

## <u>CHAMPAIGN COUNTY PURCHASING POLICY RULES, REGULATIONS, and</u> <u>PROCEDURES FOR PURCHASING</u>

As Adopted by the Champaign County Board Ordinance No. 897 and Ordinance No. 902 and Ordinance No. 2022-9

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# **TABLE of CONTENTS**

I.	SCOPE & PURPOSE	3
II.	POLICY STATEMENT	3
III.	PROCUREMENT OF GOODS/SERVICES	5
	A. VENDOR INVOICE	
	B. PURCHASE REQUISTION	
	C. PURCHASES AND OTHER GOODS/SERVICES FOR \$30,000 OR MORE	7
	D. GOODS TO BE REPLACED THROUGH THE CAPITAL ASSET	
	REPLACEMENT FUND (CARF) FOR GENERAL CORPORATE	
	FUND DEPARTMENTS	10
	E. AUTOMATED/TELEPHONE EQUIPMENT PURCHASES/CHANGES	11
	F. UNAUTHORIZED PURCHASE	12
IV.	EMERGENCY PURCHASES	12
V.	NON-COMPETITIVE PROCUREMENT	12
VI.	COOPERATIVE PURCHASING	13
VII.	CREDIT CARD POLICY	13
VIII.	EXCEPTIONS	14
IX.	PROCEDURE FOR NON-COMPLIANCE	15
X.	DEFINITIONS	17

#### CHAMPAIGN COUNTY PURCHASING POLICY RULES, REGULATIONS, AND PROCEDURES FOR PURCHASING

## I. SCOPE & PURPOSE

It is the policy of the Champaign County Board that:

- A. The Purchasing Policy shall be the sole guideline for business transacted between vendors and Champaign County, Illinois. This applies to all contracts/leases whether formal or implied.
- B. All County Departments, County employees, and all elected or appointed County officials shall follow the Purchasing Policy when procuring goods and services with public funds, except as stated in Article VIII, Exceptions.
- C. When the procurement involves the expenditure of State or Federal assistance or contract funds, the procurement shall be conducted in accordance with any applicable mandatory State and/or Federal law(s). Nothing in this policy shall prevent any County Department from complying with the terms and conditions of any grant, gift, bequest, or cooperative purchasing agreement that is otherwise consistent with law.

## II. POLICY STATEMENT

- A. The County's primary objective in purchasing is acquiring the greatest value and, as such, price may be, at times, a secondary consideration.
- B. To make the most efficient use of taxpayers' dollars.
- C. To allow for competitive pricing in the procurement of all goods and services.
- D. To maintain an "Open Door" policy, whereby all responsible suppliers will receive proper consideration.
- E. When the bid process is utilized, the lowest bidder conforming to bid specifications will be given the greater consideration.
- F. When comparable goods and services are available, the supplier with the lowest price will be given greater consideration.
- G. When using either the bid process or the normal procurement process, all other factors held equal, local vendors may receive preference. In addition, diversity goals may also contribute toward vendor selection.

- H. Gratuities or gifts, of any types, to County officials or employees elected, appointed, salaried or hourly are prohibited both during the bidding process and after award of bid or contract for services.
- I. All bids and quotes are subject to the State of Illinois Freedom of Information Act; however, bids/quotes/proposals shall not be used by vendors or Champaign County to gain unfair competitive advantage either prior to, during, or after the competitive bidding process.
- J. Receipt of an Invitation to Bid or other Procurement document or submission of any response thereto, or other offer, confers no right to receive an award or contract nor does it obligate Champaign County in any manner.
- K. Words in singular number include the plural, and those in the plural include the singular except where such construction would be unreasonable or the context otherwise clearly indicates. Words of a particular gender include any gender and the neuter, and when the sense so indicates, words of the neuter gender may refer to any gender.
- L. In order to help provide a stable market for recycled goods, Champaign County will make a concerted effort to purchase and use recycled/recyclable/reclaimable goods quoted of comparable quality to County specified requirements and are quoted at a price competitive for the quality specified.
- M. Conflicts Of Interest
  - 1. No employee, elected official, agent, or other individual under an employment contract with Champaign County, or his or her immediate family member, partner, or organization that employs or is about to employ any of the foregoing may participate in the procurement of goods/services for Champaign County or the bidding, selection, or award of contracts therefor if a conflict of interest, real or apparent, would be involved.
  - 2. Such a conflict would arise when any of those previously listed individuals has a financial or other interest in the firm selected for award.
  - 3. As used herein, the following definitions apply:

