

# City of Ennis

## PURCHASING POLICIES AND PROCEDURES



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## Purchasing Mission Statement

"Our mission is to manage the procurement process efficiently and strategically, ensuring the acquisition of high-quality goods and services at the best possible value. We are committed to fostering strong vendor relationships, implementing cost-effective practices, and maintaining compliance with ethical and regulatory standards. Through collaboration and innovation, we aim to contribute to the overall success and sustainability of The City of Ennis."

## Policy Objectives

- Ensure compliance with federal, state and local purchasing laws
- Establish policies and procedures that maintain the integrity of the purchasing process
- To ensure that responsible bidders are given fair opportunity to compete for City business
- Procure goods and services that meet the quantity and quality requested by departments at the best possible price



## **CITY OF ENNIS PURCHASING POLICY**

### **Types of Purchases**

#### **Purchases Under \$3,000**

Purchases under \$3,000 require an ERP Pro 10 electronic requisition. Although quotes are not required, it is suggested that the departments contact at least two Ennis local vendors, if available, and purchase the items from the vendor that provides the best value for the city. All Requisitions in ERP Pro 10 must be approved by the Department Head or their designee in the system. Once approved by the Department Head the requisition will then have to be approved by the Finance Department. When requisitions are received by Finance, the staff will verify budget authority, that there is sufficient budget remaining to cover the purchases, and that the purchases are being charged to the correct accounts, this is Level 1 Finance approval. Staff will then verify that the required documentation, purchase justification and any other pertinent information is attached to the requisition, this is Level 2 Finance approval. Requisitions should be approved by Finance within 1 business day of Department Head approval. After the requisitions have been approved, the Finance Department will then process the purchase order within ERP Pro 10. The system will automatically assign purchase order numbers which will be accessible by the requesting departments. Purchases are not to be made without a purchase order number.

#### **Purchases \$3,000 to \$100,000**

Purchases \$3,000 up to \$100,000 require an ERP Pro 10 electronic requisition and three written quotes. When entering a requisition into ERP Pro 10, it is crucial to include supporting documentation that demonstrates compliance with this policy and all applicable laws. This ensures transparency and accountability in the procurement process. State Law requires a minimum of two Historically Underutilized Businesses that have been certified by the statewide HUB program be contacted on a rotating basis. A list of certified HUB vendors is obtainable from the State Comptroller's website (<https://comptroller.texas.gov/purchasing/vendor/hub/>). Departments will be required to submit documentation with the electronic ERP Pro 10 requisition that the HUB vendors were contacted and provided sufficient time (1 week) to respond. If the list fails to identify a historically underutilized business in the category or area of goods or services to be acquired, the City is exempt from this section of the local government code. The quotes and all other pertinent information must be attached to the requisitions in ERP Pro 10 for approval. All

Requisitions in ERP Pro 10 must be approved by the Department Head or their designee in the system. Once approved by the Department Head the requisition will then have to be approved by the Finance Department. When requisitions are received by Finance, the staff will verify budget authority, that there is sufficient budget remaining to cover the purchases, and that the purchases are being charged to the correct accounts, this is Level 1 Finance approval. Staff will then verify that the quotes were received, HUBS have been contacted, purchase justification and any other pertinent information is attached to the requisition, this is Level 2 Finance approval. Requisitions should be approved by Finance within 1 business day of Department Head approval. After the requisitions have been approved, the Finance Department will then process the purchase order within ERP Pro 10. The system will automatically assign purchase order numbers which will be accessible by the requesting departments. Purchases are not to be made without a purchase order number.

## **Purchases that Exceed \$100,000**

Purchases that exceed \$100,000 must go through a sealed competitive solicitation process. It is required that specifications be written and formal bids/proposals/qualifications etc. be obtained. The award of purchases will be based on a combination of price, quality, delivery time, and whether the proposer has met the criteria listed in the specifications. The solicitation will be awarded to the lowest responsible proposer or to the proposer that provides the best value to the City in conjunction with other solicitation specification criteria, but the City reserves the right to reject any or all formal bids, proposals, qualifications etc. and reopen the process if it is in the best interest of the City. Tabulations will be compiled, and agenda items will be prepared by the Finance Department for presentation to the City Commission for final award within 30 days of the solicitation closing date. After the Department has chosen a vendor and the City Commission has approved of the vendor, the requesting department will enter a requisition into ERP Pro 10 for the Finance Department's approval and attach the signed Commission Resolution authorizing the purchase, a copy of the solicitation, the response of the selected vendor and any other pertinent information. All Requisitions in ERP Pro 10 must be approved by the Department Head or their designee in the system. Once approved by the Department Head the requisition will then have to be approved by the Finance Department. Once the requisitions are received by Finance, the staff will (Level 1) verify budget authority and that there is sufficient budget remaining to cover the purchases and that the purchases are being charged to the correct accounts. Staff will also (Level 2) verify that any other pertinent information is attached to the REQ. Requisitions should be approved within 1 business day of being entered into the system. After the requisitions have been approved, the Finance Department will then process a purchase order within ERP Pro 10. The system will automatically assign purchase order numbers which will be accessible to the requesting departments. Purchases are not to be made without a purchase order number.

## **Competitive Solicitation Process**

State law requires purchases that exceed \$100,000 to be processed through a competitive sealed solicitation process. An employee commits a Class B misdemeanor if he or she knowingly or intentionally makes or authorizes a separate, sequential or component purchase to deliberately avoid these requirements. Separate purchases are when purchases of items are split into multiple

orders that in normal purchasing practices would be placed on one purchase order. Sequential purchases are when items or services are ordered over a period of time on individual purchase orders that in normal purchasing practice would be placed on one purchase order. Component purchases are when component parts of an item are placed on multiple purchase orders that in normal purchasing practices would be placed on one purchase order. The City of Ennis currently uses the competitive sealed bid, proposal and qualifications process to adhere to this standard.

