



EMERGENCY PURCHASING MANUAL

**COUNTY OF VENTURA
GENERAL SERVICES AGENCY
PROCUREMENT SERVICES**

INTRODUCTION/PURPOSE

This Emergency Purchasing Manual was developed and distributed by the General Services Agency (GSA), Procurement Services Division. It is intended to serve as a training and reference tool for individuals that may need, or be called upon, to procure goods/services in response to an emergency situation.

It clarifies the responsibilities of purchasing and of individual departments, and explains the legal requirements affecting Procurement Services, provides guidelines for County and non-County staff on how to purchase items and services needed as quickly, legally, and efficiently as possible in an emergency situation, and identifies the methods and procedures for acquiring resources. GSA will distribute revisions, updates and changes to this Manual via the County Intranet at:

<http://myvcweb/index.php/general-information/emergency-procurement>

SECTION I DEFINITIONS

What Constitutes an Emergency?

Emergencies occur as the result of unforeseeable circumstances and may require an immediate response to avert an actual or potential threat.

An emergency can be localized affecting only one agency or department. There may be a need to make emergency purchases of services or supplies.

Failure to plan or to process a requisition on time does not constitute a valid emergency.

Emergencies can also be widespread; including earthquakes, floods, wildland fires, landslides, terrorism, hazardous material spills, airplane crashes, and major equipment failures. These scenarios may require a response from a number of agencies. The need to procure services and/or supplies will be extremely high. Section V of this manual provides additional information relating to procurement activities during a disaster.

What is an Emergency Purchase?

An emergency purchase results when a situation arises in which compliance with normal procurement practice is impracticable or contrary to the public interest. An emergency purchase may be warranted to prevent a hazard to life, health, safety, welfare, property, or to avoid undue additional cost to the County.

Normal procurement practice includes, but is not limited to, submitting a requisition through Procurement Services, verification of insurance, issuance of written contracts, and obtaining competitive bids as needed.

SECTION II EMERGENCY PURCHASING AUTHORITY

Exceptions to purchasing authority

Per the County Administrative Manual, the power to bind the County to contracts for services, materials and/or equipment vests with the Board of Supervisors.

In January 1995, Board of Supervisors Ordinance 4084 was passed and adopted. In general, it established that the Purchasing Agent shall have the duties and powers prescribed by; the laws of the State of California relating to County Purchasing Agents, this Ordinance, and the Board of Supervisors.

With regards to purchasing authority, the Ordinance states:

“Except as otherwise provided by law, the provisions of this ordinance or the resolutions of the Board of Supervisors, no purchase of personal property by any person other than the Purchasing Agent shall bind the County or constitute a lawful charge against any fund of the County.”

However, in an emergency, the Ordinance does provide for emergency purchases by other County employees.

“Emergency purchases may be made by any person or official authorized to sign requisitions when the Purchasing Agent or any of his assistants in GSA Purchasing Services authorized to make purchases is not immediately available and the item or items so purchased are immediately necessary for the continued operation of the office or department involved, or are immediately necessary for the preservation of life or property. Such emergency purchases shall be subsequently approved and confirmed by the Purchasing Agent, or if he/she refuses such confirmation, the Board of Supervisors may subsequently approve and confirm such purchase by a four-fifths vote of the members present at any of its regular meetings. Unless such purchases are so approved and confirmed by either the Purchasing Agent or the Board of Supervisors, the cost thereof shall not constitute a legal charge against the County.”

According to the County Administrative Manual, expenses incurred by a County officer or his/her authorized representative as a result of action taken to prevent a catastrophe, such as a flood, or to prevent or reduce harm that would be caused by such a catastrophe are eligible for reimbursement.

Employees failing to comply with these procedures run the risk of being personally liable if the Purchasing Agent and the Board of Supervisors do not approve and confirm the purchase. A copy of the complete Ordinance is included as Attachment A in this Manual.

Exceptions to bidding

Procurement policy establishes thresholds for bidding. Under normal circumstances, the following thresholds apply:

Commodities

\$0-\$10,000	Quotes at buyer discretion
\$10,001- \$60,000	Written quotes solicited
Over \$60,000	Formal sealed bids solicited

Services:

\$0-\$60,000	Quotes at buyer discretion
Over \$60,000	Formal sealed bids or proposals

Notwithstanding the immediate nature of an emergency all procurements conducted as emergencies should be made as competitive as possible, under the circumstances. Emergency purchases of goods and services should not exceed the scope or duration of the emergency.

SECTION III EMERGENCY PURCHASING PROCEDURES RESPONDING TO A LOCALIZED EMERGENCY

As stated earlier, some emergencies will involve only one agency or department.

In this sample scenario, it is 7 a.m. on a given weekday and, a water pipe has broken in the Hall of Justice. The water must be shut off to keep damage to the surrounding areas to a minimum. Operation of the building without water will severely impact all departments and their ability to conduct County business.

