

THE CITY OF UNIVERSITY PARK, TEXAS
PURCHASING POLICIES AND PROCEDURES
MANUAL

UPDATED November 2018

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1.0 PURCHASING POLICY AND OBJECTIVES

1.1 PURCHASING POLICY

The City of University Park's policy is to ensure fair, competitive access to governmental procurement by responsible vendors/contractors and to conduct business activities in such a manner to foster public confidence in the integrity of the City of University Park.

Public Purchasing is regulated by the Texas State Comptroller's office. The Comptroller's office defines Purchasing as follows:

“The receipt and processing of requisitions, development of specifications, development of scope of work, the issuance of purchase orders against existing cooperative or agency contracts, and the verification of the inspection of merchandise or receipt of services by the agency.”

Private sector purchasing's goals are to:

- Purchase the proper good or service to suit the business' need;
- Get the best possible price for the good or service;
- Have the good or service available where and when it is needed;
- Ensure a continuing supply of needed goods and services; and
- Guard against any misappropriation of the business' assets procured by purchasing.

Public sector purchasing has the same goals and some additional goals, including:

- Ensuring that responsible bidders are given a fair opportunity to compete for the government's business. This is done partially by the statutory requirements for competitive bids and proposals, and partially by the City's own purchasing procedures.
- Ensuring that public funds are safeguarded. Although the purchasing office does not usually designate the types of purchases to be made, it should see that the best value is received for the public dollar.
- Ensuring that public spending is not used to enrich elected officials or government employees, or to confer favors on favored constituents.
- Ensuring that historically underutilized businesses (HUBs) have an equal opportunity in the contract awards process.

1.2 PURCHASING OBJECTIVES

The primary objective of the Purchasing department is to support the Department Directors in accomplishing the goals established by the City Council and the City Manager. The Purchasing department will comply with legal and ethical standards to obtain the specified quality and quantity of merchandise that offer the best value to the City.

While price is important, state statute says that most competitively bid contracts must be awarded to the lowest responsible bidder in order to obtain the best value for the City. Texas Local Government Code, chapter 252.043 states that the City may consider the following items in order to identify the lowest responsible bidder / best value offer:

- Purchase price
- Reputation of the bidder, and of the bidder's goods and services
- Quality of the bidder's goods or services
- Extent to which the goods or services meet the City's needs
- Bidder's past relationship with the City
- Impact on the ability of the City to comply with laws and rules relating to contracting with historically underutilized businesses and non-profit organizations with disabilities
- Long term cost to the City to acquire the bidder's goods or services
- Any relevant criteria listed in a request for bids

1.3 PURCHASING AUTHORITY

As per Administrative Order FNC-1, “purchasing authority” is defined as the ability to initiate purchases without approval from another person and is displayed in the chart below. A letter “X” indicates that level of employee has purchasing authority at the level described by the column heading:

	No quotes required		Competitive quotes and HUB invites required		Sealed bids required
	\$0 - \$500	\$500.01- \$3000	\$3,000.01 -- \$10,000	\$10,000.01 - \$50,000	\$50,000.01+
Employees designated by Supervisor	X				
Non-UPPD Supervisors and UPPD Captains	X	X			
Managers, Superintendents, and Directors	X	X	X		
City Manager	X	X	X	X	X

City Manager Approval

All requisitions exceeding \$10,000 and all requisitions for vehicle purchases (see Attachment 11.7, Vehicle Procurement Requisition form– VPR in Administrative Order FNC-1) must have the approval of the City Manager to be processed.

2.0 SMALL PURCHASES - \$3,000 AND UNDER

2.1 SMALL PURCHASE DEFINITION

A small purchase totals \$3,000 or less. Although quotations are not required for small purchases, purchasers should ensure that a variety of vendors have an opportunity to participate in the business conducted by the department.

Alternating awards to qualified vendors should be a policy of each department. The small purchase threshold is established by Administrative Order FNC-1 (see Attachment 11.6).

2.2 SMALL PURCHASE METHODS

Small purchases can be made using the following methods:

2.2.1 Procurement Cards:

Procurement cards are the preferred method for making small purchases. Procurement cardholders are designated by the department directors. Procurement cards should be used for **all** small purchases except when the vendor does not accept MasterCard or when the Purchasing Agent has made an exception.

The City's updated P-Card policy is included in the Appendix.

2.2.2 Approval for Payment Form:

This form may be used when the item, service, or expense does not involve or require formal purchasing procedures but exceeds petty cash limitations (see 2.2.3 below) AND the vendor will not accept the City's procurement card. Examples of when this form can be used are:

- Payments for professional services (defined in Chapter 2254 of the Texas Government Code)
- Payment of routine payables such as copier maintenance
- Tuition and/or books
- Subscriptions of magazines, etc.
- Dues, membership renewals
- Travel expense reimbursements, seminar or school expense

In general, though, purchases in excess of \$3,000.00 should be made on a purchase order.

2.2 SMALL PURCHASE METHODS (CONT.)

2.2.3 Petty Cash:

The following are the rules for use of petty cash funds:

- All employees who want to be reimbursed out of petty cash will complete a petty cash form, including the correct account number, prior to requesting reimbursement. Petty cash forms are available from the Utility Billing Office. A receipt for expenditures of \$3.01 or more will be submitted with the petty cash form.
- Petty cash reimbursements shall be limited to \$30.00 maximum.
- The Director of Finance, or his designee, shall periodically audit the petty cash expenditures as to form and regulations. The Director of Finance may take necessary action to confirm that the service or product was received by the City.

(See Attachment 11.6, Administrative Order FNC-1)

2.3 SPLITTING PURCHASES PROHIBITED

Splitting orders in order to avoid the \$3,000 small purchase threshold is prohibited and may be treated as a violation of the City's Ethics code. (See Attachment 11.8, Administrative Order PRS-16)

3.0 PROCEDURE FOR MAKING PURCHASES \$3,000.01 TO \$50,000

3.1 PURCHASES TOTALING \$3,000.01 - \$50,000

Step 1: Obtain quotes, including HUB vendors.

Purchases totaling more than \$3,000 require the purchaser to obtain at least three (3) written quotations. Purchasers can obtain written quotes via:

- BidSync - The City's e-procurement system is a good way to obtain quotes quickly and fairly.
- E-mail
- Fax

City employees who seek quotes should ensure that all bidders are given the opportunity to provide the same information. All quotes should be obtained in writing. A written form reduces the possibility of misinterpretation of product description, quantities, or deadline for quote return.

HUB Vendors

- Section 252.0215 of the Texas Local Government Code mandates that "a municipality, in making an expenditure of more than \$3,000 but less than \$50,000, shall contact at least two historically underutilized businesses on a rotating basis, based on information provided by the comptroller pursuant to Chapter 2161, Government Code. If the list fails to identify a historically underutilized business in the county in which the city is situated, the municipality is exempt from this section."

If the purchase is anticipated to exceed \$3,000, you should access the historically underutilized business (HUB) list provided by the State of Texas. **Purchasing can assist you in obtaining HUB lists.**

3.1 PURCHASES TOTALING \$3,000.01 - \$50,000 (CONT.)

Step 2: Complete a requisition.