**Conflict of Interest** – A situation in which an employee, board member, officer, or agent has a private or personal interest sufficient to appear to influence the objective exercise of his or her official duties. A conflict of interest represents a divergence between a person covered by this policy and their private interests and their professional obligations to the Champaign County such that an independent observer might reasonably question whether the individual's professional actions or decisions are determined by considerations of personal gain, financial or otherwise.

**Financial Interest** – An officer, agent, board member, his or her partner, employee, or their immediate family, is considered as having a financial interest in a company if: they receive more than \$10,000 in consulting income, salaries, or equity in the company; they have more than 5 percent equity in the company; they have intellectual property rights in or receive royalties from the company; or they serve as a director, officer, partner, trustee, manager or employee of the company.

**Immediate Family** – Immediate family includes an employee's spouse, grandparent, parent, brother, sister, child or grandchild, his or her partner.

- 4. It shall be a breach of ethical standards for any Champaign County employee to participate directly or indirectly in a procurement when the employee knows:
  - The employee or any member of the employee's immediate family, board member, officer, agent, his or her partner, 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 employee's immediate family is negotiating or has an arrangement concerning prospective employment is involved in the procurement.

#### III. PROCUREMENT OF GOODS/SERVICES

It is the policy of the Champaign County Board that all procurement of goods/services shall fall under the following classifications and shall follow these rules unless an exception acknowledged by this Policy applies:

- A. VENDOR INVOICE GOODS/SERVICES \$10,000 OR LESS.
  - 1. The Vendor Invoice shall be the standard document utilized for the systematic procurement of goods/services for Champaign County.
  - 2. The Vendor Invoice and shipping notice (if applicable) shall be the sole document required for the procurement and payment of goods/services whose total monetary value does not exceed \$10,000.00.
  - 3. The Vendor Invoice must be approved by the requesting department head, or an authorized representative via software workflow (e.g. Munis) before it may be paid. The department head, or an authorized representative shall be the only individuals who may approve Vendor Invoices for their department.

# B. PURCHASE REQUISTION – GOODS/SERVICES EXCEEDING \$10,000 AND LESS THAN \$30,000.

- 1. For purchases totaling \$10,000.01-\$30,000, the department in working with the Administrative Services Department, shall exercise due diligence to obtain a minimum of three written quotes, and may use a Request for Proposal (RFP) for services, if appropriate. The Purchase Requisition must include documentation of all quotes obtained and/or memos documenting due diligence.
- 2. Purchase Requisitions must be approved by the County Executive or an Administrative Services Department employee designated by the County Executive, via software workflow (e.g. Munis) before approval by the Champaign County Auditor's Office.
- 3. Goods/services may <u>not</u> be ordered prior to the encumbering of funds by the Champaign County Auditor's Office.
- 4. That goods/services that have been ordered and received by Purchase Requisition/Purchase Order on or before December 31st will have funds available in the current budget for payment within the first sixty (60) days of the new fiscal year. Any items received after December 31st must have a new fiscal year Purchase Requisition completed and close the prior year Purchase Requisition/Purchase Order.
- 5. For Capital Construction or Facilities Maintenance purchases of \$10,000.01 \$30,000, and if the good or service is in a category covered by the Prequalified Vendor List maintained by the Facilities Director and included in the Purchase Requisition support, the Facilities Director shall attempt to obtain quotes from the vendors on the Prequalified Vendor List who are certified to provide those services, and may award the contract to the vendor from the Prequalified Vendor List who provides the best price within the established budget for the project. The Facilities Director shall award the contract by preparing a Requisition for Purchase Order Summary including detailed information of items to be purchased and copies of all quotes received from eligible prequalified vendors who provided quotes for the project.
- 6. For purchases of \$10,000.01 \$30,000, the requirement for three written quotes, as stated in Article III-B (1), is waived if the items purchased are available through competitively solicited contracts bid and negotiated by the State of Illinois, U.S. General Services Administration, or other lead public agency in accordance with public purchasing rules and regulations as allowed by Illinois state statute (e.g. 5 ILCS 220/3). The Purchase Requisition must include documentation regarding the contract utilized for the purchase. Additional quotes are not needed but Purchase Requisition/encumbrance of funds is required.