1. The Competitive Solicitation Process will be done online via OpenGov. Requesting Departments will submit an intake request in OpenGov. The intake process will require the department to determine the timing of the desired goods or services and prepare a detailed scope of work, far enough in advance to ensure the desired dates can be met.
2. The Solicitation will be drafted by the Finance Department with the scope of work provided by the requesting department. Bid numbers will be issued by Finance after the department has completed its review and signed off on the solicitation. After the solicitation has been approved by the Purchasing Manager and the designated representative from the requesting department, it must then be advertised as required by State Law. The advertisement must be published at least once a week for two consecutive weeks in the City's official newspaper. The first publication must be more than fourteen (14) days before the date of the solicitation opening (Local Government Code §252.041). The Solicitation will also be added to the City's Website. The Finance Department shall be responsible for placing the solicitation notification ads.
3. The selection of vendors will be based on recommendations from the selected evaluation committee, the Requesting Department Director as well as the Purchasing Manager. The Local Government Code, (§252.043) allows the City to award a contract to either: (1) the lowest responsible bidder (2) the bidder who provides goods and services at the best value to the City.
4. In determining the best value for the municipality, the municipality may consider: (1) the purchase price; (2) the reputation of the bidder and of the bidder's goods or services; (3) the quality of the bidder's goods or services; (4) the extent to which the goods or services meet the municipality's needs; (5) the bidder's past relationship with the municipality; (6) the impact on the ability of the municipality to comply with laws and rules relating to contracting with historically underutilized businesses and nonprofit organizations employing persons with disabilities; (7) the total long-term cost to the municipality to acquire the bidder's goods or services; and (8) any relevant criteria specifically listed in the request for bids or proposals.

5. The best value method may not be used, and the contract must be awarded to the lowest responsible bidder for contracts for the construction of the following when the cost is more than \$1.5 Million:

highways, roads, streets, bridges, utilities, water supply projects, water plants, wastewater plants, water and wastewater distribution or conveyance facilities, wharves, docks, airport runways and taxiways, drainage projects, or related types of projects associated with civil engineering construction; buildings or structures that are incidental to projects that are primarily civil engineering construction projects” (Local Government Code §252.043(d)).

If the cost is less than \$1.5 Million, the best value method may be used to award the contracts.

6. If the City desires to award a contract for goods and services under the best value method, the City must indicate in the specifications that the contract may be awarded either to the lowest responsible bidder or to the bidder who provides goods or services at the best value for the City (Local Government Code §252.043(c)).
7. All solicitations will be submitted online via OpenGov. The Finance department is responsible for scheduling the bid openings and sending invitations to the requesting department.
8. Public Openings of Sealed Bids will be attended by the Department Head and the Purchasing Manager, or their designated representatives. If the solicitation is to be awarded to the lowest responsible bidder, the bids will be opened and read aloud with the apparent low bidder announced. If the bid is to be awarded based upon best value, the bids will be opened and read aloud; the City Commission will then determine which bidder provides the City with the best value. However, an announcement will be made to those present at the bid opening that a recommendation will be presented to the City Commission for the award to the lowest responsible bidder or the bidder who provides the best value to the City after an analysis of the bids has been conducted by staff. All proposals that were submitted will be open for public inspection after the contract award. However, trade secrets and confidential information will not be made available for public inspection (Local Government Code, Chapter 252.049). Bid documents should notify bidders that any confidential or information deemed a trade secret must be labeled as such to be withheld from disclosure. The Finance Department will be responsible for the preparation of the recommendation and agenda item submitted to the City Commission. The City reserves the right to reject any and all bids.
9. The City may award a contract for any real property or personal property that is not affixed to real property or services to a bidder whose principal business is in the City and whose bid is within 3% of the lowest bidder whose principal business is not located in the City per the Local Government Code (§ 271.905). In order to award a purchase to the local bidder in

such circumstances, the City Commission must determine, in writing, that the local bidder offers the City the best combination of contract price and additional economic development opportunities created by the contract award, including the employment of residents of the City and increased tax revenues to the City, pursuant to Local Government Code §271.905.

10. The City may award a contract for any real property or personal property that is not affixed to real property or services to a bidder whose principal business is in the City and whose bid is within 5% of the lowest bidder whose principal business is not located in the City per the Local Government Code (§ 271.9051). This section only applies to contracts for construction services in an amount of less than \$100,000 or a contract for other purchases in an amount of less than \$500,000. In order to award a purchase to the local bidder in such circumstances, the City Commission must determine, in writing, that the local bidder offers the City the best combination of contract price and additional economic development opportunities created by the contract award, including the employment of residents of the City and increased tax revenues to the City, pursuant to Local Government Code §271.905.
11. In the event there are two or more responsible bidders with the identical lowest bids that fully meet the specifications and needs of the City, the bidder who is a resident of the City shall be awarded the bid. If two or more identical bids are residents, the award of the contract will be determined by casting of lots. The casting of lots must be in a manner prescribed by the Mayor of the City and must be conducted in the presence of the governing body of the municipality. All qualified bidders and their legal representatives may elect to be present at the casting of lots. The City will still retain its right to reject all bids per Local Government Code (§271.901).

## Competitive Sealed Proposal Process

The criteria for awarding the contract to a vendor for sealed proposals is not based on price alone. While price is important, vendor qualifications, experience, and support system may be some of the components that will be considered in making a selection. The desired evaluation factors for the particular procurement must be listed in the Request for Proposal (Local Government Code §252.042(a)).

After the analysis of the proposals is completed, a recommendation by City Staff to the City Commission for award to the lowest and most responsive proposer which best meets all the evaluation criteria will be made. Offerors shall be treated fairly and equally with respect to any opportunity for discussion and revision of proposals. If there are vendor negotiations, care should be made to avoid disclosing proposal contents of other proposers.