GSA maintains the Hall of Justice. Therefore, GSA is the first agency to respond. Water service must be restored as quickly as possible.

Below are the steps to follow in responding to a similar emergency situation.

1. Are there County resources available to provide the needed services? If not, proceed to item #2.
2. Can you use any of the following delegated procurement methods?

General Claim – Purchases under \$1,000, emergency or otherwise, do not need Procurement approval and should not be processed using a purchase requisition (RQS). Instead, submit a general claim directly to the Auditor-Controller's Accounts Payable Section to pay the vendor.

Procurement Card –The procurement card can be used to purchase materials/supplies only, up to the single purchase and 30-day limits. The single purchase limit is usually \$1,000.

Public safety departments responding to a widespread emergency may use the procurement credit for restricted items, within the assigned dollar limits, provided it is properly documented in their reconciliation documents. In an emergency, exceptions can be made for non-public safety departments. Contact Procurement Services to report the use of the credit card for restricted items/services.

Detailed instructions for using these cards are in the Procurement Bank Card Procedures and can also be found on the Procurement intranet site <http://myvcweb/index.php/procurement-card>.

Master Agreements (MAs)

An existing master agreement is the fastest method for placing an emergency order since it is already in place. Insurance has been checked and all applicable terms and conditions are included in the MA text or in the associated contract. An MA is a contractual agreement that provides for the furnishing of goods, services, and/or rentals, on an as-needed basis, within a stipulated maximum amount, for a fixed period of time. Most MA's have a \$5,000 limit per order or job.

Normally MA's are used for convenience purchases which are made regularly. MA's are issued annually (fiscal year) with an effective term starting July 1 and ending June 30, but they may have later starting dates or earlier ending dates.

A vendor holding a MA with the County does not ship goods until an authorized County employee issues a release for specific goods or services pursuant to the terms of the

MA. Generally, only items or services, which are described on the MA, may be purchased.

In an emergency, additional goods and services may be purchased using a MA. Contact GSA/Procurement department to report any such use. Each emergency responder should maintain a list of their department's current MA's for quick reference.

3. During normal business hours, contact GSA/Procurement Services at 805-654-3750.

- Describe the nature of the emergency and justification for the purchase.
- Provide your Department number, requisition (RQS) number, vendor name, description and quantity of material or service ordered, and estimated amount of the purchase. Procurement will assist in locating vendors as necessary.

Procurement will:

- Determine if under the circumstances, this purchase meets the definition of an emergency.
 - Determine if under the circumstances, this purchase is being conducted as competitively as possible.
 - If needed, Procurement will verify that proper insurance is currently in effect. See **Insurance Requirements** Attachment C.
 - If needed, Procurement will verify that any applicable State and Federal legislation, County Ordinances, and administrative policies and procedures are made part of the purchase, i.e., prevailing wage, contractors license.
 - Procurement will assign an emergency purchase order (EPO) number.
 - Give the EPO number to the requesting agency/department.
4. Agency/Department will create the Ventura County Financial Management System (VCFMS) RQS as soon as possible. Identify this RQS as a **“Confirming requisition for Emergency Purchase Order”** in the description field followed by the EPO number.
5. Agency/Department will submit a written justification for making the purchase on an emergency basis if the estimated total amount is in excess of \$5,000. The Agency/Department head must sign if the amount is over \$60,000. Use the Emergency Justification Form (Attachment B).

The procedure for obtaining emergency procurement authorization outside normal business hours is:

1. Call County Security at 805-654-2931, state that you have an emergency, and ask that a GSA/Procurement staff member call you immediately. If no one from Procurement contacts you within 30 minutes, and/or time is of the essence, take action as described below. Comply with as many of the following items as reasonably possible under the circumstances.
 - Locate a vendor - Use the vendor listings- **Appendix A.**
 - Does the service or material being provided require insurance? Refer to insurance matrix on page Attachment C.

Depending on the situation, ask the vendor to fax you a copy of their certificates or at the very least review the appropriate levels of coverage and have vendor acknowledge they have insurance coverage.

- Do prevailing wages need to be paid? If, yes, notify the vendor when contact is made. See Section V for additional information.
- Is a Contractors license required? See Section V for additional information.
- Create a purchase order number using the following format:
 - ✓ Department code 4 characters
 - ✓ Year 4 characters
 - ✓ Month 2 characters
 - ✓ Day 2 characters
 - ✓ 3 Letter Code * 3 characters
 - ✓ Sequential number (start with 1) 5 characters

Total 20 characters

- *Create an easily identifiable code associated with the incident, i.e., SVF (Simi Valley Fire).
 - Give the number to the vendor.
 - Contact Procurement the next business day.
- 2. Create the Ventura County Financial Management System (VCFMS) RQS as soon as possible. Identify the RQS as a “**Confirming requisition for Emergency Purchase Order**” in the description field followed by the 20 digit EPO number.
- 4. Submit a written justification for making the purchase on an emergency basis if the estimated total amount is in excess of \$5,000. The Agency/Department head must sign if the amount is over \$60,000. Use the Emergency Justification Form (Attachment B).

