be signed by the receiving individual and a receipt must accompany all payments out of petty cash.

11. EMPLOYEE REIMBURSEMENTS

11.1. Requirements

- Any purchases made by City employees where reimbursement will be requested are subject to Sections 12 and 13. It is the employee's responsibility to check the Purchasing Policy of the City before incurring any expense.
- It is preferable that any purchases made for City purposes be paid by the City directly to the vendor.
- Under no circumstances shall a City employee pay a contractor or consultant directly.

11.2. Reimbursement Request

- The purchase shall be described on an eReq with a certification of payment statement signed by the employee requesting the reimbursement.
- The requesting employee's Department Supervisor shall sign the eReq authorizing the reimbursement.
- The original vendor receipt must be attached to the voucher.

12. PURCHASES FROM EMPLOYEES OF THE CITY

12.1. The Chief Procurement Officer must authorize all purchases of supplies and services from current employees of the City. This authorization must be in writing, signed by the designated City official and placed in the individual's personnel file. All such purchases shall comply with Section 13 and the City of Sheridan Employee Handbook.

13. TYPES OF PROCUREMENT

13.1. General Information

- Any procurement made with federal funds must follow the provisions of 2 CFR 200, as per City of Sheridan Resolution 23-17 passed June 19, 2017, which is included as **Attachment B**.
- Purchases **SHALL NOT** be split into multiple transactions in order to stay within the purchase limit.
- All procurements must be followed by a detailed receipt/invoice or progress billing, as appropriate.
- A matrix of the types of procurement is attached as **Appendix A**.
- Due to the uniqueness and complexity of purchasing art, the City of Sheridan Public Arts Committee purchases shall be exempt from the bidding and procurement process.

13.2. Micro-purchase

- Procurement by micro-purchase is the acquisition of supplies or services in which the aggregate dollar amount does not exceed \$3,500. To the extent practicable, the City must distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotes if the Department Supervisor considers the price to be reasonable.
- The micro-purchase limit is applied as follows:
 - With federal funds, the purchase limit is for the life of the grant.
 - With all other funds, the purchase limit is the fiscal year.
- Micro-purchases require approval by the Department Supervisor.

13.3. Small purchase

- Small purchases are those relatively simple and informal procurement methods for

- securing services, supplies, or other property that do not cost more than \$35,000.
- Small purchases greater than \$3,500 but not exceeding \$10,000 require three (3) **verbal** quotes and approval by the Department Supervisor and Department Head.
- Small purchases greater than \$10,000 but not exceeding \$35,000 require three (3) **written** quotes and approval by the Department Supervisor, Department Head and Chief Procurement Officer. In addition, any written contract with the chosen vendor shall be signed by the Chief Procurement Officer.
- The purchase limit for small purchases applies to each purchase, regardless of funding.

13.4. Sealed Bids

A. Requirement

- Sealed bids are required for any type of public improvement if the estimated cost exceeds \$35,000, except for professional services, emergency work or maintenance; see W.S. § 15-1-113.
- Sealed bids are required for the purchase or lease of a new automobile or truck regardless of cost; see W.S. § 15-1-113.
- Additionally, sealed bids are required for all purchases of supplies, equipment or vehicles if the estimated cost exceeds \$35,000, unless otherwise excluded per this policy.
- All bids shall meet the requirements of W.S. § 15-1-113 and W.S. § 16-6-101 through W.S. § 16-6-118.

B. Specifications

- Detailed specifications shall be prepared by the Project Manager or Department Head and approved by the Department Head. These specifications shall become part of the Standard Bid Package (**Form SBP-1**).
- Any restriction in the specifications that could be considered restrictive of competition is prohibited. They include, but are not limited to:
 - Placing unreasonable requirements on firms in order for them to qualify to do business
 - Requiring unnecessary experience and excessive bonding
 - Non-competitive pricing practices between firms or between affiliated companies
 - Non-competitive contacts to consultants that are on retainer contracts
 - Organizational conflicts of interest
 - Specifying only a brand name product instead allowing equal products to be offered. If the use of brand names is used it should be limited to expressing a minimum acceptable specification, in which case “or equivalent” shall follow the name brand, or when procurement of a particular brand name can be otherwise justified.
 - Any arbitrary action in the procurement process

