

# City of Shawnee

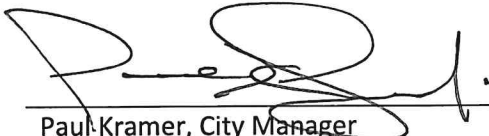
## Purchasing Manual



Updated: February 2025

**CITY MANAGER APPROVAL**

This Purchasing Manual is approved by:

  
\_\_\_\_\_  
Paul Kramer, City Manager

2-20-25  
\_\_\_\_\_  
Date

## QUICK REFERENCE GUIDE

### PURCHASING APPROVAL AUTHORITY

While all purchases are generally initiated by departments, the following table illustrates the final purchasing approval authority assigned to Department Directors, the City Manager and the Governing Body.

Expenditure Amount	Final Purchasing Approval Authority
\$1 to \$3,000	Next Level Supervisor/Deputy Department Director
\$3,001 to \$15,000	Department Director/Deputy City Manager/Assistant City Manager
\$15,001 to \$50,000	City Manager
Over \$50,000	Governing Body

### VENDOR SELECTION AND PAYMENT METHOD

The tables below provide a quick reference for the vendor selection and purchasing processes applicable at various purchase amounts. Additional information on each vendor selection method can be found in this manual. Grant-funded purchases may have lower thresholds which must be followed.

#### Supplies & Services (Excluding Professional Services)

Dollar Purchase Range	Vendor Selection	Purchase Process
\$1 – \$15,000*	<ul style="list-style-type: none"> <li>• Departmental criteria</li> </ul>	<ul style="list-style-type: none"> <li>• Purchasing Card</li> <li>• Direct Purchase</li> <li>• Check request</li> <li>• Petty cash</li> <li>• Purchase order (optional)</li> </ul>
\$15,001 - \$50,000* *Micro purchases for Federal grants must follow these requirements if over \$3,000	<ul style="list-style-type: none"> <li>• Informal solicitation through competitive quotes – min of 3</li> <li>• Cooperative agreements</li> <li>• Blanket Purchase Orders</li> <li>• Sole source purchases with approved justification</li> </ul>	<ul style="list-style-type: none"> <li>• Large Purchase Order with documentation of competitive quotes</li> <li>• Blanket Purchase Order (if in place with vendor)</li> <li>• Check request</li> <li>• Purchasing Card as authorized by the City Manager</li> </ul>
Over \$50,000	<ul style="list-style-type: none"> <li>• Request for Proposals (RFP)/Invitation to Bids (ITB)</li> <li>• Cooperative agreements</li> <li>• Blanket Purchase Orders</li> <li>• Sole source purchases with approved justification</li> </ul>	<ul style="list-style-type: none"> <li>• Purchase order after competitive bids are received</li> <li>• Blanket Purchase Order (if in place with vendor)</li> <li>• Check request</li> <li>• Purchasing Card as authorized by the City Manager</li> </ul>

#### Professional Services

Dollar Purchase Range	Vendor Selection	Purchase Process
\$1 - \$15,000	<ul style="list-style-type: none"> <li>• Department selection based on consultant's expertise, previous performance, and readiness to provide the service.</li> </ul>	<ul style="list-style-type: none"> <li>• Purchasing Card</li> <li>• Direct Purchase</li> <li>• Check request</li> </ul>
\$15,001 - \$50,000	<ul style="list-style-type: none"> <li>• Department selection based on consultant's expertise, previous performance, and readiness to provide the service.</li> </ul>	<ul style="list-style-type: none"> <li>• Purchase order</li> <li>• Check request</li> <li>• Purchasing Card as authorized by the City Manager</li> </ul>
Over \$50,000	<ul style="list-style-type: none"> <li>• Request for Proposals (RFP)/Request for Qualifications (RFQ)</li> </ul>	<ul style="list-style-type: none"> <li>• Purchase order after competitive solicitation</li> <li>• Check request</li> <li>• Purchasing Card as authorized by the City Manager</li> </ul>

## **PURCHASING CODE OF ETHICS & CONFLICT OF INTEREST GUIDELINES**

All City employees engaged in the purchasing process and contract administration are representatives of the City of Shawnee. When engaging in purchasing and contract administration, employees are expected to ensure the integrity of the process and to ensure that all duly qualified and responsible Bidders have equal access to the purchasing process. All personnel involved in the purchasing process and contract administration observe the provisions of Chapter 9.01 Code of Conduct of the City of Shawnee Personnel Manual.

No employee shall participate in the selection or in the award or administration of a purchase if a conflict of interest, real or apparent, exists. Employees should establish safeguards to prevent circumstances that are or give the appearance of being motivated by the desire for private gain for themselves or there with whom they have family, business, or other ties. Employees should report any potential, real, or apparent conflict of interest to the Finance Department.

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# Chapter 1: GENERAL PROVISIONS AND PURCHASING PROCESS CHAPTER

## 1.1. GENERAL PROVISIONS

### A. Introduction

This Purchasing Manual has been developed in order to establish uniform policies and procedures for the purchase of supplies, services and professional services. It is generally recognized that uniform purchasing procedures offer considerable benefits by maximizing the use of financial resources through sound procurement practices. This manual prescribes the policies and procedures to ensure the effective administration of the purchasing function. It outlines the duties and responsibilities of the participants involved in the purchasing process in order to procure supplies, services and professional services in an efficient and organized manner, and in a manner that ensures purchases are conducted in an ethical, fair and open manner to uphold the public trust.

### B. Purchasing Policy and Procedures: Purpose and Objectives

The purpose of this Policy is:

- To consider the best interests of the City in all transactions and to carry out its established policies;
- To provide for fair and equitable treatment of all vendors involved in the City's purchasing process;
- To purchase without prejudice, seeking to maximize the purchasing value of public funds;
- To document and standardize the City's purchasing policies and procedures for orderly and efficient administration;
- To provide safeguards for maintaining a procurement process of quality and integrity; and
- To foster effective, broad-based competition within the free enterprise system.

### C. Public Access to Purchasing Information

Purchasing information shall be a public record to the extent provided in City Policy Statement PS-15 and the Open Records Act, K.S.A. 45-215 et seq. and K.S.A. 12-120 et seq. Refer to PS-15 to ensure fees for copies of Open Records are uniformly applied.

All purchases are ratified by the Governing Body at regularly scheduled City Council Meetings.

### D. General Purchasing Principles

1. Departments are responsible for initiating and managing their purchases. The Finance Department is available as a resource to address questions.
2. The Finance Department prioritizes payment of invoices based on due date. Upon receipt, the average payment processing period is two (2) weeks.
3. Purchasing agreements and contract terms shall be annual terms renewable up to three (3) calendar years with an increase in price of no more than three percent.
4. All purchases must comply with the Kansas Cash Basis Law (K.S.A. 10-1101 *et seq.*)
5. No purchase shall be subdivided for the purpose of circumventing the established dollar level thresholds.

6. Generally, the City should obtain goods and services at the best value for the money, which allows the City to achieve the best possible outcome. Best value for the money means compliance with the purchasing specifications is more important than obtaining the lowest price, taking into account user requirements, quality standards, sustainability, life cycle costing, and service benchmarks.
7. Purchases should be made through an open and competitive process in accordance with the dollar level thresholds established within this purchasing manual.

#### E. Authority Roles and Responsibilities

##### 1. Governing Body

The ultimate responsibility for all purchases made by the City of Shawnee is held by the Governing Body. Per Article 12 of the Kansas Constitution, Charter Ordinance 45, and Policy Statement PS-66, Comprehensive Financial Policy, the Governing Body has authorized the City Manager sole authority to establish and administer procurement policies and procedures for all City purchases.

##### 2. City Manager

The City Manager shall establish, maintain and update policies and procedures for the procurement of all supplies, services and professional services. These policies and procedures are applicable to all City employees. Deviations from the City's purchasing policies and procedures shall be made only at the discretion of the City Manager and will be guided by Section 1.5 Exceptions to City Purchasing Policy, of this policy. In the absence of the City Manager, the Deputy City Manager shall assume the City Manager's purchasing roles and responsibilities.

##### 3. Department Directors

By the authority of the City Manager, Department Directors and the Deputy City Manager are delegated purchasing authority and responsibility as established in this manual and as set by the annual approved or amended City Budget.

Department Directors are responsible for ensuring that all assigned employees are knowledgeable of, and consistently use, the City's purchasing policies and procedures. Department Directors may delegate purchasing authority to assigned employees as needed. However, the ultimate responsibility for adherence to purchasing policies and procedures remains with the Department Director.

Departments are responsible for verifying actual receipt of supplies and services in good condition, and of the specified quantity and quality. This verification should be done as soon as possible so the City can receive any payment discounts offered for prompt payment.

##### 4. Finance Department

Prior to processing payment, the Finance Department shall review all department requested purchases to assure compliance with this manual. If it is determined that a department has deviated from procurement policies and procedures, the Finance Department shall work with the Department Director to resolve the situation.

##### 5. City Attorney

Department Directors shall coordinate with the City Attorney in preparation of bid specifications and requests for proposal. Department Directors shall submit all proposed

contracts and agreements to the City Attorney for review to help ensure that contracts meet legal requirements prior to signature by the City’s final purchasing approval authority. In addition, Department Directors should work with the City Attorney and selected vendor to negotiate contract provisions that provide the greatest protection for the City prior to signature.

F. Purchasing Approval Authority

The following table illustrates the final purchasing approval authority assigned to Department Directors, the City Manager and the Governing Body.

<b>Expenditure Amount</b>	<b>Final Purchasing Approval Authority</b>
\$1 to \$3,000	Next Level Supervisor/Deputy Department Director
\$3,001 to \$15,000	Department Director/Deputy City Manager
\$15,001 to \$50,000	City Manager
Over \$50,000	Governing Body

**1.2. PREFERENCE POLICY**

Whenever a vendor meets price and performance requirements, City staff shall make an effort to purchase supplies and services:

1. Located within the City of Shawnee; and

Employees shall not make or participate in making any purchase or contract with a person or business in which the employee has a substantial personal interest, according to KSA 75-4301a (a), or is employed, whether or not disclosure has been made.

**1.3. PURCHASING PROCESS**

A. Direct Purchase

1. Purpose

- a) Direct Purchase is a purchasing process that may be used by departments for small purchases for which use of a Purchase Order may be inefficient or impractical.

2. Applicability

- a) A Direct Purchase should only be used when the use of a City Purchasing Card is not possible or practical. Purchases for which a Direct Purchase may be used include:
  - b) Purchases of \$15,000 or less; and
  - c) Recurring obligations which do not lend themselves to the Purchase Order process.

3. Approval

- a) Direct Purchases must be approved for payment in accordance with the final approval authority set forth in this manual under Section 1.1 F, Purchasing Approval Authority.

B. Purchasing Card

1. Purpose

The Purchasing Card (P-card) program is designed to improve efficiency in processing small dollar purchases from any vendor that accepts a VISA® procurement card. Each P-card is issued to a named individual who is responsible for all purchases made with the card. The City of



Shawnee is clearly identified on the card. Department Directors determine authority limits based on position and the provisions of this manual.

2. Applicability, Approval, and Process

*See Appendix B, "Purchasing Card Handbook".*

C. Purchase Order

1. Purpose

a) A Purchase Order is a document that states the terms and conditions of a proposed transaction and creates a contractual relationship between a vendor and the City. It describes the quantity and quality of the required supplies or services and includes other information, such as shipping terms, delivery dates and location, and the prices quoted in the bid (if applicable). Purchase orders are created from purchase requisitions submitted to the Finance Department.