When you have received three quotations, complete a Purchase Requisition form (see Attachment 11.3), obtain the appropriate authorization signature(s) (see Section 1.3), attach all backup paperwork, and submit it to Purchasing.

Note: The City Manager must sign requisitions in the following instances:

- The requisition totals \$10,000 or more
- The requisition is for a vehicle purchase

City Manager approval should be obtained before the requisition is submitted to Purchasing in order to avoid delays.

Step 3: Get a Purchase Order Number from Purchasing.

Purchasing will issue a purchase order number and a printed P.O.

- The P.O. should be e-mailed to the vendor*;
- Keep a copy for your department/division records;
- Send a signed copy to Accounts Payable along with the invoice and packing slip when you have received your goods and/or services and are ready to release payment.

** Certain cooperative agencies require that the P.O. be sent to their processing departments first. These agencies will review the P.O. to make sure that the purchase is covered by their contract. Then the cooperative agency will forward the P.O. to the vendors. Cooperative agencies that have this policy include:*

- Buyboard
- HGAC
- TIPS
- State of Texas contracts (TXMAS, TPASS, etc.)

In these cases, Purchasing will forward the P.O. top the agency and CC the purchaser on the e-mail. See Section 5.0 for more details on Co-operative purchases.

3.1 PURCHASES TOTALING \$3,000.01 - \$50,000 (CONT.)

ALL PURCHASES BETWEEN \$3,000 AND \$50,000 MUST BE DOCUMENTED ON A PURCHASE ORDER. THE ONLY EXCEPTIONS ARE AS FOLLOWS:

- Payment of professional services fees. Professional services are defined by Chapter 2254 of the Texas Government Code.
- Payment of dues, subscriptions, and membership fees.
- Other instances as approved by the Finance Director or City Manager.

In the above instances, an Approval for Payment form (see sample in Attachment 11.4) may be used in place of a formal purchase order.

4.0 PURCHASES OVER \$50,000

4.1 PREPARING SEALED SOLICITATIONS (BID / RFP / RFQ)

Purchases that total \$50,000 and over are governed by state law (Chapter 252, Texas Local Government Code) and must follow the procedures listed below. The Purchasing Agent will accept responses to all sealed solicitations. (Sealed solicitations will be referred to as "Bids" in this section).

- Written Specifications: Written specifications (see Section 4.2 "Preparing Bid Specifications") should provide a clear and concise description of the item(s) to be purchased. Purchasing will partner with the requisitioner to develop sound specifications.
- Bid Preparation and Posting: Purchasing will prepare a bid to be posted to BidSync. This bid will be based on the specifications provided by the requesting department. Bidsync (www.bidsync.com) is the software that the City uses to post and maintain bids. Bid opportunities are viewable by all vendors, including HUB's, who are registered BidSync users. Registration is free to vendors. Once a bid opportunity is posted on BidSync, it is also available to the public on the City's website at www.uptexas.org/Government/Purchasing/Bids-and-RFPs.
- Bid Advertisement: The Purchasing department will schedule a bid opening date and will advertise the bid twice in a local newspaper. The first advertisement must be published at least fourteen (14) days before the scheduled bid opening date. The advertisement will include the bid description, bid deadline, any bid bond requirements and instructions on how to submit a response.
- Bid Record: The Purchasing department will prepare a bid file to be maintained in the Purchasing office.
- Bid Opening: On the bid opening date at the time and place designated in the bid, the Purchasing department will publicly open and read aloud all bids that have been received. The bid opening will be open to the public. **Bids received after the bid opening date and time will not be accepted**, and any late bid will be returned to the vendor.
- Bid Tabulation: The Purchasing department will prepare a bid tabulation sheet and post it to BidSync. This tabulation may include all vendor pricing, or it may include vendor rankings depending on the type of solicitation being executed.

4.1 PREPARING SEALED SOLICITATIONS (CONT.)

- Bid Review: The Purchasing department and requesting department will review the bid responses and agree on which bid to accept. The goal is to select the offer that provides the best value to the City's taxpayers.
- Bid Approval: The Purchasing department will prepare a memo to the City Council that describes the bid and makes a recommendation for action. The memo and bid tabulation will be submitted to the Finance Director for approval and inclusion on the next possible City Council agenda.
- CITY COUNCIL APPROVAL: ONLY THE CITY COUNCIL HAS THE AUTHORITY TO AUTHORIZE A CONTRACT OR ORDER OVER \$50,000 WORTH OF GOODS / SERVICES TO A VENDOR.

4.2 PREPARING BID SPECIFICATIONS

Specifications for goods and services must be clear and concise in the bid document. The requesting department is responsible for providing accurate bid specifications. However, the Purchasing department will assist each department with specification development. Departments are encouraged to include Purchasing from the beginning of a project and to draw upon any expertise that Purchasing might have in the formulation of product specifications. If required, the Purchasing department will schedule a pre-bid meeting for the purpose of reviewing specifications and answering questions from potential bidders.

Department heads will establish and approve specifications for construction and repair contracts, vehicles and equipment. All specifications that include tractors and vehicular equipment, including trailers that attach to such vehicular equipment, shall be jointly approved by the Fleet Manager, the Department head, the Finance Director, and the City Manager. All vehicle specifications shall be generic and SHOULD NOT be written around a particular type or make of equipment.

4.2.1 BRAND NAMES

In order to provide a fair and equal opportunity for all vendors, City policy prohibits brand names from being specified as the only brand that will be accepted. Brand names can only be used as an example of the type of material required. When a brand name is used in a specification, the statement "Brand name or equal" should always be used. The only exception to this policy should be when the item to be purchased can only be used with existing equipment and the brand specified is the only brand that would work with the existing equipment.

4.2 PREPARING BID SPECIFICATIONS (CONT.)

4.2.2 SOLE SOURCE PURCHASES

There are several reasons why a purchase might be necessary or practical from only one vendor. Some of these are defined by state statute [Texas Local Government Code Section 252.022 (7)]:

- There is no competitive product. The good/service is a one-of-a-kind or patented product, a copyrighted publication available from only one source, or a unique item such as an art work. An item that is manufactured by a company and sold through several distributors is not considered a sole source since quotations can be obtained through several distributors.
- The product is only available from a regulated or natural monopoly. For example, utilities, gravel from the only pit in the area, or some similar situation.
- The product is a component of an existing system that is only available from one supplier. The replacement of a component or a repair part may only be available from the original supplier.
- The purchase price is small. Some prices are simply too small to justify the time and effort to get competitive quotes. The City has set a policy of obtaining quotations on any order in which the combined total of the order will exceed \$3,000.
- The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation.

A completed Sole Source / Emergency Purchase Form (see sample in Attachment 11.1) must accompany requisitions with only one quotation.

4.3 CHANGE ORDERS TO CONTRACTS \$50,000 AND OVER

All change order requests must be submitted to the City Manager. The City Manager has the authority to approve changes in the plans or specifications of a contract award over \$50,000 after performance of the contract has commenced, or to decrease or increase the quantity of work to be performed, or materials, equipment, or supplies to be furnished.