C. Standard Bid Package

- The standard bid package can be accessed through the City’s website or from the appropriate department.
- The standard bid package includes the following forms or documents:
 - Advertisement and Invitation to Bid
 - Instructions to Bidder
 - Bid Form/Contract

- Specifications
 - General Instructions
 - Bid Bond
 - Performance Bond
 - Notice of Award
 - The standard bid package may include the following optional forms or documents:
 - Special Requirements
 - Trade-Ins
 - For non-federally funded public work projects, the 5% Wyoming bidder preference clauses; see W.S. § 16-6-102, W.S. § 16-6-104, W.S. § 16-6-105, W.S. § 16-6-106 and W.S. § 16-6-107.
 - For federally funded projects, the suspension and debarment statement.
- D. Advertisement and Invitation to Bid; see W.S. § 15-1-113(b)
- The Department Head must sign all advertisements and invitations to bid.
 - All legal ads shall be placed by the City Clerk.
 - The advertisement and invitation to bid shall be published on two (2) different occasions, at least seven (7) days apart in the local newspaper, or according to the funding agency's requirements. The published notice shall state:
 - the place, date and time of any pre-bid meetings
 - the place, date and time when the bids will be received
 - the place, date and time when the bids will be publicly opened
 - the place where interested persons may obtain the bid package
 - the bond requirement
 - any automobiles or trucks for trade-in if a new automobile or truck is to be purchased
 - except for federally funded projects, a statement that "preference is hereby given to materials, supplies, agricultural products, equipment, machinery and provisions produced, manufactured or grown in Wyoming, or supplied by a resident of the state, quality being equal to articles offered by the competitors outside of the state;" see W.S. § 16-6-106
 - The City shall make an effort to notify known local vendors of upcoming bids.
- E. Awarding the Bid/Notice of Award
- The Project Manager or Department Head will review the bids and put together a bid tabulation of all bidders and submitted bids.
 - Prior to awarding, the City Attorney shall review all contracts.
 - A public works contract shall be awarded to the responsible certified resident making the lowest bid if the certified resident's bid is not more than five percent (5%) higher than that of the lowest responsible non-resident bidder; see W.S. § 16-6-102.
 - The Project Manager or Department Head shall issue an award letter of recognition which shall be presented to the Governing Body for approval.
 - The Governing Body shall award the bid at a scheduled Council meeting.
 - The contract shall be executed by the Mayor and attested by the Clerk, or his/her designee and copies must be given to the City Clerk, the Treasurer, the consultant or vendor and the Department Head, if applicable
 - The Project Manager or Department Head shall issue the Notice of Award to the successful bidder.

- The successful bidder shall finish the performance guarantee within 30 days.
- F. Advertisement for Final Payment
- Before the City is to make the final payment on any contract for which a bond or other financial guarantee is required, the City shall publish once a week for three (3) consecutive weeks and also post in three (3) conspicuous places at the place of work, forty (40) days before the final payment, a notice that the contractor is entitled to final settlement and that the City will pay to the contractor the full amount due under the contract; see W.S. § 16-6-116.
 - No final payments shall be made to a contractor without a sworn statement from the contractor setting forth that all claims for material and labor performed under the contract have been paid and are paid for the entire period of time for which the final payment is to be made. If any claim for material and labor is disputed, the sworn statement shall so state and the amount claimed to be due the laborer shall be deducted from the final payment and retained by the City until the determination of the dispute, either by judicial action or consent of the parties, and then paid by the City to the persons found entitled thereto; see W.S. § 16-6-117.
- 13.5. Competitive Proposals (RFP or RFQ)
- A. Requirement
- Request for proposals/qualifications are required for professional services for construction manager agents, construction manager-at-risk or design-builder if the estimated cost exceeds \$35,000; see W.S. § 15-1-113.
 - Request for proposals/qualifications are required for all other services, including maintenance, if the estimated cost exceeds \$35,000
 - Additionally, requests for proposals/qualifications are required for all leases of equipment if the estimated cost exceeds \$35,000.
 - If the project or procurement is receiving funding from an outside funding agency, City staff must receive written approval from the funding agency to utilize the RFP/RFQ process.
- B. Scope of Work
- City staff shall prepare a description of the general project, the scope of work or specifications of equipment, set a timetable for completion and estimate the fees for the proposed services or lease noting any extraordinary evaluation factors to be used in the selection process.
- C. Advertising
- The Department Head must sign all advertisements and requests for proposals/qualifications.
 - All legal ads shall be placed by the City Clerk.
 - The advertisement and request for proposal/qualification shall be published on two (2) different occasions, at least seven (7) days apart in the local newspaper, or according to the funding agency's requirements.
 - The City shall make an effort to notify known local consultants and vendors of upcoming RFP/RFQs.
 - RFP/RFQs shall be posted on the City's website.
- D. Request for Proposals/Qualifications
- The proposal, as submitted by the consultant or vendor, shall include information on the company's ability to meet the requirements of the RFP/RFQ. Information provided should include a description of their ability to perform the work or

provide the leased equipment, a demonstration of understanding of the project, and references.