2. Applicability

a) Purchase orders are required for purchases of supplies and services with an expected expenditure of more than \$15,000.

b) Purchase orders may be used for purchases of supplies and services under \$15,000.

3. Approval

a) Purchase orders must be approved for payment in accordance with the final approval authority set forth in this Policy under Section 1.1, F. Purchasing Authority.

4. Requisition

a) The requisition is designed to assist the user departments in initiating the first step in the purchasing process and will ultimately become the Purchase Order. It shall be used by the department to:

(1) Advise the Finance Department of the need to purchase supplies and services costing more than \$15,000; and

(2) Request authorization to purchase supplies and services.

b) A requisition shall be initiated with sufficient time to allow adequate time for review and approval prior to making the purchase.

c) A requisition shall contain at least the following information:

(1) Department making the request;

(2) Date prepared and date needed;

(3) Location for delivery of supplies or service;

(4) Purchase description and specifications of supplies or service, amounts required and terms;

(5) Sources and amounts of other quotes obtained (attach documentation if necessary);

(6) Suggested vendor(s);

(7) Budget account number(s) and remaining line item balance;

(8) Estimated cost; and

(9) Authorization.

d) The requisition is sent to the Finance Department. From the requisition, the Finance Department shall prepare the Purchase Order which will be delivered to the department.

5. Purchase Order

- a) Creation of the Purchase Order encumbers the funds in the appropriate budget line item.
- b) A vendor shall be given a Purchase Order upon placement of an order.
- c) Invoices without Purchase Order numbers may be returned to the vendor or may cause a delay in payment.

6. Purchase Order Change Order

Whenever a change of any kind on a Purchase Order is required, the originating department shall forward a Purchase Order Change Order to the Finance Department. This form is utilized to change or correct math, typing, shipment, differences, increases, decreases, cancellation and accounts, but not for a vendor change. The Change Order process is detailed in Chapter 5 of this manual.

D. Petty Cash

1. Purpose

The majority of petty cash funds are established to enable departments to make small or emergency purchases where a Purchase Order is not cost effective or a Purchasing Card cannot be used. Other uses include the establishment of change funds for departments that collect cash receipts on behalf of the City and require change to appropriately complete the cash transactions. The amount of the petty cash fund is established at the time the fund is approved.

2. Petty Cash Guidelines

- a) Petty cash purchases are limited to \$100 or less.
- b) Petty cash purchases must be approved by the Department Director prior to purchase.
- c) Adequate receipts and documentation must be maintained to support all transactions made from the petty cash fund.

3. Established Petty Cash Funds

Finance Department
Fire Department
Police Department
Police Department - Confidential Funds
Public Works Department

Departments wishing to establish a new petty cash fund shall contact the Finance Director.

4. Approval and Process

- a) Complete the petty cash reimbursement request form. Be sure to complete the following fields: pay to, date, prepared by, and department/division. Describe the purchase/expenditure in the description/explanation area and enter the total amount requested for reimbursement. A receipt for the expenditure must be attached to this form. The form must be signed and dated by the requestor and approved by the requestor's supervisor with his/her signature and the date.

- b) The requestor then submits the form to the petty cash fund custodian for reimbursement.
  - c) The custodian reviews the petty cash reimbursement request form and the receipt(s) and confirms the total amount requested on the form. The custodian marks the form and the receipt as "PAID," dates and initials the form, then issues the cash payment to the requestor.
5. See Appendix B, City of Shawnee "Handling and Accounting for Cash" Policy, for additional information.
- E. Check Request
- 1. Purpose

A check request is a document that may be used by departments to authorize the Finance Department to issue a check to a vendor when no receipt is available and when use of a City Purchasing Card is not possible.
  - 2. Applicability

Examples of purchases for which a check request may be used include:

    - a) Bond & interest payments;
    - b) Customer refunds;
    - c) Intergovernmental payments;
    - d) Judgments;
    - e) Postage;
    - f) Taxes; and
    - g) Dues and subscriptions
  - 3. Approval

Check requests must be approved for payment by the Finance Director, and in accordance with the final approval authority set forth in this manual under Section 1.1 F, Purchasing Approval Authority.
  - 4. Process

A check request form shall be completed and routed for approval to the appropriate individual(s). Once all necessary approvals have been received, the check request form shall be forwarded to the Finance Department for payment.

## **1.4. EMERGENCY PURCHASES**

- A. Definition

Bona fide emergency purchases are made when adherence to normal purchasing policies and procedures would threaten:

  - 1. The functioning of City government;
  - 2. The preservation or protection of property, machinery, or equipment; and/or
  - 3. The health or safety of any person.
- B. Authority

In case of an emergency as defined above, the City Manager may waive all provisions for

competitive purchasing. In such instances, the City Manager may delegate this authority to the appropriate Department Director. Emergency needs shall be purchased by informal open market procedures as expeditiously and as close to normal commercial prices as circumstances will allow. When an emergency expenditure is more than \$50,000, a full report of the circumstances necessitating the emergency action shall be presented to the Governing Body as soon as reasonably possible.

C. Emergency Purchase Procedure

A Department Director may purchase essential supplies or services by any appropriate means for later reimbursement if necessary. As soon as practical, the Department Director shall notify the City Manager of the situation. On the next business day, the department shall submit a check request with written justification for the emergency purchase.

### **1.5. EXCEPTIONS TO THE CITY PURCHASING POLICY**

This manual applies to all expenditures of City funds. The purchasing policies and procedures are established under the authority of the City Manager. The City Manager may waive some or all requirements of the purchasing policies and procedures for:

1. Emergencies;
2. Purchases through interlocal or cooperative agreements with other governmental or non-profit entities;
3. Purchases for which other governmental or non-profit entities have gone through a vendor selection process which honors the spirit and intent of the City's purchasing policies and procedures, i.e. Piggy Back Agreements;
4. Procurements involving the expenditure of federal or state funds requiring adherence to mandatory applicable laws or regulations;
5. Compliance with the terms and conditions of any gift or bequest to the City; and
6. Any purchase in which the City Manager determines that a waiver is in the best interest of the City and not in violation of federal, state or local law.

All exceptions to the Purchasing Policy must be approved by the City Manager and attached to the requisition.

## Chapter 2: VENDOR SELECTION

### 2.1. INFORMAL SOLICITATION PROCESS

- A. Micro purchases for federal grants (\$3,000 or less or \$2,000 when subject to Davis-Bacon)
  - 1. When possible, distribute purchases equitable among qualified suppliers.
  - 2. No competitive quotes required if Department Director determines the price is reasonable.
- B. Small Purchases (\$15,000 or less, Supplies and Services)
  - 1. Non-repetitive purchases of an aggregate amount of \$5,000 or less shall be considered “small purchases” and shall not require a Purchase Order.
  - 2. Small purchases may be made by Department Directors without competition or further approval by the City Manager.
  - 3. Departments may establish competitive criteria for purchases.
- C. Informal Solicitations (\$15,001 to \$50,000, or \$3,001 to \$50,000 for federal grants)
  - 1. Unless otherwise authorized within this manual, any purchase of supplies and non-professional services of \$5,001 to \$50,000 shall require a Purchase Order and shall be made utilizing informal solicitations. Such purchases shall be made in the open market.
  - 2. Departments shall attempt to obtain documented quotes from a minimum of three (3) vendors. Documented quotes may be obtained from catalogues and internet web sites or from bids received from vendors by telephone, fax, or standard or email. Quotes must be valid and written for the same quantity and/or amount that is being purchased. Departments should provide justification if three quotes are unable to be obtained.
  - 3. Purchases of supplies or non-professional services, if awarded, shall be awarded to the vendor determined to be most advantageous to the City. The names of the vendors submitting quotations, the amount of each quotation and the date, shall be documented on the Purchase Order and maintained as a public record.
- D. Professional Services - Departmental Selection (\$50,000 or less)

A Department Director may select a professional services provider based on the vendor’s expertise, previous performance, and readiness to provide the service to the City. In such a case, the department shall evaluate the qualifications of potential vendors. This could be done through an informal or formal Request for Qualifications (RFQ), or other means.

Departmental selection may be used to select a professional services vendor when, in good faith, it is believed that the total contract cost will be \$50,000 or less. If, prior to initiating a contract, it is determined that the cost will exceed \$50,000, a competitive RFP as provided for in Section 2.3 B shall be initiated. If it is determined that the contract will or may exceed \$50,000 over the course of the project or vendor relationship, this fact shall be reported by the Department Director to the City Manager, who will determine the appropriate selection process. A contract relationship over \$50,000 in total should be approved by the City Council, even if individual components of the contract are \$50,000 or less.
- E. Formal Solicitations (Over \$50,000)
  - 1. Authority
    - a) Any purchase of supplies or non-professional services obligating the City to an estimated expenditure of over \$50,000 shall be purchased under formal competitive sealed bid

procedures and subject to Governing Body approval, including Blanket Purchase Order items over \$50,000. The \$50,000 threshold applies to one-time or cumulative purchases.

- b) The department initiating the solicitation is responsible for record keeping. All submittals, except confidential or proprietary information as defined by law, are public records and must be retained.

## 2. Competitive Sealed Bid Procedures

- a) An Invitation to Bid (ITB) shall be issued and shall include specifications and all contractual terms and conditions applicable to the procurement.
- b) Specifications shall be made available to all interested parties as stated in ITB. If it is necessary to change the specifications or any other formal data and there is adequate time as determined by the department prior to the date of bid opening, an addendum shall be issued stating the changes. Specification changes must allow adequate notice and shall be issued to every vendor which received a copy of the ITB. In certain cases, the bid opening may be postponed to allow adequate time for vendors to prepare their bid based on specification changes. If there is not adequate time, the ITB shall be cancelled and a new bid process initiated.
- c) At least one (1) bid invitation notice shall be published in the City's official newspaper at least five (5) days prior to the date for opening sealed bids. The notice shall state the place, date and time of the bid opening. This is intended to provide reasonable public notice of the solicitation.
- d) Bonding and insurance requirements for contracts shall occur at the discretion of the department and the City Attorney in accordance with Chapter 4 of this manual.
- e) Prospective bidders may be interviewed or a pre-bid conference may be arranged to clarify either technical or general specifications.
- f) The public opening of sealed bids shall be done upon request in a place open to the public. Bids must be received prior to the specified time as established in the ITB.
- g) Bids shall be submitted without alteration or correction except as authorized in this subsection. Bids shall be evaluated based on the requirements set forth in the ITB, which may include criteria to determine acceptability, such as inspection, testing, quality, workmanship, delivery, and suitability for a particular purpose. Criteria that affect the price will be considered in evaluation for award and shall be objectively measurable, such as discounts, allowances, transportation costs, and total or life cycle costs.
- h) Corrections.
  - (1) Corrections to or withdrawal of inadvertently erroneous bids before and after a bid opening by the vendor may be permitted in accordance with this subsection. Mistakes discovered before the bid opening by the vendor may be modified or withdrawn by written notice received by the City prior to the time set for the bid opening.
  - (2) After the bid opening, corrections to bids shall be permitted only to the extent allowable in the bid documents and the bidder can show by clear and convincing evidence: that the mistake was of a non-judgmental character; the nature of the mistake; and the bid price actually intended.
  - (3) Except for the foregoing, after the bid opening, no changes in bid prices or other provisions of bids prejudicial to the interest of the City or fair competition shall be

permitted.

