

**ORDINANCE NO. 459
(AS AMENDED THROUGH 459.6)
AN ORDINANCE OF THE COUNTY OF RIVERSIDE
ESTABLISHING PURCHASING POLICIES AND PROCEDURES**

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. Ordinance No. 459 is amended in its entirety to read as follows:

Section 1. FINDINGS. The Board of Supervisors finds the necessity to employ and designate a purchasing agent for the fulfillment of duties related to the procurement of services and the purchase, disposition and management of all materials, supplies, furnishings, equipment, and other personal property for the benefit of the County of Riverside ("County").

Section 2. PURPOSE. The purpose of this ordinance is to establish policies and procedures related to the contracting for services and the purchase and management of personal property procured by the purchasing agent for the County of Riverside.

Section 3. AUTHORITY. The designation of the purchasing agent for the County ("Purchasing Agent") and establishment of the policies and procedures for the powers and duties of the Purchasing Agent are made pursuant to California Government Code Sections 25500, et seq.

Section 4. PURCHASING AGENT. The Department of Purchasing ("Purchasing") remains established and headed by the Purchasing Agent, who shall also be known as the Director for Purchasing and Fleet Services, and shall have the powers and perform the duties prescribed by the general laws of the State of California relating to and for County Purchasing Agents, this ordinance, other ordinances, resolutions and orders of the Board of Supervisors.

Except as otherwise ordered by the Board of Supervisors, the Purchasing Agent shall provide the services stated in this ordinance on behalf of all County departments, agencies, and districts (collectively referred to hereafter as "Departments"). In the performance of his/her duties, the Purchasing Agent shall comply with applicable law and Board of Supervisors orders, including limitations on purchasing procedures. Applicable law shall have precedence over the authority described in this ordinance.

Except as to purchases initiated by the Purchasing Agent, the Purchasing Agent shall have no responsibility to determine that funds are budgeted or available for any purchase. This responsibility shall belong to the department requesting the purchase. County Departments shall cooperate fully with the Purchasing Agent to assist him/her carrying out the duties under this ordinance.

Section 5. SPECIFIC DUTIES OF THE PURCHASING AGENT. The Purchasing Agent shall manage and administer his/her department, its warehouses,

funds and accounts; and shall have the authority to:

- a. Provide a countywide eProcurement/contract management system to be utilized by all departments/agencies/districts regardless of funding source.
- b. Purchase for the County Departments all personal property.
- c. Rent or lease for the County Departments all personal property, provided that any rental or lease agreement for longer than one year shall first be approved by the Board of Supervisors.
- d. Engage contractors to perform services and provide materials.
- e. Sell, exchange, or dispose of any item of personal property declared surplus to County needs.
- f. Utilize cooperative purchasing arrangements, including but not limited to State contracts, multi-jurisdictional agreements, group purchasing organizations, and other purchasing cooperatives that aggregate demand for the purpose of obtaining lower prices.
- g. Bid and award contracts for public works projects pursuant to thresholds established in the Uniform Public Construction Cost Accounting Act (Public Contract Code section 22000 et seq.), as it currently exists or may be amended from time to time.
- h. Perform such other services approved as required by the Board of Supervisors.
- i. Maintain the County Purchasing Policy Manual as the source for Purchasing staff and Department staff to obtain current information on County purchasing requirements. The Purchasing Agent shall update the Policy Manual and include new legal requirements or information as will best fulfill his/her mission as described in this ordinance.

Section 6. BIDDING AND PROCUREMENT PROCEDURES. Except as specifically otherwise required by law, the Purchasing Agent may make any purchase of personal property or services, or perform any other act under this ordinance, without notice, advertisement or securing competitive bids up to an amount of \$50,000. Board of Supervisors approval is required for purchase of any item or service costing more than \$50,000 made without securing competitive bids. Purchase of any item costing over \$5,000 from other than the responsive and responsible lowest bidder must be approved by the Board of Supervisors. The Purchasing Agent shall use procurement methods and procedures as in his/her judgment to secure the lowest price while also obtaining the best value and quality for the County through the most responsive and responsible bidder.