- 7. County Department personnel shall create a Purchase Requisition, after determination of source and price, and release to software workflow (e.g. Munis) for approval and conversion to Purchase Order prior to placing the order or completing the contract.
- 8. Review of the feasibility of using the bid process for items exceeding \$10,000, but anticipated not to exceed \$30,000, shall be made by the requesting department and/or the Administrative Services Department on a case-by-case basis.

#### C. PURCHASES AND OTHER GOODS/SERVICES FOR \$30,000.01 OR MORE

- 1. Requirements for Bidding/Competitive Selection Procedure
  - a. All purchases of goods or services, including those for contractor work as described in ordinance 666, in which "responsible bidder" is defined, that are estimated to cost \$30,000.01 or more must be let for bid or procured through a competitive selection (Request for Proposal-RFP or Request for Qualifications-RFQ) process unless an exception acknowledged by this Policy applies.
  - b. Departments may not make two separate Purchase Requisitions/Purchase Orders for the same good/service in order to circumvent the normal bidding procedure. A similar order within 30 days will be flagged for attempted circumvention of policy.
  - c. Any final award of contract or approval of purchase obtained through formal bids or requests for proposals/requests for qualifications must be approved by the full Champaign County Board.
  - d. All meetings and discussions of the award of a bid or contract shall be open to the public and welcome the public's participation except where closed meetings to consider the subject(s) are authorized by law (e.g. the Open Meetings Act).
  - e. Public notification of bid/RFP/RFQ shall be placed in the "Legal Notices" section of a newspaper of general circulation in the County for a minimum of one (1) day in each of three (3) successive weeks, and, when appropriate, provide notice in related professional publications or web sites. All expenses incurred in the publication of notice of bid/RFP/RFQ will be the responsibility of the requesting department.
- 2. Bid/Request Types

It is the policy of the Champaign County Board to allow for competitive pricing and that the use of the bid system shall be the vehicle by which this policy shall be carried out.

- a. Formal bids shall be used when the projected monetary value of goods or services to be procured exceeds the limit set in 1.a, above.
- b. Requests for Proposals (RFP) or Requests for Qualifications (RFQ) shall be used when the goods or services required, due to their nature, do not fall in a classification for which clearly established technical specifications can be provided to bidders.
- c. Requests for Qualifications (RFQ) following the Quality Based Selection (QBS) requirements established in 50 ILCS 510/1 et seq. for selection of architects, engineers and land-surveying services (statute that under \$40,000 does not require bids) shall be followed for the procurement of those services.
- 3. Steps in Bidding/Competitive Selection Process
  - a. Detail of specifications shall be prepared by requesting department head for goods or services to be bid upon or procured through competitive selection. Assistance will be available to the requesting department for the preparation of specifications from Administrative Services-upon request; however, the quantity and final determination of quality of goods/services to be bid/procured shall be the responsibility of the requesting department head.
  - b. Availability of funds shall be verified by Administrative Services personnel and the Auditor's Office.
  - c. Upon completion of preparation of bid/proposal as identified in Steps 3.a and 3.b above, the final review of bids/proposals and approval to release bids/proposals shall be approved by County Board Committee as follows:
    - For bids/proposals related to Facilities projects County Facilities
    - For bids/proposals related to Highway projects County Highway
    - For all other bids/proposals Finance
  - d. Bid/proposal package shall be created. Bid/Proposal package shall include:
    - Introductory Letter (detailing bid/proposal due date, bid opening date, and all dates of Board meetings scheduled forbid consideration and award).
    - Purchase Order Terms and Conditions
    - Bid/Proposal Specifications and Requirements
    - Bid/Proposal Guidelines
    - Bid/Proposal Quote Sheet