- (4) In lieu of a bid correction, a low bidder alleging a material mistake of fact may be permitted to withdraw its bid if the mistake is clearly evident on the bid document; or the bidder submits evidence which clearly and convincingly demonstrates a mistake was made. All decisions to permit the correction or withdrawal of bids shall be supported by a written determination made by the department director.
  - i) After review by the Governing Body, an award shall be made by written notice to the responsive and responsible bidder whose bid best meets the requirements and criteria set forth in the ITB.
3. Pre-Qualification of Vendors
- a) When the work is of a highly specialized technical nature, staff may recommend to the Governing Body that a prequalification process be used.
  - b) Requests would be made for vendors to submit a statement of qualifications by a date certain which includes the following:
    - (1) Demonstrated ability to perform projects comparable in design, scope and complexity;
    - (2) References of owners for whom projects have been performed;
    - (3) Names and qualifications of primary subcontractors with whom the vendor proposes to subcontract;
    - (4) Financial capability; and
    - (5) Any other relevant information determined by the City Manager.
  - c) A selection committee designated by the appropriate department director with input from the City Manager shall review the statement of qualifications, interview the prospective vendors, if necessary, and recommend to the City Manager the vendors qualified to bid for the supplies or services.
  - d) Once the qualified vendors are selected, competitive bid procedures would be used as set out in 2.1 C, of this manual.

## **2.2. COMPETITIVE SOLICITATION PROCESS**

### **A. Basics**

1. The City encourages competition, ensures due diligence, and allows for transparency while seeking the most advantageous combination of price and overall value available. To do this the City uses competitive bidding and prioritizes vendors that offer the optimal balance between cost and quality.
2. **Definitions:**
  - a) *Request for Qualifications (RFQ)* is used to narrow down the number of vendors before engaging in the competitive sealed RFP or ITB process. RFQs are not a necessary requirement of the competitive solicitation process but can be a useful tool when the prospective number of bidders is large.
  - b) *Request for Proposal (RFP)* is used when the desired outcome is known but it is unclear as to how the services will be provided or what goods are available to meet the City's need. This method allows the bidder to submit a proposal defining how that particular bidder's

goods/services would best serve the City and fulfill the end requirement. All documents, whether attached or incorporated by reference, utilized for soliciting proposals.

- c) *Invitation to Bid (ITB)* is used when project needs are clearly defined and understood and the intent of the process is to evaluate bids primarily based on pricing. ITBs are primarily used for construction projects. All documents, whether attached or incorporated by reference, utilized for soliciting bids.
3. **Disqualifications** - Any abuse of the following could result in a vendor being disqualified from participating in the bidding process due to a perceived or actual unfair advantage:
  - a) Using general information gathered to customize specifications or limit competition;
  - b) Consulting person(s) or company(s) who might participate or submit a bid response for specific assistance during the development of the bid specifications;
  - c) Providing potential bidders any information prior to the formal release of the bid solicitation by the Finance Department; or
  - d) Communicating specific information regarding the bid solicitation with any individual or company.
4. **All communication with bidders shall be conducted only by the Finance Department or designated Project Manager during this process.**
5. **Timeline:** Bids will take six to eight weeks to go from initiation to award. The Subject Matter Expert (SME), who is the City employee initiating the bid, should plan to reach out to the Finance Department at least eight weeks in advance of awarding the bid.

**B. Solicitation Process:**

1. **Bid Solicitation Request** - The SME will complete a Bid Solicitation Request Form and submit it to the Finance Department eight weeks before the expected award date.
2. **Bid Specification Development** - The accuracy and completeness of bid specifications are the responsibility of the SME and are determined by using their individual expert knowledge and/or by performing market research. Market research may be from any independent source and/or the collection of general information from known vendors.
  - a) The SME will develop specifications that outline the requirements for the goods and/or services including:
    - Scope of work,
    - Description of need,
    - Minimum requirements or expectations, and
    - The required qualifications or capabilities of the bidder.
3. **Criteria Evaluation Tool** - The SME will develop criteria and evaluation weights as well as identify members of the Evaluation Committee who will score subjective criteria. Additional criteria items as a result of a bid solicitation amendment and/or clarifying questions may be added before scoring begins. Criteria weights should total 100 points and should not be communicated to the bidders.
  - a) **Exclusions from Evaluation** - To maintain independence in the evaluation process, the following items **CANNOT** be considered:



- Personal or professional relationships between City personnel and any bidder.
  - Information provided outside the bid submittal unless through official clarifying questions or amendments as communicated by Finance Department.
  - Donations or contributions from bidders for the benefit of City or its employees.
4. **Vendor Selection** - The SME will provide a list of potential bidders to the Finance Department, who will also add vendors identified in the City's online financial system and/or from other resources to determine a final bidder list.
  5. **Public Advertisement** - The bid solicitation must be made available to the public and may require public notice. The Finance Department will ensure the bid solicitation meets public notice requirements.
  6. **Pre-Bid Conference Meeting** – Departments will determine if a Pre-Bid Conference Meeting is held and if said meeting is to be mandatory. Any questions asked during a Pre-Bid Conference Meeting will be compiled and their responses will be distributed through an Addendum to the bid solicitation.

If a Pre-Bid Conference Meeting is mandatory then attendance will be documented and vendors will be disqualified if they do not attend.

7. **Amendments to the Bid Solicitations** - It may be necessary to amend the bid solicitation due to the following:
  - a) Changes in the closing date,
  - b) Revisions/additions to the specifications,
  - c) Responses to any questions or inquiries from the bidders, etc.

Amendments will be sequentially numbered and transmitted by the Finance Department to all potential bidders.

8. **Bid Deadline** - The official deadline date and time for receiving bid submittals will be documented in the bid solicitation.
9. **Bid Submittals** - All bid submittals must be submitted via the City's E-Builder portal. Late, E-mail, Paper Mail, or Hand Delivered submissions will not be accepted. Late bid responses will not be considered.

City of Shawnee reserves the right to reject any or all bids, accept any bid deemed most advantageous to the City, and/or waive any bid due to submittal technicalities. The City is under no obligation to accept any bid.

10. **Bid Opening** - Sealed bid submittals will only be publicly opened upon request from vendor.
11. **Bid Evaluation/Evaluation Committee (if needed)** - The Finance Department will review the bid submittals for completion, reach out to vendors if there are any missing documents, and will forward all responsive bid submittals to the Evaluation Committee. The SME/Evaluation Committee Leader will select the Evaluation Committee Members based on their experience and knowledge of the industry/services for which the bid solicitation was developed.
  - a) The SME/Evaluation Committee Leader will:
    - Sign a Conflict of Interest Statement/Confidentiality form.
    - Lead the Evaluation Committee in all discussions.

- Develop a measurable rubric Bid Evaluation Tool at the time bid specifications are written.
  - Develop Reference questions to be asked of the bidder's references such as:
    - What kinds of services were provided by the bidder?
    - Were all service level of expectations met?
    - Was communication with the Bidder adequate?
    - Did the Bidder respond timely to requests?
    - Did the project/service remain within budget?
  - Score each bid submittal using the evaluation parameters listed in the bid solicitation.
  - Keep all review and bid submittal information confidential until after contract execution.
- b) Each Evaluation Committee Member will:
- Sign a Conflict of Interest Statement/Confidentiality form.
  - Review all bid submittals objectively and factually considering the measurable rubric Bid Evaluation Tool.
  - Actively participate in discussions pertaining to the evaluation criteria.
  - Score each bid submittal using the evaluation parameters listed in the bid solicitation.
  - Keep all review and bid submittal information confidential until after contract execution.
- c) Finance Department will:
- Supply Conflict of Interest Statement/Confidentiality forms.
  - Maintain and distribute all documentation – Bid solicitation documents, amendments, sign in sheets, bid submittals, supporting documents, etc.
  - Work with the SME to develop the Bid Evaluation Tool
  - Compile all scores into a final bid tabulation sheet.
  - Develop a Memo for the Governing Body's review and approval, if applicable.
12. **Bid Submittal Clarifying Questions** - Depending on the bid submittals received, there may be a need to clarify items and/or responses provided in the bidder's submittal. When this occurs, the SME will collaborate with the Finance Department to develop appropriate clarifying questions to be forwarded to the bidders. The Finance Department will send a Discussions for Clarification letter containing the list of questions and a due date for responses. The bidders' responses to the clarifying questions will be forwarded to the SME and can be used in the bid evaluation review.
13. **Bid Solicitation Contract Award – Governing Body Approval** - If the amount of the bid award is more than \$50,000.00, it will require approval from the Governing Body. After the evaluation analysis is complete and a recommendation for award is determined, a Memo Item will need to be developed by the Finance Department and submitted to the City Clerk to be placed on the next scheduled Council Meeting. Once the contract is approved, the Finance Department will start obtaining the necessary signatures and approvals.
14. **E-Builder Requisition (if needed)** - Following the award recommendation, contract execution and, if required, Governing Body approval, the SME will submit a requisition through the E-Builder system.
15. **Tyler Requisition** - Following the award recommendation and, if required, Board approval, the SME will submit a purchase requisition through the online financial system.
16. **Purchase Order** - Finance Department will convert the Tyler Requisition into a Purchase Order. The Purchase Order and fully executed contract will be emailed to the successful bidder.

## **2.3. DESIGN-BUILD SERVICES**

### **A. Authority**

1. Design-build can be a very effective method of project delivery for construction of public improvements because it offers a single point contact and concentration of responsibility. Design-build may be used for any projects under
2. \$50,000, with approval of the City Manager. For projects over \$50,000, Governing Body approval is required to engage in a selection process for which the design and construction services are furnished under one contract.

### **B. Selection**

#### **1. Projects Over \$15,000 and Under \$50,000**

As approved by the City Manager, a design-build team (vendor) selection can be accomplished through a request for qualifications or a request for proposals.

#### **2. Projects over \$50,000**

a) The City Manager shall prepare a recommended process to the Governing Body which addresses:

- (1) Procedures for submittal and selection
- (2) Information required
- (3) Evaluation criteria

b) After conclusion of the process, a recommendation shall be presented to the Governing Body for consideration. If approved, the Mayor shall be authorized to sign the contract.

3. A design professional may be retained pursuant to City selection procedures to develop the plans and specifications for any design-build project. A design professional selected to prepare the plans and specifications is not eligible to render services under the design-build contract. This vendor should be selected based on Chapter 2 of this manual.

## **2.4. CHALLENGES AND PROTESTS**

### **A. Challenge**

1. A challenge is a written objection by any party interested in responding to a competitive solicitation, when that party wishes to have the City consider an addition, substitution or modification to the specifications stated in the outstanding solicitation.
2. The interested party must file a challenge in writing with the City Clerk, located at City Hall, 11110 Johnson Drive, Shawnee, KS 66203, at least five (5) business days before the solicitation opening due date and time as listed on the solicitation documents. Any challenge received after the deadline will not be considered. The challenge must include the name, address, email address and telephone number of the interested party, identification of the solicitation number and project title, a detailed statement of the reasons for the challenge, supporting evidence and/or documentation to substantiate the challenge, and the form of relief requested. The Finance Department will investigate the challenge. The affected pending solicitation shall not proceed further until the Finance Department resolves the challenge. The Finance Department will issue a written decision posted on e-Builder. The decision rendered by the Finance Department is final.

