



Information and General Services Department

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*Information Systems
Geographic Information Systems
Facilities Management*

*Emergency Services
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Airport
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NEVADA COUNTY BOARD OF SUPERVISORS Board Agenda Memo

MEETING DATE: May 28, 2019

TO: Board of Supervisors

FROM: Steve Monaghan, Chief Information Officer

SUBJECT: Introduce and waive further reading of an Ordinance repealing Section A-II 17.10 and amending Sections A-II 17.11 through A-II 17.14 of Article 17 of Chapter II of the Nevada County Administrative Code regarding County Executive Officer contracting authority, adding Section A-II 42.10.5 of Article 42 to Chapter II of the Nevada County Administrative Code regarding Director of Public Works contracting authority, and repealing and replacing Chapter IV of the Nevada County Administrative Code regarding purchasing.

RECOMMENDATION:

Introduce and waive further reading of an Ordinance repealing Section A-II 17.10 and amending Sections A-II 17.11 through A-II 17.14 of Article 17 of Chapter II of the Nevada County Administrative Code regarding County Executive Officer contracting authority, adding Section A-II 42.10.5 of Article 42 to Chapter II of the Nevada County Administrative Code regarding Director of Public Works contracting authority, and repealing and replacing Chapter IV of the Nevada County Administrative Code regarding purchasing.

FUNDING:

There is no fiscal impact as a result of this action.

BACKGROUND:

The County's Purchasing System was developed in accordance with Section 25500 et seq. of the Government Code and the Public Contracts Code of the State of California. Nevada County Code Chapter IV, Article 1, section 1.1, adopted by Resolution of the Board of Supervisors designates the duties and powers prescribed for county purchasing agents to the Director of Information and General Services.

The Director of Information and General Services is responsible for ensuring the County's Purchasing Division provides a consistent set of written rules and guidelines to employees on the efficient, ethical, and lawful approach to the procurement of goods and services required by County departments for their respective operations. A well-defined purchasing system also provides a transparent, competitive, fair, and impartial process for conducting business with Nevada County's vendor community.

For the past several years, the purchasing system has been defined through a Purchasing Handbook. The Handbook has been a resource for County staff which included procedures and guidelines for procuring goods and services.

Recently the Purchasing Division has brought forth efforts to ensure the alignment of a County purchasing policy with related Government Codes and industry best practices as well as concise guiding principles defining processes and procedures of how the Purchasing Division shall operate. The County's Purchasing Policy is being recommended for approval by your Board under separate cover and the Director of Information and General Services.

Along with creating the new Purchasing Policy, it was determined that changes to Section IV of the Nevada County Administrative Code regarding Purchasing were necessary and appropriate. In addition, staff is recommending amendments to Section II of the Nevada County Administrative Code regarding signing authority for the County Executive Officer and the Director of Public Works as the current contracting limits have not been reviewed or updated in several years. The proposed amendments are as follows:

Purchasing

- Revises and streamlines the current Purchasing Ordinance to
 - Clarify the role and authority of the Purchasing Agent
 - Eliminate provisions that are duplicative of existing state law
 - Move procedural requirements from the Code to the new proposed Purchasing Policy
 - Remove provisions that are not applicable to the Purchasing Agent including provisions related to real property procurements
- Updates and clarifies the following signing authority for the Purchasing Agent:
 - For engaging independent contractors, increases limit from \$25,000 to \$50,000
 - For the purchase, rent or lease of County personal property, establishes a limit of \$250,000
 - Increases emergency purchasing authority from \$25,000 to \$150,000 and aligns emergency purchasing requirements with federal guidelines to facilitate and expedite the acquisition of goods and services
- Contracts which exceed the thresholds in the proposed ordinance require Board approval

County Executive Officer

- Increases County Executive Officer's contracting authority from \$5,000 to \$25,000 for both County and the Sanitation District contracts. This authority excludes purchasing and construction contracts
- Increases County Executive Officer's authority to execute grant or revenue contracts from \$5,000 to \$25,000
- Increases County Executive Officer's authority to approve claims and legal settlements up to \$50,000, with the concurrence of County Counsel
- Contracts which exceed these thresholds require Board approval

Public Works Director

- Renews authority to acquire real property in connection with Board-approved public works projects and increases this authority from \$25,000 to \$50,000
- All contracts which exceed this threshold will require Board approval

Honorable Board of Supervisors

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A comprehensive review of both the County's Purchasing Policy and the proposed changes to the County's Administrative Code was conducted by the Auditor Controller's Office, County Counsel and County Executive Office.

ATTACHMENT:

Proposed Ordinance repealing Section A-II 17.10 and amending Sections A-II 17.11 through A-II 17.14 of Article 17 of Chapter II of the Nevada County Administrative Code regarding County Executive Officer contracting authority, adding Section A-II 42.10.5 of Article 42 to Chapter II of the Nevada County Administrative Code regarding Director of Public Works contracting authority, and repealing and replacing Chapter IV of the Nevada County Administrative Code regarding purchasing.

Item Initiated by: Desiree Belding

Approved by: Steve Monaghan

Submittal Date: May 20, 2019