- e. Advertisement shall be placed in the "Legal Notices" section of a local newspaper of general circulation in the County for a minimum of one (1) day in each of three (3) successive weeks, and, when appropriate, provide notice in related professional publications or web sites. All expenses incurred in the publication of notice of bid/proposal shall be the responsibility of the requesting department. Notice should include:
  - Bid/Proposal Number
  - The Goods/Services to be Bid/Proposed
  - The Due Date, Time, and Place of Bid/Proposal Opening
  - Date, Time, and Place of All Meetings Scheduled for Bid/Proposal Consideration and Final Award of Bid/Contract.

Annual bid proposal numbers for all bids/proposals shall be maintained by Administrative Services; departments preparing bids/proposals shall obtain annual bid proposal numbers from Administrative Services.

- f. Require a public bid/proposal opening in the Administrative Services Office (or as assigned, if additional space is required) of all submitted bids/proposals.
- g. Analysis of bids/proposals received will be prepared and/or reviewed by requesting department head in cooperation with Administrative Services personnel and submitted by requesting department head to the County Board Committee responsible for the release of the bid/proposal as identified in Step 3.c above prior to the committee's meeting. Analysis shall include a detailed bid/proposal summary and a history of prior awards and business transacted during the prior three (3) years between Champaign County and bidders/proposers.
- h. The County Board Committee responsible for the bid/proposal as identified in Step 3.c above reviews bid/proposal analysis and forwards recommendation for award of bid/contract to the full Champaign County Board for consideration and final approval.
- i. The full Champaign County Board awards all contracts and bids.
- j. After full Champaign County Board approval, the requesting department creates a Purchase Requisition and releases to software workflow (e.g. Munis) for the approval process which upon completion converts the Purchase Requisition to a Purchase Order at which time the goods or services may be ordered.

- k. Administrative Services notifies all bidders of the results of award of bid/contract.
- 1. After award of contract or bid, original bids/quotes/proposals submitted by vendors will be retained by the requesting department for at least three (3) years, or as required by law.
- 4. Awarding Purchase Orders/Bids/Proposals/Contracts

- a. In addition to price and terms of sale as conditions for award of bid, the following shall also be given great consideration: quality of goods bid, the financial condition and proven ability of the supplier, ability to provide goods/services in a timely manner, and the history of the supplier in past dealings with Champaign County.
- 5. Contracts
  - a. The State's Attorney's Office may, upon request, review contracts prior to final signature by the County Executive.
  - b. Contracts shall be signed by the County Executive only after all required endorsements to awarded bidders insurance and proof of coverages have been received by Administrative Services and forwarded to the requesting department head for review and retention through the contract service period or until goods/services have been received (or as the law requires).
  - c. All contracts for goods/services which have been approved by the Champaign County Board will be signed by the County Executive.
- D. GOODS TO BE REPLACED THROUGH THE CAPITAL ASSET REPLACEMENT FUND (CARF) FOR GENERAL CORPORATE FUND DEPARTMENTS
  - 1. The county will maintain a Capital Asset Replacement Fund (CARF) for General Corporate Fund Departments for purchases to be made with General Corporate Fund Budgets. Purchases to be included in the CARF fall in the following categories:
    - a. Vehicles. All vehicles, including trailers and mowers, shall be purchased by General Corporate Fund Budgets.
    - b. Computers and Technology. All computers, PC's, printers and radio equipment, regardless of price, shall be replaced and purchased through the CARF. Other technology items to be replaced and purchased through the

CARF are those items with individual cost in excess of \$10,000.00.