E. Selection Committee

- A selection committee may be formed by the Department Head. The selection committee consists of at least three (3) members, but generally not more than five (5). Each member shall ensure that he or she has no possible conflict of interest that may influence the selection process.

F. Evaluation Factors

- The selection committee shall select consultants or vendors on, but not limited to, the following criteria:
 - Experience and expertise of the company in the work needed
 - Qualifications of the company's personnel
 - Previous performance by the company
 - Knowledge about the project or equipment
 - Special product delivery requirements
 - Workload with other clients (if known)
 - Location (In-state or out-of-state consultant location cannot be a factor, but proximity to the project is an allowable factor)
 - Financial stability
 - Reputation
 - References
 - Cost
- At the selection committee's option, additional factors may also be used.

G. Selection by Scoring and Ranking

- To determine the final selection, the committee ranks the consultants or vendors being considered. This process involves prioritizing each factor and developing an overall score. If it becomes apparent that a particular consultant or vendor is not qualified, the committee may eliminate the consultant or vendor from further consideration. The following items should be considered to determine if a consultant or vendor is minimally qualified:
 - The consultant or vendor shall have an exemplary ethical and professional reputation.
 - Individuals the consultant or vendor employs shall possess the levels of education, training and experience necessary to perform the required services satisfactorily.
 - If the consultant will be engaged to perform engineering, surveying, or architectural services for the City of Sheridan, the employee overseeing the work shall be licensed by the Wyoming Board of Registration for Professional Engineers and Professional Land Surveyors or the Wyoming State Board of Architects and Landscape Architects.
 - The consultant or vendor shall be established in the area of expertise and have recent experience in the area for which the company is being considered.
- For architectural or engineering related projects, the selection must be qualification-based. Therefore, the City shall not solicit fee proposals before the consultant selection. Within the RFQ process, fee proposals may be requested in separate sealed envelopes, and only the selected firm's fee proposal will be opened

after the selection is complete.

- For leases or projects that are not architectural or engineering related, fee proposals can be considered a part of the selection criteria.
- The City may interview, via phone, the top three (3) consultants or vendors.

H. Negotiations

- Negotiations may begin with the top-ranked vendor. At this time, final scope and cost will be discussed. The cost may be determined by the following:
 - Salary cost times a multiplier plus direct non-salary costs
 - Cost plus a fixed fee
 - Lump sum
 - Unit of work payment
 - Hourly rate with maximum fee
 - Or any other reasonable method of calculation
- If this is an architectural or engineering contract, please review the American Society of Civil Engineers (ASCE) Manual No# 45.
- If the contract cannot be successfully negotiated with the top-ranked vendor, negotiations should be terminated and the City should begin discussion with the next ranked vendor until a contract is negotiated. Staff shall only negotiate with one vendor at a time.

I. Awarding the Proposal

- Prior to awarding, the City Attorney shall review all contracts.
- The Governing Body will award the proposal at a regularly scheduled Council meeting.
- The contract shall be executed by the Mayor and attested by the Clerk, or his/her designee, and copies must be given to the City Clerk, the Treasurer, the consultant or vendor and the Project Manager, if applicable.
- The consultant must be notified to proceed by the Project Manager. The Project Manager must provide all pertinent information to the consultant, monitor their work, render decisions on behalf of the City and authorize payment to the consultant.

13.6. Non-Competitive Proposals

A. Non-Competitive proposals may be used only when one or more of the following circumstances apply:

- Single source
 - A single source procurement is when there is only one vendor who can provide the good or service.
 - Procurement without competition is authorized under limited conditions and subject to written justification documenting the conditions which preclude the use of a competitive process.
 - A requirement for a particular proprietary item (i.e., a brand name specification) does not justify a single source procurement if there is more than one potential vendor for that good or service. Price is not a consideration to justify a sole source procurement. In cases of reasonable doubt, competition should be solicited. The Department Head shall determine if the price is fair and reasonable.
 - The Department Head shall take reasonable steps to avoid using single source procurement except in circumstances where it is both necessary and

in the best interests of the City. The Department Head shall take action, whenever possible, to avoid the need to continue to procure the same supplies and/or services without competition.