SECTION IV WHAT TO EXPECT IN A DISASTER SITUATION

Emergency Proclamation

The California Emergency Services Act provides the basic authorities for conducting emergency operations following a proclamation of Local Emergency, State of Emergency or State of War Emergency by the Governor and/or appropriate local authorities, consistent with the Act. The Ventura County Board of Supervisors or the Sheriff, as specified by ordinance adopted by the Board, may proclaim a Local Emergency. The Board must ratify a Local Emergency proclaimed by the Sheriff within seven days. The governing body must review the need to continue the proclamation until the Local Emergency is terminated. The proclamation provides the Board, Ventura Sheriff's Office and Public Health with the legal authority to obtain vital supplies and equipment and, if required, immediately commandeer the same for public use.

County Ordinance No. 2538 created the Ventura County Disaster Council and designated the Sheriff as the Director of Disaster Services. Section 5323-2.2 of the Ordinance grants the Sheriff the power "to obtain vital supplies, equipment, and such other property found lacking and needed for the protection of life and property and to bind the County for the fair value thereof and, if required immediately, to commandeer the same for public use."

Levels of Emergencies

There are three levels of "Emergency" conditions under which the County may operate:

Local Emergency - means the duly proclaimed existence of conditions of disaster of extreme peril to the safety of persons and property within the territorial limits of a county, city and county, or city. The Board of Supervisors, or if not in session, the Chair of the Board, the Chief Executive Officer, or the Sheriff can proclaim a Local Emergency.

State of Emergency - means the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state. It's usually beyond the control of any single county, city and county, or city. The Board, the CEO, Sheriff or the Public Health Director for health related crisis, can request that the Governor proclaim a State of Emergency.

State of War - means the condition which exists immediately, with or without a proclamation by the Governor, whenever this state or nation is attacked by an enemy of the United States, or upon receipt by the state of a warning from the Federal Government indicating that such an enemy attack is probable or imminent.

For planning purposes, the State Office of Emergency Services has established three levels of emergency response to peacetime emergencies based on the severity of the situation and the availability of local resources.

Level One - Decentralized Coordination and Direction

A minor to moderate incident wherein local resources are adequate and available. A Local Emergency may or may not be proclaimed. The County Emergency Operations Center (EOC) may or may not be activated.

Level Two - Centralized Coordination and Decentralized Direction

A moderate to severe emergency wherein local resources are not adequate and mutual aid may be required on a regional or even statewide basis. The EOC should be activated.

Level Three - Centralized Coordination and Direction

A major local or regional disaster wherein resources in or near the impacted area are overwhelmed and extensive state and/or federal resources are required. The EOC is activated.

County Emergency Operation Center

The County Emergency Operations Center (EOC) coordinates overall emergency operations in the County and serves the jurisdictions in which a major emergency has occurred. The EOC is under the direction of the Ventura County Sheriff. The specific functions of the EOC are to:

- Gather and disseminate emergency information to concerned jurisdictions and agencies.
- Coordinate the utilization of County, other local government, State and Federal resources within the County.
- Coordinate government operations in the County in accordance with established Mutual Aid operations plans.
- Request the County Executive Officer to requisition personnel or other resources as necessary to conduct emergency operations.
- Do all of these functions respecting, to the extent possible, the integrity of the local government entities and the unity of their service forces.

The extent to which the EOC is activated is governed by the nature of the emergency and the requirements of the Sheriff's Department. Activation may be full or partial depending upon the type and extent of the emergency as determined by the Sheriff. GSA has a representative at the EOC when fully activated. The EOC is located in the County Government Center Pre-Trial Detention Facility, 800 S. Victoria Ave., Ventura, CA.

GSA Department Emergency Operations Center

The GSA Department Emergency Operations Center (DEOC) provides centralized direction and coordination of the resources of GSA to effectively respond to emergencies where GSA has a major role. The DEOC may be activated when the County Emergency Operations Center (EOC) is not, or vice-versa, or both may be activated. When the EOC is activated, the DEOC shall provide direct support to the EOC through the GSA representative at the EOC. In addition, GSA/Procurement shall provide direct support to the SEMS Logistic Section according to the SEMS Multi

Hazard Functional Plan. Small-scale procurement emergencies will generally be handled by Procurement staff working in GSA/Procurement at the County Government Center Hall of Administration, 800 S. Victoria Ave., Ventura, CA.