- c. Furnishings and Office Equipment. All items of furnishings and office equipment with individual price in excess of \$10,000.00 shall be replaced and purchased through the CARF. (All items of office furnishings with individual cost of \$10,000.00 or less shall be purchased out of department budgets.)
- 2. Requests for purchases from the CARF shall be made by individual departments to Administrative Services.
  - a. Administrative Services shall maintain Scheduled Replacement Plans for each General Corporate Fund Department. The Scheduled Replacement Plans shall be reviewed, amended, and verified by the departments each year in the budget preparation process.
  - b. Administrative Services shall verify that each request for purchase from the CARF is a budgeted and scheduled replacement for the fiscal year in which the purchase is requested.
- 3. Administrative Services personnel shall prepare all purchase requisitions for the purchases to be made by the CARF.
  - a. For purchases of \$10,000.01 \$30,000, the Administrative Services Department shall obtain a minimum of three written quotes, and may use an RFP, if appropriate. The Purchase Requisition must include documentation of the quotes obtained.
  - b. Review of the feasibility of using the bid process for items exceeding \$10,000.00, but anticipated not to exceed \$30,000, shall be made by Administrative Services on a case-by-case basis.

#### E. AUTOMATED/TELEPHONE EQUIPMENT PURCHASES/CHANGES.

- 1. All automated equipment purchases are to be reviewed, for compliance with Champaign County's automated systems design, development, and needs; and approved by the County Executive prior to items being purchased. Exceptions will be referred by the County Executive to the Policy, Personnel, and Appointments Committee for review and approval.
- 2. All telephone equipment purchases, or system alterations shall require the approval of the Policy, Personnel, and Appointments Committee. Following approval by the Policy, Personnel, and Appointments Committee, all orders for telephone equipment or system alterations will be placed to the appropriate source by Administrative Services personnel.

#### F. UNAUTHORIZED PURCHASES.

- 1. An Unauthorized Purchase occurs when the materials, services, or any expense is charged to the County of Champaign by a person who has not been given such authority. Unauthorized Purchases include procuring goods and supplies, equipment, construction, or services (including professional services) without following the provisions of this policy. The individual making an Unauthorized Purchase may incur a personal obligation to the vendor or the County for the expense even though the goods and supplies, equipment, construction, or services (including professional services) are used for county business.
- 2. Unauthorized purchases procedures are detailed in this Policy under Article IX.

## IV. EMERGENCY PURCHASES

It is the policy of the Champaign County Board that:

- A. Emergency purchases shall be classified as those purchases, which ensure public health and safety, protect public property, and to limit County liability. A written determination of the basis for the emergency and for the selection of the particular vendor shall be included in the support. The County Department shall document a good faith effort was made and include such documentation.
- B. Emergency purchases are subject to reporting to the Champaign County Board by the Auditor's Office.
- C. Payment for emergency purchases need not be held awaiting County Board approval.

## V. NON-COMPETITIVE PROCUREMENT

- A. Subject to requirements in 55 ILCS 5/5-1022 a contract may be awarded without competition when a County Department determines, and the Director of Finance and Auditor's Office concur, and it is not required by law, after conducting and documenting a good faith review of available sources, that the contract by its very nature is not suitable to competitive bids or proposals. Examples of contracts which may not be suitable for competitive bids or proposals are:
  - 1. There is only one source for the required goods, supplies, service or construction.
  - 2. A sole supplier's item is needed for trial use or testing.
  - 3. Purchases of used equipment.
  - 4. Purchases at auction.

5. Proprietary licensing, software integrations, software development, software maintenance, computer hardware maintenance, database maintenance, software support services, database support services, cloud services, and computer hardware support services required purchases after the original purchase competitively procured in Article III-C.

#### VI. COOPERATIVE PURCHASING

It is the policy of the Champaign County Board that:

- A. Subject to 30 ILCS 525/0.01 et seq., commonly known as the Illinois Governmental Joint Purchasing Act, Champaign County may either participate in, sponsor, conduct, or administer a cooperative purchasing agreement for the procurement of goods, supplies, equipment, services, construction, or professional services with one or more public procurement unit(s). Such cooperative purchasing may include, but is not limited to, joint or multi-party contracts between public procurement unit(s) and open-ended state public procurement unit contracts which are made available to other public procurement units.
- B. Champaign County may sell to, acquire from, or use any goods and supplies belonging to another public procurement unit independent of competitive bids.
- C. Champaign County may enter into an agreement independent of competitive bids for cooperative use of goods, supplies, and services under the terms agreed upon between the parties.
- D. Champaign County may enter into agreements for the common use or lease of warehousing facilities capital equipment, and other facilities with another public procurement unit under the terms agreed upon between the parties.