## Purchases Exempt from Competitive Solicitation Process

Pursuant to Local Government Code §252.022, Competitive Solicitation Process is not required for an expenditure for:

- a procurement made because of a public calamity;



- a procurement necessary to preserve or protect the public health or safety of the municipality's residents;
- a procurement necessary because of unforeseen damage to public machinery, equipment, or other property;
- a procurement for personal, professional, or planning services;
- a procurement for work that is performed and paid for by the day;
- a purchase of land or a right-of-way;
- a procurement of items that are available from only one source including:
 

patents, copyrights, secret processes, or natural monopolies; films, manuscripts, or books; gas, water, and other utility services; captive replacement parts or components for equipment; books, paper, and other library materials for a public library that are available only from the persons holding exclusive distribution rights to the materials; management services provided by a nonprofit organization to a municipal museum, park, zoo, or other facility to which the organization has provided significant financial or other benefits;
- a purchase of rare books, papers, and other library materials for a public library;
- paving drainage, street widening, and other public improvements, or related matters, if at least one-third of the cost is to be paid by or through special assessments levied on property that will benefit from the improvements
- a public improvement project, already in progress, for which there is a deficiency of funds for completing the project in accordance with the plans and purposes authorized by the voters.
- a payment under a contract by which a developer participates in the construction of a public improvement as provided by Subchapter C, Chapter 212
- personal property sold at an auction by a state licensed auctioneer; at a going out of business sale held in compliance with Subchapter F. Chapter 17, Business & Commerce Code; by a political subdivision of this state, a state agency of this state, or an entity of the federal government.
- participation in cooperative purchasing programs which are established to provide local governments access to contracts with vendors for purchase of materials, supplies, services, or equipment. Departments will submit documentation of participation with the electronic ERP Pro 10 requisitions for approval.
- services performed by blind or severely disabled persons.
- purchases for subsequent retail sale
- electricity
- advertising, other than legal notice

## Procuring of Professional and Consulting Services

Professional and consulting services include such services as accounting, architecture, engineering, surveying, medicine, and planning. These contracts will be awarded through a qualifications-based selection process. The awards will be based on the following:

- Demonstrated competence and qualifications.

- Fair and reasonable price.
- Fees not exceeding maximums allowed by law.

The following selection procedure must be used:

1. First select the most highly qualified provider on the basis of demonstrated competence and qualifications.
2. Attempt to negotiate with that provider a contract that is at a fair and reasonable price.

If a satisfactory contract cannot be negotiated with the first-choice provider, then the City shall:

1. Formally end negotiations with that provider
2. Select the next most highly qualified provider
3. Attempt to negotiate a contract with that provider at a fair and reasonable price.

This process shall be followed until a fair and satisfactory contract is negotiated and accepted by both parties.

## Sole Source

A sole source purchase is defined as the procurement of goods or services that are available from only one provider due to unique conditions or characteristics that preclude competition. Such procurements are permissible under the following conditions as outlined in the Texas Local Government Code, Section 252.022:

- Patents, Copyrights, or Secret Processes: The item is protected by a patent, copyright, or a secret process, making it uniquely available from a single provider.
- Natural Monopolies: The item is available from a provider that is the sole source of supply due to the nature of the goods or services.
- Exclusive Distribution Rights: Books, films, manuscripts, or other library materials with exclusive distribution rights.
- Utilities: Services such as electricity, gas, water, or other utility services.
- Captive Replacement Parts or Components: Specific replacement parts or components for equipment that are available only from the original equipment manufacturer or supplier.
- Management Services by Non-Profits: Management services provided by a non-profit organization to a municipal facility, such as a museum, park, or zoo, to which the organization has previously provided significant financial or other benefits.

If a requisitioning department believes that an item or service qualifies as a sole source purchase, a Sole Source Justification Form should be submitted to purchasing with supporting documentation. Documentation can include:

- Verification of the sole source conditions, including any relevant patents, copyrights, or exclusive distribution rights.
- Any supporting documentation from the supplier confirming they are the sole source for the goods or services.

Once approved by the Finance department the requisitioner must attach the documentation and Sole Source Justification Form to the requisition within ERP Pro 10.

**Any purchase that does not follow the competitive solicitation process, including exemptions, must be signed off by the Director of Finance.**

## Change Orders

A Change Order Request Form will be submitted to the Finance Department for changes to purchase orders or contracts for pricing changes due to a change in the scope of work. The Finance Department will review the request and make recommendations to the City Manager and City Commission.

If a change order involves a decrease or an increase of \$50,000, or less, the City Manager is authorized by City Commission to approve the change. The original contract price may not be increased or decreased by more than \$50,000 without formal City Commission approval and the original contract price may not be increased by more than 25%. The original contract price may not be decreased by more than 25% without consent of the contractor. Local Government Code §252.048.

## Bonds / Insurance

Contractors, consultants, concessionaires, and certain suppliers whose work or employees, may expose the City and the public to risk of any kind, must provide a current insurance certificate to the City that shows their liability insurance meets the City's standard requirements. These requirements should be included in the Solicitation Documents and made a part of the contract or purchase order. Insurance requirements may vary from project to project depending on the type of work or service being provided. When the City makes a public works contract with a prime contractor, the contractor shall be required before beginning the work, to execute to the governmental entity: (1) a performance bond if the contract is in excess of \$100,000; and (2) a payment bond if: the contract is in excess of \$50,000. Both performance and payment bonds must be for 100% of the contract cost.