Section 7. EXCEPTIONS. No purchases described in Section 5 shall be made by any County officer or employee without a contract and purchase order or other written authority first obtained from the Purchasing Agent. Exceptions are allowed for specific purchases as described below:

Category I Exceptions: The following purchasing activities do not require the purchasing practice of bidding and awarding under the approval of the Purchasing Agent.

- a. Advertising

- b. Election supplies
- c. Legal brief printing, transcripts, and similar documents
- d. Subscriptions to publications
- e. Insurance
- f. Public utility services
- g. Common carrier transportation
- h. Ordinary travel expense items
- i. Items exempt by law or by specific order or policies of the Board of Supervisors
- j. Government publications and law books
- k. Postage, including postage supplies and services
- l. Workers compensation services, malpractice liability services, and liability insurance services, including investigative and rehabilitation services and legal services from Board-approved panel of firms
- m. Litigation services, including investigative and professional services and retention of Board-approved special counsel necessary to assist County Counsel

Category II Exceptions: The following purchasing activities do not require the purchasing practice of bidding and awarding under the approval of the Purchasing Agent. Board approval is required for activities that exceed \$50,000.

- a. Memberships
- b. Event sponsorships and registration
- c. Contracts for shelter home and youth home services
- d. State and federal mandates for specific participation and contracted services
- e. Services rendered by any federal, state, or local government agency
- f. Emergency purchases, which shall be limited to those immediately necessary: for protection of life or property from substantial hazard; or for unforeseeable events that jeopardizes immediate continued operation of a County function

Section 8. SURPLUS PROPERTY. Any item of personal property may be declared surplus to County needs by a department if concurred with by the Purchasing Agent. The Purchasing Agent shall maintain a pool of extra County property deemed usable and shall make it available to any department having a need. In disposing of surplus property, the Purchasing Agent shall use such methods and procedures as in his/her judgment will return the best value to the County. When the Purchasing Agent is purchasing personal property for which it is not necessary to advertise for bids, may solicit and accept advantageous trade-in allowances for County personal property found by the Purchasing Agent to be not required for public use and such item of personal property having a scrap value of less than \$10,000.

Section 9. STANDARDS/DEPARTMENT COOPERATION. The Purchasing Agent may organize one or more committees to assist him/her in

establishing standards of type, design or quality of purchases. He/she shall be the chair of any such committee, which may include the heads or other representatives of user departments and others concerned. As to purchases for particular uses, the Purchasing Agent shall consult with and give consideration to the recommendations of the department head making the purchase.

Section 10. PARTICIPATION OF OTHER ENTITIES. As deemed appropriate by the Purchasing Agent, including such application of procurement conditions as are necessary, cities or other governmental entities shall be allowed to participate in County purchase contracts. Such purchases will be made in the name of the city or governmental entities. The city or governmental entities will be responsible for payment directly to the vendor and for any tax liability; and will hold the County harmless for all matters related to its purchase. Participation may be subject to an administrative charge as determined by the Purchasing Agent.

Section 11. SEVERABILITY. If any provision, clause, sentence or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are hereby declared to be severable.”

Section 2. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after its adoption.

Adopted: 459 10/05/1959 (Eff: 11/04/1959)
Amended: 459.1 05/14/1974 (Eff: 07/01/1974)
459.2 Item 3.3 of 05/07/1985 (Eff: 06/07/1985)
459.3 Item 3.5 of 09/25/1990 (Eff: 10/02/1990)
459.4 Item 3.6 04/20/1993 (Eff. 05/20/1993)
459.5 Item 3-22 of 05/19/2015 (Eff: 06/18/2015)
459.6 Item 3.16 of 02/05/2019 (Eff: 03/06/2019)