



**BUSINESS AND FISCAL OPERATIONS**

**POLICY NO:**

**SUBJECT:** Contract and Procurement Policy (Version 4)

**PURPOSE:** To facilitate compliance with Health and Safety Code §130140(d)(4)(B) requiring the county commission to adopt, in a public hearing, contracting and procurement policies that are consistent with state law. And to comply with Health and Safety Code §130151(b)(1) requiring contract and procurement policies contain provisions to ensure that the grants and contracts are consistent with the Commission's strategic plan.

**EFFECTIVE DATE:** January 22, 2025

**I. STATEMENT OF POLICY**

- A. The Commission and staff will comply with State law in all matters regarding Commission contracting and procurement to the extent applicable to the Commission. With respect to funding decisions, all California laws regarding constitutional rights of persons and applicable nondiscrimination laws shall be complied with to the extent applicable to Commission activities.
- B. Commission staff shall comply with County Ordinance No. 459 and the established purchasing policies and procedures with **additional categories exempt** from competition and select special situations as stated herein.
- C. Commission staff shall comply with the County Purchasing Policy Manual as the source for staff to obtain current information on purchasing requirements. All grants and contracts will be consistent with the Commission's strategic plan.
- D. Contract template for **investment of funds (services)** must be approved by the Riverside County Children and Families Commission.

## II. CATEGORIES EXEMPT FROM COMPETITION:

The competition requirements do not apply when the proposed purchase falls within one of the listed categories below, **except** all single purchases or aggregate purchases exceeding \$50,000 per fiscal year must receive approval of the Riverside County Children and Families Commission.

1. Auditing Services
2. Books and Subscriptions
3. Conference or Meeting Sponsorship
4. Evaluators, interpreters, transcribers, and persons having broad experience within specialized areas that support the strategic goals of the Commission.
5. Goods from other public agencies, First 5 California, or other First 5 Commissions.
6. Membership Dues and Fees
7. Purchases from an “Approved Riverside County Awarded Vendor”
8. Quality early learning materials and goods within a **specialized area** that are developmentally appropriate or encourage healthy physical, cognitive, and social-emotional development to promote learning.
9. Strategic Plan goal area prevention services that address **identified critical needs** to avoid serious injury and illness or relationship disruption and thereby promote healthy development. This may also include contracting with drowning prevention vendors, swim instructors, family training or counseling providers to avert child neglect or abuse, or to providing matching funds to leverage grant opportunities.

## III. SPECIAL SITUATIONS

County Department – Internal Service Fees, Countywide Cost Allocation Plan, and Inter-Department Administrative and/or Operational Costs – Expenses for fees and services identified to support administrative and operational functions shall be included with the proposed and adopted annual budget presented to the Commission. Any significant changes to these costs shall be adjusted and presented to the Commission. Expenses shall include, but are not limited to, the following and do not require an agreement or MOU:

- Auditor Controller Office process fees
- County Counsel monthly support
- Facilities management and custodial services and associated fees
- Human Resources and Risk Management related fees and supports, including training costs provided through the County’s learning platform.
- Inter-department space allocation costs, identified within the annual Space Occupancy Certification process.
- Riverside County IT supports and services (licensing and technical assistance)

- Executive Office personnel costs (Assistant County Executive Officer, Principal Budget Analyst, Principal Policy Analyst)

Waiver of Competition – When it is impracticable or impossible, or of no increased benefit to secure competition and the unit price exceeds \$2,000, or the Purchase Request exceeds \$5,000, it will be necessary to provide a **single or sole source justification** to be signed at the Executive Director level for purchases not exceeding \$50,000. Purchases over \$50,000 must be approved by the Commission.

Compatibility – For optimum performance of various types of our equipment, special considerations may be required. When good business practice dictates the use of the manufacturer’s replacement parts in the repair of equipment, items may be purchased without competition directly from the manufacturer at the discretion of the Executive Director. In this same context, the Executive Director may also use this discretionary authority to purchase supplies and/or services, as well as additional equipment, without competition directly from the original equipment manufacturer and/or his licensee or other producer as designated by the original equipment manufacturer to enhance the overall performance and operation of the equipment or system. When a purchase on a compatibility basis is estimated to exceed \$50,000 per item, or a \$50,000 aggregate amount from a single vendor per fiscal year, must be approved by the Commission.

Other Approved Vendors – If the Commission determines there would be no increased benefit of going through the competition process, the Commission may use a vendor under contract with the State, County, School District or other First 5 Commission without a competitive selection process if the State, County or First 5 Commission contract was procured by a competitive selection and the vendor accepts the same terms of the contract. Such determinations will be signed at the Executive Director level for purchases not exceeding \$50,000. Purchases of more than \$50,000 must be approved by the Commission.

#### References:

1. County of Riverside Purchasing Policy
2. First 5 California Children and Families Program Audit Guide (08/24)
3. First Association of California Financial Management Guide (5<sup>th</sup> Edition 2015)