The DEOC is located in the County Government Center Service Building, 800 S. Victoria Ave., Ventura, CA. In the event of a major emergency, all personnel assigned to the DEOC are expected to report. Should the severity of the disaster warrant around-the-clock staffing, the assigned personnel will be divided into two, twelve and one half-hour, overlapping shifts. The control of the DEOC shall be under the direction of the GSA Chief Deputy Director of Facilities and Materials.

All calls to and from the DEOC regarding the emergency must be logged. While it is important to be brief in completing the log, entries should be as accurate and specific as possible. The value of having a complete, concise record of all messages and actions taken cannot be overemphasized.

The National Integration Center (NIC) Incident Management Systems Division

The National Integration Center (NIC) Incident Management Systems Division was established by the Secretary of Homeland Security to provide "strategic direction for and oversight of the National Incident Management System (NIMS)... supporting both routine maintenance and the continuous refinement of the system and its components over the long term." The Center oversees all aspects of NIMS including the development of compliance criteria and implementation activities at federal, state and local levels. It provides guidance and support to jurisdictions and incident management and responder organizations as they adopt the system.

National Incident Management System

While most emergency situations are handled locally, when there's a major incident help may be needed from other jurisdictions, the state and the federal government. NIMS was developed so responders from different jurisdictions and disciplines can work together better to respond to natural disasters and emergencies, including acts of terrorism. NIMS benefits include a unified approach to incident management; standard command and management structures; and emphasis on preparedness, mutual aid and resource management.

Incident Command System (ICS)

All Federal, State, tribal, and local levels of government use ICS for a broad spectrum of emergencies. These range from small to complex incidents, both natural and manmade, and include acts of catastrophic terrorism.

ICS is usually organized around five major functional areas:

- Command
- Operations
- Planning
- Logistics
- Finance/administration

Procurement reports under Finance and Administration and may also report to the supply unit of Logistics.

Procurement Responsibilities

The Procurement Division is typically responsible for obtaining all non-fire and non-law enforcement mutual aid materials, equipment and supplies to support emergency operations, and arranging for delivery of those resources. GSA/Procurement is responsible for carrying out the general duties of the Procurement Division. The general duties include but are not limited to:

- Coordinate and oversee the procurement, allocation and distribution of resources not normally obtained through existing mutual aid sources, such as:
 - food,
 - potable water,
 - petroleum fuels,
 - heavy and special equipment,
 - and, other supplies and consumables.
- Provide supplies for the EOC, field operations, and other necessary facilities.
- Determine if the required items exist within the County's supply system.
- Determine the appropriate supply houses, vendors or contractors who can supply the item, product or commodity if County stocks do not exist.
- Purchase items within limits of delegated authority from Finance/Administration Section. Coordinate with the Finance/Administration Section on actions necessary to purchase or contract for items exceeding delegated authority.
- Arrange for the delivery of the items requisitioned, contracted for, or purchased.
- Maintain records (use the WEBEOC system online form or Emergency Purchase Order Form – if no access use Attachment D) to ensure a complete accounting of supplies procured and monies expended.
- Support activities for restoration of disrupted services and utilities.
- Maintain all required records and documentation to support the After-Action Report and the history of the emergency/disaster. Documentation may include, but is not limited to:
 - Messages received
 - Action taken
 - Decision justification and documentation
 - Requests filled
 - EOC personnel, time on-duty and assignments
 - Referrals to donated resources

Mobilization

Mobilize to an incident when requested or when dispatched by an appropriate authority. You will most likely be provided with your assigned work location, check-in location and instructions, specific assignment, reporting time, etc.

Checking in helps to track resources, reassignments, locate personnel in case of an emergency, establish time records and payroll documentation, and plan for releasing personnel.

After checking in, locate the incident supervisor for your initial briefing. This briefing will most likely include:

Current situation

- Specific job responsibilities
- Location of work area
- Procedural instructions for obtaining resources
- Safety procedures, as appropriate

Keep accurate records related to your assignment. Incident record keeping is important for the transfer of command and for possible Federal reimbursement and/or aid.

Supervisors must maintain a daily Unit **Log (Form 214)** indicating the names of personnel assigned and a listing of major activities.

Lastly, remember to maintain the chain of command, communicate changes in conditions, and act professionally. Before leaving an incident, be sure to complete all work assignments, brief replacements and supervisor, give your follow up contact information, complete any required reports and return any incident-issued equipment or supplies.

SECTION V EMERGENCY PURCHASING PROCEDURES RESPONDING TO A WIDESPREAD EMERGENCY

Employees as Disaster Workers

Depending on the nature and magnitude of the emergency, non-procurement personnel may need to assist with emergency procurement efforts.

