

# Procurements

**Index Code: 602.1**

**Effective Date: 12/15/16**

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## **I. Purpose**

The purpose of this directive is to establish procurement guidelines to be followed by employees of the Office of the Sheriff.

## **II. Policy**

It is the policy of the Office of the Sheriff to purchase supplies, materials, equipment and services in a manner that is fair, efficient and economical.

## **III. Definitions**

1. Agents defined for property owned and utilized by the Office of the Sheriff:

Administrative Commander, Quartermaster

2. Excepting vehicles and related equipment:

Sheriff, Undersheriff, Fleet Manager

3. Excepting fixed assets:

Sheriff, Undersheriff, Administrative Commander

## **IV. Distribution**

Invitations to bid or notices of a Request for Information (RFI), Request for Qualifications (RFQ) or a Request for Proposal (RFP) shall be provided to a sufficient number of bidders for the purpose of securing competition. A minimum of three (3) responses is recommended for any solicitation over \$5,000. Notices of availability shall indicate where, when, and for how long invitations may be obtained, generally describe the supply, service, or construction desired, and may contain other appropriate information. A fee may be charged for the bid documents. At a minimum, proofs of advertised prices from three vendors will be acceptable for purchases up to \$5,000 as supporting documentation. (This would generally be used to determine the annual vendor for office supplies to cover cumulative purchases.)

**V.** Minor expenses up to \$200 incurred on behalf of the Office of the Sheriff are reimbursable from petty cash.

## **VI. Extension of Existing Contracts**

A contract for services may contain a “roll-over” provision that will allow the contract to be extended if the performance of the vendor has

been satisfactory over the previous contract period. The agent may approve a contract extension, including any annualized cost increases specified in the contract.

## **VII. Time Limit**

Professional or contractual service contracts shall not be awarded for a period to exceed five (5) years unless the Sheriff or Undersheriff determine that a contract exceeding five (5) years is most advantageous to the Office of the Sheriff.

## **VIII. Specialized Purchases**

Computer and communications hardware and software specifications shall be reviewed by the Information Technology (IT) Department for all such “network-based” purchases (which excludes specialized equipment within the Department of Emergency Services (DES) that is not connected to the main County-owned wide-area network). Any purchases made following specifications provided by either IT or DES shall be exempt from these procurement guidelines.

## **IX. Ownership**

All Professional Service Procurements shall ensure that the Office of the Sheriff retains ownership of all data and information collected or used in the consulting effort.

## **X. Qualified Vendors**

Procurements may be awarded to pre-qualified vendors after a formal RFQ process has been completed. If the first vendor on the list cannot provide the product or service in the required timeframe, quantity, or quality, the agent may authorize solicitations from the second, third, etc. vendor on the list.

## **XI. Office Supplies**

At the beginning of every fiscal year, the Administrative Commander and the Quartermaster will compare the current advertised prices for commonly stocked office supply items to determine the vendor that will be used for that year based on average savings and delivery policies.

## **XII. Supply Request**

A Supply Request Form will be completed by Office of the Sheriff employees and submitted to the Quartermaster for all requested new or replacement purchases.

## **XIII. Purchase Orders**

The Quartermaster will issue and track all orders by using a numbered purchase order system and spread sheet accounting. The system will detail the items requested, individual submitting the request, Command Staff official authorizing the order, vendor, cost, date ordered, date delivered, budget account assignment.

**XIV. Contract Sharing**

The Office of the Sheriff may purchase products or services utilizing a pre-established contract of another governmental body by “piggybacking” on such contracts if the current cost is most advantageous to the office.

**XV. Legal Sufficiency**

All contracts shall be reviewed and approved by the County Attorney as to form and legal sufficiency prior to execution.

**XVI. Information Recording**

The Administrative Services Commander shall be responsible for recording the information and/or bids received and maintaining the information consistent with the County’s Record Retention Plan.

**XVII. SPECIAL PROCUREMENTS:**

**a. Sole Source Procurements**

1. When the Office of the Sheriff requires products or equipment that are produced by only one manufacturer, the Agent shall specify such manufacturer’s make or brand in the solicitation and obtain competitive bids from authorized distributors as may be available. In the event of a single bid response, the Agent is authorized to negotiate terms most advantageous to the office.
2. When the Office of the Sheriff requires services that are offered by only one vendor, the Agent is authorized to negotiate a contract and award procurement up to \$50,000 with the prior approval of the Sheriff or the Undersheriff.
3. When the Office of the Sheriff requires products or equipment that are essential components of existing systems and/or infrastructure which must be replaced by like or “in kind” components to ensure consistent and/or uninterrupted performance, the Agent may solicit, negotiate and authorize a

procurement in an annual amount up to \$50,000.