- The requesting department shall submit a memo to the Chief Procurement Officer of source justification along with any other pertinent information regarding the single source procurement; e.g. vendor quote, literature, etc.
- The Chief Procurement Officer must approve all single source procurements unless such selection is required to be approved by the City Governing Body or otherwise allowed by this Policy
- Emergency purchase
 - An emergency purchase is a purchase that is essential to the life, health or convenience to the citizens of Sheridan. Examples of such emergencies may be a breakdown of the electrical system, water supply or critical vehicles.
 - When an emergency condition exists that prevents the use of a competitive procurement method, the City may conduct a procurement on an emergency basis. Emergency procurements may be negotiated on a single source or limited competition basis as dictated by the circumstances surrounding the emergency.
 - Emergency procurements **do not** include:
 - Procurements that need to be rushed because of a failure to plan ahead
 - End of the fiscal year procurements
 - End of a grant/contract procurement
 - Authority to make Emergency Procurements
 - Approval by the Chief Procurement Officer, or his/her designee, shall be obtained prior to the procurement. In the event an emergency arises after normal working hours, the requesting department shall notify the Chief Procurement Officer as soon as reasonably possible.
 - The emergency procurement shall be limited to the procurement of only the types of items and quantities or time period sufficient to meet the immediate threat and shall not be used to meet long-term requirements.
 - Documentation
 - As soon as practicable, the Department Head shall prepare a written justification, to be approved by the Chief Procurement Officer, that sets forth the justification for the emergency procurement. The justification shall include the following:
 - the basis for the emergency procurement including the date the emergency first became known
 - a listing of the supplies and/or services procured
 - a description of the efforts made to ensure that proposals or offers were received from as many potential vendors as possible under the circumstances
 - the basis for the selection of the selected vendor
- Expressly authorized by Federal Agency or Pass-Through
- Inadequate competition

14. RECEIVING OF SUPPLIES AND EQUIPMENT

- 14.1. Items purchased using a purchasing card may be picked up by the cardholder or delivered. The vendor should include a packing slip, receipt or invoice. The items received should be verified against these documents and then compared against the purchase order for accuracy and completeness. The receipt or invoice must indicate that this is a purchasing card purchase.
- 14.2. A packing slip will generally come inside the box or attached to the outside of the package being delivered. Personnel shall verify that what is on the packing slip is truly what is received and then compare it against the purchase order for accuracy and completeness.
- 14.3. Upon receipt of supplies or equipment, the receiving department shall inspect the supplies or equipment for damage or defects.
- 14.4. Items delivered by freight truck shall be inspected prior to signing the bill of lading. Any damage to the package should be pointed out to the driver and noted on the bill of lading. If extensive damage is observed, the shipment should be refused. If no damage is visible, a note must be made on the bill of lading that the "shipment is accepted subject to inspection."
- 14.5. If damage or defects are discovered, the magnitude of the damage or defects shall be considered, and the vendor shall be contacted. Arrangements shall be made for the return and/or replacement of the supplies or equipment. Any credit memos received for the returned supplies or equipment shall be submitted to the Treasurer's office.
- 14.6. If, upon inspection, it is determined that duplicate items or the wrong items were received, arrangements shall be made for the return and/or replacement of the supplies or equipment. Any credit memos received for the returned supplies or equipment shall be submitted to the Treasurer's office.

15. PURCHASING CARD

15.1. General Instructions

- The purpose of the purchasing card is to streamline and simplify the purchasing and payment process.
- All other aspects of this Purchasing Policy must be followed, specifically:
 - Section 3 - Tax Exemption
 - Section 8 - Electronic Requisition (eReq)
 - Section 12 - Purchases from Employees of the City
 - Section 13.1 - General Information
 - Section 13.2 - Micro-Purchases
 - Section 13.6 - Emergency Purchases
 - Section 14 - Receiving of Supplies and Equipment
- Purchasing cards may not be used to avoid or bypass appropriate purchasing policies and procedures.
- Individual purchases may not exceed the micro-purchase threshold, unless for an emergency purchase, as defined in Section 13.6.
- Purchases made with the purchasing card are for supplies and equipment, and travel related expenses only. Under no circumstances shall a City employee pay a contractor or consultant with a purchasing card.
 - Use of purchasing cards for meals is limited to travel outside of the City where at least one overnight stay will occur or when the meal is beneficial to the needs of the City.