Vendor agrees to maintain and require its subcontractors to maintain at all times during the agreement/contract term the following coverages at no less than the limits indicated:

|  |                           |
|--|---------------------------|
| <u>Worker's Compensation Insurance</u>                               | Statutory                 |
| <u>Employers Liability</u>   | \$100,000                 |
| <u>Automobile Liability</u>  |                           |
| (Including Owned and Non-Owned autos)                                | \$500,000 each occurrence |
| Combined Single Limits or Equivalent                                 |                           |
| <u>Commercial General Liability</u>                                  |                           |
| <u>Combined Single Limits for Bodily Injury and Property Damage:</u> |                           |

Each occurrence for premises/operations:

|   |                                  |
|---|----------------------------------|
| <u>Broad form Commercial General Liability coverage</u> | \$1,000,000                      |
| <u>Products/Operations aggregate</u>                    | \$1,000,000                      |
| <u>Advertising Injury</u>                               | \$1,000,000                      |
| <u>General Aggregate</u>                                | \$2,000,000                      |
| <u>Umbrella Liability</u>                               | \$1,000,000 each occurrence      |
|   | \$1,000,000 annual aggregate     |
|   | \$ 25,000 self-insured retention |

Vendor's coverage must be written on an Occurrence (not claims made) basis with companies acceptable to the City, must stipulate that no take-out endorsements are included on the General Liability policy, and each policy providing coverage hereunder shall contain provisions that no cancellation or material reduction in coverage in the policy shall become effective except upon thirty (30) days prior written notice thereof to the City, and receipt of written acknowledgement from the City, who shall be named as additional insured with respect to liability imposed upon it resulting from the performance of Work under this Agreement/Contract. There shall be no right of subrogation against the City and this waiver of subrogation shall be endorsed upon the policies. Prior to the commencement of services, Vendor shall furnish certificates evidencing compliance with all requirements herein. **The limits of such insurance shall in no way be construed as limiting Vendor's obligation to completely defend, indemnify and hold harmless the City.**

## Receiving / Inspection / Payment

When materials, equipment or supplies are received, the department that placed the order is responsible for inspecting the shipment and initiating the payment process. All items must be inspected upon receipt. The inspection should include verification of correct quantities and a check for damaged or defective goods.

***When all items or services ordered on a purchase order are received and complete and all contracted services have been rendered,*** the requesting department will attach the invoice to the purchase order and complete the receiving process in ERP Pro 10.

Accounts Payable will review the received purchase order for required information, and payment will be processed. Payables are sent out on Friday of each week. To ensure timely processing, all receipts should be completed no later than Wednesday at noon. This cut-off time allows for any necessary follow-up and ensures that payments are issued on time. The City of Ennis operates on a net 30 payment term. Payments are made as close to the 30-day mark from the invoice date as possible, ensuring compliance with the agreed-upon payment terms and maintaining good supplier relationships.

## Purchasing On Amazon

Purchases can be made through the cities designated Amazon website. When you proceed to check out each order should be coded with the fund, department and object. These are required fields and must be present on each order. In situations where multiple codes need to be used enter the additional code in the additional GL Code field and the amount needing to go to that code in the amount field. All items should be shipped to a city address location and the payment method should be Pay by Invoice. P-Cards should not be used to make payments on Amazon. Personal purchases MUST NOT be made on the City's designated Amazon account. Purchases on one's personal Amazon account for the City of Ennis are a violation of this policy.

## Purchasing From House Accounts

Purchases on behalf of the city can also be made through house accounts. House accounts are defined as those accounts that provide a single invoice that covers all the city's purchases on a monthly basis. These purchases do not require the use of the company P-Card and a requisition is not required to be entered into ERP Pro 10. House accounts must be pre-approved by the Finance Department. The current list of approved house accounts are:

- Atwoods
- B&C Auto
- B&C Shop & Tire
- Blackland Building Supply
- Ennis Janitorial
- Main Street Hardware
- O'Reilly Auto Parts
- Sherwin Williams
- United Ag & Turf

## Emergency Expenditures

An emergency purchase is defined in the local government code as (1) a procurement because of public calamity that requires immediate appropriation of money to relieve the necessity of the City's residents or to preserve the property of the City (2) a procurement necessary to preserve or protect the public health or safety of the City's residents (3) a procurement necessary because of unforeseen damage to public machinery, equipment, or other property.

Emergency purchases shall be exempted from both the quote and competitive bidding processes. Credit Cards may be used for emergency purchases.

Emergency purchases do not require a requisition or purchase order prior to obtaining the goods or services. The day after the purchase is made the departments will complete the required requisition and purchase order steps of the purchasing process. The requisition must clearly identify the purchase as an emergency and be accompanied by the Emergency Purchase Form.

The City Manager must give consent if the purchase exceeds \$50,000 prior to the purchase being made. The purchase will also be placed on a City Commission Agenda by the department within 30 days for ratification.

## Interlocal Agreements

The Interlocal Cooperation Act, Gov. Code §791.001 et seq., gives cities flexibility to contract with other governmental entities, including state agencies, districts, counties and municipalities. The City may contract with another local government to perform governmental functions and services such as:

Police protection and detention services; Fire protection; Streets, roads and drainage; Public health and welfare; Library and museum services; Records center services; Waste disposal; Planning; Engineering; Administrative functions; Public funds investment; Other governmental functions in which the contracting parties are mutually interested” (Gov. Code §791.003)

All interlocal agreements must be pre-approved by the Finance Director to ensure policy and regulatory compliance.

## Purchasing from Cooperatives

In accordance with Texas Local Government Code §271.102, the City of Ennis may participate in cooperative purchasing programs with other local governments or cooperative organizations. Purchases made through these programs are exempt from competitive procurement requirements. All cooperative purchases must be reviewed and pre-approved by the Finance Department to maintain proper documentation and adherence to city policies and state regulations.

## Surplus

Surplus property is defined as any City-owned property that is worn out, outdated or no longer needed for current operations yet still has a potential resale value. Surplus goods include, but are not limited to, equipment parts, tools, vehicles, computers, software, supplies, and furniture.

Department Heads and the City Manager shall jointly determine when City-owned property has no resale value. Resale value shall take into consideration the cost of preparing the item for sale. Items without potential resale value may be disposed of in any manner approved by the responsible Department Head and the City Manager.

Department Heads will submit in writing lists of property that they recommend to be designated as surplus. Only the City Manager has the authority to declare City-owned goods surplus. A staff member of the Finance Department will review all surplus property lists for items that may be on the asset rosters and update such rosters accordingly.