### **B. Protest**

1. A protest is a written objection to a proposed award, or the award of a contract, with the intention of receiving a remedial result. A valid protest can only be filed by a bidder or proposer that can show it would be awarded the contract if the protest is successful. In order to be considered valid, a protest must: 1) be initiated by an actual bidder or proposer for the contract, 2) that claims to be the rightful award recipient, and 3) can show its economic interest may be affected substantially and directly by the award of a contract or by the failure to award a contract. Suppliers or subcontractors to a bidder or proposer cannot file a valid protest. A protest must be filed in writing with the City Clerk, located at City Hall, 11110 Johnson Drive, Shawnee, KS 66203, within at least five (5) business days of the time the protestor could reasonably be expected to have learned of the City's recommendation. Failure to meet the timeframe will invalidate the protest and cause it not to be considered. The protest must include the name, address, email address and telephone number of the protestor, identification of the solicitation number and project title, a detailed statement of the reasons for the protest, supporting evidence and/or documentation to substantiate the protest, and the form of relief requested.
2. In the event of a valid, timely protest, the City shall not proceed with the award of the contract until all City administrative remedies have been exhausted or waived, or until a determination is made that a contract award is required to protect the interest of the City. The Finance Department will conduct an investigation and render a written decision to the protestor within ten (10) business days after the receipt of the protest, citing reasons for the decision.
3. The protestor may appeal the Finance Department's decision within five (5) business days after the decision is rendered. Any appeal of the Finance Department's decision must be made in writing to the City Manager and filed with the City Clerk, located at City Hall, 11110 Johnson Drive, Shawnee, KS 66203. Following the review of the written protest and any information available from City sources, the City Manager shall render a written decision citing the reasons for the decision within ten (10) business days after receipt of the protest. The decision rendered by the City Manager is final.

## **2.5. SOLE SOURCE VENDOR DESIGNATION**

### **A. Authority**

Exemption from competitive procurement is permitted when a written determination has been made by a Department Director and approved by the City Manager that there is only one vendor practicably or reasonably available to provide a supply or service, or professional services. Such an exemption is required only for purchases greater than \$15,000. Purchases less than \$15,000 do not require competitive quotes or bids.

### **B. Sole Source Criteria**

1. The following are the criteria used for determining eligibility for sole source procurement:
  - a) The vendor is the original equipment or software provider and required parts, equipment, or software are unavailable from another vendor;
  - b) Incompatibility or non-conformity with City-owned equipment, materials, software, or expertise would require the expenditure of additional funds;
  - c) The vendor provides a unique supply or service and no similar supply or service is available or suitable; and
  - d) The vendor has specific, relevant prior experience that will add value to their work and reduce costs for gathering information.

C. Procedures

1. Authority

- a) Sole source purchases greater than \$15,000, and equal to or less than \$50,000, shall be approved by the City Manager. Approval form shall be submitted with the corresponding requisition.
- b) Sole source purchases greater than \$50,000 shall be approved by the Governing Body as part of awarding the bid and authorizing the mayor to sign the Contract. Approval form and contract shall be submitted with the corresponding requisition.
- c) The department initiating the purchase shall include written documentation and/or justification that reasonably establish that the proposed vendor is the only practical vendor when submitting the Purchase Order requisition.

## **Chapter 3: AGREEMENTS CHAPTER**

### **3.1. PRICE AGREEMENTS**

#### **A. Blanket Purchase Orders**

##### **1. Purpose**

- a) Blanket Purchase Orders, also known as price agreements or term contracts, are agreements established with vendors after a competitive solicitation process to allow individual purchases by the City throughout the year without repeating the competitive solicitation process each time a purchase is made. Blanket Purchase Orders take advantage of volume discounting based on the annual estimated quantities purchased. Blanket Purchase Orders also reduce paperwork, therefore expediting service and reducing purchasing costs.
- b) Blanket Purchase Orders do not commit the City to purchase any supply or service from the vendor. They are issued to advise the vendor of the supply and/or service the City may require, establish terms and pricing where applicable, establish dollar limits, either per order or time period, establish personnel authorized to make purchases against these Blanket Purchase Orders and outline the ordering, receiving and invoicing procedure.
- c) Blanket Purchase Orders may be arranged by departments in cooperation with the Finance Department. It is the responsibility of the department initiating a Blanket Purchase Order to determine the approximate quantity needed and estimated amount that shall be spent during the fiscal year under the proposed Blanket Purchase Order. Prices shall be established, per the policies of this manual. Pricing information shall be made available to ordering departments and to the Finance Department to assure correct payment is made to the participating vendor.

##### **2. Establishment and Term**

Blanket Purchase Orders shall be established in conformance with the vendor selection requirements described in Chapters 2 and 3. Blanket Purchase Orders shall have annual renewals up to a maximum of three (3) years.

##### **3. Instructions for Blanket Purchase Orders**

- a) A Direct Purchase or a Purchase Order receiving report shall be used for all orders placed against a Blanket Purchase Order.
- b) Orders against Blanket Purchase Orders can be made by phone, fax, e-mail, and other electronic means or in person after the employee has received proper approval. Employee(s) shall identify themselves and provide the following information: supply or service description, part number (if applicable), quantity, required date, point of delivery, and Blanket Purchase Order number (if applicable).
- c) The vendor shall prepare an invoice or receipt showing the above information and provide it to the ordering employee.

### **3.2. COOPERATIVE AGREEMENTS**

#### **A. General**

Cooperative procurement is a process by which two or more governmental jurisdictions join together to purchase supplies or services from the same vendor. This form of purchasing has the benefits of reducing administrative costs, eliminating duplication of effort, lowering prices,

sharing information and taking advantage of expertise and information that may be available in only one of the jurisdictions. Examples of cooperative agreements can be as simple as two jurisdictions agreeing to jointly fund a road improvement project and as sophisticated as the Mid-America Regional Council's Kansas City Regional Purchasing Cooperative.

**B. Authority**

1. Departments are authorized to participate in, sponsor, conduct or administer a cooperative agreement with one or more other public or non-profit entities as long as the vendor selection practices of the cooperative are in conformance with the intent of the City's Purchasing Manual.
2. Criteria for determining internal or cooperative bid process:
  - a) Nature and quantity of item purchased: An internal bid may be more favorable for larger volume commodities such as ammunition. Economies of scale should be considered, and may tend to favor cooperative bidding when purchasing one or two specialized items.
  - b) Market: if several qualified vendors are in the local area, an internal bid may be more favorable. For items with specialized technical specifications or few local sources, cooperative bidding is likely more efficient.
  - c) Details of the cooperative bid: Understand the bid specifications of a cooperative contract, e.g. transportation fees or other general provisions that may not apply to the Shawnee area.
3. Purchases through cooperative agreements must be approved for payment in accordance with the final approval authority set forth in this manual under Section 1.1 F. Purchasing Approval Authority.

### **3.3. GOVERNMENT CONTRACTS**

**A. General**

Other government agencies perform bids on supplies and services similar to the City. Many vendors will extend the same terms and pricing to other governments. This form of purchasing has the benefits of reducing administrative costs, eliminating duplication of effort, lowering prices, sharing information and taking advantage of expertise and information that may be available in only one of the jurisdictions.

**B. Authority**

Department Directors are authorized to "piggy-back" on other government contracts in lieu of soliciting bids. Qualified government contracts include MARC, other local or state governments, and federal pricing as long as the vendor selection practices of the agency are in conformance with the intent of the City's Purchasing Manual.

## Chapter 4: BONDS AND CONTRACT CLAUSES CHAPTER

### 4.1. BID SECURITY

#### A. Requirement for Bid Security

##### 1. Bid Bond or Check (For Bids on amounts over \$50,000)

A certified cashier's check, bid bond, or money order made payable to the City, in the amount of 5% of the bid, may be required of all bidders. The bid bond or check of the successful bidder shall be retained by the City until completion of the work or submittal of a performance bond (if applicable) to ensure the delivery of the supplies and/or service at the specified time and/or the successful completion of the project.

#### B. Performance and Payment Bonds

##### 1. State Statute Required Contract Bond or Security

When a contract is awarded, the following bonds or security shall be delivered to the City in all cases required by Kansas state statute, and if the City Manager deems appropriate on those contracts not required by state statute and shall become binding on the parties upon execution of the contract:

###### a) Performance Bond

A performance bond satisfactory to the City, executed by a surety company authorized to do business in Kansas or otherwise secured in a manner satisfactory to the City for the performance of the work provided for in the contract, in an amount equal to 100% of the price specified in the contract; and

###### b) Payment Bond

A payment bond to the State of Kansas satisfactory to the City, executed by a surety company authorized to do business in Kansas or otherwise secured in a manner satisfactory to the City, for the protection of all persons supplying labor, materials, equipment or supplies to the contractor or its subcontractors for the performance of the work provided for in the contract. The bond shall be in an amount equal to 100% of the price specified in the contract and shall otherwise comply with the requirements of K.S.A. 60-1111.

##### 2. Authority to Require Additional Bonds

Nothing in this Section shall be construed to limit the authority of the City to require other security in addition to the bonds mentioned, or in circumstances other than specified in Subsection 1 of this Section.

##### 3. Suits on Payment Bonds -- Right to Institute

Every person who has furnished labor or material to the contractor or its subcontractors for the work provided in the contract, in respect of which a payment bond is furnished under this Section, shall have the right to sue on the payment bond for any amount unpaid at the time the suit is instituted and to prosecute the action for the amount due the person in the manner prescribed by Article II of Chapter 60 of the Kansas Statutes Annotated.

##### 4. Suits on Payment bonds -- Where and When Brought

Every suit instituted upon a payment bond shall be brought in the District Court of Johnson County, but no such action shall be brought on such bond after six months from completion of the project. The obligee named in the bond need not be joined as a party in any such suit.



## 4.2. CONTRACT CLAUSES AND THEIR ADMINISTRATION

### A. Contract Clauses

Contracts for supplies and services shall include clauses addressing, but not limited to:

1. Term specifications to be annual terms with option to renew for up to three (3) calendar years.
2. The unilateral right of the City to order changes in the work and changes in the time of performance of the contract;
3. Variations occurring between estimated quantities of work and actual quantities;
4. Suspension of work ordered by the City;
5. Site conditions differing from those indicated in the contract, or ordinarily encountered, except that differing site condition clauses need not be included in negotiated contracts, or when the contractor provides the site or design, or when the parties have otherwise agreed with respect to the risk of differing site conditions;
6. Liquidated damages;
7. Anticipated inflation of costs or prices;
8. Specified justification for delay or nonperformance;
9. Termination of the contract for default;
10. Termination of the contract in whole or in part for the convenience of the City;
11. Early completion incentives;
12. Provisions related to Kansas Cash Basis Law (10-1101, et seq.);
13. Provisions related to Kansas Act Against Discrimination (K.S.A. 44-1001, et seq.); and
14. Provisions related to Title VI of the Civil Rights Act of 1964.

### B. Modification of Required Clauses

The Finance Director or Department Director, with the advice and consent of the City Attorney, may vary the contract clauses for inclusion in any particular contract, provided that the circumstances justify such variations and provided that notice of any such material variation be stated in the solicitation documents.

### C. Contracts

Contracts shall be executed in conformance with the purchasing authorities established in Chapter 1.1 F. Purchasing Approval Authority. All original contract documents shall be filed in the Office of the City Clerk. All contracts must be approved by the City Attorney, or their designee prior to signature of the purchasing authority. In the unlikely instance that the City Attorney does not approve of the contract terms and the vendor is unwilling to amend the contract terms the City Manager may approve the contract in lieu of the City Attorney's approval.