- All mailed or delivered orders shall have the cardholder's name and department on the package.
- Any incentive program benefits derived by the use of purchasing cards shall be the property of the City. The Treasurer will determine the use of such incentive program benefits.
- The cardholder is the only person entitled to use the card and the card is not to be transferred to or allowed to be used by anyone other than the cardholder. The cardholder may make procurement transactions on behalf of others in their department, however, the cardholder is responsible for the validity of purchases made with their card and for obtaining the required receipts.
- Violations of this policy may result in loss of purchase card privileges and discipline up to and including termination.

15.2. Cardholder Eligibility

- In order to receive a purchasing card, a cardholder must:
 - Be a current full time or regular part time City of Sheridan employee
 - Receive the approval of their Department Head and the Treasurer
 - Attend a training session before receiving their purchasing card
 - Sign a Cardholder Agreement (CCA-1)

15.3. Limitations and Restrictions

- Restrictions may be placed on each individual card, as determined necessary by the employee's Department Head and the Treasurer. Restriction may include but are not limited to:
 - Monthly, daily and per transaction credit limits
 - Limits on number of transactions
 - Merchant category blocking

15.4. Unauthorized Purchases

- The following is a list of unauthorized purchasing card purchases:
 - Alcohol or tobacco products
 - Entertainment related expenses
 - Prescription and non-prescription drugs
 - Weapons and ammunition (except for Police personnel)
 - Cash advances
 - Items for personal use
 - Any transaction which exceeds the limits set on the cards
 - Fuel for personal vehicles
 - Purchases or travel outside of the United States unless authorized by the Chief Procurement Officer
 - Purchases exceeding the appropriated budget amount for the GL code being charged without prior authorization from the appropriate Department Head

15.5. Lost or Stolen Cards

- If the purchasing card is lost or stolen, the cardholder must immediately notify the card issuer and the Treasurer's Office. The Treasurer's Office will follow up with the card issuer to take the appropriate action to have the card canceled and a new card issued.

16. GOVERNING BODY PROCEDURES:

16.1 Changes, Alterations and Waivers

- By majority vote of the Governing Body, any requirement or provisions of this Policy, except for requirements set forth by Wyoming State Statute or Federal Law, may be changed, altered or waived. Any waiver of any requirement or provision for any specific purchase shall not waive the Policy requirement or provision for future purchases unless specifically stated by the Governing Body.
- This Policy shall be updated as is needed by the Treasurer to reflect and ensure compliance with state and federal law. Any update required by federal or state law shall not require the Governing Body's approval to be effective. Any other update or amendment which is recommended by the Treasurer or other City Official, must be approved by a majority vote of the Governing Body.

16.2 Enforceability

- This Policy does not create any property right, due process right or reasonable expectation for any vendor or contractor regarding the method of contract awards or selection for services. The terms and requirements of this Policy are solely for the purposes of providing guidance for City Employees regarding purchases and procurements.

Appendix A

Types Of Procurement

	Micro-Purchase	Small Purchase 1	Small Purchase 2	Sealed Bids	Competitive Proposals	Non-Competitive Proposals
Limit	< \$3,500	\$3,500 - \$10,000	\$10,000 - \$35,000	> \$35,000	> \$35,000	No limit
Purchase Type	Supplies Services	Supplies Equipment Services	Supplies Equipment Services	Construction Vehicles Equipment	Professional services Maintenance Leases	Construction Professional services Equipment Leases
Competition	None	3 verbal quotes	3 written quotes	Sealed bids	RFP/RFQ	None
1 st Approval	Department Supervisor	Department Supervisor	Department Supervisor	Department Supervisor	Selection Committee	Chief Procurement Officer
2 nd Approval	None	Department Head	Department Head	Department Head	None	
Final Approval		None	Chief Procurement Officer	Governing Body	Governing Body	

Attachments

- Attachment A - City of Sheridan Resolution 29-11
- Attachment B - City of Sheridan Resolution 23-17