**b. Emergency Procurements**

1. An emergency shall be deemed to exist when a breakdown in equipment or in an essential service occurs or when unforeseen circumstances arise.
2. In an emergency, the agent may immediately approve a purchase for the required product or service with the prior approval of the Sheriff, Undersheriff or Administrative Commander. However, if time permits, the Agent shall secure informal competitive bids consistent with this policy. The Agent shall submit a summary of the emergency circumstances and details of the emergency procurement to the Undersheriff within 72 hours.

**c. Credit Cards**

The Sheriff, Undersheriff, Support Services Commander or designee responsible for training, and the Quartermaster may be issued Queen Anne’s County credit cards. Upon receipt of the monthly invoice, the officer will attach receipts explaining the purpose, participants and any other relevant information for approval by the Administrative Services Commander.

**d. Auction and Used Equipment Procurements**

1. The Agent shall receive permission from the Sheriff or Undersheriff to purchase any item at an auction when the cost is estimated to be over \$5,000.

**d. Brokered Procurements**

1. The Office of the Sheriff may join cooperative purchasing organizations. Contracts and purchases established via brokered procurements are not subject to the guidelines established by this policy.

**e. Local Vendor Bids**

1. Local vendors will be given preferential treatment if the cost is less than or equal to other bids.

**XVIII. BID AWARD & APPROVAL:**

**a.** All procurements shall generally be awarded to the lowest responsible bidder unless

the Agent has prescribed that an award based on other established criteria is most advantageous to the Office of the Sheriff. In determining the bid award, the Agent may take into consideration the quality offered, conformity with the specifications, delivery terms and conditions, and other information required to confirm the responsibility of the bidder.

**b.** After determining that vendors are responsive and responsible, the award shall be made based on the lowest responsible and responsive local vendor bid.

**c.** The Office of the Sheriff shall enlist the Command Staff to review and make recommendations on procurements where lowest responsible bid price is not the sole deciding factor for bid award.

**d.** The Agent shall have the authority to approve general procurements and purchases up to a value of \$5,000.

**e.** The Sheriff and/or Undersheriff shall approve procurements and purchases in excess of \$5,000. Procurement requests may include the following minimum information as appropriate:

1. A bid canvass (listed from lowest to highest bid);
2. A statement of adherence to this procurement policy;
3. A statement confirming that the County Attorney has reviewed the contract (if applicable);
4. Verification that Certificates of Insurance are in order;
5. A statement that budget authority exists and sufficient funds are available to cover the expenditure;
6. A statement if the Office of the Sheriff will execute the contracts or if they will be authorizing the agent to execute the contract;
7. A copy of the contract.

**f.** The Office of the Sheriff may reject any or all bids for any or all products or services and may re-solicit bids when in the best interest of

the Office. If bids result in a tie or if only a single bid is received by the Agent, the Sheriff and/or Undersheriff shall have the authority to award the contract to one of the tie or the single bidder(s).

**XIX. INSPECTIONS AND TESTING:**

**a.** The agent shall inspect or otherwise ensure the inspection of deliveries of supplies, materials and equipment, or the furnishing of contractual services and the construction of capital improvement projects to determine their conformance with the specifications set forth in the order or contract.

**b.** The agent shall have the authority to require chemical and physical tests of samples submitted with bids and of samples of deliveries to the extent necessary to determine their quality and conformance with the specifications. For such tests, the agent shall have authority to engage the services of any laboratory facility.

**XX. VENDOR RESPONSIBILITIES:**

**a.** Bidder's Lists – Office of the Sheriff does not maintain general bidder's lists for the procurement of goods and services unless a specific request for qualifications (RFQ) is issued by an Agent for a product or service.

**b.** Surety/Bonds – The successful bidder may be required to furnish surety(s) in the form of a certified check, cashiers' check, bond, letter of credit or other accepted surety for the faithful performance of the contract in the amount specified in the contract bid form or specifications.

**c.** Insurance Requirements – The successful bidder may be required to maintain and provide insurance certificates and policies to the Agent as a contract or procurement prerequisite. These may include General Liability Insurance, Automobile Liability Insurance, Workers Compensation Insurance, Professional Liability Insurance and/or Builders Risk Insurance. The bidder shall name the Office of the Sheriff as an Additional Insured on one or more of these policies.

**d.** License required for contractors – All bidders will be required to have any federal, state or local licenses required for work specified.

**e.** Bid Protests – Any bidder that is concerned about the final award of any procurement may submit a bid protest to the Agent that made the solicitation. Bid protests must be submitted in writing within five (5) working days following the contract award.

**XXI. CALEA References: 17.3.1**

**XXI. Proponent Unit: Administrative Services**

**XXIII. Cancellation: None**

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**Sheriff Gary Hofmann**