Surplus goods will be disposed of in a manner that will yield the greatest possible benefit to the City. Whenever possible, items will be batched together and sold at public auction. Individual items that are not easily stored for future auction may be disposed individually by making a good faith

attempt to obtain the highest price for the item(s). Proceeds from such sales will be accounted for in accordance with Generally Accepted Accounting Principles.

1. In order to maintain the highest appearance of ethical propriety at all times, surplus goods may not be given to City employees or City officials except under exceptional circumstances. Exceptional circumstances for surplus property may be approved with a written recommendation from the Department Head and subsequent approval from the City Manager and the City Commission.
2. Property deemed surplus in accordance with the foregoing standards may be donated to another governmental entity or not-for-profit organization with the approval of the City Manager and the City Commission.

City employees, with the exception of Department Heads, City Officials, and The City Manager may participate, on their own time, in public auctions for the purchase of surplus City goods.

## **Federal Grants**

### **Suspension and Debarment**

All parties that are debarred, suspended or otherwise excluded from or ineligible for participation in Federal assistance programs or activities are restricted from awards, subawards and contracts.

### **General Procurement Standards**

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 or her 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 may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. Violation of these standards will be subject to disciplinary actions up to termination.

### **Review and Revision**

These policies shall be periodically reviewed and updated as necessary to address changes in laws, regulations, and best practices.



## Purchasing Card Policy and Procedure

### **Purpose**

To establish policies and procedures for procuring goods and/or services using a City of Ennis Purchasing Card. The Purchasing Card program is designed to streamline the purchasing and accounts payable process by reducing paperwork generated by one-time, small dollar transactions, providing immediate access to goods and/or services, and facilitating quick payment to vendors. All Purchasing Card (P-Card) purchases must be made in compliance with all City ordinance requirements for public procurement as well as the City of Ennis Purchasing Policy.

### **Scope**

The City of Ennis's Purchasing Card (P-Card) is an internationally accepted Mastercard credit card issued to authorized City of Ennis employees to be used only for business purposes. No personal items or services are to be purchased with the City credit card under any circumstances, nor shall the card be used to circumvent the Purchasing Policy. The City credit card is not to be used for obtaining cash nor is the employee to accept cash in lieu of a credit to their account. Any violation of this policy may result in the employee's loss of credit card privileges, and /or other disciplinary action.

### **Responsibilities**

An employee's request for a City P-Card must be made in writing by the employees' supervisor or Department Head to the Finance Director. At the time of approval, the Department Head and the Finance Director will determine the appropriate credit level for the employees' card based on projected needs and usages. Every City P-Card holder must sign the Employee Cardholder Agreement.

If the credit card is lost or stolen, the employee shall contact the credit card company immediately and then notify the Accounts Payable Administrator in the Finance Department as soon as possible.

The City of Ennis is tax-exempt. Employees should make their credit card purchases with a vendor whom the City has an account to avoid having sales tax charges. If the City does not have an account with the vendor, the employee should provide the vendor with a completed tax-exemption form obtainable from the Finance Department prior to the purchase. If sales tax is charged,



employees should contact the vendor to request a credit. Exceptions must be approved by the Finance Department.

Each month the cardholder shall reconcile the transactions made on their P-Card and assign the correct account to be charged to each transaction. The employee shall enter a requisition for all credit card purchases in ERP Pro 10 to account for these expenses. The bidding and quotation requirements of city policy and state law apply when using the P-Card. All receipts, required quotes, and documentation must be uploaded to ERP Pro 10. All transactions must be supported by itemized receipts or credit slips as well as a written narrative of the purpose of the purchase. An itemized receipt is one that provides the business or company name that the purchase was made at, the date, and a detailed list of what was purchased.

Cardholders are required to assign account information and obtain supervisor approval via requisition no later than 5 business days after receipt of the statement. Finance staff will notify cardholders and supervisors of these deadlines and outstanding approval issues. **Amazon purchases should not be made on the City P-Card.**

It is the Department Head's responsibility to notify the Finance Department as soon as possible if the employee has been terminated, retired or moved to a new position in which they will no longer need to make City purchases. It is also the Department Head's responsibility to ensure that the credit card is retrieved from the employee and turned into the Finance Department upon the employee's change of position or separation from employment with the City of Ennis. The City will work to minimize the number of employees with P-Cards, issuing them only when justified by business needs, to ensure proper oversight and accountability.

### **Allowable Travel Expenses**

City of Ennis Employees may charge travel expenses directly to their P-Card. These expenses include:

- Airfare (Coach Fare Only) and baggage fees
- Conferences/Workshop Registration
- Hotel/ Lodging
- Ground Transportation
  - Rental Car (economy class rental car when economical)
  - personal vehicle (with mileage reimbursement)
  - rideshare services (Lyft, Uber or Taxi)
  - public transportation (subway, train or shuttle)
- Vehicle Parking Fees
- Meals on overnight City of Ennis travel not to exceed GSA standard per-diem rates. (<https://www.gsa.gov/travel/plan-book/per-diem-rates?gsaredirect=perdiem>)
- Gratuities up to 18% of the pre-tax bill, or the full amount if an automatic gratuity is added by the vendor

### **Non-Allowable Travel Expenses**

The following expenses are considered personal or excessive and if incurred on the City of Ennis P-Card should be re-imbursed to the city:

- Airline additional fees include first class airfare, pre-boarding, early boarding, seat selection fees, upgraded seat fees, and in-flight headsets
- Upgraded room fees
- Meals purchased during a standard work shift on non-overnight travel
- Limousines, private car services, and other luxury transportation
- Alcoholic beverages
- Hotel in room movies
- Parking fines, late fees or penalties
- Any Personal Charges
- Cash Advances
- taxis or rideshares
- Weapons, firearms, ammunition

### **Corrective Actions**

In addition to any other appropriate discipline, the City of Ennis P-Card Corrective Actions Procedures are as follows:

#### **First Violation:**

Written notification to cardholder and approver.

#### **Second Violation:**

Written notification to cardholder and approver. Suspension of City Issued P-Card until cardholder completes scheduled retraining on policies and procedures before card will be reinstated.