Per the County Administrative Manual, when a disaster strikes of natural or manmade origin, Ventura County employees may be called upon to provide service to the community by assisting in emergency response efforts. This may require employees to work in other locations, different hours, and out of class.

Non-County personnel from surrounding entities may also be called upon to assist under mutual aid agreements.

Placing Orders

The PO number is the authorization to contact the vendor and proceed with the emergency acquisition. If the amount exceeds \$10,000 and time permits, efforts should be made to obtain three competitive quotations.

If time is of the essence, do your best to obtain the goods or services at competitive prices.

If there is a County contract for the goods or services, the contract vendor should be contacted before any other vendors. Other vendors may be used if the contract vendor cannot meet the delivery requirements.

Complete an Emergency Purchase Order Log and issue a twenty (20) character number as follows:

- Department code 4 characters
- Year 4 characters
- Month 2 characters
- Day 2 characters
- 3 Letter Code* 3 characters
- Sequential number (start with 1) 5 characters

Total 20 characters

*Create an easily identifiable code associated with the incident, i.e., SVF (Simi Valley Fire).

Acquisition of Medical/Surgical Supplies

The Ventura County Medical Center's Emergency Medical Plan includes a disaster plan for the acquisition of medical/surgical supplies. The Medical Center's prime vendor is prepared to ensure that internal operations continue in the event of a disaster.

Service Contract Spending Limit

Section 25502.5 of the Government Code permits the Purchasing Agent to contract for services to a limit of \$200,000. The Purchasing Agent's authority is specified in Ventura County Ordinance No. 4084. This authority can be changed by the State Legislature with a corresponding change in the County Ordinance. Only the Board of Supervisors has the legal authority to bind the County in a service contract involving an amount in excess of \$200,000. Contract services over \$200,000 can only be processed by Procurement when specifically authorized by the Board.

In certain circumstances, a contract that was originally anticipated to be within the contracting authority of the Purchasing Agent may exceed \$200,000 before the project is completed. In such event, the amount in excess of the Purchasing Agent's authority must be brought to the Board of Supervisors for approval.

Insurance Requirements

Insurance is not required for materials/goods picked up by County employees or delivered by suppliers.

It is important to assess a vendor's ability to meet the standard insurance provisions when first contacting them. If access is available, the County Intranet site at:

<http://myvcweb/index.php/quick-link-for-procurement/insurance-requirements>

lists vendors with current proof of insurance on file. If the vendor is not on the list, you may want to consider a vendor with current insurance on file to expedite your purchase.

Ideally, vendors should provide copies of their insurance certificates prior to commencing any work. The nature of the emergency may preclude vendors from being able to provide documentation in a timely manner, in which case a verbal affirmation from the vendor, that they meet the insurance requirements should be obtained.

Sales Tax

The County is subject to California Sales/Use Tax and Federal Excise Tax. Sales Tax is normally not applied to freight, labor, and food items (fresh or canned) unless the food has been prepared in a restaurant. Please note that not all out-of-state vendors collect California State Sales Tax.

Prevailing Wage Requirements

In accordance with California Labor Code Sections 1770-1780 inclusive, prevailing wages must be paid to all workers employed by contractors or subcontractors on all public work projects that exceed \$1,000. Under Labor Code Section 1773.2, the County includes a statement in the call for bids, bid specifications, and contract that copies of the prevailing rate of per diem wages are on file at the County. In an emergency when bids are not issued, the contractor should sign and return a Prevailing Wage Statement (Attachment F) before starting work agreeing to pay prevailing wages in accordance with Labor Code Sections 1770-1773.

NOTE: Public procurement projects exceeding \$60,000 must be directed to Public Works.

Beginning in April 2015, all contractors must register with the Department of Industrial Relations on an annual basis.

Contractor's License

The contractor must possess a valid State Contractor's License before starting a project if one is required. The license can be verified by going to www.cslb.ca.gov/ and selecting "license status check." Print a copy of the screen showing a valid license number to document the license status check.

ATTACHMENT A

ORDINANCE NO. 4084

**AN ORDINANCE REPEALING ORDINANCE NO. 3720
AND AN ORDINANCE TO GOVERN THE ACTIVITIES
OF THE PURCHASING AGENT OF VENTURA COUNTY**

The Board of Supervisors of the County of Ventura does ordain as follows:

1. Ordinance No. 3720 is hereby repealed.
2. The following ordinance is enacted to govern the activities of the Ventura County Purchasing Agent:

Section 1. OFFICE OF PURCHASING AGENT.

Pursuant to the provisions of section 25500 of the Government Code of the State of California, the Office of the Purchasing Agent of the County of Ventura has previously been established pursuant to County ordinance and is hereby reaffirmed and organizationally assigned to the Materials Management Division of the General Services Agency of the County of Ventura.

Section 2. GENERAL DUTIES.