The City Manager is authorized to approve change orders in accordance with the monetary limits set forth in Texas Local Government Code, Section 252.048 (Resolution 18-016). Please check with the Purchasing Department to determine what limits are in effect at the time of your change order.

Change orders that are in excess of the limits stated in Texas Local Government code, Section 252.048 must be approved by Council.

Copies of all change order requests will be sent to the Purchasing department in memo form and will become part of the permanent file of the project.

4.4 STATE DOCUMENTS

The Texas Ethics Commission and the Comptroller's office require various forms to be completed by the vendor before the City can enter into certain contracts. Purchasing can help to obtain these. Please notify Purchasing as soon as you are ready to fill out a requisition form to minimize paperwork delays.

5.0 STATE CONTRACTS, COOPERATIVES, INTER-LOCAL AGREEMENTS, ANNUAL CONTRACTS

Texas Local Government Code chapter 271.101 allows public entities to make purchases using cooperative contracts. These contracts have been advertised, competitively bid, and awarded to a responsible bidder or bidders by an entity other than the City of University Park. Government entities who have signed an agreement with the cooperative organizations may use the goods and services awarded through the cooperative contracts. Since bid procedures have already been conducted by the cooperative agency, the City does not have to obtain multiple quotes or go through the bid process when making purchases through the cooperative programs. The State government code does not specify any maximum dollar amount for purchases made using cooperative contracts.

The State of Texas has its own cooperative program (TxSmartBuy). There are also several other independent cooperative programs that are available to the City.

In the event of a disaster, the City MAY use cooperative contracts, but this must be done with extreme caution. In order to obtain FEMA reimbursement after a disaster, the City must show proof that a contract was competitively bid according to federal regulation 2 C.F.R. 200.317 – 326.

5.1 STATE CONTRACT

The City of University Park participates in the State of Texas Cooperative Purchasing Program (TxSmartBuy). The program allows the City to make procurements through contracts established by the state with various vendors for a wide variety of products and services. A listing of products and services available through state contract is available from Purchasing or on the Texas Comptroller of Public Accounts' website at <http://www.window.state.tx.us/procurement/>.

5.2 OTHER PURCHASING COOPERATIVES

The City of University Park participates with several other cooperative purchasing programs. In each case, all advertising and bidding requirements have been satisfied. The City is a participating member of the following cooperatives:

- BuyBoard
- Choice Partners
- GSA, schedules 70 and 84 only
- Houston-Galveston Area Council of Governments Cooperative Purchasing Program (HGAC)
- National IPA (NIPA)
- NJPA
- North Texas Share (NCTCOG)
- NPP
- State Contracts – TxSmartBuy
- Tarrant County Purchasing Cooperative
- TCPN
- TIPS
- TxDIR – State contracts for technology purchases
- U.S. Communities

Please contact the Purchasing department for the most current list of cooperative contracts that are available to the City of University Park.

5.3 INTER-LOCAL AGREEMENTS

Texas Government Code chapter 791 allows the City of University Park to make purchases using contracts that have been competitively bid and awarded by other municipalities. The following steps must be taken before an inter-local purchase can be made:

- The City of University Park and the neighboring entity must agree to sign an inter-local agreement (“ILA”). The agreement states that the two entities may use each other’s competitively bid contracts. The ILA may have a term limit, or it may have an open-ended time frame.
- Both the University Park City Council and the neighboring entity’s governing board must approve the ILA.
- Once the ILA is in place, the City may make purchases using the neighboring entity’s contracts, provided that:
 - *the contract was competitively bid and awarded by the neighboring entity, **and***
 - *any purchases made by the City of University Park are included in the neighboring entity’s award*

Such purchases are often referred to as “piggybacks”. Please contact the Purchasing department for the most current list of inter-local agreements that are in place with the City of University Park.

City employees are cautioned that most piggyback agreements are not eligible for FEMA reimbursement in the event of a disaster. See Section 7.0 for more details on disaster purchasing and FEMA requirements for reimbursement.

5.4 ANNUAL CONTRACTS

When the volume of purchases or price structure warrants, Purchasing may establish an annual contract with a vendor or use cooperative or inter-local purchasing contracts. These contracts should be used for specific repetitively-used items such as office supplies, printing, or inventoried parts. After a contract has been bid and approved by the City Council, authorized department representatives may make purchases of the materials or services specified under the contract directly from the successful vendor, regardless of the monetary amount.

Please contact the Purchasing department for the most current list of annual contracts. ***Only the items listed in the publication can be ordered under "contract purchases"***. Purchasing will issue updates to this publication as new bids or new items are added.

6.0 PURCHASING ETHICS

The following procedures pertain to University Park employees, City Council Members, and other agents of the City. Anyone engaged in procurement for the City of University Park shall comply with the following ethical standards:

6.1 PERSONAL GAIN

It shall be a breach of ethics to attempt to realize personal gain through public employment with the City of University Park by any conduct inconsistent with the proper discharge of the employee's duties.

6.2 INFLUENCE OF A PUBLIC EMPLOYEE

It shall be a breach of ethics to attempt to influence any public employee of the City of University Park to breach the standards of ethical conduct set forth by the City.

6.3 PARTICIPATING IN PROCUREMENTS WITH FAMILY OR FRIENDS

An official of the City of University Park, including employees and Council members, must fill out a Conflict of Interest disclosure form if:

- The employee or any member of the employee's immediate family has a financial interest pertaining to the procurement;
- A business or organization in which the employee, or any member of the employee's immediate family, has a financial interest pertaining to the procurement; or
- Any other person, business or organization with whom the employee or any member of the employee's immediate family is negotiating or has an arrangement concerning prospective employment is involved in the procurement.
- The vendor has given gifts to the employee or employee's family member that have a total value of \$100.00 or more in the previous twelve (12) months.

(See also Administrative Order PRS-16 in Attachment 11.8)

The City official and the vendor have seven (7) business days to complete the disclosure form and file it with either the City Secretary or the Purchasing Manager. The seven days begin once the City official becomes aware of the potential conflict.

Employees who knowingly fail to file a disclosure commit a misdemeanor offense and may cause any resulting contract to be declared invalid. See attachments 11.9 and 11.10 in the index for the forms required by the City officer and the vendor, respectively.

The Purchasing Department will work with City Management to determine if the purchase should go forward, or if another vendor should be identified.

6.3 PARTICIPATING IN PROCUREMENTS WITH FAMILY OR FRIENDS (Con't)

In the event of a disaster, no employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal award (FEMA) if he or she has a real or perceived conflict of interest. (See federal regulation 2 CFR 200.318)

6.4 GRATUITIES

It shall be a breach of ethics for any employee of the City of University Park to solicit or accept any gratuity or offer of employment in connection with a City purchase.

6.5 KICKBACKS

It shall be a breach of ethics for any payment, gratuity or offer of employment to be made by or on behalf of a vendor/subcontractor under a contract to the prime vendor/contractor or higher tier subcontractor for any contract for the City of University Park, or any person associated therewith, as an incentive for the award of a subcontract or order.

(See also Administrative Order PRS-16 in Attachment 10.9).

