

**RESOLUTION of the COUNTY BOARD of LIVINGSTON COUNTY, ILLINOIS
ADOPTING THE LIVINGSTON COUNTY
HIGHWAY DEPARTMENT PURCHASING POLICY**

WHEREAS, the Livingston County Board [hereinafter, "Board"], desires to ensure purchases and procurements made by Livingston County entities comply with state and federal law; and

WHEREAS, the Board previously adopted the Livingston County Purchasing Policy outlining the methods of purchasing and procuring items by Livingston County entities, but exempted the Livingston County Highway Department based on the nature of their operations; and

WHEREAS, the Board desires to ensure that the method of purchasing and procuring items by the Highway Department is consistent and comparable with other Livingston County entities while acknowledging the operational differences; and

WHEREAS, the Board seeks to ensure that county expenditures can be properly and accurately overseen and audited to demonstrate fiscal responsibility to the taxpayers of Livingston County; and

NOW, THEREFORE, BE IT RESOLVED by the County Board, in regular session, that it does hereby approve the adoption of the Livingston County Highway Department Purchasing Policy to govern the purchase and procurement of items by the Livingston County Highway Department.

PASSED AND ADOPTED this 15th day of July, 2021.

Ayes: _____

Nays: _____

Abstain: _____

Absent: _____

Kathy Arbogast, Chairman
County Board of Livingston County, Illinois

ATTEST:

Kristy A. Masching, Clerk
County Board of Livingston County, Illinois



Livingston County Highway Department
Purchasing Policy

Rules, Regulations and Procedures
for Purchasing

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Livingston County Highway Department Purchasing Policy Rules, Regulations and Procedures for Purchasing

I. SCOPE & PURPOSE

It is the policy of the Livingston County Board that:

- A. The Livingston County Highway Department Purchasing Policy shall be the sole guideline for business transacted between vendors and the Livingston County Highway Department.
- B. The Livingston County Highway Department shall follow the Purchasing Policy when procuring goods and services, except as stated in Section VII, Exceptions.

II. POLICY STATEMENT

It is the policy of the Livingston County Board:

- A. To make the most efficient use of taxpayers' dollars.
- B. To allow for competitive pricing in the procurement of all goods and services.
- C. To maintain an "Open Door" policy, whereby all responsible suppliers will receive proper consideration.
- D. When the bid process is utilized, the lowest bidder conforming to the bid specifications must be given greater consideration.
- E. When comparable goods and services are available, the supplier with the lowest price will be given greater consideration.
- F. When using either the bid process or normal procurement process, and all other factors being equal; local vendors may receive preference.
- G. Gratuities or gifts, of any type, to County Offices or Employees - elected, appointed, salaried or hourly – are prohibited both before and during the bidding process and after award of bid or contract for services.
- H. All bids and quotes are subject to the State of Illinois Freedom of Information Act; however, bids/quotes/proposals shall not be used by vendors or Livingston County to gain unfair competitive advantage either prior to, during, or after the competitive bidding process.

- I. All purchasing and procurement statutes of the State of Illinois are applicable.
- J. The invalidity or unenforceability of any of the provision of this policy shall not affect the validity or enforceability of the remainder of the policy.
- K. Nothing in this policy shall act to reduce or impair any express statutory authority.
- L. All purchases must be for public use.
- M. All purchases shall be made of the highest quality, only to be restricted to budgetary concerns.

III. TYPES OF PURCHASES

It is the policy of the Livingston County Board that all procurement of goods/services for the highway department shall fall under the following classifications:

A. Goods/Services up to \$20,000

- 1. For purchases under \$20,000 an invoice and shipping notice (if available), shall be the sole document required for the payment of goods/services under \$20,000.

B. Goods/Services Exceeding \$20,000 and Less Than \$30,000

- 1. For purchases of \$20,000-\$30,000, the department shall obtain a minimum of two written quotes, and may use a Request for Proposal (RFP), if appropriate.
 - a. For purchases of \$20,000-\$30,000, the requirement for two written quotes, is waived if the items purchased are available through competitively solicited contracts bid and negotiated by the State of Illinois, U.S. General Services Administration, or other lead public agency in accordance with public purchasing rules and regulations as allowed by Illinois state statute (5 ILCS 220/3).
 - b. Bids for goods/services, which have been awarded, based on a fixed purchase price with ordering and delivery scheduled throughout the fiscal year may be encumbered on a blanket purchase orders issued for each fiscal year involved in the contract service period.

2. Review of the feasibility of using the bid process for items exceeding \$20,000, but not anticipated to exceed \$30,000, shall be made by the County Engineer on a case-by-case basis.

C. PURCHASES AND OTHER GOODS/SERVICES OF \$30,000 OR MORE

1. Requirements for Bidding/Competitive Selection Procedure

- a. All purchases of goods or services (other than professional services), estimated to cost \$30,000, or more, must be let for bid or procured through a competitive selection (Request for Proposals – RFP or Request for Qualifications-RFQ) process.
- b. The department may not make two separate purchases for the same good/service in order to circumvent the normal bidding procedure.
- c. Any final award of contract or approval of purchase obtained through formal bids or requests for proposals/requests for qualifications must be approved by the Livingston County Board.
- d. All meetings and discussions of the award of the bid or contract shall be open to the public and welcome public participation.
- e. Public notification of bid/RFP/RFQ shall be placed in the “Legal Notices” section of a newspaper of general circulation in the County for a minimum of one (1) day in each of two (2) consecutive weeks, and when appropriate, in related professional publications or web sites. All expenses incurred in the publication of notice of bid/RFP/RFQ will be the responsibility of the requesting department.