#### **Third and Final Violation:**

Cancellation of the cardholder's privileges.

These actions are designed to ensure compliance with the City's policies and procedures. However, if an offense is deemed egregious, the City reserves the right to bypass these steps and take immediate corrective action, which may include suspension or permanent revocation of P-Card privileges. Additionally, any intentional misuse, fraud, abuse or egregious use of the P-Card may result in disciplinary action up to and including termination of employment, criminal prosecution, and reporting to the employee's personal credit report.



## Employee Cardholder Agreement

### **Participating Employee Acknowledgment of Responsibilities**

By participating in the City of Ennis Procurement Card Program as a Cardholder, you assume responsibilities pertaining to the operation and administration of the Procurement Card Program.

These responsibilities include but are not limited to the following:

The City of Ennis Procurement Card is to be used for business expenditures only. The Procurement Card may only be used under the parameters and procedures established in the Procurement Card Policy. I agree that I have read and understand the Policy. The City of Ennis Procurement Card may not be used for personal purposes.

While the corrective actions outlined in the Purchasing Card Policy and Procedures provide a structured approach to policy violations, the City of Ennis reserves the right to bypass these steps in cases where an offense is deemed egregious, fraudulent, or intentionally deceptive. Intentional misuse, fraud, or abuse of the P-Card may result in immediate suspension or revocation of P-Card privileges and could lead to disciplinary action, up to and including termination of employment, criminal prosecution, and reporting to the employee's personal credit report.

The Procurement Card will be issued in the name of the employee. By accepting the Card, the employee assumes responsibility for the Card and will be responsible for all charges made with the Card. The Card is not transferable and may not be used by anyone other than the Cardholder.

The City of Ennis Procurement Card must be maintained with the highest level of security. If the Card is lost or stolen, or if the Cardholder suspects the Card or Account Number to have been compromised, the Cardholder agrees to immediately notify JP Morgan Chase at the number on the back of the card and the City of Ennis Procurement Card Administrator.

All charges will be billed and paid directly by City of Ennis. On a monthly basis, the Cardholder will receive a statement listing all activity associated with the Card. This activity will include purchases and credits made during the reporting period. While the Cardholder will not be responsible for making payments, the Cardholder will be responsible for the verification and reconciliation of all Account activity.

Cardholder Accounts may be subject to periodic internal control reviews and audits designed to protect the interests of the City of Ennis. By accepting the Card, the Cardholder agrees to comply with these reviews and audits. The Cardholder may be asked to produce the Card to validate its existence and produce statements and receipts to verify appropriate use.

Parameters and procedures related to the Procurement Card Program may be updated or changed at any time. The City of Ennis will promptly notify all Cardholders of these changes. The Cardholder agrees to and will be responsible for the execution of any program changes.

The Cardholder agrees to surrender and cease use of their Card upon termination of employment whether for retirement, voluntary separation, resignation or dismissal. The Cardholder may also be asked to surrender the Card at any time deemed necessary by management.

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By signing below, I acknowledge that I have read and agree to the terms and conditions of this document. I certify that as a participating Cardholder of the City of Ennis Procurement Card Program, I understand and assume the responsibilities listed above.

Employee Signature

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Title

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Name (Print)

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Date

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## City of Ennis Travel Policy

### **Purpose**

The purpose of this travel policy is to establish guidelines for the reimbursement, advance and accountability of travel expenses incurred by employees, elected officials, and representatives of the City of Ennis in the conduct of official city business.

### **Scope**

This policy applies to all employees, elected officials, and representatives of the City of Ennis who are required to travel for official city business.

### **General Policy**

1. **Travel Arrangements:** Travel arrangements, including transportation, lodging, and registration for conferences or meetings, should be made in the most economical and practical manner.
2. **Transportation:**
  - a) **Air Travel:** Employees should book the lowest available fare that reasonably meets business needs.
  - b) **Ground Transportation:** The use of personal vehicles, rental cars, taxis, rideshare services, or public transportation should be chosen based on cost-effectiveness and convenience.
  - c) City vehicles will be utilized whenever possible.
  - d) **Mileage Reimbursement:** When personal vehicles are used, mileage will be reimbursed at the current GSA standard mileage rate with preapproval.
3. **Lodging:** Employees should choose reasonably priced accommodation that is convenient to the business location. If the event is being hosted at a specific hotel, it is acceptable for employees to stay at that hotel. Lodging should be booked at reasonably priced hotels that offer government rates when available. Employees are encouraged to compare rates to ensure the best available price is obtained, taking into account government rates, conference block rates, or other discounted options.
4. **Meals:**
  - a) Meals will be advanced based on the flat rate established by the U.S. General Services Administration which can be found at

<https://www.gsa.gov/travel/plan-book/per-diem-rates?gsaredirect=perdiem>.

Receipts must be provided for all meal purchases reimbursed or charged on a City issued credit card.

- b) No meal receipts are required for meal per diems advanced before the travel
  - c) Meals on overnight City of Ennis travel should not exceed the GSA standard per-diem rates (<https://www.gsa.gov/travel/plan-book/per-diem-rates?gsaredirect=perdiem>).
5. Incidental Expenses: Incidental expenses such as parking and tolls will be reimbursed when reasonable and necessary. Receipts must be provided for all incidental expenses.

#### **Meal Advances:**

Advances may be provided upon request to cover anticipated meal expenses. Advances must be approved by the department head.

- 1. Eligibility: Employees may request a meal advance for anticipated meal expenses related to official travel.
- 2. Request Process: To request a meal advance, employees must complete the Meal Advance Request Form and a Warrant Request. Both forms must be first submitted to Department Directors and then to the Finance Department for approval at least one week before the travel date.
- 3. Advance Amount: The amount of the travel advance will be based on the per diem flat rate established by the U.S. General Services Administration.

