

IDA COUNTY PROCUREMENT POLICY

PURPOSE

The purpose of this Procurement Policy is to ensure that sound business judgment is utilized in all procurement transactions and that supplies, equipment, construction, and services are obtained efficiently and economically and in compliance with applicable federal law and executive orders and to ensure that all procurement transactions will be conducted in a manner that provides full and open competition.

APPLICATION

This policy applies to the procurement of all supplies, equipment, construction, and services of and for Ida County related to the implementation and administration of the award. All procurement will be done in accordance with the applicable provisions of 2CFR 200.317 through 200.326. Hazard Mitigation Grant Program, Federal Emergency Management Agency, Department of Homeland Security and to all other non-federally funded programs unless found in conflict with procurement procedures required in Iowa Code, Chapter 26 and Section 331.341.

POLICY

METHODS OF PROCUREMENT

Procurement under grants shall be made by one of the following methods, as described herein: (a) small purchase procedures; (b) sealed bids (formal advertising); (c) competitive proposals; (d) noncompetitive proposals.

- A. Small purchase procedures are relatively simple and informal procurement methods that are sound and appropriate for the procurement of services, supplies, or other property, costing in aggregate not more than \$100,000. If small purchase procedures are used for a procurement under a grant, price or rate quotations (minimum of 2) shall be obtained from an adequate number of qualified sources.
- B. In sealed bids (formal advertising), sealed bids are publicly solicited and a firm-fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all of the material terms and conditions of the invitation for bids, is the lowest in price. The sealed bids method is the required method for procuring construction.
 1. In order for formal advertising to be feasible, appropriate conditions must be present, including, at a minimum, the following:
 - a) A complete, adequate and realistic specification or purchase description is available.
 - b) Two or more responsible bidders are willing and able to compete effectively for Ida County's business; and
 - c) The procurement lends itself to a firm-fixed-price contract, and the selection of the successful bidder can be made principally on the basis of price.

2. When sealed bids are used for a procurement under a grant, the following requirements apply:
 - a) A sufficient time prior to the date set for opening of bids, bids shall be solicited (publicly advertised) from an adequate number of known suppliers.
 - b) The invitation for bids, including specifications and pertinent attachments, shall clearly define the items or services needed in order for the bidders to properly respond to the invitation for bids.
 - c) All bids shall be opened publicly at the time and place stated in the invitation for bids.
 - d) A firm-fixed-price contract award shall be made by written notice to that responsible bidder whose bid, conforming to the invitation for bids, is lowest. Where specified in the bidding documents, factors such as discounts, transportation costs, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts may only be used to determine low bid when prior experience of Ida County indicates that such discounts are generally taken.
 - e) Any or all bids may be rejected if there are sound documented business reasons in the best interest of the program.
- C. Procurement by competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed-price or cost-reimbursable type contract is awarded, as appropriate. Competitive proposals are generally used when conditions are not appropriate for the use of sealed bids. If the competitive proposals method is used for a procurement under a grant, the following requirements apply:
 1. Requests for Proposals shall be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals shall be honored to the maximum extent practical.
 2. Requests for Proposals shall be solicited from an adequate number of qualified sources.
 3. Ida County shall have a method for conducting evaluations of the proposals received and for selecting awardees.
 4. Awards will be made to the responsible offeror whose proposal will be most advantageous to the procuring party, with price (other than architectural/engineering) and other factors considered. Unsuccessful offerors will be promptly notified in writing.
 5. Ida County should use competitive proposal procedures for qualification-based procurement of architectural/engineering (A/E) professional services whereby competitor's qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in the

procurement of A/E professional services. It cannot be used to procure other types of services (e.g., administration professional services) even though A/E firms are a potential source to perform the proposed effort.

6. Evaluation Criteria for Ida County in the Procurement of Professional Services. In accordance with 2 CFR, Part 200, the following factors will be used to evaluate the proposals or requests for qualifications when the "competitive proposals" method of procurement (used for the procurement of professional services) is utilized to select awardees:

- The firm's past experience with similar projects;
 - Recipient's familiarity with the firm;
 - The firm's availability of staff/capability of staff;
 - The firm's technical and financial resources;
 - The firm's geographic location;
 - The firm's ability to complete projects in a timely manner and within budgetary constraints;
 - The firm's integrity and compliance with public policy;
 - The firm is not on county, State of Iowa, HUD's or DOL's debarred or suspended lists; and
 - Cost or anticipated compensation.
- D. Noncompetitive proposals is procurement through solicitation of a proposal from only one source, or after solicitation from a number of sources, competition is determined inadequate. Noncompetitive proposals may be used only when the award of a contract is infeasible under small purchase procedures, sealed bids (formal advertising), or competitive proposals. Circumstances under which a contract may be awarded by noncompetitive proposals are limited to the following:
1. The item is available from only a single source;
 2. After solicitation of a number of sources, competition is determined inadequate;
 3. A public exigency or emergency exists when the urgency for the requirement will not permit a delay incident to competitive solicitation; and
 4. The awarding agency authorizes noncompetitive proposals. (Sole source procurement for supplies, equipment, construction, and services valued at \$25,000 or more must have prior approval of the Iowa Homeland Security and Emergency Management Department).
- E. Ida County will provide, to the greatest extent possible, that contracts be awarded to qualified small and minority firms, women business enterprises, and labor surplus area firms whenever they are potential sources.
- F. Any other method of procurement must have prior approval of the Iowa Homeland Security and Emergency Management Department.

CONTRACT PRICING

- A. The cost plus a percentage of cost and percentage of construction cost method of

contracting shall not be used.

- B. Ida County shall perform some form of cost/price analysis for every procurement action, including modifications, amendments or change orders.

PROCUREMENT RECORDS

Ida County shall maintain records sufficient to detail the significant history of a procurement, including the rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.

CODE OF CONDUCT

The purpose of this Code of Conduct is to ensure the efficient, fair, and professional administration of federal grant funds in compliance with 2 CFR; Part 200.318 and other applicable federal and state standards, regulations, and laws.

A. APPLICATION

This Code of Conduct applies to all officers, employees, or agents of Ida County engaged in the award or administration of contracts supported by federal grant funds.

B. REQUIREMENTS

No officer, employee, or agent of Ida County shall participate in the selection, award, or administration of a contract supported by federal grant funds, if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when:

- a. The employee, officer, or agent;
- b. Any member of his/her immediate family;
- c. His/her partner; or
- d. An organization which employs, or is about to employ any of the above;

has a financial or other interest in the firm selected for award.

Ida County officers, employees, or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or subcontractors.

C. REMEDIES

To the extent permitted by federal, state, or local laws or regulations, violation of these standards may cause penalties, sanctions, or other disciplinary actions to be taken against Ida County's officers, employees, or agents, or the contractors, potential contractors, subcontractors, or their agents, including termination.

Passed and adopted this 11th day of June, 2019.

Creston Schubert
Creston Schubert, Chair, Ida County Board of Supervisors

ATTEST

Lorna Steenbock
Lorna Steenbock, Auditor

CONFLICT OF INTEREST POLICY

In addition to the State of Iowa, and local codes, applicable to conflict of interest, the following policy, pertaining to Federal Funds shall be applicable.

Per 2 CFR Part 200.112 Conflict of Interest

The Federal awarding agency must establish conflict of interest policies for Federal awards. The non-Federal entity must disclose in writing any potential conflict of interest to the Federal awarding agency or pass through entity in accordance with applicable Federal awarding agency policy.

And per 2 CFR Part 200.318 (c) (1) General Procurement Standards

The non-Federal entity must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts. No employee, officer, or agent may 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 other 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 may 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 situation in which the financial interest is not substantial or the gift is an unsolicited item or 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.

To the extent permitted by federal, state or local laws or regulations, violations of these standards may cause penalties, sanctions or other disciplinary actions to be taken against officers, employees or agents.

Passed and adopted the 11th day of June, 2019.



Creston Schubert, Chair, Ida County Board of Supervisors



Attest: Lorna Steenbock, Auditor

FRAUD REPORTING POLICY

Purpose:

The purpose of this Reporting Policy is to ensure that Ida County, IA complies with the Code of Federal Regulations, 2 CFR, Section 200.113 that requires reporting of violations of Federal criminal law involving fraud, bribery or gratuity potentially affecting a Federal grant.

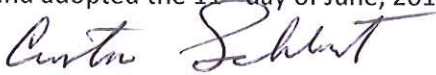
Policy:

Ida County, and/or employees are required to disclose, in a timely manner, in writing to the Federal awarding agency or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. This requirement applies to violations involving the County, its employees and any sub-recipients of a Federal grant.

If a County employee learns of a violation of Federal criminal law involving fraud, bribery or gratuity potentially affecting a Federal grant, the City of Ida Grove or employee must report the violation to the Chair of the Board of Supervisors or County Auditor.

The Board of Supervisor Chair or County Auditor are responsible for reporting the violation to the relevant Federal agency or pass-through agency, in writing and in a timely manner.

Passed and adopted the 11th day of June, 2019.



Creston Schubert, Chair, Ida County Board of Supervisors



Attest: Lorna Steenbock, Auditor