### D. Term of Ongoing Professional Services Contracts

The term of professional services contracts of an ongoing nature, including exercise of extension clauses, shall be determined by the City Manager based on factors such as the length of time the service is needed by the department, the future availability of other qualified providers, and if the fees to perform the services are anticipated to increase or decrease over time.

## **Chapter 5: CHANGE ORDER LIMITS AND AUTHORIZATION CHAPTER**

### **5.1. CHANGE ORDER INCREASE AND APPROVAL**

#### **A. Change Order Approval by Governing Body**

1. A Change Order must be approved by the Governing Body if the change:
  - a) Materially alters the scope of the project;
  - b) Increases total costs by 10% or more;
  - c) Coupled with previous Change Orders, not previously approved by Governing Body, increase total costs by 10% or more;
  - d) Is the final Change Order for any Capital Improvement Project.

#### **B. City Manager Change Order Authorization**

1. The City Manager is authorized to approve Change Orders less than the above thresholds listed in 5.1 Change Order Increase and Approval, A. Change Order Approval by Governing Body.
2. The City Manager may exceed the above thresholds when:
  - a) An emergency situation exists as defined in Section 1.4 Emergency Purchases, of this manual; or
  - b) The project or the project schedule would be significantly negatively impacted by a delay in consideration of the Change Order; or
  - c) The Change Order is within the approved contract amount for a Capital Improvement Project.
3. Notification shall be forwarded to the Governing Body if the City Manager authorizes a Change Order more than the above thresholds.

#### **C. Department Director Change Order Authorization**

1. Department Directors are authorized to approve Change Orders of \$15,000 or less that do not meet the thresholds listed in 5.1 Change Order Increase and Approval, A. Change Order Approval by Governing Body.

#### **D. Per Unit Change Orders**

When a contract originally approved by the Governing Body is based on unit cost (e.g. mill and overlay) a final Change Order must be presented to the Governing Body at the end of the contract if there is an increase or decrease in the base contract amount.

## **Chapter 6: FEDERAL REQUIREMENTS AND STATE STATUTES CHAPTER**

### **6.1. COMPLIANCE WITH FEDERAL REQUIREMENTS AND STATE STATUTES**

#### **A. Federal Law and Authorized Regulation Compliance**

1. Where a purchase involves the expenditure of federal assistance or contract funds, the Department Director shall comply with such federal law and authorized regulations which are mandatorily applicable and which are not reflected in this manual. Otherwise, purchases made with grant funds shall be made according to this Purchasing Manual.

#### **B. City Purchasing Practices Subordinate to State Statutes**

1. Except as exempted by charter ordinance of the Governing Body, the provisions of this manual are subordinate to any Kansas Statutes governing City purchasing practices. In addition to state statutes cited elsewhere in this manual, the following state statutes should be checked for applicability:
  - a) K.S.A. 79-1008 et. seq. – Collection of taxes from non-resident contractors;
  - b) K.S.A. 75-3740a – Contracts for purchases with non-resident bidders;
  - c) K.S.A. 16-113 – Appointment of process agent by non-resident contractor;
  - d) K.S.A. 68-572 – Intergovernmental agreements for road construction and maintenance, county, city and township;
  - e) K.S.A. 12-2904 et. seq. – Provisions required for interlocal agreements by public agencies;
  - f) K.S.A. 12-2908 – Certain agreements between cities, counties, or townships not regarded as interlocal agreements;
  - g) K.S.A. 16-1901 et seq. – Provisions required for certain public construction contracts;
  - h) K.S.A. 44-1010 et. seq. – Mandatory provisions of the Kansas Act Against Discrimination required for certain agreements; and
  - i) K.S.A. 60-1111 – Statutory bond requirements for certain public improvement contracts.
2. The Governing Body, by Charter Ordinance No. 34, has exempted the City from:
  - a) K.S.A. 13-1017 – Estimates of cost of improvements, contracts, bids, bond issue, related to the making of public improvements, and requirement to select the lowest responsible bid.

#### **C. Uniform Grant Guidance Provisions**

1. Employee conflict of interest: No employee, officer, or agent must participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the non-federal entity must neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-Federal entities may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-federal entity.

2. Documentation and oversight of federal grant purchases – the City must:
  - a) Document the procurement steps and activities required to be completed, including the basis for the type of procurement, contract type, and contractor selection and price.
  - b) Maintain an appropriate level of oversight to ensure that contractors perform in accordance with the terms of their contract.
  - c) Maintain records to sufficiently detail the history of procurement. At a minimum, this should include: the rationale for the method of procurement, selection of the contract type, contract selection or rejection, and basis for the contract price.
  - d) Provide full and open competition. Contractors who assist in drafting specifications for requests for proposals (RFP) must be excluded from competing for those opportunities. In addition, RFP specifications cannot have unreasonable requirements that are meant to limit competition. Also, procurements must be conducted in a manner that prohibits the use of geographical preferences in the evaluation of proposals, except in certain cases where federal law explicitly requires or encourages geographic preference or when contracting for architectural and engineering services, provided that specifying geographic location leaves an appropriate number of qualified firms.
3. Equipment purchased with federal grant dollars
  - a) Property records must be maintained that include a description of the property, a serial number or other identification number, the source of funding for the property (including the Federal award identification number), who holds title, the acquisition date, cost of the property, percentage of Federal participation in the project costs for the Federal award under which the property was acquired, the location, use and condition of the property, and any ultimate disposition data including the date of disposal and sales price of the property.
  - b) A physical inventory of the property must be taken and the results reconciled with the property records at least once every 2 years.
  - c) A control system must be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft must be investigated. Adequate maintenance procedures must be developed to keep the property in good condition.

## **Chapter 7: DISPOSAL OF SURPLUS PROPERTY CHAPTER**

### **7.1. GUIDELINES FOR DISPOSAL OF SURPLUS, ABANDONED OR CONFISCATED PROPERTY**

- A. Departments may transfer, sell, exchange, or destroy any surplus, abandoned, or confiscated property without competitive bidding if such property has a resale value believed to be \$5,000 or less. Such property may be disposed of by negotiated sales to other governmental entities, non-profit organizations, or as-is in the best interest of the City.
- B. No property shall be sold without receiving competitive bids if the resale value is believed to be greater than \$5,000.
- C. Departments disposing of surplus property shall work with the Finance Department to collect sales tax on the sale, as appropriate.
- D. This manual does not address disposal of real estate due to the complex nature and legal requirements of this type of transaction. Departments should consult the City Manager and City Attorney prior to initiating disposal of real estate.

### **7.2. METHODS OF DISPOSITION**

- A. Methods of Disposition for Surplus, Abandoned, or Confiscated Items
  - 1. Transfer: Transferring the item to another department that has use for the item is the best method of disposition. Both the transferring and receiving departments must update their inventory records, if applicable. As a green practice, whenever feasible the City will repurpose assets by department (for example, a Police vehicle). The asset should be transferred to another department that can extend its useful life rather than acquiring a new vehicle.
  - 2. Sale: There are several methods for selling surplus, abandoned, or confiscated items.
    - a) Auctions. The City may contract with an auctioning service or auction via on-line internet service to sell items to the highest bidder.
    - b) Sealed Bids. The department may determine that items shall be sold at sealed bid sale. Public Notice of the sale is made and solicitations are issued to prospective bidders.
    - c) Commercial Markets. The department may determine that items may be offered for sale by consignment to established commercial markets. Candidates for this method of sale include antiques, art and specialized equipment.
    - d) Sale of Scrap. Many items that are no longer usable may have a residual value. The department may arrange for the sale of scrap items.
    - e) Posted Prices. From time to time, where there is no established market and demand is erratic, an item may be marked with a pre-established price and sold to the public on a first-come basis.
    - f) Trade-in. The department may determine that it is advantageous to the City to seek bids on replacement items with the vendors allowing/offering trade allowances. Award may be made in the manner that is most advantageous to the City.
    - g) Cannibalization. Disassembling an item to use its components for repair or maintenance of a similar item is authorized only if cannibalization is expected to create greater value than disposal or trade-in of the item.
    - h) Donation. Donation of items with a resale value of more than \$5,000 must be approved by the Governing Body. Donation of items with a resale value of \$5,000 or less shall be

approved by the City Manager. All donations must have a release of liability approved by the City Attorney filed with the City Clerk. Donation is the preferred method of disposal when the cost to resell is greater than the potential proceeds from the sale.

**B. Destruction and/or Disposal**

1. Surplus property of minimal monetary value may be destroyed or disposed as trash. Care shall be taken to destroy or dispose of items with regard to environmental impact and cost.
2. Waste Disposal of Hazardous Materials. There are strict federal and state laws regarding the disposal of hazardous materials. Disposal of hazardous materials shall be directed by the City's Fire Chief. Departments shall contact the Fire Chief before moving, transferring or selling any hazardous materials.
3. Electronic Goods. All electronic goods must be disposed of in compliance with the IT Department's e-Waste Data Destruction Policy and Guidelines.

**7.3. ALLOCATION OF PROCEEDS**

- A. All proceeds resulting from the sale of surplus, abandoned, or confiscated property shall be deposited in the appropriate fund from the property was purchased. If the original fund cannot be identified, the proceeds will be deposited in the General Fund.

**7.4 TERMS AND CONDITIONS OF SALE**

- A. Depending on the nature of the items and the method of sale selected, the following terms and conditions shall be used:
1. Inspection. Prospective buyers will be allowed time prior to the sale to inspect items.
  2. No Warranty. No warranty or guarantee of any kind is given by the City. All items are offered for sale "as is," "where at," and "without recourse."
  3. Removal. The successful bidder will be required at their own risk and expense to remove any items bid upon within the time specified in the bid document. Receipt of each unit must be signed by the purchaser or their duly authorized agent at the time the item is removed. Any item not called for or left behind will be considered as abandoned, and the City has the right to dispose of same in any manner whatsoever.
  4. Upset Price. In some instances, minimum prices will be established. In such cases, items will not be sold below that minimum price. The City reserves the right to accept or reject any or all bids.

**7.5. REPORT OF DISPOSITION**

- A. The Finance Department must be advised of the disposition of all items with a purchase value of \$10,000 or more in order that general capital asset records may be updated.

**7.6. SALES OR DISPOSITION TO EMPLOYEES**

- A. To avoid the appearance of impropriety, employees of the City may not purchase items unless the sale is to the highest bidder at a public or on-line auction, or by sealed bid after appropriate notification of the sale. Likewise, employees of the City may not obtain surplus items at no cost except in specific situations approved by the City Manager.

**7.7. DISPOSAL OF GRANT FUNDED EQUIPMENT OR REAL ESTATE**

- A. When equipment or real estate was purchased using funds from state or federal grant funds, the provisions of the grant must be followed during disposal. It is the disposing department's responsibility to obtain disposition instructions from the Federal awarding agency and assure that

grant provisions are followed. If required by the terms of the grant, proceeds from disposal shall be returned to the grant-funding agency.

- B. Sales of federal grant-funded real property must provide competition to the extent practicable and result in the highest possible return. The City must compensate the grantor agency for their interest in the real property, calculated by multiplying the current market value or sale proceeds by the agency's participation in total project costs. If the City retains the property for a use other than intended by the grant, the City must compensate the agency for the federal portion of the current fair market value of the property.

## CHAPTER 8: TERMS AND DEFINITIONS

For the purposes of this manual, the following terms, phrases, words, and their derivatives shall have the meanings given herein.

**Adequate Time:** A minimum of two full business days.

**Bid:** An offer, as a price, whether for payment or acceptance. A bid can either be an offer to the City by a vendor or a buyer.