2. Bid/Request Types

It is the policy of the Livingston County Board to allow for competitive pricing and that the use of the bid system shall be the vehicle to which this policy shall be carried out.

- a. Formal bids shall be used when the projected monetary value of goods or services to be procured exceeds the limit set in 1 a., above.
- b. Requests for Proposals (RFP) or Requests for Qualifications (RFQ) shall be used when the goods or services required, due to their nature, do not fall in a classification for which clearly established technical specifications can be provided to bidders.

- c. Requests for Qualifications (RFQ) following the Quality Based Selection (QBS) requirements established in 50 ILCS 510 for selection of architects, engineers, land-surveying and information technology services shall be followed for the procurement of those services.

3. Steps in Bidding/Competitive Selection Process

- a. Detail of specifications shall be prepared by the department for goods/services to be bid/or procured through competitive selection. Assistance will be available to the department for the preparation of bid documents from the County Purchasing Agent upon request; however, the quantity and final determination of quality of goods/services to be bid/procured shall be the responsibility of the department.
- b. Bid/Proposal package shall be created. Bid/Proposal Package shall include at a minimum the following information:
 - Introduction (Describing the Project)
 - Proposal Due Date (including bid/proposal due date & bid opening date)
 - Bid/Proposal Scope (including specifications and requirements)
 - Bid/Proposal Format for submission
 - Notification of Prevailing Wage Requirements
 - Notification of the County's right to accept or reject any and all bids/proposals
- c. Advertisement shall be placed in the "Legal Notices" section of a local newspaper of general circulation in the County for a minimum of one (1) day in each of two (2) successive weeks, and provide notice in related professional publications or web sites. All expenses incurred in the publication of notice of bid/proposal shall be paid from the project budget.
- d. Require a public bid/proposal opening of all submitted bids/proposals to which respondents may or may not be required to attend.
- e. Analysis of bids/proposals received will be prepared and/or reviewed by the County Engineer and submitted to the Highway Committee.
- f. The Highway Committee will review the bid/proposal and forward a recommendation for award of bid/contract to the full Livingston County Board for consideration and final approval.

- g. The department shall notify all bidders of the results of award of bid/contract.

4. Awarding Bids/Proposals/Contracts

It is the policy of the Livingston County Board:

- a. To allow for competitive pricing in securing all goods/services.
- b. To make the most efficient use of taxpayers' dollars. When comparable goods/services are available, the supplier with the lowest price will be given greater consideration. When the bid process is utilized, the lower or lowest bidder conforming to the specifications will likewise be given greater consideration.
- c. In addition to price and terms of sale as conditions for award of bid, the following shall also be given great consideration: quality of goods bid, the financial condition and proven ability of the supplier, ability to provide goods/services in a timely manner, and the history of the supplier in past dealings with Livingston County.
- d. In awarding of bids/contracts, the location of the supplier will be considered only when the ability to provide local assistance is critical.
- e. To maintain an "Open Door" policy giving all viable vendors proper consideration.

5. Contracts

- a. The State's Attorney's Office shall review contracts prior to final signature by the County Board Chair. Illinois Department of Transportation contracts required by the State of Illinois shall be exempt from this requirement.
- b. All contracts for goods/services which have been approved by the Livingston County Board will be signed by the County Board Chair.

IV. EMERGENCY PURCHASES

It is the policy of the Livingston County Board that:

- A. Emergency purchases shall be classified as those purchases, which ensure public health and safety, protect public property, and/or limit County liability; and, due

to time constraints, cannot be obtained through the foregoing process without jeopardizing one of the listed categories.

- B. Emergency purchases may deviate from the Purchasing Policy when approved by the County Engineer and the Chairman of the Highway Committee.
- D. Emergency purchases are subject to final approval of the Highway Committee and shall be forwarded to the Livingston County Board for final approval which may be retro-active where applicable.

V. EXCEPTIONS

It is the policy of the Livingston County Board that:

- A. Although the Livingston County Highway Department Purchasing Policy is designed to be flexible enough to accommodate most specific situations, there will be occasions which require techniques or solutions outside the established guidelines. In order to ensure internal consistency, however, some control must be maintained by the Livingston County Board over exceptional situations. Purchases beyond the Livingston County Highway Department Purchasing Policy guidelines, may be referred by the County Engineer to the Highway Committee for exception.
- E. Written quotations will be an accepted alternate to formal bids for fuel, which is routinely and repeatedly purchased throughout the year.
- F. Professional services, while not subject to competitive bidding, shall require formal approval of both the Highway Committee and the Livingston County Board.
- E. The formal bidding process, as prescribed, shall not be required for all items purchased through competitively solicited contracts bid and negotiated by the State of Illinois, U.S. General Services Administration, or other lead public agency in accordance with public purchasing rules and regulations as allowed by Illinois state statute, 5 ILCS 220/3. The department shall be responsible for completing all necessary paperwork involved in utilizing any such government purchasing alliance for purchase of any item/items requested.
- F. In the event a project or capital purchase has been submitted and approved by the Livingston County Board as part of the annual budget process, no additional approval shall be required unless statutorily mandated.