**AN ORDINANCE OF THE COUNTY OF SISKIYOU AMENDING SECTIONS 2-8.03 AND 2-8.07 OF CHAPTER 8 OF TITLE II OF THE SISKIYOU COUNTY CODE RELATED TO THE PURCHASING AGENT AND THE PURCHASE OF PERSONAL PROPERTY AND GOODS AND SERVICES**

THE BOARD OF SUPERVISORS OF THE COUNTY OF SISKIYOU ORDAINS AS FOLLOWS:

Sec. 2-8.03 of Chapter 8 of Title II is hereby amended as follows:

The Purchasing Agent shall have the following specific duties that he or she may carry out directly or in conjunction with such deputies, assistants and other department employees so authorized by the Purchasing Agent in writing or the Board by resolution or minute order:

1. Pursuant to Government Code Section 25501, purchase for the County and its offices all materials, supplies, furnishings, equipment, livestock, and other personal property;
2. Pursuant to Government Code Section 25501, negotiate and execute in the name of the County all equipment service contracts and lease purchase agreements of personal property;
3. Pursuant to Government Code Section 25501, rent for the County and its offices furnishings, equipment, and livestock;
4. Pursuant to Government Code Section 25502.3, engage independent contractors to perform services for the County or County officers, with or without the furnishing of material. For dollar thresholds set forth in the County of Siskiyou Contracting & Procurement Policies and Procedures an invoice may be determined to satisfy the contracting requirements of this subsection. Except as set forth below, the provisions of this subsection shall not apply to contracts to do work upon the public roads of the County, contracts to print legal briefs or legal notices, contracts for election supplies, contracts for expert services to be rendered the offices of the District Attorney, County Counsel or Sheriff-Coroner, contracts for appraiser's services, contracts for consultants and other experts employed directly by the Board, or contracts for other services which by law some other office or body is specifically charged with obtaining. Notwithstanding the foregoing, to the extent allowed under state law, such District Attorney, County Counsel and Sheriff-Coroner contracts not otherwise subject to this subsection may be required by resolution of the Board to be let pursuant to a process in which a minimum of three (3) quotes is first obtained or a Request for Proposals (RFP) is done yearly in anticipation of such services being needed;
5. Pursuant to Government Code Section 25350.51, lease real property for use by the County for a term not exceed five (5) years and for a rental not to exceed Ten Thousand and no/100ths ($10,000.00) Dollars per month;
6. Pursuant to Government Code Section 25350.51, to amend real property leases for improvements or alterations, or both, with the total cost not to exceed Ten Thousand and no/100ths ($10,000.00) Dollars, provided that the amendment does not extend the term of the lease and that no more than two (2) amendments not to exceed Ten Thousand and no/100ths (10,000.00) Dollars each, are made within a twelve-month period;
7. In addition to the broader authority contained in subsection 2-8.14(a) and pursuant to Public Contracting Code Section 20131, employ state-licensed independent contractors and purchase materials, furnishings, and supplies used in the construction or repair of public works estimated at costing not more than Six Thousand Five Hundred and no/100ths ($6,500.00) Dollars, without the formality of obtaining bids, letting contracts, preparing specifications, and the other things required by the Local Agency Public Construction Act, commencing with Public Contract Code Section 20100;
8. Solicit and accept advantageous trade-in allowances for County personal property which has scrap value of less than Ten Thousand and no/100ths ($10,000.00) Dollars and which has previously been determined by the Purchasing Agent to be not further required for public use;
9. Through Assistant Purchasing Agents, by direct sale or otherwise, sell, lease, or dispose of any personal property belonging to the County not required for public use, subject to such regulations as may be provided by the Board of Supervisors, and shall pay the proceeds into the County treasury for the use of the County. Where the property is exchanged or traded, the Purchasing Agent or Assistant Purchasing Agent shall secure its value on behalf of the County;
10. Where specifically authorized by law, may sell, lease, or dispose of the personal property of any special district and pay the proceeds into the treasury of the district, or if an exchange or trade-in is made, return the proceeds to the special district;
11. Implement and oversee a County Credit Card program as authorized by Resolution of the Board of Supervisors;
12. Perform such other services as the Board may from time to time by resolution require.
13. As an alternative method for procuring motor vehicles, pursuant to SCC 2-8.07(i) and Government Code Sections 25305, 25501, and 25502, purchase motor vehicles.

Sec. 2-8.07 of Chapter 8 of Title II is hereby amended as follows:

Sec. 2-8.07. - Purchase of personal property specified in Government Code Section 25508; Competitive bidding rules and regulations. Contracting for personal services, with or without materials.