#### VII. CREDIT CARD POLICY

A credit card may be obtained by a County department for the efficient operation of the department in regard to charging and payment of business expenses that cannot be conveniently paid for by other means. This Purchasing Policy supersedes any existing or subsequent Champaign County Credit Card Policy.

#### VIII. EXCEPTIONS

- A. Although the Champaign County Purchasing Policy is designed to be flexible enough to accommodate most specific situations, there will be occasions which require techniques or solutions outside the established guidelines. To ensure internal consistency, however, some control must be maintained by the Champaign County Board over exceptional situations. Purchases beyond the Champaign County Purchasing Policy guidelines, as established in this policy, may be referred by the requesting department head to Policy, Personnel, & Appointments Committee of the Champaign County Board for recommendation of exception to the Purchasing Policy to the Champaign County Board for final approval.
- B. The Regional Planning Commission shall have an exception, in that the Parent Committee shall be considered the Regional Planning Commissioners, for matters concerning purchasing, and final approval shall be made by the Champaign County Board upon the recommendation of The Regional Planning Commission.
- C. The Mental Health Board shall be excluded from this policy.
- D. The Highway Department is granted an exception from this policy regarding the Administrative Policies and Standard Specifications for Road and Bridge Construction and adopted by the Illinois Department of Transportation and applicable sections of the Illinois Revised Statutes, which shall prevail in the use of Motor Fuel Tax and County Bridge purchases.
- E. Purchases for materials and services, routinely and repeatedly purchased through the year for Champaign County Highway Department where the amount of the purchase cannot be determined beforehand, will not require a Purchase Order even though the amount may exceed \$10,000.00.
- F. Written quotations will be an accepted alternate to formal bids for fuel, which is routinely and repeatedly purchased throughout the year by the Champaign County Highway Department even though the amount exceeds \$30,000.
- G. Purchases for food, routinely and repeatedly purchased through the year, by any County Department, will not require a Purchase Order even though the amount may exceed \$10,000.01.
- H. The formal bidding process, as prescribed in the Purchasing Policy, shall not be required for all items purchased through competitively solicited contracts bid and negotiated by the State of Illinois, U.S. General Services Administration, or other lead public agency in accordance with public purchasing rules and regulations as allowed by Illinois state statue (5 ILCS 220/3). The requesting department shall be responsible for completing all necessary paperwork involved in utilizing any such government purchasing alliance for purchase of any item/items requested.

- I. Examples of non-negotiable or proprietary purchases that do not require a purchase requisition and, therefore, may be processed by direct invoice, include, but are not limited to:
  - 1. Books
  - 2. Subscriptions
  - 3. Copyrighted Material
  - 4. Membership and Registration fees
  - 5. Interdepartmental Reimbursements
  - 6. Legal Services and Related Litigation Expenses
  - 7. County postage fund replenishment
  - 8. Statutory Clerk election mailings
  - 9. Statutory Assessor mailings
  - 10. Intergovernmental Payments
  - 11. Bank Payments
  - 12. Settlement of Judgements & Claims
  - 13. Utility payments for electric, gas, water, sewer, telephone, and cell phones
  - 14. Refunds
  - 15. Hospital, Medical, Doctor, and Dentist Expenses
  - 16. Travel (see County Travel & Business Expense Policy)

#### IX. PROCEDURE FOR NON-COMPLIANCE

A. The Auditor's Office shall not process any payment for goods, supplies, services, or construction (except for professional services, the procedures for which are set forth in Article III-C unless such procurement was in compliance with the terms of this policy. If the Auditor's Office is requested to process any payment that is not in compliance with this policy, the County Auditor shall, after consultation with the State's Attorney, promptly report such requests and the nature of the non-compliance to the Finance Committee.