The Purchasing Agent shall have the duties and powers prescribed by the laws of the State of California relating to county purchasing agents, this ordinance and the resolutions of the Board of Supervisors. He/she may appoint such deputies, assistants and other employees as may be currently authorized by the Board of Supervisors. He/she may appoint such special deputies as he/she deems reasonably necessary to the performance of his/her job-related responsibilities. All such special deputies shall act without additional compensation. The Purchasing Agent may revoke such appointments at any time as he/she may see fit. The Purchasing Agent shall furnish the Ventura County Chief Administrative Officer with such reports and information as the said officer may from time to time request. Except as otherwise provided by law, the provisions of this ordinance or the resolutions of the Board of Supervisors, no purchase of personal

property by any person other than the Purchasing Agent shall bind the County or constitute a lawful charge against any fund of the County.

Section 3. SPECIFIC DUTIES.

The Purchasing Agent shall:

- (a) Purchase for the County and its offices all materials, supplies, furnishings, equipment, livestock and other personal property of whatever nature.
- (b) Rent for the County and its offices, furnishings, equipment and livestock.
- (c) Negotiate and execute as agent for the County all equipment service contracts and lease purchase agreements of personal property.
- (d) Sell, lease, dispose of or exchange any personal property of the County that the Purchasing Agent has found to be not required for public use.
- (e) When purchasing personal property for which it is not necessary to advertise for bids, the Purchasing Agent may solicit and accept advantageous trade-in allowances for County personal property which has scrap value of less than the sum specified in section 25503 of the Government Code and which has been previously determined by the Purchasing Agent to be not further required for public use.
- (f) Engage independent contractors to perform services for the County and its offices, with or without the furnishing of material, where the aggregate cost thereof does not exceed the maximum sum specified in section 25502.5 of the Government Code.
- (g) Employ independent contractors to construct or repair any of the buildings or structures set forth in section

22032 of the Public Contract Code of the State of California and purchase furnishings, materials and supplies for use in such construction or repair where the total estimated cost of such construction or repair, including the estimated cost of all furnishings, materials and supplies to be used therein, does not exceed the maximum sums specified in the foregoing section 22032 and he/she may do this without the formalities of advertising, obtaining bids, letting contracts or preparing specifications.

- (h) When authorized as provided by law, purchase personal property for the Superintendent of Schools or other public officers.
- (i) When authorized by law, sell, lease, exchange or dispose of personal property of any special district and pay or return the proceeds thereof into the treasury of the district.
- (j) Perform such other services as the Board of Supervisors or Chief Administrative Officer may direct.
- (k) Whenever the board of supervisors finds that the estimated expense of any work to be done upon any County highway is equal to or less than the sum specified in sections 20394 or 20394.5 of the Public Contract Code, the Board or the Purchasing Agent may let a contract covering both work and material, or purchase the material and let a contract for doing the work, or purchase the materials and do the work by day labor, without calling for bids.
- (l) Whenever the Board of Supervisors find that the estimated expense of any work to be done on any County bridge is equal to or less than the sum specified in section 20403 of the Public Contract Code, the Board or the Purchasing Agent may let a contract covering both work and material, or purchase the materials and let a contract for doing the work, without calling for bids.

- (m) Contract for the County, for any County officer or department, or any district or court in the County, but only as permitted by Government Code section 31000 for special services within the monetary limit specified in section 25502.5 of the Government Code.
- (n) Make purchases and contracts for the Ventura County Flood Control District in the same manner as they are performed for the County, subject to the monetary limitations provided by the laws applicable to said district.
- (o) Notwithstanding any other limitations, the Purchasing Agent shall have authority to use the bidding procedure for maintenance projects as such authority is granted under section 22003 of the Public Contract Code.

Section 4. EMERGENCY PURCHASES.

Emergency purchases may be made by any person or official authorized to sign requisitions when the Purchasing Agent or any of his/her assistants in the Purchasing department authorized to make purchases is not immediately available and the item or items so purchased are immediately necessary for the continued operation of the office or department involved, or are immediately necessary for the preservation of life or property. Such emergency purchases shall be subsequently approved and confirmed by the Purchasing Agent, or if he/she refuses such confirmation, the Board of Supervisors may subsequently approve and confirm such purchase by a four-fifths vote of the members present at any of its regular meetings. Unless such purchases are so approved and confirmed by either the Purchasing Agent or the Board of Supervisors, the cost thereof shall not constitute a legal charge against the County.

Section 5. OPERATING FUND.

The Purchasing Agent is authorized to establish a bank checking account, not to exceed \$175,000.00, to be used for the payment of miscellaneous and emergency purchases of services and

supplies by purchase order check. The procedures for the issuance of such purchase order checks and the administration, including replenishment of such account, shall be established by resolution of the Board of Supervisors.