1. Intent. Pursuant to the authority of the Board of Supervisors provided in Government Code Section 25508, the purpose and intent of this section is to establish rules and regulations requiring the Purchasing Agent to obtain quotations by the use of formal or informal bids in connection with purchases costing more than Five Thousand and no/100th ($5,000.00) Dollars of materials, supplies, furnishings, equipment, livestock and other personal property which such Purchasing Agent is authorized to purchase for the County. Purchases of Five Thousand and no/100ths ($5,000.00) Dollars or less, in appropriate circumstances, as determined by exercise of the Purchasing Agent's discretion, may be made using a purchase order.
2. "Purchasing Agent" shall be the County Administrative Officer and shall include the Purchasing Agent's designees as specified in writing by the Purchasing Agent or the Board by resolution or minute order.
3. Informal Bids. Unless otherwise provided by law, the Purchasing Agent may utilize informal bids to purchase personal property where the cost of such personal property, as defined in Government Code Section 25508, is more than Five Thousand and no/100ths ($5,000.00) Dollars and no more than Twenty-five Thousand and no/100ths ($25,000.00) Dollars. "Informal bid" means a procurement procedure in which the request for a price for a product is solicited from a minimum of three (3) vendors, including, when practicable, local vendors, and awarded by the Purchasing Agent. When it is not practical to obtain the three (3) bids, the Purchasing Agent shall document his or her good faith effort to obtain multiple bids, which documentation shall satisfy the requirements herein.
4. Formal Bids. Unless otherwise provided by law or authorized by County policy, and except as provided in subdivision (i) as an alternative procurement process for motor vehicle purchases, the Purchasing Agent shall utilize formal bids to purchase personal property, as defined in Government Code Section 25508, where costs of such personal property is more than Twenty-five Thousand and no/100ths ($25,000.00) Dollars. "Formal bid" means a procurement procedure in which the request for a price for a product is solicited from a minimum of three (3) vendors, including local vendors, and a request for proposals (RFP) is prepared, posted on the County's website and, when determined to be appropriate by exercise of the Purchasing Agent's discretion, advertised in an appropriate publication calculated to bring maximum exposure in a cost effective manner. The requirement to solicit three (3) bids is satisfied if the RFP results in a minimum of three (3) responses. When it is not practical to obtain three (3) bids, the Purchasing Agent shall document his or her good faith effort to obtain multiple bids, which documentation shall satisfy the requirements herein.
5. Award. In addition to price, award of a bid shall be made on ability to provide a product satisfactory to County, service, experience, and other criteria as the County may declare in its solicitation for a price quote and request for bids. Price is an important, but not necessarily the determining factor, in awarding a contract. The County reserves the right to reject any and all bids and price quotes and to award a contract in the best interests of the County.
6. Sole source procurement and contracts are noncompetitively negotiated and shall be in accordance with the County of Siskiyou Contracting and Purchasing Policy. Sole source procurement may be used in special conditions, such as:
   1. Only one firm or individual is qualified to do the work.
   2. An emergency exists of such magnitude that cannot permit delay.
   3. Competition is determined to be inadequate after solicitation of a number of sources.
7. This section does not apply to professional service contracts or to public works contracts that statutorily must be let by contract to the lowest responsible bidder.
8. Purchases of computers, software, and other highly technical services and devices must be coordinated with the County's (not just the department's) IT Department.
9. Purchase of vehicles must be coordinated with County Administration, regardless of the procurement procedure used. As an alternative procurement procedure for motor vehicles to the formal bid process of subdivision (d), provided the Board has first approved through the budget process the money used for the purpose of acquiring a motor vehicle and the purchase does not exceed the amount budgeted, the Purchasing Agent may use a procurement procedure in which the request for a price for a motor vehicle is posted on the County website and there is solicited from a minimum of three (3) vendors, including, when practicable, local vendors, and the resulting purchase order is approved by the Purchasing Agent. When it is not practical to obtain the three (3) bids, the Purchasing Agent shall document his or her good faith effort to obtain multiple bids, which documentation shall satisfy the requirements herein
10. Pursuant to Government Code Section 25502.3, the Purchasing Agent may contract for personal services through an independent contractor, with or without the furnishing of material, when the annual aggregate cost does not exceed fifty thousand dollars ($50,000). The Purchasing agent may also arrange to contract for personal services through an independent contractor, with or without the furnishing of material when the annual aggregate exceeds fifty thousand dollars ($50,000), but the resulting contract must be approved by the Board of Supervisors. Dollar thresholds requiring competitive bidding processes, as set forth in subdivisions (c) and (d), shall be set forth in the County of Siskiyou Contracting and Purchasing Policy, as adopted by the Board of Supervisors, except in those sections where County Code provides for alternative procurement procedures. This subdivision does not apply to contracting for professional services.

PASSED AND ADOPTED this 7th day of March, 2023, at a regular meeting of the Board of Supervisors by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Ed Valenzuela, Chairman

Siskiyou County Board of Supervisors

ATTEST:

LAURA BYNUM, CLERK,

Board of Supervisors

By \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Deputy