6.6 CONTRACT CLAUSE

The prohibition against gratuities and kickbacks prescribed above will be included in every contract and solicitation.

6.7 CONFIDENTIAL INFORMATION

It shall be a breach of ethics for any employee, former employee, or other agent of the City of University Park to knowingly to use confidential information for actual or anticipated gain of any person.

6.8 PURCHASE OF MATERIALS, EQUIPMENT, AND SUPPLIES FOR PERSONAL USE

Unless specifically approved in writing by the City Manager, no employee may purchase City property for his/her own personal use unless it is bought through the public City auction. This includes both new and used equipment, materials, or supplies.

6.9 PRIVATE PURCHASES THROUGH CITY FACILITIES

No employee may use the purchasing power of the City of University Park to make private purchases. In addition, employees should not have private purchases sent to the City C.O.D.

Failure to follow these clauses may result in disciplinary action by the City's Human Resources department and/or the City Council. Severe breaches of the clauses listed above may also be treated as criminal offenses.

7.0 DISASTER PURCHASES

In the event of a tornado, flood, civil riot, or other declared disaster, the City may need to temporarily adjust its Purchasing procedures to meet the needs of the residents. The Purchasing department will strive to make sure that purchases meet the federal guidelines outlined in 2 CFR 200.317-326. Purchases that do not follow the guidelines in this set of regulations may not be eligible for FEMA reimbursement.

Purchasing will take the following actions when making purchases that may be submitted to FEMA for reimbursement. This list is not all-inclusive.

- Carefully document each purchase. Include the method used to obtain the good or service, the vendors who were contacted for a quote, the inclusion of HUB vendors in the bidding process, the advertisement, and the justification for a particular vendor's selection.
- Maintain oversight of contractors to ensure that their performance is in accordance with the terms, conditions, and specifications of the contract or purchase order.
- Avoid the acquisition of duplicative or unnecessary items.
- Use excess or surplus property in lieu of purchasing new equipment and property wherever possible whenever such use is feasible and reduces project costs.
- Use Value Engineering clauses in construction contracts to allow for reasonable opportunities for cost reductions.

Purchases must be conducted in a manner that allows for full and open competition. Small purchases of up to \$49,999.00 must be awarded to the lowest responsible bidder. Three (3) or more quotes must be obtained and HUB vendors must be invited to provide a quote.

Larger purchases of \$50,000.00 or more are subject to competitive bids or proposals. The City will follow the guidelines set forth in 2 CFR 200.317-326 to ensure that all processes are documented and all responsible bidders have the opportunity to participate.

No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal award (FEMA) if he or she has a real or perceived conflict of interest.

Purchases may be made using Texas-based cooperative contracts; however, Purchasing must provide FEMA with proof that the contract was bid and awarded in accordance with 2 CFR 200.317-326 in order to obtain reimbursement.

7.0 DISASTER PURCHASES (CONT.)

Piggyback contracts are generally not eligible for FEMA reimbursement. These should be avoided when making purchases following a disaster.

Non-competitive purchases (sole source) purchases are permitted *under the following conditions*:

- The item is available only from a single source
- The public Exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation
- The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the City of University Park
- After a solicitation of a number of sources, competition is deemed inadequate.

The City will have as many pre-disaster contracts in place as possible in order to be prepared for a catastrophic event. These contracts will be current, and purchasing will provide all require documentation to FEMA upon request.

8.0 WAREHOUSE PROCEDURES

8.1 WAREHOUSE FUNCTION

The City's Warehouse is located on the first floor of the Peek Service Center at 4420 Worcola. The Warehouse orders, stocks, and issues routine-use items for other departments and divisions. Some examples of commonly-stocked items are tires, automotive parts, utility parts, copy paper, batteries, and coffee. Purchasers are encouraged to check the Warehouse's list of stocked items before buying an item that may already be in stock. Prior to requisitioning any part for equipment, all departments should check with the Warehouse to see if that part is available in inventory.

8.2 USING THE WAREHOUSE

8.2.1 Issues of In-Stock Items: To obtain a stocked item at the Warehouse counter, the user must contact the Warehouse Supervisor with the item number and quantity needed. A superintendent or supervisor must authorize the issue and provide an account number to charge.

8.2.2 Request to Order and/or Stock New Items: The Warehouse will solicit quotations, place orders, and receive new items on request. To request a purchase through the Warehouse, the user must complete a Request to Order and/or Stock New Items form (sample in Attachment 11.5). As with

any purchase, the user must provide detailed specifications of the product. The user may also suggest a brand and/or model number with the understanding that brand names may not be used to solicit quotations without specifying "or equal."

9.0 MISCELLANEOUS

9.1 TAX EXEMPT STATUS

The City of University Park is exempt from federal, state, and municipal taxes except in certain prescribed cases such as hotel/motel taxes. A Texas Sales and Use Tax Exemption Certificate is provided as Attachment 11.2 in this manual and may be given to any vendor on request.

9.2 EMERGENCY PURCHASES (NON DISASTER)

Texas statutes (Texas Local Government Code 252.022) generally allow local governments to make emergency or exempted purchases without competitive bidding, even if there is no declared disaster. Although there is not a precise definition of what constitutes an emergency purchase, a municipality is generally exempted from competitive bidding if:

- In case of a public calamity, the prompt purchase of items is required to provide for the needs of the public or to preserve the property of the City of University Park;
- The item is necessary to preserve or protect the public health or safety of residents of University Park; or
- The item is made necessary by unforeseen damage to public machinery, equipment, or other property.

9.3 OTHER EXEMPTIONS

In addition to emergency exemptions there are other types of exemptions from the bidding procedures as established by Texas Local Government Code 252.022, including:

- Personal, professional, or planning services defined ONLY as those performed by a certified public accountant, licensed architect, physician, optometrist, surgeon, registered surveyor, engineer or any group or association thereof. If the service you are procuring is not listed above, it is NOT A PROFESSIONAL SERVICE.
- Work paid for on a daily basis (day labor).
- Land or right-of-way.

9.3 OTHER EXEMPTIONS (CONT.)

- Items available from only one source (see 4.2.2 Sole Source Purchases), such as patented, copyrighted natural monopoly or secret process items, films, manuscripts or books, regulated utilities, books, papers, and other library materials subject to exclusive distribution rights, and management services provided by a nonprofit organization to a municipal museum, park, zoo or other facility which the organization has financially or otherwise supported.
 - Rare books, papers and other library materials for a public library.
 - Paving, street widening and other public improvements where at least one-third of the costs are paid by special assessments.
 - In cases where equipment must be dismantled in order for a vendor to make an estimate.

If an emergency arises during normal office hours under the above described conditions requiring an expenditure of over \$3,000 but not more than \$50,000, the department head or his authorized representative must complete the following procedure:

- A purchase requisition must be completed with normal descriptive information of the product or service to be purchased. In addition, a Sole Source / Emergency Purchase Form (sample in Attachment 11.1) must be completed describing the nature of the emergency and should be attached to the purchase requisition.
- The user department will then contact the Purchasing Agent to declare the purchase an emergency, and indicate to the Purchasing Agent that all required signatures on the purchase request have been obtained. The Purchasing Agent will then issue a purchase order number to the user department. If at all possible, all efforts should be made to obtain at least three quotations. In the absence of the Purchasing Agent, the department should contact the Finance Director.
- After the product or service order has been placed with the vendor, the user department will forward to Purchasing the purchase requisition and emergency purchase form so that a purchase order can be prepared. The requisition and data sheet should be sent to purchasing no later than twenty-four (24) hours after placement of the order.