Section 6. PURCHASING PROCEDURE.

Except as to purchases from the funds provided in section 5 of this ordinance, or as otherwise provided by general law or ordinances of this County, the Purchasing Agent shall make purchases, leases, rentals and contracts only upon proper written requisition, the forms for which will be made available to the several offices of the County. No purchase order shall be issued until the County Auditor has certified that sufficient money is available in the proper budget appropriation to pay for such purchase, rental or contract.

If the cost of any purchase cannot be readily ascertained, the Purchasing Agent may estimate such cost and the County Auditor may make the aforesaid certification based upon such estimated cost. The head of any County office, agency or department is hereby authorized to submit requisitions for purchases, leases, rentals and contracts for such office, agency, or department, and to delegate such authority to one or more of his/her deputies or assistants by filing written authorization therefor with the Purchasing Agent.

Section 7. COMPETITIVE BIDDING NOT REQUIRED.

- (a) Except as otherwise required by general law or this ordinance, the Purchasing Agent may, without public notice, preparation of specifications, or the securing of competitive bids or price quotations, make any purchase of personal property, contract or rental agreement authorized by this ordinance; provided however that, when he/she purchases any individual item (as distinct from the total purchase) costing more than \$25,000.00 without securing competitive bids or price quotations thereon, he/she shall thereafter report this in writing to the Chief Administrative Officer, giving full details thereof; and provided further that, if he/she does

secure competitive bids or price quotations, and accepts any such bid or quotation other than the lowest upon any individual item costing more than \$10,000.00, he/she shall likewise report this, stating his/her reasons therefor, to the Chief Administrative Officer.

- (b) The Purchasing Agent may from time to time adopt written bidding regulations and such other regulations as will assist him/her in the proper and efficient performance of his/her duties under this ordinance.
- (c) Notwithstanding any other provision of this ordinance to the contrary, the Purchasing Agent must utilize formal or informal competitive bidding procedures before making any agreement for the purchase, hire or rental of any apparatus used in the construction, improvement or maintenance of highways when the estimated expense of the work exceeds \$25,000.00.

Section 8. PERSONAL PROPERTY NOT REQUIRED FOR PUBLIC USE.

- (a) Whenever the head of any County office, agency or department shall determine that any item of County personal property in his/her possession or under his/her control is no longer needed for the use of his/her office, agency or department, he/she shall report this to the Purchasing Agent who shall make a finding as to whether such item is still required for public use. If found to be not required for public use, the Purchasing Agent shall sell, lease, dispose of or exchange such item in the manner provided in this ordinance; provided that, where the Purchasing Agent has reason to believe that some other County office, agency or department needs any such item, he/she shall first determine if such item is so needed, and, if it is needed, he/she shall cause such item to be delivered into the possession or place under the control of the head of such other office and cause proper entries to be made in the inventory accounts of the County to record such change of possession.

- (b) In the event any item of County personal property, found by the Purchasing Agent to be no longer required for public use, is also found to have no resale value, or the sale proceeds will not recover the cost of a sale, the Purchasing Agent may direct that such item be destroyed or disposed of in any manner he/she may see fit.

Section 9. NOTICE OF SALE.

When personal property has been found to be no longer required for public use and has a value that exceeds the cost of a sale, notices of sales shall be posted by the Purchasing Agent in the Hall of Administration and in the Office of the Purchasing Agent, Service Building, 800 South Victoria Avenue, Ventura, California. Such posting shall be for a period of not less than five business days.

Section 10. ADVERTISING SALE.

In the disposition of any surplus personal property pursuant to Government Code section 25504, the Purchasing Agent may purchase advertising space and may advertise the proposed sale or other disposition of the personal property in such newspapers, magazines and other periodicals as in his/her judgment will best publicize the proposed sale or other disposition to those persons most likely to bid for or purchase the personal property. The Purchasing Agent shall determine the amount, nature, makeup and content of such advertising.

Section 11. STANDARDS COMMITTEE.

The Purchasing Agent may organize "Standards Committees" as needed to establish standards with respect to the type, design, quality or brand of a certain article or group of related articles or services purchased by the County. The membership of the committee shall be the Purchasing Agent, who shall be chairman, the Chief Administrative Officer and the heads of each county office, agency or department that is a primary user of the item

or group of items for which the committee is appointed. Any members may appoint representatives who shall be authorized to act in their place for purposes of this section. Any member of the committee may act through a representative appointed by him/her.

PASSED AND ADOPTED this 10th day of January, 1995, by the following vote:

AYES: Supervisors Lacey, Schillo, Kildee, Mikels
and Flynn.

NOES: None.

ABSENT: None.

Margie Kildee
CHAIR, BOARD OF SUPERVISORS

ATTEST:

RICHARD D. DEAN, County Clerk,
County of Ventura, State of
California, and ex officio
Clerk of the Board of Super-
visors thereof.