**Bidder:** A person or firm responding to a City request for bids.

**Blanket Purchase Order:** A contract outlining the specific price for supplies or services for a specified period of time.

**Challenge:** A written objection by any party interested in responding to a competitive solicitation, when that party wishes to have the City consider an addition, substitution or modification to the specifications stated in the outstanding solicitation.

**Change Order:** A written document to make changes to an existing contract and/or Purchase Order.

**Check Request:** A document that may be used to authorize payment to a vendor when no receipt is available.

**City:** City of Shawnee.

**City Manager:** The Chief Administrative Officer of the City, or the individual designated to act in place of the City Manager when they are absent, who is responsible for all administrative functions and departments of the City as provided in K.S.A. 12-1024.

**Conflict of Interest:** A situation that gives a person, while acting in their official capacity, the opportunity through actions or decisions to direct or influence an outcome for personal or familial benefit.

**Contract:** All types of City agreements, including grants and Purchase Orders for the purchase or disposal of supplies and services including constructed or manufactured.

**Contractor:** Any person having a contract with the City.

**Cooperative Agreement:** An agreement with another government entity, or a cooperative formed by multiple government entities, that establishes a contract for particular supplies or services for a definite period of time at a set price.

**Department Director:** An individual, or the individual designated to act in place of the Department Director when the Department Director is absent, appointed by the City Manager, who is directly responsible for the operation and administration of a department to include the Fire and Police Chiefs.

**Deputy City Manager:** The individual holding the title of Deputy City Manager or assuming the duties of the City Manager in the City Manager's absence.

**Deputy Department Director:** An individual holding the title of Deputy Director or assuming the duties of the Department Director in the Department Director's absence. This includes Deputy Police Chief or Deputy Fire Chief.

**Designee:** Deputy Department Director or their equivalent, or a singular person formally designated by the Department Director. May only have one designee at a time.

**Direct Purchase:** A process which may be utilized to authorize payment of small purchases for which use of a Purchase Order may be inefficient or impractical.



**Electronic Goods:** electronic devices or their mechanisms, memory and all ancillary or related data storage devices, including but not limited to computers, televisions, tablets, cellular phones, smartwatches, audio equipment, media recording devices, cameras, camcorders, GPS and car audio equipment.

**Emergency Purchases:** Bona fide emergency purchases are made when adherence to normal purchasing policies and procedures would threaten: 1. The functioning of City government; 2. The preservation or protection of property, machinery, or equipment; and/or 3. The health or safety of any person.

**Employee:** An individual employed by the City of Shawnee who performs work for the City under circumstances where the City has a right to control how the work is performed, and is compensated through pay and benefits; or an individual who has agreed to a volunteer position, as defined in the City of Shawnee Personnel Manual, with the City of Shawnee directly.

**Environmentally Preferable Products:** Products that have a lesser impact on human health and the environment when compared with competing products. This comparison may consider raw materials acquisition, production, manufacturing, packaging, distribution, reuse, operation, maintenance, or disposal of the product.

**Finance Director:** The individual holding the position of Finance Director, or their designee.

**Governing Body:** The elected Mayor and City Council members of the City of Shawnee.

**Invitation to Bid (ITB):** Used when project needs are clearly defined and understood and the intent of the process is to evaluate bids primarily based on pricing. ITBs are primarily used for construction projects. All documents, whether attached or incorporated by reference, utilized for soliciting bids.

**Life Cycle Cost:** A calculation of the cost of a system or product over its entire life span.

**Next Level Supervisor:** A supervisor one level below a Department Director. This could include a Deputy Department Director or Division Head.

**Piggy Back Agreement:** A process in which the City takes advantage of another government entity's competitive solicitation process to enter an agreement without having to conduct the solicitation process for itself.

**Postconsumer Material:** A finished material which would normally be disposed of as a solid waste, having reached its intended end-use and completed its life cycle as a consumer item, and does not include manufacturing or converting wastes.

**Procurement:** The process of planning purchases in conjunction with the City's budget and work plan, source selection for goods or services, and contract management.

**Professional Services:** Services where technical expertise or knowledge of a specialized field is critical to the performance of that service. Professional services are generally associated with the following disciplines: (a) architect, engineer and land surveying services; (b) appraisal services; (c) financial, accounting and auditing services; (d) legal services; (e) consulting services; (f) health care services; (g) insurance services; (h) data processing consulting and programming services; (l) testing and inspection services; (j) photographic, art or marketing services; and (k) employment of temporary employees as advisors, lobbyists, etc.

**Project Budget:** The budget for a project as approved by the Governing Body as a part of the Capital Improvement Program.

**Proposal:** A written offer or bid containing price and other terms made by a vendor.

**Protest:** A written objection to a proposed award, or the award of a contract, with the intention of receiving a remedial result.

**Public Notice:** The placement of a notice in officially designated publication(s) of the City as defined by Resolution.

**Purchasing Card (P-card):** A credit card payable from City accounts issued to an employee for the purpose of procuring City related supplies and services.

**Purchase Order:** The paper or electronic document issued for purchases more than \$15,000.

**Purchase Value:** The total dollar amount spent when the item was purchased.

**Recycled Products:** Products manufactured with waste material that has been recovered or diverted from solid waste.

**Requisition:** The paper or electronic document utilized to request the purchase of supplies or services. A requisition creates a Purchase Order.

**Request for Proposal (RFP):** Used when the desired outcome is known but it is unclear as to how the services will be provided or what goods are available to meet the City's need. This method allows the bidder to submit a proposal defining how that particular bidder's goods/services would best serve the City and fulfill the end requirement. All documents, whether attached or incorporated by reference, utilized for soliciting proposals.

**Request for Qualifications (RFQ):** Used to narrow down the number of vendors before engaging in the competitive sealed RFP or ITB process. RFQs are not a necessary requirement of the competitive solicitation process but can be a useful tool when the prospective number of bidders is large.

**Resale Value:** The estimated amount of money used good(s) can be sold for.

**Responsive Bidder:** One who responds to all of the significant requirements outlined in the bid solicitation.

**Responsible Bidder:** A person or firm who has the capability in all respects to perform fully the contract requirements.

**Services:** The furnishing of labor, time, or effort by a contractor, not involving the delivery of a specific end product other than reports which are merely incidental to the required performance.

**Specification:** Any description of the physical or functional characteristics, or of the nature of a supply or service item. It may include a description of any requirement for inspecting, testing, or preparing a supply or service for delivery.

**Statement of Qualifications:** A document submitted to the City by a professional services vendor detailing its abilities and experience to provide a certain service.

**Supplies:** All property, including but not limited to, equipment, materials, printing, insurance, and leases of real property, excluding land or a permanent interest in land.

**Surplus:** Any supplies, equipment or property no longer having any use to the City. This includes obsolete supplies, scrap materials, and non-expendable supplies that have completed their useful life cycle.

**Vendor:** A seller of supplies or services.

## APPENDIX A: CASH HANDLING & ACCOUNTING POLICY

### Purpose

The Cash Handling & Accounting Policy has been created to provide guidelines for the appropriate establishment, use, and accountability of such funds. Procedures have been established to encourage effective administration and internal control of cash handling operations throughout the City per K.S.A. 12-171.

### Summary

The majority of petty cash funds are established to enable departments to make small, emergency purchases where a Purchase Order is not cost effective or a Purchasing Card cannot be used. The amount of the petty cash fund is established at the time the fund is approved. Expenditures may not be used to circumvent current purchasing procedures.

The cash drawer system is intended to make change and to receipt payment to the City.

Each Department Director will assign an employee to be the petty cash or cash drawer custodian. The custodian is required to appropriately safeguard, account for and document all cash maintained on behalf of the City. The cash should be maintained in a secure locked device.

### Petty Cash Guidelines

- Petty cash funds are used for expenditures of \$100 or less made by a City employee.
- Adequate receipts and documentation must be maintained to support all transactions made from the Petty Cash Fund.
- A petty cash fund or custodian may be revoked at the discretion of the Finance Director.
- The amount of the petty cash fund may be reduced at the discretion of the Finance Director.

### Established Petty Cash Funds

Department	Fund Limit
Finance Department (City Hall Custodian)	\$500.00
Fire Department	\$200.00
Police Department	\$2,500.00
Police Department - Confidential Funds Account	\$2,000.00
Public Works	\$200.00

### Establishing New Petty Cash Funds

Departments wishing to establish a new petty cash fund shall contact the Finance Director.

### Closing a Petty Cash Fund

If it is determined that an existing petty cash fund is no longer needed, the custodian must close the fund. The remaining cash and all receipts should be taken to the City Clerk's Office for deposit. Contact the Finance Department to obtain the appropriate account number before the deposit is made. Supporting documentation will be forwarded to the Finance Department for reconciliation.

### Petty Cash Procedures

1. The requester shall complete the Petty Cash Reimbursement Request, making sure to complete the following fields: pay to, date, prepared by, and department/division. Describe the purchase/expenditure in the description/explanation area and enter the total amount requested for reimbursement. A receipt for the expenditure must be attached to this form. The form must be signed and dated by the requestor and approved by the requestor's supervisor with his/her signature and the date.
2. The requestor then submits the form to the petty cash fund custodian (custodian) for reimbursement.
3. The custodian reviews the Petty Cash Reimbursement Request form (Exhibit A) and the receipt(s) and confirms

the total amount requested on the form. The custodian dates and initials the form, then issues the cash payment to the requestor. The Petty Cash Reimbursement Request form and the attached receipts are kept in the petty cash fund file.

4. On a quarterly basis, the custodian counts the currency and coins in the petty cash fund, sums the receipts in the petty cash fund file. The combined dollar value of the currency, coins and the receipts must equal the petty cash fund total assigned to the custodian. The custodian then completes a Petty Cash Reconciliation Form and a check request to reimburse the petty cash fund for the amount of the outstanding receipts.
5. If a discrepancy exists between the total of the currency, coin and receipts and the petty cash fund total assigned to the custodian, the custodian needs to inform his/her supervisor who then contacts the Finance Department.
6. Send completed Petty Cash Reconciliation Form to the Accounting Manager by the last business day of each quarter.

It is the responsibility of the custodian to reimburse the petty cash fund quarterly to ensure that sufficient currency and coin are on hand to reimburse employees for expenditures

### Cash Drawer Guidelines

- Cash drawers should generally be used for the following:
  - a. Making change to the public
  - b. Receiving payment for multiple types of transactions.
- Adequate receipts and documentation must be maintained to support all transactions made from the cash drawer.
- A cash drawer custodian may be revoked at the discretion of the Finance Director.

### Cash Drawer Balances

Department	Cash Drawer Balance
Municipal Court	\$550.00
Police Department	\$100.00
Shawnee Town (Farmers Market)	\$50.00
Shawnee Town	\$200.00
City Clerk	\$200.00
Civic Centre	\$200.00
Fire Department	\$50.00
Splash Cove at the Jim Allen Aquatic Center	\$625.00
Thomas A Soetaert Aquatic Center	\$1,075.00

### Overages and Shortages

Both overages and shortages should be noted and tracked by the custodian and then reviewed and certified by a department supervisor. Significant amounts should be immediately reported to the Department Director and the Finance Director. If there appears to be a growing pattern or anything unusual or strange about the overages and shortages, that information must be disclosed immediately.