10.0 APPENDIX

**CITY OF UNIVERSITY PARK
PROCUREMENT CARD PROGRAM
CARDHOLDER POLICY
REVISED JUNE 2018**

1. OVERVIEW

The purpose of the City of University Park Procurement Card program is to establish an efficient, cost-effective method of purchasing and paying for small dollar transactions as well as high-volume, repetitive purchases. If used to its potential, the program will result in a significant reduction in the volume of purchase orders and related documentation including invoices and checks. In addition, corresponding work processes associated with ordering and check writing will be eliminated. The procurement card can be used with any supplier that accepts MasterCard as a form of payment. Purchases may be made in-store, online, or via phone or fax.

This Cardholder Policy provides the general guidelines for using the procurement card. Please read it carefully. The Cardholder's signature on the Cardholder Procurement Card Agreement affirms that they understand the intent of the program and agree to follow the established guidelines. **Cardholders are cautioned that this policy does not supersede the University Park Employee Manual, or any Administrative orders that are applicable to purchasing with public funds.**

Purchases made with a procurement card are funded by taxpayer dollars. Ownership of a City procurement card is a privilege and NOT a right. Cardholders are charged with making responsible, work-related purchases and with the prompt and complete submission of monthly card reconciliation documents. Cardholders who fail to meet these responsibilities will have their procurement card privileges revoked.

2. DUTIES AND RESPONSIBILITIES

Program Administrator

The Program Administrator for the City of University Park is the City's Purchasing Agent. The Program Administrator has been designated by the City to answer questions, resolve issues, and administer the program. This person will be knowledgeable on all procedures in the Cardholder User's Guide. All procurement card requests to Bank of America must go through the Program Administrator.

Department Directors

Department Directors are responsible for designating Cardholders and for approving the Cardholder's monthly procurement card statements to ensure they are within City's administrative policy. The Department Director will also assist in assigning Cardholder spending limits and regulations.

Cardholder

Cardholders are designated by their Department Director to use the procurement card. Cardholders are responsible for following the guidelines provided by the City regarding purchases, selection of vendors, security of the card, and monthly reconciliation of the charges and coding of charges to the appropriate accounts.

Bank of America's Customer Service

The procurement card program is serviced through a Bank of America Customer Service Center. This center is available 24 hours a day, 7 days a week to assist the cardholder with general questions about the procurement card account.

The current customer service number is: 1-888-449-2273.

3. PROCUREMENT CARD CONTROLS

Credit Limits

All procurement cards have monthly Cardholder spending limits. Limits may vary for each cardholder.

Each Cardholder will be given information on the limits of his/her card upon signing up for the program. In order to change limits on any card, the Department Director must notify the Program Administrator in writing. The Program Administrator will then forward the request to the credit card vendor for processing.

New cards are normally processed within 7 to 10 business days.

Single Purchase Limits

A Single Purchase Limit (SPL) is the amount available on the procurement card for a single transaction. A transaction includes the purchase price, plus tax (if any) and freight. Purchases that exceed the Cardholder's Single Purchase Limit will be declined. The City prohibits the use of repetitive transactions intended to circumvent the Single Purchase Limit. Card purchases will be audited to identify such transactions. Changes to the Single Purchase Limit must be approved by the Department Director and processed through the Program Administrator. \

Monthly Purchase Limits

The Monthly Purchase Limit on most cards is \$5,000. This is the maximum amount available on the card per month. Any changes to the Monthly Purchase Limit must be approved by the Department Director in writing, and then processed by the Program Administrator.

Restricted Vendors, Materials, or Services

The procurement card program may be restricted from use with certain types of suppliers and merchants or materials and services. If the procurement card is presented for payment to these vendors or for the materials or services, the authorization request will be declined. Please contact the Program Administrator if you have questions about a supplier, product, or service.

The City's procurement card is NOT to be used for alcohol, tobacco, or personal purchases.

4. NEW CARDS AND TRAINING

The Program Administrator will distribute all procurement cards and PIN numbers. Cards will not be released to Cardholders until each Cardholder has gone through training, received all supplies related to the program, and signed a Cardholder agreement.

The following items should be provided the Cardholder during training:

1. **Procurement Card**
2. **PIN Number:** This is a four digit number that is randomly selected by Bank of America. The p-card holder can customize the PIN number during card activation.
3. **Cardholder Procurement Card Agreement:** This is an agreement between the Cardholder and the City of University Park affirming that the Cardholder has read and understands the City's Cardholder Policy. The Cardholder, their Department Director, and the Program Administrator will sign this agreement at the end of the training session.
4. **Cardholder User's Guide:** This document outlines the City's policies and procedures in regard to the procurement card.
5. **Statement of Disputed Items Form:** The Cardholder may use this form to dispute a transaction that appears on their Cardholder Memo Statement.
6. **Tax-Exemption Certificate:** This form should be submitted to the vendor upon request.
7. **Information Sheet:** This information sheet includes basic information including billing cycles, contact names and numbers, etc.

Procurement Card Activation

The Cardholder must call 1-888-449-2273 to activate the procurement card before using it. Upon receipt of the card, the Cardholder should sign the back of the procurement card and always keep the card in a secure place.

PIN Registration and Retrieval

Bank of America will assign each new card a pre-determined, four digit PIN number. The PIN number can be customized by the cardholder during the card activation process. The cardholder should then go to www.bofaml.com/globalcardaccess to register the card and the PIN number. Once the PIN number is registered, the cardholder should access this site if they need to retrieve a forgotten PIN number. **The Program Administrator will NOT have the ability to retrieve a forgotten PIN number** for another cardholder.

5. MAINTAINING THE PROCUREMENT CARD

Receipts and Card Reconciliation

Monthly reconciliation of procurement card expenses is a major component of Procurement Cardholder Responsibility. Billing cycles end on the 15th of each month.

Each month, every Cardholder MUST:

- Obtain a detailed receipt for each purchase
- Reconcile all purchases using the MasterCard GRAM tool
- Forward the completed Expense Report and all receipts to their Department Director for approval

Reconciliation packets with Director approval are due to Finance **no later than the last day of the month.**

The MasterCard GRAM tool can be found on the employee intranet in the Finance section. Cardholders should log in and run an Account Summary report in order to review and code each charge. The Cardholder must fill out the following fields for each purchase:

- Expense description (**please include details**)
- Fund
- Department
- Account / GL Code
- Invoice Number (may be the date)
- Vendor number

An Expense Report will be considered “incomplete” if any of these fields are left blank.

Receipts and Card Reconciliation (Cont.)

The Cardholder should then print Expense Report v2 in GRAM and sign it. They must attach receipts for ALL purchases and the paper statement that came in the mail.