By Roberta Rodriguez
Deputy Clerk



EMERGENCY JUSTIFICATION FORM

RE: RQS NUMBER: _____ COST:\$ _____

VENDOR: _____

Emergency purchases should be made only (1) to preserve life, health or property; (2) upon a natural disaster; (3) to correct or forestall a shutdown to maintain essential public services, or (4) other unforeseeable events.

Please complete this form and forward it to Purchasing Services within 3 working days of the emergency purchase.

Please describe the nature of the emergency and justification for the emergency purchase. Attach any cost comparisons, quotations, or other pertinent information.

Department/Division _____

Department/Division Signature _____ Date: _____

*(Emergencies estimate/totaling over \$35,000 require department/division head approval signature.)

PURCHASING OFFICE USE ONLY:

APPROVED: _____ NOT APPROVED: _____

BUYER: _____ DATE: _____

**COUNTY OF VENTURA
VENDOR INSURANCE GUIDELINES
(INTERNAL USE ONLY)**

Contractors doing work for or on behalf of the County of Ventura must be held responsible for their work. To protect the County against loss due to accidents or injuries caused by contractor operations, the County has established vendor insurance guidelines. In general, contractors, are required to protect their own workers with workers' compensation insurance, and protect their own company and the County with general liability insurance, as well as other coverages needed for the particular risk posed by the contractor's work. This could include commercial auto, professional liability, and security & privacy (cyber) coverage, as well as others. Establishing insurance levels cannot be held to hard and fast rules, and that the document provides "guidelines" applicable about 90% of the time.

RISK EXPOSURE - EXAMPLES

<u>Low Risk Exposure</u>	<u>Standard Risk Exposure</u>	<u>High Risk Exposure</u>
Seminars, workshops, classroom training, low to moderate physical activity training (yoga, light exercise), clerical or office duties.	Equipment maintenance or repair, equipment rental with operator (excluding cranes), towing, filming projects, most leases, software development for County of Ventura stored data, Drone use, facility repairs, construction, cell towers, mechanical equipment purchase, equipment installation on County property, design professional, software purchase or license with electronic data storage (cloud), professional services.	Hazardous materials abatement/ disposal, road design, building design, construction projects, crane operations, aircraft repair, aviation, fuel suppliers, health care services, pyrotechnics, food services for the public, any services provided to minors.
<u>Insurance Requirements</u>	<u>Insurance Requirements</u>	<u>Insurance Requirements</u>
Commercial General Liability	Commercial General Liability	Commercial General Liability
\$500,000 per Occurrence	\$1,000,000 per Occurrence	Specific Insurance Requirements
\$500,000 Annual Aggregate	\$2,000,000 Annual Aggregate	determined by Risk Management
(Including an additional insured endorsement naming the County of Ventura and any Special Districts as an additional insured.)		
Workers' Compensation (statutory)	Workers' Compensation (statutory)	Workers' Compensation (statutory)
Must include a Waiver of Subrogation. Workers' Compensation is not required if the vendor is a sole proprietor or partner.		

Commercial Auto Insurance defined by the DMV is insurance designed for vehicles used for business purposes.
Commercial Auto Liability
\$1,000,000 each accident

In some cases, professional liability coverage will be required. Some professionals that require this type of coverage include: licensed health care providers, surveyors, attorneys, architects, engineers and IT design.
Professional Liability (Errors & Omissions/Medical Malpractice) Coverage
\$1,000,000 per Occurrence/\$2,000,000 Annual Aggregate

Contractors developing or maintaining software, or accessing or storing data that contains private information, such as medical records, social security numbers or financial data, require protection against losses such as damage or theft of data, release of private info, and breach of network security.
Cyber Liability (Security & Privacy) Coverage
\$1,000,000 per Occurrence/\$2,000,000 Annual Aggregate

EMERGENCY PURCHASE ORDER FORM

Purchase Order Number

Dept Code	Year	Month	Day	3 Ltr Code*	Sequential #						

**Name of Emergency/Incident – example: Simi Valley Fire = SVF*

REQ NO: _____ DATE: _____ BUYER: _____

REQUESTING UNIT/
DEPT: _____ OBJECT _____

CONTACT: _____ PHONE: _____ EXT: _____

NEED BY DATE AND TIME: _____

SUGGESTED
VENDOR: _____

DELIVERY FRT PAYMENT
METHOD: _____ COST: _____ TERMS: _____

DELIVER TO
ADDRESS: _____ ATT: _____

Ask about tank size (for fuel or water), storage or access limitations (stairs-elevator) and road closures.

ITEM NUMBER	MATERIAL OR SERVICE	QUANTITY	UNIT PRICE	COST

NOTES:

COMPLETED
BY: _____