- B. If the purchase amount is below \$30,000, and, if the procurement is not in violation of State or Federal law, then the Department Head or Elected Official making the request of the Auditor's Office for payment, shall present the matter to the Finance Committee which, if a majority of the members present vote to approve the non-compliant expenditure, may submit its recommendation to approve the non-compliant expenditure by Resolution to the County Board for its consideration.
- C. <u>Procedure for Addressing Non-compliance for Purchases of Professional Services.</u> If the Auditor's Office is requested to process any payment for Professional Services in excess of \$30,000 that is not in compliance with this policy, the County Auditor shall, after consultation with the State's Attorney, promptly report such request and the nature of the non-compliance to the County Board. If the State's Attorney opines that the services sought constitute Professional Services under state law, and, if the procurement is not otherwise in violation of State or Federal law, then the Department Head or Elected Official making the request of the County Auditor for payment, shall present the matter to the Finance Committee which, if a majority of the members present vote to approve the non-compliant expenditure, may submit its recommendation to approve the non-compliant expenditure by Resolution to the County Board for its consideration.
- D. <u>Competitive Sealed Bids/Competitive Sealed Proposals Non-compliance</u> <u>Ascertained Prior to Bid Opening or Closing Date for Receipt of Proposals.</u> If prior to the Bid opening or the closing date for receipt of proposals, the Director of Finance, after consultation with the State's Attorney, determines that a solicitation is in violation of federal, state, or local law, then the solicitation shall be cancelled or revised to comply with applicable law.
- E. <u>Competitive Sealed Bids/Competitive Sealed Proposals Non-compliance</u> <u>Ascertained Prior to Award.</u> If after Bid opening or the closing date for receipt of proposals, the Director of Finance, after consultation with the State's Attorney, determines that a solicitation or proposed award of a Contract is in violation of federal, state, or local law, then the solicitation or proposed award shall be cancelled.
- F. <u>Competitive Sealed Bids/Competitive Sealed Proposals Non-compliance</u> <u>Ascertained After Award.</u> If, after an award, the Director of Finance, after consultation with the State's Attorney, determines that a solicitation or award of a Contract was in violation of the Purchasing Policy, then:
  - 1. if the Person awarded the Contract has not acted fraudulently or in bad faith:
    - a. the Contract may be ratified and affirmed by the County Board, provided it is determined that doing so is in the best interests of the County and provided that no violation of State or Federal law has occurred in the procurement process; or

- b. the Contract may be terminated, and the Person awarded the Contract shall be compensated for the actual costs reasonably incurred under the Contract prior to notification; or
- 2. if the Person awarded the Contract has acted fraudulently or in bad faith the Contract may be declared null and void or voidable, if such action is in the best interests of the County.

## X. **DEFINITIONS**

The words defined in this Policy shall have the meanings set forth below whenever they appear in this Policy

- 1. <u>Confidential Information</u>. Any information which is available to an Employee only because of the Employee's status as an Employee of the County and is not a matter of public knowledge or available to the public via a request made at that time pursuant to the Illinois Freedom of Information Act (5 ILCS 140/1 et seq.).
- 2. <u>Purchase Order.</u> An approved and converted Requisition directing a vendor to provide goods, supplies, services, equipment, construction, or professional services to Champaign County.
- 3. <u>Requisition.</u> When a County Department enters the details of goods and supplies, services, equipment, construction, or professional services into the accounting software (e.g. Munis) for approval prior to obtaining said goods and services.
- 4. <u>Responsible Bidder</u>. See Champaign County Ordinance No. 666.
- 5. <u>Software Workflow</u>. The automated routing and tracking of requests and approvals within the accounting software to ensure efficiency and transparency. This meaning applies to both the "Munis" system current as of the date of this Policy's most recent revision, but also any successor version, system, or software differently named.
- 6. <u>Used Equipment.</u> Equipment that is at least one year old; or is a floor or demonstration model that is offered at a price at least twenty-five percent (25%) below current market price; or is otherwise determined by the Auditor's Office on a case-by-case basis to be a bona fide used item.

End of Policy