All documents must then be forwarded to the Cardholder's Department Director for approval.

After reviewing the information sent by each Cardholder, the Department Director should review and approve the purchases and forward the documentation to Finance.

Security of the Procurement Card and PIN Number

Each cardholder is responsible for the security of his/her card. This card should be treated with the same level of care that the cardholder would use with his/her own personal charge cards. Guard the procurement card account number and PIN number carefully. These must not be posted in a work area or left in a conspicuous place.

Neither the card nor the PIN number should be shared or loaned out to another person. If inappropriate charges are made with a procurement card, the person whose name is on the card will be held responsible.

PIN numbers, like card numbers, are vulnerable to scams. Cardholders should not be asked for a PIN number unless they are standing at a terminal making a purchase. Cardholders are warned NOT to give their PIN number over the phone, online, or in an e-mail. If this happens to a Cardholder, the Cardholder must stop the transaction and alert the Program Administrator or call Bank of America's Customer Service number.

Lost or Stolen Cards

If a procurement card is lost or stolen, Cardholders must contact Bank of America Customer Service at 1-888-449-2273 immediately. After contacting the vendor, Cardholders must notify the Program Administrator and their Department Director. Prompt action can reduce the City's liability for fraudulent activity. It may also absolve the Cardholder from consequences related to procurement card abuse.

Sales Tax

The City of University Park is exempt from most sales and use tax as allowed by law. Tax exempt forms are available from the Program Administrator. These should be kept by the Cardholder and presented to the vendor upon request. A tax exemption certificate is included with your packet.

Note: In some special cases, the City is required to pay tax. If you have any doubts about the tax or if the vendor requires that tax be paid even if you have delivered the tax exempt form, contact Purchasing for additional instructions.

Returns, Credits, and Disputed Charges

Should a problem arise with a purchased item, service or charges, the Cardholder should make every attempt to resolve the issue directly with the supplier. The Cardholder should note all returned, credited, or disputed items on their Expense Report.

If an item needs to be returned to a supplier, the Cardholder must contact the supplier and obtain instructions for the return. Note that some suppliers may charge a restocking or handling fee for returns. All returns should be indicated on the Expense Report along with a notation of any restocking or handling fees.

If the item is accepted as returned by the supplier, a credit for this item should appear on the following month's statement.

If a Cardholder finds a discrepancy on their Expense Report, the Cardholder should contact the supplier immediately. All disputed items should be indicated in the Expense Report.

If a Cardholder cannot resolve a disputed item directly with the vendor, the Cardholder should complete the Dispute Form 700. Alternately, the Cardholder may contact Bank of America Customer Service at 1-888-449-2273. The credit card vendor will place the charge in a "State of Dispute" and the account may be given a provisional credit until receipt of adequate documentation from the vendor. If the documentation appears to be in order, the transaction will be re-posted to the account and the dispute considered closed. If the charge is suspected to be fraudulent, the card will be immediately blocked by Bank of America, and an investigation of the charge will continue. A new card will be re-issued to the cardholder, if appropriate.

Employee Termination or Change in Duty

The procurement card must be returned to the Program Administrator upon the Cardholder's transfer, termination, or upon change in duty. The Department Director is responsible for ensuring that procurement cards from terminated employees are returned to the program administrator.

6. CONSEQUENCES FOR CARD ABUSE

Cardholders are reminded that purchases are funded with taxpayer dollars.

Therefore, it is imperative that the City's procurement card program is above reproach. All transactions MUST BE strictly for work purposes and all documentation must be readily available.

Effective January 16, 2019, the City will enforce the following procedure for minor offenses.

- First offense – written warning to cardholder and Director
- Second offense – written warning to cardholder and Director with City Manager on CC
- Third offense – Procurement card is suspended indefinitely

“Minor” offenses may include but are not limited to:

- Late or incomplete reconciliation documents, including but not limited to:
 - Missing receipts
 - Missing signatures
 - Incomplete information on the GRAM reconciliation report
- Failure to resolve sales tax or other statement discrepancies promptly - within fifteen (15) days of notice by the Finance Department
- Loaning a card and/or PIN number to another person
- Inappropriate purchases, including but not limited to:
 - Alcohol or tobacco purchases
 - Purchases for personal use
 - Cash advances
 - Hazardous materials
 - Gratuities in excess of twenty percent (20%)
 - Other, as determined by the Department Director and the Finance Director

Cardholders are further cautioned that:

- **In cases of more serious p-card abuse, the City may, at its sole discretion, take more severe disciplinary measures based on the nature of the offense.**
- This policy outlined in this document does not supersede the Employee Manual or any Administrative orders related to Purchasing or Ethics.
- Procurement cards may be suspended at any time at the discretion of the Department Director or the City Manager if improper use is suspected.

11.0 ATTACHMENTS



**CITY OF UNIVERSITY PARK
SOLE SOURCE / EMERGENCY PURCHASE FORM**

This form must be completed and attached to any requisition with only one vendor quotation.

Explanation of Purchase from a Sole Source

This purchase is from a sole source for the following reason(s) (check all that apply):

There is no competitive product. The good/service is a one-of-a-kind or patented product, a copyrighted publication available from only one source, or a unique item such as an art work. An item that is manufactured by a company and sold through several distributors is not a sole source since quotations can be obtained through several distributors.

The product is only available from a regulated or natural monopoly. For example, utilities, gravel from the only pit in the area, or some similar situation.

The product is a component of an existing system that is only available from one supplier. The replacement of a component or a repair part may only be available from the original supplier.

Explanation of an Emergency Purchase

This form should be completed and attached to all requisitions where the purchase was an emergency and three quotes were not obtained.

This purchase was considered an emergency for the following reason(s) (check all that apply):

Public calamity: The prompt purchase of items was required to provide for the needs of the public or to preserve the property of the City of University Park;

The item was necessary to preserve or protect the public health or safety of residents of the City of University Park


The item was made necessary by unforeseen damage to public property.

The item had to be dismantled in order for a vendor to make an estimate.

Department/Division Director Signature: _____ **Date:** _____

<i>FOR PURCHASING DIVISION USE ONLY:</i>	
Requisition No. _____	Purchase Order No. _____

ATTACHMENT 11.2

 01-330 (Back)
(Rev. 4-13/05)

Texas Sales and Use Tax Exemption Certification

This certificate does not require a number to be valid.

Name of purchaser, firm or agency CITY OF UNIVERSITY PARK	
Address (Street & number, P.O. Box or Route number) 3800 UNIVERSITY BLVD.	Phone (Area code and number) (214) 363-1644
City, State, ZIP code DALLAS, TX 75205	

I, the purchaser named above, claim an exemption from payment of sales and use taxes (for the purchase of taxable items described below or on the attached order or invoice) from:

Seller: _____

Street address: _____ City, State, ZIP code: _____

Description of items to be purchased or on the attached order or invoice:



Purchaser claims this exemption for the following reason:

TAX EXEMPT MUNICIPAL CITY AGENCY

Tax ID# 75-6000698

I understand that I will be liable for payment of all state and local sales or use taxes which may become due for failure to comply with the provisions of the Tax Code and/or all applicable law.