#### **Reimbursement Process:**

- 1. Requests for reimbursement must be submitted within ten business days after the completion of travel using a Warrant Request.
- 2. Original receipts must be provided for all expenses, including transportation, lodging, and incidentals. Meals will be reimbursed for actual expenses incurred, not to exceed the allowable amounts referenced by the U.S. General Services Administration per diem flat rate.
- 3. Reimbursements will be processed through the city's Finance department and will be subject to review and approval.

#### **Non-Reimbursable Expenses:**

- 1. Airline additional fees include first class airfare, pre-boarding and in-flight headsets
- 2. Meals purchased during a standard work shift on non-overnight travel
- 3. Alcoholic beverages
- 4. Hotel in room movies
- 5. Parking fines, late fees or penalties
- 6. Any Personal Charges
- 7. Costs incurred for travel companions not on official City business.

#### **Travel Expenses on Purchasing Card:**

Travel expenses can be made using a city issued purchasing card. When using a purchasing card to travel all processes and procedures under the Purchasing Card Policy apply. A requisition for all purchases must be entered into ERP Pro 10 and be accompanied by an itemized receipt.

**Compliance and Accountability:**

All travelers are expected to adhere to this policy and exercise good judgment in the use of public funds. Violations of this policy may result in denial of reimbursement and disciplinary action.

**Exceptions:**

Any exceptions to this policy must be approved in writing by the City Manager.



## Conflict of Interest Policy

### **Purpose**

The purpose of this Conflict of Interest Purchasing Policy is to establish guidelines and procedures to ensure that the City's procurement processes are conducted with transparency, fairness, and free from conflicts of interest. This policy aims to safeguard the integrity of the City's purchasing activities and maintain public trust in the procurement process.

### **Scope**

This policy applies to all municipal employees, elected officials, and individuals involved in the procurement process, including vendors and contractors. It covers all purchasing activities, including the acquisition of goods, services, and construction.

### **Definitions**

**Conflict of Interest:** A conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has an actual or perceived financial or other interest in or a tangible personal benefit from a vendor considered for a contract as further defined in the Conflict of Interest Policy and the City Charter. In addition, for elected officials, a conflict would arise under Chapter 171 of the Texas Local Government Code and other provisions of state law.

**Official:** Any elected official, employee, or individual participating in the procurement process on behalf of the City.

### **Disclosure of Conflicts of Interest**

All officials involved in procurement processes must disclose any personal, financial, or familial interests that may create a conflict of interest. Disclosures should be made in writing to the City's Finance Director prior to participating in any procurement decision.

### **Evaluation and Management of Conflicts**



The Finance Director will work with the City Manager to determine actions to take to remedy the conflict of interest. The official involved may be recused from the procurement process. The City may also seek legal advice to ensure proper resolution of conflicts and adherence to applicable laws.

### **Prohibited Actions**

No official shall participate in the procurement process where a conflict of interest exists. Officials are prohibited from accepting gifts, favors, or benefits from vendors or contractors that could influence procurement decisions.

### **Vendor Relations**

Vendors and contractors are required to disclose any conflicts of interest that may arise during the procurement process. Failure to disclose conflicts may result in disqualification from the procurement process and may impact future business opportunities with the City.

### **Penalties for Violations**

Violations of this policy may result in disciplinary action, including but not limited to reprimand, suspension, or termination of employment. Individuals found in violation may also be subject to legal action or fines as allowed by applicable laws.

### **Training and Awareness**

The City shall provide training on conflict-of-interest policies to all officials involved in the procurement process. Regular updates and reminders on conflict-of-interest policies will be provided to ensure ongoing awareness.

All employees, officers, and representatives of the City of Ennis are required to review, disclose, and acknowledge their understanding of this Conflict of Interest Policy on an annual basis. Each individual must complete and sign the Annual Disclosure and Acknowledgment Statement, affirming their compliance and disclosing any actual, potential, or perceived conflicts of interest.

Failure to complete the required annual disclosure may result in disciplinary action, up to and including suspension, termination, or other corrective measures as deemed necessary by the City. It is the responsibility of each individual to update their disclosure should a conflict of interest arise at any time during their tenure.



## City of Ennis Procurement Ethics Policy

### **Purpose**

The purpose of this policy is to establish clear ethical standards and guidelines for the procurement of goods, services, and construction by or for the City of Ennis. This policy aims to promote fairness, transparency, and integrity in all procurement activities.

### **Scope**

This policy applies to all city officials, employees, contractors, consultants, and vendors involved in the procurement process on behalf of the City of Ennis.

### **General Principles**

- a. Integrity and Transparency: All procurement processes shall be conducted in a manner that ensures fairness, accountability, and transparency.
- b. Conflict of Interest: Individuals involved in procurement must avoid any situation that may result in a direct or indirect pecuniary interest, which could be perceived as a conflict of interest. They must disclose any potential or actual conflicts to their supervisor and the Finance Director. A conflict of interest would arise when the employee, officer, or agent, any member of his or her 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 vendor considered for a contract as further defined in the Conflict of Interest Policy and the City Charter.
- c. Confidentiality: Confidential information related to procurement activities must be safeguarded and not used for personal gain.
- d. Compliance with Laws: All procurement activities shall comply with federal, state, and local laws, regulations, and the city's procurement rules.

## **Guidelines for Conduct**

- a. Avoidance of Improper Influence: No gifts, hospitality, or other benefits shall be accepted from potential or current vendors that could influence, or appear to influence, procurement decisions.
- b. Fair Competition: Open and fair competition is the standard for procurement. Specifications shall be written in a way to encourage competition, and no potential vendor shall be unjustly excluded from bidding.
- c. Responsibility to Report: City officials and employees must report any irregularities in procurement to the appropriate authority.
- d. No Retaliation: The city prohibits retaliation against individuals who, in good faith, report misconduct or unethical behavior.

## **Responsibilities**

- a. Training and Compliance: Regular training on this policy shall be provided to all relevant employees. Compliance with this policy will be monitored and violations will be dealt with promptly.

## **Enforcement**

Violations of the procurement ethics policy may result in disciplinary action, up to and including termination of employment, termination of contracts, and legal action, depending on the severity of the breach.