### Cash Drawer Procedures

1. Custodians of cash drawers shall issue a receipt to the customer for all transactions.
2. The custodian shall complete the Cash Drawer Reconciliation Form on the last business day of the month and submit to the Finance Department for depositing or prepare a separate cash drawer deposit in line with City deposit procedures attaching all paperwork and/or receipts to the outside of the deposit bag.
3. If a discrepancy exists between the "Total Cash on Hand" and the "Valid Cash Balance", then the custodian needs to inform his/her supervisor who then contacts the Finance Department.
4. If for yearly swimming pool close out, submit as regular monthly deposit labeled as "End of Season".

**City of Shawnee  
Petty Cash Reimbursement Request**

Pay to:	Date:
Account #:	Department/Division:

Description/Explanation:			
<table style="width: 100%; border: none;"> <tr> <td style="width: 60%; border: none;">(Attach Receipts)</td> <td style="width: 20%; border: none; text-align: right;">Total Amount:</td> <td style="width: 20%; border: none; text-align: right;">\$</td> </tr> </table>	(Attach Receipts)	Total Amount:	\$
(Attach Receipts)	Total Amount:	\$	

Requester's Signature:	Approved By:
Received By:	Date:

Accounts Payable Approval:	Date Paid:
----------------------------	------------



**City of Shawnee**  
**Cash Drawer Reconciliation Form**

<b>Period Covered From:</b>	<b>To:</b>
<b>Reconciled By:</b>	<b>Reconciled Date:</b>
<b>Cash Drawer Balance from Previous Day's Form</b>	
(Cash On Hand Amount from previous day)	
<b>RECEIPTS</b>	
Cash Sales	
Check Sales	
Credit Card Sales	
Ecommerce	
<b>Sub Total</b>	
<b>CUSTOMER CREDITS</b>	
Cash Refunds	
Credit Card Refunds	
<b>Sub Total</b>	
<b>VALID CASH BALANCE (Cash on Hand + Receipts - Credits)</b>	
<b>Cash on Hand</b>	
Coin - 1¢	
Coin - 5 ¢	
Coin - 10 ¢	
Coin - 25 ¢	
Coin - \$1	
Bills - \$1	
Bills - \$5	
Bills - \$10	
Bills - \$20	
Bills - \$50	
Bills - \$100	
<b>Total Cash on Hand</b>	
<b>Over or Under</b> <i>(totals should be equal)</i>	
<b>Deposit Amount</b>	
<b>Cash Drawer Balance (Ending)</b>	

## **APPENDIX B: PURCHASING CARD HANDBOOK**

### **INTRODUCTION**

Purchasing Cards (P-cards) enable the City to streamline and expedite the purchasing process for small purchases.

A number of unique controls have been developed for the Purchasing Card Program that do not exist in a traditional credit card environment. These controls ensure that the card will be used for only official operational purchases and within specific dollar limits. In addition, documentation of all purchases is required by each Cardholder, with verification and approval performed by a department representative before payment is made.

This handbook specifically governs the City's Purchasing Card Program, and has been developed to assist you in better understanding the program by providing step-by-step instructions on the use of the Purchasing Card.

### **REQUESTING A PURCHASING CARD**

To request a card, discuss your situation with your supervisor. Next, your supervisor will request approval from your department head. If approved, your department head will e-mail the Program Administrator to request your card.

The Program Administrator will submit a Purchasing Card request to UMB. Once the request has been processed, you will receive your card via interoffice mail. You will be required to sign the Purchasing Card User Agreement when your card is issued to you. If at any time your purchasing needs change, please contact your supervisor.

### **ABOUT YOUR CARD**

#### *Receiving Your Card*

The Program Administrator will distribute Purchasing Cards. Purchasing Cards are issued in your name, but they are the property of the City. Although the Purchasing Card is issued in your name, its use does not affect your personal credit in any way.

#### *Card Restrictions*

Purchasing parameters are assigned to individual Cardholders based on the information provided by your department head. These parameters can include:

- Monthly dollar limit
- Dollar limits per transaction
- Merchant Category Code restrictions (inclusion/exclusion of merchant category types)

If a cardholder tries to make a purchase that violates any of the parameters, the purchase will automatically decline at the point of sale.

#### *Restricted Purchases on Your Purchasing Card*

Individual Purchasing Cards have been "blocked" against use with certain nonbusiness related establishments as well as other types of purchases based on job duties. This has been done by denying approval on certain Merchant Category Codes (MCCs). If you attempt to use your Purchasing Card for unauthorized purchases, the transaction will be declined at the point of sale.

The following are examples of items that have been blocked on all Purchasing Cards and are **NOT** to be purchased with the Purchasing Card: Personal Items, Cash Advances, and Alcoholic Beverages

The authorization strategy assigned to your card is based on the types of purchases you make on a regular basis in the course of your job duties. The authorization strategy assigned to your card was chosen by your supervisor or department head.



## **GUIDELINES FOR USAGE**

The Purchasing Card is a **supplement** to the City's existing purchasing program. The use of the Purchasing Card does not relieve the Cardholder from complying with City ordinances, regulations, policies, and procedures. If you have any questions about procurement regulations, please contact your departmental reconciler.

### *Purchase Types*

#### 1. Phone Orders

When purchasing by telephone, indicate that you wish to pay with a Purchasing Credit Card. This procedure is very similar to that of making a phone purchase with your personal card. Be sure to give the correct delivery location.

Give the account number and expiration date to the vendor for input. Confirm the transaction is **sales tax exempt**. Make sure the vendor does not bill the City. Follow the account reconciliation procedures in the Payment Process Section of this document.

#### 2. On-line Orders

When purchasing on-line, be sure that the vendor you are using is reputable. Also, be sure that the site is secure by verifying that padlock icon is present in the bottom right corner of your browser window. Be sure to indicate that the sale is **tax exempt**. Make sure the vendor does not bill the City. Print your receipt. Follow the account reconciliation procedures in the Payment Process Section of this document.

#### 3. In-Person Purchases

Tell the vendor you wish to pay for the goods with a Purchasing Credit Card. Confirm the transaction is **tax exempt**. Sign and take your receipt. Make sure the vendor does not bill the City. Follow the account reconciliation procedures in the Payment Process Section of this document.

### **The following apply when using the Purchasing Card.**

1. Purchases must be made in compliance with City policies and procedures.
2. A single Purchasing Card transaction may be comprised of multiple items, but the total cannot exceed \$1,500 (departments heads and designees may have higher transaction limits).
3. Purchases must not be split to circumvent the normal purchasing process.
4. When purchases exceed the Purchasing Card limits, normal purchasing procedures should be followed.
5. Cardholders should ensure that sufficient budget authority is available prior to making purchases.
6. Cardholders must obtain a detailed itemized receipt for every purchase.
7. Cards may not be added to any digital wallets (Apple Pay, Samsung Pay).
8. Cards may not be saved to online accounts.
9. Cardholders must not share P-Card numbers.

### *Sales Tax*

When possible, purchases are sales tax exempt. Our sales tax exemption status appears on the front of your card. However, you will need to point this out to the sales person as they do not always look at the card. Should a supplier request a copy of the City's Sales Tax Exemption Form, it is available on the Insider.

### *Travel*

The Purchasing Card must be used for travel expenditures within the parameters of the City's travel policy in the Personnel Manual, Chapter 12, Section 12.02. Prior to travel you must complete a travel authorization in the Expense Claim module in Tyler Munis for advance of per diem or other out of pocket expenses. Following your travel, you must complete the travel process within 14 days after returning.

The following paragraphs describe the various situations in which the Purchasing Card can be used for travel

expenditures.

The following chart shows the travel expenditures allowed on the card:

<b>Airline Tickets</b>	Purchase
<b>Car Rental</b>	Reservation and rental fees.
<b>Taxi/Rideshare</b>	Fares and tips.
<b>Hotel</b>	Reservation, room cost, incidentals <ul style="list-style-type: none"><li>• Incidentals, such as in-room movies and other expenses not eligible for reimbursement, will be reimbursed by the City through the Expense Claims module in Tyler Munis.</li><li>• When the employee returns from their trip they will complete their expense claim in Tyler Munis. Through this process they will reimburse the City for any expenses not considered reimbursable under the City's travel policy.</li><li>• Purchasing Card must be used for lodging.</li></ul>
<b>Food</b>	Pursuant to the City's travel policy, do NOT use the Purchasing Card for per diem purchases.

### **Misuse of the Purchasing Card**

If there are questions regarding a purchase made with your Purchasing Card, you must be able to explain the nature of the purchase. If you cannot substantiate that the purchase was necessary and for official use, the City will address this situation in accordance with City disciplinary policies. Resolution of situations involving improper use of the Purchasing Card and resulting disciplinary action will be handled by your Department in conjunction with the Human Resources Department and the Finance Division.

#### *Questions about Using the Purchasing Card*

Direct any questions about the Purchasing Card Program or purchasing in general to your departmental reconciler.

### **PAYMENT PROCESS**

#### *Record Keeping*

***It is mandatory that cardholders obtain itemized receipts for all purchases. Use of the Purchasing Card to make the purchase, rather than the traditional method, does not alleviate your responsibility to document purchases made with City resources. Be sure that you have the itemized sales receipt, not just the receipt you sign with the total on it.***

Record the purpose of each purchase on the itemized receipt. The purpose should be a short phrase that describes the business purpose of the purchase. It is your responsibility to submit your receipts to your UMB Account. P-card transactions are uploaded into the UMB Portal where reconcilers will process each purchase card statement. Finance is responsible for paying the bank.

### **ERRORS & DISPUTES**

Occasionally, errors with merchandise delivery or billing arise. Follow the steps outlined below to correct errors. When applicable, the Cardholder will receive credit applied to their Purchasing Card account. **Credit will never be taken in cash.**

#### *Making Returns*

You should always check incoming material when received to ensure that the product matches what was ordered in quantity and quality. The following steps should be taken when returning merchandise purchased on your Purchasing Card:

1. Contact the vendor to request an authorization for material to be returned and any vendor instructions required to issue credit on the Purchasing Card.
2. Keep a copy of the receipt and make a notation of the return.
3. Verify that credit is applied by the vendor on your monthly statement.

### *Lost or Misrouted Items*

If a sufficient amount of time has elapsed and the Cardholder has not received an item, the following steps should be taken:

1. Contact the vendor and inquire when the item was delivered and to what location.
2. If the vendor cannot supply this information or proof of delivery, the vendor should make arrangements to deliver the product or issue credit for the transaction.

### **CARD SECURITY**

Because the Purchasing Card is issued in your name, you are responsible for the security of the card and any transactions made on the card. Below are some basic rules about using the Purchasing Card:

- The Purchasing Card is issued in your name and is to be used for business expenditures only.
- Keep the card in a safe place and safeguard the card number as you would your own credit card number.
- Cardholders agree to surrender the Purchasing Card upon termination of employment or for any other reason deemed necessary.
- Never allow your card to be used by another person.

### *Lost/Stolen/Fraud/Disputes Purchasing Card*

In the event a Purchasing Card is lost, stolen or there are fraudulent charges on your account, contact UMB Bank immediately at 1-888-494-5141. Also notify your departmental reconciler as well as your program administrator.

Your program administrator will receive a replacement card and send it to you. A replacement Purchasing Card generally takes seven to ten business days.

### *Card Cancellation*

If you leave the employment of the City of Shawnee, immediately notify and return your Purchasing Card to your supervisor. You and your supervisor are responsible for notifying your departmental reconciler and the Program Administrator to have the card canceled.

### **AUDIT**

You are responsible for the transactions listed on your statement. The itemized receipts, packing slips, etc., will support that you are using the Purchasing Card responsibly and in accordance with the program guidelines contained in this handbook.