I understand that it is a criminal offense to give an exemption certificate to the seller for taxable items that I know, at the time of purchase, will be used in a manner other than that expressed in this certificate, and depending on the amount of tax evaded, the offense may range from a Class C misdemeanor to a felony of the second degree.

sign here 	Purchaser 	Title PURCHASING MANAGER	Date 02/07/2017
---	--	------------------------------------	---------------------------

NOTE: This certificate cannot be issued for the purchase, lease, or rental of a motor vehicle.
THIS CERTIFICATE DOES NOT REQUIRE A NUMBER TO BE VALID.
Sales and Use Tax "Exemption Numbers" or "Tax Exempt" Numbers do not exist.

ATTACHMENT 11.4

APPROVAL FOR PAYMENT

INVOICE _____

INVOICE DATE _____ 20_____

VENDOR # _____

PROJECT NUMBER
(If Contract Item) _____



GENERAL LEDGER	DEBIT+	CREDIT	ALTERNATE DESCRIPTION
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
TOTALS	_____	_____	_____
AUTHORIZED APPROVAL		VENDOR NAME	_____
<small>* If no invoice number, specify: REIMB (Reimbursement) REGIST (Registration) SUBSCR (Subscription) STMT (Statement) </small>		ADDRESS	_____
UPFIN 1/09 Rev.		CITY	_____
		STATE / ZIP	_____

ATTACHMENT 11.6

**ADMINISTRATIVE ORDER
CITY OF UNIVERSITY PARK**

Number FNC-1
Date June 2, 2008
Replaces FNC-1

Subject: PURCHASING PROCEDURES

A. Purchasing Authority (revised 6-2-2008)

The ability to initiate purchases without approval from another person is defined as “purchasing authority” and is determined by the below chart. A letter “X” indicates that level of employee has purchasing authority at the level described by the column heading:

	No quotes required		Competitive quotes and HUB invites required		Sealed bids required
	\$0 - \$500	\$500.01- \$3000	\$3,000.01 -- \$10,000	\$10,000.01 - \$50,000	\$50,000.01+
Employees designated by Supervisor	X				
Non-UPPD Supervisors and UPPD Captains	X	X			
Managers, Superintendents, and Directors	X	X	X		
City Manager	X	X	X	X	X

B. City Manager Approval

1. All requisitions exceeding \$10,000 and all requisitions for vehicle purchases must have the approval of the City Manager to be processed (revised 6-2-2008).
2. The City Manager is authorized to approve change orders, subject to the following conditions:
 - a. the original contract price may not be increased more than 25%;
 - b. the original contract price may not be decreased more than 25% without the consent of the contractor;
 - c. all change orders must be reviewed and approved by the City Council prior to final payment to the contractor, even if previously approved by the City Manager and fully executed; and

- d. the cumulative value of change orders approved by the City Manager may not exceed \$30,000 on any one contract. Change orders exceeding this amount must be submitted to the City Council for approval. (added 6-2-2008 from Resolution No. 91-1)

C. Written Competitive Quotes and Sealed Bids/Proposals (added 6-2-2008)

1. Purchases totaling \$3000.01 - \$50,000 require the purchaser to obtain at least three (3) written quotations and to contact at least two Historically Underutilized Businesses (HUBs) as per state statute (Chapter 252, Texas Local Government Code).
2. Purchases totaling more than \$50,000 must comply with the statutory competitive sealed bidding or competitive sealed proposals procedures (Chapter 252, Texas Local Government Code). All vehicle purchases and all purchases exceeding \$50,000 must receive City Council approval.

D. Bid Specifications

1. Department Heads will develop and approve specifications for construction and repair contracts and for additional or upgraded vehicles and equipment. (revised 9-25-2000)
2. The Fleet Manager, in conjunction with Department Heads, is responsible for developing specifications for vehicles and equipment replacements and additions. All specifications for vehicles and equipment must be approved by the Fleet Manager before being processed. A Vehicle Procurement Requisition (VPR) must be completed for vehicle and equipment replacements and additions; see attached VPR form (revised 6-2-08).

E. Petty Cash Fund

The following rules govern the use of petty cash funds.

1. All employees who want to be reimbursed from petty cash will complete a petty cash form, including the correct account number, prior to requesting reimbursement. Receipts for expenditures of \$3.01 or more must accompany the petty cash form (revised 9-25-2000).
2. Petty cash reimbursements shall be limited to \$30.00 maximum. The Director of Finance may approve reimbursements from petty cash above \$30.00 (revised 9-25-2000).
3. The Director of Finance, or his designee, shall periodically audit the petty cash expenditures as to form and regulations. The Director of Finance may take necessary action to confirm that the service or product was received by the City (revised 9-25-2000).

ATTACHMENT 11.7

VEHICLE PROCUREMENT REQUISITION (VPR)

Date _____

INSTRUCTIONS: Department manager– complete the header portion of this form and forward the VPR to the Fleet Manager. This document and its attachments serve as the official requisition for a vehicle and ensure that all approvals have been made.

Vehicle description: _____

User Department _____

Type of purchase:

- 1. Planned replacement
- 2. Early replacement
- 3. Upgrade
- 4. Addition

Dept. mgr. signature _____

Dept. head signature _____

Anticipated City Council meeting approval date: _____

1. Initial Request

User Department or Fleet Manager submits VPR. User department includes brief written attachment describing need for and intended use of vehicle (not required for planned replacement of like equipment).

2. Specifications

Fleet Manager reviews request and assists user department with development of vehicle specifications. Fleet Manager approves specs.

Fleet Manager

Date

3. Assemble prices

Purchasing Agent and Fleet Manager assemble quotes, conduct bid process, or collect pricing from cooperative purchasing contracts. Purchasing Agent copies information to user department, who reviews and makes selection by signing below.

User Department

Date

4. Executive approval

Fleet Manager forwards VPR and supporting documents to Finance Director and City Manager for approval, who forward VPR to Purchasing Agent.

Director of Finance

Date

City Manager

Date

5. Agenda preparation

Purchasing Agent prepares agenda memo regarding compliance with City purchasing policy and State purchasing law and submits to City Secretary along with user department memo and bid tabulation.

Purchasing Agent

Date

6. City Council Approval

Date

7. Purchase Order execution and order placement

Purchasing Agent sets up Purchase Order and places order with vendor. Purchasing Agent sends PO copy to Fleet Manager

8. Vehicle delivery and acceptance

Vendor delivers vehicle to Equipment Services Division. Fleet Manager or designee accepts delivery and approves payment of invoice for vehicle. Fleet Manager forwards approval to Accounts Payable Specialist for payment.

=====

ATTACHMENT 11.8

**ADMINISTRATIVE ORDER
CITY OF UNIVERSITY PARK, TEXAS**

Number	PRS-
Date	April 3,
Replaces	PRS-

Subject: ETHICS POLICY

Sound ethics are especially important for local government employees. The citizens of a community entrust the employees to perform the public's work in an honest, ethical manner. As a result, City employees are subject to public scrutiny in all that they do. For this reason, City employees must adhere to high standards of ethical conduct.