## **Review and Update**

This policy shall be reviewed annually and updated as necessary to reflect changes in laws or in the procurement needs of the City of Ennis.

## Sole Source Justification Form



### City of Ennis

\_\_\_\_\_ is a sole source for the following items, products or services:

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#### Competition for this purchase is precluded due to:

☐ A patent, copyright, secret process or natural monopoly

☐ Films, manuscripts or books and library material with exclusive distribution rights

☐ Electricity, gas, water or other utility services

☐ Captive replacement parts or components for equipment

☐ Management services provided by a non-profit organization to a municipal museum, park, zoo, or other facility to which the organization has provided significant financial or other benefits.

**Department Director Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

## Change Order Request Form



**City of Ennis**

**Name of Vendor** \_\_\_\_\_

**Purchase Order Number** \_\_\_\_\_

**Original Approved Contract Amount** \_\_\_\_\_

**Requested Change in Contract Amount** \_\_\_\_\_

**Total Contract Amount Requested** \_\_\_\_\_

**Department Director Signature** \_\_\_\_\_

**Date** \_\_\_\_\_



## CERTIFICATION OF EMERGENCY PURCHASE FORM

Section 252.022 of the Texas statutes provides exemptions to the bidding laws for emergencies as follows, please select the nature of the emergency from one of the options below:

**(A)(1).** A procurement made because of a public calamity that requires the immediate appropriation of money to relieve the necessity of the municipality's residents or to preserve the property of the municipality.

**(A)(2).** A procurement necessary to preserve or protect the public health or safety of the municipality's residents.

**(A)(3).** A procurement necessary because of unforeseen damage to public machinery, equipment or other property.

Description/Justification of Emergency: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Emergency Dollar Amount: \$ \_\_\_\_\_

Supplier: \_\_\_\_\_ REQ#: \_\_\_\_\_ PO#: \_\_\_\_\_

|   |       |
|---|-------|
| Name/Title of official responsible for initiating emergency action: | Date: |
| _____   | _____ |

|                        |       |
|------------------------|-------|
| Signature of Director: | Date: |
| _____                  | _____ |

|   |       |
|---|-------|
| Signature of Purchasing Manager/Finance Director: | Date: |
| _____   | _____ |

|  |       |
|--|-------|
| Signature of City Manager or Designee: | Date: |
| _____                                  | _____ |



## City of Ennis Travel Reimbursement Form

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### Employee Information

- Name: \_\_\_\_\_
- Department: \_\_\_\_\_
- Contact Number: \_\_\_\_\_
- Email Address: \_\_\_\_\_

---

### Travel Details

- Purpose \_\_\_\_\_ of \_\_\_\_\_ Travel: \_\_\_\_\_
- Destination: \_\_\_\_\_
- Departure Date: \_\_\_\_\_
- Return Date: \_\_\_\_\_

---

### Expenses Summary

| Expense Type        | Actual Cost | Receipt Attached (Y/N) |
|---------------------|-------------|------------------------|
| Transportation      | \$ _____    | [ ]                    |
| Lodging             | \$ _____    | [ ]                    |
| Meals               | \$ _____    | [ ]                    |
| Incidental Expenses | \$ _____    | [ ]                    |
| Other (Specify)     | \$ _____    | [ ]                    |
| <b>Total</b>        | \$ _____    |                        |

---

### Transportation Details

- **Mode of Transportation:**
  - Air
  - Personal Vehicle
  - Rental Car
  - Public Transportation

- Other (Specify): \_\_\_\_\_
  - **Mileage (if using personal vehicle):**
    - Total Miles: \_\_\_\_\_ miles
    - Reimbursement Rate: \$\_\_\_\_\_/mile
    - Total Mileage Cost: \$\_\_\_\_\_
- 

#### **Lodging Details**

- Hotel Name: \_\_\_\_\_
  - Address: \_\_\_\_\_
  - Phone Number: \_\_\_\_\_
  - Reservation Confirmation Number: \_\_\_\_\_
- 

#### **Meals**

- Total Meals Cost: \$\_\_\_\_\_
- 

#### **Incidental Expenses**

- Description: \_\_\_\_\_
  - Total Cost: \$\_\_\_\_\_
- 

#### **Other Expenses**

- Description: \_\_\_\_\_
  - Total Cost: \$\_\_\_\_\_
- 

**Total Reimbursement Requested**      \$\_\_\_\_\_

---

#### **Certification**

I certify that the above expenses were incurred for official City of Ennis business and are in compliance with the City of Ennis Travel Policy. I have attached all required receipts and documentation.

- **Employee Signature:** \_\_\_\_\_
  - **Date:** \_\_\_\_\_
- 

#### **Approval**

- **Supervisor/Department Head:**
  - **Name:** \_\_\_\_\_
  - **Signature:** \_\_\_\_\_
  - **Date:** \_\_\_\_\_





## City of Ennis Meal Advance Request Form

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### Employee Information

- Name: \_\_\_\_\_
- Department: \_\_\_\_\_
- Contact Number: \_\_\_\_\_
- Email Address: \_\_\_\_\_

---

### Travel Details

- Purpose of Travel: \_\_\_\_\_
- Destination: \_\_\_\_\_
- Departure Date: \_\_\_\_\_
- Return Date: \_\_\_\_\_

---

### Estimated Meal Expenses

- Per Diem Rate (GSA): \$\_\_\_\_\_/day
- Total Days: \_\_\_\_\_ days
- Total Meals Cost: \$\_\_\_\_\_

---

### Advance Amount Requested

- Total Advance Requested: \$\_\_\_\_\_

---

### Employee Certification

I certify that the requested advance will be used for official City of Ennis business travel expenses. I understand that I must submit a Travel Expense Report and all required documentation within 30 days of my return.

- Employee Signature: \_\_\_\_\_
- Date: \_\_\_\_\_

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### Approval

- Department Head:
  - Name: \_\_\_\_\_
  - Signature: \_\_\_\_\_