All monthly statements and supporting receipts will be audited to ensure that Purchasing Card procedures are complied with. Your use of the Purchasing Card is always subject to review by your supervisor or other designated department person, Program Administrator and Accounts Payable staff. Therefore, it is critical that you maintain good records.

The primary purpose of an audit is to ensure the proper expenditure of funds under this program. A secondary purpose is to track data on how, where, and for what purpose the Purchasing Cards are used. As a result of an audit, the Purchasing Card program may be modified to assure that the program is most beneficial.

Auditing may consist of the following:

- Comparison of Cardholder-supplied information (receipts, etc.) to the monthly statement
- Review of management reports supplied by UMB Bank
- Interviewing the cardholder regarding purchases made
- Verify supporting receipts

## FREQUENTLY ASKED QUESTIONS

### Who is the Program Administrator?

Kimberlee Hughes is the Program Administrator, telephone number (913) 742-6261, and has overall responsibility for coordinating all activities related to the Purchasing Card Program. However, your departmental reconciler is your main point of contact regarding routine Purchasing Card questions, etc.

### I've lost my receipt, what should I do?

As a reminder, itemized receipts are a mandatory for all P-Card transactions. If a cardholder loses their receipt, they are responsible for filling out a lost receipt form and submitting it as their receipt. The City's lost receipt form can be found on the Insider/Finance/Purchase Cards, or by clicking this link.

\*Documentation is extremely important; this option should only be used as a last resort

### What if I change positions or departments within the City?

Contact your supervisor/department head and departmental reconciler to return your Purchasing Card. If you need a Purchasing Card in your new position, the supervisor of your new position will review your needs to determine eligibility.

### May I use the Purchasing Card for on-line purchases?

Yes, just like you might use your personal credit card. Be sure that you feel comfortable using that vendor. Exercise the same caution as if it were your personal card. Be sure that the site is secure by verifying that the padlock icon is present in the bottom right corner of your browser.

### What if my card is declined when making a purchase?

If a *unique* situation brings you over your Purchasing Card's limitations, contact the Program Administrator immediately. The Program Administrator with department head approval can contact UMB Bank to have that transaction approved if warranted.

### What do I do with the receipts/packing slips?

**Save them!!** They are very important. Submit your receipt to UMB or your department reconciler if your supervisor has directed otherwise.

### How does the vendor get paid?

Your vendor will be paid by UMB Bank through the electronic banking network. In most cases, the vendor will be paid through the bank within three days. You do not have to do anything for the vendor to get paid.

### Who pays the bill?

Finance will process the payment to UMB Bank monthly.

# PURCHASING CARD USER AGREEMENT

I, \_\_\_\_\_, agree to accept responsibility for the protection and proper use of the Purchasing Card in accordance with the terms and conditions below.

1. I understand I will be making financial commitments on behalf of the City of Shawnee and will seek to maximize the purchasing value of public funds.
2. I understand it **is** my responsibility to **seek prior approval for all purchases** with my supervisor and/or director per city and department policy.
3. I understand **personal purchases are not allowed** on the Purchasing Card, and I agree to use the Purchasing Card for the purchase of items for use in official City business only. I shall be personally liable for the improper use of the Purchasing Card, and I agree to pay to the City of Shawnee card the cost of such use, other than improper use as the result of a lost or stolen card which should be immediately reported.
4. I understand I am the only user of the P-card and **I will not allow others to use my card for purchases.**
5. **All purchases must comply with the City accounting and purchasing policies.** I understand examples of items **not** to be purchased with the Purchasing Card are included in the Purchasing Card Handbook.
6. I understand improper use of the Purchasing Card may be cause for disciplinary action by the City, including termination, and improper use of the Purchasing Card may subject me to criminal prosecution. I understand if I use my Purchasing Card, my wages may be used to reimburse the City for the improper purchases.
7. I agree to abide by the guidelines contained in the City of Shawnee Purchasing Card Handbook. I understand failing to follow the Purchasing Card Program Guidelines may be deemed an improper use of the card and could result in revocation of the Purchasing Card and appropriate disciplinary action, which may include termination.
8. **I agree to provide itemized receipts from the supplier** for each transaction made on the Purchasing Card as required in the City's Purchasing Card Handbook. Failure to report or document any purchase may be deemed an improper use of the Purchasing Card.
9. I understand my department is responsible for all charges, including fees and interest, incurred from the proper use of the Purchasing Card.
10. I understand should my employment with the City terminate for any reason, the **Purchasing Card must be returned to the Program Administrator.** I also understand that the City may withdraw authorization to use the Purchasing Card and require the return of the Purchasing Card at any time for any reason.
11. If the Purchasing Card is lost or stolen, I agree to notify UMB Bank and the Program Administrator immediately.
12. I have read City of Shawnee Purchasing Card Handbook and understand the requirements for Purchasing Card use.

In the event your card is lost or stolen, please save the UMB Customer Service number, 1-888-494-5141, to your phone along with the general email, [dl.Finance@cityofshawnee.org](mailto:dl.Finance@cityofshawnee.org), for City of Shawnee, Finance Department. Immediately call UMB to request for your card to be deactivated. Email Finance to inform them your card has been deactivated and provide any other information necessary.

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Cardholder Signature

Date

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Department Head Signature

Date

Per Purchase Limit \_\_\_\_\_

Monthly Limit \_\_\_\_\_

## APPENDIX C: TYLER MUNIS DEPARTMENT, DIVISION, & OBJECT CODES

### Departments:

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01 City Council  
02 City Manager  
05 Information Technology  
08 Finance  
20 Police  
25 Fire  
30 Public Works  
40 Community & Economic Development  
50 Parks & Recreation  
60 Debt Service  
70 CIP Fund

### Division:

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010 City Council  
020 City Manager  
021 Legal  
022 City Clerk  
023 Human Resources  
024 General Overhead  
025 Municipal Court  
026 Communications  
050 IT  
080 Finance  
200 Police Administration  
201 Police Patrol  
202 Police Support Services  
250 Fire Strategic Services  
251 Fire Operations  
300 Public Works Administration  
301 Street Maintenance  
302 Traffic  
303 Stormwater Maintenance  
304 Fleet Maintenance  
305 Pavement Management  
306 Engineering  
400 Planning  
401 Code Enforcement  
402 Development Engineering  
500 Parks & Recreation Admin  
501 Parks Maintenance  
502 Aquatics  
503 Civic Centre  
504 Recreation  
505 Shawnee Town 1929  
600 Debt Service  
700 CIP

## Contractual Services:

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52110	Postage	Stamps/ All Mailing Cost (Invitations, Tickets, Etc.
52120	Telecommunications	Phone Services / Cable Services
52130	Transportation/Reception	All Employee Travel Expenses/ Ceremony or Event Expenses
52140	Education	Class Registration / Educational Materials (Internal use)
52142	Educational Programming	Parks Programs / Educational events
52230	Prisoner Care	Prisoner Care / Work Release
52310	Printing	Document Imaging / City Line / Reports
52330	Legal & Classified Advertising	Public Notice / Ordinances / Job Advertisements
52510	Utilities	Electric Bills / WM Bills / Propane Expenses
52512	Traffic Signals & Streetlights	Street Light Bill / Electric Services
52520	Buildings - Operations & Maintenance	Snow Removal / Ice machine Rental / Facility Maintenance
52531	Repair Motor Vehicles	Vehicle Parts / Car Washes / Tow Services for City Vehicles
52532	Repair Operations Equipment	Equipment Repair / Equipment Parts
52533	Repair Communications Equipment	Pole Injectors / Radio Equipment / Dispatch Equipment Repair
52534	Repair Office Furniture & Equipment	Office Tech Supplies & Repair / Furniture Repair
52540	Land Improvement Maintenance	City Mow Contract / Pond Maintenance / Street Maintenance
52630	Rent-Machinery & Equipment	Equipment Rental /Machine Rental / Equipment Lease
52720	Dues & Subscriptions	Association Memberships / Website Subscriptions
52790	Other Contractual Service	Document Imaging / Park Janitorial Service / Storage Rental
52810	Sales Tax	*For Concessions or Merchandise Sales Only
52820	Elections	*N/A unless instructed by CMO / FINANCE
52851	Professional Services	Special Contracting / Drug Screens / Special Fees
52852	Professional Services-Human Services	*CD ONLY - Community Services
52853	Information Purchases	*PD ONLY - Petty Cash for Police Patrol
52854	Information Tech Services	IT Purchases / Software Subscriptions / Software Renewal
52855	Development Reimbursements	*Economic Development ONLY
52856	Professional Services - Instructor	*PR ONLY - Park & Rec Programs / Classes
52858	Emergency Management Services	*FD ONLY

## Commodities:

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53110	Office Supplies	Toner Replacement / Business Cards / Pens, Pencils, Markers
53410	Expendable Tools	Training Items / Medical Supplies / Replaceable Tools
53530	Gasoline, Diesel & Oil	Wex Fuel
53600	Police Operating Supplies	Radars / Patrol Bikes / Dispatch Monitors
53610	Uniforms & Wear Apparel	Uniforms / Protective Gear / Belts / Boots / Uniform Cleaning
53620	Paint Supplies	Marking Paint
53630	Concession Supplies/Sales Merchandise	Pool Resale Items / Shawnee Town Resale Items / City Merchandise
53660	Sports & Playground Equipment	*P & R ONLY Life Jackets / Lounge Chairs / Event Supplies
53760	Guns & Ammunition	*PD ONLY - Guns/ Gear/ Explosives
53780	Asphalt & Road Oil	*PW ONLY - Blanket Asphalt PO / Street Repair Supplies
53810	Ice Control Materials	Road Salt
53830	Signs & Pavement Material	*PW ONLY - Sign Supplies / Sign Printer / Installation Materials
53840	Signal & Light Material	Traffic Signal Supplies / Street Light Supplies / Detection Equipment
53860	Sand, Gravel, and Rock	*PW ONLY – Material for stormwater projects
53870	Other Operating Supplies	Evidence Supplies / Pool Chemicals / Training Refreshments
53872	Engineering Supplies	Inspection Equipment / Marking Paint
53873	Emergency Management Supplies	*FD ONLY - Community Emergency Response Team
53874	Public Outreach Materials	*FD ONLY – Public Safety Information / Materials
53875	Technology	Tech Supplies / Batteries / Printer Supplies / Camera Equipment
53990	Lease Purchase Payments	Vehicle / Equipment Lease
54300	Land Improvements	Facility Landscape Improvements
54301	Chip Seal	*PW ONLY - Street Repair Supplies
54410	Motor Vehicles License	Vehicle Purchases / Trailer Purchases / Chassis
54420	Operations Equipment >5k	Patrol Car First Aid Supplies / Event Trailer / Vehicle Equipment
54430	Communications Equipment	*IT ONLY - Fiber
54440	Office Furniture & Equipment	Furniture & Equipment Purchases

## Capital Outlay:

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54300	Land Improvements	Facility Landscape Improvements
54301	Chip Seal	*PW ONLY - Street Repair Supplies
54410	Motor Vehicles License	Vehicle Purchases / Trailer Purchases / Chassis
54420	Operations Equipment >5k	Patrol Car First Aid Supplies / Event Trailer / Vehicle Equipment
54430	Communications Equipment	*IT ONLY - Fiber
54440	Office Furniture & Equipment	Furniture & Equipment Purchases

## Capital Projects:

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55100	Land Acquisition	Capital Projects
55200	Construction	Capital Projects
55400	Engineering	Capital Projects
55500	Miscellaneous	Capital Projects