Often the appearance of wrongdoing can be as damaging to the organization as actual wrongdoing. Employees must always be aware of how their actions may be perceived, even if their behavior is actually quite innocent. Conflicts of interest – where employees use their City position for personal gain – are especially troublesome situations which must be guarded against.

This Administrative Order is designed to help employees act ethically and recognize and avoid those instances where a conflict of interest may exist. Employees are encouraged to always consider the ethical impact of their decisions and behavior. When the appropriateness of a decision or action is in question, employees should consult their supervisor or department head.

A. EMPLOYEE CODE OF ETHICS

All City employees are expected to maintain the highest standards of moral, legal, and professional conduct at all times. Administrative Order PRS-3, B., defines acceptable and unacceptable conduct for public employees. The following code of ethics identifies the personal and professional values which are necessary to attain the high standards required of City employees.

Employees of the City of University Park shall:

1. Conduct themselves in their public and private activities in a manner which deserves the respect and confidence of fellow employees and the public.
2. Realize that wrongdoing betrays the public's confidence in public service. Even the appearance of wrongdoing should be avoided. (Revised 10.01.01)
3. Avoid conflicts of interest by refraining from participating in decisions or transactions in which he/she, or a family member has a financial or other material interest; make full public disclosure of association when involvement cannot be avoided.

4. Not accept or solicit gifts or favors nor use the prestige of public employment for private gain, and understand that personal gain or profit obtained by disclosing confidential information, or by use of government equipment or supplies is dishonest.
5. Understand that public service is a responsibility as well as an occupation, and should therefore maintain a constructive, creative, and practical attitude toward problems and citizen relations.
6. Make it their duty to improve operations and productivity and use time wisely so that full value is received for each tax dollar spent.
7. Be courteous, pleasant, and tactful in their contacts with the public and fellow employees. Courtesy builds goodwill that money cannot purchase.
8. Be loyal to the organization whose wages support them; speak well of and support its policies.

B. BUSINESS TRANSACTIONS

1. All municipal business transactions dealing in any manner with public funds are especially subject to the scrutiny of public opinion. No employee shall have any financial or personal interest in any municipal business transaction with any public body unless he/she shall first make public disclosure of the nature and extent of such interest.
 - a. Financial interest is present when City transactions, directly or indirectly results in a monetary or other material benefit to an employee or his/her family members. City policy regarding the acceptance of gifts is addressed both in this Order and MSC-4.
 - b. Personal interest arises when City transactions involve individuals related to an employee through marriage or blood relationships or close business or political association, whether or not any financial interest is involved.
 - c. Public bodies include any board, body, commission, committee or department of the City.
 - d. An employee shall make public disclosure by consulting his/her immediate supervisor or department head to discuss particular circumstances that involve financial or personal interests.

An attempt should be made to eliminate the conflict of interest by either eliminating the circumstances creating the conflict or removing the employee from the conflict of interests circumstances. If such discussion determines that a personal or financial interest on the part of the employee is unavoidable, the employee shall make a written,

public disclosure of the nature and the extent of involvement. The disclosure shall be forwarded to the Human Resources Department and recorded in the employee's file.

C. CONFIDENTIAL INFORMATION

City employees shall never use, for personal benefit, confidential information obtained in the course of one's duties. When City employees have access to knowledge or information before it becomes available to the general public, employees thereupon shall not make decisions which involve the interests of themselves, family members, business associates, friends, or competitors. Because City employees occupy positions of public trust, only the highest standards of conduct will be accepted with respect to the use of confidential information.

D. EMPLOYMENT AND ACTIVITIES OUTSIDE THE CITY

1. No City of University Park employee and his/her supervisor shall engage in private employment together or render, for each other, services which may adversely affect the normal employee/supervisor working relationship. This includes the lending of money, the co-signing of bank notes, or any other activities that will distort the accuracy or objectivity of performance evaluations.
2. Employees of the City shall not engage in any outside activities or accept any outside employment which will conflict or interfere with the discharge of their City duties, which will impair independent judgement in performance of their City duties, or which might reflect discredit upon the City or the respective department.

E. GIFTS AND FAVORS

City employees or their family members may neither solicit, request, nor accept gifts of value from individuals or groups with whom City employees interface as part of their official City duties. Prohibited gifts include, but are not limited to: special services, discounts or privileges not available to the public, trips, traditional holiday gifts exceeding \$25.00, and other items intended as benefits for the individual employee. Prohibited gifts do not include items that would not ordinarily be interpreted as affecting an employee's impartiality, such as an occasional business lunch, foodstuffs for office personnel, or advertising supplies such as pencils, pens, calendars, or other token gifts of small value.

F. CONFLICT OF INTEREST VIOLATIONS

City employees who are in violation of the terms defined in this order shall be disciplined according to the conflict of interest penalty guidelines established in PRS-3, C. The supervisor shall take into consideration the seriousness of the violation in determining the appropriate discipline.

CONFLICT OF INTEREST QUESTIONNAIRE
For vendor doing business with local governmental entity

FORM CIQ

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session. This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).
 By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.
 A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

OFFICE USE ONLY
Date Received

1 Name of vendor who has a business relationship with local governmental entity.

2 Check this box if you are filing an update to a previously filed questionnaire.

(The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 Name of local government officer about whom the information in this section is being disclosed.

 Name of Officer

This section (item 3 including subparts A, B, C, & D) must be completed for each officer with whom the vendor has an employment or other business relationship as defined by Section 176.001(1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the vendor?

Yes No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

Yes No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more?

Yes No

D. Describe each employment or business and family relationship with the local government officer named in this section.

4 _____
 Signature of vendor doing business with the governmental entity

 Date

ATTACHMENT 11.10

**LOCAL GOVERNMENT OFFICER
CONFLICTS DISCLOSURE STATEMENT**

FORM CIS

(Instructions for completing and filing this form are provided on the next page.)

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.
This is the notice to the appropriate local governmental entity that the following local government officer has become aware of facts that require the officer to file this statement in accordance with Chapter 176, Local Government Code.

OFFICE USE ONLY
Date Received

1 Name of Local Government Officer

2 Office Held

3 Name of vendor described by Sections 176.001(7) and 176.003(a), Local Government Code

4 Description of the nature and extent of each employment or other business relationship and each family relationship with vendor named in item 3.

5 List gifts accepted by the local government officer and any family member, if aggregate value of the gifts accepted from vendor named in item 3 exceeds \$100 during the 12-month period described by Section 176.003(a)(2)(B).

Date Gift Accepted _____ Description of Gift _____

Date Gift Accepted _____ Description of Gift _____

Date Gift Accepted _____ Description of Gift _____

(attach additional forms as necessary)

6 AFFIDAVIT

I swear under penalty of perjury that the above statement is true and correct. I acknowledge that the disclosure applies to each family member (as defined by Section 176.001(2), Local Government Code) of this local government officer. I also acknowledge that this statement covers the 12-month period described by Section 176.003(a)(2)(B), Local Government Code.

Signature of Local Government Officer

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said _____, this the _____ day of _____, 20_____, to certify which, witness my hand and seal of office.

Signature of officer administering oath Printed name of officer administering oath Title of officer administering oath